



Council of the
European Union

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NOTE

From:	Presidency
To:	Delegations
Subject:	Draft Council Conclusions on the Renewed European Union Internal Security Strategy 2015-2020

Delegations will find attached a revised draft of the above-mentioned Council conclusions based on the outcome of the discussions in the COSI Support Group meetings on 20 and 27 May 2015.

During the last meeting of the COSI Support Group the majority of delegations expressed their support for the suggested approach on the elements of the renewed European Union Internal Security Strategy 2015-2020. However, the Presidency aims at reaching an agreement on this issue at COSI level.

The Presidency underlines the need to accomplish the task given by the European Council in June 2014, i.e. to review and update the European Union Internal Security Strategy by mid 2015.

The Presidency invites the Member States to agree on the draft Council Conclusions on the renewed European Union Internal Security Strategy with a view to adopt the Council conclusions at the JHA Council on 16 June 2015. The Presidency also invites COSI, in close cooperation with the Commission and, where appropriate, by involving other relevant actors such as the European External Action Service and JHA agencies, to start developing a well-targeted implementation document with a list of priority actions to implement the renewed European Union Internal Security Strategy for 2015-2020 as soon as possible.

DRAFT COUNCIL CONCLUSIONS

ON THE RENEWED EUROPEAN UNION INTERNAL SECURITY STRATEGY 2015-2020

TAKING INTO ACCOUNT the necessity for the European Union to contribute to the protection of European citizens with regard to ongoing increase of threats in particular posed by terrorism and serious and organised crime,

RECALLING that the European Council of 26 and 27 June 2014¹, when defining the Strategic Guidelines for legislative and operational planning in the area of freedom, security and justice according to Article 68 TFEU, called for a review and update of the Internal Security Strategy by mid 2015,

BEARING IN MIND the Riga Joint Statement of 29-30 January 2015, which underlined the necessity and importance of effectively coordinated and coherent approach of the European Union for the next years to address the multidimensional and interlinked threats to the European Union internal security and in this regard highlighted the role of the renewed European Union Internal Security Strategy 2015-2020,

RECALLING the Statement of 12 February 2015 by the members of the European Council which underlined commitment to further reinforce action against terrorist threats, in full compliance with human rights and the rule of law, and provided for a guidance to work towards ensuring the security of citizens, preventing radicalisation and safeguarding values as well as cooperating with international partners,

NOTING the decisions taken at the Justice and Home Affairs Council of 12 March 2015² where four immediate priority areas for fight against terrorism were identified – reinforced application of the Schengen framework, enhanced Internet referral capabilities, fight against illicit trafficking of firearms as well as stepped up information sharing and operational cooperation,

¹ EUCO 79/14
² 6891/15

RECALLING and ENSURING the continuity of actions contained in the Internal Security Strategy for the European Union: "Towards a European Security Model"³ endorsed by the European Council on 25-26 of March 2010, the Commission's communication on the "EU Internal Security Strategy in Action: Five steps towards a more secure Europe"⁴, the Council conclusions on the Commission communication on the European Union Internal Security Strategy in action adopted by the Council on 24-25 February 2011,⁵

RECALLING in particular the guiding principles of the European Security Model,

BUILDING on the Council conclusions on the development of the renewed European Union Internal Security Strategy of 4-5 December 2014⁶, which provides for a comprehensive set of principles,

ACKNOWLEDGING the European Parliament Resolution of 17 December 2014⁷,

RECOGNISING the significant work carried out by the Member States, under their sole responsibility in the area of national security in accordance with the Article 4(2) of the TEU,

RECALLING the importance of applying the principles of subsidiarity and proportionality, and BEARING IN MIND the necessity at the European Union level to focus on those actions having a clear added value to the on-going efforts of the Member States in the field of the European Union internal security,

UNDERLINING the need to respect the rights, freedoms and principles, as set out in the Charter of Fundamental Rights of the European Union, within the European Union and in all work carried out in creating and upholding an area of freedom, security and justice,

³ 7120/10
⁴ 16797/10
⁵ 6699/11
⁶ 15670/14
⁷ 2014/2918

EMPHASIZING the crucial importance of ensuring full compliance with fundamental rights, including those related to privacy, personal data protection, confidentiality of communication and the principles of necessity, proportionality and legality for all measures and initiatives taken to protect the European Union internal security,

REAFFIRMING the central role of the Standing Committee on Operational Cooperation on Internal Security (COSI) in ensuring that operational cooperation on internal security is promoted and strengthened within the Union, as established by Article 71 TFEU, and laid down in the Council Decision of 25 February 2010⁸, as well as in developing, implementing and monitoring the renewed European Union Internal Security Strategy 2015-2020, as underlined in the outlines about the future role of COSI⁹,

ACKNOWLEDGING the important role of the JHA agencies in contributing to the EU internal security,

UNDERLINING the need to provide adequate resources, within the existing Union budget, for implementing the renewed European Union Internal Security Strategy 2015-2020, and to make efficient and strategic use of the Internal Security Fund and other available European Union funding instruments to support the priorities of the renewed European Union Internal Security Strategy 2015-2020, including through ensuring development of adequate industrial security policy tools and implementation of instruments related to resilience and crisis management,

STRESSING the important role of the EU policy cycle for the fight against organised and serious international crime¹⁰ for strengthening operational cooperation and thus considerably contributing to the implementation of the renewed European Union Internal Security Strategy 2015-2020 as well as ensuring the proactive and criminal intelligence-led approach in this regard,

⁸ 2010/131/EU

⁹ 7843/3/14

¹⁰ 15358/10

TAKING INTO ACCOUNT the results of the discussion at COSI on 26 March 2015 and the stressed necessity to continue the work based on the EU's priorities for the fight against serious and organised crime between 2014 and 2017¹¹ as well as the discussions on the Commission's communication "European Agenda on Security" held at the COSI-meeting on 7 May 2015 in Riga,

THE COUNCIL,

NOTES the Commission's communication "European Agenda on Security" and WELCOMES the Commission's efforts to take into account the Council conclusions on the development of the renewed European Union Internal Security Strategy of 4-5 December 2014 in its communication,

AGREES that the Council conclusions on the development of the renewed European Union Internal Security Strategy of 4-5 December 2014, the Commission's communication "European Agenda on Security" and these Council conclusions with principles outlined below renew the European Union Internal Security Strategy for 2015-2020,

TAKES INTO ACCOUNT the contribution of the European Parliament in renewing the European Union Internal Security Strategy,

UNDERLINES that the renewed European Union Internal Security Strategy 2015-2020 represents a comprehensive and realistic shared agenda for Council, Commission and European Parliament, and CONSIDERS that it is of utmost importance to develop a responsive and operational approach when implementing the renewed European Union Internal Security Strategy 2015-2020,

¹¹ 9849/13

STRESSES the need, when implementing the renewed European Union Internal Security Strategy 2015-2020, to ensure coherence and consistency with the relevant elements of the Commission's communication "A European Agenda on Migration", the Commission's and the High Representative's joint communication "Cyber Security of the European Union: An Open, Safe and Secure Cyberspace" and other relevant policy documents as well as, in the field of external dimension of the internal security, with the ongoing strategic reflection process led by the High Representative and aimed at developing a broad European strategy on foreign and security policy issues and the coming work by the High Representative to present a joint framework with actionable proposals to help countering hybrid threats and foster the resilience of the EU,

UNDERLINES that a swift and flexible intelligence-led approach should be followed, allowing the Union to react in a comprehensive and coordinated way to emerging threats, including hybrid threats, and other challenges to the European Union internal security,

EMPHASIZES the importance for all the relevant actors in accordance with their respective competences to contribute to shaping the positive security conditions within the European Union and its Member States as well as to promote preventive measures, in particular through a multidisciplinary and integrated approach,

AGREES on the need to put a particular focus on promoting social cohesion and inclusion,

IDENTIFIES the following priorities for the coming years in the field of European Union internal security:

- tackling and preventing terrorism, radicalisation to terrorism, recruitment as well as financing related to terrorism, with special attention to the issue of foreign terrorist fighters, reinforced border security and integrating the internal and external aspects of the fight against terrorism,
- preventing and fighting serious and organised crime, on the basis of the EU policy cycle,
- preventing and fighting cybercrime, as well as enhancing cybersecurity,

EMPHASIZES the need for protection of individuals, especially those most vulnerable ones with a particular focus on victims of terrorism and serious and organised crime,

HIGHLIGHTS the need for a comprehensive approach in the fight against trafficking in human beings,

UNDERLINES the necessity to strengthen protection of critical infrastructures and STRESSES the need to ensure resilience, operational preparedness and political coordination to react, deal with and mitigate crises and natural/man-made disasters,

ACKNOWLEDGES the need to further strengthen and modernise the integrated border management system for external borders to cover all aspects of the Union's external border management including its role as an important key element to maintain and to enhance the EU internal security, whilst recognising the importance of respecting national responsibilities,

STRESSES the need for consolidation of existing legislative tools and better application as well as consistent, coherent, effective and full implementation of the existing instruments by all Member States and developing, where appropriate, new tools, including ICT tools, based on an in-depth evaluation process of necessity and added value of any such tools to strengthen the area of the EU internal security,

ACKNOWLEDGING the growing links between the EU internal and external security as well as following an integrative and complementary approach aimed at reducing overlapping and avoiding duplication:

- STRESSES the importance of stepping up cooperation and exchange of best practice with key third countries and partners on security aspects of mutual interest, in particular, in the field of operational and judicial cooperation in criminal matters, as well as enhancing border control capacity in non-EU countries. In this regard INVITES COSI and the Commission to actively contribute to the existing policy dialogues on security, with key third countries by *inter alia* establishing joint action plans for operational cooperation in close coordination with overall EU external action,

- EMPHASIZES the pressing need to take into account development aspects in security matters by strengthening EU cooperation with its neighboring partners, by mobilising the relevant financial instruments for external action in this regard, and by ensuring better coherence between CSDP missions and operations and actions funded by the EU as part of its external cooperation policy,
- WELCOMES the call of the Foreign Affairs Council of 18 May 2015 to develop synergies between CSDP and relevant actors in the area of freedom, security and justice,
- UNDERLINES the necessity to ensure synergy between the renewed European Union Internal Security Strategy 2015-2020 and the ongoing strategic reflection process led by the High Representative aimed at developing a broad European strategy on foreign and security policy issues, and INVITES the European External Action Service and the Commission to take into account the renewed European Union Internal Security Strategy 2015-2020 and other policy documents relevant to the field of the EU internal security in the external relations, humanitarian and development policies,
- INVITES the European External Action Service and the Commission to work in close cooperation with the Council, in particular through COSI and PSC, on linking the EU internal and external security,

CONSIDERS that, in accordance with the respective competences, special attention should be given to European Union and Member States actions aimed at:

- improving information exchange and accessibility, especially by ensuring the interoperability of different information systems and by encouraging the most appropriate choice of the relevant information exchange channel within the existing legal framework,

- strengthening the operational cooperation,
- enhancing prevention and investigation of criminal acts and terrorist attacks,
- enhancing the training, funding, research and innovation possibilities, especially further developing an autonomous industrial security policy, inter alia in areas such as border control, interoperability of security equipment and law enforcement services,
- developing as well as promoting availability and use of safe and secure information and communication technologies in order to enhance cybersecurity within the European Union,

STRESSES the importance of judicial cooperation in criminal matters, including the enhanced use of joint investigation teams, and the principle of mutual recognition,

RECOGNISES the serious threat the illegal firearms pose to the EU internal security, and UNDERLINES the necessity to accelerate implementation of measures aimed at improving information exchange on firearms, reducing access to illegal firearms, decommissioning and deactivation of firearms as well as cooperation with third countries,

CALLS ON the Commission to strengthen the firearms legislative framework as soon as possible, including through strong minimum standards for firearms deactivation and the swift revision of the 2008/51/EC Directive on firearms,

URGES the co-legislators to reach an agreement on a strong and effective EU PNR system with solid data protection safeguards, and CALLS ON the Commission to finalise its work on legally sound and sustainable solution for exchange of PNR data with third countries,

INSTRUCTS COSI:

- to develop in close cooperation with the Commission and, where appropriate, by involving other relevant actors such as the European External Action Service and JHA agencies, a well-targeted implementation document with a list of priority actions to implement the renewed European Union Internal Security Strategy 2015-2020 as soon as possible and by December 2015 at the latest,
- to monitor in close cooperation with the Commission, upon receiving input from the Member States and, where appropriate, being supported by other relevant actors such as the European External Action Service and JHA agencies, the progress in-putting into practice the implementation document on a regular basis and to update it accordingly,
- to report to the Council on progress in putting into practice the implementation document on a regular basis,

CALLS ON the need to take into account other policy documents relevant to the area of European Union internal security, as well as contributions of the European Parliament, in order to ensure coherence and consistency, when developing the implementation document,

AGREES to hold a mid-term review on the renewed European Union Internal Security Strategy 2015-2020, in close cooperation with the Commission, and, where appropriate, by involving the relevant actors such as the European External Action Service and JHA agencies,

CALLS UPON all Member States, EU institutions and services as well as JHA agencies to mobilise their expertise and commit the necessary resources to ensure an effective response both at policy and operational level towards a successful putting into practice of the implementation document of the renewed European Union Internal Security Strategy 2015-2020.
