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NOTE

From: Presidency

To: JHA Counsellors / COSI Support Group
Standing Committee on Operational Cooperation on Internal Security (COSI)

No. prev. doc.: 15358/10, 11050/11, 12095/13

Subject: Draft Council Conclusions on the continuation of the EU Policy Cycle for organised and serious international crime for the period 2018-2021

1. The Standing Committee on operational cooperation on internal security (COSI) agreed on 5 October 2010 to establish an EU Policy Cycle for organised and serious international crime and defined the different steps needed to fully implement it, which was adopted by Council on 8-9 November 2010¹.
2. An initial and reduced EU Policy Cycle was implemented between 2011 and 2013 on the basis of the EU crime priorities agreed by Council on 9-10 June 2011². This cycle was followed by a fully fledged four-year EU Policy Cycle between 2014-2017 on the basis of new EU crime priorities agreed by the Council on 6-7 June 2013³.

¹ 15358/10
² 11050/11
³ 12095/13

3. In accordance with action 43 of the EU Policy Cycle an independent evaluation was to be carried out in 2016, the results of which were to be presented by the Commission to the Council in March 2017 (action 44 of the EU Policy Cycle).
4. The final report of the evaluation study, prepared by an independent external evaluator (Ernst&Young and RAND Europe) was submitted by the Commission to the Council on 1 February 2017⁴ and discussed by the COSI Support Group on 8 February 2017. In order to facilitate the discussions on this report the Presidency issued a discussion paper⁵ identifying a number of strategic changes, mainly based on the actions recommended by the evaluator.
5. Based on the outcome of the discussions in the COSI Support Group on 8 February 2017 and the written comments received afterwards, the Presidency prepared draft Council conclusions on the continuation of the EU Policy Cycle for the period 2018-2021, which contain some amendments compared to the methodology of the 2014-2017 EU Policy Cycle.
6. The Presidency invites the COSI Support Group to discuss these draft Council conclusions as set out in the annex with a view to reaching an agreement at COSI on 14 March 2017.

⁴ 5652/17 + ADD 1 (EU RESTRICTED)

⁵ 5653/17

**Draft Council Conclusions on the continuation of the EU Policy Cycle
for organised and serious international crime for the period 2018-2021**

THE COUNCIL OF THE EUROPEAN UNION,

RECALLING the Council conclusions of 8-9 November 2010 on the creation and implementation of an EU Policy Cycle for organised and serious international crime (EU Policy Cycle)¹, which have established a multi-annual EU Policy Cycle and clear methodology for setting, implementing and evaluating priorities in the fight against organised and serious international crime,

RECALLING that an initial and reduced EU Policy Cycle was implemented between 2011 and 2013 on the basis of the EU crime priorities agreed by Council on 9-10 June 2011², followed by a fully fledged EU Policy Cycle between 2013-2017 on the basis of EU crime priorities agreed by the Council on 6-7 June 2013³,

NOTING that in line with the EU Policy Cycle methodology a thorough evaluation was conducted as the fourth and last step of the EU Policy Cycle which has served as an input for the next EU Policy Cycle,

WELCOMING the final report of the evaluation study, prepared by an independent external evaluator in close cooperation with the monitoring group of experts, which was submitted by the Commission to the Council on 1 February 2017 in line with action 43 of the EU Policy Cycle. This report covers the implementation of the fully fledged EU Policy Cycle between June 2013 and July 2016 and contains a number of recommendations and recommended actions to make the EU Policy Cycle lighter and more streamlined, and to balance the burden placed on different categories of stakeholders,

¹ 15338/10
² 11050/11
³ 12095/13

ACKNOWLEDGING that the EU Policy Cycle has been effective in achieving its objectives and in implementing the key features of its approach, brought EU added value to Member States and provided them with structures for strengthening their cooperation and contributed to creating trust amongst the relevant stakeholders,

CONSCIOUS of the need to further develop the EU Policy Cycle process, building on the results of the evaluation and the experiences gained by Member States in the implementation of the EU Policy Cycle, with a view to making it more efficient,

RECALLING that one important element in the efficiency of the EU Policy Cycle is the engagement of all actors involved and the commitment of Member States, Institutions and Agencies to ensure a real operational implementation which requires sufficient human and financial resources, awareness as well as recognition. The role of Drivers, Co-Drivers and Action leaders is of great importance and requires adequate empowerment, as well as sufficient support by Europol's EMPACT Support Team,

CALLING on Member States to optimise the use of funds made available,

STRESSING the multidisciplinary and multi-agency approach of the EU Policy Cycle, involving police, border guards, customs, judicial and administrative authorities, EU Institutions and Agencies. Special attention should be given to the involvement of non-law enforcement partners, including other public authorities and the private sector,

HIGHLIGHTING the importance of effective national coordination between the relevant authorities and underlining the important role of the National Empact Coordinator (NEC) in ensuring a multi-agency and multi-disciplinary involvement,

NOTING that there is limited awareness of the EU Policy Cycle among law enforcement practitioners at national level which needs to be improved. This would also contribute to a better integration of EU Policy Cycle actions with national planning,

DETERMINED to strengthen the identity of the EU Policy Cycle and to consider the possible development of a EU Policy Cycle media communication strategy which would highlight the contribution of the EU Policy Cycle in fighting organised and serious international crime,

STRESSING the external dimension of internal security and the importance of cooperation with third countries and relevant International Organisations in the operational implementation of the EU Policy Cycle,

NOTING the increasing cross-cutting nature of crime and the need to strengthen cross-priority cooperation,

UNDERSCORING that a balance should be struck between prevention and tackling the consequences of threats to EU internal security posed by organised crime,

NOTING that the administrative burden should be reduced, especially for the drivers, co drivers and action leaders, in particular by simplifying the different reporting procedures on different levels,

CONSCIOUS of the need to streamline the monitoring and evaluation process of the EU Policy Cycle and to improve the quality of the reporting to the Standing Committee on Operational Cooperation on Internal Security. The collection of relevant and comparable information is therefore to be enhanced and the provision - albeit subject to some limitations related to the inherent challenge of measuring serious and organised crime - for some quantitative measuring of the contribution of the EU Policy Cycle in fighting organised and serious international crime should be considered.

THE COUNCIL

AGREES TO

1. implement a 4 year EU Policy Cycle 2018 – 2021, following the timeline set out in annex 1 which will consist of the four steps which were already agreed for the previous EU Policy Cycle, notably;
 - i) Policy development on the basis of a European Union Serious and Organised Crime Threat Assessment (EU SOCTA) that must provide for a complete and thorough picture of criminal threats impacting the European Union. Considering the rapidly evolving nature of crime, a mid-term review of emerging threats should be conducted through the production of an interim assessment (interim EU SOCTA) by Europol in the course of 2019 and the subsequent review, if necessary, of the MASPs and OAPs for the period 2020-2021.
 - ii) Policy setting and decision-making through the identification by the Council of a limited number of priorities. For each of the priorities a Multi-Annual Strategic Plan (MASP) needs to be developed in order to achieve a multidisciplinary, integrated and integral (covering preventive as well repressive measures) approach to effectively address the prioritised threats.
 - iii) Implementation and monitoring of annual Operational Action Plans (OAP) that need to be aligned to the strategic goals which have been determined in the MASP, to address the prioritised threats. In addition, after one year of implementation of OAPs a high level and strategic assessment of the results of the actions will be carried out to assess the achievement of the strategic goals. The OAPs can contain actions that, where necessary and justified, would last longer than a year with a maximum duration of two years.
 - iv) At the end of the EU Policy Cycle an evaluation will be conducted and will serve as an input for the next EU Policy Cycle.

INSTRUCTS COSI TO

2. Prepare, on the basis of the Policy Advisory Document (PAD) drafted by the Presidency and the European Commission based upon the EU SOCTA 2017 and considering other strategic papers and assessments and policies, draft Council conclusions on the EU crime priorities.
3. Adopt the Multi-Annual Strategic Plans (MASPs) and the annual Operational Action Plans (OAPs) and coordinate and monitor the implementation thereof. Special attention should be given to the operational implementation and the multidisciplinary, integrated and integral approach to crime.
4. Amend the relevant EU Policy Cycle documents, where appropriate prepared by relevant actors, notably the EMPACT Terms of Reference, the MASP and OAP templates for the EU Policy Cycle, the reporting mechanism and the list of relevant actors.
5. Monitor that adequate funding is provided to effectively support the actions agreed upon within the EU Policy Cycle.
6. Explore measures to strengthen the identity of the EU Policy Cycle and to foster the active involvement of all relevant stakeholders.
7. Provide strategic guidance to the planning of the Joint Action Days which are carried out in the framework of the EU Policy Cycle and to monitor the results.

CALLS UPON THE MEMBER STATES TO

8. Integrate the actions developed within the EU Policy Cycle whenever relevant into their national planning and to allocate dedicated resources to support a common EU approach.
9. Actively support all the phases that constitute the EU Policy Cycle, in particular by assuming the role of driver, co-driver or action leader and undertake appropriate measures to allow these experts and National EMPACT Coordinators to fulfil their tasks.
10. Contribute to raising awareness of the EU Policy Cycle, especially at national level and to actively commit to the implementation of the OAPs.

CALLS UPON THE EUROPEAN COMMISSION TO

11. Develop together with the experts of the relevant EU Agencies, Institutions and Member States a MASP for each priority, defining the most appropriate strategy to tackle the problem.
12. Develop through consultation with the Member States' and EU Agencies' experts an independent mechanism to evaluate the implementation of the EU Policy Cycle at its end and transmit the results thereof to the Council.
13. Prepare, after one year of implementation, a high level and strategic assessment of the results of the actions notably the achievement of the strategic goals to the COSI, based on a report by Europol.

CALLS UPON THE EU AGENCIES TO

14. Develop together with the experts of the Member States the MAPSs and OAPs concerning priorities corresponding to their mandate;
15. Integrate the actions developed within the EU Policy Cycle into their yearly working programmes;

16. Develop under the leadership of Europol the interim EU SOCTA in 2019 and the EU SOCTA in 2021, and their methodology, on the basis of the requirements endorsed by COSI and in close cooperation with the relevant experts;
 17. Prepare under the leadership of Europol together with the Commission and other relevant actors, a funding opportunities package to clarify the current funding mechanisms and highlight alternative opportunities in order to effectively support the activities agreed upon within the EU Policy Cycle;
 18. Contribute to raising awareness about the EU Policy Cycle, in particular CEPOL by providing training packages and exploring other awareness raising measures;
 19. Contribute to the exchange of best practices and sharing of experiences.
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**Timeline for the
EU Policy Cycle 2018 – 2021**

Preliminary remarks

1. EU SOCTA 2017 / Interim EU SOCTA 2019 / EU SOCTA 2021

- The EU Policy Cycle 2017-2021 started based on the EU SOCTA 2017 (points below 2, 3).
- The current EU SOCTA methodology does not foresee an interim EU SOCTA, therefore the below table establishes a change to the EU SOCTA methodology (points 6, 23, 25) to include it.
- The next EU SOCTA 2021 would be the base for the start of the following EU Policy Cycle 2021-2025. The table foresees this process (points 24, 26, 29, 30, 34).

2. RELEVANT CHANGES IN THE TABLE COMPARED TO THE PREVIOUS EU POLICY CYCLE

- MASP template with common minimum strategic goals for all crime priorities and new guideline on designing smart KPIs (point 9).
- OAPs may include actions which last longer than one year (and up to two years) (point 15).
- A new strategic assessment will be integrated in the reporting collection mechanism and would be presented simultaneously with the interim EU SOCTA 2019. (points 17 and 25).
- One (or possibly a few) overall impact indicator(s) will be identified to provide for some quantitative measuring of the contribution of the EU Policy Cycle in fighting serious organised crime (points 17 and 18).

- A "Funding opportunities information package" will be prepared (point 19).
- The drivers reporting will have a different timing and methodology (point 20).
- A possible EU Policy Cycle media communication strategy is foreseen (point 22).
- In addition to the EU SOCTA 2021, continuity for the following EU Policy Cycle 2021-2025 is foreseen in the table (point 33).

Ref. no.	Action/activity	Responsible / leading actor	Other actors involved	Timing
1	Final Independent Evaluation Report on the EU Policy Cycle 2013-2017 is published	COM	COSI Monitoring Group	1 February 2017
2	Production of the EU SOCTA 2017	Europol	All relevant actors	March 2017
3	Production of an executive summary of the EU SOCTA 2017, including conclusions and a list of recommended crime priorities	Europol		9 March 2017
4	Council conclusions on the continuation of the EU Policy Cycle 2018-2021	COSI Council		27-28 March 2017
5	Policy Advisory Document (PAD) Draft Council conclusions on EU crime priorities for the EU Policy Cycle 2018-2021	COSI COSI		April/May 2017
6	Process of modification of the EU SOCTA methodology to include an Interim EU SOCTA	Europol	Expert group of MS & Agencies Advisory Board	2017 – 1st semester 2018
7	Integration of the reporting on emerging threats in the interim EU SOCTA and validation by COSI	Europol COSI	Expert group of MS & Agencies Advisory Board	2017 – 1st semester 2018
8	Preparation of the MASP workshops, including identification of the relevant actors at EU and MS level to draft multi-annual strategic plans per priority crime area	COSI	COM Agencies MS	April / May 2017
9	Development of templates (MASPs including a template with common minimum goals, OAPs) and a guideline on designing smart key performance indicators to measure achievement of strategic goals and operational actions, to be agreed by COSI.	Europol COM	Other EU Agencies COSI	Before June 2017

Ref. no.	Action/activity	Responsible / leading actor	Other actors involved	Timing
10	Council conclusions on the EU crime priorities for the EU Policy Cycle 2018-2021	Council		8-9 June 2017
11	Develop and deliver a training/awareness package about (reviewed) EU Policy Cycle framework (Terms of Reference; templates, KPIs,)	CEPOL	MS Agencies	2017-2021
12	EU Policy Cycle Terms of Reference to be agreed by to COSI	Europol COSI		By June 2017
13	Workshops to draft MASPs to address the crime priorities	Expert groups of MS and Agencies, coordinated by COM		June – July 2017
14	Discussion and adoption of the MASPs, including tasking the relevant MS and Agencies	COSI	MS COM EU Agencies	July / September 2017
15	Workshops to converting MASPs into annual OAPs and specifying which actions would last longer than one year (and up to two years)	MS and Agencies, coordinated by the Drivers		October 2017 (repeated annually in September and October)
16	Validation of each OAP	COSI	MS Agencies NECs	End 2017 (repeated annually)
17	Elaborate a reporting collection mechanism to be validated by COSI. This mechanism, which would include the new template for the Action Leader report, should also integrate a high level and strategic assessment of the results of the actions to assess the achievements of the strategic goals. The reporting mechanism may take into account the overall impact indicator(s).	COM COSI	MS EU Agencies	Second half 2017

Ref. no.	Action/activity	Responsible / leading actor	Other actors involved	Timing
18	To identify one (or possibly a few) overall impact indicator(s). This/these impact indicators will provide for some quantitative measuring of the contribution of the EU Policy Cycle in fighting serious organised crime	Europol COM	COSI CEPOL NECs	End 2017
19	Preparation and presentation in COSI of a "Funding opportunities information package"	Europol COM	COSI CEPOL EU Agencies EEAS	Before end 2017
20	Implementation of OAPs including 6 months monitoring progress to COSI (lighter reporting by drivers in September and comprehensive one in February following year)	MS drivers Agencies	COSI	Start in January 2018 – until February 2022
21	Facilitate the financing of the MASPs and the OAPs	Europol COMIX		2018 - 2021
22	If agreed, presentation in COSI and further development of a EU Policy Cycle media communication strategy	Member States	COSI COM Europol All relevant actors	Before July 2018
23	Formal validation of the amended EU SOCTA methodology in order to include and Interim EU SOCTA	COSI		Before July 2018
24	Preparation of the customer requirements for the EU SOCTA 2021	Europol	COM MS Europol & other Agencies	Beginning of 2019

Ref. no.	Action/activity	Responsible / leading actor	Other actors involved	Timing
25	Production of the Interim EU SOCTA and the high level and strategic assessment of the results of the actions Presentation in COSI	Europol COM COSI	All relevant actors	Before July 2019
26	Validation of the customer requirements for the EU SOCTA 2021	COSI		Before July 2019
27	Review, if necessary, of the MASPs and, if necessary, amendment of the EU crime priorities	COSI		October 2019
28	Preparation and elaboration of the independent evaluation	COM MS	EU Agencies COSI	2019
29	Development of the new methodology for EU SOCTA 2021 in line with the identified customer requirements	Europol	Expert group of MS & Agencies	Second semester 2019
30	Formal validation of the methodology for the EU SOCTA 2021	COSI		Before end 2019
31	Commencement of an independent evaluation	COM	MS EU Agencies COSI	Beginning of 2020
32	Reporting on the outcome of the independent evaluation to COSI and evaluation of lessons learned from the EU Policy Cycle in order to integrate these into next EU Policy Cycle	COM COSI	MS EU Agencies	January and February 2021
33	Council conclusions on the creation of the EU Policy Cycle 2022-2025	Council	COSI	March 2021
34	Production of an executive summary of the EU SOCTA 2021, including conclusions and a list of recommended crime priorities	Europol		March 2021