

**PROGRAMME FOR POLICE AND JUDICIAL COOPERATION IN CRIMINAL MATTERS  
(PROGRAMME AGIS)**

**Annual work programme and call for applications for 2004 (Co-funding of projects)**

(2003/C 308/14)

**I. OBJECTIVES OF THE AGIS PROGRAMME (2003-2007)**

The aim of the AGIS framework programme <sup>(1)</sup>, adopted on 22 July 2002, is to promote police and judicial cooperation in criminal matters and to support the contributions of practitioners to develop European policy in this area. Covering the period 2003-2007, the programme extends the work of the programmes that formerly operated under Title VI (TEU <sup>(2)</sup>), which expired in December 2002, and incorporates the activities previously funded under budget heading B5-831 (drugs).

The general objectives of the programme are <sup>(3)</sup>:

- to develop, implement and evaluate European policies in the field of police and judicial cooperation in criminal matters,
- to promote and strengthen networking, mutual cooperation on general subjects of common interest to the Member States, the exchange and dissemination of information, experience and best practice, local and regional cooperation, and the improvement and adaptation of training and technical and scientific research,
- to encourage Member States to step up cooperation with the applicant countries, other third countries and appropriate regional and international organisations.

The AGIS programme supports projects and activities associated with the following specific objectives:

- the development of a European criminal judicial area and the introduction of European instruments to promote cross-border cooperation,
- improving the professional skills of practitioners in judicial services, police forces and customs authorities, through better knowledge of the legislation, procedures and strategies in operation in the different European states,
- developing methodologies, instruments and knowledge to support cooperation between authorities,
- promoting cooperation between similar types of authorities and the exchange of information between departments,
- developing multidisciplinary strategies and activities for cooperation between law enforcement/judicial authorities and between these authorities and non-governmental organisations, civil society, the business sector, the professions and the world of science and research,

- studies and research, particularly into strategies and techniques for fighting particular types of crime, and evaluation of the policies pursued,

- the exchange of information and experience and the dissemination of best practice.

The general objectives will be pursued in the following areas:

- developing the European criminal judicial area,
- strengthening cooperation between the judicial authorities and between legal practitioners, judicial cooperation in general and in criminal matters, promoting defence rights,
- strengthening cooperation between law enforcement authorities,
- preventing and combating organised crime; partnerships and cooperation between public authorities and the private sector,
- preventing and fighting drugs trafficking,
- crime prevention,
- protection of victims' rights,
- crime-proofing, economic risk and threat assessment; comparability and circulation of information, and statistics.

**II. PROGRAMME ACTIVITIES AND TARGET GROUPS**

The AGIS programme provides financial support for projects in the field of police, customs and judicial cooperation in criminal matters, intended to improve the professional skills of practitioners, cooperation between the various authorities, respect for the law and prevention of cross-border crime.

**1. PROGRAMME ACTIVITIES**

The following types of project are referred to in Article 4 of the Decision:

- training,
- setting up and launching exchange and placement schemes,

<sup>(1)</sup> Council Decision 2002/630 JHA (OJ L 203, 1.8.2002, p. 5).

<sup>(2)</sup> Grotius II Criminal, Oisin II, Stop II, Hippocrates, Falcone.

<sup>(3)</sup> Article 2 of the Council Decision.

- studies and research (including applied research supporting political developments),
- dissemination of the results obtained under the programme,
- encouraging cooperation between law enforcement authorities, judicial authorities or other public or private organisations in the Member States involved in preventing and fighting crime, for instance by giving assistance for the establishment of networks,
- conferences and seminars.

## 2. TARGET GROUPS

The AGIS programme targets the following groups:

- legal practitioners: judges, public prosecutors, barristers, solicitors, public officers, law officials, court officials, bailiffs, experts, court interpreters and other professionals associated with the administration of justice,
- officials and officers of law-enforcement authorities and of public bodies in Member States responsible under national law for preventing, detecting and combating criminal offences,
- officials in other government departments and representatives of associations, professional organisations, research and business engaged in fighting and preventing crime, organised or otherwise,
- representatives of victim assistance services, including public departments responsible for immigration and social services.

The programme is not open to students, but young professionals in training may be involved.

Participants in projects may come from the Member States, the countries set to join in 2004 (accessing countries) and candidate countries and possibly also from other non-EU countries if the project justifies it.

## 3. ELIGIBLE ORGANISATIONS

Grants can be awarded to national, regional or local public or private bodies or institutions, private operators, associations, professional organisations or organisations representing business, non-profit-making organisations or training or research institutes, with legal status and established in one of the EU's Member States or in one of the accessing countries, as well as to Eurojust and Europol.

Applications from natural persons are not eligible.

## III. AREAS OF ACTIVITY AND SPECIFIC TOPICS

### A. COOPERATION PROJECTS (MAXIMUM FUNDING 70 %)

#### 1. DEVELOPING THE EUROPEAN CRIMINAL JUDICIAL AREA

##### **Scope**

The projects are intended to develop, implement and evaluate European instruments and policies. They may relate to substantive criminal law, procedural law, the amendments required in national legislation, the organisation and operation of services, the role and activities of the European cooperative structures (Europol, Eurojust, the European Judicial Network).

Projects covering the objective of improving mutual knowledge of the Member States' legal systems may cover any of the aspects of judicial cooperation in criminal matters (procedural systems, the administration and operation of the justice system, penal sanction systems, the admissibility of evidence, etc.).

##### **Topics**

#### **1.1. Implementation of European instruments and development of European policies in the area of police and judicial cooperation in criminal matters**

- (a) Activities to raise awareness and provide information and training about the European Union instruments on mutual recognition of decisions in criminal matters, such as the existing and forthcoming framework decisions on:
- the application of the principle of mutual recognition to financial penalties (OJ C 278, 2.10.2001, p. 1),
  - the execution in the European Union of orders freezing assets or evidence (OJ L 196, 2.8.2003, p. 45),
  - the execution in the European Union of confiscation orders (OJ C 184, 2.8.2002, p. 8),
  - the implementation of the European arrest warrant (OJ L 190, 18.7.2002),
  - pollution of criminal origin caused by vessels in the field of environmental protection (COM(2003) 227 final);
- (b) improving cooperation between law enforcement and judicial authorities and other players in connection with the introduction and development of provisions relating to the situation and protection of witnesses or members of criminal gangs who wish to cooperate with the judicial authorities;
- (c) developing instruments to assess and measure the application, effectiveness and impact of the instruments in force;

- (d) implementation of the conclusions of peer evaluation based on the joint action of 1997 and of evaluation based on the Council Decision of 28 November 2002 establishing a mechanism for evaluating the legal systems and their implementation at national level in the fight against terrorism (OJ L 349, 24.12.2002, p. 1);
- (e) training of persons in charge of training on the activities and working methods of Eurojust;
- (f) cooperation with the structures of Europol, Eurojust and the European Judicial Network;
- (g) a study of basic requirements for qualifications of judicial experts and the setting-up of projects at Union level to facilitate access to such expertise, in particular in matters with implications in more than one Member State;
- (h) a comparative study on the application of criminal sanctions in the acceding countries to complement the existing study on Member States.
- 1.2. Promoting defence rights and procedural guarantees for suspects and defendants in cases throughout the European Union**
- (a) Activities connected with drafting, translating and publishing a letter of rights to be given to suspects/prisoners;
- (b) activities to improve access to interpretation, translation and legal advice.
- 1.3. Improving mutual knowledge of the Member States' legal systems**
- (a) Organising training courses and seminars to improve the skills of legal professionals and their knowledge of legal systems, the working methods and procedures of the judicial, police and customs authorities of the Member States, acceding and candidate countries <sup>(4)</sup>;
- (b) organising seminars and case studies comparing the application of principles such as:
- presumption of innocence,
  - burden of proof,
  - disclosure of evidence,
  - admissibility of evidence,
  - protection of witnesses and informers,
  - rehabilitation procedures for criminals and alternative sentencing models,
  - treatment of victims,
  - criminality relating to minors, including comparative research on national criminal legislation applicable to minors,
  - criminal liability of legal persons,
  - responsibilities of States in cases of miscarriages of justice, acquittal or where the case is dropped;
- (c) support for setting up and testing transnational exchange programmes (between Member States and between Member States and acceding countries); exchanges of three to six months serving the specific needs of the departments concerned <sup>(5)</sup>;
- (d) on-site or virtual language and terminology training courses <sup>(6)</sup>, including the development and testing of specialised modules;
- (e) information seminars on national policies of the 15 Member States, acceding and candidate countries;
- (f) comparative studies of Member States and acceding and candidate countries' legislation, with a view to suggesting improvements in legislation or procedure in the following areas:
- replacing the principle of mutual assistance with that of mutual recognition,

<sup>(4)</sup> Two types of measure are possible:

- training for national officials in the rules and methods of European cooperation and in the criminal law and procedures of other Member States: a maximum of EUR 30 000 in aid to cover travel, subsistence and interpretation expenses for a number of speakers from partner countries. The project should cover at least six training seminars each lasting three to four days; the expenses of the national participants will be met by the country making the request,
- training for national officials in the rules and mechanisms of cross-border cooperation and/or national procedural law, in particular for magistrates and police officers of the acceding and candidate countries. The training will take place in the requesting country and will last at least a week; it will be attended by participants from several countries. The project will offer in return an information seminar about the law and procedures in two partner countries for trainers and practitioners from the host country.

<sup>(5)</sup> The Commission must be informed of the candidate profile and the type of qualifications and experience being sought before the selection is made. A detailed description of the project to be carried out with the authority of the host country must be enclosed with the grant application.

<sup>(6)</sup> Successful applicants will receive a grant of up to EUR 30 000 for developing a course and training modules, including language training. The modules must be developed in partnership with a training centre in a country of the language being taught and must be made available free of charge to training institutions in the areas of justice and the police that fall directly under the responsibility of a public authority or are directly funded from public resources.

- responsibilities of States in cases of miscarriages of justice, acquittal or where the case is dropped,
- enforcement in the Member States of rights of access to legal assistance and advice,
- enforcement in the Member States of rights to access to interpretation and translation,
- prosecuting or disrupting organised crime groups.

#### 1.4. Activities to promote the development of a data protection policy

### 2. STRENGTHENING COOPERATION BETWEEN LAW ENFORCEMENT AUTHORITIES

#### Scope

Projects in this category are intended to strengthen cooperation between the different law enforcement services (national and local police, customs, etc.) to promote the exchange of experience, to develop practical and operational projects and to improve practitioners' knowledge of the strategies and legislation in operation in the different European states.

Projects may also target the exchange of experience and practices between Member States, acceding and candidate countries and, where appropriate, certain other third countries. As a general rule, a project should include the various law enforcement authorities of the State where the applicant organisation is based and, as far as possible and depending on the topics dealt with, of other participating countries.

#### Topics

- (a) Training in police and criminal investigation techniques, development of analytical techniques or methods in innovative or in highly specialised areas (NBCR risks, bank card fraud, synthetic drugs, identification of severely disfigured corpses, networked computer crime, etc.);
- (b) operational training exercises serving identified requirements, so as to develop the ability of professionals to participate in operations conducted by law enforcement services from Member States and acceding countries; training connected with opening or developing joint police/customs posts at the frontiers or police/customs cooperation centres; production of bilingual or trilingual practical guides for law enforcement services in border areas and tourist locations;
- (c) activities supporting and further developing the ability of Member States' and acceding countries' law-enforcement agencies to participate in joint investigation teams, as the Council Framework Decision of 13 June 2002 on joint investigation teams <sup>(7)</sup> should have been implemented by Member States before 1 January 2003;
- (d) development of a joint programme of common specialist training for police and customs services with similar or complementary responsibilities and tasks;
- (e) specialised training measures for customs officials exercising law-enforcement functions in the context of the cooperation set out in Title VI TEU;
- (f) creation of ad-hoc multinational teams to gather information on terrorists;
- (g) development of techniques for criminal and terrorist profiling with practical applications (for example in airports, railway stations and international ports) and exchanging the results; development of profiling techniques to identify natural or legal persons trafficking in prohibited goods, with a view to improving checks at external borders, ports and international airports;
- (h) practical cooperation between forensic departments (e.g. setting-up methods for cooperation with forensic departments of other Member States known to have special expertise in a particular area, for the purpose of supporting crime investigation);
- (i) development of IT tools to assist cooperation between the Member States in criminal investigations;
- (j) improving cooperation between intelligence and law enforcement agencies in combating organised crime and terrorism, especially in the area of trafficking in high-risk goods, such as NRBC, explosives;
- (k) stepping up cooperation between customs services in combating trafficking in illegal goods; joint customs surveillance operations (with possible participation by other law enforcement services and Europol); developing best practice in customs controls (e.g. producing practical guides and comparative analyses);
- (l) assessment of the application of the Naples II Convention and distribution of the operational manual in electronic form and in all languages for the use of the law enforcement services;
- (m) evaluation of the way the law enforcement services use EU instruments; identification and removal of obstacles to cooperation between law enforcement services in the area of combating organised crime;

<sup>(7)</sup> OJ L 162, 20.6.2002, p. 1.

- (n) development of language and terminology training courses, including the development and testing of specialised modules for law enforcement agencies;
- (o) comparative study of the powers of the different law-enforcement services in the Member States in the areas of police cooperation in criminal matters listed in Article 30 (a) and (b) TEU, with a view to identifying overlaps and other obstacles to more effective cooperation, both within and among Member States;
- (p) exchanges of two to six months in one of the areas referred to above, where specific requirements are identified in the departments involved <sup>(8)</sup>.

### 3. PREVENTING AND COMBATING ORGANISED CRIME; PARTNERSHIPS AND COOPERATION BETWEEN PUBLIC AUTHORITIES AND THE PRIVATE SECTOR

#### Scope

Projects in this category are intended to improve the response to certain types of crime through better knowledge of criminal circles and the techniques they employ; to improve the skills and operational methods leading to the arrest and punishment of the criminals; and to develop multidisciplinary cooperation <sup>(9)</sup> and cooperation between public authorities and the private sector.

These activities must involve practitioners and public authorities.

#### Topics

##### 3.1. Analysis of the effects of crime on economic development and measures to reinforce crime-prevention cultures

- (a) Analysis of the economic impact of organised crime and of the risk factors and vulnerability to penetration by organised crime in sectors of the legitimate economy, including an analysis of the types and causes of corruption in the public sector, identification of the companies most at risk, features of the labour market (informal work, under-employment, etc.), and the situation of the regions/economies concerned;
- (b) introduction of instruments to prevent regional economies being penetrated by crime and the creation of regional platforms for universities, economic operators, public authorities and non-governmental organisations, with a view to improving awareness of these phenomena and developing means of preventing them;

<sup>(8)</sup> The Commission must be informed of the candidate profile, the qualifications, experience and knowledge of languages being sought, before candidates are selected. A detailed description of the work to be carried out should be enclosed with the grant application. Concerning the exchange of customs officers, the applicant is invited to consult also the Customs 2002 programme.

<sup>(9)</sup> Priority will be given to multidisciplinary projects and to activities leading to realistic proposals for projects and to activities aimed at defining procedures and arrangements to promote cooperation between public and private-sector partners.

- (c) evaluation and dissemination of best practice as applied by economic and social development programmes (Structural funds, World Bank, etc.);
- (d) developing strategies, methods and good practices to prevent and fight activities of organised criminal groups; dissemination of results and evaluation of means for replication, including support for the implementation of the Palermo Convention and its monitoring;
- (e) analysis of links between organised crime networks and companies, public authorities, etc.;
- (f) setting indicators and measuring changes in the level of harm caused by this crime;
- (g) identifying organised criminal groups' take up of new technologies and expertise both to frustrate interception of communications and to branch into new crime areas.

##### 3.2. Trafficking in human beings and the sexual exploitation of children

- (a) Support for and protection of victims who cooperate with the authorities as witnesses;
- (b) investigation techniques and procedures and types of evidence;
- (c) research into and analysis of demand and ways of reducing it;
- (d) coordination between police investigations and administrative control measures aimed at suspect organisations;
- (e) involvement of enterprises such as employment organisations, marriage bureaux, travel, escort, au-pair or adoption agencies, in combating trafficking in human beings in order to facilitate appropriate penalties and administrative checks;
- (f) measures in criminal law and appropriate penalties for trafficking in human beings and the sexual exploitation of women and children;
- (g) reduction of security risks with regard to the activities of personnel from NGOs;
- (h) awareness-raising initiatives in source, transit and destination countries.

##### 3.3. Measures to prevent and combat drugs trafficking <sup>(10)</sup>

- (a) Developing measures to improve the effectiveness of the fight against drug trafficking, including trafficking in new synthetic drugs;

<sup>(10)</sup> See also point III.4 — Crime prevention.

- (b) strengthening measures and instruments for monitoring movements of chemical precursors from the pharmaceutical industry to the production of drugs in the Member States, the acceding and candidate countries and third countries;
- (c) research into the links between drug trafficking and the funding of terrorism;
- (d) research into the effectiveness of strategies for disrupting supplies to the drugs market.

#### 3.4. Firearms

- (a) Cooperation and exchange of information between the competent authorities of the Member States, acceding and candidate countries and/or third countries on the illegal firearms trade, taking into account the UN Protocol on the Illicit Manufacturing of and Trafficking in Firearms;
- (b) training and handbook for employees of the law-enforcement and customs services on illegal trafficking in firearms;
- (c) evaluation of existing tools and if necessary development of IT tools to encourage cooperation between the Member States in tracing firearms;
- (d) a study of the threat that the illegal firearms trade represents for the European Union for preventing and fighting this phenomenon.

#### 3.5. Information and communication technology crime (ICT crime)

- (a) Enhancing the operational capacity of the law enforcement agencies to preventing and fighting ICT-related crime, particularly as regards information collection and specialised ICT-training;
- (b) analysing the demand for and systems of emergency assistance in investigating ICT-crime, in particular on the necessary safeguards as concerns the collection of electronic evidence;
- (c) identifying and using the results of successful pilot projects, in particular to develop a European manual for reporting ICT-attacks and criminal activities;
- (d) cooperation in Member States, acceding, candidate and third countries on private-public partnership for exchange of experiences, as well as for the collection, the processing and the exchange of information on ICT-related crime;
- (e) analysis of the current situation in respect of ICT-related crime and the requirements for the establishment of European guidelines for the Protection of the Information Infrastructure.

#### 3.6. Financial crime <sup>(11)</sup>

- (a) Identifying best practices and methodologies in financial fraud investigations;
- (b) assessment of cooperation between financial intelligence units or law-enforcement agencies and the organisations required to report and to identify good practice;
- (c) identifying scope for and means to prevent the misuse of charitable organisations and other non-profit bodies for purposes of financing terrorism or organised crime;
- (d) identifying the distribution of money laundering risks across the financial services industry including the banking, insurance and stockbroking sectors. This would indicate vulnerabilities and measures to be taken to address these;
- (e) developing methodologies and identifying best practices for financial investigations i.e. investigations which cover the economic, financial and fiscal aspects of crime;
- (f) identifying the possible benefits of criminalising failure to report suspicious transactions including non-compliance with other aspects of anti-money laundering legislation;
- (g) best practices in detection and reporting of suspicious transaction reports, including the contents of such reports, and best practices in provision of general and specific feedback to reporting bodies;
- (h) identifying best practices and methodologies in intelligence-led law enforcement technique;
- (i) identifying the obstacles and potential benefits to the introduction throughout the EU of liability for corporations on basis of (i) administrative liability and (ii) criminal liability as a generic sanction for financial crimes committed by corporations including breach of anti-money laundering rules;
- (j) identifying best practice in police, administrative and judicial methods and procedures in the effective freezing and confiscation of assets derived from criminal activity, including the feasibility of national asset recovery bodies and the optimum remit and powers of these;

<sup>(11)</sup> Applicants are also invited to consider the possibilities offered by the financial aid programmes in the specific field of the protection of Community financial interests. See in particular the Hercules programme, to be adopted in 2004.

(k) comparative analysis and/or policy development on fiscal fraud as an instrument to finance organised crime activities, with specific focus on the identification of legal loopholes and scope for harmonisation in the legislation of Member States, i.a. with regards to penal sanctions in VAT fraud, the 'whole trader' approach in the area of assets tracing, freezing, seizure and confiscation.

### 3.7. Corruption <sup>(12)</sup>

- (a) Fighting and preventing corruption by developing standards of integrity in public administration, including law enforcement and judicial services, for example based on the resolution adopted by the EU heads of administration in Strasbourg in November 2000 or building upon GRECO recommendations; introducing and supporting integrity programmes and exchanges on the results of such programmes;
- (b) creating multidisciplinary teams specialised in anti-corruption inquiries and monitoring procedures for awarding contracts;
- (c) research into links between organised crime and corruption;
- (d) assessment of the cost of corruption and the link between corruption and long-term development and the impact corruption has on it;
- (e) assessment of risk factors for corruption on a large scale, particularly in situations of conflict of interests and influence-peddling between the public and the private sectors;
- (f) assessment of specific legislative and technical measures to obtain proof more easily in cases of corruption;
- (g) assessment of risk factors for corruption in political party funding and election campaigns;
- (h) identifying best practice related to civil and other procedural remedies to obtain real redress for the victims of corruption practices.

### 3.8. Counterfeiting <sup>(13)</sup>

- (a) Raising awareness, information and training for practitioners in:
  - infringements of intellectual property rights, counterfeiting of trade marks, software piracy; protection of the film and music industry,

<sup>(12)</sup> Applicants are also invited to consider the possibilities offered by the financial aid programmes in the specific field of the protection of Community financial interests. See in particular Hercules programme, to be adopted in 2004.

<sup>(13)</sup> Applicants are reminded that counterfeiting is covered also under the 1st pillar of the Treaty and should be aware of the possibilities existing within the Customs 2002 programme to avoid duplication.

- counterfeiting of products which poses a risk for the security of consumers (pharmaceutical products, industrial products, food, wine and spirits),

- counterfeiting <sup>(14)</sup> of means of payment;

- (b) encouraging public-private partnerships for the exchange and processing of information on certain types of counterfeiting;

- (c) sectoral pilot studies on ways of eliminating the risk of counterfeiting.

### 3.9. Fight against criminal activities that threaten the environment

- (a) Improving cooperation between law enforcement services and other administrations, drawing on experiences in Member States, in fighting criminal activities that threaten the environment;
- (b) developing investigation techniques and procedures and types of evidence in the field of criminal activities that threaten the environment, in particular pollution by ships.

### 3.10. Illegal trade in cultural goods and stolen works of art

Examining the obstacles to cooperation between the police, customs and other specialised law enforcement agencies in the Member States, the judicial authorities, the cultural authorities and other players, and the private sector, in the fight against the illegal trade in cultural goods and stolen works of art, including the problems caused by differences and shortcomings in national legislation and/or practices;

### 3.11. Trafficking in human organs or tissues

- (a) Analysis of Member States' legislation and practices concerning the trade in tissues and cells of human origin; drafting of recommendations for combating illegal trafficking;
- (b) analysis of recent developments in legislation and practice in the Member States, as regards trafficking in human organs;
- (c) analysis of legislation and practices in acceding and candidate countries as regards trafficking in human organs;
- (d) gathering of statistics and instances of trafficking in organs, tissues and cells of human origin in order to determine the nature of the channels used in the illegal trade and the extent to which the Member States are affected.

<sup>(14)</sup> Applicants are also invited to consider the possibilities offered by the Pericles programme specifically adopted for the protection of the euro against counterfeiting.

#### 4. CRIME PREVENTION

##### **Scope**

Projects in this category are intended to develop methods for identifying and exchanging best practice, as part of an analysis of prevention strategies and their impact, to improve the professional skills of the practitioners in the services concerned and to improve the response to certain types of crime by improving understanding of criminal circles and the techniques they use.

##### **Topics**

##### **4.1. Prevention policy**

- (a) Examination of methods and procedures to implement best practice in crime prevention at European level; development of a common European inventory of priority sub-themes within the areas of urban crime, drug-related crime and juvenile delinquency, and, in this context, drawing up a list of best practices;
- (b) research into the effects of crime prevention on the long-term development of regional and local economies;
- (c) analysis and measurement of the effects of public-private partnerships on levels of crime at local/regional level and by sector of activity;
- (d) development of a better understanding of conditions prior to the adoption of effective crime-prevention measures at national level;
- (e) development of a conceptual model (which can be used for terminology and standard definitions, cooperation and the sharing of knowledge) for organising descriptions of know-how in the field of crime prevention;
- (f) research into the circumstances and structural opportunities in the existing legislative and administrative environments with a view to crime prevention; research into methods of identifying and detecting risks and gaps in the law in new legislative proposals and in the instruments associated with them;
- (g) study of cultural differences in the Member States on causalities and responsibilities with regard to crime prevention and differences in approach.

##### **4.2. Preventing urban crime**

- (a) Analysis of the role of the business world in the field of crime prevention and how it could be developed (i.e. public-private partnerships in controlling and preventing crime);
- (b) research into workplace violence and strategies to prevent it and to increase the personal safety of employees;

- (c) developing new prevention strategies in response to social change and the changing nature of crime; designing new approaches to crime and crime prevention to deal with developments in the future;
- (d) systematic integration of design features in new products to make them less susceptible to crime;
- (e) analysis of developments and trends in the field of public and private crime control and their respective roles in crime prevention at European level;
- (f) analysis of the impact of urban planning and renovation policies.

##### **4.3. Preventing drug-related crime**

- (a) Examination of drug use among arrestees brought into police stations (arrestee drug abuse monitoring);
- (b) research into the costs of drug-related crime by type of crime (e.g. acquisitive crime);
- (c) an overview of the effectiveness of harm-reduction programmes in order to reduce the probability of drug-related crimes;
- (d) an overview of the effectiveness of substance-abuse education programmes for young people.

##### **4.4. Preventing juvenile delinquency**

- (a) Meta analyses of the economic value of early prevention programmes to promote the use of early intervention schemes for children to prevent future offending behaviour;
- (b) analysis of the quantitative development of (criminal) victimisation as well as delinquent behaviour of second and third generation immigrants at European level;
- (c) analysis of the gender dimension in juvenile delinquency.

#### 5. PROTECTION OF VICTIMS' INTERESTS

##### **Scope**

Projects in this category are intended to improve the professional skills of practitioners in the services concerned and to strengthen cooperation between public authorities and between them and the private sector.

##### **Topics**

- (a) Public information on access to justice and monitoring proceedings;
- (b) raising legal practitioners' awareness of victims' rights;

- (c) information and training for law enforcement services on understanding the victim's situation and the use of appropriate techniques for conducting inquiries and collecting evidence;
- (d) structures for assisting the victims of crime;
- (e) mediation policies.

#### 6. CRIME-PROOFING AND RISK ANALYSIS; COMPARABILITY AND CIRCULATION OF INFORMATION — STATISTICS

##### **Scope**

Projects in this category are intended to develop methodologies and instruments for analysing the susceptibility of proposed policies and measures to crime, to determine the technical and legal feasibility of regulations and standards for the collection, analysis and use of general or specific data required by the police services, the courts or other public or private partners associated with the prevention of certain types of crime.

##### **Topics**

#### 6.1. Crime-proofing and risk assessment

- (a) Assessing the threat of crime and discussion of mechanisms to help Member States and the Commission focus their activities in this area;
- (b) analysis to establish methodologies and formulas for assessing the risks and opportunities which proposed legislation and policy initiatives may represent for organised crime. This may include a methodology for establishing a cost-benefit analysis of proposals;
- (c) reinforcing threat assessment mechanisms at EU level in the area of cybercrime:
  - analysis of the current situation and evaluation of existing data at national, EU, regional and international levels,
  - a feasibility study on setting up an EU correspondents' system as a basis for an EU monitoring and benchmarking mechanism,
  - using the results of research and technological development programmes in the area of statistical analysis; improving the quality of statistics on computer-related crime through the comparability of data and indicators, including the use of private-sector statistics,
  - designing a standard tool for the analysis of costs and benefits of deploying specific measures, given the potential security risk that information management poses for the police and national ministries;
- (d) analysis of long-term threats, including likely future trends as regards organised crime;

- (e) analysis of logistics of organised crime to obtain a better understanding of criminal strategies and tactics;
- (f) analysis of the feasibility of methodologies for the computer industry or specific areas to develop crime-proofing of products, including crime impact assessment, predictors of criminal behaviour and the introduction of systematic features to protect against crime in the development of new products;
- (g) studying the challenges of organised crime through the development of national forums to assess the threats, exchange best practice, carry out national and cross-border research, define priorities for protecting (crime-proofing) against crime and terrorism; assessing the feasibility and added value of such forums.

#### 6.2. Comparability and circulation of information and intelligence — Statistics

- (a) Developing an EU policy on data collection for the police and criminal investigations:
  - redefining what constitutes relevant data; use of data from external sources; better exploitation of internal data through enhanced database networking and centrally coordinated data monitoring,
  - content, functioning, organisation, storage and exchange of data held by European and international law enforcement information systems and related questions such as central/decentralised organisation of computer and data exchange systems,
  - establishing guidelines for setting up law enforcement information systems, technical standards for the equipment and methods of data analysis,
  - feasibility study on the legal, operational, financial and technical aspects of information collection and exchange of information and intelligence between the police forces of the Member States;
- (b) feasibility studies on the harmonisation/integration of EU law enforcement databases;
- (c) elaboration of a comprehensive approach to the production of criminal statistics and indicators, taking into account work done by Eurostat;
- (d) harmonisation of national statistics on crime and victims of crime.

#### B. SPECIFIC PROJECTS AND COMPLEMENTARY MEASURES (PROJECTS QUALIFYING FOR FUNDING OF UP TO 100 %)

Specific projects and complementary measures differ from ordinary projects in content and because they can be co-financed up to 100 %.

The maximum grant proposed for specific projects in 2004 is EUR 1 447 000 and for complementary measures EUR 723 500. Projects belonging to these categories cannot contain 'indirect costs' and the costs accepted for the general coordination, organisation and management of the project are limited to 5 % of the total eligible costs.

### Scope

The specific projects and complementary measures identified by the Commission for 2004 relate to the topics indicated below with reference to the description made in Section III of this call for applications.

Unless stated otherwise, the type of projects that may be carried out may cover all types of projects as described in Section II.1.

#### 1. SPECIFIC PROJECTS

To be eligible specific projects must include partners in a minimum of seven countries (eight including the promoter, Member States or acceding countries); financing should be limited to external expenses (subsistence and travel expenses), expenses connected with the preparation, running and conclusions to be drawn from these activities. The applicant shall indicate reasons why a financing from other sources is not possible for such activities.

The activities and areas that qualify for funding under the heading of specific projects are the following:

- operational exercises in the field of police cooperation,
- joint custom surveillance operations,
- cooperation projects between police and judicial authorities established in Euroregions,
- development of techniques for criminal profiling,
- development of practical cooperation of scientific police services,
- comparative study on responsibilities of Member States and acceding countries in cases of miscarriage of justice, acquittal or where the case is dropped. This study shall cover all Member States and acceding countries.

#### 2. COMPLEMENTARY MEASURES

The following activities are regarded as priorities for 2004:

- (a) optimising the results achieved under previous Title VI programmes;

- (b) aid for translating documents presenting good practices, based on an evaluation of such practices or statistics measuring their impact;
- (c) adapting manuals on cooperation procedures and practices, used by the national authorities of another Member State to the needs of a Member State and/or an acceding country, subject to prior assessment of their quality;
- (d) study of the networks, databases, information sites and structures operating in the field of the prevention of human trafficking, in order to identify targets, areas of complementarity or duplication, and practical results.

#### IV. PRIORITIES OF THE PROGRAMME IN 2004

The proposals corresponding to the specific topics mentioned in Section 3 will benefit from extra points (priority points) when:

- they associate and reinforce cooperation with the acceding countries in order to facilitate their integration and the implementation of the 'acquis communautaire',
- they contribute to strengthening stability and the safety of the Union (and the fight against crime), in particular:
  - proposals which can cope with international challenges in the area of organised crime and terrorism, including financing of terrorism,
  - proposals for operational training activities,
  - proposals directly connected with the implementation of EU legislative acts.

#### V. EVALUATION CRITERIA FOR PROPOSALS

##### 1. CRITERIA AND ELIGIBILITY

To be eligible, a grant application must meet the following criteria:

- it must relate to one of the specific objectives of the AGIS programme,
- it must involve at least three partners (the applicant plus two others) based in three different Member States (or in two Member States and one acceding country); it must be submitted using the grant application form made available by the Commission in electronic format; no other form will be accepted; all sections of the form must be completed,
- it must meet the formal requirements and be accompanied by all the documents listed in Section VII,

- it must submit a budget in euro, balanced in income and expenditure, in which the amount of Community funding requested may not exceed 70 % of the cost of the project; it must include a minimum contribution of 30 % of the total cost of the project (from the applicant, partners, other sponsors and revenue) except in the case of specific projects and complementary measures,
- it must meet the following conditions:
  - the project must not last more than two years,
  - the project cannot already be completed and it must begin between 1 July 2004 and 31 December 2004 (except for customs operations, which may begin on 1 May 2004).

## 2. EXCLUSION CRITERIA

Candidates shall be excluded from participating in this call for proposals if:

- they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations,
- they have been convicted of an offence concerning their professional conduct by a judgment which has the force of *res judicata*,
- they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify,
- they have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority or those of the country where the contract is to be performed,
- they have been the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests,
- following another procurement procedure or grant award procedure financed by the Community budget, they have been declared to be in serious breach of contract for failure to comply with their contractual obligations,
- they are subject to a conflict of interest,
- they are guilty of misrepresentation in supplying the information required or fail to supply this information.

## 3. SELECTION CRITERIA

The following elements will be examined:

- the applicant's operational and professional capability to implement the proposed project, including evidence of its know-how and that of its partners to complete the project and to access the information or participants as planned,
- the applicant's financial capability.

Only proposals which meet the above selection criteria will be examined in detail.

## 4. AWARD CRITERIA

Proposals will be assessed by the evaluation committee, on the basis of the following criteria:

- conformity with the programme's objectives (A),
- whether the project has a European dimension and is open to participation by the acceding and candidate countries (B),
- compatibility with work undertaken or planned under the EU's policy priorities in the field of judicial cooperation on general and criminal-law matters (C),
- complementarity with other past, present or future activities (D),
- ability of the organiser to implement the project (E),
- the inherent quality of the project in terms of its conception, organisation, presentation and expected results (F),
- the amount of the subsidy requested under the programme and whether it is proportionate with the expected results (G),
- short-term results and impact in the medium-term (H).

Proposals will be ranked on the basis of points. The maximum allocation of points for each of the above criteria is described below.

| Criterion | Maximum number of points |
|-----------|--------------------------|
| A         | 5                        |
| B         | 15                       |
| C         | 10                       |
| D         | 5                        |
| E         | 15                       |
| F         | 35                       |
| G         | 5                        |
| H         | 10                       |

A maximum of five priority points may also be added in accordance with Section IV.

#### VI. INDICATIVE DISTRIBUTION FOR THE 2004 BUDGET

The financial reference amount for the AGIS programme in the period 2003-2007 is EUR 65 million. The proposed budget for 2004 is EUR 15 270 000, of which 14 470 000 for project grants, 400 000 for the operating grants and 400 000 for evaluation.

| Type of project                               | Maximum indicative amount |
|---|---------------------------|
| Projects qualifying for funding of up to 70 % | 12 299 500                |
| Specific projects                             | 1 447 000                 |
| Complementary measures                        | 723 500                   |
| <b>TOTAL</b>                                  | <b>14 470 000</b>         |

#### VII. PRACTICAL INFORMATION ABOUT SUBMITTING AN APPLICATION

Applications must be submitted with the application form and model forward budget which are available on the Europa website:

[http://europa.eu.int/comm/justice\\_home/jai/prog\\_en.htm](http://europa.eu.int/comm/justice_home/jai/prog_en.htm)

The applicant must fill in the fields indicated and send back the document on a diskette or CD-ROM and in three paper copies.

Applications submitted on an application form that has been altered or used before, as well as forms completed by hand, will be disqualified.

##### 1. DOCUMENTS TO BE SUBMITTED

The following documents must be submitted in triplicate:

- the application form, duly completed, dated and signed by the person authorised to enter into legally binding commitments on behalf of the applicant; the applicant may wish to transmit a translation of his application in another language,
- a timetable for implementation of the project,
- a forward budget, dated and signed, presented on the standard budget form for the programme, including a detailed breakdown of expected expenditure and revenue (the relevant budget form can be found on the Commission's website),
- declarations by partners, standard forms for which can be found on the JAI-AGIS site.

A single copy of the following documents is required:

- the financial identification form, dated and signed, and signed and stamped by the bank concerned,
- the latest financial statements (balance sheet, profit and loss account), including audited accounts where available (not requested from public authorities and bodies),
- an external audit report if the amount of grant awarded exceeds EUR 300 000.

In the case of an association (NGO),

- the applicant organisation's annual activity programme for 2004 describing the planned activities in detail,
- a report or description of the activities carried out or being carried out by the organisation in 2001 and 2002,
- an organisation chart and a description of the tasks of the staff, including the CVs of staff members responsible for carrying out the activities,
- evidence of legal status, including articles of association,
- the forward budget for 2004 showing a detailed breakdown of the association's expected expenditure and revenue.

In the case of a university or university department, evidence that the applicant can enter into financial commitments on behalf of the university.

Applicants are free to provide any other documentation which they consider appropriate in support of their application.

##### 2. DEADLINE FOR SUBMITTING APPLICATIONS

Applications must be received in a sealed envelope by registered mail, by express messenger or by hand-delivery (a signed and dated certificate of receipt will be given to the deliverer) to the address indicated below:

Postal address

European Commission  
 Directorate-General Justice and Home Affairs  
 Unit B5: Management of Title VI programmes (Treaty on European Union)  
 AGIS 2004 — Call for proposals  
 Office LX-46 3/159  
 B-1049 Brussels

Address for hand delivery

European Commission  
 Directorate-General Justice and Home Affairs  
 AGIS 2004 — Call for proposals  
 Office LX-46 3/159  
 Mail Department  
 Rue de Genève 1  
 B-1140 Brussels-Evere

Applications must be:

- either by registered mail, posted not later than 13 February 2004 (postmark),
- or by hand-delivery (in person or by an authorised representative or private courier service) not later than 13 February 2004 at 15.00 (Brussels time), in which case a receipt must be obtained as proof of submission, signed and dated by the official who took delivery.

Any application received after the deadline will be automatically rejected.

### 3. ACKNOWLEDGEMENT OF RECEIPT

Following the opening of proposals, the Commission will send an acknowledgement of receipt to all applicants, indicating whether or not the application was received prior to the deadline and informing them of the reference number of their application.

## VIII. FURTHER INFORMATION

Applicants are invited to consult the 'Guide for the AGIS programme' at the following address:

[http://europa.eu.int/comm/justice\\_home/jai/prog\\_fr.htm](http://europa.eu.int/comm/justice_home/jai/prog_fr.htm)

Questions may be sent by e-mail or by fax to the address or number listed below, indicating clearly the reference of the call for proposals:

E-mail address: JAI-AGIS@cec.eu.int

Fax (32-2) 299 82 15.

In addition, the European Commission has the task of promoting equality between women and men and must aim in all its activities to eliminate gender inequalities (Articles 2 and 3 of the EC Treaty). In this context, women are particularly encouraged either to submit proposals or to be involved in their submission. As regards studies or research projects, the Commission would also like to draw your attention to the importance of a systematic breakdown by sex of all statistics used and of an analysis of the potentially different impact of policies on men and women, even if they appear at first sight to be gender neutral.

### 1. EXAMINATION OF APPLICATIONS

The Commission may contact applicants to request additional information at any time prior to taking its final decision. Failure to respond to such requests by the deadline set may lead to disqualification of the application. Applicants must take the necessary steps to ensure that they can be contacted rapidly

up to the end of the selection process. Where the Commission contacts an applicant, this does not in any way constitute or reflect a pre-selection of the proposal on the part of the Commission.

The evaluation committee expects to complete its work by the end of April 2004. It will then consult the committee of representatives of the Member States set up by the Decision establishing the programme.

The Commission will take its decision on the pre-selection and all applicants will be informed in writing of the outcome as concerns their application no later than 30 June 2004.

The Commission will not give any pre-information to applicants concerning the outcome of the selection before the final decision has been made.

As concern projects submitted by organizations from the countries acceding to the European Union in 2004 and projects involving such countries to meet the criteria on the number of Member States involved, the decision will only become final once actual accession has taken place.

For beneficiaries of a grant agreement under this programme, a pre-financing payment of 60 % will be issued after the signature of the grant agreement by both parties. The exact calculation of the final amount of the subvention will be done when the project has ended on the basis of supporting documents provided by the beneficiary.

### 2. EX-POST PUBLICITY

All grants awarded in the course of a financial year must be published on the Internet site of the Community institutions during the first half of the year following the closure of the budget year in respect of which they were awarded. The information may also be published by any other appropriate medium, including the *Official Journal of the European Union*. The following will be published with the agreement of the beneficiary:

- (a) the name and address of the beneficiaries;
- (b) the subject of the grant;
- (c) the amount awarded and the rate of funding of the costs of the project or approved work programme.

The European Commission may waive the above obligations if publication of the information could threaten the safety of the beneficiaries or harm their business interests.

Beneficiaries of grants must clearly display acknowledgement of the support received from the EU.