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NOTE

From:	Presidency
To:	Delegations
No. prev. doc.:	11078/23; 12610/23; 13624/23; 14709/2/23 REV 2
Subject:	12th Action Plan of Law Enforcement Working Party (Customs) 2024-2025

Delegations will find attached the final version of the 12th Action Plan of the Law Enforcement Working Party (Customs) 2024-2025 agreed during the LEWP-C meeting on 18 December 2024.

The Presidency made some linguistic changes in Annex I, in the action mandate template. Annex I also include practical guidance. A list of potential qualitative and quantitative outcomes of action has been included in Annex II. This will ensure harmonised data collection and facilitate reporting about the main outcomes of the action plan and increase visibility.

12th ACTION PLAN OF THE LAW ENFORCEMENT WORKING PARTY (CUSTOMS)

2024 - 2025

1. INTRODUCTION

Customs authorities contribute, within the framework of their competences, to the further development of the area of freedom, security and justice (Article 67 of the Treaty on the Functioning of the European Union (TFEU)) and cooperate with other law enforcement services on the prevention, detection and investigation of criminal offences (Article 87 of the TFEU).

This document contains the 12th Action Plan of the Council Law Enforcement Working Party – Customs (LEWP-C). It outlines a number of projects to be implemented by the customs authorities of the EU Member States in 2024 and 2025 in the area of law enforcement. The goal of the action plan is to improve the efficacy and efficiency of the customs administrations of the Member States in the fight against the international trafficking of goods by addressing identified threats together and in cooperation with other law enforcement authorities.

The relevance of Member States' customs authorities and their responsibility towards society and its citizens increase as well as the threats posed by the illicit trafficking. The main trends in which the customs authorities work, as described in the 11th Action Plan, remain:

- increasing trade, supply chain acceleration and digitalisation;
- growth of e-commerce and internet sales;
- increasing cybercrime and use of cryptocurrencies as a payment method facilitating trade in illegal and dangerous substances, together with illicit cash movements;
- the global security situation having become more complex and challenging and affecting the priorities and role of customs authorities (fraud, terrorism, serious and organised crime and cybercrime)

New elements affecting customs authorities' tasks have emerged since the 11th Action Plan was drafted, namely: a global health crisis (the COVID-19 pandemic) and Russia's war of aggression against Ukraine. The current Middle East crisis might have also an impact on the work of customs authorities.

The customs administrations of the Member States are not only the first line of defence against the illicit international trafficking of goods, insofar as they take immediate action at the border; they also monitor and control international trade and traders a posteriori. The illicit cross-border trafficking of goods harms the economic interests of the Member States, the Union and their citizens; the health, security and safety of their citizens; European and global historic and cultural heritage; and the natural environment.

On 8 June 2023, under the Swedish Presidency, a Resolution on customs cooperation in the area of law enforcement and its contribution to the internal security of the EU¹ and an accompanying Strategy² were approved by the Council. The objectives set out in order to support the implementation of the EU Security Union, with an emphasis on the role of customs in protecting Europeans from terrorism and organised crime, together with other relevant national authorities, EU institutions, bodies and agencies, are related to:

- strengthening the capacity of customs authorities to prevent, detect and investigate, or contribute to the investigation of cross-border crime, and to deal with security-related incidents, threats, risks and crises;
- improving, facilitating and increasing the effectiveness of the cooperation and exchange of information between customs authorities and between these authorities and other law enforcement authorities, relevant EU institutions, bodies and agencies and, where appropriate, with third countries and international organisations;
- enhancing cross-border cooperation, including joint operations, between customs authorities and between these authorities and other law enforcement authorities and relevant EU institutions, bodies and agencies or competent authorities in third countries, in order to prevent, detect and investigate, or contribute to the investigation of crossborder crime;
- enhancing intelligence and risk analysis using data from other law enforcement agencies and promoting interoperability between relevant customs and JHA information systems, where appropriate.

¹ 10247/23.

² 10248/23.

All of the above – the context and the objectives of law enforcement by customs authorities – is the frame of reference for the 12th Action Plan and its future implementation.

The working method used for drafting the action plan was set out in document 15684/1/14 REV 1.

2. PREPARATION OF THE 12TH LEWP-C ACTION PLAN 2024-2025

At its meeting on 8 May 2023, the LEWP-C agreed on the Situational Awareness Paper (SAP) 2023 prepared by the Swedish Presidency³. The SAP 2023 provides customs authorities in the EU with a comprehensive analysis of the common threats faced and identifies over 50 sub-areas within the 12 areas into which those threats are grouped.

In 11078/23 of 30 June 2023, the then incoming Spanish Presidency presented its intended working plan for the drafting of the 12th LEWP-C Action Plan to the delegations and asked them which SAP 2023 sub-areas should be addressed in it. The Presidency also indicated other possible topics that could be addressed in the action plan.

In 12610/23, the Presidency drafted a second questionnaire kindly asking the delegations to indicate their availability for participation in a potential action within the action plan and the degree to which they wished to be involved.

In 13624/23, the Presidency presented to the LEWP-C the results of the abovementioned questionnaire and included a short description of actions for which a Member State had volunteered to be the leader. The Presidency invited LEWP-C delegations to volunteer as action leaders, to engage with potential candidates and to submit to the Presidency and the Council Secretariat a preliminary outline of the action in question, in preparation for the drafting of the 12th Action Plan for consideration by the LEWP-C. The Presidency also invited delegations to join actions already proposed and communicate their intention to participate to the leaders of those actions, to the Presidency and to the Council Secretariat. In order to facilitate participation in the newly proposed actions, the Presidency indicated the possible participants in each action, based on the Member States' replies to the questionnaire (Annex II of the mentioned document). Document 13624/23 was discussed in the LEWP-C meeting on 10 October 2023. In 14709/2/23 REV 2, Annexes 1 and 2 of 13624/23 were updated with the feedback received from delegations.

³ 8625/23 INIT, 10.5.2023.

In 16376/23 a draft of the 12th Action Plan of the Law Enforcement Working Party (Customs) 2024-2025 (action plan) was submitted to LEWP-C delegations for comments, on the bases of which the Presidency has revised text with the view to agree on the action plan at the LEWP-C on 18 December 2023.

When implementing the actions of the action plan, action leaders and participants should aim to improve practical multidisciplinary and cross-border cooperation between customs authorities, and between customs authorities and the different stakeholders, agencies and organisations: tax authorities, police, border and coast guards or other law enforcement authorities, judicial authorities, the Commission (especially OLAF), Europol, the European Border and Coast Guard Agency (Frontex), Eurojust, the European Public Prosecutor's Office (EPPO), the World Customs Organization (WCO), the European Union Intellectual Property Office (EUIPO), the European Union Agency for Law Enforcement Training (CEPOL) and any other relevant organisation, keeping in mind, in particular, the special forms of cooperation available, where applicable, under the Naples II Convention.

The European Multidisciplinary Platform Against Criminal Threats (EMPACT) is the EU flagship instrument for multidisciplinary and multiagency operational cooperation to fight organised crime at EU level. Action leaders are invited to coordinate their actions with the related actions included in EMPACT Operational Action Plans (OAPs). In addition, they are invited to consider implementation of the actions that fall within the scope of the EMPACT crime priorities⁴, as part of the 2024-2025 EMPACT OAPs⁵.

Without prejudice to any form of cooperation on the implementation of the actions included in the action plan, the LEWP-C will – regardless of administrative support and potential funding received – be in charge of all phases of the process: the preparation and approval of the action mandates; the implementation of the actions; reporting; as well as the approval of the final reports, including the recommendations.

⁴ Council conclusions setting the EU's priorities for the fight against serious and organised crime for EMPACT 2022 -2025 (7101/23)

⁵ Operational Action Plans 2024-2025 related to the EU's priorities for the fight against serious and organised crime between 2022 and 2025 (14539/1/23 REV1)

As has been discussed in the LEWP-C during the preparation of the action plan, the visibility of the action plan as a whole and of each of its actions should be enhanced. In order for the Presidency to make public the main outcomes of the action plan, action leaders are invited to provide the Presidency with quantitative and qualitative data related to the actions they have run, using, where appropriate, the indicators listed in Annex II. Action leaders are also invited to consider, together with co-leaders and participants, appropriate ways of enhancing the visibility of their actions, making reference whenever feasible to the 12th Action Plan of the LEWP-C

The 12th Action Plan of the LEWP-C respects inter-institutional and Member State competences.

3. ACTIONS

List of actions

- 12.1 Strengthen the commitment of European customs administrations in the fight against money laundering (leader: FR, co-leader: ES)
- 12.2 Swift exchange of risk information about volume shipments containing Intellectual Property Rights (IPR) infringing goods (leader: HR, co-leader: tentatively OLAF)
- 12.3 Customs financial fraud: undervaluation (leader: HU)
- 12.4 Illicit production, smuggling and trade of tobacco products (leader: IE)
- 12.5 Illicit production and trafficking of cannabis (leader: IE; co-leader: IT)
- 12.6 Trafficking of cocaine in maritime consignments (leader: ES)
- 12.7 Customs/Tax fraud - Integrating non-intrusive inspection equipment into the e-commerce logistics chain (leader BE)
- 12.8 Strategic Trade Control Enforcement Forum (STENFOR) - Cooperation between customs authorities (leader: DE, co-leader: FI and CZ)
- 12.9 Cooperation between customs and the European Public Prosecutor's Office (EPPO) (leader: ES)
- 12.10 Evaluation of the Strategy for customs cooperation in the area of law enforcement and its contribution to the internal security of the EU (leader: HU; co-leader CZ)
- 12.11 CARSEARCH – Enhancing car search capabilities of customs within the EU: searching vehicles and detecting fraud, especially caches set up on roads in the Union and at BCPs (leader BE)

LEWP-C 12th Action Plan Table

12.1 Strengthen the commitment of European customs administrations in the fight against money laundering (leader: FR, co-leader: ES)

This action will be an extension of action 11.4 of the 11th Action Plan of the LEWP-C, and its operational phase (Belenos operation) in similar conditions.

In line with its commitment to the fight against money laundering and terrorist financing (LCB-FT) and the new processes for controlling unaccompanied cash resulting from the entry into force of Regulation (EU) 2018/1672, French customs will be the leader in an action under the 12th Action Plan of LEWP-Customs 2024-2025. French customs will lead a joint customs operation on ‘cash control’ in Q4/2024.

OBJECTIVE AND EXPECTED OUTCOME

Objective

Optimise the commitment of European customs administrations in the fight against money laundering.

European customs administrations are increasingly being called upon in the fight against money laundering and terrorist financing.

There is therefore a real interest in strengthening the position of customs administrations in this area, through the exchange of best practices, the development of a common strategy and the identification of relevant projects for European customs.

In line with its commitment to the fight against money laundering and terrorist financing (LCB-FT) and the adoption of a new law strengthening the resources available to French customs in the fight against money laundering. French customs will lead a joint customs operation on ‘cash control’ in Q4 2024.

Expected outcome

- Improving the application of the new cash control rules and the coordination between customs administrations

PLANNED ACTIVITIES

1. Organisation of an expert meeting, to improve on the implementation of the Regulation (Eu) 2018/1672 on controls on cash entering or leaving the Union (“cash control”).

Drawing on the approaches of the Member States, the objective of this meeting will be to take into account analyses formulated for BELENOS I.

- Meeting between participants
- Final report and recommendations

2. Implementation of a joint customs operation on cash control during Q4 2024.

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12.2 Swift exchange of risk information about volume shipments containing Intellectual Property Rights (IPR) infringing goods (leader: HR, co-leader: tentatively OLAF)

This action provides for:

- **Objective:** Improving customs cooperation in swift exchange of risk information in the area of IPR infringements.
- **Rationale:** Volume shipments containing IPR infringing goods is still recognised as the main source of import of counterfeit products from third countries to the EU customs territory. Senders from third countries that are identified to send shipments containing IPR infringing goods are not active towards only one Member State (MS), but they send such shipments towards any importer in any MS. Swift exchange of risk information about the senders of volume shipments containing IPR infringing goods may help to identify new shipments that are already on the way towards other entry points to the EU and ensure timely action of the customs authorities throughout the EU. Analysis of historic information from customs declaration systems of participating MS should be done to identify the effective use of risk information to prevent other similar shipments in other MS.
- **Goal:** Establishing the practice of swift exchange of risk information among customs authorities related to volume shipments containing IPR infringing goods.

Planned activities:

- Meeting with all participating MS to discuss scope and other planned activities.
- Analysis of historic data from participating MS for 2023 to identify cases where IPR infringing goods had been found in volume shipments.
- Analysis of information related to these shipments to identify cases where Risk Information Form (RIF) message has been sent to customs authorities of other MS.
- Analysis of information related to these RIF messages to identify cases where receiving MS has used received information to create/update a risk management profile.
- Analysis of information related to these risk management profiles to identify shipments containing IPR infringing goods.

- Analysis of historic data in participating MS for 2023 to identify shipments that would be intercepted if all risk information related to volume shipments containing IPR infringing goods would be sent to customs authorities of other MS using RIFs, and if all risk information would be used to create/update risk management profiles.
- Establishment of the practice of swift exchange of risk information about volume shipments containing IPR infringing goods

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12.3 Customs financial fraud: undervaluation (leader: HU)

This action will aim to provide for protecting the financial interest of the European Union by combating the method of undervaluation used by organized crime groups.

Objective

The objective of fighting against undervaluation is the protection of the economy of the European Union. The trade of the products affected can directly be associated with organized crime groups operating at international level. Customs authorities have an outstanding responsibility in protecting the financial interests of the EU and the Member States, in hindering illegal trade and in facilitating legitimate trade. The objective of the action is to bring together the experts of the participating Member States in order to share opinions and exchange experiences and to discuss problems regarding undervaluation emerging in connection with Far-Eastern goods traffic.

Expected outcome

As a result of the execution of the action plan, the participating Member States get acquainted with each other's practices and can form long-term work relations. Fighting against undervaluation can become more unified within the European Union and it can facilitate the issuance of the Commission's guidelines for the effective execution of customs value examinations, for which a draft has already been developed by the Member States concerned in the working party established for this purpose.

Planned activities

- Compilation of a questionnaire to study the detailed measures taken against undervaluation by the participating Member States.
- Identification of the risk of undervaluation, establishment of a risk management strategy regarding the import trade of Far-Eastern goods of Chapter 61-64 (textile products and footwear) and of further product range.
- Additional exact activities to be determined depending on the evaluation of the answers for the questionnaire.

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12.4 Illicit production, smuggling and trade of tobacco products (leader: IE)

This action will aim to provide for the sharing of information and undertaking of multilateral operational actions to tackle the illicit tobacco trade.

Objective:

The objective of this action on tobacco is to bring experts from participating member states together to exchange views and discuss national and international aspects of the illicit tobacco trade including the following subject matters:

- the smuggling of tobacco products
- the illicit production of tobacco products
- the supply chain for illicit tobacco products, and
- the illicit trade in water pipe tobacco.

It is envisaged that participating experts will discuss their national experiences on these subject matters, understand the experiences of other member states, and identify synergies between the illicit tobacco trade in their respective jurisdictions and those of other participating countries.

Expected Outcome:

The expected outcomes are that this action will allow experts to meet, network, and learn from each other through the provision of presentations and holding of discussions on trends and developments in the illicit tobacco trade. The group of experts will discuss investigations, operations, and successes achieved in participating member states. They will also plan, and conduct coordinated operational actions.

Planned Activities

The group of experts will seek to organise coordinated bilateral and multilateral operational actions involving the participating member states with a view to disrupting the illicit tobacco trade and identifying the persons involved in that trade with a view to prosecution. While the chairperson will invite delegates to submit recommendations and proposals for how these multilateral operational actions can best be conducted, tentative proposals for the group's operational actions are as follows:

- The participating member states will conduct several weeks of action that will involve targeting the point-to-point smuggling of tobacco products. While any cross-border smuggling may be targeted, particular focus will be conducted on smuggling through ports and airports. The operation will involve the sharing of information on persons, routes, vehicles, cover loads, maritime shipping containers, companies, or other entities that are suspected of being involved in the smuggling of illicit tobacco products. This sharing of information will facilitate national and cross-border profiling. The participating member states will seek to identify targets in their own jurisdiction and send intelligence bulletins concerning outbound targets to participating member states for controls to be conducted in those jurisdictions. In summary, the aim of the operation is for the sharing of information, the conducting of profiling, the issuing of intelligence bulletins, and the conducting of controls with the aim of detecting illicit tobacco products.
- The Group of experts will seek to identify if alliances or co-actions can be conducted with other law enforcement programmes and organisations such as the LEWP-Police and groups run by OLAF, Europol, and European Multidisciplinary Platform Against Criminal Threats (EMPACT) that target the illicit tobacco trade.

The suggested actions and methods of operating outlined in this document are initial proposals that will be presented to the participating member states. The chairperson will invite member states to suggest possible future initiatives based upon delegates opinions, experiences, or current trends and developments in the illicit tobacco trade.

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12.5 Illicit production and trafficking of cannabis (leader: IE; co-leader: IT)

Objective:

The objective of the Action on cannabis is to bring national experts from participating member states together to exchange views and discuss national and international aspects of cannabis smuggling which will include the following subject matters:

- Gain an understanding of regulations/laws of each MS participating in the group in relation to cannabis
- Identify the most prominent smuggling routes into the EU
- Identify the most prominent supply routes for cannabis (herbal & resin) into the EU
- Identify trends and supply routes for synthetic cannabis products into the EU

It is envisaged that participating experts will outline their national experiences on the above subject matters, gain an understanding of other group participants experiences, and identify onward supply routes within the EU.

Expected Outcome:

The expected outcomes are that this group will allow delegates to meet, network, and learn from each other through the provision of presentations, hold discussions on trends and developments in relation to the smuggling of cannabis, and to highlight investigations, operations, and successes achieved in participating member states. It is proposed that the group will also conduct coordinated operational actions which are outlined below.

Planned Activities

The group of experts will seek to organise coordinated multilateral operational actions involving all participating member states with a view to disrupting cannabis smuggling, and identifying the persons involved in that trade with a view to prosecution. The group chair will invite delegates to submit recommendations and proposals for how these multilateral operational actions can best be conducted, a tentative idea for the group's operational actions is as follows:

- Each member state will participate in dedicated weeks of action that will involve targeting the point-to-point smuggling of cannabis products. While cross-border smuggling may be targeted, particular focus will be conducted on smuggling through ports and airports. The

operation(s) will involve the sharing of information on persons, routes, vehicles, cover loads, maritime shipping containers, companies, or other entities that are suspected of being involved in the smuggling of cannabis. This sharing of information will facilitate the profiling of cross-border commercial manifests and transportations. The participating member states will seek to identify targets in their own jurisdiction and send intelligence bulletins concerning outbound targets to participating member states for controls to be conducted in those countries.

- The Group of experts will seek to identify if alliances or co-actions can be conducted with other law enforcement programmes and organisations such as the LEWP-Police and groups run by OLAF, Europol, and European Multidisciplinary Platform Against Criminal Threats (EMPACT) that target the smuggling of cannabis products.

In summary, the aim of any operational activity is the sharing of information, the conducting of profiling of suspect consignments, the issuing of intelligence bulletins, and the conducting of controls to result in detections of cannabis products. Where possible controlled deliveries will be considered to identify those behind the smuggling attempt.

The suggested actions and methods of operating outlined in this document are initial proposals that will be presented to the participating member states of the LEWP-C group on cannabis. The chair will invite member states to suggest possible future initiatives based upon delegates opinions, experiences, or current trends and developments in relation to cannabis.

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12.6 Trafficking of cocaine in maritime consignments (leader: ES)

Objective:

Enhance customs capacities to prevent and fight against cocaine trafficking by maritime consignments, through cooperation between customs agencies and police forces and a wide exchange of intelligence and information with Latin America countries on risks, modus operandi and new trends and best practices.

Expected outcome:

The main activity will be the organization of a joint operation, within the framework of an operational action (OA) of EMPACT cocaine, cannabis, heroin operational action plan.

Beyond significant seizures, a closer relationship and exchange on regular basis is expected to be achieved with countries of origin and transshipment.

The action will provide recommendations in order to improve the fight against the illicit trafficking of cocaine.

Planned activities:

- Three Experts meetings
- Setting up of an international operational plan for the joint operation.
- Definition of standards when it comes to intelligence sharing between agencies from America and Europe

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12.7 Customs/Tax fraud - Integrating non-intrusive inspection equipment into the e-commerce logistics chain (leader BE)

Objective:

Customs controls on e-commerce should be automated and integrated into the logistics chain instead of being at a central point in ports or airports. This way, the monitoring of the flow of goods can be optimised and the impact on economic operators minimised.

This approach requires a partnership between economic operator and customs. This partnership can vary from an unilateral approach, where customs regulates and finances the automation and integration of customs controls, to a far-reaching cooperation where economic operators also facilitate and co-invest.

Method:

Survey and discussions

Outcome:

Discussions with interested customs administrations (and possibly the private sector) should result in best practices (e.g. on control techniques, cooperation with economic operators, legal bases, financing, partnerships) being shared and guidance on cooperation with economic operators being developed, benefitting all customs administrations.

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12.8 Strategic Trade Control Enforcement Forum (STENFOR) - Cooperation between customs authorities (leader: DE, co-leader: FI and CZ)

Objective:

Strengthening the cooperation between customs authorities of the EU Member States (MS) responsible for Strategic Trade Control Enforcement and hereby enhancing the comprehensive control of strategic goods (listed and non-listed dual-use items) and goods subject to trade restrictions according to EU regulations, in particular regarding economic sanctions.

Outcome:

Improving the communication between the responsible customs units of the MS on operational level concerning cross-MS export and transit procedures by establishing a communication channel (Target Group) within the Customs Risk Management System (CRMS2) exclusively dedicated to Strategic Trade Control Enforcement.

Planned activities:

Personal meeting with all participants and interested partners.

Further establishment of a STENFOR Target Group in CRMS 2.0. by gaining more participants.

Developing internal STENFOR guidelines for the most efficient use of CRMS2 tools in frame of STCE information exchange.

Regular exchange about best practices and working methods as well as work to obtain a comprehensive view of the prevailing trends, threats and modi operandi.

Finally, the organisation of regular meetings between customs Strategic Trade Controls Enforcement authorities to discuss relevant topics.

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12.9 Cooperation between customs and the European Public Prosecutor's Office (EPPO)

(leader: ES)

Council Regulation (EU) 2017/1939 of 12 October 2017 implements enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO')⁶

The scope of competence of the EPPO covers criminal offences affecting the financial interests of the Union. The tasks of the EPPO are to investigate, prosecute and bring to judgment in national courts the perpetrators of offences against the Union's financial interests under Directive (EU) 2017/1371 and offences which are inextricably linked to them.

The EPPO relies on national authorities, including police, customs and other specialised law enforcement services in relation to the detection, reporting and investigation of criminal offences. Under the principle of sincere cooperation, all national authorities and the relevant bodies of the Union, including Eurojust, Europol and OLAF, should actively support the investigations and prosecutions of the EPPO, as well as cooperate with it, from the moment a suspected offence is reported to the EPPO until the moment it determines whether to prosecute or otherwise dispose of the case.

Objective and expected outcome:

- Objective: Analysis of current cooperation between EPPO and Customs authorities: legal framework, statistics, relevant particular cases; improvement of reporting of offences and operational cooperation EPPO/Customs
- Expected outcome: Final report including conclusions and recommendations

⁶ 22 MS participate in the EPPO: BE, BG, CZ, DE, EE, EL, ES, FR, HR, IT, CY, LV, LT, LU, MT, NL, AT, PT, RO, SI, SK and FI; HU, PL and SE have decided not to join the EPPO; DK and IE have an opt-out from the area of freedom, security and justice.

Planned activities:

- Questionnaire addressed to MS's customs authorities concerning cooperation with EPPO
- Meetings/workshops between customs authorities and EPPO in order to analyse cooperation, with a focus on serious customs fraud.

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12.10 Evaluation of the Strategy for customs cooperation in the area of law enforcement and its contribution to the internal security of the EU (leader: HU; co-leader CZ)

The Strategy for customs cooperation in the area of law enforcement and its contribution to the internal security of the EU (10248/23, 8 June 2023) was published on 20.6.2023⁷

The strategy contains 20 specific objectives grouped in four areas:

- 1) to strengthen the capacity of customs authorities to prevent, detect and investigate, or contribute to the investigation of cross-border crimes, and to deal with security-related incidents, threats, risks and crises:
- 2) to improve, facilitate and increase the effectiveness of the cooperation and exchange of information between customs authorities and between these authorities and other law enforcement authorities, relevant EU institutions, bodies and agencies and, where appropriate, with third countries and international organisations:
- 3) to enhance cross-border cooperation, including joint operations, between customs authorities and between these authorities and other law enforcement authorities and relevant EU institutions, bodies and agencies or competent authorities in third countries, in order to prevent, detect and investigate, or contribute to the investigation of crossborder crime
- 4) to enhance intelligence and risk analysis using data from other law enforcement agencies, and promote interoperability between relevant customs and JHA information systems, where appropriate:

In accordance with the strategy (“Follow-up and evaluation of the strategy, including presentation of results”), it should be subject to regular review by the LEWP-C, when deemed appropriate or at least every 18 months (corresponding to a trio Presidency). An evaluation mechanism should be introduced by the LEWP-C in order to facilitate the review and ensure that the strategy continues to develop in a relevant manner. When assessing the implementation, it is also necessary to take into account the extent to which the practical steps reflect the conclusions of the Customs Threat Assessment document. The results of the implementation of the strategy should be presented to the relevant stakeholders within the Council structure.

⁷ Official Journal of the European Union C 217/4

Objective:

- To develop a methodology for evaluating the implementation of the strategy. To survey the measures taken by the relevant stakeholders to contribute to the internal security of the EU.

Expected outcome:

- A final report agreed by the participants and the LEWP-C shall propose the mechanism how the implementation of the Strategy should be evaluated.

Planned activities:

- Meeting(s) with the participation of the Action group members (physical or online).
- Survey addressed to relevant stakeholders (if deemed necessary).

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12.11 CARSEARCH – Enhancing car search capabilities of customs within the EU: searching vehicles and detecting fraud, especially caches set up on roads in the Union and at BCPs (leader BE)

Objective:

the aim is to develop national customs capabilities for high-level searches of road vehicles (motorcycles, cars, vans, trucks, trailers, buses, coaches, etc.)

Rationale:

the ability to identify and search a suspect vehicle is a cornerstone of customs work on the road. Faced with ever-increasing road traffic, limited customs resources and the intensification of illegal trafficking, it is crucial for customs to be able to operate in a coordinated way and develop a common approach to roadside inspections (searches) at European level. This is especially the case in relation to the large-scale phenomenon of professional caches (mainly used for drug trafficking).

Potential activities/outcomes:

- Develop/Organise a training
- Develop guidance on establishing national car search teams
- Exchange of best practices (also with police for example)
- Operational action
- Consider creation of a network of Customs Car search experts
- Provide recommendations.

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LEWP-C 12th Action Plan Table

LEWP-C 12th Action Plan Table																													
Action	SAP risk areas/subareas																												
12.1 Strengthen the commitment of EU customs administrations in the fight against money laundering	1. Cash control 1.1 Illicit cash movements	BE	BG	CZ	DK	DE		IE	EL	ES (C)	FR (L)	HR	IT	CY	LV	LT	LU		MT	NL	AT			RO	SI	SK	FI	SE	EUROPOL (C)
12.2 Swift exchange of risk information about volume shipments containing IPR infringing goods	2. Counterfeit goods 2.4 IP rights infringements		BG		DK			IE	EL		FR	HR (L)	IT		LV	LT		HU	MT			PT			SI				OLAF
12.3 Customs financial fraud: undervaluation	4. Customs financial fraud 4.8 Undervaluation	BE	BG					IE	EL		FR		IT			LT		HU (L)	MT			PL		RO	SI				OLAF (C)
12.4 Illicit production, smuggling and trade of tobacco products	7. Excise goods 7.5 Tobacco	BE	BG		DK	DE		IE (L)	EL	ES	FR	HR	IT		LV	LT		HU	MT	NL	AT	PL	PT	RO		SK			OLAF (C)
12.5 Illicit production and trafficking of cannabis	9. Narcotics 9.1 Cannabis	BE	BG		DK			IE (L)	EL	ES	FR		IT (C)			LT			MT			PL		RO					
12.6 Trafficking of cocaine in maritime consignments	9. Narcotics 9.2 Cocaine	BE	BG		DK			IE	EL	ES (L)	FR		IT			LT			MT	NL		PL	PT	RO			FI	SE	
12.7 Customs/Tax fraud - Integrating non-intrusive inspection equipment into the e-commerce logistics chain	10. Online trade 10.1 Customs/Tax fraud; 10.2 Prohibitions and restrictions	BE (L)						IE		ES	FR	HR	IT		LV	LT	LU		MT	NL					SI		FI		OLAF

12.8 Strategic Trade Control Enforcement Forum (STENFOR) - Cooperation between customs authorities	11. Security 11.1 Dual use and strategic items	BE	BG	CZ (C)	DK	DE (L)				ES	FR		IT		LV	LT	LU	HU		NL			PL	PT		SI	SK	FI (C)		
Action	Other topics																													
12.9 Cooperation between customs and the European Public Prosecutor's Office (EPPO)	EPPO	BE		CZ				IE	EL	ES (L)			IT					MT						PT	RO			FI		OLAF
12.10 Evaluation of the Strategy for customs cooperation in the area of law enforcement and its contribution to the internal security of the EU	Evaluation of the customs cooperation strategy	BE		CZ				IE		ES	FR		IT					HU (L)	MT					PT	RO				SE	OLAF
12.11 CARSEARCH – Enhancing car search capabilities of customs within the EU: searching vehicles and detecting fraud, especially caches set up on roads in the Union and at BCPs	Car search network	BE															LU	HU			AT							FI		

L means leader; C means co-leader; P means potential participant, depending on, for instance, the more detailed description of the action and on possible overlaps with EMPACT or OLAF activities. Definitive participants will be included in the action mandates.

[Go to list of actions](#)

Mandate template**12.xx: Title**

Reference: 12. xx

Objective: *Desired result of the action* [action objective]

Rationale: *How this action will contribute to the work of customs authorities* [action rationale]

Activities + planning: [to be defined]
Description of the steps to be taken to achieve the objective and the timeline for them

Other policy areas/groups: [to be defined]
Relevance to other policy areas/groups

Leader: *Member State which has taken on a leadership role + Contact information* [action leader]

Participants: *Participating Member States and other stakeholders (e.g. Europol, Commission, Frontex)*

Link with EMPACT OAP:
Mention which EMPACT OAP(s) + if possible which

*action(s) to facilitate
coordination and alignment*

Implementation via EMPACT *[yes /no + specify if possible]*

OAP: *Mention which
EMPACT OAP + if possible
which action*

**Link with the Strategy for
customs cooperation in the
area of law enforcement and
its contribution to the internal
security of the EU:** *Specify
which objective(s)/sub-
objective(s) will be implemented*

PRACTICAL GUIDANCE

The actions of the 12th Action Plan should be outcome-focused and clearly linked to achieving the strategic objectives as set out in the Council Strategy for customs cooperation in the area of law enforcement and its contribution to the internal security of the EU ([2023/C 217/02](#)):

- 1) to strengthen the capacity of customs authorities to prevent, detect and investigate, or contribute to the investigation of cross-border crimes, and to deal with security-related incidents, threats, risks and crises;
- 2) to improve, facilitate and increase the effectiveness of the cooperation and exchange of information between customs authorities, and between these authorities and other law enforcement authorities, relevant EU institutions, bodies and agencies and, where appropriate, with third countries and international organisations;
- 3) to enhance cross-border cooperation, including joint operations, between customs authorities, and between these authorities and other law enforcement authorities and relevant EU institutions, bodies and agencies or competent authorities in third countries, in order to prevent, detect and investigate, or contribute to the investigation of cross-border crime; and
- 4) to enhance intelligence and risk analysis using data from other law enforcement agencies, and promote interoperability between relevant customs and JHA information systems, where appropriate.

Although variations are possible, in general the activities associated with each action should follow a ‘plan, do, check’ approach, including the following steps:

- a) describe the current situation, share good practices risk and trend information;
- b) based on the results of a), define actions to be undertaken, e.g.:
 - develop and implement an ‘intelligence-driven’ and specific joint customs operation (JCO), joint customs and police operation (JPCO) or other operation over a relevant period of time; or
 - define another follow-up action, e.g. advice or recommendation;

- c) develop and implement a ‘campaign’ to promote compliance with the results of the actions developed under b).

The LEWP-C stresses that attention should be paid to building synergies with relevant EMPACT actions. To avoid duplication, foster coordination and mutually address EU-wide and customs-specific threats, action leaders are strongly encouraged to propose relevant customs actions as EMPACT OAP activities. The Presidency believes this would increase the visibility of customs authorities and the position of the LEWP-C among the major players in the fight against organised crime and fraud across the EU.

OUTCOMES OF ACTIONS

Quantitative outcomes

- a) arrest - Nr
- b) seizures -in kg/litres, numbers, financial seizures in EUR
- c) cases initiated - number
- d) others - each action can specify

Qualitative outcomes

- a) operation - impact on organised crime, results and good practices, added value
- b) examples of (max. 3) other relevant activities (e.g. regarding the enhancement of the intelligence picture, cooperation with non-EU partners; prevention and capacity building, etc.)

Pictures

Up to 2 pictures (as file) illustrating activities, for possible use in a public factsheets.