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NOTE

From: Presidency
To: Working Party on Terrorism and Law Enforcement Working Party
Subject: Strengthening the ATLAS Network

1. Background

All of us remember the terrorist attacks that have occurred across the EU in recent years. Special intervention units (SIUs) are specifically trained and equipped to respond to such attacks. Typically, their activities include the capturing of terrorists, the rescue of hostages and attending to the victims of terror attacks. The SIUs work and train together as part of and facilitated by the ATLAS Network.

The ATLAS Network is an association consisting of 38 SIUs¹ from the 28 Member States (MS) of the European Union (EU) and, in addition, Norway, Iceland and Switzerland. The main objectives of the Network are:

- Protecting and saving human lives;

¹ 35 Commanders of European SIUs from 28 countries participate in Atlas. 3 countries - Norway, Iceland and Switzerland are not members of the EU and consequently have participation (incl. the use of all facilities) but no voting right. Atlas proposals have been adopted by the TFCP and the EC.

- Rescue of hostages;
- Rapid response in crisis situations ;
- Cooperation and enhancement of capabilities.

The Network was informally established in 2001, as a response to the 9/11 attacks and formalized by the Council Decision 2008/617/JHA (Justice and Home Affairs Council). This Decision sets out the general rules and conditions for the cooperation of MS SIUs, in situations of crisis.

The Network's cooperation is based on two main activities: first, on joint trainings, studies and the development of SIU competences and, second, on international cooperation in resolving situations of crisis through SIU-specific capabilities. Overall, cooperation within the Network underlines the solidarity between EU MS, as set out in Article 222 of the Lisbon Treaty. Ultimately, the ATLAS Network contributes to safeguarding the EU citizens and public security in the region.

During recent years, ATLAS has organized nearly 50 training events, with more than 1500 participants. It has implemented a variety of SIU competence-specific projects (the most sizable have been the international counter-terrorism exercises of ATHOS 2015 and 2016, with *ca* 400 participants from 22 SIUs). ATLAS has developed a number of valuable operational strategies penned in the ATLAS working plan (i.e aviation security, railway security, etc.). In 2017 alone, around 65 international events are taking place and the range of these events varies from small coordination meetings to large scale exercises.

2. Topics of discussion

The development of the ATLAS Network is a common priority for the Trio Presidency of Estonia, Bulgaria and Austria. We would like to draw further attention to the Network's rapid response activities, its role in countering terrorism and managing cross-border crisis situations.

2.1 Administration of the ATLAS Network

Even though the Network is successfully delivering its core mandate, further improvements are possible, in particular, in relation to the administrative set-up of the Network. Currently, the management of the Network largely depends on the capacity of the ATLAS Executive Bureau (AEB), which is provided by the country holding the ATLAS Presidency.

The main challenges are:

- Lack of continuity: currently, the entire AEB staff is rotating with each ATLAS Presidency. Skills, know-how and overall experience, gathered through the period of the ATLAS Presidency, are lost after each end of term.
- Obstacles to long-term planning possibilities: the lack of permanent staff makes it more difficult to think “beyond” the chairing Presidency. In addition, the current ATLAS funding, which is limited to a period of one year, can also have a detrimental effect to the achievement of long-term objectives.
- Burden of administrative management: administrative tasks are time and energy consuming and can negatively impact the on-the-field performance of the SIUs.

Seeking solutions for these issues, the Network would benefit from the creation of a permanent ATLAS Support Office (ASO). Such an office could make use of Europol services such as accounting, IT and legal services, as well as draw expertise from seconded national experts from Member States` SIUs. Such expertise would ensure more effective management of the Network.

- With regard to the lack of continuity, the ASO would create a more stable environment, in which each incoming Presidency could be advised and supported by past-experiences and knowledge.
- Concerning obstacles to long-term planning possibilities, the ASO could be helpful in providing objective advice towards the achievement of goals beneficial for the Network and manage long-term projects, taking into consideration the needs of all MS SIUs.

- As far as administrative tasks are concerned, access to Europol specialists in matters such as accounting, law and IT, could add tremendous quality to the overall functioning of the Network.

In achieving the above, there is a strong case for the administrative support office of ATLAS to be located at Europol. In April 2017, the ATLAS commanders voted for the continuation as an independent Network but in closer cooperation with Europol. This would allow for a better use of already existing possibilities, instead of creating new formats and structures. Europol is able to provide ATLAS with access to its IT systems (such as the SIENA² system), facilitate cooperation with other units within Europol and include ATLAS in capacity building activities organized by the agency. In this process, the Estonian Presidency stresses the importance of the Network maintaining its independence as ATLAS already does a remarkable job with its own operational capacity. However, closer dialogue with Europol and the Commission in creating a support office, can improve the capacity of EU SIUs even further.

2.2 Cross-border cooperation

Cross-border cooperation is vital in countering terrorism and serious organised crime. It is important for MS SIUs to know what type of assistance they can get and how quickly it can arrive, especially in times of crisis.

At the moment, there is no clear overview, at the operational level, of the specific competences of SIUs (in fields such transportation security, aviation security, CBRN and other special equipment, special trainings, etc.), to speed up coordination in a situation of crisis. We believe it would be of added value if the Network would create and manage a catalogue mapping these SIU-specific competences and capabilities, whilst ensuring the safeguard of such sensitive information.

² Secure Information Exchange Network Application (SIENA)

3. Procedures in the Council

As one of the main objectives of the ATLAS Network is rapid response to crisis situations, terror incidents in particular, and international cooperation, we propose involving both the Terrorism Working Party (TWP) and the Law Enforcement Working Party (LEWP) in this discussion. Bringing the issue to the attention of both LEWP and TWP is logical, since it is important to highlight the role of the ATLAS Network not only as law enforcement format, but also in the context of countering terrorism. Thus, handling the strengthening of the Network in the TWP/LEWP joint session, will serve to highlight the important role that these SIUs play in countering terrorism. During the Estonian Presidency, and in maintaining harmony between the TWP and LEWP, TWP will, this time only, take the lead in preparing and drafting Council Conclusions.

During the joint TWP/LEWP meeting on the 12th of September, we invite the MS to express their views on the following questions:

- i) The creation of a permanent ATLAS Support Office (ASO) for the ATLAS Network
 1. Do the MS agree that the creation of a permanent ASO for the ATLAS Network would diminish the current administrative strains and help improve the Network's efficiency?
 2. Do the MS agree that, in order to strengthen the ATLAS Network, TWP should prepare and lead the process of presenting common (TWP/LEWP) Council Conclusions to COSI?
- ii) Identification of gaps in effective cross-border cooperation
 1. While taking into account the following sub-questions, what could be the possible solutions for a more effective cross-border cooperation of SIUs? Please consider this question in the light of a), b) and c).
 - a) Would it be beneficial to have a catalogue mapping the SIU capabilities?
 - b) How to ensure faster and more efficient movement for the SIUs and their special equipment?

Proposals, resulting from the discussion, will be approved by the ATLAS commanders during their meeting in the end of September 2017, to be subsequently discussed at the Standing Committee on Operational Cooperation on Internal Security (COSI) meeting in November 2017. Finally, the proposals will be submitted by COSI to the JHA Council, possibly in December 2017, in the form of Council Conclusions.
