

## **Annex [Note verbale reference: CU 2022/264]**

- The secretariat has prepared the following questionnaire as a guide that States parties may wish to use to provide relevant information in line with paragraphs 22 to 24 of resolution 9/1, entitled “Sharm el-Sheikh declaration on strengthening international cooperation in the prevention of and fight against corruption during times of emergencies and crisis response and recovery”, including the provision of information on good practices and challenges concerning international cooperation to further prevent, identify, investigate and prosecute corruption during times of emergencies and crisis response and recovery.
- States parties may wish to take a broad view of emergencies and crisis response and recovery when responding to this questionnaire. Emergencies and crisis response and recovery may include humanitarian emergencies, natural disasters, conflict and post-conflict contexts, as well as health emergencies such as the COVID-19 pandemic, among others.
- Collecting the information for this questionnaire may require cooperation by several different agencies/authorities. States parties may wish to send the questionnaire to agencies/authorities particularly involved in response and recovery efforts during times of emergencies, depending on their national system, as it calls for information on preventive anti-corruption measures, law enforcement and international cooperation. Such agencies/authorities may include:
  - Anti-corruption bodies, supreme audit institutions and other oversight bodies, and relevant entities with mandates to prevent and counter corruption;
  - National procurement agencies;
  - National law enforcement authorities;
  - National competent authorities responsible for international cooperation in criminal matters;
  - Development agencies.

*Disclaimer: this contribution was drafted by Commission services and it does not necessarily represent the views of the Commission as an institution.*

## Questionnaire

### Contact Information

Please provide contact details for potential follow-up questions. Contact details will be treated confidentially.

Country/Party: European Union

Government Agency: EU Commission

Department: DG HOME

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**Please describe (cite and summarize) good practices your country has taken (or is planning to take, together with the related appropriate time frame) concerning international cooperation to further prevent, identify, investigate and prosecute corruption during times of emergencies and crisis response and recovery.**

States parties are invited to provide information on experiences, good practices and challenges concerning the following:

#### **I. Understanding corruption risks and typologies during times of emergencies and crisis response and recovery, including transnational elements**

1. Has your government assessed corruption risks during emergencies or crisis response and recovery, either through formal risk assessments or other informal means? Please provide details, such as key findings and mitigation plans. Please describe whether any other (existing) risk assessment has been carried out that is relevant to the emergency response (such as sectoral risk assessments in procurement, healthcare, infrastructure, etc) and provide details.

The Rule of Law Report, including its 27 country chapters, examines developments across the Member States, both positive and negative, in four key areas for the rule of law: the justice system, the anti-corruption framework, media pluralism and other institutional issues related to checks and balances. In examining these areas, the Commission has continued deepening its assessment and the following up on the challenges and developments identified in the previous two reports. In 2021, the report consolidated the exercise started by the 2020 report, deepening the Commission's assessment and further developing on the impact and challenges brought by the COVID-19 pandemic. Both the general communication and each Country chapter include a section on the impact of and response to the COVID-19 pandemic including lessons

learned from the use of emergency measures. Particular attention is devoted to actions mitigating COVID-19 corruption risks.

In May 2022, Eurojust published: *Eurojust's Casework on Corruption: 2016–2021 Insights*, presenting key findings based on Eurojust's corruption casework and expertise built up over the years. It is the Agency's first dedicated publication in the corruption field. The report aims to support national authorities dealing with cross-border corruption cases by providing an overview of problems and solutions, including the use of Eurojust's judicial cooperation tools.

Amongst the legal and practical issues identified by the report, 13 in total, is the impact of the Covid-19 pandemic on corruption cases. Even though the Covid-19 pandemic has presented several barriers and challenges to effective judicial cooperation in criminal matters, as detailed in the 2021 Eurojust report *The Impact of COVID-19 on Judicial Cooperation in Criminal Matters – Analysis of Eurojust Casework*, Eurojust has continued to support corruption cases. In 2021, 112 new corruption cases were registered at Eurojust, more than in any of the preceding 5 years, and in 13 of those Eurojust organised coordination meetings by videoconference. Furthermore, issues in judicial cooperation that presented itself during the pandemic include investigative challenges, such as difficulties in conducting interrogations because of travel restrictions and curfews. In some cases this has caused delays in hearing suspects.

Eurojust has for example supported a case concerning the illegal sale of non-authorised facemasks. The case involved several EU Member States and third states. Eurojust was approached to facilitate and accelerate the execution of several urgent European Investigation Orders and freezing orders, and managed to support cooperation between the authorities involved.

According to the OLAF Annual report of 2021<sup>1</sup>, the continuing global pandemic and the roll-out of COVID-19 vaccines in 2021 diversified the range of opportunities for fraudsters, not least related to the vaccines and to counterfeit medical and personal protective equipment. In 2020, OLAF investigated complex cases of fraud, gave guidance on developing safeguards for the Recovery and Resilience Facility (RRF), exposed fake offers from fraudsters for COVID-19 vaccines and tackled the illicit trade in waste, tobacco and other substances that are dangerous to our health and environment. At the beginning of the pandemic in 2020, OLAF opened an investigation into the illicit trade in personal protective equipment and other materials linked to the COVID-19 pandemic. In 2021, OLAF's investigations in this field continued and led to the identification of suspicious operators and seizures of over 100 million COVID-19-related products. These included consignments of hand sanitisers containing a high volume of methanol, substandard face masks and fake testing kits.

OLAF received reports from governmental sources in EU Member States about offers from supposed intermediaries offering large quantities of COVID-19 vaccines. The aim of these scams – as OLAF established – was to convince public authorities to make large down payments to secure the sale, after which the fraudsters would disappear with the money.

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<sup>1</sup> [https://anti-fraud.ec.europa.eu/system/files/2022-07/olaf-report-2021\\_en.pdf](https://anti-fraud.ec.europa.eu/system/files/2022-07/olaf-report-2021_en.pdf)

Representatives of OLAF also shared their expertise in this field by contributing to numerous European and international conferences, seminars and workshops on how to spot potential red flags related to fake offers of COVID-19 vaccines. This participation helped OLAF investigators to make contact and build relationships with international stakeholders, which strengthens the global fight against fraud. OLAF's cooperation with EUIPO was instrumental in that respect.

The European Court of Auditors (ECA) published its work programme for 2022 and beyond<sup>2</sup>, listing its strategic areas and audit priorities. These will cover a broad range of issues, reflecting the EU's main challenges and key concerns. Foremost among them will be the EU's response to the COVID-19 pandemic and its ambitions to fight climate change. The auditors will scrutinise these areas, and others, to establish whether the EU is using taxpayers' money effectively to deliver on its mandate and commitments. The global COVID-19 pandemic continues to have a heavy impact on the lives of European citizens, and will continue to do so for some time. In the meantime, the EU is also putting into practice its aspirations to fight climate change and to move towards a more modern, resource-efficient and competitive economy. Consequently, post-COVID recovery programmes and measures to fight climate change will receive EU financial assistance on an unprecedented scale. The ECA's 2022+ work programme has been drawn up with these particular challenges in mind. It contains a list of 79 special reports and reviews that EU auditors intend to publish in the coming years. These are linked to strategic priority areas. For example, 16 reports are envisaged for the "EU response to COVID-19 and post-crisis recovery" spending and policy area, on issues such as the procurement of COVID-19 vaccines and the right to free movement during the pandemic. The ECA will also publish a series of audit findings on the EU Recovery and Resilience Facility, which accounts for € 672.5 billion in grants and loans to be used to support investment and reforms, with a focus on the ecological and digital transition. Under the heading "climate change, environment and natural resources", the ECA will deliver 17 reports, including on biofuels, energy taxation, illegal fishing and animal transport.

2. Please list the main typologies of corruption (corruption risks) you have identified in your country's emergency or crisis responses and recovery. You may select from the list below, and add any additional risks not listed:

#### **Public Procurement**

- Bribery of procurement officials
- Excessive use of non-competitive bidding procedures, including by single or limited source tendering, with limited safeguards
- Improper application of emergency procurement procedures allowing for expedited delivery of goods and services
- Bid-rigging (e.g. use of inflated prices)

#### **Misappropriation of Emergency Relief Funds**

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<sup>2</sup> <https://www.eca.europa.eu/en/Pages/NewsItem.aspx?nid=16093>

- Non-eligible beneficiaries circumventing rules and regulations, including through bribes, to obtain access to relief and support
- Diversion of donations away from intended beneficiaries
- Exploiting international financial assistance related to emergency relief or other types of support (such as donor funding or technical assistance)
- Embezzlement of profit gained from the sale and distribution of emergency supplies
- Manipulation and inflation of claims for economic relief
- Fraudulent billing for the provision of goods and services
- Diversion of donated equipment/supplies to the black market
- Companies hoarding/not discharging support received from the government

### **Conflicts of Interest**

- Conflicts of interest between suppliers and authorities in procurement processes
- Political appointees or persons entrusted with prominent public functions involved in, or the beneficial owners of, companies bailed out by the government or companies involved in procurement processes
- Support packages distributed according to ethnicity and/or political affiliation

### **Misuse of Information**

- Use of social media to spread misinformation, undertake fraudulent activities such as phishing, cyber-criminal fraud

### **Inadequate Reporting/Protection Mechanisms**

- Inadequate reporting/protection mechanisms for whistle-blowers and witnesses
- Restricted ability to report potential corrupt activities

### **Other Corruption Risks**

- Extensive use of government emergency powers and regulations, with insufficient controls, consultations and/or guidance
- Provision of counterfeit good and supplies
- Fraudulent or illicit production of goods, including research
- Impeded anti-corruption enforcement actions during emergency and crisis responses due to corruption
- Impeded provision of international cooperation (e.g. mutual legal assistance) due to the emergency or crisis due to corruption

Links between corruption and other forms of crime, in particular organized crime and economic crime, including money-laundering

Please list any other typologies or risks:

3. Did any of the corruption risks (typologies) identified in question 2 entail an international element? For example, fraudulent or collusive procurement practices involving foreign or international bidders or suppliers, donors or international financial institutions; aspects of transnational bribery; diversion of resources, assets or persons across borders)? Please be as specific as possible and provide details and examples. If the information is sensitive, please describe the typology or give anonymized examples.

4. Please describe whether the corruption risks identified in question 2 appear to be longer-term trends. Have they required new or strengthened anti-corruption actions as a result? If so, please elaborate.

5. Please describe any measures taken to support the private sector in identifying and mitigating corruption risks. This may include particular risks associated with supply chains and procurement processes.

6. Please provide an overview of efforts taken to understand the particular impact corruption in times of emergencies and crisis response and recovery may have on women and marginalized and vulnerable groups. If possible, please include reference to any research, analyses or assessments undertaken in this regard.

7. Is there a greater need for international cooperation in responding to corruption risks in the context of emergency and crisis responses than in other situations? Why, or why not?



## II. Addressing corruption during times of emergencies and crisis response and recovery at the domestic level

1. Please describe the anti-corruption controls, safeguards and/or measures put in place to address the corruption risks identified above in question 2. Please highlight any special measures that may have been introduced in response to a particular emergency, and whether those measures may be useful for future crises. These may include anti-corruption task forces, the use of real-time audits, transparency portals and specific reporting channels for reporting corruption in the context of emergencies, including in the areas below.

The rule of law is one of the founding values of the European Union. Respect for the rule of law is also key for the sound financial management of the Union budget and the effective use of the Union funding.

As of 2021, the Union budget has an additional layer of protection in cases when breaches of the rule of law principles affect or risk affecting the EU financial interests. This is thanks to a general regime of conditionality for the protection of the EU budget<sup>3</sup> – also known as a "conditionality regulation" – that has been in force since January 2021. This new conditionality regime allows the EU to take measures – for example suspension of payments or financial corrections<sup>4</sup> – to protect the budget. At the same time, the final recipients and beneficiaries of Union funds should continue to receive their payments, directly by the Member States concerned.

Measures under the conditionality regulation can only be proposed if the Commission finds out that breaches of the rule of law principles directly affect or seriously risk affecting the sound financial management of the Union budget or of the financial interests of the Union in a sufficiently direct way.

The instrument complements other tools and procedures to protect the EU budget, for example Directive (EU) 2017/1371 on the fight against fraud to the Union's financial interests, checks and audits or financial corrections, or investigations by the EU's anti-fraud office OLAF<sup>5</sup>. The Commission will only recur to the regulation if the other Union budget protection tools cannot be used more effectively. The general regime of conditionality is different from the European Rule of Law mechanism<sup>6</sup> (with the annual Rule of Law report at its core) whose goal is to promote the rule of law.

Under the conditionality regulation, the Commission will propose appropriate and proportionate measures to the Council in case rule of law breaches in a given Member

<sup>3</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.LI.2020.433.01.0001.01.ENG&toc=OJ:L:2020:433I:TOC>

<sup>4</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.LI.2020.433.01.0001.01.ENG&toc=OJ:L:2020:433I:TOC#d1e519-1-1>

<sup>5</sup> [https://ec.europa.eu/anti-fraud/home\\_en](https://ec.europa.eu/anti-fraud/home_en)

<sup>6</sup> [https://ec.europa.eu/info/policies/justice-and-fundamental-rights/upholding-rule-law/rule-law/rule-law-mechanism\\_en](https://ec.europa.eu/info/policies/justice-and-fundamental-rights/upholding-rule-law/rule-law/rule-law-mechanism_en)

State threaten the EU financial interests. The Council will then take a final decision on the proposal of measures. In any case, the final recipients and beneficiaries of Union funding remain entitled to receive their payments. To that end, the Member States concerned should continue to make these payments. In other words, if you are a final recipient or beneficiary of EU funding, you should continue to receive financial support from the Member State independently from the measures imposed under the conditionality regulation.

To clarify a number of elements related to the functioning of the conditionality regulation, the Commission has prepared a set of guidelines. These explain in detail how the Commission will apply the conditionality regulation, including how the rights of the final recipients and beneficiaries of EU funding will be protected. The guidelines have been prepared through a comprehensive process, including consultations with the European Parliament and EU Member States. They also take into account the judgements of the European Court of Justice in cases C-156/21 and C-157/21 released on 16 February 2022.

The guidelines are available online at [https://ec.europa.eu/info/sites/default/files/about\\_the\\_european\\_commission/eu\\_budget/complaint-form\\_editable-template\\_0.pdf](https://ec.europa.eu/info/sites/default/files/about_the_european_commission/eu_budget/complaint-form_editable-template_0.pdf)

These rules are in place since 1 January 2021. Ever since, the Commission has been monitoring the situation across the EU countries and collecting relevant information.

The Commission's annual Rule of Law report<sup>7</sup>, decisions by the Court of Justice of the European Union<sup>8</sup>, reports from the European Court of Auditors<sup>9</sup>, as well as conclusions by relevant international organisations are all feeding into the Commission's analysis. Complaints are also a useful source of information for the Commission to establish whether the conditionality regulation should be triggered.

In addition, questions and answers on the Commission guidance on the conditionality mechanism are available below:

### **1. What is the role of the rule of law conditionality regulation?**

For the European Commission, it is a priority to protect citizens' money and make sure that every euro from the budget is spent in line with the rules and generates added value. The Commission works continuously and closely with Member States and with the other EU institutions towards this objective, and has traditionally used a series of tools to that end.

For the 2021–2027 budget and NextGenerationEU, an additional layer of protection has been introduced: Regulation (EU, Euratom) 2020/2092 on a general regime of conditionality for the protection of the Union budget. It makes sure that the EU is

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<sup>7</sup> [https://ec.europa.eu/info/policies/justice-and-fundamental-rights/upholding-rule-law/rule-law/rule-law-mechanism\\_en#rule-of-law-report](https://ec.europa.eu/info/policies/justice-and-fundamental-rights/upholding-rule-law/rule-law/rule-law-mechanism_en#rule-of-law-report)

<sup>8</sup> [https://curia.europa.eu/jcms/jcms/j\\_6/en/](https://curia.europa.eu/jcms/jcms/j_6/en/)

<sup>9</sup> <https://www.eca.europa.eu/en/Pages/ecadefault.aspx>



better equipped to protect the budget by dealing with breaches of the principles of the rule of law that affect or risk affecting the EU budget.

This new conditionality regime allows the EU to take measures – for example suspension of payments or financial corrections – to protect the budget.

At the same time, the final recipients and beneficiaries of Union funds should continue to receive their payments directly by the Member States concerned.

The instrument complements other tools and procedures to protect the EU budget, for example checks and audits or financial corrections, or investigations by the European Public Prosecutor's office or by the EU's anti-fraud office OLAF. The Commission can only recur to the regulation if the other EU budget protection tools cannot protect the EU budget more effectively.

Together with the instruments already in place, the regulation is making sure that every euro goes where it is needed and creates added value for the citizens.

## **2. What is the role of the guidelines that the Commission has published today?**

The guidelines that the Commission has published today seek to clarify a number of elements related to the application of the conditionality regulation.

The guidelines are essential to ensure clarity and predictability as to how the Commission will apply the regulation. They help clarify the conditions that would trigger the application of the regulation, how third parties can report information and how the rights of the final recipients and beneficiaries of EU funding will be protected.

## **3. How were these guidelines prepared?**

The guidelines have been prepared through a comprehensive process, including preparatory work by the European Commission, and consultations with the European Parliament and the EU Member States.

This process fully recognises the importance of the European Parliament and EU Member States as partners throughout the implementation of the regulation. The guidelines also take into account the judgements of the European Court of Justice in cases C-156/21 and C-157/21 concerning the legality of the Conditionality Regulation, released on 16 February 2022.

## **4. What do these guidelines foresee?**

The purpose of the guidelines is to explain five aspects of the Conditionality Regulation:

- the conditions to adopt measures;
- the complementarity between the conditionality regulation and other EU budget protection tools;
- the need for proportionality of the measures;

- the procedure and assessment process;
- the protection of the rights of final recipients or beneficiaries.

**5. Under what conditions will the Commission initiate the procedure under the conditionality regulation?**

The Commission will initiate the procedure under the conditionality regulation where it has reasonable grounds to consider the following points, as detailed in the guidelines, fulfilled:

- **at least one of the rule of law principles referred to in the conditionality regulation has been breached** in a Member State. These includes the principles of legality, legal certainty, prohibition of arbitrariness of the executive powers, effective judicial protection, separation of powers, non-discrimination and equality before the law.
- the **breach concerns situations or conducts of public authorities or can be attributed to them**, if they are relevant for the sound financial management of the Union budget or for the protection of the financial interests of the Union. This includes authorities implementing the EU budget and carrying out financial control, monitoring and audit; investigation and public prosecution services; national courts or administrative authorities; authorities implementing the Recovery and Resilience Plans; or those collecting the sources of revenue for the EU budget.
- the **breach affects or risks seriously affecting the sound financial management of the EU budget or the protection of the EU's financial interests**, covering both revenue and expenditure of the budget. There must also be a **sufficiently direct relation** between the breach and its effects. This assessment will be made on a case-by-case basis.

When the conditions are met, the Commission will initiate the procedure unless it considers that other procedures set out in Union legislation would allow it to protect the Union budget more effectively.

**6. What is the relation between the conditionality regulation and other EU budget protection instruments?**

Before proposing any measures, the **Commission will assess whether other procedures would not allow it to protect the Union budget more effectively**. These could include the early detection and exclusion system; interruption or suspension of payments, or financial corrections under shared management. In the case of the Recovery and Resilience Facility at the heart of the NextGenerationEU recovery plan, it is possible to proceed with the reduction and recovery of amounts in cases of serious irregularities that have not been corrected by the Member States.

The guidelines provide two indicative criteria to determine the effectiveness of the conditionality regulation as compared to other instruments:

- Firstly, the scope of the effect and/or extent of risk the breach may entail: this is relevant as other procedures may relate only to specific spending programmes or already materialised effects. The conditionality regulation

would therefore be more effective for breaches that are widespread or where the effect has not materialised yet.

- Secondly, the types of remedies available and their suitability to different situations to address the relevant breach: When the EU budget is or risks being affected in a wide manner, due for instance to lack of independence of national courts, the wide variety of possibilities under the Conditionality Regulation that could be imposed until the breach is brought to an end might protect the Union budget more effectively than measures focused on a specific programme or instrument.

#### 7. What does it mean that the measures need to be proportionate?

The **Commission will propose proportionate measures**, which means that they must be suitable and necessary to address the issues found and protect the EU budget or the EU's financial interests, without going beyond what is required to achieve this goal.

To assess whether the measures are proportionate, the Commission will take into account the **nature, duration, gravity and scope of the breaches** of the rule of law principles at stake. The guidelines provide details on each of these elements.

In addition, the Commission may consider other factors, in particular, the intention of the Member State to put an end to the breach, the degree of cooperation of the Member State with the Commission, or a possible persistence or repetition of the breaches.

In its proposal to the Council to adopt measures, the Commission will indicate specific programmes or funds affected or at risk of being affected by the breaches and propose measures related to those programmes or funds. In exceptional circumstances, the measures may also be disconnected from the funds that were/are being affected.

#### 8. How will the Commission carry out this assessment?

To identify and assess breaches of the principles of the rule of law under the conditionality regulation, the Commission will carry out a **thorough qualitative assessment on a case-by-case basis**, taking due account of the specific circumstances and contexts of each Member State. The guidelines set out the principles of the methodology that the Commission will use.

To gather information to feed into its assessment, the Commission will use various sources of information. These include the Commission's annual Rule of Law report and the EU Justice Scoreboard, decisions by the Court of Justice of the European Union, reports from the European Court of Auditors, the European anti-fraud office OLAF and the European Public Prosecutor's Office, as well as conclusions by relevant international organisations.

Complaints are also a useful source of information for the Commission to establish whether the conditionality regulation should be triggered. Any third party that is aware of information and evidence about relevant breaches of the principles of the rule of law is invited to send a complaint, and a complaint form is available on

the [Commission's website](#). The Commission may also contact the Member State concerned to gather information or explanations it may need for its assessment.

The guidelines explain the different steps of the **formal procedure under the conditionality regulation**, from sending out of a written notification, to the proposal of measures to the Council and their adoption.

Once measures under the regulation have been introduced, the Commission will continue to regularly monitor and reassess the situation in the Member States concerned, taking into account any evidence submitted, as well as the adequacy of any remedial measures adopted by those Member States.

The guidelines also explain how measures can be lifted.

### **9. How are the rights of final recipients and beneficiaries of Union funding protected?**

A key principle in the application of the regulation is that the final recipients and beneficiaries of EU funding should not be affected by measures taken under the regulation.

To ensure that, the Member States concerned by the regulation should continue to make any payments due to these recipients or beneficiaries.

If the Member States concerned refuse to honour their obligations, the beneficiaries or final recipients concerned should first turn to the competent national authorities.

If this is not possible or does not lead to the expected outcome, they can address the Commission. Further information is available on the dedicated Commission website.

### **10. When will the Commission act further in the application of the regulation?**

The Commission has been applying the regulation since January 2021.

Ever since, the Commission has been monitoring the situation across the EU countries and collecting relevant information. The Commission's annual [Rule of Law report](#), decisions by the [Court of Justice of the European Union](#), reports from the [European Court of Auditors](#), as well as conclusions by relevant international organisations are all feeding into the Commission's analysis.

Complaints are also a useful source of information for the Commission to establish whether the conditionality regulation should be triggered. The Commission published a [complaint form](#) inviting the wide public to send a complaint about possible cases under the conditionality regulation.

Moreover, under the conditionality regulation, the Commission may contact the EU Member State concerned and request information. The information requested will

feed into the Commission's assessment of whether the conditions to send Member States a notification under the conditionality regime are fulfilled.

The Commission will start the procedure if the necessary conditions are fulfilled.

In addition to the conditionality regulation, the role of the European Public Prosecutor's Office (EPPO) can be mentioned in this context. The EPPO is competent to investigate and prosecute crimes affecting the Union's financial interests, including corruption that has an impact on the Union budget. The EPPO has carried out investigations concerning, for instance, crimes committed against various healthcare facilities and hospitals that were provided with thousands of FFP2 and FFP3 face masks and protective suits without suitable certification.

### **Public procurement and the management of public finances**

2. Please describe measures taken to develop and/or further strengthen accountability and transparency in public procurement during times of emergencies and crisis response and recovery. These may include:

- The development of specific guidelines, circulars or memorandums for procurement in emergency contexts;
- The development of new codes of conduct or guidelines for procurement personnel during times of emergencies and crisis response and recovery;
- Requirements to disclose potential and real conflicts of interest;
- Reforms of legal, regulatory and policy frameworks governing public procurement;
- Requirements to collect and publish the beneficial ownership information of entities contracting with the government;
- Requirements to cross-check information available on the ultimate beneficial owners of companies involved in procurement processes;
- Publication of information on the whole procurement cycle, from tender to delivery (including type and amount of contract, reference information for the awarded company, beneficial ownership information, validation of delivery, etc.);
- Specific labels or “tags” for procurement contracts to facilitate the monitoring of contracts associated with a particular emergency or crisis;
- Measures to ensure procurement in emergency contexts have appropriate oversight and sanctions, including the potential disqualification of companies;
- Measures to help ensure that compliance programmes and safeguards are in place for bidders;
- The use of online portals that afford opportunities to track procurement contracts through the whole procurement cycle;
- Feedback mechanisms for monitoring by groups outside the public sector, such as civil society organizations.

3. Please highlight 2-3 good practices and challenges faced when developing, implementing and/or monitoring the measures you have identified in question 2.

Concerning the good practice, according to the OLAF report of 2021<sup>10</sup>, in the framework of the project “Postbox III” co-organised by Italian customs and the Guardia di Finanza, the Italian financial crime police, with the support of OLAF, the collaboration of Europol and the participation of 20 Member States, the operation focused on the illegal trade in counterfeit products, pharmaceutical products, COVID-19-related goods, drugs, endangered animal and plant species (under the Convention on International Trade in Endangered Species of Wild Fauna and Flora) and undervalued goods, using both the open and the dark web. The operation led to the detention of more than 1 400 shipments of illicit goods, including over 35 000 items of counterfeit goods, counterfeit bank notes with an approximate value of €240 000, more than 1 500 items of COVID19-related materials, 240 kg of smuggled cigarettes and tobacco, and over 20 kg of cannabis and marijuana.

Also, the action “STOP II” was organised by the WCO, the STOP II operation was the largest-ever customs-led global operation, involving 146 national customs administrations and with the support of Europol, Interpol, the United Nations Office on Drugs and Crime (UNODC) and the World Health Organization (WHO), together with pharmaceutical companies and other private sector actors. The target of the operation was the illicit trade in medicines, vaccines and medical devices related to COVID-19. The operation resulted in the seizure of 365.7 million units, of which 195.5 million were medicines related to COVID-19, 156.7 million were medical devices (e.g. COVID-19 testing kits, face masks, used gloves, sanitiser gel and oxygen cylinders) and around 13.5 million were doses of COVID-19 vaccines.

The development of the RRF risk framework The aim of the RRF is to mitigate the economic and social impact of the COVID-19 pandemic and make European economies and societies more sustainable, more resilient and better prepared for the challenges and opportunities of the green and digital transitions. One of the key pieces of work that OLAF undertook during 2021 was to help develop a risk framework for Member States to help them to guard against fraud during the implementation of the RRF. OLAF shared its knowledge and experience on serious irregularities (i.e. fraud, corruption and conflict of interest) that could affect the RRF. It developed a fraud risk framework and provided training to national authorities on how to develop and update their own fraud risk assessments. It also briefed audit bodies on the role that they can play in preventing and detecting fraud. OLAF also advised Member States to update or create national anti-fraud strategies to take into account the risks linked to the new RRF. This will help to introduce additional safeguards covering the RRF and determine the anti-fraud actions to be taken in the near future. Risks relate both to the achievement of the targets and to wider compliance with EU and national law, and in particular with sound financial management, preventing fraud, corruption, conflict of interest and double funding.

4. Were internal audit systems, real-time audit mechanisms and/or other mechanisms used to help monitor and oversee the management of public resources during times of emergencies and crisis response and recovery? If so, please describe. Please provide any information on good practices and/or lessons learned.

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<sup>10</sup> [https://anti-fraud.ec.europa.eu/system/files/2022-07/olaf-report-2021\\_en.pdf](https://anti-fraud.ec.europa.eu/system/files/2022-07/olaf-report-2021_en.pdf)

5. Please describe what measures or initiatives could be used/have been used to help ensure transparency in the allocation, use, distribution and management of the national budget during times of emergencies and crisis response and recovery. These may include dedicated budget lines, measures to present budget items, public hearings or rendering such information accessible to the public.

**Inter-institutional coordination at the national level**

6. Please outline measures which could be taken or have been taken to enhance coordination among institutions at the national level involved in response and recovery efforts, such as Memorandums of Understanding, data sharing agreements, standard operating procedures or other formal and informal mechanisms that enable institutions to share information and respond in a coordinated manner to corruption risks in the context of emergencies.

**Transparency measures, including access to information**

7. Does the government have specific measures in place to identify individuals who may be involved in, or who help facilitate, corrupt acts? Such measures may include requirements to disclose beneficial ownership information and requirements to make such information accessible to law enforcement or other authorities. For example, information contained in beneficial ownership registries or information contained in open tender portals may be used by supreme audit institutions and other oversight bodies to audit, and inform, response and recovery measures.

8. How does the government ensure that emergency measures are limited in duration and scope? Please describe any measures taken to mitigate the use of broad emergency executive authority, such as legislative oversight, regular reports to committees, and review and monitoring mechanisms.

9. Have your authorities applied or strengthened whistle-blower protection or reporting systems, including those that afford opportunities for confidential and/or anonymous reports, and how to address such reports?

**Use of information and communication technology tools**

10. Has the government used information and communication technology tools to build, implement and/or maintain resilient emergency response systems? If yes, please explain what types of tools have been used and include relevant links, if possible.

11. If possible, please describe the benefits and challenges of using the tools identified in 10?

12. Has the government used information and communication technology to help manage and oversee public procurement during times of emergencies? If yes, please explain the particular tool, its benefits and challenges and include relevant links, if possible.

13. Has the government used information and communication technology to promote transparency in the management of public finances during times of emergencies and crisis response and recovery? If yes, please explain the particular tool, its benefits and challenges and include relevant links, if possible.

**Engagement of actors outside the public sector**

14. If possible, please provide an overview of how the government has partnered with, or encouraged the participation of, actors outside the public sector to help monitor and support oversight of government actions during times of emergencies and crisis response and recovery. Please also include any future initiatives planned.



15. Are there any policies or initiatives that particularly facilitated the engagement of actors outside the public sector in these contexts? If yes, please describe.

**III. Responding to corruption during times of emergencies and crisis response and recovery, including through international cooperation**

1. If possible, please provide examples of detected or suspected instances of domestic or transnational corruption and how these were identified in your country. If the information is sensitive, please describe the typology or give anonymized examples.

2. How did the government respond? Has your country taken any steps to identify, investigate or prosecute corruption in emergency and crisis responses and recovery? Examples may include an interagency cooperation taskforce among anti-corruption authorities, analysis of suspicious transaction or financial disclosure reports, greater cooperation across international borders, strengthening investigation and prosecution capacity, etc.

The Rule of Law Report, including its 27 country chapters, examines developments across the Member States, both positive and negative, in four key areas for the rule of law: the justice system, the anti-corruption framework, media pluralism and other institutional issues related to checks and balances. In examining these areas, the Commission has continued deepening its assessment and the following up on the challenges and developments identified in the previous two reports.

In 2021, the report consolidated the exercise started by the 2020 report, deepening the Commission’s assessment and further developing on the impact and challenges brought by the COVID-19 pandemic. Both the general communication and each Country chapter include a section on anti-COVID actions, such as lessons learned from the use of emergency measures and the COVID-19 pandemic. Particular attention is devoted to actions mitigating risks of corruption against anti-COVID initiatives. Additional information is available at [https://ec.europa.eu/info/policies/justice-and-fundamental-rights/upholding-rule-law/rule-law/rule-law-mechanism/2021-rule-law-report\\_en](https://ec.europa.eu/info/policies/justice-and-fundamental-rights/upholding-rule-law/rule-law/rule-law-mechanism/2021-rule-law-report_en)

[From ECFIN B:

The aim of the Recovery and Resilience Facility (RRF) is to mitigate the economic and social impact of the coronavirus pandemic and make European economies and

societies more sustainable, resilient and better prepared for the challenges and opportunities of the green and digital transitions.

The Facility entered into force on 19 February 2021. It is a temporary recovery instrument. It makes available €723.8 billion (in current prices) in loans (€385.8 billion) and grants (€338 billion) to help Member States implement reforms and investments that are in line with the EU's priorities (such as the green and digital transitions) and that address the challenges identified in country-specific recommendations. To benefit from the Facility, Member States submit their recovery and resilience plans to the European Commission. Each plan sets out the reforms and investments to be implemented by end-2026 and Member States can receive financing up to a previously agreed allocation. The plan is assessed by the Commission according to a set of stringent criteria, including the adequacy of the 'arrangements for monitoring and implementation' and the arrangements to prevent, detect and correct corruption, fraud and conflicts of interests and double funding. A plan that does not reach this criteria will not be approved. The Commission can and does verify through system audits whether suitable control systems are in place.

The Facility is performance-based. Fulfilment of agreed milestones and targets, which demonstrate progress towards achieving the reforms and investments in the plans, will unlock payments from the European Commission to the Member States, which ultimately implement the reforms and investments. It is also at the heart of the implementation of the REPowerEU Plan, the Commission's response to the socio-economic hardships and global energy market disruption caused by Russia's invasion of Ukraine.

The RRF regulation sets out legal safeguards for the protection of the EU's financial interests (see Art. 22):

Specifically, it makes clear that the obligation lies on the EU Member States to take all the appropriate measures to ensure that the use of funds in relation to measures supported by the Facility complies with the applicable Union and national law, in particular regarding the prevention, detection and correction of fraud, corruption and conflicts of interests. To that end, Member States are required to

- Provide an effective and efficient internal control system and the recovery of amounts wrongly paid or incorrectly used, including appropriate ex-post checks and audits.
- Accompany each payment request (sent to the Commission) by a summary of audits carried out and by a management declaration that the funds were used for their intended purpose, that the information supplied is accurate and reliable

and that the control systems provide all necessary assurances that the funds were used in accordance with all applicable rules.

- Collect and ensure access to some categories of data, in particular the names of final recipients, contractors, sub-contractors, and beneficial owners of RRF expenditure, as well as a list of all measures for the implementation of reforms and investment projects under the recovery and resilience plan with the total amount of public funding of those measures and indicating the amount of funds paid under the Facility and under other Union funds.]

3. In its response, did your authorities find it necessary to seek or request international cooperation (e.g. mutual legal assistance or direct law enforcement cooperation)? Please provide details and examples. How effective do you believe the cooperation was, and what were the main challenges? Was the assistance provided, were there any obstacles?

4. Has your government received any requests for international cooperation from other countries seeking to identify, investigate or prosecute corruption during times of emergencies and crisis response and recovery? Please provide details and examples. How effective do you believe your authorities cooperated, and what were the main challenges? Was the assistance provided, were there any obstacles?

**IV. Mechanisms to respond to corruption during times of emergencies and crisis response and recovery through international cooperation**

1. Have your authorities had any practical experience in sharing information, including spontaneously, with authorities in other countries concerning suspected corruption in the context of emergency or crisis responses?

2. Has your government used electronic communication channels or networks, including those of INTERPOL or the GlobE Network, that enable the prompt exchange of information for the investigation and prosecution of corruption offences in the context of emergency and crisis responses?

3. Are you aware of any examples of joint or parallel investigations or the bilateral sharing of capacity and expertise on investigating and prosecuting corruption in this context?

4. Have you taken additional measures to analyse asset declarations, financial disclosures and/or suspicious transaction reports during times of emergencies or crisis response and recovery?

5. Have you experienced challenges in accessing adequate, accurate and up-to-date information on the beneficial ownership and control of legal persons in other jurisdictions? In your view, what may be improved to enable effective, timely access to such information?

6. Have you experienced challenges in verifying assets beneficially owned by public officials abroad? In your view, what may be improved to enable effective, timely access to such information?

7. Have there been any efforts to support anti-corruption practitioners and law enforcement authorities in your country, including human resources management and opportunities for capacity-building and peer-learning on methods, tools and technologies for countering corruption in the context of emergency and crisis responses?

8. In your view, are there any unique aspects of requesting or providing international cooperation in emergency and crises responses as opposed to regular cases?

9. Does your government have any experience in receiving or providing international financial assistance (such as donor funding or technical assistance) to address emergency situations? In your view, what are effective mechanisms to strengthen integrity and prevent corruption in the provision of emergency relief funds? What should be improved?

**V. Effectiveness of international frameworks to respond to corruption during times of emergencies and crisis response and recovery, including through international cooperation**

1. Are there any longer-term trends related to addressing corruption in emergency and crisis responses that require a new or improved anti-corruption approach in the future? Or that require greater international cooperation or new ways of working together? Please explain.

2. Are there any measures or processes that you would consider good practices to facilitate international cooperation and rapid exchange of information in emergency and crisis situations? Examples could include measures to accept electronic copies of mutual legal assistance requests and prioritize requests concerning corruption during times of emergencies and crisis response and recovery. Has your country had any experience in this regard?

The European Commission has recently developed the e-Evidence Digital Exchange System (e-EDES) which is a secure electronic channel for cross-border communication by courts, prosecution offices and other competent authorities. While the system was created in response to the calls to increase the efficiency of cooperation in the EU for the purpose of obtaining electronic evidence in criminal matters, it will provide a new swift means of communication for all exchanges in cross-border judicial cooperation in criminal and civil matters across the EU.

e-EDES, which is underpinned by the e-CODEX system (tool) for secure cross-border communication, went live in April. It is now ready to exchange European Investigation Orders (and mutual legal assistance requests) to collect evidence in criminal matters. In May 2022, the first European Investigation Order was successfully sent through this system.

Furthermore, in December 2021 the [Commission proposed a Regulation and a Directive](#) aimed at the comprehensive digitalisation of judicial cooperation. These proposals establish a legal framework for electronic communication between competent authorities in line with the “digital by default” principle, and expand the use of the e-EDES tool to all judicial cooperation procedures included in its scope (Annex II to the Regulation lists the procedures in criminal matters).

Also in December 2021, the Commission proposed [to establish a collaboration platform to support the functioning of Joint Investigation Teams](#). The platform will facilitate cross-border cooperation of those involved in JITs through a secure electronic exchange of information and evidence, as well as secure electronic communication.

3. How should countries strengthen collaboration to address corruption risks arising in emergency and crisis situations, with respect to international cooperation? Please list up to three measures countries could apply that would strengthen international cooperation in this regard.

4. Have there been any efforts by your government to enhance cooperation with multilateral, international or regional bodies to address corruption and other forms of crime during times of emergencies and crisis response and recovery?

## VI. Data collection

1. Have your authorities collected data or statistics to track and analyse trends concerning international cooperation to further prevent, identify, investigate and prosecute corruption during times of emergencies and crisis response and recovery. Are these publicly available?

In accordance with Article 18(2) of Directive (EU) 2017/1371 on the fight against fraud to the Union’s financial interests by means of criminal law, Member States are obliged to submit annual statistics on criminal proceedings regarding offences covered by this ‘PIF’ Directive, notably fraud, corruption and misappropriation, including the incitement, aiding and abetting of any of these offences and attempt to commit fraud or misappropriation. However, for 2021, the Commission only received statistics from about one third of the Member States, and only incomplete statistics from another third of Member States. Given the incomplete picture these statistics provide they have so far

not been published. The matter will be further discussed in the Commission's upcoming second transposition report on the PIF Directive.

The Eurojust report *Eurojust's Casework on Corruption: 2016–2021 Insights*, published in May 2022, analyses the 505 corruption cases registered during that period. Notably, the number of corruption cases supported by Eurojust has risen from 78 in 2016 to 112 in 2021, the year of the Covid-19 pandemic. This increase reflects the EU's priority to crackdown on corruption and Eurojust's growing importance in helping Member States tackle this cross-border crime, also during the pandemic, as Eurojust has been able to continue its support by providing digital solutions (such as organising coordination meetings by videoconference).

2. Have your authorities collected data or statistics to track and analyse trends and links between corruption and other forms of crime? Are these publicly available?

Please outline actions required to ensure or improve the implementation of the commitments contained in paragraph 23 of resolution 9/1, as well as any challenges faced or technical assistance required.

**Please describe (cite and summarize) measures/steps your country has taken, if any (or is planning to take, together with the related appropriate time frame) to explore and enhance knowledge of the links between corruption and other forms of crime, in particular organized crime and economic crime, including money-laundering, including during times of emergencies and crisis response.**

States parties are invited to respond to the following questions:

**I. Analyses and assessments to explore and enhance knowledge of the links between corruption and other forms of crime**

1. Has your government undertaken any analyses or assessments to better understand the links between corruption and other forms of crime, including typologies of crime and how corruption may be used to facilitate and enable organized crime?

In April 2021, the Commission is presenting a new [EU Strategy to tackle Organised Crime](#), focusing on boosting law enforcement and judicial cooperation, tackling organised crime structures and high priority crimes, removing criminal profits and ensuring a modern response to technological developments. Organised crime groups continue to develop and evolve, as shown by their rapid adaptation to the coronavirus pandemic, for example through the increase in counterfeit medical products and online crime. Organised crime groups active in Europe are involved in a variety of criminal activities, with drugs trafficking, organised property crime, fraud, migrant smuggling and trafficking in

human beings being prevalent. In 2019, criminal revenues in the main criminal markets amounted to 1% of the EU's GDP, i.e. €139 billion.

The Strategy sets out the tools and measures to be taken over the next 5 years to disrupt the business models and structures of criminal organisations across borders, both online and offline.

Vice-President for Promoting our European Way of Life, Margaritis **Schinias**, said: “Criminal syndicates increasingly use new technologies and seize any opportunity to expand their illegal activities, online or offline. The recent emblematic cases like EncroChat have exposed how sophisticated these organised crime networks are. This shows how important our efforts to tackle organised crime across borders are. Today's Strategy will help hit these criminals where it hurts the most, by undermining their business model which thrives on a lack of coordination between states.”

Commissioner for Home Affairs, Ylva **Johansson**, said: “We clearly need to step up to fight organised crime groups. They are among the biggest threats to our security. They are highly professional and transnational: 70% of criminal groups are active in more than 3 Member States. They quickly adapted to the pandemic, moving online and selling fake or non-existent cures. We have already detected attempted scam sales of over 1 billion vaccine doses. Our strategy is a 5-year programme to strengthen European law enforcement in the physical and the digital world. With the measures we're proposing today, we'll be moving from occasional police cooperation to permanent police partnerships, and we'll follow the money to catch criminals in financial investigations.”

The Strategy aims to:

- **Boost law enforcement and judicial cooperation:** With 65% of the criminal groups active in the EU composed of multiple nationalities, effective exchange of information among law enforcement and judicial authorities across the EU is key to effectively tackle organised crime. The Commission will expand, modernise and reinforce funding for the European multidisciplinary platform against criminal threats (EMPACT), the structure that since 2010 brings together all relevant European and national authorities to identify priority crime threats and address them collectively. The Commission will propose to upgrade the 'Prüm' framework for exchanging information on DNA, fingerprints and vehicle registration. To make sure that law enforcement across the EU can work together better under a modern rulebook, the Commission will propose an EU Police Cooperation Code which will streamline the current patchwork of various EU tools and multi-lateral cooperation agreements. Achieving the 2023 objective to make information systems for security, border and migration management interoperable will help law enforcement better detect and combat identity fraud often used by criminals. Finally, to better tackle criminal networks operating internationally, the Commission is also proposing today to start negotiating a cooperation agreement with Interpol.
- **Support more effective investigations to disrupt organised crime structures and focusing on high and specific priority crimes:** There is a



need to step up cooperation at EU level to dismantle organised crime structures. To ensure an effective response to specific forms of crime, the Commission will propose to revise the EU rules against environmental crime and will establish an EU toolbox against counterfeiting, notably of medical products. It will present measures to address the illicit trade in cultural goods. The Commission is also presenting today a [Strategy](#) dedicated to combatting trafficking in human beings.

- **Make sure crime does not pay:** Over 60% of criminal networks active in the EU engage in corruption and more than 80% use legitimate businesses as a front for their activities, while only 1% of criminal assets is confiscated. Tackling criminal finances is key to uncover, punish and deter crime. The Commission will propose to revise the EU rules on confiscating criminal profits, develop the EU anti-money laundering rules, promote the early launch of financial investigations and assess the existing EU anti-corruption rules. This will also help prevent infiltration into the legal economy.
- **Make law enforcement and the judiciary fit for the digital age:** Criminals communicate and commit crimes online and leave digital traces online. With 80% of crimes having a digital component, law enforcement and the judiciary need swift access to digital leads and evidence. They also need to use modern technology and be equipped with tools and skills to keep up with modern crime *modi operandi*. The Commission will analyse and outline possible approaches to data retention as well as propose a way forward to address a lawful and targeted access to encrypted information in the context of criminal investigations and prosecutions that would also protect security and the confidentiality of communications. The Commission will also work with relevant EU Agencies to provide national authorities with the tools, knowledge and operational expertise needed to conduct digital investigations.

## Background

This Strategy is part of the EU's work towards fostering security for all those living in Europe, as outlined in the [EU Security Union Strategy](#).

The Strategy to tackle Organised Crime builds on Europol's latest 4-yearly [assessment](#) of serious and organised crime threats released on 12 April 2021.

EU Security Union Strategy: connecting the dots in a new security ecosystem

At the same time, the European Commission sets out a new [EU Security Union Strategy](#) for the period 2020 to 2025, focusing on priority areas where the EU can bring value to support Member States in fostering security for all those living in Europe. From combatting terrorism and organised crime, to preventing and detecting hybrid threats and increasing the resilience of our critical infrastructure, to promoting cybersecurity and fostering research and innovation, the strategy lays out the tools and

measures to be developed over the next 5 years to ensure security in our physical and digital environment.

Margaritis **Schinias**, Vice-President for Promoting our European Way of Life, said: “Security is a cross-cutting issue which goes into almost every sphere of life and affects a multitude of policy areas. With the new EU Security Union Strategy, we are connecting all the dots to build a real security ecosystem. It is time to overcome the false dichotomy between online and offline, between digital and physical and between internal and external security concerns and threats. From protecting our critical infrastructure to fighting cybercrime and countering hybrid threats, we can leave no stone unturned when it comes to our security. This strategy will serve as an umbrella framework for our security policies, which must always be fully grounded in our common values.”

Ylva **Johansson**, Commissioner for Home Affairs, said: “Knowing you are safe, online, in public, in your home, for your children, builds trust and cohesion in society. With today's Security Union Strategy, we focus on areas where the EU can make a difference in protecting people throughout Europe, anticipating and tackling evolving threats. In the coming years, my work on the EU's internal security will build a system that delivers, starting today with action on child sexual abuse, drugs and illegal firearms.”

This strategy lays out 4 strategic priorities for action at EU level:

### 1. **A future-proof security environment**

Individuals rely on **key infrastructures**, online and offline, to travel, work or benefit from essential public services; and attacks on such infrastructures can cause huge disruptions. Preparedness and resilience are key for quick recovery. The Commission will put forward **new EU rules on the protection and resilience of critical infrastructure**, physical and digital.

Recent terrorist attacks have focused on **public spaces**, including places of worship and transport hubs, exploiting their open and accessible nature. The Commission will promote **stepped up public-private cooperation** in this area, to ensure stronger physical protection of public places and adequate detection systems.

Cyberattacks have become more frequent and sophisticated. By the end of the year, the Commission should complete the review of the **Network and Information Systems Directive** (the main European cybersecurity legislation) and outline strategic cybersecurity priorities to ensure the EU can anticipate and respond to evolving threats.

In addition, the Commission has also identified the need for a **Joint Cyber Unit** as a platform for structured and coordinated cooperation.

Lastly, the EU should continue building and maintaining **robust international partnerships** to further prevent, deter and respond to cyberattacks, as well as promote EU standards to increase the cybersecurity of partner countries.

## 2. Tackling evolving threats

Criminals increasingly exploit technological developments to their ends, with malware and data theft on the rise. The Commission will make sure that **existing EU rules against cybercrime** are fit for purpose and correctly implemented, and will explore **measures against identity theft**.

The Commission will look into measures to **enhance law enforcement capacity in digital investigations**, making sure they have adequate tools, techniques and skills. These would include artificial intelligence, big data and high performance computing into security policy.

Concrete action is needed to tackle core threats to citizens, such as terrorism, extremism or child sexual abuse, under a framework ensuring the respect of fundamental rights. The Commission is putting forward today a **strategy for a more effective fight against child sexual abuse online**.

Countering **hybrid threats** that aim to weaken social cohesion and undermine trust in institutions, as well as enhancing EU resilience are an important element of the Security Union Strategy. Key measures include **an EU approach** on countering hybrid threats, from early detection, analysis, awareness, building resilience and prevention to crisis response and consequence management – mainstreaming hybrid considerations into broader policy-making. The Commission and the High Representative will continue to jointly take forward this work, in close cooperation with **strategic partners**, notably **NATO** and **G7**.

## 3. Protecting Europeans from terrorism and organised crime

Fighting terrorism starts with addressing the polarisation of society, discrimination and other factors that can reinforce people's vulnerability to radical discourse. The work on **anti-radicalisation** will focus on early detection, resilience building and disengagement, as well as rehabilitation and reintegration in society. In addition to fighting root causes, effective prosecution of terrorists, including foreign terrorist fighters, will be essential – to achieve this, steps are under way to strengthen border security legislation and better use of existing databases. **Cooperation with non-EU countries** and international organisations will also be key in the fight against terrorism, for instance to cut off all sources of terrorism financing.

**Organised crime** comes at huge costs for victims, as well as for the economy, with €218 to €282 billion estimated to be lost every year. Key **measures** include an **Agenda for tackling organised crime**, including **trafficking in human beings** for next year. More than a third of organised crime groups active in the EU are involved in trafficking illicit drugs. The Commission is today putting forward a **new EU Agenda on Drugs** to strengthen efforts on drug demand and supply reduction, and reinforce cooperation with external partners.

Organised crime groups and terrorists are also key players in the trade of illegal firearms. The Commission is presenting today a **new EU Action Plan against**

**firearms trafficking.** To ensure that crime does not pay, the Commission will review the current framework on **seizing criminals' assets.**

Criminal organisations treat migrants and people in need of international protection as a commodity. The Commission will soon put forward a new **EU Action Plan against migrant smuggling** focussing on combatting criminal networks, boosting cooperation and support the work of law enforcement.

#### 4. A strong European security ecosystem

Governments, law enforcement authorities, businesses, social organisations, and those living in Europe all have a common responsibility in fostering security.

The EU will help promote cooperation and information sharing, with the aim to combat crime and pursue justice. Key measures include **strengthening Europol's mandate** and further developing **Eurojust** to **better link judicial and law enforcement authorities.** Working with partners outside of the EU is also crucial to secure information and evidence. **Cooperation with Interpol** will also be reinforced.

**Research and innovation** are powerful tools to counter threats and to anticipate risks and opportunities. As part of the review of Europol's mandate, the Commission will look into the creation of a **European Innovation hub for internal security.**

Skills and increased awareness can benefit both law enforcement and citizens alike. Even a **basic knowledge of security threats** and how to combat them can have a real impact on society's resilience. Consciousness of the risks of cybercrime and basic skills to protect oneself from it can work together with protection from service providers to counter cyber-attacks. The **European Skills Agenda**, adopted on 1 July 2020, supports skills-building throughout life, including in the area of security.



#### Background

In recent years, new, increasingly complex cross-border and cross-sectorial security threats have emerged, highlighting the need for closer cooperation on security at all

levels. The coronavirus crisis has also put European security into sharp focus, testing the resilience of Europe's critical infrastructure, crisis preparedness and crisis management systems.

President von der Leyen's political guidelines called for improved cooperation to protect all those living in Europe. Today's EU Security Union Strategy maps the priority actions, tools and measures to deliver on that objective, both in the physical and in the digital world, and across all parts of society.

The strategy builds upon progress achieved previously under the Commission's European Agenda on Security 2015-2020 and focuses on priorities endorsed by the European Parliament and the Council.

It also recognises the increasing inter-connection between internal and external security. Many work strands will build on a joined up EU approach and implementation of the strategy will be taken forward in full complementarity and coherence with EU external action in the field of security and defence under the responsibility of the High Representative of the Union for Foreign Affairs and Security Policy.

The Commission will regularly report on the progress made and will keep the European Parliament, the Council and stakeholders fully informed and engaged in all relevant actions.

2. Has your government taken any measures to strengthen legal, regulatory and policy frameworks that recognize how corruption and other forms of crime may be linked and that call for coordinated anti-corruption action?

3. Does your country's national risk assessment or other policy framework to prevent and combat money-laundering recognize and address the risk of laundering of proceeds of corruption and other economic crime?

**II. Specific mitigation measures to address corruption and other forms of crime during times of emergencies and crisis response and recovery**

1. Have your country's authorities undertaken any investigations into unfair commercial practices, such as price-gouging and the manipulation of prices of essential goods and services, or bids, or abuse in the allocation, distribution, use and management of relief and recovery funds? Have your country's authorities undertaken any investigations into corruption during times of emergencies and crisis response and recovery, such as bribery of procurement or other public officials, embezzlement of profits, diversion of

resources and conflicts of interest? Have any measures been applied to freeze and seize related proceeds of crime?

Please outline actions required to ensure or improve the implementation of the commitments contained in paragraph 22 of resolution 9/1, as well as any challenges faced or technical assistance required.