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ANNEX

ANNEX

to the

Commission Implementing Decision

**on the financing of the Union anti-fraud programme and the adoption of the work
programme for 2024**

ANNEX

1. INTRODUCTION

This is the fourth work programme that implements the Union anti-fraud programme (the ‘UAFP’), drawn up on the basis of Regulation (EU) 2021/785¹ (the ‘UAFP Regulation’).

This work programme covers the year 2024.

The Commission adopts this work programme under Article 11 of the UAFP Regulation and in accordance with Article 110 of Regulation (EU, Euratom) 2018/1046² (the ‘Financial Regulation’). On that basis, this work programme sets out the priorities for funding in 2024, the objectives pursued, the expected results and the methods of implementation.

The work programme also responds to specific requirements arising out of the UAFP Regulation.

2. THE UNION ANTI-FRAUD PROGRAMME

The UAFP is based on Articles 33 and 325 of the Treaty on the Functioning of the European Union (TFEU). It is currently in operation for a period of 7 years, from 2021 to 2027, in line with the multiannual financial framework laid down in Council Regulation (EU, Euratom) 2020/2093³.

To implement the UAFP, the Union has allocated EUR 181 207 000 in current prices for 2021-27, and EUR 25 505 999 for 2024.

The UAFP pursues two **general objectives**. Firstly, it aims to protect the financial interests of the Union. Secondly, it aims to promote mutual assistance between the administrative authorities of the Member States and cooperation between these authorities and the Commission, to ensure that the law on customs and agricultural matters is correctly applied.

To achieve these general objectives, the UAFP sets three **specific objectives**:

- (1) to prevent and combat fraud, corruption and any other illegal activities affecting the financial interests of the Union;
- (2) to provide tools for information exchange and support for operational activities in the field of mutual administrative assistance in customs and agricultural matters;
- (3) to support the reporting of irregularities, including fraud, found in the funds jointly managed with Member States (‘shared management’) and pre-accession assistance funds, all under the Union budget.

The UAFP brings together and streamlines EU financial support for these three types of measure. It does this to increase synergies, promote budget flexibility and simplify

¹ Regulation (EU) 2021/785 of the European Parliament and of the Council establishing the Union Anti-Fraud Programme and repealing Regulation (EU) No 250/2014 (OJ L 172, 17.5.2021, p. 110).

² Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).

³ Council Regulation (EU, Euratom) 2020/2093 of 17 December 2020 laying down the multiannual financial framework for the years 2021 to 2027 (OJ L 433, 22.12.2020, p. 11).

management. The UAFP is therefore **one programme** with **three components**, which are aligned with its specific objectives:

- the first component protects taxpayers' money and the competitiveness of the economy of the Union.
- the second component finances the actions carried out in accordance with Council Regulation (EC) No 515/97⁴ including the Anti-Fraud Information System (AFIS);
- the third component finances the Irregularity Management System (IMS).

3. METHODS OF IMPLEMENTATION

Funding under the UAFP may take any of the forms laid down in the Financial Regulation, in particular **grants, procurement, membership fees** for international bodies and the **reimbursement of travel and subsistence expenses**.

The requirements of the Financial Regulation apply to the budget implemented under the UAFP. The implementation of the UAFP by means of **procurement** and **reimbursement of travel and subsistence expenses** is therefore subject to the rules in the Financial Regulation, in particular its Title VII (covering procurement) and Article 238 (covering the reimbursement of travel and subsistence expenses).

For **membership fees**, the requirements of Title XII (covering other budget implementation instruments) of the Financial Regulation apply.

For **grants**, the UAFP Regulation sets out specific rules that apply in addition to those contained in Title VIII (covering grants) of the Financial Regulation. These additional specific rules apply in particular to eligible actions, eligible entities and co-financing rates.

Eligible actions must implement the specific objectives of the UAFP. Actions that may be considered eligible for funding under this work programme are actions that:

- (a) provide technical knowledge, specialised and technically advanced equipment and effective IT tools leading to closer transnational and multidisciplinary cooperation and cooperation with the Commission;
- (b) enhance staff exchanges for specific projects, provide the necessary support for these exchanges and facilitate investigations, in particular by setting up joint investigation teams and cross-border operations;
- (c) provide technical and operational support for national investigations, in particular for customs and law-enforcement authorities, to step up the fight against fraud and other illegal activities;
- (d) build IT capacity in the Member States and third countries, increase data exchange and develop and provide IT tools for investigating and monitoring intelligence work;
- (e) organise specialised training, fraud analysis workshops, conferences and studies, to improve cooperation and coordination between departments responsible for protecting the financial interests of the Union;

Article 10(2) of the UAFP Regulation identifies four categories of **eligible entities**:

⁴ Council Regulation (EC) No 515/97 of 13 March 1997 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs and agricultural matters (OJ L 82, 22.3.1997, p. 1).

- (a) **public authorities** that can help to achieve an objective of the UAFP and that are based: (i) in a Member State or an overseas country or territory; (ii) in a third country associated with the UAFP under the conditions specified in Article 4 of the UAFP Regulation; or (iii) in a third country not associated with the UAFP but listed in the work programme, under the conditions specified in Article 10(3) of the Regulation;
- (b) **research and educational institutes** and **non-profit bodies** that can help to achieve the objectives of the UAFP and have been registered and operating for at least one year: (i) in a Member State; (ii) in a third country associated with the UAFP under the conditions specified in Article 4 of the UAFP Regulation; or (iii) in a third country not associated with the UAFP but listed in the work programme, under the conditions specified in Article 10(3) of the Regulation;
- (c) any **legal entity created under Union law**; or,
- (d) any **international organisation**.

Pursuant to Article 8 of the UAFP Regulation, the **co-financing rate** for awarded grants may not exceed 80% of the eligible costs. The Commission will only grant funding in excess of that ceiling in exceptional and duly justified cases, as provided for in Sections 4.2.1.1 and 4.2.1.2 of this work programme.

However, in no case can such funding exceed 90% of the eligible costs.

4. COMPONENT 1: PROTECTING THE FINANCIAL INTERESTS OF THE EU

4.1. Aim and rationale

Responding to the COVID-19 pandemic crisis, the EU adopted the multiannual financial framework for 2021 to 2027 and the Recovery and Resilience Facility (RRF)⁵. With a total volume of EUR 1.8 trillion, this is the largest package ever financed through the Union budget. It is therefore more important than ever to protect this budget, which represents EU taxpayers' money, and to ensure that it is collected and spent correctly. For expenditure, the UAFP should help Member States implement various types of budget management, whether direct, indirect or shared.

To achieve this objective, the Union has recently strengthened its anti-fraud architecture, which now features:

- a European Anti-Fraud Office (OLAF) whose powers have been strengthened through a 2020 amendment of Regulation 883/2013⁶;
- the new investigative and prosecutorial powers of the European Public Prosecutor's Office (EPPO);
- the analytical capacity of the EU Agency for Law Enforcement Cooperation (Europol);
- the coordinating role of the EU Agency for Criminal Justice Cooperation (Eurojust).

The UAFP complements this strengthened regulatory framework by offering support to Member States, which bear a joint responsibility, alongside the Union to counter fraud,

⁵ Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility (OJ L 57, 18.2.2021, p. 17).

⁶ Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999 (OJ L 248, 18.9.2013, p. 1).

corruption and any other illegal activities affecting the financial interests of the Union. To this effect, the first component of the UAFP allocates EUR 114 207 000 for 2021-27, of which EUR 16 075 789 is for 2024, to fund action to fight fraud, corruption and any other illegal activities affecting the Union budget.

The UAFP is the main EU-level programme specifically designed to protect the EU's financial interests. The UAFP may act in synergy with other Union instruments providing technical support in the fight against fraud and corruption, such as the Technical Support Instrument (TSI)⁷ as well as with other EU cooperation programmes such as the Customs programme⁸, the Customs Control Equipment Instrument⁹ (CCEI) and the Fiscalis programme¹⁰.

The Commission will implement this first component of the UAFP by:

- awarding grants following calls for proposals;
- concluding public procurement contracts following calls for tender;
- entering into administrative arrangements with the Commission's Joint Research Centre (JRC);
- reimbursing costs incurred by representatives from eligible entities who participate in training and operational activities.

As stated in Section 2 of this work programme, to be eligible for funding, actions must implement the UAFP's objectives. Financial resources allocated to the UAFP are also intended to contribute to the corporate communication of the EU's political priorities related to UAFP objectives.

Some of the actions financed under this component of the UAFP are therefore also likely to help deliver on the EU's current political priorities by: (a) preparing for the challenges and opportunities of the green and digital transitions; and (b) making European economies and societies more resilient to shocks in the future, insofar as these actions are linked to the objectives of the UAFP.

It is important to tackle climate change in accordance with: (a) the commitments of the Union to implement the Paris Agreement adopted under the UN Framework Convention on Climate Change and (b) the UN Sustainable Development Goals.

Reflecting the importance of these efforts, the UAFP aims to help ensure that climate actions are integrated into all policy areas and achieve an overall target of 30% of the EU budget supporting climate objectives.

To this end, the UAFP may, for example, enable Member States to be better equipped to prevent the import of certain illicit products that do not comply with standards laid down in EU environmental and climate legislation. In doing so, the actions taken under the UAFP not only prevent infringements of Union customs legislation, but also protect the environment.

⁷ Regulation (EU) 2021/240 of the European Parliament and of the Council of 10 February 2021 establishing a Technical Support Instrument (OJ L 57, 18.2.2021, p. 1).

⁸ Regulation (EU) 2021/444 of the European Parliament and of the Council of 11 March 2021 establishing the Customs programme for cooperation in the field of customs and repealing Regulation (EU) No 1294/2013 (OJ L 87, 15.3.2021, p. 1–16).

⁹ Regulation (EU) 2021/1077 establishing a Customs Control Equipment Instrument as part of the Integrated Border Management Fund, for the period 2021-2027 (OJ L 234 of 2.7.2021, p. 1).

¹⁰ Regulation (EU) 2021/847 of the European Parliament and of the Council of 20 May 2021 establishing the Fiscalis programme for cooperation in the field of taxation and repealing Regulation (EU) No 1286/2013 (OJ L 188, 28.5.2021, p. 1).

The UAFP can also provide support for cooperation between customs and other competent authorities to fight certain fraudulent activities that damage the environment and people's health, such as activities related to illegal waste shipments, the illicit trade in endangered species, illegal chemical products and fraudulent or substandard food products.

The UAFP also strives to support Member States' digital transition by, for instance: (a) funding the acquisition of IT tools supporting data analysis to detect fraud that affects revenues or expenditures and (b) by continuing to build national expertise on digital forensics.

4.2. Eligible actions

4.2.1. Grants

About 71% of the 2024 UAFP budget allocated to the first component of the programme – EUR 11 400 000 – will be used to fund activities by awarding grants to prevent and combat fraud, corruption and any other illegal activities affecting the financial interests of the Union.

The Commission plans to publish two calls for proposals for actions in 2024 to be financed through grants. The first call will support projects to provide technical assistance to Member States' competent authorities. The second call will support projects involving the organisation of targeted and specialised training courses, conferences, staff exchanges, research studies and knowledge dissemination.

The Commission will examine each application on the basis of the following types of criteria:

- (a) Admissibility criteria: to be detailed in the call for proposals.
- (b) Eligibility criteria
 - (1) applications must be submitted by eligible entities, as indicated in Section 3 of this Annex;
 - (2) applications must be submitted for eligible actions, as indicated in Section 3 of this Annex;
 - (3) applications must be submitted by single applicants (single-beneficiary grants to be awarded);
 - (4) project budgets are expected to comply with the minimum thresholds specified in the relevant calls;
 - (5) project duration should range between 12 and 24 months.
- (c) Financial and operational capacity and exclusion criteria
 - (1) applicants must have stable and sufficient financial resources to successfully implement the proposed projects and contribute their share;
 - (2) applicants must have the operational know-how, qualifications and resources to successfully implement the projects (including sufficient experience in projects of a comparable size and nature);
 - (3) verification of applicants' exclusion situation, as per Articles 136 and 141 of the Financial Regulation.
- (d) Award criteria
 - (1) conformity with the UAFP's objectives: coherence, relevance, consistency and transnational dimension;
 - (2) quality: project design and implementation, methodology, allocation of resources, feasibility of planning and monitoring arrangements;

- (3) value for money: a sufficient and appropriate budget for proper implementation so that the expected long-term impact and results can be obtained;
- (4) added value for protecting the financial interests of the Union: impact, sustainability, dissemination, multiplier effects, interoperability, complementarity and transnational dimension.

To ensure that the best-quality applications receive funding, the technical specifications accompanying each call for proposals will indicate:

- the weightings for the award criteria;
- the minimum score requirements for each criterion;
- the minimum score requirement for the aggregate of the four award-criteria scores.

4.2.1.1. Call for proposals for technical assistance

The Commission encourages national and regional authorities to strengthen their investigative capability and capacity (which includes their level of digitalisation) to step up the fight against fraud, corruption and any other illegal activity affecting the financial interests of the Union, on both the revenue and expenditure sides.

The Commission will publish a specific call for proposals to support projects whose main purpose is to acquire specialised equipment, tools and data technologies to achieve this goal. This call will include a (compulsory) accompanying training component on how to use the purchased equipment¹¹. The overall indicative budget for this call is EUR 10 400 000.

The entities eligible to participate in this call will be either: (a) national or regional public authorities, as defined in Section 3 of this work programme, and whose task is, among others, to protect the financial interests of the Union; or (b) relevant international organisations.

Public authorities based in a third country that is not associated with the UAFP will not be eligible for this call in 2024.

The co-financing rate for technical assistance grants will, in principle, not exceed 80% of eligible costs. It may be increased to a maximum of 90% in exceptional and duly justified cases, e.g. where Member States are exposed to high risk in protecting the financial interests of the Union. The following aspects of the proposed actions will be taken into account when considering the award of a 90% co-financing rate.

Justifications for an increased co-financing rate should be based on elements of at least one of the following items:

- (a) the findings of the annual reports on implementing Article 325 TFEU on combating fraud, in particular identifying situations that are vulnerable and that present the greatest threat to the financial interests of the Union;
- (b) the findings of the European Court of Auditors' Special Report 19/2017 on import procedures¹².

The budget for an action for which a grant is requested should not be lower than the threshold indicated in the specifications accompanying the relevant call for proposals. For technical assistance actions, the indicative threshold is EUR 100 000.

In 2024, the Commission will support the following categories of technical assistance actions:

¹¹ All technical assistance applications must demonstrate a specific training component on how to use the purchased equipment.

¹² <https://www.eca.europa.eu/en/Pages/DocItem.aspx?did=44169>.

(a) Investigation and surveillance equipment and methods

The Commission will support the purchase and maintenance of investigation and surveillance equipment and methods used by beneficiaries to prevent and fight against irregularities, fraud and corruption detrimental to the financial interests of the Union.

The purchase of adapted transport equipment, IT hardware and software and audio-visual equipment may be included, if an applicant can clearly demonstrate that the purchase helps to prevent and combat fraud, corruption and any other illegal activities affecting the financial interests of the Union. Specialised training to enable staff to operate these tools must be included as part of the action.

(b) Digital forensic hardware

The Commission will support the purchase and maintenance of digital forensic equipment and software, mobile forensic tools and computer forensic collaborative systems used to prevent and fight against irregularities (and fraudulent irregularities in particular), fraud and corruption detrimental to the financial interests of the Union.

Cross-border cooperation enabling the exchange of information and best practice, in particular at operational level, is strongly encouraged. Projects may also include updates of existing software systems and associated training. Specialised training to enable staff to operate these tools must be included as part of the action.

(c) Data-analytics technologies and data purchases

To prevent and fight against irregularities, fraudulent activities and corruption detrimental to the financial interests of the Union, the Commission will support the purchase and maintenance of:

- commercial specialised databases;
- data-analysis platforms capable of running analyses in ‘big data’ environments;
- risk and predictive analysis tools;
- data mining tools;
- systems supported by artificial intelligence used in preventing and combating irregularities, fraudulent activities and corruption detrimental to the financial interests of the Union; and,
- data collection tools for the purpose of risk and anti-fraud analysis.

These purchases include capacity building in Member States to develop, use and share databases and business-intelligence tools. These purchases may also enable the acquisition of integrated packages that comprise: hardware, software (including tools using emerging technologies such as artificial intelligence, blockchain technology and biometrics) and training. Specialised training to enable staff to operate these tools must be included as part of the action.

Expected results for the actions under points (a) to (c): Strengthening and improving beneficiaries’ investigative and operational capacity, as measured, for example, by the number of successful operations carried out with the purchased products to support investigations into activities detrimental to the financial interests of the Union. This includes the number of arrests, convictions, seizures, confiscations, recoveries, prevented losses to national and Union budgets and fraud schemes uncovered.

(d) Detection of illicit trade

The Commission will support the purchase and maintenance of equipment and IT tools to strengthen beneficiaries' operational and technical capacity to detect smuggled and counterfeited goods, including cigarettes and tobacco, imported into the Union with the intention of evading VAT, customs duties and/or excise taxes. Specialised training to enable staff to operate these tools must be included as part of the action.

Expected result for the action under point (d): Strengthening and improving beneficiaries' (in particular, customs authorities') technical capacity to detect suspicious movements and verify such movements, including by checking trucks, containers and other types of vehicles and means of transport. This will be measured by the number of new features in IT systems or the number of verifications and 'hits' following the use of the new equipment.

To avoid any duplication in Union support, the UAFP targets the acquisition of equipment: (a) that does not fall under the scope of the Customs Control Equipment Instrument (CCEI); or (b) in case the equipment does fall under the scope of the CCEI, whereby the beneficiaries are different authorities from those targeted by the CCEI.

The Commission will consider potential overlaps between the UAFP and other forms of Union support while evaluating the conformity with the programme's objectives and the added value of a proposal, with a view to protecting the financial interests of the Union.

4.2.1.2. Call for proposals for training, conferences, staff exchanges and studies

The Commission encourages transnational and multidisciplinary cooperation, exchanges of knowledge and best practices, the creation of networks between national authorities and the creation of networks between practitioners and academics involved in protecting the financial interests of the Union. The Commission also aims to further raise awareness among the judiciary and other branches of the legal profession to the need to protect the financial interests of the Union.

The Commission will publish a specific call for proposals to provide financial support for training, conferences, seminars, studies, webinars and e-learning activities.

The overall indicative budget for this call is EUR 1 000 000.

The entities eligible for this call will be all the entities referred to in Section 3 of this Annex. However, public authorities, research or educational institutes or non-profit entities based in a third country that is not associated with the EU will not be eligible in 2024.

The co-financing rate for training grants will, in principle, not exceed 80% of eligible costs. It may be increased to a maximum of 90% in exceptional and duly justified cases, e.g. where actions are undertaken by scientific and/or research organisations to (a) specifically promote studies in European criminal law, (b) support the creation of networks in this area or (c) protect the financial interests of the Union.

The total estimated cost of an action for which a grant is requested should not be lower than the threshold indicated in the specifications accompanying the call for proposals. For training actions, the indicative threshold is EUR 40 000. However, such an indicative threshold does not apply to staff exchanges.

Financial support for training and conference activities will not cover the training needed for operating equipment purchased under technical assistance grants.

In 2024, the Commission will support the following types of training actions:

- (a) Specialised training sessions:

Developing specialised training sessions to improve knowledge and use of IT tools and to increase anti-fraud data-analysis abilities by acquiring new skills and knowledge of specialised methodologies and techniques.

(b) Conferences, workshops and seminars:

Organising conferences, workshops and seminars and creating networks and structural platforms between Member States, candidate countries, other third countries, EU institutions and international organisations, in order to:

- (1) facilitate the exchange of information, experience and best practice, including in the field of IT anti-fraud and anti-corruption systems and data analysis;
- (2) create networks and improve coordination between Member States, candidate countries, other third countries, EU institutions and international organisations;
- (3) facilitate multidisciplinary cooperation and awareness-raising between anti-fraud and anti-corruption practitioners (in particular customs authorities and other law enforcement bodies) and academics on protecting the financial interests of the Union, including support for the Association for European Criminal Law and the Association for the Protection of EU Financial Interests;
- (4) raise awareness of this matter among the judiciary and other legal professionals.

(c) Staff exchanges

Organising staff exchanges between national and regional administrations (including from candidate and neighbourhood countries), aiming to help further develop, improve and update staff skills in protecting the financial interests of the Union.

Expected results for the actions under points (a) to (c): Professionals, in particular staff from customs authorities and other law enforcement bodies, are better able to protect the financial interests of the Union through: (i) the acquisition of new skills; (ii) knowledge of specialised methodologies and techniques and (iii) an increased awareness of fraud-risk indicators at the Union level. More opportunities to develop and implement anti-fraud strategies at the Union level are expected.

These results will be measured by: (i) the number of events and number of participants; (ii) the origin and professional background of the participants and (iii) the level of participants' overall satisfaction with the events.

(d) Comparative law studies and periodical publications:

Developing relevant, high-profile research, including studies in comparative law. Disseminating relevant information through periodical publications.

Expected result for the action under point (d): The development of high-profile research, including comparative law studies, as measured by the number of research activities and comparative law studies co-financed and their quality and originality. The dissemination activities should make the judiciary and other branches of the legal profession more aware of the need to protect the financial interests of the Union.

This will be measured by the number of academic or scientific publications distributed to stakeholders and the type and number of methods of disseminating relevant academic or scientific knowledge. Indicators like metrics for measuring the

impact of academic or scientific publications, such as the citation index or the impact factor, can be used, if grant beneficiaries are unable to provide other indicators.

The Commission invites grant applicants to explore certain indicative priority areas, including:

- (a) cooperation between the Union's institutions, bodies, offices and agencies involved in protecting the financial interests of the Union, in particular OLAF and the European Public Prosecutor's Office (EPPO), and the cooperation between these groups and authorities both inside and outside the EU, in particular the customs authorities and other law enforcement bodies of Member States and third countries;
- (b) OLAF's revised framework for investigations, with special reference to: (i) the exercise and enforcement of its powers; (ii) its cooperation with national partners (in particular customs authorities and other law enforcement bodies); (iii) the operation of the anti-fraud coordination departments in Member States; (iv) the evidential value of OLAF's reports or (v) the follow-up to OLAF recommendations by relevant national authorities;
- (c) activities to detect and prevent fraud and corruption, in particular risk-analysis practices and methods for expenditure under the Union budget as well as fraud and corruption that damages the revenues of the Union;
- (d) preventing and fighting against revenue fraud and corruption, with a particular focus on customs data analysis and new challenges in the field (e.g. e-commerce);
- (e) protecting the EU single market from counterfeits, tobacco smuggling and goods dangerous for health, security or the environment;
- (f) border protection, customs cooperation and information sharing designed to protect the Union budget;
- (g) cooperation between customs and other competent authorities to prevent and combat certain fraudulent activities that damage the environment and human health and that affect the EU budget (such as illegal waste shipments, illicit trade in endangered species, illegal chemical products and fraudulent/substandard food products);
- (h) preventing the import of illicit products that (i) do not comply with standards laid down in Union environmental and climate legislation, and in Union customs legislation, and (ii) affect the EU budget, to protect the environment, the climate and the EU budget;
- (i) preventing and tackling fraud and corruption affecting EU funds in the areas of environment, climate and food security (actions related to the 'Green Deal');
- (j) emerging challenges in the prevention and fight against expenditure fraud and corruption in the context of the current multiannual financial framework and in new instruments such as the Recovery and Resilience Facility;
- (k) national and EU anti-fraud strategies and comparisons of the relevant frameworks in different Member States;
- (l) effectiveness of management and controls systems and the development of cost-effective approaches, including determining fraud risks and comparing control strategies in selected areas (e.g. research and innovation, environment, cohesion policy, agriculture, public budget support, etc.);

- (m) protecting the EU budget if there are breaches of the general regime of conditionality for protecting the EU budget (i.e. principles of ‘the rule of law’) in the Member States;
- (n) the future of EU anti-fraud policy: challenges and opportunities;
- (o) money laundering that accompanies fraud, corruption or irregularities affecting the EU budget;
- (p) fraud committed in cyberspace and which affects the EU budget.

4.2.2. *Procurement*

About 23% of the UAFP’s 2024 budget allocated to its first component – EUR 3 730 000 – will be used to fund activities by concluding procurement contracts linked to protecting the financial interests of the Union.

The Commission will conclude specific contracts under existing framework contracts for technical assistance and training actions, as well as other actions. The Commission may launch calls for tender in 2024 for training activities, technical equipment acquisitions or purchasing access to databases. The purchased equipment and services will be made available to UAFP beneficiaries.

IT development and procurement strategy choices will be subject to pre-approval by the Commission’s Information Technology and Cybersecurity Board (ITCB).

4.2.2.1. Procured conferences/training

The Commission will organise conferences, specialised training and workshops focused on protecting the financial interests of the Union. The issues to be addressed by these activities include the detection, prevention and investigation of fraud, including the fight against illicit trade.

Particular attention will be paid to cooperation between OLAF and its operational partners (customs authorities and other law enforcement bodies) and protecting the financial interests of the Union both in the Union itself and in third countries.

The Commission will use the services of a firm specialised in organising events through specific agreements under a framework contract to be concluded in 2024.

The total indicative available budget for procured conferences/training is EUR 1 400 000.

4.2.2.2. Digital forensic analysis and analyst training

The Commission will organise specialised training sessions to:

- (a) support the training of staff in national and regional administrations, with a view to protecting the financial interests of the Union by developing, improving and updating their skills in digital forensics and forensic analysis;
- (b) support the initiation of a quality assurance process and a certification procedure to enable computer forensic experts to develop, improve and update their skills;
- (c) support a network of digital forensic analysts and experts specialised in protecting the financial interests of the Union to promote the sharing of best practice;
- (d) strengthen capacity in the area of operational analysis and intelligence on both expenditure and revenue data.

The Commission will either use the services of firms specialised in organising training events under framework contracts that will be signed during 2024 or it will organise these training initiatives itself, or in cooperation with relevant partner bodies.

The indicative total available budget for digital forensic analysis as well as for analyst training is EUR 1 000 000.

4.2.2.3. Databases and tools

For access to databases and tools, the Commission may:

- (a) purchase this access by means of specific contracts (access to company data) under a framework contract already concluded by OLAF in 2023: OLAF/2023/NP/0001;
- (b) conclude a specific contract for the provision of information on vessels and their movement under the framework contract concluded in 2020 by OLAF: OLAF/D1/94/22;
- (c) purchase this access by means of a specific contract, following a 2024 call for tender to award a framework contract for the provision of information on trade data, cargo manifests, vessels and their movement and/or company data, and possibly other types of information needed by UAFP beneficiaries in the Member States;
- (d) purchase, by means of procurement, traceability devices for illicitly traded products.

OLAF will manage the access rights purchased for all mentioned databases.

The overall indicative available budget for this action is EUR 1 330 000.

4.2.2.4. Administrative arrangements

An administrative arrangement with OLAF was agreed with the Commission's Joint Research Centre (JRC) in December 2023 covering the period 2024-2027. This arrangement, known as CAFET (Customs Anti-Fraud Enabling Technologies), will be renewed for a four year period (2024-27) and provides scientific and technical support to OLAF and the Member States for developing and sharing their experience using data analysis to combat customs fraud.

OLAF has signed a specific administrative arrangement with the JRC, covering the period 20 July 2023 to 19 July 2026, to carry out chemical analyses of samples from tobacco and cigarette seizures in the Member States (as part of the 'TOBLAB project').

JRC activities may also include support with the relevant training courses, workshops and seminars for Member State officials.

The total indicative budget for the JRC administrative arrangements is EUR 775 789.

4.2.2.5. Contribution to the IT implementation plan for 2024

In the context of the Commission's 'Co-financing of corporate IT, eGrants/SEDIA IT tools, and for SEDIA Central Validation Service'¹³ exercise, a forecasted amount of EUR 170 000 will be transferred from the operational budget to DIGIT via a co-delegated budget line for the use of the eGrants IT tools (for 2023 the calculated contribution was EUR 152 421).

¹³ The IT implementation plan is part of annual Communication to the Commission which approves the Information Technology and Cybersecurity (IT) Implementation Plan for a working year, by allocating to Commission departments the annual budget appropriations for corporate IT systems and establishing the related sources of funding, in particular the co-financing contributions from operational programmes. This communication follows the model for the financing of Corporate IT under MFF 2021-2027, as set out in the Communication on the Guidelines on Financing of Information Technology and Cybersecurity, adopted by the Commission on 10 September 2020 (C(2020)6126 final of 10.9.2020).

5. COMPONENT 2: ACTIONS CARRIED OUT IN ACCORDANCE WITH REGULATION (EC) No 515/97

5.1. Aim and rationale

The second component of the UAFP supports mutual administrative assistance activities under Regulation (EC) No 515/97, including the Anti-Fraud Information System (AFIS). This assistance helps ensure the law on customs and agricultural matters is applied correctly.

Through this component, EUR 60 000 000 will be allocated through the UAPF for 2021-27, of which EUR 8 445 091 is for 2024, to provide tools for information exchange and support for operational activities in the field of mutual administrative assistance in customs and agricultural matters.

AFIS is a platform which consists of a set of anti-fraud IT applications operated by OLAF under a common technical infrastructure. The aim of this set of IT applications is the timely and secure exchange of fraud-related information between the competent national authorities and EU institutions, bodies, offices and agencies, as well as the storage and analysis of relevant data.

The AFIS platform has more than 9 000 registered end-users from Member States, partner third countries, international organisations, the Commission and other EU institutions. AFIS enables substantial economies of scale and synergies in developing, maintaining and operating such a wide and diverse set of IT services and tools.

AFIS supports mutual assistance in customs by providing collaboration tools such as:

- (a) VOCU (Virtual Operations Coordination Unit) for joint customs operations;
- (b) secure web mail (AFIS Mail);
- (c) specific information-exchange modules.

AFIS also provides support in the form of:

- (a) databases such as CIS (Customs Information System) and FIDE (Customs Investigation Files Identification Database);
- (b) the Container Status Messages (CSM) directory;
- (c) the Import, Export and Transit (IET) directory.

AFIS also provides support in the form of data-analysis tools such as AMT (Automated Monitoring Tool) and a platform for strategic and operational data analysis. Further developments are ongoing to improve this analytical platform. AFIS also supports electronic workflow applications such as ToSMA (the Tobacco Seizures Management Application).

The main legal basis for the operation of the AFIS platform is Regulation (EC) No 515/97. This second component of the UAFP will also cover expenditure relating to the use of the CIS provided for in instruments adopted under Article 87 TFEU, and in particular in Council Decision 2009/917/JHA¹⁴, in so far as those instruments require such expenditure to be borne by the general budget of the Union.

OLAF will directly implement the budget, except for eligible action 5.2.4 which will be implemented through a co-delegation with the Directorate-General for Taxation and Customs Union (DG TAXUD).

¹⁴ Council Decision 2009/917/JHA of 30 November 2009 on the use of information technology for customs purposes (OJ L 323, 10.12.2009, p. 20).

5.2. Eligible actions

The amount in the budget reserved for procurement contracts in 2024 is EUR 8 445 091.

IT development and procurement strategy choices will be subject to pre-approval by the Commission's ITCB.

5.2.1. IT studies, development and maintenance

The Commission will procure IT studies as well as development and maintenance services for the AFIS platform, so that the applications can lend mutual assistance in customs matters.

To this effect, the Commission will sign specific contracts under suitable framework contracts concluded by the Directorate-General for Informatics (DG DIGIT) or under equivalent framework contracts.

The indicative number of these contracts that the Commission plans to sign is 50.

For IT studies, development and maintenance, there is a total indicative available budget of EUR 4 023 000.

5.2.2. Production services

The Commission will procure production services (information and communications technology infrastructure, application management, operations and user support) for the AFIS platform applications to provide mutual assistance in customs matters.

To this effect, the Commission will sign specific contracts under suitable framework contracts concluded by DG DIGIT or equivalent framework contracts.

The indicative number of these contracts that the Commission plans to sign is 25.

The total indicative available budget for production services is EUR 2 500 000.

5.2.3. Technical assistance, training, coordination and quality control services

The Commission will procure technical assistance, training, coordination and quality control services to develop and operate the AFIS platform and to support mutual administrative assistance in customs matters. This assistance will focus on administrative investigations or operational actions, including joint customs operations.

To this effect, the Commission will sign specific contracts under suitable framework contracts concluded by OLAF or equivalent framework contracts. The Commission will also reimburse transport, accommodation and daily-allowance costs to cover the participation of experts from national administrations in meetings, conferences, workshops, training courses or other events related to the areas specified above.

The indicative number of specific contracts under suitable framework contracts that the Commission plans to sign is 15.

The total indicative available budget for technical assistance, training, coordination and quality control services is EUR 660 000.

5.2.4. Technical assistance, coordination and provision of IT services for DG TAXUD

In accordance with Article 18(d) of Regulation (EC) No 515/97, import, export and transit data in the IET directory are to be replicated systematically from information systems operated by DG TAXUD.

DG TAXUD will provide technical assistance, coordination and IT services to replicate its data in the IET directory.

The Commission will sign specific service contracts under suitable framework contracts concluded by DG TAXUD or equivalent framework contracts.

The indicative number of these contracts that the Commission (DG TAXUD) plans to sign is two.

The total indicative available budget for technical assistance, training, coordination and quality control services is EUR 154 000.

5.2.5. *Use and maintenance of the Common Communication Network (CCN)*

OLAF will cover the costs arising from the use by AFIS of the CCN operated by DG TAXUD and will contribute to the maintenance of the network.

OLAF will enter into an administrative arrangement with DG TAXUD to support the AFIS part of the costs for the use and maintenance of the CCN.

The total indicative available budget for the use and maintenance of the CCN is EUR 80 848.69.

5.2.6. *Acquisition, maintenance and updating of various types of software, hardware and related IT services*

The Commission will ensure procurement for the acquisition, maintenance and updating of various types of software, hardware and related IT services for the AFIS platform, such as:

- (a) tools for development, testing, support, security and database systems;
- (b) servers and storage equipment, telecommunications equipment and lines, testing equipment and security equipment (i.e. firewalls, encryption devices, network intrusion-detection systems and network intrusion-prevention systems);
- (c) software and hardware related to the acquisition of data-analysis tools and the creation of a 'data lake' as part of building an analytical platform in AFIS;
- (d) other relevant software, hardware and related IT services.

The Commission will sign specific contracts under suitable framework contracts concluded by DG DIGIT or equivalent framework contracts.

The indicative number of these contracts that the Commission plans to sign is 60.

The total indicative available budget for the acquisition, maintenance and updating of various types of software, hardware and related IT services is EUR 1 027 242.31.

6. COMPONENT 3: IRREGULARITY MANAGEMENT SYSTEM

6.1. Aim and rationale

Component 3 of the UAFP supports the IMS, thus supporting the reporting of data on irregularities and cases of fraud.

The IMS is a secure electronic communications tool, which helps Member States, candidate countries and potential candidate countries fulfil their obligation to report detected irregularities. The IMS also helps to manage and analyse the reported data.

Through this component, EUR 7 000 000 will be allocated through UAFP for 2021-27, of which EUR 985 119 is for 2024, to support the reporting of irregularities, including fraud. This allocation will be made with the shared-management funds and pre-accession assistance funds of the Union budget.

Union legislation for various funds requires Member States, candidate countries, potential candidates and third countries to report irregularities and fraud affecting the financial interests of the Union. These requirements can be found in the Union legislation which sets out rules for, respectively:

- (a) the European Agricultural Guarantee Fund;
- (b) the European Agricultural Fund for Rural Development;
- (c) the European Regional Development Fund;
- (d) the European Social Fund;
- (e) the Cohesion Fund;
- (f) the European Maritime and Fisheries Fund;
- (g) the Asylum, Migration and Integration Fund;
- (h) the Instrument for financial support for police cooperation, preventing and combating crime and crisis management;
- (i) the Fund for European Aid to the Most Deprived;
- (j) the Fund for pre-accession assistance.

6.2. Eligible actions

The Commission will implement the UAFP funding for 2024 dedicated to the IMS by concluding specific procurement contracts, either within the framework contracts it has already concluded, or by launching calls for tender.

IT development and procurement strategy choices will be subject to pre-approval by the Commission's ITCB.

6.2.1. Development and maintenance of the IMS

The Commission will further develop the current Irregularity Management System (IMS) with the aim of introducing new features and improving user friendliness.

The Commission will use the services of external contractors. The total indicative available budget for the procured development and maintenance services for the IMS is EUR 509 119.

6.2.2. Production services, support, hardware and software

The Commission will use the services of external contractors to carry out production services and support and provide hardware and software for the IMS.

The total indicative available budget for production services, support, hardware and software related to the IMS is EUR 476 000.