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**COMMISSION STAFF WORKING DOCUMENT**

**Evaluation of the EU policy cycle on serious and organised crime 2011-2013**

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### Evaluation of the EU policy cycle on serious and organised crime 2011-2013

#### I. Introduction

The EU policy cycle on serious and organised crime completes the policy-making dimension of the EU Internal Security Strategy in Action<sup>1</sup> with an operational dimension for Strategic Objectives on Organised Crime (SO 1), on Cybercrime (SO 3) and on Border Management (SO 4). The policy cycle is a valuable first attempt to base cooperation on cross-border crime phenomena at EU level on the concept of intelligence-led policing. It is conducted by Member States on a voluntary basis with strong support from Europol and the other JHA agencies and in close cooperation with the Commission. EMPACT, standing for European Multidisciplinary Platform Against Criminal Threats, provides the operational platform for policy cycle implementation, managed by Europol<sup>2</sup>. The policy cycle political mandate comes from the Council which establishes crime priorities; these are subsequently translated into operational actions by law enforcement officers from participating Member States.

The on-going policy cycle 2011-2013<sup>3</sup> is meant as a testing phase for the full policy cycle 2013-2017, which is going to be established as of March 2013 following the publication of the Serious Organised Crime Threat Assessment (SOCTA) by Europol. In that sense whatever the results for the first cycle, they will be useful, provided that the lessons are really learnt and improvements are introduced. This is why the policy cycle methodology foresees an evaluation of the on-going cycle at the beginning of 2013. In line with the policy cycle Actions 19 and 20<sup>4</sup>, and as foreseen in the Reporting collection mechanism<sup>5</sup>, the Commission shall provide a yearly state of play and feed into the evaluation of the policy cycle 2011 – 2013 at the beginning of 2013.

The purpose of this document is to contribute to the evaluation of the policy cycle, and to provide the basis for the discussion by the Standing Committee on Operational Cooperation on Internal Security (COSI) in February 2013.

This evaluation takes into account and builds on the evaluation-related documents presented to COSI so far. Section II of this document recalls the main findings contained in the two six-monthly monitoring reports presented by Europol, as well as the document "EU Policy Cycle process review: From OCTA to OAP" and the reviewed EMPACT Terms of Reference.

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<sup>1</sup> COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL The EU Internal Security Strategy in Action: Five steps towards a more secure Europe Brussels, 22.11.2010 COM(2010) 673 final [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/internal-security/internal-security-strategy/index\\_en.htm](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/internal-security/internal-security-strategy/index_en.htm)

<sup>2</sup> EMPACT project is in fact a list of actions for a policy cycle priority otherwise called Operational Action Plan; EMPACT support unit at Europol provides for a daily support to the work of the policy cycle

<sup>3</sup> The on-going policy cycle 2011-2013 is based on 8 policy cycle priorities corresponding to 8 EMPACT projects: A: West Africa, driver UK, co-driver FR; B: Western Balkans, driver IT, co drivers HU, AT; C: Illegal immigration, driver IT, co-driver Frontex; D: Synthetic drugs, driver PL, co-driver NL; E: Container smuggling: driver FR co driver NL; F: Trafficking in Human Beings, driver UK, co-driver NL; G: Mobile OC Groups, driver BE, co-driver FR; H: Cybercrime, driver RO.

<sup>4</sup> Council Conclusions 3043rd Justice and Home Affairs Meeting 8-9 November 2010; Council doc. 14998/10 COSI 67 ENFOPOL 286 CRIMORG 178 ENFOCUSTOM 89.

<sup>5</sup> Reporting collection mechanism for EU Policy Cycle on Organised Crime 2011-2013 17803/11 COSI 105 ENFOPOL 445 CRIMORG 238 ENFOCUSTOM 164

Section III presents the Commission's findings on the lessons learnt from the current policy cycle 2011 – 2013. It also puts forward recommendations for improving the upcoming (full) policy cycle 2013-2017 (blue boxes) and sets questions for the debate.

## **II. Lessons learnt about the on-going policy cycle**

The second monitoring report for the period 1 January 2012-October 2012, presented by the Europol director to the COSI on 25 November 2012 states that: "*The implementation of the 2012 EMPACT projects is so far not on track to meet the agreed Strategic Goals, the one exception is Priority F, THB. The other EMPACT Priorities include those making good progress, some making slow progress and one that requires a review to consider whether it should be continued.*"

The results achieved by the Member States on the Trafficking in Human Beings priority are well in line with the set objectives: *The number of contributions received and accepted by Europol's relevant Analysis Work File/Focal Point Phoenix increased by 200% (to 1.873) compared to the previous year. This includes 143 new THB cases notified to Europol by October 2012. In 5 operations there were 34 arrests and more than 93 victims identified.*"

### Conclusions to-date:

Based on the lessons learnt from the policy cycle so far, the following problematic areas have been identified by the 6-monthly monitoring reports by Europol<sup>6</sup> (1); the document "EU Policy Cycle process review: From OCTA to OAP"<sup>7</sup> (2) and the reviewed EMPACT Terms of Reference<sup>8</sup>(3):

- Need for commitment of Driver and Co-Driver; (1) (2) (3)
- Need for genuine commitment of all other Member States participating in a priority, some appear to be rather "passengers" than "participants", many Member States do not appoint national experts or send participants who are too junior to play an active role in committing resources to the project; (1) (2) (3)
- Insufficient willingness of the participating Member States to be leaders of single actions contained in EMPACT projects (this has been of particular problem for the container EMPACT), many participants are not empowered to initiate and lead operational activity; (1) (2) (3)
- Some Member States decided not to join EMPACT priorities even though they were experienced in these crime areas and involved in relevant operational activities; (1) (3)
- Need for stronger involvement of some of the national EMPACT coordinators; the last meeting of the national EMPACT coordinators in October 2012 at Europol Headquarters attracted only 12 persons holding such post; other countries sent an EMPACT representative, whilst others were represented by their Liaison Officer; (1) (2) (3)

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<sup>6</sup> 11246/1/12 REV 1 JAI 418 COSI 42 ENFOPOL 175 CRIMORG 63 ENFOCUSTOM 50 CORDROGUE 43 PESC 725 RELEX 535 COAFR 165 COWEB 94 TRANS 208 UD 159 FRONT 93 GENVAL 40; 16014/12 JAI 778 COSI 107 ENFOPOL 361 CRIMORG 130 ENFOCUSTOM 116 CORDROGUE 82 PESC 1363 RELEX 1021 COAFR 351 COWEB 179 TRANS 387 UD 271 FRONT 158 GENVAL 83

<sup>7</sup> 5751/2/12 REV 3 COSI 2

<sup>8</sup> 14518/12 COSI 82 ENFOPOL 309

- National coordination mechanisms/meetings should be improved so as to effectively coordinate positions between relevant authorities (police, customs, border guards, immigration and, where relevant, judicial) and provide relevant input for the COSI and COSI Support Group meetings; (2)
- Some strategic goals within priorities did not have operational emphasis and were not really achievable, or they were too broadly formulated to be translated into concrete operations (e.g. “Improve the level of security in EU ports to prevent or disrupt crimes using containers”); (1)
- Not all projects reflected what is effectively the ninth, over-arching EMPACT priority concerning asset recovery<sup>9</sup>, 3 out of the 8 priorities never included financial strategies, 2 others have taken financially related Actions out of the 2013 OAPs or at least significantly reduced their importance; (1)
- There is no mechanism to make changes to the OAPs mid-cycle if a key piece of work that could make a real difference is not included in an existing OAP; or if actions under a strategic goal are not pursued; (1)
- The Drivers identified the lack of funding as a crucial obstacle to the timely implementation of their OAPs; (1) (2)
- Some Priorities have not made sufficient use of valuable Europol resources, (1)
- Some problems have arisen when a Member State signed up as a participant but is not a member of the relevant Europol Analytical Work File/Focal Point. In such case they were not always able to share with Europol the intelligence from the investigations conducted within a priority; Participants should instead already have operational work under way within the framework of the projects they join; (1)
- Need for further support from Europol, Cefpol, Eurojust, Frontex and EU institutions; (1) (2) (3)
- The policy cycle process should be supported with appropriate training and resources (1) (2) (3).

#### Improvements already undertaken:

With regard to the issue of further involvement of Agencies, Cefpol and Europol have already informed COSI<sup>10</sup> of their intention to strengthen their support to policy cycle. These suggestions are strongly backed by the Commission:

- Europol is currently under reorganisation, a newly created dedicated area “Serious and Organised Crime” will give support to most policy cycle priorities. Europol has also started aligning more closely the relevant Focal Points to the EMPACT projects.
- Upon request of Member States Europol has ensured financial support for both coordination meetings (€250K available in 2012 so that each EMPACT group could meet 4 times, only 3 of the Priorities took full advantage of that funding) and

<sup>9</sup> “As organised crime groups typically launder the illicit proceeds of their crime, asset recovery and targeting criminal finances to combat organised crime should be defined as an overarching policy instrument to help authorities disrupt the financial infrastructure of organised crime”

<sup>10</sup> “Investment of training and resources in the EU Policy Cycle for organised and serious international crime”  
16315/12 COSI 116 ENFOPOL 376

operational meetings (€30K out of total budget of €400K for operational meetings in 2012).

- Cepol has organised a pilot course on the policy cycle in 2012. In 2013 CEPOL will support the policy cycle by providing training and learning opportunities with an e-Learning module and tailor-made trainings for specific target groups such as Drivers, participants to strategic goals meetings or EMPACT meetings.

### **III. Evaluation of the policy cycle and recommendation for policy cycle 2013-2017**

Analysing the root causes of the problems identified so far, and based on its experience with the policy cycle in the last two years, the Commission has identified several areas where progress can be made.

1. The first essential condition for the success of the policy cycle is the engagement of the Member States which, in line with their political decisions taken at COSI and Council, should ensure a real follow-up with operational commitment, including of resources, and the appointment of competent drivers and other experts.
2. Important improvements can be made to the policy cycle process next year with the setting of more "operationable", and concrete strategic goals leading to operational EMPACT projects.
3. Some degree of flexibility is needed during the implementation phase, for instance, to modify or terminate certain actions, unsuccessful EMPACT projects or even a priority.
4. Recognition of the potential of Europol's capabilities and of the importance of feeding information into Europol plays a key role in the medium and longer term.
5. Funding, simplification of processes and awareness rising will require increased attention.
6. Possible synergies with external EU policies and actions, e.g. EU-funded assistance projects or CSDP missions, should be actively pursued.

The above evaluation topics are developed in the following sections and are accompanied by questions to COSI as well as recommendations aimed at ensuring that the full potential of the policy cycle can be exploited in 2014 – 2017.

#### **1. Genuine engagement by Member States**

##### **a. Linking political decisions by Member States at the EU level with their operational participation in the policy cycle**

The policy cycle will have the desired *real* effects on fighting crime phenomena *only if* political decisions taken by Member States at COSI are effectively and loyally implemented at the operational national level. Whilst it is for every Member State to organise its structures internally, the way in which political and operational levels are linked within the national administration has a decisive effect on the success of the policy cycle.

The Member States' political/ministerial representatives at COSI, who take decisions collegially about the policy cycle priorities at the EU level, need to ensure as a next step the actual implementation of the policy cycle. Firstly a Member States must decide whether it will participate in a priority, secondly whether it wants to become a driver of the priority, thirdly it

must ensure the participation of real experts throughout the definition of Strategic Goals/EMPACT projects; finally Member States' experts participating in the definition of EMPACT need to be empowered to commit resources.

The policy cycle priorities are based on Member States' contributions feeding into SOCTA. Without challenging the voluntary nature of the policy cycle, the key point is therefore why Member States concerned by some priorities choose not to participate in them or, as participants, are not very active.

The recently revised EMPACT terms of reference foresee a key role for the national EMPACT coordinators in ensuring the link between political decisions and operational participation<sup>11</sup>; however the function of the national EMPACT coordinators does not currently work in practice.

*→Why can a Member State concerned by a priority and having voted for it in COSI can choose not to participate? What other cooperation channels would it use instead?*

*→Is the function of a National EMPACT Coordinator actually necessary, or could it be replaced by the COSI representatives, who actually take the decisions about policy cycle priorities, strategic goals and EMPACT projects?*

*→If this function is maintained, what is the ideal profile of a national EMPACT coordinator?*

- **Member States are invited to discuss how they have ensured coordination between political and operational levels for the policy cycle and will do so in the future.**
- **Next to the joint actions done in the EMPACT framework, Member States and Agencies should specify "EMPACT related" individual actions**
- **Member states are invited to present examples about how they have ensured empowerment of the National EMPACT coordinators.**

#### **b. Appointment of a driver and other experts**

The evaluation carried out so far recognises the key role that a driver and co-drivers play in leading the work on the implementation of EMPACT actions. The commitment of the driver(s) directly affects the policy cycle results. In this context, it is very important that the driving country is nominated for the definition of the so-called Multi Annual Strategic Plans (MASPs), so that the driver has the ownership of the goals to be achieved through concrete actions contained in the EMPACT projects. It is also very important that there is clarity on what the role of a driver means and what the projects should deliver.

It is equally important to ensure the appropriate expertise of Member States' representatives participating in the definition of the Strategic Goals and EMPACT projects and then in turn implementing concrete actions contained in then EMPACTS projects. Whereas it is rather clear that for the strategic goals definition a Member States shall be represented by an expert with 'strategic' overview on a crime phenomenon, it is not really clear how many experts per

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<sup>11</sup> Revised EMPACT terms of reference 14518/12 COSI 82 ENFOPOL 309 "The responsibilities of the National EMPACT Coordinators are vital for the success of all EMPACT projects. The National EMPACT Coordinators have two main tasks: 1. to ensure the actual implementation of the COSI decisions about the policy cycle and particularly EMPACT in their Member State. A critical success factor is the actual allocation of the required human and financial resources and the empowerment of the EMPACT participant(s) of the MS. (...)"

Member State should participate in the definition of EMPACT projects, and who should they be to ensure continuity with the previous step and at the same time to commit resources.

→ *How many representatives per Member State should participate in the definition of EMPACT projects? Should it be the same person who participated in the definition of the strategic goals plus a second person with more operational knowledge and required seniority to be able to commit resources?*

- **The driving Member State could usefully be nominated before the workshop on the definition of the strategic goals for a policy cycle priority.**
- **Following discussion at COSI, Cepol should prepare a profile of the ideal driver, a profile of the ideal EMPACT national coordinator, a profile of the ideal expert attending the strategic goals workshop as well as the EMPACT workshop, since they correspond to the target groups for trainings that Cepol will run in 2013. The profiles should contain a description of their tasks and responsibilities and should be communicated early in 2013 to COSI and other relevant expert groups to help identify the participants.**

## 2. Improvements to the policy cycle process in 2013

### a. Precise definition of priorities and strategic goals; specific threat assessments

The setting-up of the policy cycle, involving several steps leading from the SOCTA to the definition of EMPACT projects, which precedes the actual implementation of the policy cycle, has also a significant impact on its functioning, as mentioned above.<sup>12</sup> It has been identified in the first 6-monthly reporting from Europol, that many of the policy cycle actions contained in the OAPs are not sufficiently operational. One of the reasons for this is too broad a formulation of the strategic goals resulting from a generic formulation of the priorities identified in the OCTA of 2011. For instance, the current policy cycle priority on container shipment refers to 5 different commodities, each of which could be a separate priority; the priority on irregular immigration is confusing and refers to both geographic areas and specific parts of EU borders. Therefore the desired future priorities should have a clear scope and refer to either an organised crime group or a serious organised crime area/activity or a geographic area, as foreseen in the SOCTA methodology<sup>13</sup>.

In addition, a dedicated threat assessment for each priority would also contribute to an improved definition of the strategic goals.

- **The Commission and the Presidency will make sure when drafting the list of priorities in the Policy Advisory Document, that these priorities have a well-defined and realistic scope that is translatable into strategic goals. The priorities should clearly address a specific geographical context, a commodity or a type of criminal phenomenon, and a type of criminal group. They should not be compilations of various criminal phenomena or too many/vague actors.**

<sup>12</sup> "EU Policy Cycle process review: From OCTA to OAP" 5751/2/12 REV 3 COSI 2

<sup>13</sup> Serious and Organised Crime Threat Assessment (SOCTA) – Methodology 9992/2/12 rev 2 COSI 28, ENFOPOL 137, CRIMORG 54 ENFOCUSTOMS 42

- **Europol is invited to produce specific threat assessments on each of the crime priorities agreed by the Council, making full use of the contributions feeding into the SOCTA to facilitate the definition of the strategic goals and EMPACT projects.**

#### **b. "Operationable" Multi Annual Plans**

Some of the strategic goals defined in 2011 arguably concerned *policy*, although the policy cycle was established with a view to *operational cooperation*. The strategic goals cannot define a policy; instead they should be "operationable" which means susceptible to be converted into actions to be implemented by Member States with support of Europol and other EU Agencies.

The policy cycle methodology foresees that for the full policy cycle "Multi Annual Strategic Plans/MASPs" containing strategic goals be defined for each policy cycle priority, as decided by the Council in June 2013. In order to reflect the operational purpose of the policy cycle, the strategic goals need to be "operationable" and SMART<sup>14</sup>, so that that they can serve as an appropriate basis for the definition of operational actions/EMPACT projects as the next step. Moreover, although the actions agreed will typically be about operational cooperation, they may *also* involve the implementation of concrete recommendations put forward by the Commission in Strategies and Communications. The legal framework, strategies and instruments agreed at the EU level facilitate the fight against cross border crime. The discussions on Multi Annual Operational Plans should therefore not be limited only to operational cooperation aspects. They should serve as platform for an exchange of views among experts on all topics relevant for a successful policy cycle implementation. Such exchanges will allow the Commission to verify how well the existing EU legal framework and instruments work, and gather ideas for new policy initiatives beyond the policy cycle framework itself.

- **All MASPs have to be "operationable" to be an appropriate basis for EMPACT project definition and subsequently implementation of specific actions by Member States and Agencies. An improved MASPs template should facilitate this.**
- **Result indicators should accompany all the strategic goals so it is clear what is to be achieved under each of the priorities and to facilitate subsequent reporting and evaluation afterwards.**
- **The Commission, acting as a facilitator of MASPs definition, will take forward the policy conclusions drawn from that process for future policy making and initiatives.**

### **3. Flexibility during the policy cycle implementation 2014-2017**

If despite all the improvements suggested above, difficulties arise in in the implementation of a priority in the EMPACT project, COSI should, upon the advice of the National EMPACT Coordinators, take the responsibility to terminate or modify certain actions, Strategic Goals, EMPACT projects or propose to the Council to terminate or modify a priority. Otherwise the overall results and perception of the policy cycle will be negatively affected.

<sup>14</sup> Specific, Measurable, Attainable, Relevant and Timely



Another situation that should allow for flexibility relates to those strategic goals that cannot be reached in the yearly time-frame. For instance in the on-going policy cycle the driver for mobile Organised Crime Groups EMPACT decided to focus first on the implementation of some strategic goals which were the pre-condition for the rest of the strategic goals. This should be considered as a good practice. Drivers having the main responsibility for the project should have a degree of flexibility. The same applies to the timeline. Although in principle the EMPACT projects should be set for a one year period, the EMPACT project group should be at liberty to already draft a list of actions for two years, notwithstanding the obligation for the drivers to report on progress every six months.

→What are the conditions for the termination of an EMPACT project? Should it take place after the first year of unsuccessful implementation?

→What should be the duration of an EMPACT project? 1 or 2 years or should both options be possible?

- **COSI should have the possibility to terminate or modify certain actions, Strategic Goals, EMPACT projects or propose to the Council to terminate or modify a priority/an unsuccessful EMPACT.**
- **The driver, in agreement with other participating Member States, should suggest to National EMPACT Coordinators and subsequently to COSI, to limit the scope of a priority should some strategic goals be impossible to implement.**

#### 4. Role of Europol

##### a. Provision of data to Europol during the implementation of the policy cycle

Once the EMPACT projects are defined, the actual operational cooperation starts. Provision of information to and from Europol Focal Points triggered by the concrete actions within the policy cycle is the best example to demonstrate that the priority actually brings operational results. There are cases when a Member State concerned by a crime participates in a policy cycle priority, but is not a member of a corresponding Focal Point at Europol. Whereas such a Member State can still provide the information triggered by a concrete EMPACT action to Europol, it cannot receive the feedback containing personal or operational data from a Focal Point. This means that such a Member States is not on equal footing as other EMPACT project members and in fact deprives itself from the full analytical information and feedback that a Focal Point offers. Another challenge lies with establishing which part of the contributions received by Europol is actually a consequence of the cooperation in the framework of the policy cycle (virtuous circle). In other words to show the added value of a policy cycle, it is important to distinguish activities which happen specifically due to policy cycle, and those which would have happened otherwise, even without the cycle.

- **The Commission will in the reform of Europol's legal basis address the need for more relevant information relating to, in particular, crime areas that are considered a priority by the European Union.**
- **As a matter of principle, Member States who are concerned by a crime priority should be part of an EMPACT project and a corresponding Focal Point.**

- **All contributions being the result of an EMPACT project submitted to a Focal Point should have a label of "EMPACT project"; Member States should tick the relevant EMPACT box in the Siena Information Exchange form.**

**b. General recognition of the potential of Europol: production of threat assessments and information inflow**

The policy cycle priorities derive from Europol's crime threat analyses. Those analyses, including the up-coming SOCTA 2013, rely to a large extent on information provided by Member States filling in a dedicated questionnaire. It goes without saying that the more accurate and comprehensive the information provided is, the better the SOCTA. The SOCTA however does not depend entirely on the questionnaire sent to Member States once every two years. A starting point of the data collection is the data already available within Europol<sup>15</sup>.

Although significant progress has been made with regard to the production of threat assessments and the general provision of data to Europol, there is still room for improvement, especially with regard to the accuracy and quality of data provided. This is in fact directly linked with the recognition of the potential of Europol and with the success of the policy cycle, in the medium and longer term, and concretely for the benefit of an even better SOCTA in 2017.

Moreover, the way the information which should reach Europol flows within a Member State plays a role for the success of the policy cycle. The way cross-border cases are channelled to or from Europol National Units (ENU) in Member States, the empowerment of ENUs at the national level, or the multitude of information channels with the same cross-border purpose; all affect the overall success of the policy cycle.

The political/ministerial level establishing priorities at COSI/Council is also responsible for the procedures on information flows concerning crimes with a cross border-dimension, including those relevant for the policy cycle. In some Member States informing Europol about a case with cross border dimension requires filling in two separate forms. Such inefficient processes or deficient IT systems may discourage law enforcement officials from sharing information with Europol. Such issues could be addressed also with the help of the proposed Internal Security Fund through shared management (see the point below). Another problem is the lack of knowledge. Information about the added value of information sharing with Europol in general, and in the context of the policy cycle specifically, may not be sufficiently wide-spread or accessible at national level, therefore awareness-raising is necessary.

- **Member States are encouraged to increase the quality and accuracy of information provided to Europol.**
- **The Commission proposal for a reform of Europol's legal basis will address the need for an efficient flow of information from Member States to Europol, possibly by enabling the national competent authorities to have direct contact with Europol on on-going investigations.**
- **Member States are invited to implement the recommendations set out in the Commission's Communication on the European Information**

<sup>15</sup> Serious and Organised Crime Threat Assessment (SOCTA) – Methodology 9992/2/12 rev 2 COSI 28, ENFOPOL 137, CRIMORG 54 ENFOCUSTOMS 42

**Exchange Model (EIXM) on how to improve information exchange, in particular by making better use of the SIENA Communication tool and the Europol channel, and by establishing comprehensive Single Points of Contact.**

- **The Commission will continue to provide EU funding to support information exchange, including through the Universal Message Format II project led by Europol aimed at facilitating transfers of data from Member States' national systems to other national or EU level systems such as Europol SIENA.**

## **5. Other elements**

### **a. Policy cycle financing**

EU financing can *support* the policy cycle, not least in times of budgetary constraints. The proposal from the Commission for a regulation on the future Internal Security Fund (ISF) foresees that, as of 2014, part of the available resources will be managed by the Member States (shared management); and part will be spent at the EU level by the Commission (direct central management) or in specific cases, by entrusted entities, like Europol (indirect central management). Both of these sources may be relevant for the next policy cycle (2014-2017). The proposal for the ISF Police foresees funding of actions with external dimension which will contribute to synergies with the EU's external activities.

The Commission has received seven ISEC<sup>16</sup> applications for support to projects under the ongoing policy cycle (2011-2013).

For funds under shared management, Member States can finance more flexibly and with more planning certainty what is needed at national level under the policy cycle, provided the envisaged actions are covered by the national multi-annual programmes (2014-2020) which they have to draw up in 2013, following a policy dialogue with the Commission. The national law enforcement infrastructure, such as national reporting systems on cross border crime (IT tools), are particularly relevant for the policy cycle.

Actual policy cycle actions to fight cross border priority crime would be eligible under both shared management and central management within the Internal Security Fund. For projects which imply specific coordination requirements and which rely on the operational and technical expertise of an Agency, the Internal Security Fund foresees indirect management of funds as well.

- **Following the negotiations on the envelopes for the Internal Security Fund, recommendations for the policy cycle financing should be identified.**

### **b. Simplification and clarity**

Although the success of the policy cycle depends, crucially, on the results it will bring for security, certain additional factors may contribute to its perceived success and recognition

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<sup>16</sup> ISEC the Specific Programme 'Prevention of and Fight against Crime', is a part of General Programme on Security and Safeguarding Liberties; [http://ec.europa.eu/dgs/home-affairs/financing/fundings/security-and-safeguarding-liberties/prevention-of-and-fight-against-crime/index\\_en.htm](http://ec.europa.eu/dgs/home-affairs/financing/fundings/security-and-safeguarding-liberties/prevention-of-and-fight-against-crime/index_en.htm)

One issue relates to the variety and duplication of names that exist: "Harmony", "Policy Cycle", "Operational Action Plans", and "EMPACT". Some of these names do not reflect the true nature of the cycle, which is essentially about operational cooperation between Member States.

Specifically on EMPACT, it was a term intended to cover the policy cycle joint actions involving at least two Member States and agencies, as opposed to policy cycle actions conducted individually by a single Member State or a single agency and contained, in Operational Action Plans, alongside EMPACT actions. To date, the vast majority of policy cycle actions involve two or more Member States and Agencies. Therefore Member States and agencies should be clear in designating actions that are carried out not jointly, but individually, and should refer to those actions as "EMPACT-related"

The multitude of documents does not help either in understanding the policy cycle, especially for those participating in its various steps. The EMPACT Terms of Reference exists next to the Operational Action Plan Template and the Reporting template.

- **All actions conducted individually by a Member State or an Agency should be referred to as "EMPACT related".**
- **The EMPACT Terms of Reference, the Operational Action Plan template and Reporting template should be integrated into one user-friendly document, for the drivers and Member States experts to actually use.**
- **A "Policy cycle in a nutshell" document could be made to present its mandate, architecture, definitions, roles and responsibilities using the examples so that benefits of the policy cycle can be understood from the political to the most concrete operational police/customs officer level.**

### c. Awareness raising and training

The policy cycle is a recent development; constant testing and learning is therefore important. Both dedicated training of experts participating in the policy cycle and of those who would want to learn about it in general terms is important. For instance training on specific crime phenomena can support the implementation of the policy cycle. Over time, the number of experts being or having been involved in the policy cycle will grow, and best practices are likely to emerge. EU agencies have an important role to play in this respect, raising awareness and providing training on the policy cycle.

- **All policy cycle drivers and co-drivers should attend relevant training, organised by Cefpol<sup>17</sup>.**
- **All other Member States' experts participating in the various steps of the policy cycle are encouraged to take part in dedicated trainings. Other Law Enforcement officials are encouraged to take part in the general training on the policy cycle to understand its set-up and the concrete added value it can bring.**

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<sup>17</sup> "Investment of training and resources in the EU Policy Cycle for organised and serious international crime" 16315/12 COSI 116 ENFOPOL 376

## **6. Synergies with external EU policies and actions**

While recognising that the primary purpose of the Policy Cycle is EU internal security, organised crime often operates internationally and cooperation with third countries is essential to tackle it. Some of the priorities of the Policy Cycle also focus explicitly on third countries (West Africa, Western Balkans). It is therefore important to ensure coherence and consistency with external EU policies and actions, both at the EU and at Member State level. Possible synergies with EU external assistance (e.g. organised crime projects financed under the EU Instrument for Stability) or CSDP mission (e.g. EULEX Kosovo or EUCAP Niger) should be actively pursued.