



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 14 January 2014
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**JAI 4
COSI 2
COMIX 2**

OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council
On: 17 December 2013
To: Standing Committee on Operational Cooperation on Internal Security (COSI)
Mixed Committee (UE-Iceland/Liechtenstein/Norway/Switzerland)
Subject: Summary of discussion

MIXED COMMITTEE

1. Adoption of the agenda

The agenda was adopted as set out in doc. 17562/13.

2. EU Policy Cycle for organised and serious international crime

- **monitoring of the 2013 Operational Action Plan: report of the Europol Director and 6 month progress report**
- **Priority on illegal immigration**

The Committee took note of the 6-month progress reports for the second half of 2013 as set out in doc. 16806/13 (RESTREINT UE) and 16801/13 ADD 1 (RESTREINT UE). It also took note of the findings of the Director's report on Europol's experiences of the implementation of the first two-year EU Policy cycle.

It shows that remarkable progress has been made and that the policy cycle has grown in scale and complexity which makes it a challenge for all involved and in particular the drivers and co-drivers. The engagement and commitment of Member States' experts remains to be improved.

Delegations welcomed the Director's report and underlined the need for "operational" actions and appropriate funding under the future ISF Police. Reference was also made to adopting a multidisciplinary and transversal approach when implementing the OAPs.

– **Operational Action Plan 2014 "Illegal Immigration"**

The Committee approved the Operational Action Plan (OAP) on Illegal Immigration as set out in docs. 16713/3/13 REV 3 (RESTREINT UE).

3. Any Other Business

No items were raised.

COSI

1. Adoption of the agenda

The agenda was adopted as set out in doc. 17562/13.

2. Information from the Presidency:

– **JHA Senior Officials meeting EU-OIPC Interpol on 16 December 2013**

The Presidency informed delegations about the outcome of the discussions at the JHA Senior Officials meeting EU-OIPC Interpol which was held in Brussels on 16 December 2013¹. Following the request of some delegations at the previous COSI meeting, Interpol provided clarifications regarding its procedure for issuing information, in particular the so-called Red Notices, its Resolution No. 8 laying down guidelines on extra-budgetary resources and the new Interpol Foundation for a Safer World. The next JHA Senior Officials meeting with Interpol was provisionally scheduled to take place on 20 June 2014 in Lyon.

¹ Note from the Secretariat: the report of this meeting is set out in doc. 5196/14.

– **Coordination mechanism**

The Committee was informed that no overlap was identified between the various planned operations at the coordination mechanism meeting held on 13 November.

– **Customs Cooperation Working Party Seventh Action Plan**

The Committee took note of the CCWP's 7th Action Plan as presented by the Chair of the Customs Cooperation Working Party². It underlined the importance of the Customs' involvement in the implementation of the policy cycle.

3. EU Policy Cycle for organised and serious international crime

– **Monitoring of the 2013 Operational Action Plans: report of the Europol Director and of the National EMPACT Coordinators meeting and 6-month progress report**

The Committee took note of the report of the National EMPACT Coordinators (NEC) meeting which was held at Europol on 18-19 November 2013, as set out in doc. 17315/13. The other reports were discussed in the Mixed Committee format.

– **Operational Action Plans 2014**

The Committee approved the Operational Action Plans as set out in docs. 16715/2/13 REV 2, 16716/3/13 REV 3, 16717/2/13 REV 2, 16719/2/13 REV 2, 16720/3/13 REV 3, 16721/3/13 REV 3, 16722/2/13 REV 2, 16723/3/13 REV 3, 16724/2/13 REV 2, 16726/3/13 REV 3, 16729/2/13 REV 2 (RESTREINT UE).

The meeting urged the various drivers and the Europol EMPACT Support Unit to maintain coordination between the various priorities and their potential interdependencies when implementing the new operational actions in 2014. All those involved in the EU crime priorities were invited to continue their efforts and step up their commitment with a view to achieving tangible results for the first implementation of the new policy cycle 2014-2017.

² The latest version of the CCWP's 7th Action Plan is set out in doc. 12468/7/13 REV 7.

– **List of relevant actors**

The table of relevant actors would be revised following the UK's participation in OAP "Organised Property Crime" and Sweden's participation in OAP "Excise fraud"³.

– **Update of the SOCTA Methodology**

The Committee agreed to the updated SOCTA methodology as set out in doc. 13395/1/13 REV 1. The incoming EL Presidency was invited to include the state of play of the development of a methodology for the "interim EU assessment" and for "reporting on emerging threats" at the next COSI meeting.

4. Disrupting illegal trafficking of firearms:

– **Communication from the Commission to the Council and the European Parliament: Firearms and the internal security of the EU: protecting citizens and disrupting illegal trafficking**

The Committee took note of the above-mentioned Commission Communication as set out in doc. 15369/13 and the Presidency discussion paper as set out in doc. 17305/13. Various delegations recognised the importance of this Communication and a majority of delegations was in favour of improving the existing instruments before creating new ones. Delegations made specific reference to the Schengen Information System, the Europol Firearms Expert group, the Interpol iArms database as well as the OAP on firearms and felt that duplications should be avoided. Various delegations mentioned the de-activation of weapons as an important subject on which work should be taken forward. Reference was also made to exchanging intelligence, the risk of 3D printers and the traceability of firearms.

The DE delegation stated that possible future standards following from this Communication should be seen as minimum standards whereby Member States may set stricter conditions. It also stated that the principles of subsidiarity and proportionality should be respected as underlined by the German Bundesrat in a recent resolution.

³ Note from the Secretariat: the latest version of the table of relevant actors is set out in doc. 10615/8/13 REV 8.

5. Heads of JHA Agencies meeting on 20 November 2013: report + scorecard

The meeting took note of the report of the meeting of the Heads of JHA Agencies, hosted by CEPOL on 20 November 2013 and of the scorecard on the Agencies' multilateral cooperation (docs. 17498/13, 17495/13). The FR delegation called for a better balance in the Agencies' human resources, a better cooperation between Agencies regarding training (LETS) as well as the rationalisation and exploration of synergies in external relations.

The BE delegation stated that the Agencies' cooperation was still confronted with certain weaknesses which should be brought to COSI's attention.

The Presidency recalled the discussions at the September meeting on the information exchange between Agencies and explained that it was not possible for the Presidency to develop this file further. It invited the incoming Presidency to continue these discussions.

6. Environmental crime

The Committee took note of the Europol Threat Assessment 2013 - Environmental Crime in the EU as set out in doc. 15915/13, and exchanged views on the basis of the Presidency's discussion paper as set out in doc. 17201/13. It emerged from these discussions that a majority of delegations preferred a combination of options 2 and 3, i.e. the measures taken at national level and within the EnvicrimeNet were considered sufficient and the EnvicrimeNet was invited to report to COSI on its activities before the end of 2014. The Committee would also wait for the outcome of the 2015 interim SOCTA before deciding on further measures.

7. Future role of COSI

The Committee discussed the Presidency proposals set out in doc. 17047/13. It was explained that the Presidency preferred to limit discussions to 3 aspects of the joint position paper from FR, ES, IT and SE delegations (doc. 13500/13) but that this would not conclude the debate on COSI's future work.

The Presidency noted that a majority of delegations agreed with the Presidency proposal not to set up new policy cycles and with a COSI involvement in counter-terrorism related issues; in particular, COSI would regularly discuss the CTC discussion paper and state of play reports of the CT strategy and deal with any topical counter-terrorism file when requested by an interested party. Delegations also emphasised the strategic and multidisciplinary nature of COSI as a high-level Committee, linking both policy and operational issues. Duplications with other Working Parties active in the field of "evaluation" e.g. GENVAL or the Schengen Evaluation Working Party should be avoided. Delegations also stated that COSI should be more visible at Ministerial level where it could play an advisory role while respecting Coreper's mandate. Various delegations stated that COSI was not yet used to its full potential and also referred to the need for an increased involvement of COSI in issues related to external relations such as an involvement in the planning of CSDP missions. The recent PSC - COSI meeting was considered to be a good example for the future. Europol said that the link between organised crime and terrorism should be monitored.

The RO delegation presented the position of the Salzburg Forum as set out in doc. DS 2077/1/13. Some delegations questioned some elements of this position, in particular regarding the working methodology when a Member State is confronted with a major challenge that would overwhelm its response capacities.

8. Administrative approach to prevent and fight organised crime:

The Committee took note of the Commission's oral report of the 5th Informal Network of Contact Points meeting which was held on 7 November 2013 and welcomed the EU Handbook on Complementary Approaches and Actions to Prevent and Disrupt Organised Crime – Version 2 (doc. 17600/13). The Presidency thanked those Member States that had contributed to the updated version and invited all Member States to actively participate in the sharing of their national best practices through this network and to make best use of the new handbook available.

9. European Network of Law Enforcement Technology Services (ENLETS): work programme 2014-2020

The Presidency noted that the Committee endorsed the ENLETS work programme 2014 - 2020 as set out in doc. 17365/13. However, it was agreed that there would be no obligation to participate and finance the network. This issue of legal personality should also be clarified further.

10. Presentation of the work programme of the incoming EL Presidency

The EL delegation informed the meeting of the priorities for its incoming Presidency. The main issues for COSI would be the implementation of the policy cycle (the final OAP reports 2013, the NEC meeting on 27-28 May, the monitoring of the OAPs 2014), the future of COSI, the fight against illegal trafficking in firearms, the cooperation between JHA Agencies, strengthening ties between CSDP - FSJ and foreign fighters. Two COSI meetings have been provisionally scheduled for 16 April and 25 June. A COSI - PSC meeting would also be organised.

11. Any other business

No items were raised.
