

TECHNICAL ASSISTANCE FACILITY

TERMS OF REFERENCE

February 2024

CONCEPT

The Technical Assistance Facility (TAF) is a mechanism that enables tailored support to activities and actions, based on the identification by the South Partner Countries (SPCs) and EU Member States (EU MS) of specific opportunities for capacity/capabilities, strengthening, operational needs, priorities and gaps.

This financing modality has proven its significant value in the phase V of the EuroMed Justice Project by integrating ad hoc activities and priorities not foreseen in the original plans, often determined by shifting criminal trends in the region and political sensitivities among different SPCs and between SPCs and EU MS. In Phase VI, the TAF activities will also support strengthening of capacities needed for the implementation of operationally oriented activities. It will offer additional opportunities to establish or strengthen relationships and trust, which will ultimately enable effective judicial cooperation in criminal matters.

TAF is demand-driven, based on specific requests, submitted to the EMJ Project Team by at least two SPCs or by one SPC and one EU MS. To stimulate closer intra-regional cooperation, operational activities between SPCs only are also eligible for funding.

Eurojust has specialists on most crime types and hands-on experience with operational cases, which may be useful in the context of TAF activities. TAF will take into consideration SPCs different development stages, capacities and specificities, and avoid 'one size fits all' approaches. Recourse to TAF will be also promoted to address unequal capabilities.

OBJECTIVES

To cover and support the activities of the project which were not explicitly identified, defined and planned, and to support cooperation in specific cross-border situations - *either case-based or related to a specific crime phenomenon* - with a view to facilitate an increased use of modern tools and instruments that Eurojust and EU MS regularly use in judicial cooperation.

Therefore, the following initiatives are eligible for TAF funding:

1. Organising demand driven operational activities identified by CrimEx members and EMJNet Contact Points for which closer cooperation and exchanges are necessary, i.e.:
 - a) Operational meetings between at least two SPCs;
 - b) Operational meetings between at least one SPC and one EU MS (including Eurojust National Members);
 - c) Operational meetings on specific criminal phenomena affecting the EU and/or the Southern Neighbourhood or parts thereof.

2. Organising preliminary meetings aimed at assessing the suitability of cases for Eurojust support and supporting increased SPC participation in coordination meetings organised in Eurojust cases.

3. Supporting the strengthening of capacities and capabilities of the SPCs tailored to their differences and specificities.

The TAF will be used to support requests at bilateral, regional or cross-regional level.

The TAF will be ongoing throughout the project duration and will be implemented through the procedures described below.

DESCRIPTION OF THE MECHANISM

1. Criteria to be met by the request for TAF funded initiatives

Requests for TAF funded initiatives shall:

- a. Be presented by at least two SPCs or one SPC and one EU MS, or have a regional scope or be supported by a larger number of SPCs;
- b. Support initiatives related to specific cross-border situations, that are not explicitly planned, and activities aimed at strengthening SPCs capacities and capabilities in specific areas;
- c. Contribute to the achievement of the overall EMJ objective and purposes;
- d. Avoid duplicating or overlapping with another activity foreseen in the EMJ or other ongoing EU financed projects at regional or bilateral level;
- e. Describe the objective and purposes of the activity sought, the concrete actions to be carried out, the expected results and indicators.

2. Assessment and approval of requests for TAF funded initiatives

EMJ Project Team will directly receive the request and verify that it complies with the criteria mentioned above. If satisfied, the EMJ Project Team will inform the initiators of the beginning of the assessment procedure and define the specific actions to be carried out, including if required, the profile of the experts needed. The EMJ Project Team will also inform DG NEAR and the EU Delegation (s) concerned.

3. Specific Terms of Reference for the requested activity

Once the request is approved, the EMJ Project Team will prepare the specific Terms of Reference (ToR) and the budget for the activity.

4. Implementation of the requested activity

EMJ Project Team will implement the activity according to the defined and approved ToR, with the full support and commitment of the SPCs and EU MS participating and in close coordination with the EU Delegation(s) concerned.

5. Time frame and deadlines

In view of the flexible nature of the TAF, funding requests can be presented throughout the entire duration of the project, but no later than 6 months before the end date of the project.

The EMJ Project Team will strive to carry out the initial assessment of a request within 10 working days since receipt. A final decision will be taken by the EMJ Project Team, in principle within one month from the reception date of the request.

6. Transparency

EMJ Project Team will inform the CrimEx of incoming TAF initiatives and allocate a point on the agenda of each CrimEx session on TAF:

- a. to present incoming TAF initiatives;
- b. TAF initiators will disseminate the lessons-learnt in any implemented activity through written reports and presentations in CrimEx meetings.

TAF terms of reference will be published in English, French and Arabic on EMJ website.