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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 2012 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. Some amendments will be inserted in a number of EU Policy Cycle documents, notably the Policy Cycle Terms of Reference, the MASP and OAP templates for the EU Policy Cycle, the reporting mechanism and the list of relevant actors.
6. Delegations will find attached a revised version of the above-mentioned draft Council conclusions, based on the outcome of the discussions in the COSI Support Group on 22 February and 7 March 2017 and the written comments received.
7. 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 2012 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 2014-2017 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,

TAKING NOTE of 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 44 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 more effective, efficient and streamlined, and to balance the burden placed on different categories of stakeholders,

¹ 15358/10
² 11050/11
³ 12095/13

ACKNOWLEDGING that the EU Policy Cycle has achieved its objectives in improving cooperation in the field of the fight against serious and organised crime, 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, and on all actors involved to ensure that funding is timely made available to allow operational actions to start at an early stage,

STRESSING the multidisciplinary and multi-agency approach of the EU Policy Cycle, involving the Member States' relevant law enforcement authorities, judicial authorities, EU institutions and agencies. Good cooperation between police, border guards, customs, judicial and administrative authorities, as well as with EU institutions and agencies is crucial. Special attention should be given to 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 the possible need to improve awareness of the EU Policy Cycle among law enforcement practitioners at national level. This would also contribute to a better integration of EU Policy Cycle actions with national planning,

CONSCIOUS of the need to strengthen the identity of the EU Policy Cycle and to 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 relevant third countries and International Organisations and partners 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 and serious international crime,

NOTING that the administrative burden should be reduced, especially for the Drivers, Co-drivers and Action Leaders, in particular by simplifying and reducing 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. To this aim, the collection of relevant and structured information, including through developing SMART Key Performance Indicators, will streamline and improve COSI's role to steer the process and set the right direction for the achievement of the strategic goals and actions,

AGREES TO

1. implement a 4 year EU Policy Cycle 2018 – 2021, 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, Europol in cooperation with Member States and relevant EU agencies, should prepare in the course of 2019 a mid-term review of new, changing or emerging threats through the production of an interim report to the Council.
 - 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 two years of implementation of OAPs,~~ COSI will carry out both a mid-term and final high level and strategic assessment of the results of the actions ~~will be carried out~~ to measure 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 independent 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 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 in order to simplify and streamline the process.
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 on the basis of the JAD definition, 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.
8. Carry out both a mid-term and final assessment after two years of implementation of OAPs, an assessment of the results of the actions to measure the achievement of the strategic goals with a view to improving the operational implementation.

CALLS UPON THE MEMBER STATES TO

9. Develop together with the experts of the relevant EU agencies and institutions a MASP and OAP for each crime priority, defining the most appropriate strategy to tackle the problem.
10. Integrate the relevant actions developed within the EU Policy Cycle into their national planning and to allocate resources to support a common EU approach.
11. Actively support all the phases that constitute the EU Policy Cycle, in particular by assuming the role of Driver, Co-driver or Action Leader to allow these experts and National EMPACT Coordinators to fulfil their tasks.
12. 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 COMMISSION TO

13. Support Member States together with the experts of the relevant EU agencies and, institutions to develop a MASP and OAP for each crime priority, ~~defining the most appropriate strategy to tackle the problem.~~
14. Develop taking into account past experience and in consultation with the Member States' and EU agencies' in COSI, a ~~independent~~ mechanism to evaluate the implementation of the EU Policy Cycle at its end and transmit the results thereof to the Council.
15. ~~Prepare, after one year of implementation, at the end of the EU Policy Cycle, a high level and strategic assessment of the results of the actions notably the achievement of implementation of the strategic goals to the COSI, based on a report by Europol.~~

CALLS UPON THE COMMISSION AND EUROPEAN EXTERNAL ACTION SERVICE TO

15. Promote the awareness of the EU Policy Cycle in EU security dialogues with third countries.
16. Facilitate, also through EU delegations, EU CT/ Security Experts and European Migration Liaison Officers, the participation of third countries in the operational implementation of the EU Policy Cycle, where appropriate according to the identified threats and need.

CALLS UPON THE EU AGENCIES TO

17. Support the experts of the Member States and EU institutions to develop the MASPs and OAPs concerning priorities corresponding to their mandate.
18. Provide under the leadership of Europol, methodological, analytical and administrative support for the drafting of the MASPs and OAPs (SMART Goals and KPI's).
19. Commit in their annual work programmes to implement the actions developed within the EU Policy Cycle.
20. Develop under the leadership of Europol in cooperation with Member States an interim report of new, changing or emerging threats in 2019 and the EU SOCTA in on the basis of the requirements endorsed by COSI and in close cooperation with the relevant experts.
21. Prepare under the leadership of Europol together with the Commission, the EEAS and other relevant actors, a funding opportunities information package, updated when needed, to clarify the current funding mechanisms and highlight alternative opportunities in order to effectively support the activities agreed upon within the EU Policy Cycle.
22. Provide training packages and exploring other awareness raising measures.
23. Contribute to the exchange of best practices and sharing of experiences.

**Timeline for the
EU Policy Cycle 2018 – 2021**

Preliminary remarks

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

- The EU Policy Cycle 2018-2021 started based on the EU SOCTA 2017 (points below 2, 3).
- An interim report of new, changing or emerging threats will be presented in 2019 (points 20, 22).
- The EU SOCTA 2021 would be the base for the start of the following EU Policy Cycle 2022-2025. The table foresees this process (points 21, 23, 26, 27, 32).

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

- Elaborate common minimum strategic goals for all crime priorities (points 7 and 11).
- OAPs may include actions which last longer than one year (~~and up to two years~~) (point 13).
- New assessment of the results of the actions to measure the achievement of the strategic goals will be integrated in the reporting collection mechanism and would be carried out by COSI after two and four years of implementation of OAPs (points 15, 29 and 33).

- One (or possibly a few) indicator(s) of overall impact could be identified to provide some quantitative measuring of the contribution of the EU Policy Cycle in fighting serious and organised crime (points 15 and 16).
- A "Funding opportunities information package" will be prepared (point 17).
- The reporting by Drivers and Action Leaders will have a different timing and methodology (points 15 and 18).
- In addition to the EU SOCTA 2021, continuity for the following EU Policy Cycle 2024~~2~~-2025 is foreseen in the table (point 31).
- ~~• At the end of the EU Policy Cycle, a high level and strategic assessment of the implementation of the strategic goals will be prepared by the COM to the COSI (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 COM COSI		April/May 2017
6	Preparation of the MASP workshops, including identification of the relevant actors at EU and MS level to draft multi-annual strategic plans (MASPs) per crime priority	COSI	COM EU agencies MS	April / May 2017
7	Development of templates (MASPs including a template with common minimum goals, OAPs) and <u>development of</u> a guideline on designing smart key performance indicators to measure the progress and results of operational actions, to be agreed by COSI.	Europol COM COSI	Other EU agencies	Before June 2017
8	Council conclusions on the EU crime priorities for the EU Policy Cycle 2018-2021	Council		8-9 June 2017

Ref. no.	Action/activity	Responsible / leading actor	Other actors involved	Timing
9	Develop and deliver a training/awareness package about (reviewed) EU Policy Cycle framework (Terms of Reference; templates, KPIs,)	CEPOL	MS EU agencies	2017-2021 <u>Workshop new Drivers/Co-Drivers on 6-7 September 2017</u>
10	EU Policy Cycle Terms of Reference to be agreed by COSI	Europol COSI <u>COM</u>		By June 2017
11	Workshops to draft MASPs to address the crime priorities, including the identification of common minimum strategic goals in advance in order to strengthen the consistency and facilitate the MASP drafting.	Expert groups of MS and EU agencies, coordinated by COM		June – July 2017 and/or September/October 2017
12	Discussion and adoption of the MASPs, including tasking the relevant MS and EU agencies	COSI	MS COM EU agencies	Second semester 2017
13	Workshops to converting MASPs into annual OAPs and specifying which actions would last longer than one year (and up to two years)	MS and EU agencies, coordinated by the Drivers		September/October 2017 (repeated annually in September and October)
14	Validation of each OAP	COSI	MS EU agencies NECs	End 2017 (repeated annually)
15	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 an assessment of the results of the actions to measure the achievements of the strategic goals. The reporting mechanism may take into account the indicator(s) of overall impact.	COM COSI	MS EU agencies	Second half 2017

Ref. no.	Action/activity	Responsible / leading actor	Other actors involved	Timing
16	To consider to identify one (or possibly a few) indicator(s) of overall impact. This/these impact indicators will provide for some quantitative measuring of the contribution of the EU Policy Cycle in fighting serious and organised crime	COSI	COM Europol CEPOL NECs	End 2017
17	Preparation and presentation in COSI of a "Funding opportunities information package"	Europol COM	COSI CEPOL EU agencies EEAS	Before end 2017, <u>updated</u> when needed
18	Implementation of OAPs including 6 months monitoring progress by COSI (lighter reporting by drivers in September and comprehensive one in <u>March</u> following year)	MS drivers <u>NECs</u> EU agencies	COSI	Start in January 2018 – until <u>March</u> 2022
19	Facilitate the financing of the implementation of MASPs and the OAPs	Europol COM EU agencies	EEAS	2018 - 2021
20	Validation of the requirements to prepare the interim report of new, changing and emerging threats	COSI	Europol	Before July 2018
21	Preparation of the customer requirements for the EU SOCTA 2021	Europol	COM MS Europol & other EU agencies	Beginning of 2019

Ref. no.	Action/activity	Responsible / leading actor	Other actors involved	Timing
22	Production of the interim report of new, changing and emerging threats Presentation in COSI	Europol COSI	All relevant actors	Before July 2019
23	Validation of the customer requirements for the EU SOCTA 2021	COSI		Before July 2019
24	Review, if necessary, of the MASPs and, if necessary, amendment of the EU crime priorities	COSI		October 2019
25	Preparation of the independent evaluation	COM MS	EU agencies COSI	2019
26	Development of the new methodology for EU SOCTA 2021 in line with the identified customer requirements	Europol	Expert group of MS & EU agencies	Second semester 2019
27	Formal validation of the methodology for the EU SOCTA 2021	COSI		Before end 2019
28	Commencement of an independent evaluation	COM	MS EU agencies COSI	Beginning of 2020
29	Production of the assessment of the results of the actions to measure the strategic goals	Drivers NECs COSI	COM Europol	<u>By June 2020</u>
30	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	December 2020 / January 2021
31	Council conclusions on the <u>continuation</u> of the EU Policy Cycle 2022-2025	Council	COSI	March 2021
32	Production of the EU SOCTA 2021, including conclusions and a list of recommended crime priorities	Europol		March 2021
33	<u>High level and strategic</u> Assessment of the implementation of the strategic goals to the COSI	<u>COSI</u>	Other relevant actors	<u>June 2022</u>