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**THIS ACTION IS FUNDED BY THE EUROPEAN UNION**

**ANNEX VIII**

of the Commission Implementing Decision on the financing of the multiannual action plan in favour of the NDICI Neighbourhood East Region for 2023-2024

**Action Document for Strengthening the fight against corruption and organised crime in the Eastern Partnership**

**MULTIANNUAL ACTION PLAN**

This document constitutes the multiannual work programme in the sense of Article 110(2) of the Financial Regulation, and action plan in the sense of Article 23(2) of NDICI-Global Europe Regulation.

**1. SYNOPSIS**

**1.1. Action Summary Table**

<b>1. Title OPSYS Basic Act</b>	Strengthening the fight against corruption and organised crime in the Eastern Partnership Multiannual Indicative Regional Programming Document (MIP) 2021-2027 <sup>1</sup> OPSYS business reference: ACT-61734 ABAC Commitment level 1 numbers: JAD.1279991, JAD.1176088 Financed under the Neighbourhood, Development and International Cooperation Instrument (NDICI-Global Europe).
<b>2. Economic and Investment Plan (EIP)</b>	No
<b>EIP Flagship</b>	No
<b>3. Team Europe Initiative</b>	No
<b>4. Beneficiar(y)/(ies) of the action</b>	The action shall be carried out for the benefit of the Eastern Partnership countries: Armenia, Azerbaijan, Belarus <sup>2</sup> , Georgia, Republic of Moldova <sup>3</sup> , and Ukraine.
<b>5. Programming</b>	Multiannual Indicative Regional Programming Document (MIP) 2021-2027 <sup>4</sup>

<sup>1</sup> C(2021)9370

<sup>2</sup> In line with the Council Conclusions of 12 October 2020 and in light of Belarus’s involvement in the Russian military aggression against Ukraine, recognised in the European Council Conclusions of February 2022, the EU has stopped engaging with representatives of Belarus public bodies and state-owned enterprises. As such, the action does not foresee any involvement of Belarusian public entities. Should there be a change of context, this may be reconsidered.

<sup>3</sup> Hereinafter referred to as ‘Moldova’

<sup>4</sup> C(2021)9370

<b>document</b>				
<b>6. Link with relevant MIP(s) objectives/expected results</b>	Priority area 2: Accountable institutions, the rule of law and security			
<b>PRIORITY AREAS AND SECTOR INFORMATION</b>				
<b>7. Priority Area(s), sectors</b>	DAC Sector code: 151 – Government and civil society, general			
<b>8. Sustainable Development Goals (SDGs)</b>	<p>Main SDG: SDG 16. Promote peaceful &amp; inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.</p> <p>Other significant SDGs: SDG 8: Promoting sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all.</p>			
<b>9. DAC code(s)</b>	<p>Main DAC code: 151 – Government and civil society, general - 100%</p> <p>15130 (Sector: Legal and judicial development) – 30%</p> <p>15113 (Sector: Anti-corruption organisations and institutions) – 30%</p> <p>15132 (Sector: Police) – 30%</p> <p>15210 (Sector: Security system management and reform) – 10%</p>			
<b>10. Main Delivery Channel</b>	Multilateral organisations - 40000			
<b>11. Targets</b>	<input type="checkbox"/> Migration <input type="checkbox"/> Climate <input checked="" type="checkbox"/> Social inclusion and Human Development <input checked="" type="checkbox"/> Gender <input type="checkbox"/> Biodiversity <input checked="" type="checkbox"/> Human Rights, Democracy and Governance			
<b>12. Markers (from DAC form)</b>	<b>General policy objective</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Aid to environment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Gender equality and women's and girl's empowerment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reproductive, maternal, new-born and child health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Disaster Risk Reduction	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Inclusion of persons with Disabilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Nutrition	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	<b>RIO Convention markers</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	Biological diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>13. Internal markers and Tags</b>	<b>Policy objectives</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	EIP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	EIP Flagship	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	
	Tags	YES	NO	
	transport	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	environment, climate resilience	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	digital	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	economic development (incl. private sector, trade and macroeconomic support)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	human development (incl. human capital and youth)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	health resilience	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	migration and mobility	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	agriculture, food security and rural development	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	rule of law, governance and public administration reform	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	other	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	Digitalisation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Tags	YES	NO	
	digital connectivity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	digital governance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	digital entrepreneurship	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
digital skills/literacy	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
digital services	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Connectivity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

	Tags	YES	NO
	digital connectivity	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	transport	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	health	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	education and research	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Migration	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Reduction of Inequalities	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	COVID-19	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>BUDGET INFORMATION</b>			
<b>14. Amounts concerned</b>	Budget line: BGUE-B2023-14.020111-C1-NEAR – EUR 8 000 000 BGUE-B2024-14.020111-C1-NEAR – EUR 5 000 000 Total estimated cost: EUR 13 000 000 Total amount of EU budget contribution: EUR 13 000 000 The contribution is for an amount of EUR 8 000 000 from the general budget of the European Union for 2023 and for an amount of EUR 5 000 000 from the general budget of the European Union for 2024, subject to the availability of appropriations for the respective financial years following the adoption of the relevant annual budget, or as provided for in the system of provisional twelfths.		
<b>MANAGEMENT AND IMPLEMENTATION</b>			
<b>15. Implementation modalities (management mode and delivery methods)</b>	<b>Direct management</b> through: - Grants <b>Indirect management</b> with the pillar assessed entity(ies) to be selected in accordance with the criteria set out in section 4.4.4		

## 1.2. Summary of the Action

Good governance, rule of law, successful anti-corruption policies, fight against serious and organised crime, respect of human rights, gender equality and security, are the backbone of strong and resilient states and societies and the prerequisite for cooperation within the Eastern Partnership framework and the EU. They are also significant preconditions for a functioning market economy and for sustainable growth.

This action has three main components. The first component (Outcome 1) will focus on strengthening the fight against high level corruption, building on previous regional and bilateral actions. It will notably aim to improve evidence-based policy-making and enforcement through regional analyses and dialogue and enhanced monitoring, including with the meaningful engagement of civil society, including women's organisations.

The second component (Outcome 2) will be tackling the financial gains of corruption and criminal activity, building on the past bilateral and regional cooperation on asset freezing, confiscation and recovery and will allow further high-level technical support and mentoring on the pending cases involving illicitly-acquired assets.

The third component (Outcome 3) is focusing on fight against organised crime and enhancing cross-border cooperation among the EaP law enforcement agencies, EU Member States and the EU law enforcement agencies. It will contribute to the work of the European Multidisciplinary Platform Against Criminal Threats (EMPACT), by facilitating contacts and operational cooperation between the EU and the EaP countries, including on common crime priorities (e.g. high-risk criminal networks, drugs trafficking, firearms trafficking, trafficking in human beings, migrant smuggling, fraud, economic and financial crimes, etc.). To further support and facilitate joint operational cross-border investigations, the component will focus on capacity building and knowledge sharing, as well as providing small financial support through low value grants to concrete cases involving EaP partner countries.

All three components will also contribute to supporting Ukraine, Moldova and Georgia in fulfilling the priorities outlined in the Commission's opinions on their applications for EU membership.

Sustainable Development Goals 16 (Promote peaceful & inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels) and 8 (Promoting sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all) are also addressed by the Action. In this regard, the Action will notably strengthen the fight against impunity and illegal activities, thereby strengthening the rule of law, and help to ensure a more stable and predictable business environment, underpinned by a rules-based economic order – an essential precondition for sustainable economic growth.

### **1.3. Beneficiar(y)/(ies) of the action**

The Action shall be carried out in Armenia, Azerbaijan, Belarus, Georgia, Republic of Moldova, and Ukraine. The citizens of the respective countries shall constitute the final beneficiaries of the Action (see section 2.2).

While Belarus is included among the beneficiaries of the Action, no involvement of Belarusian public entities is foreseen. Should there be a change of context, this may be reconsidered.

## **2. RATIONALE**

### **2.1. Context**

The fight against high-level corruption and organised crime is a central priority of the Eastern Partnership (EaP) policy, as part of the European Union's broader commitment to strengthening the rule of law in its Eastern Neighbourhood, and as a vital precondition for a stable democracy, a functioning market economy, and sustainable and inclusive growth. The Joint Staff Working Document 'Recovery, resilience and reform: post 2020 Eastern Partnership priorities' of 2 July 2021, with its five policy objectives and focus on resilience, reaffirmed this commitment to tackling fraud, corruption, and economic and organised crime under the 'Together for accountable institutions, the rule of law, and security' priority.<sup>5</sup> The document also included the need for all high level officials to declare their economic assets and these declarations to be verified among the top ten targets to be achieved by 2025.

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<sup>5</sup> European Commission and High Representative of the Union for Foreign Affairs and Security Policy, 'Joint Staff Working Document - Recovery, resilience and reform: post 2020 Eastern Partnership priorities', [https://www.eeas.europa.eu/sites/default/files/swd\\_2021\\_186\\_f1\\_joint\\_staff\\_working\\_paper\\_en\\_v2\\_p1\\_1356457\\_0.pdf](https://www.eeas.europa.eu/sites/default/files/swd_2021_186_f1_joint_staff_working_paper_en_v2_p1_1356457_0.pdf).

The Joint Declaration of the Eastern Partnership Summit, adopted by the leaders of the EU Member States and five of the six Eastern Partnership countries<sup>6</sup> on 15 December 2021, endorsed this priority as part of the renewed Eastern Partnership agenda. It affirmed the vital nature of the rule of law, successful anti-corruption policies, the fight against organised crime, and strengthened security for inclusive, gender equal and participatory democracies and strong and resilient societies. On the fight against corruption specifically, this is highlighted among other governance reforms as “key to reach the objectives of the Eastern Partnership and a successful implementation of its agenda, including the Economic and Investment Plan”. Both the fight against corruption and combatting organised crime are framed throughout as integral factors to the Eastern Partnership’s governance-focused approach to enhancing resilience by strengthening rule of law.<sup>7</sup>

Over more than a decade of the Eastern Partnership, some progress has been made in this area, notably with regards to asset declarations for public officials, legal frameworks for seizure and confiscation, and the efficiency and transparency of public administrations. Further attention, however, needs to be paid to address high-level and complex corruption across the region, among others through the effective operationalisation of the anticorruption institutional framework, establishing of track records of investigations, prosecution and adjudication of anti-corruption and serious and organised crime cases, effective use of financial investigation tools and publicly available beneficial ownership registry data.<sup>8</sup>

Strengthening the fight against corruption and organised crime has taken on a renewed significance in the context of Ukraine, Moldova and Georgia’s applications for EU membership, and the European Council’s decision in June 2022 to recognise all three countries’ European perspective and grant candidate status to Ukraine and Moldova. The European Commission’s opinions on Ukraine, Moldova and Georgia’s membership applications each highlight the need to address shortcomings in the prevention, investigation and prosecution of corruption cases as well as associated legal and institutional frameworks, including enforcement mechanisms.<sup>9</sup> As Ukraine, Moldova and Georgia seek to move further along their EU path, establishing the solid legal framework and reliable institutions necessary to underpin a coherent and effective policy of prevention and deterrence of corruption will be a central point of interest for the European Union, particularly in the framework of the annual Enlargement Package reports.<sup>10</sup>

Armenia’s government remains committed to a comprehensive reform agenda, in line with its commitments under the Eastern Partnership policy and the bilateral EU-Armenia Comprehensive and Enhanced Partnership Agreement (CEPA). The new five-year government programme approved in August 2021 includes anti-corruption measures among its priorities, and the latest EU-Armenia Partnership Council in May 2022, which reviews implementation of CEPA, welcomed “major progress” in the fight against corruption, especially in the judiciary - including the creation of the Special Department on Anti-Corruption

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<sup>6</sup> Following the falsified presidential elections in Belarus in 2020, and the European Union’s subsequent support to the Belarusian people’s resilience and democratic aspirations, the government of Belarus suspended its participation in the Eastern Partnership. The Belarus state authorities were not invited to the 2021 Eastern Partnership Summit.

<sup>7</sup> General Secretariat of the Council, ‘Joint Declaration of the Eastern Partnership Summit’ (14964/21), <https://www.consilium.europa.eu/media/53527/20211215-eap-joint-declaration-en.pdf>.

<sup>8</sup> Final overview report: Monitoring of the 20 deliverables for 2020 (Annex III), <https://www.consilium.europa.eu/media/53527/20211215-eap-joint-declaration-en.pdf>.

<sup>9</sup> European Commission, ‘Commission Opinion on Ukraine’s application for membership of the European Union’, <https://neighbourhood-enlargement.ec.europa.eu/system/files/2022-06/Ukraine%20Opinion%20and%20Annex.pdf>; ‘Commission Opinion on the Republic of Moldova’s application for membership of the European Union’, <https://neighbourhood-enlargement.ec.europa.eu/system/files/2022-06/Republic%20of%20Moldova%20Opinion%20and%20Annex.pdf>; ‘Commission Opinion on Georgia’s application for membership of the European Union’, <https://neighbourhood-enlargement.ec.europa.eu/system/files/2022-06/Georgia%20opinion%20and%20Annex.pdf>.

<sup>10</sup> Matters relating to the fight against corruption are included under Chapter 23 of the EU *acquis*, and part of the ‘Fundamentals’ cluster of the accession process.

in the Prosecutor General’s Office, and the Specialised Anti-Corruption Court.<sup>11</sup> With this in mind, the action will seek to build on this progress, and ensure the effective use and enforcement of anti-corruption frameworks.

In Azerbaijan, the European Union remains committed to strengthening institutions and good governance, including with regards the fight against corruption. This is reflected both in the regional Eastern Partnership agenda, to which Azerbaijan is a party, and in the 2018 EU-Azerbaijan Partnership Priorities, which have been extended to 2024. Currently, the EU and Azerbaijan are negotiating a new comprehensive agreement, which will allow for enhanced cooperation in a wide range of areas, while underscoring the importance of the rule of law. The 2022 EU-Azerbaijan Cooperation Council reiterated the centrality of the human rights situation, democracy and the rule of law to bilateral relations, with the EU emphasising the importance implementing concrete reforms in line with international standards and commitments undertaken.

With regards Belarus, in line with the Council Conclusions of 12 October 2020 and in light of the Lukashenka regime’s involvement in the Russian military aggression against Ukraine, recognised in the European Council Conclusions of February 2022, the EU has stopped engaging with the Belarusian authorities. To this end, Belarus is not included within the scope of the action at the time of adoption. However, in the event of a democratic transition, the inclusion of Belarus would be envisaged.

Corruption is one of many aspects of a broader criminal phenomenon of economic crime. Illicit Financial Flows (IFFs) in the EU Eastern Partnership (EaP) region can be estimated at around EUR 29 billion every year.<sup>12</sup> IFFs to and from, as well as within, the EaP region have severe repercussions on government revenues and development opportunities. IFFs, particularly those related to serious crime, drain funds from the economy and have a strong impact on the delivery of basic public services, undermining countries’ development opportunities. The lack of comprehensive policies and mechanisms to capture the illicitly-obtained assets contributes to an environment, where organised crime can flourish.

Organised criminal groups operate across borders, which creates a shared challenge for the EU and its neighbours. Furthermore, Russia’s invasion of Ukraine and the resulting destabilisation have had significant impact on organised crime, illicit trafficking and security challenges in multiple ways across the borders. While some local production of illicit financial goods declined in the first weeks of the conflict, the threat of trafficking in human beings, and illicit markets in arms, drugs and other commodities have either grown or remained at the same level, as the violence has progressed.<sup>13</sup> Considering the new routes, networks, and illegal markets that may emerge, more attention needs to be paid to supporting law enforcement agencies in setting up adequate response mechanisms to counter these threats to regional security. It is also important to align the activities, in particular in Ukraine and Moldova, with the EU list of actions to counter the potential diversion of firearms and other small arms and light weapons in the context of the Russia’s aggression against Ukraine.

In order to better protect people against organised and serious crime, the post 2020 EaP priorities include improving cross-border cooperation through enhancing law enforcement cooperation and information exchange, including with Europol and the European Union Agency for Law Enforcement Training (CEPOL). The framework for the cooperation has been created with the agreements signed between the EaP countries and the EU law enforcement agencies. Europol has operational cooperation agreements with

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<sup>11</sup> European Commission and High Representative of the Union for Foreign Affairs and Security Policy, ‘Joint Staff Working Document: Partnership Implementation Report on Armenia’, SWD(2022) 153 final.

<sup>12</sup> United Nations Interregional Crime and Justice Research Institute (UNICRI), ‘Illicit Financial Flows and Asset Recovery in the Eastern Partnership Region’, <https://unicri.it/Publication/Illicit-Financial-Flows-Asset-Recovery-Eastern-Partnership-Region>.

<sup>13</sup> UNICRI, “The Conflict in Ukraine and its Impact on Organized Crime and Security”, [https://unicri.it/sites/default/files/2022-11/The%20conflict%20in%20Ukraine%20and%20its%20impact%20on%20organized%20crime%20and%20security\\_0.pdf](https://unicri.it/sites/default/files/2022-11/The%20conflict%20in%20Ukraine%20and%20its%20impact%20on%20organized%20crime%20and%20security_0.pdf).

Georgia, Moldova and Ukraine and a strategic cooperation agreement with Armenia.<sup>14</sup> These agreements also include secondment of a national Liaison Officer to Europol. CEPOL has concluded working arrangements, which provide better access to the training possibilities offered by the agency including on the Agency's online education and training platform LEEd, with Armenia, Georgia, Moldova, and Ukraine. The outcomes of the first regional Fight against Organised Crime action also provide the basis for enhancing the cooperation established with the five participating EaP<sup>15</sup> countries.

To further increase the impact of the action, the activities will be implemented in close coordination with other relevant ongoing regional and bilateral actions.

In the area of anti-corruption, the action will build on the results of the EU for Integrity regional action, implemented by the Organisation for Economic Cooperation and Development (OECD) and the Open Government Partnership (OGP). Due care and attention will also be given to ensure coherence with the recommendations of the Group of States against Corruption (GRECO), and with the legal standard-setting and capacity-building activities already carried out by the EU-Council of Europe Partnership for Good Governance (PGG), which is now in its third phase. The Action will also complement bilateral actions in the Eastern Partnership countries, notably 'Fostering integrity and preventing corruption in the public sector in Armenia', Support to the reform of the criminal asset recovery and management system in Azerbaijan', 'Strengthen the rule of law and anti-corruption mechanisms in the Republic of Moldova', and 'Transparent Cities e-platform for cooperation of citizens and local governments for accountability and good governance' in Ukraine.

Regional actions which are particularly relevant for cooperation in fight against organised crime are on cybercrime (CyberEast, implemented by the Council of Europe), and drugs trafficking (EU4Monitoring Drugs 2, implemented by European Monitoring Centre for Drugs and Drug Addiction - EMCDDA). Synergies will also be created with the ongoing actions focusing on migration. The action will also closely cooperate and coordinate with the EU Support Hub for Internal Security and Border Management in Moldova, and bilateral actions, such as the support to security sector reform in Georgia and police reform in Armenia.

## **2.2. Problem Analysis**

### Short problem analysis

The presence of organised crime and widespread corruption in the region continues to be a destabilising factor, preventing necessary governance and administration reforms, and hampering economic development. A more strategic and integrated approach towards tackling organised crime, high-level corruption, and money laundering remains to be developed, to include a more systematic focus on dismantling criminal structures through parallel and coordinated financial investigations.

### Anti-corruption

In the anti-corruption field, legislative frameworks have been progressively strengthened in recent years, including within the framework of regional and bilateral agreements between the European Union and the Eastern Partnership countries. However, a number of areas require further reforms, and where those

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<sup>14</sup> Strategic and operational cooperation agreements are aimed at enhancing cooperation between Europol and the country concerned. Both provide basis for the exchange of general intelligence as well as strategic and technical information. Only operational agreements allow exchange of personal data.

<sup>15</sup> Armenia, Azerbaijan, Georgia, Moldova, Ukraine.



strengthened laws, regulations, and procedures do exist, implementation and enforcement remains inadequate. Further alignment to UNCAC, GRECO and FAFT/MoneyVal standards and recommendations as well as the EU acquis on the criminalisation of money laundering is needed. In order to remedy persistent shortcomings in the EaP countries' fight against corruption, a holistic approach to prevention and repression of corruption is required, encompassing increased engagement between governments, law enforcement agencies, the expert community, and civil society in the formulation, implementation, and monitoring of reforms. This is essential for ensuring that reforms go beyond the level of institutions, and that the societal project of strengthening the rule of law and overall resilience is truly sustainable.

In line with this holistic approach to anti-corruption, it is also important to view corruption not just as a governance issue, but also as a socio-economic issue. Indeed, effective corruption prevention measures are crucial to stimulate the business climate. Businesses require legal certainty, remedies to corruption, and efficiently functioning public administrations to set up and expand their operations, and they expect independent institutions to ensure their property and contractual rights. Foreign investors in particular rely upon a level playing field that will protect their investments, including appropriate and transparent public procurement rules. As such, supporting the establishment of robust anti-corruption frameworks, where measures are not just codified but also effectively enforced, is essential for the further socio-economic development of the partner countries.

Men and women are affected by corruption in different ways, while people experience corruption differently depending on social variables such as age, gender identify disability and ethnicity, etc. Corruption tends to affect poor and vulnerable groups the most, for example in terms of access to basic services. An intersectional perspective is therefore important for achieving sustainable development.

### Illicit Financial Flows

State funds extracted from large public contracts, such as those for infrastructure projects, effectively weaken overall development and inhibit opportunities for citizens to obtain adequate health care, to receive a proper education or to obtain employment. This is further exacerbated by tax evasion and tax fraud, as well as weak institutional mechanisms to detect and prevent illicit financial flows. The recovery of only a small portion of illicitly-obtained assets– both from abroad and from within a country, can provide the state with much-needed additional resources.

Thus, the ability of countries to better trace, freeze, seize and confiscate assets (in both criminal and non-criminal contexts) is important. Each EaP country has its own distinct dynamics when it comes to organised crime, corruption, as well as money laundering and the ability to trace and recover assets linked to criminality. However, there are number of common issues which should be addressed on a regional level. Inter-institutional cooperation is often the main weakness in the process to effectively and efficiently capture illegally acquired assets. Greater emphasis should also be put on sharing information on the ongoing cases, as well as best practices used in tracing and seizing assets among the countries. EaP countries do not yet have a strong track-record for cooperating with the asset recovery counterparts in the EU Member States or other countries. Further expertise is needed on how to negotiate asset sharing agreements, as well as case-by-case agreements that would ensure optimal recovery of illegally acquired assets from foreign jurisdictions. Countries could make more use of the cross-border instruments and cooperation mechanisms in particular through engaging with the Camden Asset Recovery Inter-agency Network (CARIN)<sup>16</sup>, to counter this threat and understand the importance of prioritising the capture of illicitly-obtained assets as standard operating procedure in dismantling of illicit businesses.

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<sup>16</sup> Camden Asset Recovery Inter-agency Network, <https://www.carin.network/>.

It is equally important what the state does with the recovered assets. Transparency in how recovered assets are to be distributed builds credibility with citizens, and their confidence in the efficiency of institutions.

### Fight against organised crime

Cross border crime requires cross-border cooperation. The involvement of relevant EU Agencies, EU Member States and international organisations is crucial to fight against serious and organised crime in the region. Tackling these issues requires regional dialogue and collaborative action across borders, both among the EaP countries as well as with the EU. The global character of organised crime and its impact on internal-external security nexus of the EU has also been recognised in the Council conclusions setting the EU's priorities for the fight against serious and organised crime for EMPACT 2022 - 2025<sup>17</sup>. It highlights the importance of further intensifying and improving cooperation with third countries.

Eastern Partnership countries are points of origin, transit and destination for trafficking (drugs, human beings, firearms and explosives), and constitute an origin and transit route for organised criminal groups involved in the smuggling of migrants by land, sea and air. Serious organised crime groups in those countries pose a significant threat to domestic security and regional stability, and are expanding their reach also into the EU.

Law enforcement systems and progress on reforms differ from country to country, which further complicates regional cooperation. Mutual trust, contacts and common understanding among the law enforcement agencies in the Eastern Neighbourhood countries, as well as communication with the EU and its Member States need to be enhanced. Cross-border investigations, mutual legal assistance or reaching out to the EU Member States to conduct joint investigations have been so far rather limited. As a starting point, through previous support to fight against organised crime in the region, the first EaP Regional Threat Assessment was prepared. The assessment is based on EU Serious and Organised Crime Threat Assessment – SOCTA methodology, and will be published in 2024. It will serve as the basis to further facilitate and enhance operational cooperation under this action.

As the operational training needs assessment (OTNA) carried out in 2021 demonstrated, further capacity building is also needed, to ensure that the knowledge gaps among the partners on the main crime priority areas are addressed. CEPOL also implements dedicated activities to prepare the authorities of candidate and potential candidate countries to meet their sectoral European partnership objectives. Taking into account that the Commission opinions on the EU membership applications of Ukraine, Moldova and Georgia also highlight the need to strengthen the fight against organised crime in all three countries, building capacity and facilitating close cooperation with EMPACT is particularly relevant.

### Identification of main stakeholders and corresponding institutional and/or organisational issues (mandates, potential roles, and capacities) to be covered by the action.

Direct beneficiaries of the action will be governments, public administrations, prosecutors and judges, law enforcement and anti-corruption agencies, civil society, including women's organisations and other representatives in multi-stakeholder forums, where stakeholders work together to co-create, implement and monitor reform progress in the EaP countries.

Specific target groups are the state institutions, ministries and central agencies of the EaP countries responsible for anti-corruption, justice and public governance reforms – including with regards policy-

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<sup>17</sup> Council of the European Union, 'Council conclusions setting the EU's priorities for the fight against serious and organised crime for EMPACT 2022 – 2025', <https://data.consilium.europa.eu/doc/document/ST-7101-2023-INIT/en/pdf>.

making, coordination, implementation, and monitoring –police academies and other relevant training institutions, as well as law enforcement agencies involved in the fight against organised crime.

The long-term and ultimate beneficiary of the actions under this action are EU and EaP citizens as well as economic actors who will benefit from the results of reform implementation. An intersectional perspective will ensure that these actions “leave no one behind”.

### **2.3. Lessons Learned**

This action builds on previous phases of the ‘EU for Integrity in the Eastern Partnership’, ‘Illicit Financial Flows and Asset Recovery in the Eastern Partnership Region’, ‘Training and Operational Partnership Against Organised Crime’ (TOPCOP) and ‘Fighting organised crime in the EaP region’ actions.

The ‘EU for Integrity in the Eastern Partnership’ action has supported the development or enhancement of a number of innovative tools for monitoring anti-corruption reforms. These include the revision of the methodology of the OECD’s Istanbul Anti-corruption Action Plan monitoring framework, the creation of the OECD Anti-Corruption Network’s Matrix of High-Level Corruption Cases, the elaboration of new Open Government Partnership country action plans, and the development of several digital tools and civil society initiatives in support of reform implementation and monitoring.

However, throughout the implementation of the action, one particular obstacle has been variable levels of political will within partner governments. In order to remedy this situation and put adequate contingencies in place, the proposed action will harness the political conditionality of Ukraine, Moldova and Georgia’s accession processes, including the priorities outlined in the Commission’s Opinions of June 2022, to encourage enhanced engagement by the respective governments in the action’s activities. Moreover, an ‘early warning’ system will be put in place, to signal potential political obstacles to implementation to the relevant EU Delegation and seek their guidance on remedial measures.

Another lesson learned from the implementation of ‘EU for Integrity’ action relates to engagement with civil society. It is a well-established principle and objective of the European Union across its external action to encourage and ensure engagement between governments and civil society, and ‘EU for Integrity’ was conceived with this in mind. The successes and shortcomings of the action in this regard will be taken into account in the framework of the new action, to ensure that this objective is adequately achieved in practice.

The action will also build on the achievements of the Fight against Organised Crime action. A regional approach to security in the Eastern Neighbourhood countries should focus on areas of collective action within the region, and between the region and the EU, in order to complement the national level action. The involvement of relevant EU agencies, EU Member States and international organisations will be crucial to implement a regional cooperation that aligns with the EU policy approach on security and brings the region closer to the EU frameworks of cooperation.

The action led to a closer cooperation with the EU law enforcement agencies (LEAs) and raised awareness on EMPACT, connecting the LEAs of EU Member States with those of the EaP countries. It introduced and facilitated the participation of the EaP countries in the operational action plans of EMPACT and prepared the first EaP regional threat assessment, which will be published in 2024. The latter will provide valuable input for facilitating regional cooperation on crime priority areas with the EU but also among the EaP countries.

The participation rate of the Eastern Partner countries in actions planned under the Operational Action Plans of EMPACT significantly increased from 2022 onwards, which demonstrates the added value of supporting operational cooperation between the law enforcement agencies. Phase two will build on the established

contacts and will continue to facilitate cooperation, leading to concrete investigations and operational outcomes. In particular, lessons have been learned from the pilot low value grants scheme launched under the previous Fight against Organised Crime action. Whilst, the financial support to joint investigations is highly relevant, the awareness raising and training efforts had to be doubled during the second half of the project implementation to ensure greater outreach to the law enforcement agencies. The procedure and eligibility criteria will be further reviewed during the second phase.

### 3. DESCRIPTION OF THE ACTION

#### 3.1. Objectives and Expected Outputs

The **Overall Objective (Impact)** of this action is to reduce high-level corruption, and organised and serious crime in the Eastern Partnership countries.

The **Specific Objectives (Outcomes)** of this action are to:

1. Strengthen evidence-based policies in anti-corruption, and their enforcement.
2. Increase capacity to confiscate, seize and recover assets linked to organised criminal activity.
3. Strengthen strategic and operational cooperation between law enforcement authorities in the partner countries, EU Member States and EU agencies.

The **Outputs** to be delivered by this action contributing to the corresponding Specific Objectives (Outcomes) are:

Contributing to Specific Objective (Outcome) 1:

- 1.1 Anti-corruption policy-making and reforms are enhanced through regular regional comparative analyses and dialogue.
- 1.2 Monitoring of anti-corruption policy implementation is improved.
- 1.3 Civil society is meaningfully engaged in the formulation and monitoring of anti-corruption policies.

Contributing to Specific Objective (Outcome) 2:

- 2.1 Strengthened investigative and prosecutorial capacity to trace, freeze, seize, confiscate, and recover assets linked to all major forms of organized criminal activity.
- 2.2 Strengthened coordination on asset tracing and recovery between Eastern Partnership countries and EU countries (or other non-EU countries in which illicitly-acquired assets belonging to EaP countries are located).

Contributing to Specific Objective (Outcome) 3:

- 3.1 The capacities of law enforcement authorities in the partner countries to fight against organised and serious crime on the basis of EaP regional threat assessment and EMPACT crime priorities are enhanced.
- 3.2 The strategic and operational cooperation with the EU Member States and Agencies, including through EMPACT, is strengthened.

The objectives of the Action also contribute to the general objectives of the EIP, insofar as they support some of the necessary preconditions for boosting economic and social development in the EaP countries – namely reforms in good governance, rule of law and justice. Addressing structural issues relating to the fight against corruption and organised crime, as well as the integrity and functioning of public institutions, is essential for improving the business environment and investor confidence, and thus for unlocking a sustainable economic recovery. In line with the EU's conditionality and incentive-based approach, structural reforms go hand-in-hand with the investments foreseen under the Economic and Investment Plan.

### 3.2. Indicative Activities

#### Activities related to Output 1.1:

- Country monitoring
- Thematic studies on national and regional challenges and reforms in the area of anti-corruption
- Regional dialogue and knowledge sharing between the Eastern Partnership countries on common anti-corruption challenges, including from a gender perspective
- Awareness-raising and visibility actions

#### Activities related to Output 1.2:

- Capacity-building support for reform-oriented actors and initiatives
- Multi-stakeholder dialogue on anti-corruption reforms, at local, national and regional levels
- Awareness-raising and visibility actions

#### Activities related to Output 1.3:

- Dialogue between governments and civil society on anti-corruption policies and reforms
- Civil society monitoring of anti-corruption policy implementation
- Awareness-raising and visibility actions around potential roles for civil society in the formulation, implementation and monitoring of anti-corruption initiatives

#### Activities related to Output 2.1:

- Carrying out research and analysis on emerging trends in organised crime at the country and regional levels, with a specific focus on the use of cryptocurrency and cybercrime, their role in promoting illicit financial flows, and modern modalities to respond to these emerging dynamics (within and beyond the EaP Region).
- Mentoring EaP asset recovery officers on specific cases (ongoing or planned)

#### Activities related to Output 2.2:

- Providing targeted workshops and study missions to effectively address and resolve major pending cases involving illicitly-acquired assets
- Working closely with officials on the drafting or redrafting of mutual legal assistance requests, decisions and/or orders to ensure compatibility with foreign jurisdiction standards

#### Activities related to Output 3.1:

- Designing and delivering a training programme based on the evidence provided by the Operational Training Needs Assessment (OTNA) and the first EaP Regional Threat Assessment. The training may include elements such as e-learning, residential training together with the EU Member States, participation in exchange programmes, mentoring, etc.
- Enhance the multinational law enforcement cooperation and coordination through Strategic Cooperation Forums, which enable exchange of information and good practices.
- Building on the regional analytical network that was established under Fight against Organised crime, conduct the next round of the EaP Regional Threat Assessment (to be published 2028)

#### Activities related to Output 3.2:

- Facilitating and organising operational meetings between EaP countries, EU Member States, Europol and relevant EU Agencies, Institutions and International Organisations to exchange information related to investigations of common interest.
- Manage a dedicated fund of grants to financially support the participation of law enforcement agencies in cross-border operational activities in the Eastern Partner countries (i.e. ongoing

investigations, financial investigations), EMPACT Operational Action Plans (based on the agreement of the relevant ‘driver’ and participating Member States) and other activities, which support information exchange between EaP countries, EU Member States and Europol

### **3.3. Mainstreaming**

#### **Environmental Protection, Climate Change and Biodiversity**

**Outcomes of the Environmental Impact Assessment (EIA) screening** (relevant for projects and/or specific interventions within a project).

The EIA screening classified the action as Category C (no need for further assessment).

**Outcome of the Climate Risk Assessment (CRA) screening** (relevant for projects and/or specific interventions within a project).

The CRA screening concluded that this action is no or low risk (no need for further assessment).

#### **Gender equality and empowerment of women and girls**

As per OECD Gender DAC codes identified in section 1.1, this action is labelled as G0. Although gender equality and empowerment of women and girls is not an explicit significant objective of the action, gender perspectives are nonetheless mainstreamed throughout the action.

Gender equality is a core value for the European Union. Through the EU's Action Plan on Gender Equality and Women's Empowerment in External Action 2021–2025 (GAP III)<sup>18</sup>, the EU has made strong commitments to accelerate progress on empowering women and girls and push for more and faster progress toward gender equality in the partner countries.

Corruption and serious crime are major impediments to development and economic growth. Yet, most anti-corruption and crime policies do not make a clear connection to gender equality, despite the disproportionate impact that corruption and crime can have on women and girls. A number of elements can affect the relative extent to which people are impacted by corruption and crime, including gender, socioeconomic status, power relations and vulnerability. With women statistically more likely than men to be in a situation of disempowerment – due to factors such as societal gender roles, social inequality and discrimination – women's disadvantages in many areas of life can result in greater relative vulnerability to corruption and crime.

Disproportionate impacts of corruption and crime on women exacerbate their existing socio-economic disadvantages: on the one hand, women's increased vulnerability to corruption puts basic public services and goods out of reach, and excludes them from the economic, social, and political development of their country – much to the detriment of the country's development potential; on the other hand, disproportionate impacts of crime on women can leave them further disadvantaged, in contexts where their resources and socio-economic prospects are already more limited than those of men.

Women and men's equal involvement in anti-corruption and the fight against organised and serious crime can contribute to improving accountability and integrity systems, and to building governance frameworks that are more responsive to their needs. Women and men's equal participation in public life, including but not limited to anti-corruption and crime prevention efforts, law enforcement, and the design of gender

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<sup>18</sup> EU Gender Action Plan III: An ambitious agenda for gender equality and women's empowerment in EU external action, 2020, [https://ec.europa.eu/international-partnerships/system/files/join-2020-17-final\\_en.pdf](https://ec.europa.eu/international-partnerships/system/files/join-2020-17-final_en.pdf).

responsive and gender sensitive anti-corruption and crime policies and laws, is an important step in ensuring gender equality when addressing corruption and crime.

### **Human Rights**

Security and law enforcement actors play a key role in a well-functioning governance system. Respect for human rights will be mainstreamed throughout the proposed action. Due diligence will be taken to ensure that reasonable care is exercised when providing support, and, through identification, assessment and mitigation, to manage the risks of potential adverse human rights impacts.

The action will follow a rights-based approach, *inter alia* through i) reaffirming the legality, universality and indivisibility of human rights; ii) facilitating citizens' access to decision-making processes through the conduit of civil society engagement; iii) ensuring no discrimination in the action's activities; iv) promoting accountability mechanisms; and v) ensuring the transparency and accessibility of the action's interventions.

### **Disability**

As per OECD Disability DAC codes identified in section 1.1, this action is labelled as D0. This implies that the action is not considered relevant for the inclusion of persons with disabilities. However, special attention will be given to understanding and addressing the disproportionate impact of corruption and organised crime on vulnerable groups, including people with disabilities.

### **Democracy**

Promoting an open and transparent culture in governance and in wider society is at the heart of much of this action, both in terms of the intended result – evidence-based policy development and reductions in high level corruption and serious organised crime – and its implementation, which encompasses engagement with civil society, notably in its watchdog function but also as a source of expertise and innovation for policy-making.

### **Conflict sensitivity, peace and resilience**

Unresolved protracted conflicts continue to hamper development in the region and have already caused numerous casualties, damages and displacement of the local population. In this regard, the action takes into account the conflict sensitivity, and follows the 'do no harm' principle.

Russia's unprovoked and unjustified military aggression against Ukraine grossly violates international law and the principles of the UN Charter, and undermines European and global security and stability. The ongoing active military aggression seriously affects the situation in Ukraine and the possible implementation of this action in Ukraine. A flexible approach will be adopted to the action's implementation, taking into account security developments on the ground.

### **Disaster Risk Reduction**

The action is not considered relevant for disaster risk reduction.

### 3.4. Risks and Assumptions

Category	Risks	Likelihood (High/ Medium/ Low)	Impact (High/ Medium/ Low)	Mitigating measures
1 (External environment)	Political instability in the region, including changes in government, military and other conflicts (in particular, Russia’s war of aggression against Ukraine) presenting an obstacle to project implementation and planned reform efforts.	H	H	Risks resulting from political and economic instability in any of the six Eastern partner countries will be addressed through multi-lateral, political dialogue. Such risks will also be mitigated by the adoption of a flexible approach to action activities, allowing for adequate adjustments in cases of disruptive external factors.
3 (People and the organisation)	High turnover of staff in the Partner countries	M	M	Institutionalisation of policy dialogue and inclusion of the capacity building activities in the national training structures and Training of Trainers (ToT), where relevant. Implementation of a retention policy for concerned staff and for knowledge transferred
3 (People and the organisation)	Lack of cooperation from the EaP law enforcement	L	H	Europol and CEPOL have established contacts with the relevant law enforcement agencies during the first phase of Fight against Organised Crime action. These will be further enhanced through continuous policy dialogue and annual strategic cooperation forums organised for high-level officials.

### External Assumptions

The EaP governments are committed to cooperate both at a national and regional level.

No deterioration of the situation in and due to Russia’s war of aggression against Ukraine.

### 3.5. Intervention Logic

The underlying intervention logic supports the reduction of high-level corruption and organised and serious crime in the Eastern Partnership countries through a series of targeted actions (components).



The anti-corruption component of the action (Outcome 1) aims to strengthen evidence-based anti-corruption policies and their enforcement, so as to ensure that legal and institutional frameworks are robust, gender sensitive, adapted to real-world conditions, and effectively implemented in practice. In order to achieve this, the action will seek to enhance anti-corruption policy-making through the production and facilitation of regular analyses and dialogue, and through the improvement of monitoring of anti-corruption policy implementation and enforcement. Civil society will also be meaningfully engaged to this end, in its multiple functions as a bridge between policy-makers and citizens, a source of expertise and ideas, and a check on political power.

The support to asset recovery (Outcome 2) will be building on the relations developed under Support to EU EaP Countries to Implement Asset Recovery and will allow further high-level technical support and mentoring on the pending cases involving illicitly-acquired assets.

The fight against organised crime component (Outcome 3) focuses on enhancing cross-border cooperation among the EaP law enforcement agencies and judicial authorities, EU Member States and the EU Justice and Home Affairs agencies. It will contribute to the work of EMPACT, by facilitating contacts and operational cooperation between the EU and the EaP countries, including on common crime priorities (e.g. high-risk criminal networks, drugs trafficking, firearms trafficking, trafficking in human beings, migrant smuggling, fraud, economic and financial crimes, etc.). It will also support the preparation of the next round of Regional Threat Assessment.

The action will provide necessary capacity building for the law enforcement agencies in the EaP, based on the methodology of the trainings offered to the law enforcement in the EU, allowing for smoother cooperation in the operational phase. The training programme will be developed based on an updated comprehensive needs assessment carried out among the EaP law enforcement agencies and will allow for flexible delivery formats (national, sub-regional, regional), based on the needs and interests of the partner countries. Peer-to-peer exchanges and mentoring programmes will allow for more tailor-made capacity building whilst, training the trainers will ensure that the knowledge will reach larger audience. To further support and facilitate joint operational cross-border investigations, concrete cases involving EaP partner countries will be funded from the grant mechanism available under the action. This will also serve as an incentive for opening more cooperation channels.

This activity will also contribute to supporting Ukraine, Moldova and Georgia in fulfilling the recommendations outlined in the Commission's opinions on their applications for EU membership. In particular in the case of Moldova and Georgia, the need for detailed threat assessments as a basis for capacity building have been highlighted.

### 3.6. Indicative Logical Framework Matrix

Results	Results chain: Main expected results	Indicators	Baselines (values and years)	Targets (values and years)	Sources of data	Assumptions
<b>Impact</b>	To reduce high-level corruption, and organised and serious crime in the Eastern Partnership countries	1 Corruption Perceptions Index scores 2 Global Organised Crime Index - Criminality score	1. AM 46 AZ 23 BY 39 GE 56 MD 39 UA 33 (2022) 2 AM 3.27 AZ 5.08 BY 5.08 GE 2.97 MD 4.45 UA 6.18 (2021)	1 Corruption Perceptions Index scores have increased by the end of the implementation period 2 Criminality Scores have decreased by 0.5 score points	1 <a href="#">Corruption Perceptions Index</a> 2 <a href="#">Global Organised Crime Index</a>	<i>Not applicable</i>

<p><b>Outcome 1</b></p>	<p>1 Strengthen evidence-based policies in anti-corruption, and their enforcement</p>	<p>1.1 Compliance with the OECD Anti-Corruption Network Istanbul Action Plan indicators</p> <p>1.2 Compliance with GRECO recommendations</p> <p>1.3 Compliance with United Nations Convention Against Corruption (UNCAC)</p> <p>1.4 Number of high-level corruption cases</p> <p>1.5 EaP Index score on ‘Fight Against Corruption’</p>	<p>1.1 to be defined</p> <p>1.2 to be defined</p> <p>1.3 to be defined</p> <p>1.4 to be defined</p> <p>1.5 to be defined</p> <p>AM 0.88</p> <p>AZ 0.52</p> <p>BY 0.49</p> <p>GE 0.79</p> <p>MD 0.65</p> <p>UA 0.51 (2021)</p>	<p>1.1 Compliance has consistently improved year-on-year</p> <p>1.2 Compliance has consistently improved year-on-year</p> <p>1.3 Compliance has consistently improved year-on-year</p> <p>1.4 The number of cases has increased year-on-year</p> <p>1.5 The score has increased by the end of the implementation period</p>	<p>1.1 <a href="#">OECD-ACN Istanbul Action Plan country reports</a></p> <p>1.2 <a href="#">GRECO country reports</a></p> <p>1.3 <a href="#">UNCAC Review Mechanism reports</a></p> <p>1.4 OECD-ACN Matrix of High-Level Corruption Cases</p> <p>1.5 <a href="#">EaP Index</a></p>	
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<p><b>Outcome 2</b></p>	<p>2 Increase capacity to recover assets linked to organised criminal activity</p>	<p>2.1 Number of financial crime investigations initiated in the framework of the action 2.2 Number of seizures facilitated by the action 2.3 Value of criminal assets identified, seized, confiscated and/or recovered in the framework of the action</p>	<p>2.1 0 2.2 0 2.3 0</p>	<p>2.1 1000 (2027) 2.2 50 (2027) 2.3 approximately EUR 20million (2027)</p>	<p>Project progress reports</p>	
<p><b>Outcome 3</b></p>	<p>3 Strengthen strategic and operational cooperation between law enforcement authorities in the partner countries, EU Member States and EU agencies</p>	<p>3.1 Total number of operational action plans (OAPs) involving EaP countries carried out in the framework of EMPACT 3.2 Number of joint operational actions (OAs) involving EaP countries carried out under EMPACT operational action plans (OAPs) 3.3 Number of OAs led or co-led by EaP countries</p>	<p>3.1 232 (2022) 3.2 12 (2020) 3.3 information not yet available</p>	<p>3.1 350 (2027) 3.2 30 (2027) 3.3 to be defined</p>	<p>3.1 EMPACT reports/ Support Team at Europol</p>	
<p><b>Output 1 related to Outcome 1</b></p>	<p>1.1 Anti-corruption policy-making and reforms are enhanced through regular regional comparative analyses and dialogue</p>	<p>1.1.1 Number of OECD-ACN Istanbul Action Plan country reports adopted per year 1.1.2 Number of meetings of the Law Enforcement Network per year</p>	<p>1.1.1 5 (2022) 1.1.2 1 (2022)</p>	<p>1.1.1 5 (2027) 1.1.2 1 (2027)</p>	<p>1.1.1 OECD-ACN annual reports 1.1.2 OECD-ACN annual reports</p>	

<p><b>Output 2 related to Outcome 1</b></p>	<p>1.2 Monitoring of anti-corruption policy implementation is improved</p>	<p>1.2.1 Number of OECD-ACN recommendations implemented 1.2.2 Number of reforms to further align to international and European standards 1.2.3 Number of gender sensitive recommendations implemented</p>	<p>1.2.1 to be defined 1.2.2 to be defined 1.2.3 to be defined</p>	<p>1.2.1 to be defined 1.2.2 to be defined 1.2.3 to be defined</p>	<p>1.2.1 OECD-ACN annual reports 1.2.2 OECD-ACN annual reports, GRECO reports, UNCAC reports 1.2.3</p>	
<p><b>Output 3 related to Outcome 1</b></p>	<p>1.3 Civil society is meaningfully engaged in the formulation and monitoring of anti-corruption policies</p>	<p>1.3.1 CSO Meter score on ‘Right to Participation in Decision-Making’ 1.3.2 Number of civil society organisations meaningfully engaged in the formulation and monitoring of anti-corruption policies 1.3.3 Number of women's organisations engaged in the formulation and monitoring of anti-corruption policies</p>	<p>1.3.1 AM 4.8 AZ 4.6 BY 2.7 GE 4.8 MD 4.7 UA 5.3 (2021) 1.3.2</p>	<p>1.3.1 Score has increased by the end of the implementation period 1.3.2 Number has increased by the end of the implementation period 1.3.3 Number has increased by the end of the implementation period</p>	<p>1.3.1 <a href="#">CSO Meter</a> 1.3.2 Open Government Partnership (OGP) reports 1.3.3</p>	

<p><b>Output 1 related to Outcome 2</b></p>	<p>2.1 Strengthened investigative and prosecutorial capacity to trace, freeze, seize, confiscate, and recover assets linked to all major forms of organized criminal activity.</p>	<p>2.1.1 Use of modern financial crime investigation techniques and good practices</p>	<p>2.1.2 Non-existent, or limited (2022)</p>	<p>2.1.2 To a significant degree (2027)</p>	<p>Project progress reports</p>	
	<p>2.2 Strengthened coordination on asset tracing and recovery between Eastern Partnership countries and EU countries (or other non-EU countries in which illicitly-acquired assets belonging to EaP countries are located).</p>	<p>2.2.1 Number of instances of inter-institutional and cross-border exchange of information to facilitate seizure and confiscation.</p>	<p>2.2.1 4 recorded instances of successful cross-border coordination (actual seizure, confiscation and/or recovery of assets). (2022)</p>	<p>2.2.1 10 instances of successful cross-border cooperation (registering seizure, confiscation and/or recovery of assets). (2027)</p>		
<p><b>Output 1 related to Outcome 3</b></p>	<p>3.1 Enhanced capacities of law enforcement authorities in the Partner countries to fight against organised and serious crime on the basis of comprehensive needs analysis, EaP regional threat assessment and EMPACT crime priorities.</p>	<p>3.1.1 Number of participants in the law enforcement trainings (women and men) 3.1.2 EaP regional Threat Assessment (based on SOCTA methodology)</p>	<p>3.1.1 0 3.1.2 0 (2023)</p>	<p>3.1.1 to be defined 3.1.2 2 (2028)</p>	<p>3.1.1 Project progress reports 3.1.2 EaP Threat Assessment</p>	

<p><b>Output 2 related to Outcome 3</b></p>	<p>3.2 Enhanced operational and strategic cooperation with the EU Member States and Agencies, including through EMPACT.</p>	<p>3.2.1 Number of joint investigations facilitated by the action 3.2.2 Number of joint action days (JADs)</p>	<p>3.2.1 0 3.2.2 Baseline to be defined</p>	<p>3.2.1 to be defined 3.2.2 doubled</p>	<p>3.2.1 Project progress reports 3.2.2 Europol reports, project progress reports</p>	
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## **4. IMPLEMENTATION ARRANGEMENTS**

### **4.1. Indicative Implementation Period**

The indicative operational implementation period of this action, during which the activities described in section 3 will be carried out and the corresponding contracts and agreements implemented, is 72 months from the date of adoption by the Commission of this financing Decision.

Extensions of the implementation period may be agreed by the Commission's responsible authorising officer in duly justified cases.

### **4.2. Implementation Modalities**

The Commission will ensure that the EU appropriate rules and procedures for providing financing to third parties are respected, including review procedures, where appropriate, and compliance of the action with EU restrictive measures<sup>19</sup>.

#### **4.2.1. Direct Management (Grants)**

##### **4.2.1.1. Grants**

###### **a) Purpose of the grant(s)**

The Grant will contribute to achieving the objectives and results of Outcome 1, specified in section 3.

###### **b) Type of applicants targeted**

Legal entities, international organisations, Non-Governmental Organisations, or not-for-profit foundations, established with the European Union meeting the following criteria:

- Proven technical knowledge, operational capacity and specific expertise in the area of anti-corruption, open government, in particular in facilitating multi-stakeholder co-creation processes for reform commitments and providing capacity building support to reform champions.
- Proven track record in providing assistance in the Eastern Neighbourhood region and capacity to develop good working relations with government authorities and civil society and other stakeholders and to deliver results in a conflict- and gender-sensitive manner across the region identified in this action.
- Experience in the provision of small-scale sub-grants to innovative initiatives in the area of open government, transparency of public life, and the fight against corruption.

#### **4.2.2. Indirect Management with pillar-assessed entities**

A part of this action may be implemented in indirect management with pillar-assessed entities, which will be selected by the Commission's services using the following criteria:

The first entity(ies) (contributing in part to achieving the objectives and results of Outcome 1) will be selected on the basis of the following criteria:

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<sup>19</sup> [EU Sanctions Map](#). Please note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy between the published legal acts and the updates on the website it is the OJ version that prevails.



- EU Member State pillar assessed entity or pillar assessed International Organisation.
- Proven technical knowledge, operational capacity and specific expertise in the area of anti-corruption, in particular in standard setting, monitoring, providing expert advice, and facilitating multi-stakeholder engagement.
- Experience in managing technical assistance projects and providing tailor made support and capacity-building to carry out reforms and align legislation and policies with international and European standards in the areas of rule of law democracy and human rights.
- Proven track record in providing assistance in the Eastern Neighbourhood region and capacity to develop good working relations with government authorities and civil society and other stakeholders and to deliver results in a conflict- and gender-sensitive manner across the region identified in this action.

The second entity(ies) (contributing to achieving the objectives and results of Outcome 2) will be selected on the basis of the following criteria:

- EU Member State pillar assessed entity and or pillar assessed International Organisation.
- Proven technical knowledge, operational capacity and specific expertise in the given areas of intervention, in particular in the field of asset recovery.
- Experience in managing technical assistance projects and providing tailor made support and capacity-building to carry out reforms and align legislation and policies with international and European standards in the areas of tracing, freezing, seizing, confiscation and recovery of assets.
- Proven track record in providing assistance in the Eastern Neighbourhood region and capacity to develop good working relations with government authorities and civil society and other stakeholders and to deliver results in a conflict- and gender-sensitive manner across the region identified in this action.

The entities contributing to achieving the objectives and results of Outcome 3 will be selected on the basis of the following criteria:

- EU agency, EU Member State pillar assessed entity and/or pillar assessed International Organisation.
- Proven technical knowledge, operational capacity and specific expertise in the given areas of intervention, in particular in law enforcement cooperation and capacity building.
- Proven track record in providing assistance in the Eastern Neighbourhood region and capacity to develop good working relations with government authorities other stakeholders and to deliver results in a conflict- and gender-sensitive manner across the region identified in this action.

The implementation of Outcome 1, Outcome 2 and Outcome 3 is envisaged to be awarded or entrusted to separate entities.

#### **4.2.3. Changes from indirect to direct management (and vice versa) mode due to exceptional circumstances**

If the implementation modality under indirect management as defined in section ‘4.2.2’ cannot be implemented due to circumstances beyond the control of the Commission, the modality of implementation by grants under direct management would be used according to the following section ‘4.4.1.1’:

##### a) Purpose of the grant(s)

The Grant will contribute to achieving the objectives and results of Outcome 1, 2, or 3 (as relevant), specified in section 3.

b) Type of applicants targeted

Legal entities, international organisations, Non-Governmental Organisations, or not-for-profit foundations, established with the European Union meeting the following criteria:

- Proven technical knowledge, operational capacity and specific expertise in the area of anti-corruption, tackling illicit financial flows, asset recovery, or law enforcement capacity-building or coordination.
- Proven track record in providing assistance in the Eastern Neighbourhood region and capacity to develop good working relations with government authorities and civil society and other stakeholders and to deliver results in a conflict- and gender-sensitive manner across the region identified in this action.

If the implementation modality under direct management as defined in section ‘4.2.1’ cannot be implemented due to circumstances beyond the control of the Commission, the modality of implementation by indirect management with a pillar-assessed entity would be used according to section ‘4.2.2’.

**4.3. Scope of geographical eligibility for procurement and grants**

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply, subject to the following provisions.

The Commission’s authorising officer responsible may extend the geographical eligibility on the basis of urgency or of unavailability of services in the markets of the countries or territories concerned, or in other duly substantiated cases where application of the eligibility rules would make the realisation of this action impossible or exceedingly difficult (Article 28(10) NDICI-Global Europe Regulation).

**4.4. Indicative Budget**

<b>Indicative Budget components</b>	<b>EU contribution (amount in EUR) in 2023</b>	<b>EU contribution (amount in EUR) in 2024<sup>20</sup></b>
<b>Implementation modalities – cf. section 4.2</b>		
<b>Outcome 1: Evidence-based policies in anti-corruption, and their enforcement, are strengthened</b> composed of	<b>5 000 000.00</b>	
Grants (direct management) – cf. section 4.2.1		1 000 000.00
Indirect management with an entrusted entity– cf. section 4.2.2	4 000 000.00	
<b>Outcome 2: The capacity to confiscate, seize and recover assets linked to organised criminal</b>	<b>1 000 000.00</b>	

<sup>20</sup> Subject to the availability of the appropriations provided for in the general budget of the Union for 2024 following the adoption of that budget by the budget authority.

<b>activity is increased</b> composed of		
Indirect management with an entrusted entity – cf. section 4.2.2		1 000 000.00
<b>Outcome 3: Strategic and operational cooperation between law enforcement authorities in the partner countries, EU Member States and EU agencies is strengthened</b> composed of	<b>7 000 000.00</b>	
Indirect management with entrusted entities – cf. section 4.2.2	4 000 000.00	3 000 000.00
<b>Grants</b> – total envelope under section 4.2.1	1 000 000.00	
<b>Evaluation</b> – cf. section 5.2 <b>Audit</b> – cf. section 5.3	Will be covered by another Decision	
<b>Strategic communication and Public diplomacy</b> – cf. section 6	0	
<b>Contingencies</b>	0	
<b>Totals</b>	<b>8 000 000.00</b>	<b>5 000 000.00</b>

#### 4.5. Organisational Set-up and Responsibilities

The responsibility of the action lies with the Commission. The steering of the projects will be led by the Commission.

Each contract will have a Steering Committee which will be chaired by the Commission and will include representatives of other concerned Commission services (including relevant EU Delegations). The Steering Committee shall meet at least once per year to provide an update on the annual activities and to monitor the implementation. Each implementing partner will provide the Secretariat of the Steering Committee for their respective component.

As part of its prerogative of budget implementation and to safeguard the financial interests of the Union, the Commission may participate in the above governance structures set up for governing the implementation of the action.

## 5. PERFORMANCE MEASUREMENT

### 5.1. Monitoring and Reporting

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process, and part of the implementing partner's responsibilities. To this aim, the implementing partner shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its Outputs and contribution to the achievement of its Outcomes, and if possible at the time of reporting, contribution to the achievement of its Impacts, as measured by corresponding indicators, using as reference the logframe matrix.

The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

## **5.2. Evaluation**

Having regard to the nature of the action, a final evaluation will be carried out for this action or its components contracted by the Commission.

It will be carried out for accountability and learning purposes at various levels (including for policy revision), taking into account in particular the fact that the fight against corruption and serious and organised crime are priorities for the EU in the region (especially in the context of the European perspectives of Ukraine, Moldova and Georgia) and that this action builds on prior regional actions on these issues.

The Commission shall form a Reference Group (RG) composed by representatives from the main stakeholders at both EU and national (representatives from the government, from civil society organisations (private sector, NGOs, etc.), etc.) levels. If deemed necessary, other donors will be invited to join. The Commission shall inform the implementing partner at least 30 days in advance of the dates envisaged for the evaluation exercise and missions. The implementing partner shall collaborate efficiently and effectively with the evaluation experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports shall be shared with the partner countries and other key stakeholders following the best practice of evaluation dissemination. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the partner countries, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

The financing of the evaluation shall be covered by another measure constituting a financing Decision.

## **5.3. Audit and Verifications**

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audit or verification assignments for one or several contracts or agreements.

## **6. STRATEGIC COMMUNICATION AND PUBLIC DIPLOMACY**

All entities implementing EU-funded external actions have the contractual obligation to inform the relevant audiences of the Union's support for their work by displaying the EU emblem and a short funding statement as appropriate on all communication materials related to the actions concerned. To that end they must comply with the instructions given in the 2022 guidance document [\*Communicating and raising EU visibility: Guidance for external actions\*](#) (or any successor document).

This obligation will apply equally, regardless of whether the actions concerned are implemented by the Commission, the partner country, service providers, grant beneficiaries or entrusted or delegated entities such as UN agencies, international financial institutions and agencies of EU Member States. In each case, a reference to the relevant contractual obligations must be included in the respective financing agreement, procurement and grant contracts, and delegation agreements.

For the purpose of enhancing the visibility of the EU and its contribution to this action, the Commission may sign or enter into joint declarations or statements, as part of its prerogative of budget implementation and to safeguard the financial interests of the Union. Visibility and communication measures should also promote transparency and accountability on the use of funds. Effectiveness of communication activities on awareness about the action and its objectives as well as on EU funding of the action should be measured.

Implementing partners shall keep the Commission and the EU Delegations fully informed of the planning and implementation of specific visibility and communication activities before the implementation. Implementing partners will ensure adequate visibility of EU financing and will report on visibility and communication actions as well as the results of the overall action to the relevant monitoring committees.