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THE EUROPEAN UNION**

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**LIMITE**

**ENFOPOL 35**

**NOTE**

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From:	Presidency
To:	Law Enforcement Working Party
No prev. doc.:	17981/12 ENFOPOL 427 COMIX 747
Subject:	Relationship between the LEWP and the eighteen (18) expert groups and networks related to the LEWP - Discussion Document

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In the course of the meeting of the Law Enforcement Working Group held on the 18 December 2012 numerous delegations suggested that there was a need to discuss the relationship that currently exists between the LEWP and the various experts groups and networks related to the LEWP and its role in the steering the networks and expert groups (doc. 17981/12 ENFOPOL 427 COMIX 747). The incoming Irish Presidency gave an undertaking that it would facilitate such a discussion.

The purpose of this document is to set the scene for the discussion and in this regard some suggestions are offered on how that discussion might be best progressed within the LEWP. Where a mention is made to a particular expert group or network this should not be construed as being a criticism of the particular group or network, instead the reference being used to demonstrate a particular issue which can be positive.

This topic was previously the subject of a discussion at a meeting of the LEWP held on the 18 February 2011 when a presentation on the state of play of various networks operating in the field of law enforcement (TISPOL, RAILPOL, AQUAPOL, AIRPOL) was presented by a representative of AIRPOL (doc. 7195/11 ENFOPOL 45).

A further discussion took place at the LEWP meeting on 4-5 April 2011 and delegations exchanged views on the proposal for greater involvement of the LEWP in the field of activities of traffic police. Delegations expressed a view that there was a need to avoid duplication with other Council structures in the same area (doc. 8982/11 ENFOPOL 106 COMIX 239).

This topic was again discussed at the LEWP meeting 13 May 2011 and the prospect of closer cooperation between LEWP and TISPOL was welcomed and pointed to the need to cooperate with other similar networks (doc. 10790/11 ENFOPOL 175). The proposal for closer cooperation between LEWP and TISPOL was agreed at a meeting of the LEWP on the 24 October 2011 (doc. 16548/11 ENFOPOL 384).

Also at the meeting of the LEWP on the 24 October 2011 a proposal from the two trio Presidencies (doc. DS 1518/2/11 REV 2) as regards the planning and steering of the activities of groups and networks related to the LEWP was presented (doc. 16548/11 ENFOPOL 384).

At the meeting of the LEWP on the 23 November 2011 the revised proposals of the two trio presidencies (doc. DS 1518/2/11 REV 2) on the planning and steering of the activities of experts groups and networks related to the LEWP was discussed and agreed with some modifications suggested by the delegations and the Commission (doc. 17540/11 ENFOPOL 414). The proposals (doc. 17559/11 ENFOPOL 417) as regards the planning and steering of the activities of the groups and networks aim to:

- provide a clearer overview of currently operating groups and networks;
- facilitate the planning process for the incoming Presidencies in relation to the LEWP and its activities;
- help avoid overlaps of the activities of these expert groups and networks;
- provide a possibility for the LEWP to set certain guidelines for the activities of such expert groups and networks;
- facilitate a way for the LEWP to steer and monitor the activities of these groups whenever deemed appropriate and necessary.

On the basis of the proposals of the two trio Presidencies, the following principles should be taken into account when planning and steering the activities of expert groups and networks related to the LEWP:

- (1) expert/network meetings should ideally be organised without interpretation to allow more flexible scheduling and, if not necessary or due to the accepted practice, should not be scheduled together with a plenary LEWP meeting (as it might result in attendance by LEWP delegates and prevent "real" experts from participating);
- (2) to ensure better continuity, a possibility of finding lead country/countries to coordinate the activities of expert groups/networks in support of the Presidency during a certain period of time should be examined on a case-by-case basis. Delegations are therefore invited to indicate their willingness to take such a lead; the modalities of such a lead are to be agreed with the Presidency/Presidencies;
- (3) meetings should have a clear focus, be need-driven and cover topical issues with defined outcomes. The detailed agenda should be prepared and distributed well in advance;
- (4) where appropriate, conference calls or written correspondence could be organised to discuss issues that do not require personal attendance;
- (5) incoming Presidencies and lead Member States should coordinate closely and in a timely fashion the organisation of expert/network meetings, taking into account the possible agenda and the need to organise a certain meeting as part of the Presidency priorities and in accordance with agreed deliverables;
- (6) such forward planning should allow for seeking possibilities, where deemed necessary and appropriate, of more systematic funding of the activities and operation of such expert groups and networks, for example under the ISEC programme. If/when EU funding is granted, the lead country of the respective project and the Commission are invited to inform the LEWP about such decision and about the outcome of such project;

- (7) after each meeting, preferably within 1 month, a report should be submitted to the LEWP following the template set out in Annex;
- (8) networks should submit their work programmes (if available) to the LEWP for information and approval;
- (9) the LEWP should discuss these reports and work programmes and set possible guidelines for the activities of the expert groups and networks taking into account other (EU) policies (for example, the Council Conclusions on the creation and implementation of a EU policy cycle for organised and serious international crime) and provide a general steering of such activities;
- (10) it is a prerequisite that ensuring the continuity of the activities of expert groups and networks is duly considered already in the decision-making process when establishing such groups and networks (for example, by foreseeing secretarial support, financing, planning and monitoring of the activities of such groups and networks).

A template for networks/expert groups reporting to the LEWP was also approved and it is as follows:

- meeting place and date;
- attendance;
- reference documents (action plan, strategy, roadmap, ...);
- items discussed, outcome/conclusions of discussions and possible next steps related to them;
- proposals for further action to be taken by the LEWP or other fora;
- next meeting: date, place and main topics;
- where necessary/appropriate, annexes or additional documents with (e.g.) more extensive progress reports on specific points or proposals for recommendations or proposal for an action plan or proposal for (an update of) a handbook or a draft letter to a third party, etc.

In so far as is possible the details of the activities of the expert groups and networks related to LEWP are set out in the addendum to this document, including details on

- when and how the group/network was established
- terms of references
- possible review clauses
- last and upcoming meetings.

Many of the expert groups/networks were established with a specific role in mind while others were established to provide a link between established law enforcement organisations.

**To further the progress on achieving meaningful and useful discussions the Presidency would like to submit the following points as a basis to commence this discussion on the relationship that exists and/or should exist between the various expert groups and networks related to the LEWP:**

1. Have the goals been achieved?
2. If not achieved, what can MS or the LEWP do to advance the goals?
3. What are the future roles of the group/networks and are they to include the aspirations of the group/network itself and those of the LEWP?
4. Is the group/network leader/driver the most appropriate as some groups have the rolling Presidency as the leader/driver?
5. Is it preferable to leave the groups/networks as is?
6. How can the success or input of the group/network be assessed or evaluated?

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