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**ANNEX**

of the Commission Implementing Decision on the financing of the individual measure in favour of  
Sub-Saharan Africa for migration for 2022

**Action Document for Regional Operational Centre in Khartoum (ROCK)** in support of the Khartoum Process, the African Union Horn of Africa Initiative and the Eastern Africa Police Chiefs Cooperation Organisation (EAPCCO) – **phase II**

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

## 1. SYNOPSIS

### 1.1 Action Summary Table

| ACTION SUMMARY TABLE  |   |
|---|---|
| <b>1. Title</b><br><b>CRIS business reference</b><br><b>Basic Act</b> | <b>Regional Operational Centre in Khartoum (ROCK)</b> in support of the Khartoum Process, the African Union Horn of Africa Initiative and the Eastern Africa Police Chiefs Cooperation Organisation (EAPCCO) – <b>phase II (ROCK II)</b><br><br>OPSYS number: ACT-60616<br><br>Financed under the Neighbourhood, Development and International Cooperation Instrument (NDICI-Global Europe)   |
| <b>2. Team Europe Initiative</b>                                      | No  |
| <b>3. Zone benefiting from the action</b>                             | The action shall be carried out in the countries of: <ul style="list-style-type: none"><li>• The Khartoum Process<sup>1</sup>;</li><li>• African Union – Horn of Africa Initiative (AU-HoAI)<sup>2</sup>;</li><li>• Countries involved in emerging migration routes and interested in cross-border cooperation opportunities, including countries who are not part of the AU-HoAI and Khartoum Process but will have sent already a Liaison officer to the ROCK during the first phase<sup>3</sup>;</li><li>• Countries involved in the transition from the ROCK to the AU's Khartoum Centre.<sup>4</sup></li></ul> |

<sup>1</sup> Although the United Kingdom was a signatory to the Khartoum Process (KP), following its withdrawal from the EU, it is no longer a member of the KP.

<sup>2</sup> AU-HoAI members: Egypt, Eritrea, Ethiopia, Sudan, Djibouti, Kenya, Libya, Somalia, South Sudan, Tunisia.

The following countries are signatories of the Declaration of the Ministerial Conference of the Khartoum Process, also known as the Rome Declaration:

Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Egypt, Eritrea, Estonia, Ethiopia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Kenya, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Somalia, South Sudan, Spain, Sudan, Sweden, Tunisia and United Kingdom. Since this Declaration, Libya was also invited as a Member of the Khartoum Process upon the establishment of a Government of National Accord, and Norway, Switzerland and Uganda have also become Members of the Process. Following its withdrawal from the EU, the United Kingdom is no longer a member of the KP.

<sup>3</sup> Democratic Republic of Congo (DRC). Decision on Chad's participation is still pending at the time of writing.

<sup>4</sup> See the 'Statute for the Establishment of Continental Operational Centre in Khartoum' (the Khartoum Centre) (see Article 1, Definitions for further details)

|  |  |                                     |                                     |                                     |
|--|--|-------------------------------------|-------------------------------------|-------------------------------------|
| <b>4. Programming document</b>                 | Multi-Annual Indicative Programme for Sub-Saharan Africa 2021-2027   |                                     |                                     |                                     |
| <b>PRIORITY AREAS AND SECTOR INFORMATION</b>   |  |                                     |                                     |                                     |
| <b>5. Priority Area(s), sectors</b>            | <p><b>Priority Area 2: Democratic Governance Peace and Security, and Culture</b><br/> <u>Specific objective 2:</u> Reduce the incidence, duration and intensity of violent conflicts in Africa and contribute to effective prevention, protection against and response to transnational security threats, including organised crime, across the continent.</p> <p><b>Priority Area 6: Migration and forced displacement</b><br/> Specific Objective 1: Contribute to strengthening migration management, migration policy, and migration governance in Sub-Saharan Africa.</p>                                   |                                     |                                     |                                     |
| <b>6. Sustainable Development Goals (SDGs)</b> | Main SDG (1 only): SDG 16<br>Targets: <ul style="list-style-type: none"> <li>16.2: End abuse, exploitation, trafficking and all forms of violence against and torture of children.</li> <li>16.4: By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organised crime.</li> <li>16.a: Strengthen relevant national institutions, including through international cooperation, for building capacity at all levels, in particular in developing countries, to prevent violence and combat terrorism and crime.</li> </ul> |                                     |                                     |                                     |
| <b>7 a) DAC code(s)</b>                        | Main DAC code: 15130 Legal and judicial development – 80%<br>Sub-code: 15190 Facilitation of orderly, safe, regular and responsible migration and mobility – 20%   |                                     |                                     |                                     |
| <b>7 b) Main Delivery Channel</b>              | Other public entities in donor country 11004   |                                     |                                     |                                     |
| <b>8. Targets</b>                              | <input checked="" type="checkbox"/> Migration and forced displacement<br><input type="checkbox"/> Climate<br><input type="checkbox"/> Social inclusion and Human Development<br><input checked="" type="checkbox"/> Gender<br><input type="checkbox"/> Biodiversity<br><input type="checkbox"/> Education  |                                     |                                     |                                     |
| <b>9. Markers (from DAC form)</b>              | <b>General policy objective</b>  | <b>Not targeted</b>                 | <b>Significant objective</b>        | <b>Principal objective</b>          |
|  | Participation development/good governance  | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
|  | Aid to environment   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
|  | Gender equality and women's and girl's empowerment   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
|  | Trade development  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
|  | Reproductive, maternal, new-born and child health  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
|  | Disaster Risk Reduction  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
|  | Inclusion of persons with Disabilities   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
|  | Nutrition  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |

|  |  |                     |                              |                            |
|--|--|---------------------|------------------------------|----------------------------|
|  | <b>RIO Convention markers</b>  | <b>Not targeted</b> | <b>Significant objective</b> | <b>Principal objective</b> |
|  | Biological diversity   | ☒                   | ☐                            | ☐                          |
|  | Combat desertification   | ☒                   | ☐                            | ☐                          |
|  | Climate change mitigation  | ☒                   | ☐                            | ☐                          |
|  | Climate change adaptation  | ☒                   | ☐                            | ☐                          |
| <b>10. Internal markers</b>  | <b>Policy objectives</b>   | <b>Not targeted</b> | <b>Significant objective</b> | <b>Principal objective</b> |
|  | Digitalisation   | ☒                   | ☐                            | ☐                          |
|  | Migration  | ☐                   | ☐                            | ☒                          |
|  | COVID-19   | ☒                   | ☐                            | ☐                          |
| <b>BUDGET INFORMATION</b>  |  |                     |                              |                            |
| <b>11. Amounts concerned</b>   | Budget line: BGUE-B2022-14.020121-C2-INTPA<br>Total estimated cost: EUR 5 000 000<br>Total amount of EU budget contribution: EUR 5 000 000 |                     |                              |                            |
| <b>MANAGEMENT AND IMPLEMENTATION</b>   |  |                     |                              |                            |
| <b>12. Implementation modalities (type of financing and management mode)</b> | Project Modality: <b>Direct management</b> through:<br>- Grant   |                     |                              |                            |

## 1.2 Summary of the Action

The prevention of and fight against irregular migration, migrant smuggling and trafficking in human beings is one of the five pillars of the Joint Valletta Action Plan (JVAP). The Khartoum Process (or EU-Horn of Africa Migration Route Initiative) has been identified as one of the suitable existing mechanisms to monitor the implementation of the JVAP, in particular for the Horn of Africa. It is the main platform for political consultation and cooperation amongst European and African countries on tackling human trafficking and migrant smuggling in this area. In 2014, the countries of the Khartoum Process signed the Rome Declaration. The document outlines the key strategic priorities of the dialogue, whose main aim is to support 'concrete actions to prevent and tackle the challenges of human trafficking and smuggling of migrants between the Horn of Africa and Europe, in a spirit of partnership, shared responsibility and cooperation'.

The Regional Operational Centre in support of the Khartoum Process and African Union (AU) Horn of Africa Initiative (ROCK) represents an innovative and relevant approach in the fight against trafficking in human beings and smuggling of migrants. It has set up a facility in Khartoum where Liaison Officers (LOs) from nine countries from the Horn of Africa can access IT equipment and technical guidance provided by the project. LOs are central to the ROCK's model. They are officers seconded from national law enforcement agencies from the region who facilitate the sharing of information from their home country with other LOs in the facility. The ROCK facility is the hub where LOs can engage in face-to-face discussions, triangulate information from different countries and engage in a process of analysis, evaluation and dissemination of information (known as the intelligence cycle, in agreement with international standards approved by International Criminal Police Organisation (Interpol) and the European Police Office (Europol)).

Information sharing between African countries is rare, complex and characterised by a high degree of protectiveness, especially with regard to law enforcement-related subjects. LOs are an effective way to complement traditional information sharing agreements and to encourage international collaboration and synergies to fight criminal organisations. The information gathering work of ROCK's LOs has so far contributed to the successful rollout of at least three operations in the region. The ROCK is capable of and is starting to generate results, but it will have to operate and institutionalise the LO model further and possibly bring on board LOs from other neighbouring countries

to cement this. In parallel to the roll out of the first phase of the ROCK project (ROCK I), the close engagement with the AU has resulted in the AU deciding to create a Continental Centre on fighting human trafficking and smuggling, building on the ROCK experience. This provides a unique opportunity to ensure long-term sustainability and move the human trafficking and smuggling work beyond the HoA-Europe corridor to other corridors across the African continent, under the AU leadership.

The second phase of the ROCK project (ROCK II), with a further support of Interpol, will support the Law Enforcement Agencies (LEAs) involved to identify capacity gaps in the area of information management, and provide advice and expertise. The project will operate as an ecosystem: providing methodological and logistical support to the LEAs, who in turn will have to cooperate in order to exploit the information shared through the centre.

Whilst exchange of information is crucial in the dismantlement of criminal networks, it is equally important that a judicial process can be initiated. The conditions in which information is collected, its relevance, and the modalities of its exploitation must be therefore perfectly dominated by the various stakeholders. There are strong expectations from the LEAs in the region and particularly from the Eastern Africa Police Chiefs Cooperation Organisation (EAPCCO) regarding the consolidation of the law enforcement aspect in ROCK by involving the criminal justice system. By expanding its scope of activities to strengthen the criminal justice chain, but also to address victims' needs for assistance and protection, the phenomenon of migrant smuggling and human trafficking will be addressed in a more comprehensive and efficient manner in East Africa.

Moreover, the ROCK II also provides a unique opportunity to continue the work initiated in the first phase and support the transition from a regional centre into a continental AU body, namely the AU Continental Khartoum centre which is about to be rolled out. Therefore, the ROCK II will work in close collaboration with the AU in order to set out common objectives and implement together a roadmap that will facilitate such transition. This roadmap will be developed together and will accompany the gradual and phased transition over the lifetime of the ROCK II. The transition to the African Union's Khartoum Centre is an opportunity that will provide the ROCK with a sustainable and broader foundation, contributing to promoting the AU's fight against human trafficking and the protection of victims in line with the objectives set out in the AU's Migration Policy framework.<sup>5</sup>

The overall objective of the action in line with **Priority Area 6: Migration and forced displacement** of the **Multi-country and regional programme for sub-Saharan Africa for the period 2021-2027, and in particular** Specific objective 1: Contribute to strengthening migration management, migration policy, and migration governance in Sub-Saharan Africa, and **Priority Area 2: Democratic Governance Peace and Security, and Culture, and in particular** Specific objective 2: Reduce the incidence, duration and intensity of violent conflicts in Africa and contribute to effective prevention, protection against and response to transnational security threats, including organised crime, across the continent.

The Overall Objective (Impact) of this action will be **to contribute to reduce the number of incidents of trafficking in human beings and smuggling of migrants in East Africa and enhance victims' protection.**

The Specific Objectives (Outcomes) of this action are:

1. Enhanced regional/continental/international law enforcement cooperation in the fight against criminal networks engaged in smuggling migrants and trafficking in human beings. (**LAW ENFORCEMENT COOPERATION**).
2. Strengthened criminal justice chain against suspected traffickers and smugglers, through information collection and sharing (LEAs) to prosecution (judicial services) at national level, and synergies between judicial services at regional level. (**LAW ENFORCEMENT-JUSTICE NEXUS**).
3. Facilitated transition from the ROCK to AU's Khartoum Centre in accordance with a roadmap jointly prepared with the AU and safeguarding the ROCK model, acquis and operational focus. (**LONG-TERM SUSTAINABILITY**).

The action shall comply with EU legislation, in particular EU restrictive measures (sanctions) adopted pursuant to Article 215 of the Treaty on the Functioning of the European Union.

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<sup>5</sup> See Migration Policy Framework for Africa and Plan of Action (2018 – 2030), African Union Commission, May 2018

## 2. RATIONALE

### 2.1 General Context

This action responds to the **Priority Area 6 / Specific objective 1 and Priority Area 2/ Specific objective 2** of the objective of the Neighbourhood, Development and International Cooperation Instrument (NDICI)<sup>6</sup>, the partnership on migration and mobility of the joint communication ‘Towards a comprehensive strategy with Africa’, the EU-AU Continent to Continent Migration and Mobility dialogue priorities and is aligned with the JVAP priority 4. Prevention of and fight against irregular migration, migrant smuggling and trafficking of human beings.

**Transnational organised crime groups** involved in **Trafficking in Human Beings (THB) and Smuggling of Migrants (SoM)** continue to represent a threat across borders to both national and global security with direct implications on public health, safety and economic stability. In response to the threat posed by criminal networks, **law enforcement organisations and national police** are increasingly called upon to work in unison to disrupt transnational criminal activity that targets migrants and people living in vulnerable situations, and to fight human traffickers and migrant smugglers.

**Sharing information on irregular migration and associated criminal networks along migratory routes**, as well as **creating the conditions for their operational use in a legal and judicial framework**, is a prerequisite to address transnational crime of THB and SoM. International actors have been highlighting the relevance of international cooperation frameworks as a way to contribute to effectively preventing and responding to human trafficking and smuggling of migrants and disrupting transnational criminal organisations.

This is also applied to the Greater Horn of Africa and the countries of the Khartoum Process and the AU-HoAI. At the occasion of the 2018 World Day against Trafficking in Persons, the United Nations Office on Drugs and Crime’s (UNODC) Regional Representative for Eastern Africa emphasised ‘the importance of international police and judicial cooperation to dismantle criminal networks involved in human trafficking is increasing’ and that ‘effective responses [...] require therefore strengthened coordination and cooperation of all nations.’

The **Regional Operational Centre in support of the Khartoum Process and AU-Horn of Africa Initiative (ROCK project)** was precisely launched to foster an environment of mutual trust and respect and raise the prospect of strong cooperation to address the need to improved information sharing in the region. The **first phase** of the ROCK project has allowed for the setting up of a regional information-sharing centre in Khartoum, which has shown its initial effectiveness and concrete results: trained LOs/ correspondent from currently nine participating countries (Democratic Republic of Congo, Djibouti, Egypt, Ethiopia, Kenya, Somalia, Sudan, South-Soudan, Uganda) now share and analyse information and transforms it into **intelligence reports, which are sent to relevant authorities via Interpol’s i24/7 system**. More than 200 intelligence reports have been shared so far via the National Central Bureau (NCB) of Khartoum. Several **national and cross border police operations could take place** on the basis of the intelligence provided by the ROCK. Several suspected traffickers and smugglers now face lawful **judicial procedure thanks to the information** police investigators could exchange through the ROCK.

As noted in the case study of the ROCK project conducted by Altai Consulting, ‘The cooperation between law enforcement engagement agencies from different countries in the Horn of Africa (HoA) is rare enough to be highlighted’. It underlines that in addition to setting up the centre, refurbishing and equipping a building, and providing mentoring and training, the ROCK project has delivered a significant achievement by collecting enough political support to gather LOs from the Eastern African region. New communication channels have been opened between police investigators and police cooperation has been strengthened on THB and SoM.

The **second phase** of the ROCK project aims at consolidating and building on this first achievement. It will thus focus on **sustaining and improving the regional information sharing and cooperation model already in place**, notably by securing the effective participation/engagement of members of the Khartoum Process<sup>7</sup>/beneficiary countries included in the first phase, strengthening the criminal justice chain and addressing victims’ needs for assistance and protection.

<sup>6</sup> Priority area 6: Migration and forced displacement. Specific Objective 1: Contribute to strengthening migration management, migration policy, and migration governance in Sub-Saharan Africa.

<sup>7</sup> See Footnote 1

The geographical scope could remain flexible in order to adapt to changes in migration routes and maximise cross border cooperation opportunities. In order to ensure **greater international cooperation**, the involvement of European agencies (European Border and Coast Guard Agency (Frontex) and Europol) and EU Member States in the implementation of some activities should be encouraged (e.g. support to trainings or operations short/long-term technical assistance, appointing LOs) as well as the **links with other actors in the justice chain**, as Eurojust, in line with their respective mandate, [assessment and decision-making process](#). In other words, a major objective in this phase will be to create a strong vector between information exchange, operationalisation, and judicialisation, while should ultimately also contribute to **greater protection of victims**.

Early identification of victims is crucial for enabling victims to exercise their rights meaningfully. Gender and age of victims are key factor affecting vulnerabilities, the forms of exploitation and the harms experienced by victims. To ensure accountability towards the victims, the AU Migration Policy Framework and Action Plan 2018-2027 identifies a key number of strategic recommendations to address the protection dimension of trafficking in human beings. The United Nations Trafficking in Persons Protocol contains a series of general protection and support measures for victims. The EU has set forth as key priorities providing better access to, and **realising the rights, for victims along with countering the culture of impunity that prevails for all perpetrators**, traffickers, profit makers, exploiters, users and abusers. EU law provides for the assistance, support and protection of victims, ensuring that they are rights' holders. The EU strategy on Combatting Trafficking in Human Beings identifies gender inequalities as being amongst the root causes of trafficking in human beings. In this regard, taking into account the **gender dimension** of the phenomenon, it is key to ensure that the main form of exploitation, sexual exploitation, and the majority of victims, women and girls are appropriately addressed.

With regard to **sustainability**, AU's **decision to set up a continental operational centre in Khartoum based on the ROCK model** (the Khartoum Centre) is a real opportunity for the ROCK to have a solid and stable institutional ground in Africa. The AU Khartoum Centre was supposed to become operational by end of 2021 and AU Member States have committed funds to staff the centre and to provide with an initial programme budget. However, feasibility studies are currently being undertaken as regards the model of such a continental centre. Therefore, **one of the goals of the second phase of the project is to ensure a smooth and stable transition of the ROCK to the AU's Khartoum Centre**. The direct participation and close engagement of the AU in the second phase of the ROCK project will allow to **jointly establish a feasible and workable roadmap on how the ROCK centre will be transitioned into the AU Khartoum Centre, while fully maintaining the acquis of the ROCK's nature and objectives**. ROCK II will hence start supporting the AU Khartoum Centre along the roadmap and contribute to setting up of a jointly agreed transition plan.

## 2.2 EU Fundamental Values

Both Europe and Africa have committed to promote and protect human rights. To concretise those principles, the EU needs to reinforce its partnership based on a human rights-based approach, gender equality and women's empowerment with all relevant institutional actors at continental level and at regional level. Respect of the right to seek asylum as well as the principle of non-refoulement also needs to be safeguarded.

The action contributes to the further implementation of the AU Strategy for Gender Equality & Women's Empowerment (2018-2028) which highlights violence against women and girls, as well as gender equality and women's empowerment in the areas of migration and human security as its highest priorities, with particular focus on inclusion of women with disabilities and migrant women. Moreover, the action contributes to the EU Gender Action Plan III (GAP III) and particularly its objective 'Ensuring freedom from all forms of gender-based violence' (GBV) and 'Integrating the women, peace and security agenda'.<sup>8</sup>

The following assessment is focusing on Sudan as it is the country hosting the ROCK Centre.

The last year in Sudan was marked by a failing economy, political tensions and continuing popular protests for justice and reforms. These challenges were compounded by the COVID-19 pandemic. The government introduced some reforms but has not yet implemented most of the institutional and law reforms called for in the August 2019 constitutional charter. The government has yet to set up a legislative council and key transitional commissions.

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<sup>8</sup> Joint Communication to the European Parliament and the Council. EU Gender Action Plan (GAP) III – An ambitious agenda for gender equality and women's empowerment in EU external action. SWD(2020) 284 final.

Sudanese authorities indicated their willingness to cooperate with the International Criminal Court (ICC), including ensuring that ICC suspects appear before the Court and reiterating commitments to justice.

Early 2021, in a joint meeting of the Sovereign Council and Council of Ministers, the Transitional Government approved two draft laws to join the Convention Against Torture (CAT) and the International Convention for the Protection of All Persons from Enforced Disappearances (ICPPED). By ratifying the treaties, the Sudanese government makes a legally binding commitment to prevent, prosecute and remedy cases of torture and enforced disappearance. This is a crucial step towards ending Sudan's history of human rights abuses. It follows years of advocacy efforts by Sudanese activists and international partners.

Based on the Independent Expert's report and recommendations, and the comments of Sudan, on 6 October 2020 the Human Rights Council adopted a resolution on 'Technical assistance and capacity-building to further improve human rights in the Sudan'<sup>9</sup>.

The Office of the UN High Commissioner for Human Rights (OHCHR) in Sudan became operational in 2020. Notably, the OHCHR plays a key role in ensuring that the Transitional Government has the necessary tools and capacity to advance with the political reform agenda, including legal reforms, transitional justice, ratification of core human rights treaties, as well as in supporting the work of Sudan's civil society actors. In December 2020, the EU also committed core funding to the OHCHR for 2021-2022, and will secure additional funding in the NDICI national multiannual indicative programme (MIP) for Sudan.

## 2.3 Problem Analysis

Priority Area and sectors:

### **Priority Area 2: Democratic Governance Peace and Security, and Culture**

Specific objective 2: Reduce the incidence, duration and intensity of violent conflicts in Africa and contribute to effective prevention, protection against and response to transnational security threats, including organized crime, across the continent.

Result 2.3: African law enforcement agencies, judiciary institutions and relevant non-state actors are capacitated and able to carry out their tasks to effectively prevent, repress, counter and prosecute transnational threats in full respect of fundamental values, human rights and international humanitarian law.

Result 2.6: Harmonization, domestication and compliance of national legislations with regional/continental/international norms and standards are improved, and regional/multi-country dialogue, coordination and cooperation capacities to address common security threats are enhanced.

### **Priority Area 6: Migration and forced displacement**

Specific objective 1: Contribute to strengthening migration management, migration policy, and migration governance in Sub-Saharan Africa.

Result 1.4: Improved migration management, migration policies, and migration governance and capacities within Africa, at continental, regional, country, and local levels – including in migrant protection, improved border management, countering irregular migration, as well as awareness raising of the dangers of and alternatives to irregular migration.

Result 1.5: Fighting against trafficking of human beings and smuggling of migrants within and from the African continent is strengthened.

### Short problem analysis:

The Horn of Africa has an estimated 288 million inhabitants, and hosts over 8.9 million forcibly displaced persons, including over 6.5 million Internally Displaced Persons (IDPs) and about 4.725 million refugees. The region hosts some 67 per cent of the refugees on the African continent and 20 per cent of the global refugee population. There is

<sup>9</sup> <https://undocs.org/en/A/HRC/RES/45/25>

also a significant flow of irregular migrants within and from the Horn of Africa. In recent years there has been an increasing demand for migration in the population of the Horn of Africa, which was not curbed by the worldwide pandemic crisis, even though around 30 per cent of the migratory movements documented during 2019 were towards or within the region (on the Horn of Africa route).

These movements occur as mixed migration flows and involve smuggling and trafficking networks, for which there are varying levels of human rights abuse. Migrants take serious risks, including being sold off to ransom collectors if they are unable to meet their first payment, being left by transporters in the desert, facing rape, or being subjected to detention with severe beatings and torture or sexual exploitation. In the case of human trafficking, the precise number of victims is unknown, though the United Nations High Commissioner for Refugees (UNHCR) estimates that around 30 000 people were affected in the region between 2009 and 2013. These criminal networks derive massive profits from moving thousands of migrants and refugees.

There are four main directions of movement of migrants from the Horn of Africa: Northward to Egypt, Westward to Libya and Tunisia, and on to Europe, Eastward largely to Yemen and the Gulf States, and Southwards to Southern Africa and beyond. The routes used are dynamic, reflecting the changing political, economic and security situations in transit and destination countries. Most of these migration flows are irregular and going South to North through porous borders.

The Sudan, where the ROCK centre is located, is at the crossroads for migration from the countries of the Horn of Africa. It is itself a source and transit country and has one of the largest numbers of refugees in the world (1.2 million international migrants registered, 1.1 million refugees, 1.8 million displaced persons - UNHCR 2020)<sup>10</sup>.

Communities living in vulnerable situations are major sources of intra-continental and inter-continental migration. In the context of economic, political, security, sanitary, and social imbalances, migration is fuelled by the hopes of migrant communities for better living conditions. The significant increase in crises in the Horn and worldwide COVID-19 pandemic crisis, like all health and humanitarian crises, further increase vulnerability of certain groups and therefore likely to further increase forced displacement and migration in the future. The COVID-19 crisis has worsened the situation both in overcrowded camps where COVID-19 protection measures cannot be carried out and in host countries' cities where migrants, as people living in the most vulnerable situation, lost dramatically their livelihood and experienced a dramatic deterioration of their access to basic public services.

Smuggling and trafficking networks, both large and small, thrive in the region. They contribute to significant flows of irregular migrants within and from the Horn of Africa and are responsible for varying level of human rights abuses. These criminal organisations supply transnational networks of irregular immigration and trafficking in human beings, bypassing national and international immigration laws. They routinely resort to false promises, confiscation of documents, inhumane transport, and accommodation, use of weapons, intimidation and kidnapping, slavery, rape and inhuman treatments.

In view of the gradual transition to the AU Khartoum Centre other African trafficking and smuggling corridors may be added and tackled through the ROCK II. Routes and modus operandi of criminal networks keep evolving constantly, adapting to different immigration and border control measures in place at the crossing points. Consolidating the processes for collecting and using information between countries of origin, transit and destination has therefore become essential. Operational information-sharing as organised by the ROCK is most relevant for both the effectiveness of the fight against criminal networks and to ensure the protection of persons living in vulnerable situations.

#### Key cross-cutting issues:

Good governance requires fair legal frameworks that are enforced impartially, and therefore an independent judiciary and an impartial and incorruptible police force. It also requires full protection of human rights. The proposed action of the project will address these aspects throughout all activities, with a strong focus on international human rights principles and standards of good governance. It will reflect the EU commitment to take into account the particular needs of persons in vulnerable situations, including women, children, unaccompanied minors and persons with disabilities.

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<sup>10</sup> Sudan 2020 Country Refugee Response Plan



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

At the regional level, the key stakeholders are the members of the Khartoum Process and the AU-HoAI, the two dialogues for political cooperation amongst the countries along the migration route between the Horn of Africa and Europe, which aim at addressing the challenges of migration including irregular migration, THB and SoM within and from the Horn of Africa.

Countries involved in emerging migration routes and interested in cross-border cooperation opportunities, including countries who are not part of the AU-HoAI and Khartoum Process but will have sent already a LO to the ROCK during the first phase will also be key stakeholders.

At the continental level, the AU is a key stakeholder through the AU-EU Continent-to-Continent Migration and Mobility Dialogue (C2CMMD), which brings together key actors within the European External Action Service (EEAS) and the European Commission to discuss political, policy and cooperation actions with the African Union; human trafficking and smuggling is one of the priorities of the C2CMMD. The AU is also an important stakeholder for this action, as it is willing to ensure the sustainability of the ROCK model while integrating it into its own umbrella. The AU Commission, the African Police Cooperation Organisation (AFRIPOL) and the Committee for Intelligence and Security Services in Africa (CISSA) are key AU bodies that should be engaged.

At the national level, the main stakeholders are federal and local ministries, prosecution, judiciary and law enforcement agencies of the partner countries. These stakeholders are considered as duty bearers in upholding the rights of victims of trafficking and migrants. The countries of the region have already started to create a legal and operational framework for information sharing on trafficking and smuggling, and there are bilateral agreements for instance between Sudan and Ethiopia, or between Ethiopia and Kenya. Nevertheless, the scope of the issues at stake requires harmonised and enhanced tools and practices in line with international standards. Cooperation with specialised non-governmental or international organisations will be sought to ensure that victims' needs for assistance and protection is addressed as much as possible.

Interpol has developed a broad presence in the region. Currently, National Central Bureaus (NCB) within the national police services of the countries concerned liaise directly with the agency's regional base in Nairobi. Since 1999, Interpol operates this Regional Bureau (RB) in Nairobi, focusing on combatting transnational crimes at regional level, such as human and drug trafficking, small arms trade, maritime piracy, trade in counterfeit medical products, illicit markets and environmental crimes. In May 2016, Interpol opened a Special Representation Office to the African Union (SRIAU) in Addis Ababa to enhance communication and cooperation between the two bodies on transnational criminal networks.

**Europol** maintains cooperation arrangements with law enforcement partners in Europe and in Africa and might also contribute expertise to this proposed centre, especially since people smuggling and trafficking in human beings are among its core mandates.

## 2.4 Relevance and credibility of Partner Country's/Regional Policies and Strategies

The **international legal frameworks** for this action are the Palermo protocols that were adopted by the United Nations to supplement the 2000 Convention against Transnational Organized Crime (UNTOC, also called the Palermo Convention). These protocols and convention fall within the jurisdiction of the United Nations Office on Drugs and Crime (UNODC). The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, entered into force on 25 December 2003. The purpose is to facilitate convergence in national approaches with regard to the establishment of domestic criminal offences that would support efficient international cooperation in investigating and prosecuting trafficking in persons' cases. An additional objective of the Protocol is to protect and assist the victims of trafficking in persons with full respect for their human rights.

The **Protocol against the Smuggling of Migrants by Land, Sea and Air** (January 2004) deals with the growing problem of organised criminal groups who smuggle migrants, often at high risk to the migrants and at great profit for the offenders. The Protocol aims at preventing and combating the smuggling of migrants, as well as promoting cooperation among States Parties, while protecting the rights of smuggled migrants and preventing the worst forms

of their exploitation which often characterise the smuggling process<sup>11</sup>. However, several countries in the region (South Sudan, Eritrea and Somalia) have not yet ratified the Anti-Smuggling Protocol and have no legal basis yet in their national legislation for prosecuting migrant smuggling.

The **African Union Horn of Africa Initiative (AU HoAI)** was formally launched through the signing of the Khartoum Declaration on 16 October 2014 and aims at addressing the challenges of migration including irregular migration, human trafficking and people smuggling within and from the Horn of Africa. Central to its objective is the development and strengthening of the capacity of law enforcement of member countries through training, technical support and fostering cooperation and coordination among all relevant stakeholders in information exchange and investigation of organised criminal groups, for which Interpol is seen as a close partner. Egypt, Eritrea, Ethiopia and Sudan are core countries to the initiative. The neighbouring countries of Djibouti, Kenya, Somalia and South Sudan also are taking part. The initiative provides a forum to improve cooperation on migration management in the Horn of Africa and to address the challenges of THB and irregular migration.

## 2.5 EU added value

**EU's New Pact on Migration and Asylum New and action plan against migrant smuggling:** The EU adopted a specific EU action plan against migrant smuggling (2015-2020) in May 2015. This action plan was envisaged in the European Agenda on Migration, which identified migrant smuggling as a priority, and was linked to the European Agenda on Security.

The new 2020-2025 EU Security Union Strategy and the New Pact on Migration and Asylum – adopted in July and September 2020 respectively – continue to ensure consistent efforts to disrupt these networks in the years to come. To strengthen the prevention and fight against migrant smuggling, the New Pact announces a new EU Action Plan against migrant smuggling for the period 2021-2025 (consultation ongoing at the time of drafting). It puts preventing and combating smuggling at the centre of its comprehensive approach to migration focussing on intra-EU cooperation and exchange of information, emerging counter-smuggling phenomena and more targeted cooperation/partnerships with key countries of origin and transit. It will adopt a 'whole of route' approach and seek even closer cooperation with key non-EU countries along the migratory routes.

Additionally, the new **EU Strategy on Combatting Trafficking in human beings 2021-2025**, adopted in April, puts forward a comprehensive response to combatting trafficking in human beings, from prevention through protection of victims to prosecution and conviction of traffickers. It aims at reducing demand for trafficking and all forms of exploitation, breaking the criminal model to halt victims' exploitation, protecting, supporting and empowering victims, especially women and children, and deepening cooperation across the international dimension. It proposes concrete actions to step up cooperation with non-EU countries of origin and transit of victims as well as with international and regional partners, including international organisations.

The **Joint Valletta Action Plan (JVAP)** identifies in its priority domain 4 'to prevent and fight trafficking and smuggling of persons' the need to improve intelligence gathering, information and intelligence sharing and fostering operational police and judicial cooperation. This area of intervention was confirmed and further emphasised during the Valletta Stocktaking review in June 2016, the Valletta SOM in February 2017, and the Valletta SOM in November 2018. The Khartoum Process also defines as one of its objectives the strengthening of cooperation at regional level to tackle criminal networks.

The **Khartoum Process** is a regional dialogue for political cooperation amongst the countries along the migration route between the Horn of Africa and Europe. This dialogue seeks to create a platform for enhanced political and practical cooperation on migration and mobility, identifying and implementing concrete projects to address trafficking in human beings and the smuggling of migrants and giving a new impetus to the regional collaboration between countries of origin, transit, and destination regarding the migration route between the Horn of Africa and Europe. The objectives of the Khartoum Process are to create common understanding of THB and SoM, opportunities for balanced partnership and a spirit of shared responsibility and enhanced cooperation. As per the Khartoum Declaration, the main focus of the dialogue is fighting THB and SoM, although the Khartoum Process does cover other areas and has recently aligned its activities along the five pillars of the JVAP.

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<sup>11</sup> UNODC: <http://www.unodc.org/unodc/treaties/CTOC/>

**The Rabat Process** (Euro-African Dialogue on Migration and Development) is a regional migration dialogue. Since 2006, the Dialogue has offered a framework for consultation, bringing together countries of origin, transit and destination of the migration routes linking Central, West and Northern Africa with Europe. 57 state partners and additional key stakeholders, including the EU and the Economic Community of West African States (ECOWAS), are involved. The result is an open dialogue between national authorities on technical and political questions related to migration and development. Although the AU is not a stakeholder to the Rabat Process, the Rabat Process is relevant for the AU's considerations for a continental model.

The **Continent-to-Continent Migration and Mobility Dialogue** (C2CMMD) is an AU to EU (EEAS and Commission) migration and mobility dialogue inspired by various commitments made in recent years. In particular at the AU-EU Summit (Abidjan, November 2017), where it was agreed to take forward our work by 'deepening our cooperation and dialogue on migration and mobility by developing a joint framework for a strengthened continental dialogue on migration and mobility'. In addition, at the meeting of the AU-EU Ministers of Foreign Affairs (Brussels, January 2019), Ministers recognised 'progress on designing AU-EU continent-to-continent cooperation on migration'. Furthermore, at the 10<sup>th</sup> AUC-EC Commission-to-Commission (Addis Ababa, February 2020), the parties committed to 'developing a joint framework for a strengthened Continent-to-Continent dialogue on migration and mobility'.

The new **Post Cotonou agreement**, once entered into force, contains important commitments on SoM and THB, and paves the way for enhanced cooperation in these areas.

**International cooperation to counter the threat remains limited and largely ad hoc**, and action against the criminal networks responsible is further complicated by the fact that their operations span large areas where law enforcement and criminal justice capacities are weak or even – in parts of Somalia and Libya – non-existent. Consequently, although efforts to counter THB and SoM along this route are gathering momentum, the challenges remain tremendous. **Working regionally with Interpol and an EU Member States consortium** can remedy this shortcoming, as all countries in the Horn of Africa are already member countries of Interpol and have signed up to the Interpol conventions, and can therefore share information through the Interpol systems.

## 2.6 Complementarity with EU and other Donors/Partners

For the purpose of ensuring complementarity, synergy and coordination, the Commission may sign or enter into joint donor coordination declarations or statements and may participate in donor coordination structures, as part of its prerogative of budget implementation and to safeguard the financial interests of the Union.

**Europol** has cooperation arrangements with law enforcement partners in Europe and could also contribute its expertise to this centre, especially since people smuggling and trafficking in human beings are in its core mandates. **Europol** has recently launched its own European Migrant Smuggling Centre to which synergies will be sought where possible. The new legal basis of Europol, which entered into force in May 2017, provide further possibilities for Europol's operational cooperation with third countries. At this stage, **Europol** could contribute with their analysis, experience, and capability.

**The European Border and Coast Guard Agency (Frontex)** is also a key player insofar as its mandate on border control at large also covers serious cross-border crime. Frontex engages with third countries in various ways, notably in the field of risk analysis. The Africa-Frontex Intelligence Community (AFIC) provides joint analytical framework of 26 countries across Africa, including the partner countries of ROCK. Only Ethiopia has not yet adhered to AFIC.

Interpol is also implementing the **West African Police Information System (WAPIS)** under the EU Trust Fund – Sahel and Lake Chad Window, which aims at harmonising and structuring the national and regional management of police information in the broader West Africa region in order to increase and improve law enforcement capabilities from the concerned countries in their daily work. This programme aims to increase the ability of the G5 Sahel countries (Burkina Faso, Chad, Mali, Mauritania and Niger) to combat organised crime, trafficking and terrorism, by building or strengthening the ability of national administrations to collect, centralise, manage and share data provided by the police, and to gain a better understanding of the national and regional inter-agency agreements in place.

Complementarity will further be ensured with regional projects focusing on the financial resources of cross-border criminal organisations profiting from irregular migration, human trafficking and other types of organised crime, such as the EUTF project **'Disrupting criminal trafficking and smuggling networks through increased anti-money**

**laundrying and financial investigation capacity in the Greater Horn of Africa’ (AML/TBH)** also implemented by CIVIPOL and whose main beneficiaries of this programme are financial intelligence units, law enforcement and border management agencies, judiciary authorities, as well as financial institutions of the participating countries. The programme supports the development of national and regional anti-money laundering techniques, including tracing and seizing assets and criminal proceeds, as well as on crime investigation and prosecution. This is done by supporting the analytical and operational capacity in financial investigation and anti-money laundering techniques of national and regional bodies, and increased coordination and collaboration between national services and countries in the region.

**Better Migration Management programme phase II (BMM II)** focusses on the governance dimension of migration management in the Horn of Africa region. Mandated national authorities are supported in close collaboration with Intergovernmental Authority on Development (IGAD) and the AU in the formulation of and/or improvement of national and regional regulatory migration governance frameworks for the management of safe orderly and regular migration based on the objectives of the Global Compact on Migration (GCM), the Sustainable Development Goal 10.7 as well as the AU Migration Policy Framework for Africa and Action Plan (MPFA-AP) (Chapter 11.1) and the Regional Migration Policy Framework – Migration Action Plan (RMPF-MAP) (Strategic Priorities 1.2 and 12) of IGAD.

Coordination will, in particular, be sought with regard to the Specific Objective 2, which aims to increase the quality of national and cross-border cooperation on trafficking and smuggling cases between law enforcement, judicial and other state and non-state actors, in coordination with existing regional initiatives and in accordance with international obligations and standards. Partnership with BMM II will be essential when it comes to trainings, but also on the protection of victims, and will be duly reflected in Section 3 - Description of the Action.

Some EU Member States are implementing migration-related projects in the region, in particular France, Germany, Italy and the Netherlands (who are leading the Regional Development and Protection Programme for the Horn of Africa).

At country level, coordination with other donors will be enhanced through EU Delegations, including via country migration coordination groups and other platforms. Coordination will also take place with Norway and Switzerland, as they are both observers to the Khartoum Process and will participate in such Senior Officials Meetings. There will also be a regular contact between the project management team and the secretariat of the Khartoum Process.

## 2.7 Lessons Learnt

The ROCK project has not only developed and structured regional cooperation between Law Enforcement Agencies (LEAs) in an unprecedented way, but it has also allowed to identify a set of lessons learned and issues related to trafficking in human beings. The second phase of the ROCK project would allow to address the gaps but also to tackle the issues at stake with a broader institutional appreciation of the phenomenon.

### *Liaison officer model*

The Liaison officer (LO) model proves to be relevant and efficient. Information sharing between law enforcement agencies of different countries is always a delicate issue. It is all the more challenging when protectionism or mistrust exists between participating countries, as it is the case for some the countries in the Horn of Africa. In this regard, and as it has been highlighted in a case study of the ROCK conducted in 2020 by Altai Consulting, the liaison officer model proposed by the ROCK complements very well traditional information sharing agreements and stimulates international coordination to fight criminal organisations.

Because of their law enforcement background, LOs are familiar with the context and procedures in their home countries regarding communication and exchange of information with national LEAs. Sharing the same working place necessarily creates regular interactions between the LOs, as well as their understanding of the Centre’s functioning and management. It is therefore crucial to preserve this model for Phase II. For the same reasons, it is important to ensure a sufficient number of LOs so that the information chain can be as complete as possible.

### *National Points of Contacts (PoCs)*

The role of PoCs, who have a pivot role in the model, is still relatively weak: so far, PoCs seem to be relatively uninvolved in the information collection process, although they are the repositories of information at national level. The model would gain to have PoCs be trained to become trainers, for instance.

### *Geographic scope*

Migration routes are constantly evolving, and this must be taken into consideration to ensure full effectiveness of the Centre. The ROCK started out as an initiative for the countries in the Greater Horn of Africa, more precisely the partner countries of the Khartoum Process (Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Somalia, South Sudan, Sudan, Tunisia, as well as Libya and Uganda) and the members of AU-Horn of Africa Initiative (which are all members of the Khartoum Process). An important element of added-value for setting up the ROCK was the partnership with Interpol and the Eastern Africa Police Chiefs Cooperation Organisation (EAPCCO). Following the last EAPCCO plenary meeting to which the ROCK was invited, the Democratic Republic of Congo (DRC) decided to join the work of the ROCK and to send a liaison officer. DRC's participation is key in light of the future transition to the Continental Centre, considering that DRC currently assumes AU's chairmanship, but also for being a source country for migration and a transit country for refugees coming from the nine neighbour countries.

For similar reasons, neighbouring countries of the current group of beneficiary states could be given the possibility to participate in a second phase in order to ensure greater regional cooperation and remain responsive to the adaptation of criminal networks. Some countries have shown great interest in joining the ROCK, and their strategic location makes them a necessary hinge for the efficiency of the information chain. Chad is one of them, with its strategic border with Sudan and Libya<sup>12</sup>.

### *Operational support*

Whilst exchange of information is crucial in the dismantlement of criminal networks, it is equally important that judicial process can be initiated. The conditions in which information is collected, its relevance, and the modalities of its exploitation must be therefore perfectly dominated by the various stakeholders. These aspects were not sufficiently included in the first phase.

### *ROCK in the criminal justice system*

In line with the above lesson around the operational support, there are strong expectations from the LEAs in the region and particularly from the EAPCCO regarding the consolidation of the law enforcement aspect in ROCK by involving the criminal justice system. The lack of coordination between law enforcement and judicial actors has been highlighted as a weakness but could not be addressed during the first phase.

### *Victim's protection*

One of the lessons learned during the first phase is that the protection of the victims and their families should be integrated in the response, in particular through adequate partnerships and synergies with actors involved and specialised in the attention to victims of smuggling and trafficking (such as IOM or non-state actors), and building on lessons learnt from the BMM programme.

### *Institutional foundations*

The ROCK still needs to be developed from a project into an institution. The transition to the African Union's umbrella will allow to provide the ROCK with sustainable and broader foundations and contribute to incorporate the fight against human trafficking and the protection of victims within the AU framework. This process will allow to expand the scope of the ROCK based on the lessons learned while preserving its logic and key features which have started to show their added value.

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<sup>12</sup> The Action Fiche for the ROCK project already stated that the ROCK 'should also have a wider African focus. It should build on existing initiatives and eventually develop close linkages (where relevant) with strategic countries of the North Africa and Western Africa, as well as linking to already existing initiatives'.

### 3. DESCRIPTION OF THE ACTION

#### 3.1 Objectives and Expected Outputs

The Overall Objective (Impact) of this action is **to contribute to reduce the number of incidents of trafficking in human beings and smuggling of migrants in East Africa and enhance victims' protection.**

The Specific Objectives (Outcomes) of this action are:

1. Enhanced regional continental international law enforcement cooperation in the fight against criminal networks engaged in smuggling of migrants and trafficking in human beings. (**LAW ENFORCEMENT COOPERATION**)
2. Strengthened criminal justice chain against suspected traffickers and smugglers, from information collection and sharing to prosecution. (**LAW ENFORCEMENT -JUSTICE NEXUS**)
3. Facilitated transition from the ROCK to the AU's Khartoum Centre in accordance with a roadmap jointly prepared with the AU and safeguarding the ROCK model, acquis and operational focus. (**LONG-TERM SUSTAINABILITY**)

The Outputs to be delivered by this action contributing to the corresponding Specific Objectives are:

- 1.1 Strengthened institutional model of the ROCK, including an increased gender-sensitive and human rights-based victim-centred approach.
- 1.2 Consolidated and sustained ROCK centre's operational capacity.
- 1.3 Sustained management capacity of the ROCK centre.
- 1.4 Enhanced support for operations of Law Enforcement Agencies participating in the ROCK
- 2.1 Improved coordination and information sharing mechanisms between law enforcement and judiciary bodies in the respective participating countries, as well as relevant regional bodies and the AU.
- 2.2. Enhanced capacity-building for regional (and, where relevant continental) judicial cooperation
- 3.1 Jointly agreed and implemented roadmap for a transition from the ROCK to the AU's Khartoum Centre that safeguards the ROCK model, acquis and operational focus, in close collaboration between ROCK, AUC, and relevant AU law enforcement bodies.

#### 3.2 Indicative Activities

Activities related to Output 1.1

- 1.1.1 Promote gender sensitive and child rights based training for officers and all practitioners likely to come into contact with victims.
- 1.1.2 Conclude partnership agreements with other organisations and initiatives with regards to increasing access to justice and psycho-social support services for to victims of trafficking, with special focus on women, children and groups in the most vulnerable situations.
- 1.1.3 Support expansion of, cooperation with LOs from other trafficking/smuggling corridors, as relevant.

Activities related to Output 1.2

- 1.2.1 Day-to-day mentoring and training of the Liaison Officers and ad-hoc training for the PoCs.
- 1.2.2 Monitoring of the incoming and the out-going information/intelligence flow.
- 1.2.3 Ensure the direct connection of the ROCK to Interpol I24/7 communication system.
- 1.2.4 Update the ROCK Standard procedures and regulations.
- 1.2.5 Update/develop the existing cooperation framework between the ROCK and the beneficiary countries.

Activities related to Output 1.3

- 1.3.1 Training of LOs and ROCK staff.
- 1.3.2 Training of Trainers and establishment of a network of trainers that can sustain ROCK knowhow.
- 1.3.3 Capacity-building and -if required- equipment provision for partners (notably Criminal Investigation. Departments) working with ROCK.
- 1.3.4 Delivery of specific on-demand training in beneficiary countries in partnership with other ongoing initiatives.

#### Activities related to Output 1.4

- 1.3.1 Support (with information, coordination meetings, provision of specific technical equipment and/or training) operations at the regional level and whenever possible also at the continental level.
- 1.3.2 Support (with information, coordination meetings, provision of specific technical equipment and/or training) operations at the national level.

#### Activities related to Output 2.1:

- 2.1.1 Mapping of existing regional judicial cooperation in coordination with other programmes.
- 2.1.2 Organise regional workshops on judicial cooperation.
- 2.1.4 Organise joint trainings for Law Enforcement and judiciary agents and create a network of practitioners.

#### Activities related to Output 3.1

- 3.1.1 Participate in and ensure the secretariat of the joint working group (AU, EU, Sudan) whose work will inform the transition of the ROCK into the AU framework.
- 3.1.2 Prepare and assist in the implementation, together with the AU and Sudan, of a feasible and workable roadmap for the transition in close collaboration with relevant law enforcement bodies (e.g., AFRIPOL and CISSA), whilst ensuring the safeguard of the existing ROCK model, its *acquis* and operational focus. The roadmap will consider a possible way forward and suggested steps for the transition in a way that ensures the continuity of the operational focus of the ROCK.

A human rights-based approach will be mainstreamed throughout the activities to guarantee an effective and targeted protection of the rights and needs of victims of trafficking and smuggling.

### 3.3 Contribution to Sustainable Development Goals (SDGs)

This action will contribute to SDG 16 and in particular the following targets:

- 16.2: End abuse, exploitation, trafficking and all forms of violence against and torture of children.
- 16.4: By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organised crime.
- 16.a: Strengthen relevant national institutions, including through international cooperation, for building capacity at all levels, in particular in developing countries, to prevent violence and combat terrorism and crime.

It will also be interlinked with SDG 5 target 5.2 ‘Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation’.

### 3.4 Mainstreaming

#### **Environmental Protection & Climate Change**

The environmental and climate change risk screenings carried out in the design stage concluded that no further action was required. This action is a follow up of a previous action, and to the possible extent, communications and exchanges will be virtual and training delivered in-house (ROCK centre).

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

As per the Organisation for Economic Co-operation and Development (OECD) Gender DAC codes identified in section 1.1, this action is labelled as G1. This implies that specific attention will be given to the protection of victims of THB and SoM, and in particular to women, girls and children. Gender assessments conducted by organisations working in the field of THB and SOM will be used as much as possible to inform the working methodologies. Also, women’s equal opportunities within partner institutions will be promoted.

#### **Human Rights**

Fundamental values have been taken into account in the design of the project, in particular the rights and the protection of victims of THB and SoM. The action’s framework is fully compliant with clearly established EU policy frameworks and International Protocols (Palermo Convention and its Protocols, in particular 2003 Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children). It will follow the do not harm principle in all its aspects.

**Conflict sensitivity, peace and resilience**

An updated conflict analysis is currently being developed by the EU Delegation in Sudan, as well as in other countries of the region.

**Disaster Risk Reduction**

N.A.

**Other considerations if relevant**

N.A.

### 3.5 Risks

| Category                      | Risks   | Likelihood<br>(High/<br>Medium/<br>Low) | Impact<br>(High/<br>Medium/<br>Low) | Mitigating measures  |
|-------------------------------|---|---|-------------------------------------|--|
| External environment          | <p>Shift in priorities of the participating countries</p> <p>Risk of delays in the setting up of the AU continental centre</p> <p>Risk of divergent visions on the transition</p> | <b>M</b>                                | <b>M</b>                            | <p>Close connection between the implementation of the action and the political dialogues between the EU and the beneficiary countries, in the context of the Khartoum Process and the AU-HoAI and at national level (e.g. High Level Dialogues on migration with Ethiopia and Sudan).</p> <p>Technical EU-AU working group will be held regularly to ensure the common vision on and smooth implementation of the transition to the Continental Centre.</p>  |
| Communication and information | <p>Risk of misleading information on the programme, such as the kind of support provided, the modalities of implementation, etc.</p>  | <b>M</b>                                | <b>M</b>                            | <p>A communication specialist will be hired to develop and implement a dedicated communication strategy that explains how EU support to the Regional Operational Centre is part of a broader strategy to improve migration management, and includes other migration-related aspects, such as protection of refugees and victims of trafficking/smuggling, awareness raising, improvement of channels for legal migration and sustainable reintegration. All actions will include a strong focus on human rights and gender equality, including training in human rights dimensions and sharing of international best practices, with a strong do no harm approach.</p> |



### 3.6 The Intervention Logic

The underlying intervention logic for this action is that:

By sustaining and reinforcing the model and the structure of the ROCK centre whilst preparing its institutionalisation under the African Union's umbrella and expanding its scope of activities to strengthen the criminal justice chain, the phenomenon of SoM and THB will be addressed in a more comprehensive and efficient manner in East Africa.

In other words,

IF the ROCK model is consolidated with:

- the enhancement of the regional information sharing and cooperation model already in place;
- the participation of an increased number of Liaison Officers from African countries;
- the further involvement of relevant European Union agencies (Frontex, Europol) and that of other member States;
- a strengthened support for operations;
- the creation of a continuum between information exchange, operationalisation and judicialisation;
- a smooth, gradual and stable transition to the African Union's umbrella;

THEN:

- the regional/continental/international police cooperation in the fight against criminal networks engaged in SoM and THB will be enhanced;
- the criminal justice chain against suspected traffickers and smugglers will be strengthened and the latter will face prosecution;

AND THEN:

The action will contribute to set up a more comprehensive and efficient framework through the AU Khartoum Centre in order to address the phenomenon of migrant smuggling and human trafficking on the African continent.

### 3.7 Logical Framework Matrix

| Results          | Results chain:<br>Main expected results   | Indicators  | Baselines<br>(values and years)                         | Targets<br>(values and years)  | Sources of data   | Assumptions   |
|------------------|---|---|---|--|---|---|
| <b>Impact</b>    | To contribute to reduce the number of incidents of THB and SoM in East Africa and enhance victims' protection.  | 1. Extent to which regional human trafficking and human smuggling networks are disrupted, and assistance to victims of SoM and THB better protected, thanks to ROCK's activities.<br><br>2. Number of SoM- and THB- related networks dismantled | 1 N.A.<br><br>2 N.A.                                    | 1 Broad consensus in expert opinion that ROCK has an impact on disrupting trafficking and smuggling networks – Experts can cite specific examples of ROCK Impact<br><br>2 At least 6 networks dismantled | 1 Triangulated expert opinions - key informant interviews (KIIs) with ROCK TA, heads of other relevant agencies/programme (et. LEAs etc.)<br><br>2 Technical Director's Reports | <i>Not applicable</i>   |
| <b>Outcome 1</b> | 1. Enhanced regional/continental/international law enforcement cooperation in the fight against criminal networks engaged in smuggling of migrants and trafficking in human beings ( <i>LAW ENFORCEMENT COOPERATION</i> )       | 1.1 Volume of information processed by the ROCK<br><br>1.2 # of Intelligence Reports shared by ROCK through Interpol system<br><br>1.3 # of Operations conducted as a result of information transmitted through the ROCK                        | 1.1 Tbc<br><br>1.2 Currently 211 (2021)<br><br>1.3 None | 1.1 At least one set of information per country<br><br>1.2 By the end of the project: 600<br><br>1.3 At least 3/year   | 1.1 Technical Director's Reports<br><br>1.2 Technical Director's Reports<br><br>1.3 Interpol Reports  | Structural changes at national and local government level, including regular turnover of staff do not affect project implementation.<br><br>The intelligence reports are used by participating investigators<br><br>Operations are carried out in an effective and genuine manner so that they contribute to disrupting of networks |
| <b>Outcome 2</b> | 2. Strengthened criminal justice chain against suspected traffickers and smugglers, from information collection and sharing to prosecution ( <i>LAW ENFORCEMENT-JUSTICE NEXUS</i> )   | 2.1 # of trials directly resulting from ROCK investigation and leading to sentences for these crimes  | 2.1 None  | 2.1 By the end of the project: 2/country   | 2.1 Technical Director's Reports (based on the information provided by PoC)   | The justice systems of countries concerned include SoM and THB as crimes in their respective national legislation.  |
| <b>Outcome 3</b> | 3. Facilitated transition from the ROCK to the AU's Khartoum Centre in accordance with a roadmap jointly prepared with the AU and safeguarding the ROCK model, acquis and operational focus ( <i>LONG-TERM SUSTAINABILITY</i> ) | 3.1 Liaison officer appointed by the AU to the ROCK<br><br>3.2 # of intelligence reports produced by AU's Khartoum Centre based on the ROCK model   | 3.1 None<br><br>3.2 None                                | 3.1 One<br><br>3.2 By the end of the project: at least 10  | 3.1 Report by AU's Khartoum Centre<br><br>3.2 Media and Communication Office of the AU  | ROCK model, acquis and operations focus are preserved along the transition process.<br><br>AU assigns sufficient resources to the Continental Centre to sustain it during and after the transition.   |

|                   |   |  |   |   |  |   |
|-------------------|---|--|---|---|--|---|
| <b>Output 1.1</b> | 1.1. Strengthened institutional model of the ROCK, including an increased gender-sensitive and human rights-based victim-centred approach | <p>1.1.1 Partnership with at least one organisation specialised in the assistance and protection of victims of human trafficking is established with support of the EU-funded intervention</p> <p>1.1.2 # of new beneficiary countries joining the ROCK</p> <p>1.1.3 # of victims identified and referred to assistance, support and protection services</p>   | <p>1.1.1 None</p> <p>1.1.2 Currently 7</p> <p>1.1.3 Tbc</p>   | <p>1.1.1 At least one by the end of the project</p> <p>1.1.2 By the end of the project: 12</p> <p>1.1.3 By the end of the project: at least twice the baseline</p>  | 1.1.1, 1.1.2 and 1.1.3: Technical Director's Report  | <p>ROCK Model is preserved along the transition process.</p> <p>Activities complement other ongoing EU interventions in the area of THB and SoM</p> |
| <b>Output 1.2</b> | 1.2 Consolidated and sustained ROCK centre's operational capacity   | <p>1.2.1 Status of access to I24/7 within the Centre</p> <p>1.2.2 Extent to which EU-funded intervention contributed to review ROCK Operating Regulation</p> <p>1.2.3 # of organisations with a partnership agreement with ROCK with regards to assistance to victims</p>  | <p>1.2.1 None</p> <p>1.2.2 Initial version</p> <p>1.2.3 Currently: one</p>                                | <p>1.2.1 An agreement is in place to connect ROCK to I24/7</p> <p>1.2.2 Updated to the new needs</p> <p>1.2.3 At least 2 by the end of the project</p>  | <p>1.2.1 Technical Director Reports</p> <p>1.2.2 Progress report of the EU-funded intervention</p> <p>1.2.3 Technical Director's reports</p>                         | <p>Permission to create an extension within the ROCK is given by Interpol and the Sudanese authorities</p>  |
| <b>Output 1.3</b> | 1.3 Sustained management capacity of the ROCK centre  | <p>1.3.1 # of LOs regularly attending ROCK during core hours</p> <p>1.3.2 # of LOs trained by the EU-funded intervention with increased knowledge and/or skills in HR, disaggregated by sex</p> <p>1.3.3 # of LOs and PoCs trained by Interpol, with support of the EU-funded intervention</p> <p>1.3.4 # of training of trainers (ToT) sessions provided by the ROCK (or in collaboration with other EU projects). Participants disaggregated by sex</p> <p>1.3.5 # of certified trainers, disaggregated by sex</p> | <p>1.3.1 Currently: 6</p> <p>1.3.2 Currently: 7</p> <p>1.3.3 None</p> <p>1.3.4 None</p> <p>1.3.5 None</p> | <p>1.3.1: By the end of the project: 12</p> <p>1.3.2: By the end of the project: 12</p> <p>1.3.3: By the end of the project: 12</p> <p>1.3.4: By the end of the project: 4</p> <p>1.3.5 By the end of the project: 15</p> | <p>1.3.1 Timesheets</p> <p>1.3.2: Training reports</p> <p>1.3.3: Interpol reports</p> <p>1.3.4: Training reports</p> <p>1.3.5: Training of Trainers certificates</p> | <p>The political and security situation in the country remains stable.</p> <p>There is no excessive turnover of LOs.</p>                            |

|                   |  |   |                              |  |  |   |
|-------------------|--|---|------------------------------|--|--|---|
| <b>Output 1.4</b> | 1.4 Enhanced support for operations of Law Enforcement Agencies participating in the ROCK  | 1.4.1 # of Operations in which the ROCK is involved in<br><br>1.4.2 Average number of pre-briefings and debriefings meetings in relation to an operation  | 1.4.1 None<br><br>1.4.2 None | 1.4.1 By the end of the project: 25<br><br>1.4.2 By the end of the project: 25   | 1.4.1 Technical Director's reports; media reports<br><br>1.4.2: Technical Director's reports | Countries concerned use the information received to launch operations.  |
| <b>Output 2.1</b> | 2.1 Improved coordination and information sharing mechanisms between law enforcement and judiciary bodies in the respective participating countries, as well as relevant regional bodies and the AU                    | 2.1.1 # of workshops between police and justice actors organised. Participants disaggregated by sex<br><br>2.1.2 Number of police and justice actors confirming that workshops organised by the EU-funded intervention contributed to development of information sharing mechanisms, disaggregated by sex | 2.1.1 None<br><br>2.1.2 None | 2.1.1 By the end of the project: 4 at the ROCK centre and 4 in each country<br><br>2.1.2 By the end of the project: at least 75% | 2.1.1 Training reports<br><br>2.1.2 Post workshop assessment                                 | Judiciary bodies in the respective countries appoint relevant participants for the workshops.   |
| <b>Output 2.2</b> | 2.2 Enhanced capacity-building for regional and continental judicial cooperation   | 2.2.1 # of regional workshops for prosecutors organised<br><br>2.2.2 # of judiciary actors trained by the EU-funded intervention with increased knowledge and/or skills in regional/continental judicial cooperation, disaggregated by sex  | 2.2.1 None<br><br>2.2.2 None | 2.2.1 By the end of the project: 4 (one per year)<br>2.2.2 By the end of the project: at least 5 per country                     | 2.2.1. Technical Director's reports<br><br>2.2.2 Pre- and post-training tests                | Judiciary bodies in the respective countries appoint relevant participants for the workshops.   |
| <b>Output 3.1</b> | 3.1 Jointly agreed and implemented roadmap for a transition from the ROCK to the AU's Khartoum Centre that safeguards the ROCK model, in close collaboration between ROCK, AUC, and relevant AU law enforcement bodies | 3.1.1 Extent to which the roadmap resulting from the meetings of the joint working group with the AU leads to an effective transition.<br><br>3.1.2 # of trainings provided by the EU-funded project for the takeover, involving AU bodies  | 3.1.1 N.A.<br><br>3.1.2 Tbc  | 3.1.1 All steps of the roadmap have been achieved at the end of the project.<br><br>3.1.2 Tbc                                    | 3.1.1 Meetings minutes<br><br>3.1.2 Technical Director's report                              | Partners adhere to the principles of the Working group.<br><br>The Sudanese Government agrees with the principle of the transition from the ROCK to the Continental Centre.<br><br>AU assigns sufficient resources to the Continental Centre to sustain it during and after the transition. |

### 3.8 Only for project modality: pre-conditions

All possible pre-conditions have been already met during the 1<sup>st</sup> phase of the programme.

## 4. IMPLEMENTATION ARRANGEMENTS

### 4.1 Financing Agreement

In order to implement this action, it is not envisaged to conclude a financing agreement with the partner countries.

### 4.2 Indicative Implementation Period

The indicative operational implementation period of this action, during which the activities described in section 3 will be carried out and the corresponding contracts and agreements implemented, is 54 months from the date of adoption by the Commission of this Financing Decision.

Extensions of the implementation period may be agreed by the Commission's responsible authorising officer by amending this Financing Decision and the relevant contracts and agreements.

### 4.3 Implementation of the Budget Support Component

N.A.

### 4.4 Implementation Modalities

The Commission will ensure that the EU appropriate rules and procedures for providing financing to third parties are respected, including review procedures, where appropriate, and compliance of the action with EU restrictive measures<sup>13</sup>.

#### 4.4.1 Direct Management (Grants)

##### **Grants: (direct management)**

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

The grant will be awarded for the implementation of the entire action (i.e. all the objectives and results described in Section 3), meaning the Overall Objective to contribute to reduce the number of incidents of trafficking in human beings and smuggling of migrants in East Africa and enhance victims' protection; and the following Specific Objectives : 1.Enhanced regional/continental/international law enforcement cooperation in the fight against criminal networks engaged in smuggling of migrants and trafficking in human beings; 2.Strengthened criminal justice chain against suspected traffickers and smugglers, from information collection and sharing to prosecution; 3.Facilitated transition from the ROCK to the AU's Khartoum Centre in accordance with a transition plan jointly prepared with the AU and safeguarding the ROCK model.

##### **(b) Justification of a direct grant**

Under the responsibility of the Commission's authorising officer responsible, the grant may be awarded without a call for proposals to CIVIPOL (lead-applicant) and Interpol (co-applicant).

Under the responsibility of the Commission's authorising officer responsible, the recourse to an award of a grant without a call for proposals is justified because of the possibility to use flexible procedures in crisis situations as defined by the Financial Regulation. Sudan is currently under this situation until June 2022.

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<sup>13</sup> The list of EU restrictive measure (sanctions) is reflected in the [www.sanctionsmap.eu](http://www.sanctionsmap.eu). Note that the sanctions map is an IT tool for identifying the sanctions regimes. The Official Journal of the European Union is the official source of European Union law and, in case of conflict, its content prevails over that of the Sanctions Map.

Under the responsibility of the Commission's authorising officer responsible, the recourse to an award of a grant without a call for proposals is justified because CIVIPOL and Interpol are in a unique position to implement the second phase having unique knowledge and experience with the tasks and stakeholders concerned. The specific characteristics of the Action – provision of a secure information exchange system (i24/7 INTERPOL information system, in this case), as well as of specific technical support on criminal intelligence through a range of tools and services internationally recognised and used - require a particular type of beneficiary on account of its technical competence and high degree of specialisation in the sense of Article 195 FR.

#### 4.5 Scope of geographical eligibility for procurement and grants

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

#### 4.6 Indicative Budget

| Indicative Budget components                         | EU contribution<br>(amount in EUR) |
|--|------------------------------------|
| <b>Implementation modalities</b> – cf section 4.4    |                                    |
| Grants (direct management) – cf. section 4.4.1       | 5 000 000                          |
| <b>5.2 Evaluation</b> – cf section 5.2               | 0                                  |
| <b>5.3 Audit</b> – cf section 5.3                    | 0                                  |
| <b>6 Communication and visibility</b> – cf section 6 | <i>(included in the grants)</i>    |
| <b>Total</b>   | 5 000 000                          |

#### 4.7 Organisational Set-up and Responsibilities

The action will have a Steering Committee for the strategic and political steering of the second phase of the programme. The Steering Committee will consist, inter alia, of representatives of the EU member states that are members of the Khartoum Process Steering Committee and pertinent regional institutions, as well as implementing partner(s) of the action and African countries who appoint LOs to the ROCK.

The Steering Committee will meet once per year. It will review progress in the implementation of the project, provide recommendations to the management of the project, and validate key orientations for the future. They will also receive, revise and validate external monitoring reports and evaluations, when applicable.

Furthermore, to ensure regular, two-way information flows from the political level of the Khartoum Process to the implementation level of the action, there will be consistent reporting and feedback between the ROCK and the Khartoum Process Senior Officials Meetings.

There will also be a Joint Steering Committee involving ROCK, AU, EU, and Sudan to agree and propose the transition plan from the ROCK to the Khartoum Centre. They will provide feedback to the C2CMMD as appropriate.

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

Gender equality, human rights and rights-based approach expertise will be ensured during the implementation of the action as possible. They will also be integrated in relevant capacity building activities and documents (i.e. ToRs), as minimum requirements of expertise.

## 5. PERFORMANCE MEASUREMENT

### 5.1 Monitoring and Reporting

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process, and part of the implementing partner's responsibilities. To this aim, the implementing partner shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (Outputs and direct Outcomes) as measured by corresponding indicators, using as reference the Logframe matrix (for project modality) and the partner's strategy, policy or reform action plan list (for budget support).

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

Roles and responsibilities for data collection, analysis and monitoring:

Baseline assessments, monitoring data and evaluation will be undertaken systematically during the project and at each level of intervention and will inform the approval of further activities by the Steering Committee. All activities will be closely monitored and evaluated to assess outputs, outcomes and possible up-scaling to other countries.

Monitoring and evaluation will assess gender equality results and implementation of rights-based approach working method principles (participation, non-discrimination, accountability and transparency) in terms of implementation of the project and project outcomes. Monitoring and evaluation will be based on indicators that are disaggregated by a minimum sex and age when applicable. In order to monitor development and inequalities data/indicators will be disaggregated even further including disability, migratory status etc. when applicable. Key stakeholders will be involved in the monitoring process.

### 5.2 Evaluation

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

It will be carried out for accountability and learning purposes at various levels (including for policy revision), taking into account in particular the fact that the action foresees a transition of the ROCK model under the AUs umbrella.

The Commission shall inform the implementing partner at least 3 months in advance of the dates envisaged for the evaluation missions. The implementing partner shall collaborate efficiently and effectively with the evaluation experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports shall be shared with the partner country and other key stakeholders following the best practice of evaluation dissemination<sup>14</sup>. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the partner country, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

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

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<sup>14</sup> See best [practice of evaluation dissemination](#)



### 5.3 Audit and Verifications

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

## 6. COMMUNICATION AND VISIBILITY

Communication and visibility is a contractual obligation for all entities implementing EU-funded external actions to advertise the European Union's support for their work to the relevant audiences.

To that end they must comply with the instructions given in the Communication and Visibility Requirements of 2018 (or any successor document), notably with regard to the use of the EU emblem and the elaboration of a dedicated communication and visibility plan, to be completed for every action at the start of implementation.

These obligations apply equally, regardless of whether the actions concerned are implemented by the Commission, the partner country (for instance, concerning the reforms supported through budget support), contractors, grant beneficiaries or entrusted entities. In each case, a reference to the relevant contractual obligations must be included in the respective financing agreement, procurement and grant contracts, and delegation agreements.

Communication and visibility measures may be funded from the amounts allocated to the action. For the purpose of enhancing the visibility of the EU and its contribution to this action, the Commission may sign or enter into joint declarations or statements, as part of its prerogative of budget implementation and to safeguard the financial interests of the Union. Visibility and communication measures should also promote transparency and accountability on the use of funds.

Effectiveness of communication activities on awareness about the action and its objectives as well as on EU funding of the action should be measured.

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