

INVESTIGATIONS & PROSECUTIONS DIVISION

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Intel Grade: A 1

Handling Code: H0 H1

Subject: **Operation STOP**

Date: 08/05/2020

Dissemination: Enforcement Officers

Colleagues,

Please see attached Operational Plan for (10)(2a) **Operation STOP** which is scheduled to start on **11/05/2020** running until **24/06/2020** inclusive.

The focus of Operation STOP is counterfeit, substandard and/or illicit pharmaceutical products and other goods posing a threat to health and safety.

The National Contact Point (NCP) for the Operation:

(10)(2e)

Intelligence Support Unit

+ (10)(2e)

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(10)(2e)

Own Resources & IPR Unit

+3 (10)(2e)

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Officers are requested to ensure that all relevant detections are uploaded on to CNET as soon as possible after detection. This will enable international enquiries to be carried out where appropriate.

If any significant detections are made which require urgent national or international checks then please contact the NCP directly.

Stay Safe!

Evaluation of Source	A - Always reliable	B - Mostly reliable	C - Mostly unreliable	X - Cannot be assessed
Evaluation of Information	1 - Accuracy not in doubt	2 - Known personally to source but not to reporting person	3 - Not known personally to source but corroborated	4 - Not known personally to source, cannot be corroborated
Handling Codes	H0 - Information may only be used for the purpose of preventing and combating crimes in line with the ECD and any other applicable law	H1 - Information must not be used as evidence in judicial proceedings without permission of the provider	H2 - Information must not be disseminated (other than where specified above) without permission of the provider	H3 - Other restrictions apply



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EMERGENCY OPERATION “STOP”

11 May to 24 June 2020

OPERATIONAL PLAN

23 April 2020

LAW ENFORCEMENT SENSITIVE

[Date]

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I- Introduction

- On 30 January 2020, the (10)(2a) declared that the outbreak of novel coronavirus (2019-nCoV) constituted a Public Health Emergency of International Concern (PHEIC). On 11 March 2020, the (10)(2a) characterized novel coronavirus disease (COVID-19) as a pandemic.
- Faced with this global challenge, it is expected that the movement of illicit medicines and medical equipment across borders will increase dramatically. While the world is gripped by the fight against COVID-19, criminal organizations have turned this global pandemic into an opportunity to carry out their fraudulent activities.
- Customs is the only government agency with the authority to monitor all international cross-border movements of goods, at export, import, in transit or transshipment, and within bonded warehouses or other licensed premises.
- Customs' role has taken on even greater significance against the backdrop of the COVID-19 pandemic, as Customs must ensure that genuine medicines and equipment can cross borders to ensure the health and safety of citizens worldwide.
- The World Customs Organization (10)(2a), with the backing of its 183 Members, intends to support the efforts of the international community by leading a global emergency operation focused on stopping the import, export and transshipment of illicit, counterfeit and substandard medicines, medical supplies and equipment related to the COVID-19 pandemic.
- The proposed operation, codenamed "STOP", aims to mobilize the resources of the (10)(2a) 183 Member Customs administrations. These administrations will conduct targeting and simultaneous inspections of consignments that may potentially contain certain types of counterfeit, substandard and/or illicit pharmaceutical products and other goods posing a threat to health and safety in these challenging times. This operation will take place at all borders (seaports, airports and inland) and within Customs territories, over a period of 45 days. It is aimed at stopping and providing a deeper insight into the flow of illicit pharmaceutical products and medical supplies crossing the world as a result of the COVID-19 pandemic.
- The operation will enhance cooperation between Customs administrations by facilitating the efficient and timely sharing of inspection results, risk profiles and alerts. It will also serve to enrich cooperation with health authorities, other law enforcement agencies and the private sector, particularly right holders, through the sharing of up-to-date information on the legitimate supply chain.

II- Threat analysis

- COVID-19 disease is rife on all continents, with no country being spared.
- The medicines and other medical equipment being used to manage this pandemic require special attention and traceability to prevent criminal organizations from disrupting their regulation and distribution.
- Counterfeit/illicit medicines and other medical supplies seriously threaten the health of populations and may generate losses for companies as well as negatively impacting on

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Members' revenues. Profits from such illicit transactions could also be used to finance criminal activities.

III- Legal framework

- TRIPS Agreement: the Agreement on Trade-Related Aspects of Intellectual Property Rights is an international legal agreement which sets down minimum standards for the regulation of intellectual property (IP).
- The International Convention on Mutual Administrative Assistance for the Prevention, Investigation and Repression of Customs Offences (Nairobi Convention): Contracting Parties bound by one or more Annexes to this Convention agree that their Customs administrations shall afford each other mutual assistance with a view to preventing, investigating and repressing Customs offences, in accordance with the provisions of this Convention.
- Bilateral and multilateral mutual administrative assistance arrangements, the Recommendation of the Customs Co-operation Council on the Operation of the Global Network of Regional Intelligence Liaison Offices (RILOs), and national legislation.

IV- Codename of the emergency operation

The operation will be conducted under the codename "STOP" and will be coordinated and led by the

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V- Scope and objectives of the operation

V.1 Scope

The operation will focus specifically on counterfeit, illicit and substandard medicines, while also maintaining a general focus on all goods related to the COVID-19 pandemic which may pose a threat to consumer health and safety. Subject to national legislation and regulations, all means of transport will be covered (land, sea and air) at import, export and transshipment, with particular attention being paid to Customs-controlled areas at major points of entry such as:

- land borders;
- ports, airports and dry ports;
- bonded warehouses and other licensed premises;
- Free Zones; and
- mail and express parcel services.

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V.2 Strategic level objectives

- Develop more comprehensive and strategic intelligence on the scale, patterns and modi operandi of trade in illicit, counterfeit and substandard goods related to COVID-19 around the globe, based on quantifying and qualifying the scope of this phenomenon worldwide.
- Ensure enhanced operational cooperation between Customs administrations, other law enforcement agencies, health authorities and the private sector.

V.3 Tactical level objectives

- Provide additional tactical insight through risk profiling and targeting when carrying out focused controls on suspicious consignments and/or detecting counterfeit/illicit goods related to COVID-19 at major points of entry, as well as through the enhanced use of alerts.
- Identify perpetrators involved in the trafficking of illicit goods and coordinate with national counterparts, and other stakeholders, in order to take additional legal measures (based on national legislation) aimed at furthering the goal of disrupting and dismantling these networks.
- Utilize the (10)(2a) IPR-CENcomm platform as a secure communication tool.

V.4 Operational level objectives

- Detect, intercept and seize counterfeit, pirated and substandard goods related to COVID-19.
- Intercept shipments potentially containing goods which may jeopardize consumer health and safety.
- Exchange information and intelligence on suspicious shipments.
- Coordinate enforcement efforts with Police, Customs, health authorities and private partners through formal or informal bilateral and regional agreements.
- Identify suspects, facilitate arrests, initiate investigations and share ongoing intelligence through the IPR-CENcomm closed user group (CUG), so as to enhance profiling and further disrupt and dismantle the organizations behind the offences.

V.5 Duration and operational phase

- The actual operation will run for a period of 45 days. It will commence at 6 a.m. on 11 May 2020 in the designated sites of the participating countries and will end at 8 p.m. on 24 June 2020.
- This period may be extended subject to global developments and feedback from participants.
- Due to the nature of this emergency, it will not be possible to hold a pre-operational phase, briefing session or prior specialized training. The Operational Coordination Unit (OCU) set up by the Customs Enforcement Network (CEN) team will, however, assist as required.
- Likewise, all the relevant information will be made available in the (10)(2a) IPR-CENcomm Group Library.

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Operational phase: (11 May – 24 June 2020)

- Provide the necessary resources and implement the requisite procedures at the sites.
- Apply risk profiling and targeting.
- Conduct inspections.
- Intercept suspicious consignments.
- Communicate and cooperate with national health authorities and right holders.
- Share alerts and modi operandi.
- Report to the OCU on inspections and interceptions, preferably immediately and at least on a daily basis.
- Report, throughout this phase, on arrests, controlled deliveries and investigations initiated.

Post-operational phase: (25 June - 24 July 2020)

- Operation follow-up and reporting.
- Controls will be completed and the final results (interceptions, seizures, arrests, controlled deliveries and investigations) will be reported on a country-by-country basis via the CENcomm.

VI- Coordination

- The organization and coordination of the operation will be carried out by the (10)(2a) Secretariat in close collaboration with the (10)(2a) RILO Network, Members' National Contact Points (NCPs), and other partners such as INTERPOL, Europol, the World Health Organization (10)(2a) and the private sector through a virtual OCU.
- The OCU will compile/analyse the data, produce weekly newsletters and review and update the risk indicators.
- The OCU will be operational every working day from 8.45 a.m. to 6 p.m.
- The NCPs will report their seizures immediately to the OCU. They are also authorized to send alert messages.

VII- Nature of the targeted goods and consignments

- Goods included in the (10)(2a) COVID-19 checklist will be targeted as a matter of priority.
- Participating countries can add additional goods to the checklist.

VIII- Participants

- (10)(2a) Members and the Global RILO Network are invited to participate.
- (10)(2a) Container Control Programme (CCP), INTERPOL, EUROPOL and the (10)(2a) are also invited to participate in the operation.

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IX- Sources of information and intelligence

- Participating Customs administrations will use national data and information on suspicious consignments obtained from Customs clearance procedures, pre-arrival information, national risk management tools and intelligence.
- The Global RILO Network may provide global and regional intelligence based on the CEN and other sources, as well as sharing alert messages.
- Other international organizations participating in this operation will share intelligence and alerts through the IPR-CENcomm application.
- Participants may also seek to obtain additional information on suspicious consignments of counterfeit/illicit goods related to COVID-19 from other national law enforcement agencies, health authorities and the private sector, according to national cooperation arrangements.

X- RISK INDICATORS

- All participating Customs should implement risk assessment techniques to identify and target high-risk shipments by utilizing general risk indicators, such as those identified in the (10)(2a) Customs Risk Management Compendium or in similar national risk profiling guidelines.
- RILOs and participating Customs administrations are also encouraged to develop and share their regional and national indicators during the operation.
- The (10)(2a) COVID-19 checklist should serve as a useful reference. It will be updated regularly, based on the results of the operation.

XI- ORGANIZATIONAL STRUCTURE

XI.1 (10)(2a) Secretariat

- The (10)(2a) Secretariat will set up and provide a virtual OCU in close collaboration with the respective RILOs, NCPs and other stakeholders involved.
- The specific mission of the virtual OCU (10)(2a) will include: (i) supplying the IPR-CENcomm CUG application; (ii) maintaining contact with participants; (iii) managing global information sharing and the newsletter; (iv) updating risk profiles and targeted goods; (v) obtaining information from the (10)(2a) and other stakeholders involved, and disseminating it to participating (10)(2a) Members; (vi) coordinating follow-up activities and, if necessary, collating and compiling results; and (vii) analysing the final results.

XI.2 UNODC, INTERPOL, (10)(2a) and Europol (to be confirmed)

The role of the CCP Port Control Units, INTERPOL and Europol will involve assistance with any post-seizure investigation, as appropriate, as well as intelligence sharing support. The (10)(2a) will assist, through its global network, in contacting health authorities to support local Customs administrations.

Participation by these organizations in the operation is to be confirmed.

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XI.3 Global RILO Network

The role of the Global RILO Network (GRN) and the individual RILOs will involve contacting countries for follow-up of the results. The GRN may also contribute by means of regional risk assessment and targeting, forwarding and managing alerts, assisting in the use of the CENcomm, and assisting in the analysis of data and results.

XI.4 Members' National Contact Points (NCPs)

- The specific role of NCPs within Members participating in the operation is to liaise between the OCU and the national authorities, and to transmit the following compulsory information directly to the OCU in real time or, if that is not possible, on a daily basis:
 - Country and port/border crossing where the interception(s) was/were made.
 - Type of products intercepted, including active ingredients.
 - Actual or estimated number of products intercepted.
 - Targeting criteria employed.
 - Information relating to routes followed by these suspicious goods (origin, place of consignment, transshipment, transit, final destination, etc.).
 - Potential methods of concealment.
 - Information sources (initiative, information transmitted by right holders, OCU analysis, etc.).
 - Photos (transmitted by the CENcomm) of packaging and goods intercepted.

If any arrests are made or investigations initiated, the NCP should report this through the CENcomm bearing in mind the sensitive nature of ongoing investigations and any restrictions on nominal information at national level. At the very least, and in order to establish broader and more accurate risk profiles, information on suspects reported to the OCU should include gender, age, nationality, time and place of arrest, and any accomplices.

XII- COMMUNICATION TOOLS/INFORMATION EXCHANGE

- The (10)(2a) Secretariat will provide and use the new IPR-CENcomm CUG platform to collect and share information for the purposes of this operation.
- Seizure data collected during the operational phase will be uploaded automatically to the CEN system after the OCU has ceased operating.
- Private sector participants will not have access to Members' data and information sharing systems.
- During the operation, the OCU should be informed as soon as an interception is made, either via the secure information sharing system (CENcomm) or, failing that, directly by e-mail or telephone (in any event, a written document is preferable).
- It is vital that this information be correct and complete, as it will be used for transmitting data on findings between participating Members, RILOs, INTERPOL, Europol and the OCU.
- When sharing information with right holders and other private entities involved, Customs administrations will act in accordance with their national legislation.



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XIII- CONFIDENTIALITY

Confidentiality is essential to ensure the professional preparation, implementation and follow-up of the operation. All participants are urged not to disclose any information that could jeopardize the success of the operation if it were to be revealed.

XIV- REPORTING

After completion of the operation, a final report containing the full set of data will be sent to all Directors General of administrations having taken part in the operation.

XV- COMMUNICATION WITH THE MEDIA AND THROUGH SOCIAL MEDIA

- Media coverage of the results is extremely important to highlight the key role played by the (10)(2a) and its Members in terms of safeguarding consumer health and safety in the face of the COVID-19 pandemic.
- At the end of the operation, a press release will be issued and related statements made on social media.

XVI- CONTACTS

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