

EN  
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Answer given by Mr Oettinger  
on behalf of the European Commission  
(22.10.2019)

1. The Commission takes the fight against tobacco smuggling very seriously. Regarding Ukraine, general cooperation in this area is covered by the framework of the EU-Ukraine Association Agreement. This contains antifraud provisions and a Protocol on mutual administrative assistance in customs matters. In this respect, the Commission is supportive of Ukraine's approximation of their excise duty rates to those levels applied in the EU and the criminalisation of tobacco smuggling.

The European Anti-Fraud Office (OLAF) has an Administrative Cooperation Arrangement with Ukrainian authorities to facilitate joint activities related to the fight against the illicit tobacco trade. Ukrainian Customs has recently intensified cooperation with OLAF to block illegal channels for air transport of tobacco products. OLAF has also appointed a liaison officer in Kyiv to facilitate cooperation in fighting cigarette smuggling.

These initiatives are in line with the Commission's Action Plan to fight the illicit tobacco trade adopted in December 2018<sup>1</sup> which includes targeted policy and enforcement actions. The Commission also encourages Ukraine's accession to the Protocol to Eliminate Illicit Trade in Tobacco Products to the World Health Organization's Framework Convention on Tobacco Control<sup>2</sup>, as the first international treaty to tackle tobacco smuggling.

2. The European Border and Coast Guard Agency (FRONTEX) contributes to the detection and prevention of cross-border crime, including illicit tobacco trade, throughout its operational activities. The Commission agrees with the Honourable Member that FRONTEX should continue supporting the European Police Office (Europol) and OLAF in the fight against illicit tobacco trade. As a result of this cooperation, millions of smuggled cigarettes have been detected and confiscated in the past years. Once the new European Border and Coast Guard Regulation enters into force later this year, this cooperation with Europol and OLAF can be consolidated.

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<sup>1</sup> COM(2018)846 final.

<sup>2</sup> "FCTC Protocol"