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## NOTE

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From:	Presidency
To:	Delegations
Subject:	European Surveillance Group (ESG) - coordination at EU level and cooperation with the LEWP

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### 1. Introduction

For many years, law enforcement authorities have been facing fundamental changes in crime trends. Globalisation of organised crime has increased, as have the international mobility of criminals, easing and removal of border controls and the use of ever more sophisticated technology. The challenge for law enforcement authorities in Europe and elsewhere is to keep pace with these changes and, wherever possible, continue to develop new tactics and techniques to fight organised crime effectively.

One of the most effective investigative tools at law enforcement's disposal is covert surveillance. The manner in which this technique is used to obtain important and decisive information on how crime groups are structured and operate is key to operational and criminal justice's success. Consequently, it must continue to develop.

The European Surveillance Group (ESG) is a cooperative association of representatives of European surveillance units from currently 16 countries. As tactical experts and strategic advisors, the ESG is available for participation of all European partners who are entrusted with the fight against serious and organised crime, terrorism or other serious threats to European security.

## 2. History of the network

In 2006, the European Network for Surveillance was founded under the name of Cross-Border Surveillance Working Group (CSW). This informal network focused initially on the resolution of very specific practical issues raised in the context of cross-border cooperation. The aim was, for example, to find solutions for compatibility problems arising from the use of different technical devices or to organise the transfer of observed persons or objects from one national unit to another. To achieve this, it was necessary to establish quickly functioning communication channels, but also to cross-check situation assessments.

As EUROPOL has been a reliable partner since the networks' founding, the CSW participated in a conference of Europol's Assembly of Regional Groups on Surveillance (ARGOS) in 2014. This brought together for the first time surveillance experts from all over Europe for technical and tactical exchange and the collaboration between the CSW with SENSEE (Surveillance Expert Network South East Europe) was started. In 2016/2017, the CSW recognised that the collaboration between the CSW members had succeeded in becoming a practically operating network for missions and that it was time to extend the collaboration to new topics.

In order to establish common strategic objectives, for example regarding the exchange of know-how in the fields of technology, tactics, recruitment and training, and in dealing with future challenges posed by the changing behaviour of perpetrators and the improved technical equipment available to them, a joint Vision Statement and a common Future Vision were developed. In view of the network's position that European cooperation should extend beyond the purely bilateral cooperation between European police forces at their common borders in the future, in 2017 the CSW working group changed its name to ESG. The ESG intends to prepare a programme to harmonise and strengthen the capabilities of the respective units. The approach is based on a triad of operational meetings, special training sessions and joint cross border exercises.

### 3. Focus of the network

The European Surveillance Group's aim is to collaborate and innovate in order to enhance existing covert surveillance capabilities and assess and develop new ones, whilst providing expert tactical and strategic advice to partners involved in combating serious and organised crime, terrorism and other significant threats in Europe and elsewhere.

The European Surveillance Group's vision is to promote, inform about and influence the development of transferable covert surveillance tactics which are in line with international standards, which can be adopted or adapted by Member States and which embrace interoperability and can be applied across borders in response to the threat posed by serious and organised crime, terrorism and other significant threats.

Specific technical and tactical advice is exchanged between the members in ongoing operational situations. Due to the constant change in the various crime phenomena and the modi operandi employed by perpetrators, exchange of experience at European level in specific areas of crime is a particularly valuable tool for developing individual control strategies. For example, in the area of islamic terrorism, significant changes have been detected over the years in the scenes and instruments chosen by perpetrators to commit their crimes. For example, attacks are no longer carried out only in groups but also by individual perpetrators and, in addition to weapons and explosives, trucks are increasingly being used to carry out offenses. The exchange of information between the European surveillance forces enables strategies to be developed to deal effectively with the threat posed by perpetrators in the event of an attack and to prevent, or at least minimise, damage to life and limb and to the public good.

By organising European expert meetings, joint training measures and cross-border exercises, the ESG strives to strengthen the tactical and technical capabilities of the European surveillance units.

The aim is to expand the competences of the respective units, where necessary, or to standardise their work methods and structure at the highest possible level. In this way, the possibilities for cooperation between the Member States in cross-border surveillance will be optimised.

In addition to these horizontal objectives of support relating to its own area of work, the ESG seeks to assume a vertical advisory role. The ESG wishes to provide its expertise and experience to political decision makers as an advisory service in order to support the difficult decisions affecting EU's internal security. This can be achieved by regular reporting or by providing information on a certain subject in reply to a specific request. For example, the threat assessment prepared by the ESG, which is to be updated on a regular basis, gives a very clear picture of the current challenges and work priorities for the European surveillance units, while at the same time providing recommendations and approaches on how to address the challenges successfully.

#### **4. Recent developments**

In an ISF project carried out from 2016 to 2018, the ESG was able to consolidate its structure and put in place valuable measures to implement its above-described strategy. The intra-European exchange of information received further impetus from the organisation of operational meetings. Together with EUROPOL, for example, another ARGOS conference was held in 2017 with participants from units from all over Europe (including SENSEE and the Surveillance Cooperation Group (SCG is responsible for Central / East Europe)).

At this conference, the "Berlin Truck Concept" was presented, which had been developed by the Berlin State Police after the attacks on the Berlin Christmas market in 2016. It offers technical and tactical possibilities in some specific situations to stop a truck effectively and to induce the driver to leave the cab. This approach, which has been unique so far throughout Europe, was so well received that, following the ARGOS conference, the ESG, in conjunction with the Dutch and the Berlin State Police, offered training in the concept for all partners. Several European surveillance units have integrated the "Berlin Truck Concept" into their tactical concepts. It has thus led, through the ESG's networking activities, to the closing of a capability gap or at least offers possibilities to react in special attack situations.

Through the active contribution of the individual members of the ESG, it has been possible for the first time to offer joint special training sessions for all European partners and their surveillance officers. For this purpose, units already possessing special skills in particular areas of operation could be signed up as instructors. Special trainings in Non-Police Behaviour, Low-Light Capacity, Rural Surveillance and Counter Surveillance were conducted. In the two years, 180 surveillance officers have already been trained, who, according to the concept, also act as multipliers for their units. The first European Surveillance Exercise, involving 9 countries with more than 200 surveillance officers, provided important experience in the handling of different command centre communication systems for the rapid and effective transmission of situation information to the field and back. The exercise allowed the various national units to gain experience, for example in taking over targets and monitoring them across several European national borders. Representatives of the International Surveillance Group (ISG) from the USA and Australia attended the exercise as observers.

To improve and innovate technical surveillance capabilities, expert meetings were conducted on the technical topics of Tracking / Jamming, Electronic Countermeasures and Unmanned Aerial Systems (UAS), and corresponding European user manuals were developed. The aim was and is to provide sustainable knowledge in order to enhance the capabilities of the respective national units.

## **5. Members of ESG and cooperation with SENSEE, SCG and third partner countries**

The cooperation between ESG and SENSEE dates back to the 2014 ARGOS conference. It is a close cooperation which is based on trust which should be intensified. Members of SENSEE as well as the SCG are invited to operational meetings, special trainings or exercises held by the ESG. Events offered by SENSEE and the SCG have been very limited so far due to a lack of financial resources. Both SENSEE and the SCG are in favour of further-reaching cooperation by merging the networks, which is an essential objective for the future direction of the ESG. In addition to the EU Member States Austria, Belgium, Denmark, Finland, France, Germany, Italy, Luxembourg, The Netherlands, Portugal, Republic of Ireland, Spain and Sweden, also EUROPOL and the third partner countries Norway, Switzerland and the United Kingdom are members of the ESG. All EU Member States are members of one of the three surveillance networks.

## 6. Collaboration with the LEWP

The ESG seeks to establish a network of surveillance working groups to form a network for all EU members. The structures and services already created by the ESG provide high added value to all European surveillance units and offer the opportunity to pool limited resources and achieve synergies across Europe. These outstanding developments were made possible by the temporary support of the ESG by an ISF project. Although the ESG has been able to successfully apply for a follow-up project again and thus secure the financing of its activities until 2021, finding a perennial solution to the issue of financing is the key challenge which will determine whether ESG's work will be successful, and the common target to create a single pan-European surveillance network can be achieved. A recognition of the ESG - for example - by the Law Enforcement Working Party would make it easier for both the ESG and EUROPOL to cooperate more closely in the future<sup>1</sup>. A pan-European politically legitimised and technically competent ESG could provide important advice to the LEWP on surveillance issues and would be available to policymakers and experts as a competent contact point in the field of surveillance.

## 7. Way forward

The ESG will continue to pursue its goal of achieving a pan-European expert group in the field of surveillance. A roadmap will be drawn up at the level of the chairs of the various associations and other selected partners, including EUROPOL, and will be coordinated in the respective working groups. The members of the SENSEE and SCG have indicated that they would support a strategic development towards a pan-European network under the umbrella of the ESG and the many possibilities for optimisation that this would entail. Connecting this pan-European ESG with and at EUROPOL would also bring significant benefits for all parties, as it would facilitate a more intensive and effective use of the infrastructures and services already established at EUROPOL (e.g. EUROPOL Platform for Experts (EPE), European Tracking Solution (ETS)) and promote their added value to the respective professional partners. This would be of mutual benefit for all Member States. Germany, Portugal and Slovenia could promote the work of the ESG within the Trio Presidency.

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<sup>1</sup> Please refer to the terms of reference for the ESG (as of 12 March 2019). It is not the intention to establish new and/or additional organisational structures at Europol.

## **8. Conclusion**

Covert surveillance is one of the most effective investigative tools at law enforcement's disposal. Although cooperation exists between the three European surveillance networks, there is still no pan-European expert group for surveillance. Support by the LEWP would facilitate its creation in order to maximise coordination and make the best use of expertise available in all EU Member States. Such a new and EU-wide ESG could then be recognised as an LEWP expert group. Close cooperation with EUROPOL is also essential.

**Based on the above, delegations are invited to discuss and endorse**

- **the creation of an EU-wide European Surveillance Group, consisting of the three current regional networks (ESG, SENSEE and SCG)**
- **the recognition of this new EU-wide ESG as an expert group affiliated to the LEWP.**

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