



Brussels, 30 January 2019
(OR. en)

5562/19

LIMITE

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NOTE

From:	Presidency/outgoing Presidency
To:	Delegations
No. prev. doc.:	12009/1/18 REV 1
Subject:	Implementation of the renewed EU Internal Security Strategy: joint Presidency paper

Delegations will find attached a revised version of the joint paper of the outgoing Austrian Presidency and the Romanian Presidency on the implementation of the renewed EU Internal Security Strategy.

In line with the Council conclusions of 12 October 2017 on the mid-term review of the Renewed Internal Security Strategy¹ and as endorsed by COSI SG on 16 April 2018², the implementation paper presents a structure based on priorities, on the planning and implementation of the renewed EU Internal Security Strategy for the second half of 2018 and first half of 2019.

¹ 13319/17

² 7706/18

It consists of two parts:

- **A general report** providing an overview of the progress achieved during the reporting period in the main priorities of the renewed ISS and a number of cross-cutting priority areas, while focusing on the main achievements and setting out the follow up envisaged by the current Presidency, as relevant.
- **Technical follow-up on specific measures**

Delegations are invited to express their views on the state of implementation of the renewed ISS.

Renewed EU Internal Security Strategy: General Report on the implementation and planning (second half of 2018 and first half of 2019)

1. Renewed Internal Security Strategy priorities

1. 1. Countering terrorism and preventing radicalisation and violent extremism

The fight against terrorism continued to be a high priority on the Council agenda.

In the area of **preventing radicalisation and violent extremism**, the European Council in October 2018 called for strengthening the capacity to prevent and respond effectively to radicalisation and terrorism, in full respect of fundamental rights. Following up on a call from the European Council of June 2017, on 1 March 2018, the Commission issued a Recommendation on "*Measures to effectively tackle illegal content online- Towards an enhanced responsibility of online platforms*".

Following an assessment of the effects of regarding tackling terrorist content online, the Commission on 12 September 2018 proposed a Regulation **preventing the dissemination of terrorist content online**, setting out new rules to get terrorist content off the web. In October 2018, EU leaders requested that the Commission proposal should be examined as a matter of priority.

On 6 December 2018, the AT Presidency reached a general approach on this proposal.

The RO Presidency will continue working for reaching an agreement with the EP before the elections in May 2019, subject to the EP readiness to enter into negotiations.

The final report of the High Level Commission Expert Group on Radicalisation (HLCEG-R) issued on 18 May 2018³ is being implemented. Against this background, the Commission is gradually setting up a Coordination and Support Structure within DG HOME and has in particular created, in August, a Member States' Steering Board to advise on strategic orientations in the area of prevention. The Strategic Orientations for 2019 were adopted in December. Building on the HLCEG-R recommendations, they set out, in particular, action plans with complementary actions of several stakeholders (in particular Member States and Commission) on priority topics (such as on prisons, local dimension, ideology and polarisation, evaluation).

³ 8951/18

In the framework of COSI and TWP (Working Party on Terrorism), Member States receive regular updates on the EU Internet Forum, the Radicalisation Awareness Network (RAN) Centre of Excellence and the European Strategic Communications Network (ESCN) on strategic communication and the use of alternative narratives. These regular updates by the Commission will be continued under the RO Presidency.

The Court of Auditors' a Special report n°13/2018⁴ entitled "*Tackling radicalisation that leads to terrorism: the Commission addressed the needs of Member States, but with some shortfalls in coordination and evaluation*" was examined by TWP under the AT Presidency, and Council Conclusions thereon were adopted on 6 November 2018⁵.

Developments in relation to **FTFs (foreign terrorist fighters/returnees)**, with a particular focus on EU nationals detained in Syria, Iraq and Turkey continued to be followed under the AT Presidency.

The Romanian Presidency will focus on the prevention and countering radicalisation in prisons. A questionnaire on related policies was circulated to TWP. A follow up conference on the topic will be held in April 2019.

The **six-monthly threat assessments** presented by Europol and INTCEN showed little change in the overall threat picture. The recommendations of the EU threat assessment in the field of CT, which was endorsed by COSI⁶ in May 2018 were therefore maintained. The RO Presidency will review the recommendations in accordance with the agreed procedure this spring.

The Action Plan of the Commission to support the **protection of public spaces** is under implementation⁷. The Commission is engaging with Member States and private stakeholders promoting the dialogue and the cooperation between the public and private sector and has recently gathered good practices in a document for discussion with the Member States and private operators. The document has been briefly introduced, by the RO Presidency, in the TWP meeting on 16 January and will be presented in more detail in the April TWP meeting.

⁴ 11177/18

⁵ 13901/18

⁶ 7879/2/18 REV 2

⁷ COM(2017) 612 final

The Commission began an evaluation of the Council Directive 2008/114/EC of 8 December 2008 on the identification and designation of European critical infrastructures and the assessment of the need to improve their protection in August 2018 and will report on the outcome in 2019. Since the Salisbury nerve agent attack on 4 March 2018 and following the tasking of the European Council in March 2018 **CBRN (chemical, biological, radiological and nuclear) threats** have been given increasingly more focus. In October 2018, EU leaders called on further strengthening deterrence and resilience against CBRN threats, welcomed the adoption of the new regime of restrictive measures to address the threat from chemical weapons, while looking forward to early progress on the listing of relevant individuals and entities.

In the area of **financing of terrorism**, the AT Presidency in November 2018 obtained a mandate to begin negotiations with the EP on the proposal for a Directive of the European Parliament and of the Council laying down rules facilitating the use of financial and other information for the prevention, detection, investigation or prosecution of certain criminal offences. Trilogues and technical meetings started in December 2018, with the last trilogue foreseen for 31 January 2019.

On 12 December 2018, the AT Presidency obtained a negotiating mandate on the Commission Proposal for a Regulation of the European Parliament and of the Council on the **marketing and use of explosives precursors**⁸, amending Annex XVII to Regulation (EC) No 1907/2006 and repealing Regulation (EU) No 98/2013 on the marketing and use of explosives precursors. The purpose is to limit the availability of such explosives precursors to the general public and to provide for appropriate reporting throughout the supply chain. Discussions started in the Technical Harmonisation WP in the spring 2018. The EP (LIBE) obtained a mandate on 10 December 2018. The RO Presidency have started trilogues in January 2019 and the objective is to reach, if possible, an agreement with the EP within the current legislature.

The deadline for the transposition of the **Directive on combating terrorism(EU) 2017/541**⁹ expired by 8 September 2018. By 1 January 2019, approximately half of the Member States still have to fully transpose the Directive.

⁸ 8342/18 + ADD 1 + ADD 2 + ADD 3

⁹ 2017/541

The deadline for implementing **the PNR (Passenger Name Record) Directive EU 2016/681**¹⁰ into national law expired on 25 May 2018. As of 17 December 2018, 23 Member States had communicated their national transposition measures to the Commission, 24 MS had notified the application of the Directive to intra-EU flights. Infringement procedures were launched on 19 July 2018 where MS had not yet notified full transposition of the Directive.

An EP special committee on terrorism, TERR, was set up in July 2017 to "*address the practical and legislative deficiencies in the fight against terrorism across the European Union and with international partners and actors, with a particular focus on cooperation and exchange of information*"¹¹. TERR was initially set up for one year. This period was later extended till mid-November 2018. The report of the Special Committee, containing 228 recommendations was voted by the EP plenary on 12 December 2018. A follow up to the TERR report will be provided under the RO Presidency.

1.2. Preventing and fighting serious and organised crime.

The implementation of **the EU Policy Cycle on organised and serious international crime/EMPACT** continued to be the main focus under this ISS priority facilitating operational cooperation between Member States, EU institutions and EU agencies as well as third countries and organisations, including the private sector where relevant.

The AT Presidency addressed this by means of monitoring the implementation of the 13 - 2018 OAPs in terms of a reporting system (Drivers light reporting, Europol's interim findings and the NEC meeting reports). Joint Actions Days and funding available for the EU policy cycle were also addressed and some new ideas were explored such as an EU law enforcement emergency response protocol (LE ERP) for major cross-border cyber-attacks (14893/18). The 2019 OAPs were also adopted under the AT Presidency. The RO Presidency will finalise the comprehensive reporting on the 2018 OAPs and publish a factsheet. It will continue to follow the abovementioned steps concerning monitoring the implementation of the 2019 OAPs.

¹⁰ 2016/681

¹¹ See 13075/17

During the RO Presidency the mid-term review of new, changing and emerging threats will be discussed. This input may be used at strategic level to re-adjust the priority setting and/or at operational level to guide operational focus and activities within individual EU crime priorities. The Presidency will further validate the customer requirements for SOCTA 2021 and assess the SOCTA 2021 methodology. Preparation and validation of JADs 2019 and preparation of the independent evaluation will also fall under the RO Presidency. RO Presidency will also address the latest developments on Operational Task Forces (OTFs), High Value Targets (HVTs) and polycriminal groups.

As tasked by the European Council in October, on 6 December 2018 the JHA Council approved a **comprehensive and operational set of measures with law enforcement focus on enhancing the response to migrant smuggling networks**, as resulting from the work carried in the Standing Committee on Operational Cooperation on Internal Security (COSI).

The set of measures draws on enhanced inter-agency approach both at EU and national level, optimising the synergies between available operational tools, maximising the use of external assets of the EU, to enhance cooperation with priority third countries. It includes new activities, e.g. the establishment of a Joint Liaison Task Force on migrant smuggling at Europol, but also seeks to strengthen the implementation of already existing ones under the EU Action Plan on migrant smuggling (2015-2020). The capacity of the EU Internet Referral Unit within Europol will be strengthened to monitor and disrupt smuggling networks online communications. There is clear engagement from Europol and FRONTEX, supported by the COM and EEAS to deliver on the implementation of the measures.

1.3. Preventing and fighting cybercrime and enhancing cybersecurity

The AT Presidency continued working actively to ensure progress on the different files in the area of cyber security and preventing and fighting cybercrime. On the legislative side the AT Presidency finalised the negotiations with the EP in early December 2018. The Regulation will make a significant contribution toward a more cyber secure Europe by turning ENISA into a permanent EU agency for cybersecurity and by setting up for the first time an EU-wide (voluntary) certification framework for ICT products, services and processes. Further progress was made on the implementation of the Network and Information Security Directive.

Under the AT Presidency, discussions on the legislative proposal for a Regulation establishing the European Cybersecurity Industrial, Technology & Research Competence Centre and Network of National Coordination Centers, which the Commission adopted on 12 September 2018, started. The aim is to reach a general approach under the RO Presidency.

On the policy side, the AT Presidency brought forward the discussions on attribution and restrictive measures in case of cyberattacks, as well as adopted common message to serve in cases where immediate EU response to malicious cyber activities would be needed.

The AT presidencies continued work on the **WHOIS database reform** related to the need to ensure compliance of the WHOIS with data protection rules.

Work was carried further in the Horizontal Working Party on Cyber Issues facilitated by Europol and with Commission's support. The assessment of the technical, legal and financial aspects of the interim solution option proposed by Europol and supported by MSs was being considered with a view to achieving a tangible outcome. With a view to the ICANN63 meeting held in Barcelona on 20 - 25 October 2018, the HWP on Cyber Issues discussed EU Lines to take to reflect the current developments and expert discussions on the WHOIS database reform which were endorsed by COREPER on 24 October 2018. Those lines acknowledge ICANN's central role and responsibility for ensuring the security, stability and resilience of the Internet Domain Name System.

Furthermore, they specify ICANN's obligation as part of this role to ensure a functioning WHOIS service, including the collection, retention and publication of accurate information about individual domain names and their registrants, in full respect of EU data protection rules.

At the ICANN63 meeting the EPDP (Expedited Policy Development Process) and UAM (Unified Access Model) were discussed. ICANN published its Initial Report with the proposed changes on the WHOIS domain names system on 21 November 2018 with a period of 30 days for comments. This will be followed by a review of those comments until 31 January 2019 and subsequent submission to GNSO (Generic Names Supporting Organisation) Council of ICANN by 1 February 2019. The whole process is expected to be finalised by 14 May 2019.

Work continued during the AT Presidency on strengthening the EU law enforcement response to cybercrime, launched during the EE Presidency (14762/17) and continued by the BG Presidency. The EU Law Enforcement Emergency Response Protocol (LE ERP) for Major Cross-Border Cyber Attacks was endorsed by COSI in December. Cyber Crime continued to be a priority in the EU Policy Cycle/EMPACT for which the efforts can be seen in the context of several OAPs (firearms, CSE, drugs, etc.) contributing significantly to European law enforcement capacities and to build deterrence through targeted disruptive joint operations. EC3 have developed a Dark Web team for support and coordination and assistance in the cyber patrol actions weeks. Overall great operational results were achieved through the training organised in EMPACT (Cyber patrolling), highlighting the horizontal aspect of Cyber for other EU crime priorities.

2. Cross-cutting priority areas¹²

- **Information exchange and interoperability**

The AT Presidency worked intensively in order to enhance **information exchange and ensure interoperability between EU information systems**.

On 12 December 2017, the Commission tabled two proposals establishing a framework for interoperability between EU information systems. A mandate to start negotiations with the European Parliament on these two draft Regulations was granted by Coreper on 14 June 2018¹³. On 13 June 2018 the Commission tabled consequential amendments relating to certain EU information systems (SIS, ETIAS and ECRIS-TCN), as well as to the eu-LISA Regulation to ensure the necessary adaptations in the existing legal framework for the purposes of interoperability. A revised negotiating mandate was adopted at Coreper on 12 September 2018. Negotiations with the European Parliament started at the end of October under the AT Presidency. After 4 political trilogues, some important political points were agreed upon by the co-legislators on 13 December 2018, and confirmed by Coreper on 19 December 2018 (15273/18).

The RO Presidency intends to reach a political agreement with the EP on the interoperability package under the current legislative mandate of the EP.

The Commission tabled two new proposals (5071/19 and 5072/19) on 8 January 2019 to include further consequential amendments that are necessary to establish the interoperability of other EU information systems with ETIAS. The RO Presidency intends to facilitate discussions with a view to adopting a position in the Council as soon as possible. In June 2018, the Council and the European Parliament reached political agreement on **the new SIS legal framework**. The formal adoption which took place in October 2018 is followed by an ambitious three years transposition period for full implementation of all the changes both at Union and Member States level.

¹² Measures with horizontal implications for internal security and relevant for the fight of various forms of crime.

- **Availability of data**

- Data retention:

The AT Presidencies continued working on the elements identified in the concept paper prepared by the EE Presidency (14480/1/17 REV1). The BG Presidency started discussions in the DAPIX FoP Data retention working group on restricted data retention (“interference level 1”) by addressing the possibility to limit the data retention periods, to provide for storage on the territory of the Union and in encrypted fashion (pseudonymisation). With regard to the limiting of the data categories, with the support of Europol a data matrix was compiled and examined together with Member States' experts.

On 18 April, under the BG Presidency, Europol reported on the findings from the data matrix workshop and delegations discussed the possible follow-up. They also explored the concept of renewable retention warrants. On 17 May discussions on the data retention periods were started, which were continued under the AT Presidency on 10 July. With this, the examination of the elements on interference level 1 were completed.

The AT Presidency focused primarily on examining the concept of targeted access (“interference level 2). Following the completion of a number of substantial and procedural legal requirements in that regard, the AT Presidency prepared a report summarising the discussions in DAPIX WP. The Presidency presented this report to the December JHA Council (14319/18) with a view to informing Ministers about the state-of-play and to discussing the way ahead.

- E-evidence:

With the adoption in April 2018 by the COM of the legislative proposals on access to e-evidence¹⁴ EU launched the process of setting its own legal framework in the area addressing the deficiencies of the current MLA and voluntary cooperation. The examination of the legislative proposals in this complex matter started, however the discussions demonstrated the need for a regime that would allow to address a production order directly to the service providers and only in a limited amount of cross-border cases when content data are concern to notify the enforcing Member State. Following the policy debate at the October JHA Council, where the Commission briefly presented the finding of the expert examination of the issue of real-time interception the Ministers considered as a priority the speedy completion of the negotiations leaving aside the extension of scope of the draft Regulation at the current stage. The negotiations on the draft regulation have been completed in December when the Council reached a general approach.

In parallel to the Commission proposals, the Ministers discussed on several occasions the international developments on access to e-evidence including the adoption of the US Cloud Act in March 2018 and the start in September 2017 of the drafting of the second additional Protocol to the Budapest Convention in the Council of Europe. They agreed on the need to address them at EU level. For the purpose the COM is awaited to present a proposal for a negotiating mandate both a EU-US agreement facilitating the trans-border access to e-evidence but also for the EU take part in the negotiations of the 2nd additional protocol.

- Encryption:

COM clarified further the various technical and legal challenges faced by LEA as regards the use of encryption following the request by the JHA Council in December 2016 and the EUCO in 2017 with respect to end-to-end encryption.

¹⁴ 8115/18, 8110/18

As a result, there have been a set of practical and operational measures including an effort made to raise the level of expertise, an exchange of good practices and an upgrading of Europol's decryption capacity. The monitoring of technological developments and a continued dialogue with industry to examine how best to address evolving challenges in this area were considered to be crucial. A specific tool to facilitate the work of LEA with respect to the challenges faced with respect to end-to-end encryption has been discussed in the JHA Counsellors and supported in CATS. COM is expected to take a respective decision in this regard to finance the set of such a tool within Europol.

- **Strengthening the links between external and internal dimension of security**

The establishment of the Crime Information Cell (CIC) within EUNAVFOR MED Operation Sophia¹⁵ brought a tangible progress in enhancing operational cooperation between the Common Security and Defence Policy (CSDP) and Justice and Home Affairs (JHA) actors. The CIC was activated on 5 July 2018 *for a pilot period of 6 months*; since then five specialised personnel from Europol, Frontex, and EUNAVFOR Med were embarked on board of the Flagship of EUNAVFOR Med operation Sophia.

A joint report by EUNAVFOR MED Operation Sophia, Europol and FRONTEX on the final results of the pilot project was presented at the COSI/PSC meeting in November (doc. 14312/18). Overall the pilot was judged to be a step forward, benefiting all parties and improving mutual awareness of the respective roles and responsibilities of the actors involved with MSs supporting the continuation of the project, subject to a formal decision by PSC.

On 23 November, COSI and PSC also took note of the Civilian CSDP Compact, which was approved by FAC on 19 November 2018, given its wider relevance to both internal and external security actors. The importance of MS' support for the initiative, including the National Implementation Plans, and the involvement of JHA actors was highlighted. HRVP and COM are invited to present a joint Action Plan in early spring 2019 to roll out concrete steps to be taken by the Union institutions to contribute to a coherent implementation of the Compact.

Follow-up on the above topics will be provided under the RO Presidency.

¹⁵ 7708/18

- **Cooperation with third countries**

Strengthening the cooperation with the Western Balkans has been among the main priorities of the AT Presidency. In the margins of the Ministerial conference on Security and Migration, Promoting Partnership and Resilience, held in Vienna on 13 and 14 September 2018, a milestone memorandum of understanding on the automated exchange of DNA, dactyloscopic and vehicle registration data was signed with the WB partners. This is a Prüm-like agreement which should increase information exchange. During the RO Presidency, further arrangements might be needed in order to clarify the relation of this agreement with the existing Prüm Decisions.

A **Joint Action Plan on counter terrorism for the Western Balkans**¹⁶ was signed at the EU-Western Balkan JHA Ministerial meeting of 5 October 2018, further to the adoption of the Western Balkans strategy by the Commission on 6 February 2018 setting up the framework for developing further cooperation with the region. The RO Presidency plans to discuss the progress in March 2019.

The RO Presidency will also continue the work initiated by the EE Presidency in the last semester of 2017 on strengthening the links between external and internal dimension of security on counterterrorism. A discussion on how to better use internal instruments for promoting EU security interests on CT in priority third countries, how to better involve the CT/security experts and CT-dialogues with third countries for strengthening EU internal security, and finally how to strengthen the cooperation between TWP and COTER was held in January 2019¹⁷. Another joint meeting of TWP-COTER is scheduled for March 2019.

The Western Balkans continued to be included in **operational activities under the EU Policy Cycle**, thus enhancing the security of the region by improving the information exchange in combating serious and organised crime and terrorism.

Furthermore, the Pilot Project for the deployment of Europol Liaison Officers (LOs) in the Western Balkans is ongoing, more specifically for deployment in Albania, Bosnia and Herzegovina and Serbia, for a duration of two years (01/04/2018 – 31/03/2020).

¹⁶ 11848/1/18 REV 1

¹⁷ WK 78/2019

On 4 June 2018, the JHA Council adopted eight Decisions¹⁸ authorising the Commission to open negotiations for agreements between the EU and **Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Tunisia and Turkey respectively on the exchange of personal data between Europol and those countries'** competent authorities for fighting serious crime and terrorism. The first rounds of negotiations have started in the second half of 2018 and regular updates will be provided by the Commission as of the first semester of 2019.

- **Enhancing customs contribution to internal security**

On 15 May 2018 COSI expressed support for introducing a more structured approach for enhancing customs contribution to internal security¹⁹. The measures are grouped into three categories; institutional cooperation, operational cooperation, and the exchange of information and interoperability. To develop these work strands, the Austrian Presidency initiated a series of thematic discussions at the CCWP. The discussions covered customs cooperation with Europol, Frontex, CEPOL and LEWP. An interim report (13250/18) was approved at the CCWP Plenary meeting on the 26 October. It was presented to COSI on 23 November. The Committee welcomed the report from the Presidency and praised the fruitful discussions, agreeing to remain seized on the subject to further involve Customs in the EU Policy Cycle for organised and serious international crime, Europol and other JHA instruments and agencies.

The work will continue during the RO Presidency with the focus on the information exchange. With regard to the interoperability, the Commission organised two practitioners' expert group meetings with security, border management and customs experts in order to map the different customs and JHA information systems and to identify the information and systems for which interoperability could enhance the external border and/or internal security. The Commission presented the outcome of the practitioners' work at the CCWP meeting on 12 December 2018 and will subsequently present it at COSI on 21 February 2019. The feasibility study will be launched in 2019.

¹⁸ 9320/18 + ADD 1; 9330/18 + ADD 1; 9331/18 + ADD 1; 9332/18 + ADD 1; 9333/18 + ADD 1; 9334/18 + ADD 1; 9339/18 + ADD 1; 9342/18 + ADD 1

¹⁹ 7705/2/18 REV 2

Follow-up on specific measures

1. Renewed ISS priorities	
<i>1.1. Countering terrorism and preventing radicalisation and violent extremism</i>	
1.	Prevention of radicalisation, including developments under HLCEG-R, RAN, Internet forum Responsible WP²⁰: TWP
<p><i>Main documents:</i></p> <ul style="list-style-type: none"> • Final report of the High Level Commission Expert Group on Radicalisation (HLCEG-R) of 18 May 2018 (8951/18) • Commission Recommendation on measures to effectively tackle illegal content online C(2018) 1177 final • Council Recommendation of 22 May 2018 on promoting common values, inclusive education, and the European dimension of teaching (9010/18) • Commission Progress Reports (1-15) towards an effective and genuine Security Union • Proposal for a Regulation of the European Parliament and of the Council on preventing the dissemination of terrorist content online - general approach 15336/18 	
<p><i>State of play/progress made:</i></p> <p>Regular updates at TWP on the work of the EU Internet Forum. General approach on the proposed Regulation on tackling preventing the dissemination of terrorist content online, was reached in December 2018.</p> <p>Council Conclusions on the Court of Auditors' report adopted on October 2018.</p>	<p><i>Envisaged follow-up:</i></p> <p>Work towards a political agreement with the EP on the draft Regulation on tackling illegal content online will continue, pending the adoption of the EP position.</p>

²⁰ The responsible WP(s) on the substance of the respective file are indicated, while COSI, CATS or SCIFA provide an overview and strategic guidance on a number of the files. The latter activities could be indicated in the state of play/follow-up section, as relevant.

2.	FTFs/Returnees, including the judicial dimension Responsible WP: TWP, DROIPEN	
	<p><i>Main documents:</i></p> <ul style="list-style-type: none"> • Directive (EU) 2017/541 on combating terrorism and replacing Council Framework Decision 2002/475/JHA and amending Council Decision 2005/671/JHA was adopted on 15 March 2017. The transposition period expires on 8 September 2018 • Council decisions on the conclusion on behalf of the European Union, of the CoE Convention on the prevention of terrorism²¹ and its Additional Protocol²² • RAN Manual – Responses to returnees: Foreign terrorist fighters and their families, July 2017 • Child Returnees: Results of the questionnaire on approaches to dealing with accompanying family members of Foreign Terrorist Fighter (FTF) Returnees, in particular children (9316/18 + ADD1) (the addendum being EU RESTRICTED) 	
	<p><i>State of play/progress made:</i></p> <p>The Union acceded to the CoE Convention on the Prevention of Terrorism and its Additional Protocol on 26 June 2018.</p> <p>Results of the questionnaire on approaches to dealing with accompanying family members of FTF Returnees, in particular children distributed by the EU CTC to EU Member States, Norway, Switzerland as well as the Western Balkan states.</p>	<p><i>Envisaged follow-up:</i></p> <p>Implemented</p> <p>Continuing</p>

²¹ OJ L 159, 22.6.2018, p. 1–2

²² OJ L 159, 22.6.2018, p. 15–16

3.	Roadmap on Information exchange (Chapter III) <ul style="list-style-type: none"> • Post-hit follow-up under Article 36 SIS II Responsible WP: TWP, SIS/SIRENE	
	<i>Main documents:</i> <ul style="list-style-type: none"> • Council Conclusions on strengthening the cooperation and the use of the Schengen Information System (SIS) to deal with persons involved in terrorism or terrorism-related activities, including foreign terrorist fighters (4 June 2018) (9691/18) 	
	<i>State of play/progress made:</i> Council Conclusions were adopted on 4 June 2018. They address Member States, the Commission, Europol, Frontex and Cepol.	<i>Envisaged follow-up:</i> Under RO Presidency the implementation of the Council Conclusions will be followed up by the SIS/SIRENE WP and/or the Heads of SIRENE. This will be carried out in cooperation with other stakeholders including Europol.
4.	Enhance security of explosives and explosive precursors Responsible WP: TWP, WP on Technical harmonisation	
	<i>Main documents:</i> COM proposal for a Regulation on the marketing and use of explosives precursors submitted on 17 April 2018(8342/18+ADD 1+ADD 2+ADD 3)	
	<i>State of play/progress made:</i> Trilogue negotiations underway	<i>Envisaged follow-up:</i> Work towards agreement, possibly by end of February 2019.

5.	CBRN communication and Action Plan implementation Responsible WP: TWP	
	<i>Main documents:</i> <ul style="list-style-type: none"> • Council conclusions of 7 December 2017 on strengthening the European Union response to CBRN related risks, reducing access to explosive precursors and protecting public spaces (15648/17) • Action Plan to enhance preparedness against chemical, biological, radiological and nuclear security risks COM(2017) 610 final • Seventeenth Progress Report towards an effective and genuine Security Union, 15686/18 • Joint Communication on Increasing resilience and bolstering capabilities to address hybrid threats, JOIN(2018) 16 final, 13.6.2018 • Restrictive measures against the proliferation and use of chemical weapons, 11938/18 	
	<i>State of play/progress made:</i> Regular debriefs in TWP by COM as well as presentations from MSs. Adoption of a new EU regime of restrictive measures to address the use and proliferation of chemical weapons.	<i>Envisaged follow-up:</i> Debriefs by COM on the current state of play
6.	Threat assessment Responsible WP: TWP	
	<i>Main documents:</i> <ul style="list-style-type: none"> • EU threat assessment in the field of CT, endorsed by COSI in May 2018 (7879/2/18) 	
	<i>State of play/progress made:</i> COSI policy recommendations from May 2018 are valid.	<i>Envisaged follow-up:</i> Threat assessment to be reviewed by spring 2019.

7.	Atlas Network Responsible WP: LEWP	
	<i>Main documents:</i> <ul style="list-style-type: none"> • Informally established in 2001 and formalized by the Council Decision 2008/617/JHA • Council Conclusions on the strengthening of the ATLAS Network - Council conclusions (7 December 2017) - 15627/17 	
	<i>State of play/progress made:</i> <p>Based on the above Council Conclusions, a permanent ATLAS support office was created under the auspices of Europol. The official signing ceremony took place at Europol, during the ATLAS <i>Common Challenge Conference, 10th October 2018</i>.</p> <p>Further enhancements were discussed in the LEWP on the basis of the Council Conclusions (pooling of expensive equipment, training centres of excellence etc.) during the AT Presidency.</p> <p>Following the replies received by AT, it was decided that ATLAS should examine, from a practical point of view, the questions of</p> <ul style="list-style-type: none"> • pooling and sharing of specialised equipment and specific capabilities and • setting-up of common training facilities, acting as centers of excellence. <p>The majority of the Member States deemed the existing range of legal possibilities in cross-border cooperation available to the Special Intervention Units related to the ATLAS Network sufficient or nearly sufficient.</p>	<i>Envisaged follow-up:</i> <p>COSI will continue monitoring future developments of the ATLAS network.</p>

8.	Protecting public spaces Responsible WP: TWP	
	<i>Main documents:</i> <ul style="list-style-type: none"> • Action Plan to support the protection of public spaces was presented by COM on 18 October 2017 (13489/17) • Council conclusions on strengthening the European Union response to CBRN related risks, reducing access to explosive precursors and protecting public spaces (7 December 2017) - 15648/17 	
	<i>State of play/progress made:</i> Regular reports from the Commission in the framework of TWP, on 16 January 2019.	<i>Envisaged follow-up:</i> Continuous
9.	WBCTi initiative Responsible WP: TWP	
	<i>Main documents:</i> <ul style="list-style-type: none"> • EU Western Balkan counter-terrorism initiative: integrative plan of action (4 December 2015) - 13887/15 • Council Conclusions on strengthening the EU internal security's external dimension in the Western Balkans including via the Integrative Internal Security Governance (IISG) - (8 December 2016) (15413/16) • Western Balkan Counter-Terrorism Initiative (WBCTi) iPA 2015-2017 Final Report • Final Draft WBCTi iPA 2018-2020 	
	<i>State of play/progress made:</i> Joint Action Plan on Counter-Terrorism for the Western Balkans signed by the Commission on behalf of the EU and by Western Balkans partners at the JHA Ministerial meeting in Tirana on 5 October 2018.	<i>Envisaged follow-up:</i> Development of national action plans

10.	Battlefield evidence Responsible WP: TWP, CATS	
	<i>Main documents:</i> <ul style="list-style-type: none"> • Strengthening military and law enforcement information exchange in counter-terrorism (10880/17 + ADD 1) • Eurojust memorandum on battlefield evidence (WK 12876/2018) 	
	<i>State of play/progress made:</i> <p>At the initiative of the EU CTC, in July 2017 TWP and COTER discussed the importance of ensuring that information collected by forces on the battlefields of Syria and Iraq relating to terrorist fighters is handled in a manner admissible to courts in Europe and allowing its use in the context of border checks.</p> <p>Further to this discussion in June 2018 Eurojust presented a memorandum on battlefield evidence mapping the challenges and best practice in using information collected by the military on the battlefield, for the purpose of investigations and prosecutions of terrorist offences.</p> <p>The EU supports Interpol in building the battlefield-evidence-gathering capabilities of the local military and law enforcement agencies in Iraq, and to facilitate information-sharing with Tunisia, Libya and Niger with a view to enhancing their capacity of bringing to justice individuals linked to war crimes, serious crimes or terrorism and of preventing the movement of foreign terrorist fighters.</p>	<i>Envisaged follow-up:</i> <p>Continuous.</p> <p>Recurrent topic discussed with the US, Interpol and NATO.</p>

11.	Implementation of the Action Plan for strengthening the fight against terrorist financing Responsible WP: TWP, Financial Counsellors	
	<i>Main documents:</i> <ul style="list-style-type: none"> • Action Plan for strengthening the fight against terrorist financing(5782/16+ADD 1+ADD 2) • State of play of implementing the action plan for strengthening the fight against terrorist financing (WK 6622/2017) • Proposal for a Regulation of the European Parliament and of the Council on the introduction and the import of cultural goods - Confirmation of the final compromise text with a view to agreement 15494/18 • Regulation (EU) 2018/1672 of the European Parliament and of the Council of 23 October 2018 on controls on cash entering or leaving the Union and repealing Regulation (EC) No 1889/2005 • Proposal for a Directive on law enforcement access to financial information. 	
	<i>State of play/progress made:</i> The Regulation on controls on cash entering or leaving the Union has been adopted and is already in force. The Regulation on the import of cultural goods has been agreed and will be published soon.	<i>Envisaged follow-up:</i> Implementation of the new pieces of legislation.

1.2. Preventing and fighting serious and organised crime			
11 a.	EU Policy Cycle for organised and serious international crime/EMPACT Responsible WP: COSI		
	<p><i>Main documents:</i></p> <ul style="list-style-type: none"> • Council Conclusions on the continuation of the EU Policy Cycle for organised and serious international crime for the period 2018-2021 - Council conclusions (27 March 2017) (7704/17) • Council conclusions on setting the EU's priorities for the fight against organised and serious international crime between 2018 and 2021 (18 May 2017) (9450/17) 		
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top;"> <p><i>State of play/progress made:</i></p> <p>The expert group on funding that was established in the auspices of the NEC meeting on 25 April 2018 provided a set of recommendations which were brought to COSI 28 September 2018 [(12417/18) (11473/18) (12010/18)] Consequently a renewed strategic guidance on the proposed allocation of funding was introduced by Europol (11497/2/18 REV 2) presented alongside the state of play of the 2018 EU Policy Cycle funding (11975/1/18 REV 1).</p> <p>As a means to monitor the implementation of the 2018 OAPs, three reports were brought to COSI SG on the 16 November 2018, including; light reporting OAPs 2018 (14030/18 - EU RESTRICTED), Europol's interim findings report (14031/18) and the NEC meeting report (14032/1/18 REV1). Europol also informed delegations of the outcome of a) the SOCTA Advisory Group (12 October 2018) providing a state of play of the mid-term threat assessment and b) results of the pilot project in relation to the online reporting tool. Delegations discussed and adopted the 2019 OAPs relating to all the EU Crime Priorities (14029/18) on 16 November 2018.</p> </td> <td style="width: 50%; vertical-align: top;"> <p><i>Envisaged follow-up:</i></p> <p>To monitor the implementation of the 2019 OAPs, and reflect on those of 2018 with particular reference and guidance to preparing an annual fact sheet for OAPs 2018. The Drivers comprehensive reports on OAPs 2018 Europol's final findings and the NEC meeting report will all be addressed. If necessary MASPs will be reviewed and EU crime priorities amended. A review of the methodology of the crime priorities will take place.</p> <p>In relation to funding - a state of play will be presented.</p> <p>To revisit and update the EU Policy Cycle ToR in relation to recommendations on improving communication on the EU Policy Cycle.</p> <p>SOCTA: validation of customer requirements, 2021 methodology, mid-term review on new, changing and emerging threats, state of play of SOCTA 2021.</p> <p>Preparation and validation of JADs 2019.</p> <p>Preparation of the independent evaluation.</p> </td> </tr> </table>	<p><i>State of play/progress made:</i></p> <p>The expert group on funding that was established in the auspices of the NEC meeting on 25 April 2018 provided a set of recommendations which were brought to COSI 28 September 2018 [(12417/18) (11473/18) (12010/18)] Consequently a renewed strategic guidance on the proposed allocation of funding was introduced by Europol (11497/2/18 REV 2) presented alongside the state of play of the 2018 EU Policy Cycle funding (11975/1/18 REV 1).</p> <p>As a means to monitor the implementation of the 2018 OAPs, three reports were brought to COSI SG on the 16 November 2018, including; light reporting OAPs 2018 (14030/18 - EU RESTRICTED), Europol's interim findings report (14031/18) and the NEC meeting report (14032/1/18 REV1). Europol also informed delegations of the outcome of a) the SOCTA Advisory Group (12 October 2018) providing a state of play of the mid-term threat assessment and b) results of the pilot project in relation to the online reporting tool. Delegations discussed and adopted the 2019 OAPs relating to all the EU Crime Priorities (14029/18) on 16 November 2018.</p>	<p><i>Envisaged follow-up:</i></p> <p>To monitor the implementation of the 2019 OAPs, and reflect on those of 2018 with particular reference and guidance to preparing an annual fact sheet for OAPs 2018. The Drivers comprehensive reports on OAPs 2018 Europol's final findings and the NEC meeting report will all be addressed. If necessary MASPs will be reviewed and EU crime priorities amended. A review of the methodology of the crime priorities will take place.</p> <p>In relation to funding - a state of play will be presented.</p> <p>To revisit and update the EU Policy Cycle ToR in relation to recommendations on improving communication on the EU Policy Cycle.</p> <p>SOCTA: validation of customer requirements, 2021 methodology, mid-term review on new, changing and emerging threats, state of play of SOCTA 2021.</p> <p>Preparation and validation of JADs 2019.</p> <p>Preparation of the independent evaluation.</p>
<p><i>State of play/progress made:</i></p> <p>The expert group on funding that was established in the auspices of the NEC meeting on 25 April 2018 provided a set of recommendations which were brought to COSI 28 September 2018 [(12417/18) (11473/18) (12010/18)] Consequently a renewed strategic guidance on the proposed allocation of funding was introduced by Europol (11497/2/18 REV 2) presented alongside the state of play of the 2018 EU Policy Cycle funding (11975/1/18 REV 1).</p> <p>As a means to monitor the implementation of the 2018 OAPs, three reports were brought to COSI SG on the 16 November 2018, including; light reporting OAPs 2018 (14030/18 - EU RESTRICTED), Europol's interim findings report (14031/18) and the NEC meeting report (14032/1/18 REV1). Europol also informed delegations of the outcome of a) the SOCTA Advisory Group (12 October 2018) providing a state of play of the mid-term threat assessment and b) results of the pilot project in relation to the online reporting tool. Delegations discussed and adopted the 2019 OAPs relating to all the EU Crime Priorities (14029/18) on 16 November 2018.</p>	<p><i>Envisaged follow-up:</i></p> <p>To monitor the implementation of the 2019 OAPs, and reflect on those of 2018 with particular reference and guidance to preparing an annual fact sheet for OAPs 2018. The Drivers comprehensive reports on OAPs 2018 Europol's final findings and the NEC meeting report will all be addressed. If necessary MASPs will be reviewed and EU crime priorities amended. A review of the methodology of the crime priorities will take place.</p> <p>In relation to funding - a state of play will be presented.</p> <p>To revisit and update the EU Policy Cycle ToR in relation to recommendations on improving communication on the EU Policy Cycle.</p> <p>SOCTA: validation of customer requirements, 2021 methodology, mid-term review on new, changing and emerging threats, state of play of SOCTA 2021.</p> <p>Preparation and validation of JADs 2019.</p> <p>Preparation of the independent evaluation.</p>		

<p>Europol presented the assessment of the Joint Action Days 2018 to delegations on 10 December 2018 also seeking strategic guidance from COSI for JADs 2019 (14826/18). On this date an updated table of relevant actors for the EU Policy Cycle was adopted (15049/18). The EU law enforcement emergency response protocol (LE ERP) for major cross-border cyber attacks (14893/18) was endorsed by COSI SG 10 December 2018.</p> <p>On 15 May 2018, COSI endorsed Presidency Note 5920/2/18 REV 2 which describes the synergies between the activities developed under the EU Policy Cycle and the Ninth CCWP Action Plan and includes a number of coordination measures for the year 2018.</p> <p>On 2 May 2018, the COSI Support Group validated the terms of reference for the mid-term review on new, changing or emerging threats as set out in 7913/18.</p>	
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11. B	Domestic burglary Responsible WP: COSI	
	<i>Main documents:</i> <ul style="list-style-type: none"> • Council Conclusions on organised domestic burglary - Council conclusions (13 October 2016) (13268/16) 	
	<i>State of play/progress made:</i> At the COSI meeting on 26 June 2018, DE presented a progress report (10260/18) which was prepared in close cooperation with BE, FR, SE and Europol regarding the follow-up to the Council conclusions on organised domestic burglary (13268/16).	<i>Envisaged follow-up:</i> Monitor the implementation of the Council conclusions.
	Drugs Responsible WP: Horizontal Working Party on Drugs (HDG)	
	<i>Main documents:</i> <ul style="list-style-type: none"> • EU Drugs Strategy 2013-2020, implemented through two EU Action Plans that cover the periods 2013-2016 and 2017-2020 (adopted on 20 June 2017), respectively. <ul style="list-style-type: none"> ○ Actions cover the two policy areas of the Strategy: Drug Demand Reduction and Drug Supply Reduction; and the three cross-cutting themes of the Strategy: Coordination, International Cooperation; and Information, Research, Monitoring and Evaluation. • Policy Cycle MASP (14027/17, 13739/17) and OAP 2019 (13664/18 RESTREINT UE. 13665/18 RESTREINT UE). 	

12.	International cooperation in the field of drugs	
	<p><i>Main documents:</i></p> <ul style="list-style-type: none"> • EU-Central Asia Action Plan on Drugs (2014-2020) (18020/13) • Joint Declaration on enhancing cooperation on drugs and renewing the commitments of the EU-Western Balkans Action Plan on Drugs (2009-2013) (5390/14) • Political declarations of the EU-CELAC Coordination and Cooperation Mechanism on Drugs (last one - Sofia Declaration, 10482/18) • Council Conclusions on Alternative Development: "Towards a new Understanding of Alternative Development and Related Development centered Drug Policy Interventions - Contributing to the Implementation of UNGASS 2016 and the UN Sustainable Development Goals" (14338/18) 	
	<p><i>State of play/progress made:</i></p> <p>Under the Austrian Presidency, the following meetings took place in the area of drugs, including on drug supply reduction: EU-Russia Expert Meeting (19.9.2018), EU-US Dialogue (18.10.2018), EU-CELAC Technical Committee (28.11.2018).</p> <p>Moreover, on 6 December 2018 the Council adopted Conclusions encouraging Member States and EU institutions, agencies and bodies to support Alternative Development as an important strategy to address the underlying root causes of illicit drug economies through an integrated approach.</p>	<p><i>Envisaged follow-up:</i></p> <p>Under the Romanian Presidency, the following meetings are planned in the area of drugs, including on drug supply reduction: EU-US Dialogue (8.2.2019); EU-Brazil Dialogue (22.3.2019); and EU-CELAC High-Level Meeting (20-21.6.2019) and Technical Committees (5.4.2019 and 24.5.2019)</p> <p>At the 20th EU-China Summit (16 July 2018), both sides agreed to launch an annual EU-China Dialogue on Drugs, incorporating existing consultations on drug precursors. They welcomed the ongoing Europol-China strategic cooperation as an important step towards enhanced EU-China cooperation on law enforcement and transnational crimes. In addition, a dialogue with Iran, following the visit of Commissioner Avramopoulos in June, is envisaged.</p> <p>Discussions are on-going in the HDG on the launch of the dialogues.</p>

13.	Legislative package (Regulation and Directive) on new psychoactive substances (NPS)	
	<p><i>Main documents:</i></p> <ul style="list-style-type: none"> • Regulation (EU) 2017/2101 of the European Parliament and of the Council of 15 November 2017 amending Regulation (EC) No 1920/2006 as regards information exchange on, and an early warning system and risk assessment procedure for, new psychoactive substances • Directive (EU) 2017/2103 of the European Parliament and of the Council of 15 November 2017 amending Council Framework Decision 2004/757/JHA in order to include new psychoactive substances in the definition of ‘drug’ and repealing Council Decision 2005/387/JHA 	
	<p><i>State of play/progress made:</i></p> <p>The legislative package entered into application in November 2018.</p>	<p><i>Envisaged follow-up:</i></p> <p>When dangerous new psychoactive substances will be reported upon by the European Monitoring Centre for Drugs and Drug Addictions, the banning of these substances at EU level will follow the new procedure, which entails a quicker process compared to the one applicable before November 2018.</p>

14.	International scheduling of new psychoactive substances (NPS)	
	<p><i>Main documents:</i></p> <ul style="list-style-type: none"> • Proposal for a COUNCIL DECISION on the position to be adopted, on behalf of the European Union, in the sixty-second session of the Commission on Narcotic Drugs on the scheduling of substances under the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol and the Convention on Psychotropic Substances of 1971 (5065/19 + ADD 1) 	
	<p><i>State of play/progress made:</i></p> <p>A list of new psychoactive substances was proposed by WHO in December 2018, for a UN decision international scheduling at the 62nd CND session in March 2019. On this basis, the Commission presented the proposal in 5065/19 + ADD above.</p>	<p><i>Envisaged follow-up:</i></p> <p>The Council should adopt the decision giving instructions for Member States' voting on international new psychoactive substances scheduling at the 62nd Session of the Commission on Narcotic Drugs (CND) in March 2019.</p>
14 bis	International scheduling of drug precursors	
	<p><i>Main documents:</i></p> <ul style="list-style-type: none"> • Proposal for a COUNCIL DECISION on the position to be adopted, on behalf of the European Union, in the sixty-second session of the Commission on Narcotic Drugs on the scheduling of substances under the 1988 UN Convention 	
	<p><i>State of play/progress made:</i></p> <p>Four drug precursors have been proposed for international scheduling at the 62nd CND session in March 2019. On this basis, the Commission is drafting a proposal for a Council Decision.</p>	<p><i>Envisaged follow-up:</i></p> <p>The Council should adopt the decision giving instructions for Member States' voting on the scheduling of these four substances at the 62nd Session of the Commission on Narcotic Drugs (CND) in March 2019.</p>

15.	Scheduling of new psychoactive substances (NPS) at the EU level	
	<p><i>Main documents:</i></p> <ul style="list-style-type: none"> • COUNCIL IMPLEMENTING DECISION (EU) 2018/1463 of 28 September 2018 on subjecting the new psychoactive substances N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl] cyclopropanecarboxamide (cyclopropylfentanyl) and 2-methoxy-N-phenyl-N-[1-(2-phenylethyl) piperidin-4-yl]acetamide (methoxyacetylfentanyl) to control measures 	
	<p><i>State of play/progress made:</i></p> <p>Adoption of the above-mentioned Council implementing decision.</p>	<p><i>Envisaged follow-up:</i></p> <p>The above -mentioned Council implementing decision requires the EU Member States to take measures by 29 September 2019 to subject the substances concerned to control measures and criminal penalties.</p>
15 a.	Scheduling of new psychoactive substances (NPS) at the EU level	
	<p><i>Main documents:</i></p> <ul style="list-style-type: none"> • Commission Delegated Directive (EU) .../... of 13.12.2018 amending the Annex to Council Framework Decision 2004/757/JHA as regards the inclusion of new psychoactive substances in the definition of 'drug' 	
	<p><i>State of play/progress made:</i></p> <p>The Commission adopted in December a first delegated act under the new legislation on new psychoactive substances (see 13. above). The delegated act is related to the transitional period (from the day of adoption to 23 November 2018) and adds those substances which have been scheduled since the day of adoption in 2017 to the annex of Council Framework Decision 2004/757/JHA.</p> <p>The period for possible objection ends on 14 February 2019.</p>	<p><i>Envisaged follow-up:</i></p> <p>---</p>

16.	Council conclusions on Alternatives to coercive sanctions as a response to drug law and drug-related offences	
	<p><i>Main documents:</i></p> <ul style="list-style-type: none"> Promoting the use of alternatives to coercive sanctions for drug using offenders (8 March 2018) (6931/18) 	
	<p><i>State of play/progress made:</i></p> <p>The Bulgarian Presidency continued the work of the Estonian Presidency and the Council conclusions on alternatives to coercive sanctions were adopted in March 2018.</p> <p>These Council Conclusions represent the political will of the 28 EU Member States to apply, in each legal system, alternative measures to coercive sanctions in order to: prevent crime; reduce recidivism; enhance the efficiency and effectiveness of the criminal justice system and look at reducing health-related harms and minimising social risks.</p> <p>Alternative measures can include: education; suspension of investigation or prosecution; suspension of sentence with treatment; rehabilitation and recovery, aftercare and social reintegration.</p>	<p><i>Envisaged follow-up:</i></p> <p>Implementation of the Council conclusion is due, as called therein.</p>

16. a	Council conclusions on Alternative Development	
	<p><i>Main documents:</i></p> <ul style="list-style-type: none"> • Promoting the use of alternative Development, (WK 7116/2018 REV 1, 13 September 2018) • Council conclusions on Alternative Development: Towards a new Understanding of Alternative Development and Related Development-centred Drug Policy Interventions – Contributing to the Implementation of UNGASS 2016 and the UN Sustainable Development Goals (14338/18) 	
	<p><i>State of play/progress made:</i></p> <p>The Council adopted the conclusions on alternative development at its meeting on 6/7 December 2018. The conclusions aim to support the objectives of the European Union drugs strategy 2013-2020. In these conclusions, alternative development is considered an important strategy to address the underlying root causes of illicit drug economies through an integrated approach.</p>	<p><i>Envisaged follow-up:</i></p> <p>Implementation of the conclusions</p>
17.	Monitor the implementation of the CCWP 8th Action Plan (2016 – 2017) Responsible WP: CCWP	
	<p><i>Main documents:</i></p> <ul style="list-style-type: none"> • 8th Action Plan (2016-2017) of the Customs Cooperation Working Party (CCWP) (13749/3/15) 	
	<p><i>State of play/progress made:</i></p> <p>The 9th Action plan 2018-2019 is under implementation</p>	<p><i>Envisaged follow-up:</i></p> <p>-----</p>

18.	Monitor the implementation of the CCWP 9th Action Plan 2018-2019 and the link with the Operational Action Plans from the EU Policy Cycle for organised and serious international crime Responsible WP: CCWP	
	<i>Main documents:</i> <ul style="list-style-type: none"> • 9th Action Plan (January 2018 - December 2019 (13926/3/17 REV 3)) • Synergies and opportunities for coordination between the activities developed under the EU Policy Cycle and the Ninth Customs Cooperation Working Party Action Plan for the year 2018 (5920/2/18) • Synergies and opportunities for coordination between the activities developed under the EU Policy Cycle and the Ninth Customs Cooperation Working Party Action Plan for the year 2019 (15433/18) 	
	<i>State of play/progress made:</i> <p>On 18 December 2018, the business case for JCO POSTBOX II (13893/18) within Action 9.3 "Customs against internet crime" was presented by the Belgian delegation and approved by CCWP. Presentations were made by the leaders of Action 9.1.1, 9.1.2.1, 9.2, 9.4, 9.5, 9.6 and 9.7 on progress made on the respective actions.</p> <p>On 9 January 2019, the Bulgarian delegation made a presentation on a questionnaire for Action 9.5 "IPR infringements".</p>	<i>Envisaged follow-up:</i> <ul style="list-style-type: none"> - Monitor the implementation on the 9th Action Plan. - Ensure fluent flow of information between Action leaders and CCWP as well as with drivers of the relevant OAPs. - Participation of the CCWP PRES in the relevant OAP drafting meetings & NECs meetings

19.	<p>Strengthen the EU's' capacity for the detection of illicit trade in goods at the external border, in line with the EU Strategy and Action Plan for customs risk management.</p> <p>Responsible WP: CCWP</p>	
	<p><i>Main documents:</i></p> <ul style="list-style-type: none"> • COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL AND THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE on the EU Strategy and Action Plan for customs risk management: Tackling risks, strengthening supply chain security and facilitating trade COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL AND THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE on the EU Strategy and Action Plan for customs risk management: Tackling risks, strengthening supply chain security and facilitating trade (12644/14 + ADD 1) • Council Conclusions on the EU Strategy and Action Plan on customs risk management: Tackling risks, strengthening supply chain security and facilitating trade (15403/14) <p>The EU Strategy and Action Plan for customs risk management aims for a multi-layered approach to strengthen the capacity of the customs authorities in the fight against illicit trade. An important objective is to enhance the cooperation and exchange of information between Customs and other law enforcement agencies in order to achieve more intelligence-led controls on goods mainly at the external border of the EU.</p>	
	<p><i>State of play/progress made:</i></p> <p>On 26 September 2018, the first Joint Session of Directors General of Customs Administrations and Chiefs of Police was held in Europol HQ. The importance of customs being able to use Passenger Name Records data was also highlighted. Particular mentioning of cooperation with Europol, deployment of customs liaison officers, access to SIENA. The Joint Session resulted in a Joint Statement (WK 10292/2018) outlining which subjects should be addressed in the future, including intensified cooperation, information exchange and interoperability.</p> <p>On 8 November 2018, CCWP took note of a presentation by representatives from the Commission (DG TAXUD and DG HOME) on a joint explanatory note on the Use of Passenger Name Records by customs authorities (13798/18).</p>	<p><i>Envisaged follow-up:</i></p> <p>Prepare the discussion which will be held at the meeting of EPCC-DGs of Customs in September 2019.</p>

20.	Environmental crime Responsible WP: LEWP, COPEN	
	<i>Main documents:</i> <ul style="list-style-type: none"> • Council Conclusions on countering environmental crime - Council conclusions (8 December 2016) (15412/16) • Implementation 2018-2021 EU Policy Cycle for organised and serious international crime: Multi Annual Strategic Plan (MASP) for Environmental Crime Priority (11806/17) • 2018 Operational Action Plan (OAP) Environmental Crime (14484/1/17 REV 1 RESTREINT UE + COR 1) • Eighth round of mutual evaluations on environmental crime - Questionnaire (30 May 2017) (8919/1/17) 	
	<i>State of play/progress made:</i> The eighth round of mutual evaluations on environmental crime is advancing well. According to the planning, 23 Member States have been already evaluated.	<i>Envisaged follow-up:</i> Continuous The last evaluation visit will take place in February 2019 All evaluation reports will be adopted by June 2019, except the reports from the last two visits and the final report, which will be discussed in September 2019.

21.	Forensic science area Responsible WP: LEWP	
	<i>Main documents:</i> <ul style="list-style-type: none"> • Council Conclusions and Action Plan on the way forward in view of the creation of a European Forensic Science Area - Council conclusions (9 June 2016) (10128/16) • Implementation of the Action Plan on the way forward in view of the creation of a European Forensic Science Area (19 October 2017) (10122/1/17 REV 1) • Action Plan on the way forward in view of the creation of a European Forensic Science Area - mid-term progress report (22 November 2017) (14606/17) 	
	<i>State of play/progress made:</i> Mid-term progress report adopted at the LEWP meeting on 26 November 2017 (14606/17).	<i>Envisaged follow-up:</i> Further monitoring of implementation during 2019.

22.	Administrative approach Responsible WP: LEWP	
	<i>Main documents:</i> <ul style="list-style-type: none"> • Council conclusions on the administrative approach to prevent and fight serious and organised crime (9 June 2016)(9935/2016) • Network on Administrative Approach - Affiliation to the LEWP (22 March 2018) (7316/18) 	
	<i>State of play/progress made:</i> The e affiliation of the Network on Administrative Approach to the LEWP was announced at the meeting on 21 June 2018.	<i>Envisaged follow-up:</i> Monitoring of the Network's activity according to the guidelines for networks (strategic objectives, work programmes, annual reports - cf. 15572/17).

23.	Illicit firearms Responsible WP: LEWP, CCWP	
	<p><i>Main documents:</i></p> <ul style="list-style-type: none"> • EU action plan against illicit trafficking in and use of firearms and explosives (2 December 2015) (COM(2015) 624 final) • 2018 Operation Action Plan (OAP) Firearms (14318/1/17 REV 1 RESTREINT UE) • 8th CCWP Action Plan (Action 8.4): Illicit trafficking of firearms - Draft final report (22 March 2018) (7241/18) • COM Recommendation of 17 April 2018 on immediate steps to improve security of export, import and transit measures for firearms, their parts and essential components and ammunition (C(2018) 2197 final) • <i>Joint Communication by the Commission and the High Representative to The European Parliament And The Council on Elements towards an EU Strategy against illicit Firearms, Small Arms & Light Weapons and their Ammunition of 13 June 2018 JOIN(2018) 17</i> 	
	<p><i>State of play/progress made:</i></p> <p>COSI took note on 26 June 2018 of a presentation by the Chair of the European Firearms Experts (EFE) network on best practice guidance for the creation of national firearms focal points within the EU Member States (8586/18), as endorsed by the LEWP on 17 May 2018. The purpose of the focal points is to gather, analyse and improve the flow of information regarding the criminal use and illicit trafficking of firearms into and within the Member State and throughout the EU at a strategic and operational level.</p> <p>COM adopted on 16 January 2019 two implementing directives, establishing technical specifications for the marking of firearms,²³ thus improving traceability of firearms, and ensuring that convertible gas and alarm weapons are controlled as firearms.²⁴</p>	<p><i>Envisaged follow-up:</i></p> <p>Continue monitoring the implementation of the OAP 2019 on FIREARMS.</p> <p>LEWP will monitor the further developments on the creation of national firearms focal points within the EU Member States (15 Member States have not yet nominated focal points).</p> <p>As there is not a specific action in the 9th Action Plan on firearms, the Presidency should support the involvement of customs in the relevant operational actions of the OAP Firearms and ensure coordination with the driver (ES) by inviting him to the CCWP.</p>

²³ Commission Implementing Directive (EU) 2019/68 of 16 January 2019 establishing technical specifications for the marking of firearms and their essential components under Council Directive 91/477/EEC on control of the acquisition and possession of weapons (Text with EEA relevance.) C/2019/109 OJ L 15, 17.1.2019, p. 18–21.

²⁴ Commission Implementing Directive (EU) 2019/69 of 16 January 2019 laying down technical specifications for alarm and signal weapons under Council Directive 91/477/EEC on control of the acquisition and possession of weapons (Text with EEA relevance.), C/2019/108, OJ L 15, 17.1.2019, p. 22–26.

24.	Smuggling of migrants²⁵ Responsible WP: COSI, SCIFA	
	<p><i>Main documents:</i></p> <ul style="list-style-type: none"> • In May 2015, the Commission published the EU Action Plan against Migrant Smuggling setting out a series of steps to tackle this problem between 2015 and 2020 • Council conclusions on migrant smuggling, (10-11 March 2016) (6995/16) • Implementation 2018-2021 EU Policy Cycle for organised and serious international crime: Multi Annual Strategic Plan (MASP) for Illegal Immigration (13232/17) • 2019 Operational Action Plan (OAP) Facilitation of Illegal Immigration (13874/1/17 REV 1 RESTREINT UE) • Europol’s two-year activity report from the European Migrant Smuggling Centre (EMSC) (9811/18) • Enhancing the response to migrant smuggling networks: a comprehensive and operational set of measures (15250/18) 	
	<p><i>State of play/progress made:</i></p> <p>As tasked by the European Council in October, on 6 December 2018 the JHA Council approved a comprehensive and operational set of measures with law enforcement focus on enhancing the response to migrant smuggling networks.</p>	<p><i>Envisaged follow-up:</i></p> <p>Monitoring the implementation of the set of operational measures.</p>

²⁵ Including in the context of the European Agenda on Migration (COM(2015) 240 final)

25.	Trafficking in human beings Responsible WP: COSI, DROIPEN	
	<p><i>Main documents:</i></p> <ul style="list-style-type: none"> • Communication from the Commission to the European Parliament and the Council reporting on the follow-up to the EU Strategy towards the Eradication of trafficking in human beings and identifying further concrete actions (4 December 2017) (COM(2017) 728 final) • Conclusions of the Council of the European Union and of the Member States meeting within the Council on addressing trafficking in human beings (THB) for labour exploitation - Council conclusions (9 June 2016) (9938/16) • Implementation 2018-2021 EU Policy Cycle for organised and serious international crime: Multi Annual Strategic Plan (MASP) for THB (14146/1/17 REV 1) • 2018 Operational Action Plan (OAP) THB (15852/17 RESTREINT UE) • Report from the Commission to the European Parliament and the Council on the progress made in the fight against trafficking in human beings (2016) as required under Article 20 of Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims (COM(2016) 267 final) • Report from the Commission to the European Parliament and the Council assessing the extent to which Member States have taken the necessary measures in order to comply with Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims in accordance with Article 23 (1) (COM(2016) 722 final) • Report from the Commission to the European Parliament and the Council assessing the impact of existing national law, establishing as a criminal offence the use of services which are the objects of exploitation of trafficking in human beings, on the prevention of trafficking in human beings, in accordance with Article 23 (2) of the Directive 2011/36/EU (COM(2016) 719 final) • Second report on the progress made in the fight against trafficking in human beings (2018) as required under Article 20 of Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims (15677/18 +ADD 1) 	
	<p><i>State of play/progress made:</i></p> <p>On 4 February 2019 COSI SG took note of the Second report on the progress made in the fight against trafficking in human beings (2018) as required under Article 20 of Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims (15677/18 + ADD 1)</p>	<p><i>Envisaged follow-up:</i></p> <p>Continue monitoring the implementation of the OAP 2019 on THB and the other relevant aspects outlined in the COM Communications.</p>

1.3.Preventing and fighting cybercrime and enhancing cybersecurity	
26.	Budapest Convention (ratification by MS) Responsible WP: HWP on Cyber
	<i>Main documents:</i> <ul style="list-style-type: none"> • Budapest Convention on cybercrime
<i>State of play/progress made:</i> Still 2 MSs remain to ratify the Budapest Convention.	<i>Envisaged follow-up:</i> Continuous

27.	<p>Cyber related challenges Responsible WP: HWP on Cyber, COSI</p> <ul style="list-style-type: none"> • Whois • Emergency response protocol for coordinated EU LEA response • Roadmap on dark web • CGN Address translation and on-line attribution 	
	<p><i>Main documents:</i></p> <ul style="list-style-type: none"> • The EU's fight against cybercrime: EU law enforcement response - Presidency report (28 November 2017) (14762/17) • Reform of the domain name WHOIS - lines to take (23 January 2018) (5506/18) and EU lines to take on WHOIS policy reform (23 October) (13443/18) • Letter sent from the Commission to the Chair of ICANN on the WHOIS system. WHOIS system (13 February 2018) (WK 1687/2018) • EU Law Enforcement Response to Cybercrime (07 May 2018) (WK 5430/2018) 	
	<p><i>State of play/progress made:</i></p> <p>Discussions ongoing in the HWP on Cyber associating considerations from other interested communities, e.g. law enforcement, data protection, overall internet governance developments, on to the temporary specification for top-level domain registration data adopted by ICANN and implemented by the registries and registrars which affected the access to the WHOIS for LEA purposes. The Commission organised three expert meetings (on 3 and 10 July and 10 September) to assess various issues raised in this context (legal basis for requesting access to the database and responding to the requests, authorities authentication, definition of reasonable access, protection of investigations' confidentiality and of personal data) and possible solutions (either part of the ICANN process or complementary ones at international, EU or national level).</p>	<p><i>Envisaged follow-up:</i></p> <p>Work concerning WHOIS developments will continue under the RO Presidency.</p> <p>In Q1-Q2 2019, a cyber-exercise on the LE ERP will be organised under the EMPACT Attack against Information Systems Operational Action Plan 2019. The standard Joint Investigation Team (JIT) template for cyber-specific matters currently under preparation by Eurojust shall be added in the Annex of the EU LE ERP. Europol and in particular the Dark Web team will continue to mainstream the Roadmap in their activities in support of the MS efforts to respond to the growing criminality on the Dark Web.</p> <p>There is a clear action plan for 2019 including the implementation of an Operational Planning and Co-ordination Group (OPCG) to develop the global response strategy, the introduction of a new Analysis Project Dark Web, the development of the dark web data collection capability and support to a series of EMPACT operational actions and trainings.</p>

<p>The HWP on Cyber Issues at its meetings of 7 and 28 September 2018 asked the Commission to prepare draft EU lines to take on the WHOIS policy reform in view of the upcoming ICANN63 meeting in Barcelona on 20 - 25 October 2018, which would reflect the current developments and expert discussions on WHOIS. The EU lines to take on the WHOIS policy reform were endorsed by COREPER on 24 October 2018.</p> <p>At the ICANN63 meeting in Barcelona, the WHOIS domain names system reform was discussed and ICANN published its Initial Report with the proposed changes on the WHOIS domain names system on 21 November 2018 with a period of 30 days for comments. This will be followed by a review of those comments until 31 January 2019 and subsequent submission to GNSO (Generic Names Supporting Organisation) Council of ICANN by 1 February 2019. The whole process is expected to be finalised by 14 May 2019.</p> <p>The EU LE ERP was approved by the European Union Cybercrime Task Force (EUCTF) in October 2018 and the Heads of the Europol National Units (HENUs) in November 2018.</p> <p>The final EU LE ERP package (14893/18) was tabled in the COSI Support Group on 10 December 2018.</p> <p>The Roadmap was endorsed by COSI in December 2017. The Roadmap is being implemented within the new EU Policy Cycle and is in line with the newly adopted horizontal cross-crime strategic goal to address the illicit trade online of goods and services (incl. on the Dark Web). The Roadmap's concrete implementation has already been included under the relevant 2018 and 2019 European Multidisciplinary Platform against Criminal Threats (EMPACT) priorities, such as the Attacks against information systems Operational Action Plan (OAP) (led by Europol's EC3).</p>	<p>Work concerning online attribution and CGN address translation will continue, focusing on supporting IPv6 wider adoption and working with Internet access/content providers to circumvent the attribution limitation due to CGN.</p>
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28.	Child Sexual Exploitation (CSE) Responsible WP: COSI	
	<p><i>Main documents:</i></p> <ul style="list-style-type: none"> • Implementation 2018-2021 EU Policy Cycle for organised and serious international crime: Multi Annual Strategic Plan (MASP) for CSE (13233/17) • 2018 Operation Action Plan (OAP) CSE (14289/1/17 REV 1 RESTREINT UE) • Improved EU Law Enforcement Capability to Address Online Child Sexual Exploitation" - Europol note (8 February 2018) (5932/18) and Exchange of views (12 February 2018) (5933/18) • EU Law Enforcement Response to Cybercrime (7 May 2018) (WK 5430/2018) 	
	<p><i>State of play/progress made:</i></p> <p>The improvement of EU law enforcement capability to address child sexual exploitation online in the context of the use of automatic detection and filtering technologies was discussed in COSI on 21 February 2018.</p> <p>On 23 March 2018 Europol organised a dedicated workshop in the EU Policy Cycle Framework to discuss recurring challenges in identifying and safeguarding the child victims of these crimes as well as in identifying and apprehending offenders (WK 5430/2018).</p>	<p><i>Envisaged follow-up:</i></p> <p>Europol to inform developments as necessary.</p>

29.	Monitor the implementation of the EU Cybersecurity strategy Responsible WP: HWP on Cyber	
	<i>Main documents:</i> <ul style="list-style-type: none"> • Action plan for the implementation of the Council Conclusions on Commission Joint Communication on Resilience, Deterrence and Defence (15748/17) • Progress report by the BG Presidency (10216/18) • Progress report by the AT Presidency (15364/18) 	
	<i>State of play/progress made:</i> <p>The BG Presidency worked towards improving the resilience and maintaining high standards in the area of cybersecurity in the EU, taking into account the need to strengthen the trust of the European citizens and enterprises in the digital space. A progress report with the main achievements was presented to the HWP on Cyber Issues in June outlining inter alia the Council conclusions on malicious cyber activities adopted in April, the general approach on the proposed Cybersecurity Act agreed by the Council in June, the conclusions on EU external cyber capacity building guidelines and conclusions on EU coordinated response to large-scale cybersecurity incidents and crises approved by COREPER in June and adopted by the Council later on.</p> <p>The AT Presidency worked further towards improving the resilience and maintaining high standards in the area of cybersecurity in the EU. A progress report with the main achievements was presented to the HWP on Cyber Issues in December outlining inter alia the political agreement on the Cybersecurity Act reached on 10 December 2018 and "Common messages" in the context of the framework for a joint EU diplomatic response to malicious cyber activities.</p>	<i>Envisaged follow-up:</i> Update on the progress once per Presidency semester

30.	Hybrid threats Responsible WP: FoP Hybrid	
	<i>Main documents:</i> <ul style="list-style-type: none"> • Joint communication to the European Parliament and the Council: "Joint Framework on countering hybrid threats - a European Union response", (6 April 2016) JOIN(2016) 18 final • Joint Report to the European Parliament and the Council on the implementation of the Joint Framework on countering hybrid threats - a European Union response (28 July 2017) (11539/17) • Council Conclusions on EU Coordinated response to Large Scale Cybersecurity Incidents and Crises (10086/18) 	
	<i>State of play/progress made:</i> FoP Hybrid Threats was established in July 2018 to address those issues.	<i>Envisaged follow-up:</i> Jointly work towards the development of European Cybersecurity Crisis Cooperation.
31.	EU Position in international fora Responsible WP: HWP on Cyber	
	<i>Main documents:</i> <ul style="list-style-type: none"> • EU Lines to take on a draft resolution on "Developments in the field of information and telecommunications in the context of international security" (12094/18) • EU Lines to take on cybercrime developments in the framework of the UN (12186/18) • EU lines to take on WHOISpolicy reform (13443/18) 	
	<i>State of play/progress made:</i> EU Positions on cyber policy issues in international fora were discussed by the HWP on Cyber Issues and adopted by COREPER (12094/18, 12186,18, 13433/18).	<i>Envisaged follow-up:</i> Further positions in international fora will be prepared when relevant.

32.	Directive on network and information security Responsible WP: TELECOM WP	
	<i>Main documents:</i> <ul style="list-style-type: none"> • Directive (EU) 2016/1148 concerning measures for a high common level of security of network and information systems across the Union (OJ L 194, 19.7.2016, p. 1) • Commission Communication "Making the most of NIS – towards the effective implementation of Directive (EU) 2016/1148 concerning measures for a high common level of security of network and information systems across the Union" (12205/17 + ADD 1 REV 1) 	
	<i>State of play/progress made:</i> Deadline for transposition expired on 9 May 2018. COM provided as part of the 2017 cybersecurity package a Communication aiming to facilitate the implementation process. The Commission launched infringement procedures on 19 July 2018 against 17 Member States for failing to communicate the adoption of national legislation which fully transposes the Directive. In October 2018, 8 Member States still needed to notify transposition into national law and 3 Member States needed to complete the notification of transposition.	<i>Envisaged follow-up:</i> In view of the deadline for the identification of operators of essential services (9 November 2018), the Commission will provide Member States with technical guidance concerning the mandatory information to be shared.
33.	Directive on combatting fraud and counterfeiting of non-cash means of payment Responsible WP: DROIPEN	
	<i>Main documents:</i> <ul style="list-style-type: none"> • Commission proposal for a Directive on combating fraud and counterfeiting of non-cash means of payment (12181/17) 	
	<i>State of play/progress made:</i> Political agreement reached with the EP in December 2018.	<i>Envisaged follow-up:</i> Implementation

2. Cross-cutting priority areas	
Information exchange and interoperability	
34.	<p>eu-LISA Regulation Responsible WP: DAPIX</p> <p><i>Main documents:</i></p> <ul style="list-style-type: none"> Regulation 2018/1726 on the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice, and amending Regulation (EC) 1987/2006 and Council Decision 2007/533/JHA and repealing Regulation (EU) 1077/2011(OJ L 295, 21.11.2018, p. 99–137)
	<p><i>State of play/progress made:</i></p> <p>Regulation formally adopted in November 2018 and published in the OJ (Regulation 2018/1726, OJ L 295, 21.11.2018, p. 99–137) The Commission adopted on 3 September 2018 a proposal for a Council Decision on the signing, on behalf of the EU, of the Arrangement with the Kingdom of Norway, the Republic of Iceland, the Swiss Confederation and the Principality of Liechtenstein, on the participation by those States in the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice and a proposal for a Council Decision on the conclusion of this Arrangement.</p> <p>The Council decision on signing of the agreement was adopted in October 2018 and the Arrangement was signed on 8 November 2018</p>
	<p><i>Envisaged follow-up:</i></p> <p>The Decision on the conclusion of the Arrangement will be adopted once the EP provides its consent, as requested by the Council on 21 January 2019.</p>

35.	Interoperability proposals Responsible WP: DAPIX	
	<p><i>Main documents:</i></p> <ul style="list-style-type: none"> • Amended proposal for a Regulation of the European Parliament and of the Council on establishing a framework for interoperability between EU information systems (borders and visa) and amending Council Decision 2004/512/EC, Regulation (EC) No 767/2008, Council Decision 2008/633/JHA, Regulation (EU) 2016/399, Regulation (EU) 2017/2226, Regulation (EU) 2018/XX [the ETIAS Regulation], Regulation (EU) 2018/XX [the Regulation on SIS in the field of border checks] and Regulation (EU) 2018/XX [the eu-LISA Regulation] (10178/18) • Amended proposal for a Regulation of the European Parliament and of the Council on establishing a framework for interoperability between EU information systems (police and judicial cooperation, asylum and migration) and amending [Regulation (EU) 2018/XX [the Eurodac Regulation],] Regulation (EU) 2018/XX [the Regulation on SIS in the field of law enforcement], Regulation (EU) 2018/XX [the ECRIS-TCN Regulation] and Regulation (EU) 2018/XX [the eu-LISA Regulation] (10190/18) 	
	<p><i>State of play/progress made:</i></p> <p>A mandate for negotiations with the European Parliament was reached at Coreper on 14 June 2018 (10453/18). Some political points were agreed with the European Parliament during the trilogue on 13 December 2018 and confirmed by Coreper on 19 December 2018 (15273/18).</p>	<p><i>Envisaged follow-up:</i></p> <p>A last trilogue is scheduled for 5 February 2019 with a view to presenting the final compromise texts for approval to Coreper on 13 February 2019, thereby allowing the co-legislators to adopt both Regulations before the end of the legislature.</p>

36.	Monitoring and implementation of the Roadmap on information exchange Responsible WP: COSI, DAPIX FoP on interoperability	
	<i>Main documents:</i> <ul style="list-style-type: none"> • Roadmap to enhance information exchange and information management including interoperability solutions in the Justice and Home Affairs area: - Update following Council Conclusions on interoperability (14750/17) • Third implementation report of the Roadmap to enhance information exchange and information management including interoperability solutions in the Justice and Home Affairs area (7931/18) 	
	<i>State of play/progress made:</i> COSI endorsed the Annual Implementation report on the Interoperability Roadmap at its meeting on 26 June 2018.	<i>Envisaged follow-up:</i> The implementation of remaining actions will follow mainly after the adoption of various pieces of legislation including the Interoperability proposal.
36 a.	Monitoring of the Data Protection Law Enforcement Directive Responsible WP: DAPIX	
	<i>Main documents:</i> The minutes of the meeting of the Commission expert group on Regulation (EU) 2016/679 and Directive (EU) 2016/680, available at: http://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupDetail&groupID=3461	
	<i>State of play/progress made:</i> Implementation deadline 6 May 2018	<i>No envisaged follow-up</i>

37.	Monitoring of the PNR Directive Responsible WP: DAPIX	
	<i>Main documents:</i> <ul style="list-style-type: none"> • 5501/18, 7815/1/18, 10139/18, 12825/18: reports on the informal working group on PNR (IWG PNR) under DE and FR chair • 8160/18, 10206/18: 14th and 15th COM progress report towards an effective an genuine Security Union • Report on the Conference on future of PNR / Sofia (6104/18) 	
	<i>State of play/progress made:</i> Implementation deadline 25 May 2018: 23MS (BE, BG, CY, CZ, EE, EL, DE, FR, HR, HU, IE, IT, LV, LT, LU, MT, AT, PL, RO, SI, SK, SE, UK) have communicated to COM the measures they have adopted to transpose the Directive. Infringement proceedings launched on 19 July 2018. The PIU – SIRENE co-operation and SIS use for PNR purposes were discussed at SIS/VIS COM.	<i>Envisaged follow-up:</i> Continuation of IWG PNR meetings at expert level under FR chair; continuation of meetings at expert level with COM on application of PNR. Completeness and conformity assessment of the national transposition measures, to be carried out by COM and an external contractor. Finalisation of establishing the rules for PIU-SIRENE co-operation and use of SIS by PIUs in SIRENE Manual. A mid term Report on the application of the Directive is going to be drafted during the RO Presidency.

38.	Prüm decisions Responsible WP: DAPIX	
	<i>Main documents:</i>	
	<i>State of play/progress made:</i> Adoption of Council Implementing Decision on the launch of automated data exchange for HR (DNA) and IE (DNA and FP) Evaluation visits carried out regarding VRD /IE and DNA / UK Regular update on increase of bilateral connections between operational MS Negotiation of agreements with CH and LI on the application of certain Prüm provisions completed, text proposal expected in January 2019. COM feasibility study on improving information exchange under the Prüm Decisions was launched in November 2018. The results will be available in Autumn 2019.	<i>Envisaged follow-up:</i> Finalisation of GR (VRD), Preparation of IT (DNA, FP, VRD), IE (VRD), UK (DNA, FP, VRD) as to their access to automated data exchange: Implementation of certain Prüm provisions in NO Launch of discussion on technical features of next Prüm generation (Prüm.ng) A questionnaire regarding the technical difficulties encountered in automatic data exchange in the context of Prüm will be promoted during the RO Presidency. Its findings will contribute to the work within the framework of the <i>focus groups</i> and will be integrated in the feasibility study launched by the COM.
39.	Prüm training needs analysis Responsible WP: DAPIX	
	<i>Main documents:</i> <ul style="list-style-type: none"> • 6807/1/17 REV 1: outcome of survey on Prüm training needs 	
	<i>State of play/progress made:</i> CEPOL online learning module re-drafted, completed and made accessible on CEPOL website.	<i>Envisaged follow-up:</i> Although there is no concrete follow-up envisaged, some aspects of the training in the Prüm context will be covered by the feasibility study launched by the COM and by the work of the <i>focus groups</i> .

40.	Develop/implement information management strategy Responsible WP: DAPIX	
	<i>Main documents:</i> <ul style="list-style-type: none"> 6742/18 (document sets out the list of actions and the documents referring to the state of play of their implementation) 	
	<i>State of play/progress made:</i> Adoption of action list No 6 (6742/18), which continues with the implementation of list no 5.	<i>Envisaged follow-up:</i> Implementation of, in particular, ADEP, UMF3+, PCCC strengthening Regular reports to DAPIX on progress made The RO Presidency will focus on further exploring the automation of information exchange while addressing the present situation and the future role of Automation solutions. In this regard a questionnaire will be promoted. Its conclusions and findings will feed a reflection process on post IMS actions and the way forward.

41.	<p>Schengen Information System</p> <p>(1) for the return of illegally staying third-country nationals;</p> <p>(2) in the field of border checks;</p> <p>(3) in the field of police cooperation and judicial cooperation in criminal matters</p> <p>Responsible WP: Schengen Matters (SIS/SIRENE configuration)</p>	
	<p><i>Main documents:</i></p> <ul style="list-style-type: none"> • Regulation (EU) 2018/1860 on the establishment, operation and use of the Schengen Information System (SIS) for the return of illegally staying third-country nationals <ul style="list-style-type: none"> - Regulation (EU) 2018/1861 on the establishment, operation and use of the Schengen Information System (SIS) in the field of border checks, amending Regulation (EU) No 515/2014 and repealing Regulation (EC) No 1987/2006 - Regulation (EU) 2018/1862 of the European Parliament and of the Council on the establishment, operation and use of the Schengen Information System (SIS) in the field of police cooperation and judicial cooperation in criminal matters, amending Regulation (EU) No 515/2014 and repealing Regulation (EC) No 1986/2006, Council Decision 2007/533/JHA and Commission Decision 2010/261/EU • Doc. 9146/18 + COR 1; 10890/1/18; PE-CONS 34 (to be issued), PE-CONS 35 (to be issued), PE-CONS 36 (to be issued) 	
	<p><i>State of play/progress made:</i></p> <p>The Regulations entered into force on 27 December 2018.</p>	<p><i>Envisaged follow-up:</i> There are four phases for their implementation: (i) from the date of entry into force (starting of all the preparatory measures; obligation to create alerts on the basis of terrorism-related offences); (ii) after one year (Europol and Frontex will have full access to SIS); (iii) after two years (AFIS becomes mandatory); (iv) within three years (all the provisions of the three Regulations will be applicable).</p>

42.	SIS/SIRENE cooperation in the Fight against Foreign Terrorist Fighters Responsible WP: Schengen Matters (SIS/SIRENE configuration)	
	<p><i>Main documents:</i></p> <ul style="list-style-type: none"> • Council Conclusions on strengthening the cooperation and the use of the Schengen Information System (SIS) to deal with persons involved in terrorism or terrorism-related activities, including foreign terrorist fighters (9691/18) (see measure 3) 	
	<p><i>State of play/progress made:</i></p> <p>The Council Conclusions were adopted on 4 June 2018. Their implementation is ongoing. It covers actions related to FTF. In particular, COM is invited to determine, with the active participation and agreement of experts from the Member States, good practices in terms of follow-up procedures for hits on persons involved in terrorism or terrorism-related activities, including foreign terrorist fighters under Article 36 [of Decision 2007/533/JHA]; incorporate these into the SIS/SIRENE Best Practices Catalogue and amend the SIRENE Manual, if necessary; and CEPOL is invited to continue developing training programmes for end-users of SIS, on the basis of the SIRENE Manual and Best Practices Catalogue, on the topic of persons involved in terrorism or terrorism-related activities, including foreign terrorist fighters, who are the subject of alerts in SIS.</p> <p>Under BG Presidency, a discussion was held on the use of SIS channels for data comparison with PNR, as well as the relationship with PIUs. Progress has been made as regards the necessary implementations. In some Member States, internal procedures are still pending, for instance, because of ongoing tender procedures.</p>	<p><i>Envisaged follow-up:</i></p> <p>Under the RO Presidency the implementation of the Council Conclusions will be followed up by the SIS/SIRENE WP and/or the Heads of SIRENE. This will be carried out in cooperation with other stakeholders, including Europol.</p> <p>The practices of the Member States in comparing PNR data against the SIS will be further monitored with a view to establishing rules for PIU-SIRENE co-operation in the SIRENE Manual, if deemed necessary</p>

43.	Capacity building of SIRENE bureaux Responsible WP: Schengen Matters (SIS/SIRENE configuration)	
	<i>Main documents:</i> <ul style="list-style-type: none"> • Development of the SIRENE Bureaux in the framework of the Schengen Information System - Council conclusions (7 December 2017) (15560/17) • Questionnaire on the implementation of the Council Conclusions on the development of the SIRENE Bureaux in the framework of the Schengen Information System (SIRENE capability building) (11602/18) 	
	<i>State of play/progress made:</i> During the meeting of the Heads of SIRENE in Sofia, on 11-13 June 2018, Member States reported on the progress made on this matter. The Council Conclusions foresee an annual assessment.	<i>Envisaged follow-up:</i> RO Presidency has circulated the questionnaire and MS had to report on the follow-up until 14 of January. The outcome will be presented and discussed at the SIS/SIRENE WP with a view to assess the situation in the MS and to find solutions for improvement.
44.	Implementation of AFIS in SIS Responsible WP: Schengen Matters (SIS/SIRENE configuration)	
	<i>Main documents:</i> <ul style="list-style-type: none"> • Automated Fingerprint Identification System (AFIS) component of the SIS - Procedure for matches on fingerprints' (11527/18) 	
	<i>State of play/progress made:</i> Since March 2018 work is ongoing to establish practical procedures concerning the SISAFIS Matches.	<i>Envisaged follow-up:</i> Continuous.

45.	Extension of ECRIS to third country nationals Responsible WP: COPEN	
	<i>Main documents:</i> <ul style="list-style-type: none"> • Proposal for a Directive amending Council Framework Decision 2009/315/JHA, as regards the exchange of information on third country nationals and as regards the European Criminal Records Information System (ECRIS), and replacing Council Decision 2009/316/JHA (5438/16 + ADD 1 + ADD 2) • Proposal for a Regulation establishing a centralised system for the identification of Member States holding conviction information on third country nationals and stateless persons (TCN) to supplement and support the European criminal records information system (ECRIS-TCN system) and amending Regulation (EU) No. 1077/2011 (10940/17 + ADD 1) 	
	<i>State of play/progress made:</i> Political agreement with the EP was reached in December 2018. Texts are currently under legal-linguistic examination.	<i>Envisaged follow-up:</i> The Directive and the Regulation will probably be adopted in March 2019. Effective entry into operation of ECRIS-TCN is expected to take place not earlier than Spring 2022.

<i>Availability of data</i>			
46.	<p>Data retention Responsible WP: DAPIX - (FoP on data retention)</p>		
	<p><i>Main documents:</i></p> <ul style="list-style-type: none"> Retention of electronic communication data (14480/1/17 REV 1) 		
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top;"> <p><i>State of play/progress made:</i></p> <p>Following the work completed under the BG presidency, the AT Presidency examined on 10 July 2018 in the DAPIX (Data Retention) WP the limited storage periods and the requirements for data security (storage on the EU territory and in an encrypted way/pseudonymisation) with which it completed the elements foreseen by the EE Presidency in their concept paper endorsed by the Council in 2017 on restricted data retention ("1st level of interference").</p> <p>In 11 September 2018 the AT Presidency focused on the targeted access to retained data ("2nd level of interference") and held a policy debate on the substantive and procedural legal requirements for access to retained data. On 19 November CATS and on 7 December the Council were presented with a progress report on state-of-play of the discussions in the DAPIX WP together with the key elements of ECJ case-law (14319/18).</p> <p>The Council called upon the Commission to conduct a comprehensive study on data retention and on the possible solutions in this respect, including the possibility of a legislative initiative, taking into account the necessity of data retention for effective law enforcement and the development of the case law of the ECJ.</p> </td> <td style="width: 50%; vertical-align: top;"> <p><i>Envisaged follow-up:</i></p> <p>The RO Presidency is expected to continue the reflection process on the basis of the findings of the examination completed under the BG and AT Presidency and define the way ahead.</p> </td> </tr> </table>	<p><i>State of play/progress made:</i></p> <p>Following the work completed under the BG presidency, the AT Presidency examined on 10 July 2018 in the DAPIX (Data Retention) WP the limited storage periods and the requirements for data security (storage on the EU territory and in an encrypted way/pseudonymisation) with which it completed the elements foreseen by the EE Presidency in their concept paper endorsed by the Council in 2017 on restricted data retention ("1st level of interference").</p> <p>In 11 September 2018 the AT Presidency focused on the targeted access to retained data ("2nd level of interference") and held a policy debate on the substantive and procedural legal requirements for access to retained data. On 19 November CATS and on 7 December the Council were presented with a progress report on state-of-play of the discussions in the DAPIX WP together with the key elements of ECJ case-law (14319/18).</p> <p>The Council called upon the Commission to conduct a comprehensive study on data retention and on the possible solutions in this respect, including the possibility of a legislative initiative, taking into account the necessity of data retention for effective law enforcement and the development of the case law of the ECJ.</p>	<p><i>Envisaged follow-up:</i></p> <p>The RO Presidency is expected to continue the reflection process on the basis of the findings of the examination completed under the BG and AT Presidency and define the way ahead.</p>
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47.	E-evidence Responsible WP: COPEN (E-evidence, 2nd Additional Protocol to the Budapest Convention, US CLOUD Act), CATS, HWP on Cyber (Practical Measures on e-evidence)	
	<i>Main documents:</i> <ul style="list-style-type: none"> • Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on European Production and Preservation Orders for electronic evidence in criminal matters (8115/18) • Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down harmonised rules on the appointment of legal representatives for the purpose of gathering evidence in criminal proceedings (8110/18) 	
	<i>State of play/progress made:</i> <p>Negotiations on the proposed regulation have been successfully completed with the Council reaching a general approach in December. The examination of the proposed Directive started under the BG Presidency but has been temporarily suspended during the AT Presidency to give the necessary time and consideration of the issues that arose in relation to the draft Regulation, in particular the need to include some sort of a notification system (a discussion on the issue was held in the October Council together with a possible extension of the scope to cover direct access and real-time interception).</p> <p>The international developments related to the adopted in March US CLOUD Act and the drafting of the 2nd additional protocol within the Council of Europe have been closely observed throughout the year with a view to their impact on the e-evidence legislative package. The justice ministers debated this matter on several occasions in 2018 and expressed strong preference for a EU approach.</p>	<i>Envisaged follow-up:</i> <p>COPEN WP will continue the examination of the draft directive with a view to reach a general approach by the March Council.</p> <p>COM is expected to present recommendations for negotiating mandates both regarding the conclusion of a EU-US agreement facilitating the access to e-evidence and the drafting of the 2nd Additional Protocol.</p> <p>So far given the lack of such proposals on the table an informal coordination of the EU position is taking place in the Council of Europe where the work should be completed by the end of the year.</p>

48.	Encryption Responsible WP: HWP on Cyber Issues, CATS	
	<i>Main documents:</i> <ul style="list-style-type: none"> • 11th and 13th Security Union Progress Report 	
	<p><i>State of play/progress made:</i></p> <p>Following the request by the 2016 December Council the COM presented a set of six operational and practical measures in the 11th Security Union Progress Report aimed at supporting the law enforcement and the judicial authorities in tackling the abuse of encryption in criminal investigations. In the latest update on the implementation progress of those measures was provided by the COM on several occasions both to the HWP on Cyber Issues and CATS. It was specified that in order to support national LEA and judicial authorities a network of points of expertise from Member States has been set up whose first meeting is awaited soon:</p> <p>that a one-time sum of EUR 5 million was provided to Europol for the set up of a decryption capability for data-at-rest in collaboration with the Commission's Joint Research Centre; that the set up of a toolbox of legal and technical instruments to be housed at Europol/EC3 is envisaged; and finally that EUR 500,000 were foreseen under the 2018 annual work programme for training in collaboration with CEPOL and ECTEG, targeting law enforcement and judicial authorities.</p> <p>In view of the European Council Conclusions of June 2017 the Commission also looked at the possible solutions to end-to-end encryption in several expert meetings together with MS. Given the request for more technical information COM organised jointly with Europol a technical meeting to discuss the details of the possible ways forward to address this issue that would not prohibit, limit or weaken end-to-end encryption. In the JHA Counsellors meeting that took place on 6 November 2018 and further in CATS on 21</p>	<p><i>Envisaged follow-up:</i></p> <p>Awaiting COM's decision and respective funding for the development of the end-to-end decryption tool within Europol in view of the political support provided at the CATS meeting of 21 November 2018.</p> <p>Further reporting on the implementation of the operational and practical measures.</p>

	November 2018 the COM and Europol provided additional information regarding the decryption tool for end-to-end encryption the set up of which was broadly supported by MS.	
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<i>Anti money laundering, asset recovery, financial crime</i>	
49.	Directive Money laundering - criminal law Responsible WP: DROIPEN
<i>Main documents:</i> <ul style="list-style-type: none"> • Directive (EU) 2018/1673 of the European Parliament and of the Council of 23 October 2018 on combating money laundering by criminal law (OJ L 284, 12.11.2018, p. 22–30) 	
<i>State of play/progress made:</i> Adopted	<i>Envisaged follow-up:</i> Transposition period: 3 December 2020
50.	Mutual recognition of freezing and confiscation orders Responsible WP: COPEN
<i>Main documents:</i> <ul style="list-style-type: none"> • Regulation (EU) 2018/1805 of the European Parliament and of the Council of 14 November 2018 on the mutual recognition of freezing orders and confiscation orders OJ L 303, 28.11.2018, p. 1) 	
<i>State of play/progress made:</i> The Regulation (2018/1805) was adopted on 14 November 2018.	<i>Envisaged follow-up:</i> In accordance with Article 41, the Regulation shall apply from 19 December 2020.

51.	Monitor the implementation of mutual recognition instruments Responsible WP: COPEN	
	<i>Main documents:</i> <ul style="list-style-type: none"> • Timeline (WK 1374/2018). Action is also taken in specific fields, e.g. concerning the Directive on the European Investigation Order (9738/1/18 REV 1) 	
	<i>State of play/progress made:</i> Continuous action, in collaboration with the Commission. Time-line is constantly being updated.	<i>Envisaged follow-up:</i> Continuous
52.	LEA access to financial information Responsible WP: LEWP	
	<i>Main documents:</i> <ul style="list-style-type: none"> • COM proposal for a Directive on the use of use of financial and other information for the prevention, detection, investigation or prosecution of certain criminal offences (8411/2018) 	
	<i>State of play/progress made:</i> Presidency mandate for negotiations adopted by COREPER on 21 November 2018. Trilogues have started on 12 December 2018, with the third and last one scheduled for 31 January 2019.	<i>Envisaged follow-up:</i> The aim of the Romanian Presidency is to reach agreement in first reading on 31 January 2019.

53.	Action plan on financial investigations Responsible WP: LEWP	
	<i>Main documents:</i> <ul style="list-style-type: none"> • Council Conclusions and Action Plan on the way forward with regard to financial investigation - Council conclusions (9 June 2016) (10125/16) • Council Conclusions and Action Plan on the way forward with regard to financial investigation - mid-term progress report (11 December 2017) (13382/1/17 REV 1) 	
	<i>State of play/progress made:</i> Mid-term progress report adopted in November 2017.	<i>Envisaged follow-up:</i> The Romanian Presidency is planning to further monitor the implementation of the Action Plan as of the March meeting of the LEWP.

<i>Improving operational cooperation</i>	
54.	Europol Regulation Responsible WP: LEWP
<i>Main documents:</i> <ul style="list-style-type: none"> Regulation (EU) 2016/794 on the European Union Agency for Law Enforcement Cooperation (Europol) (OJ L 135, 24.5.2016, p. 53–114) 	
<i>State of play/progress made:</i> On 11 May 2016, the co-legislators adopted Regulation (EU) 2016/794 on the European Union Agency for Law Enforcement Cooperation (Europol), which provides a new legal basis for Europol.	<i>Envisaged follow-up:</i> Implemented

55.	European Border and Coast Guard Regulation Responsible WP: Frontiers	
	<i>Main documents:</i> <ul style="list-style-type: none"> Regulation (EU) 2016/1624 of the European Parliament and of the Council of 14 September 2016 on the European Border and Coast Guard and amending Regulation (EU) 2016/399 of the European Parliament and of the Council and repealing Regulation (EC) No 863/2007 of the European Parliament and of the Council, Council Regulation (EC) No 2007/2004 and Council Decision 2005/267/EC (OJ L 251, 16.9.2016, pp. 1-76) Proposal for a Regulation of the European Parliament and of the Council on the European Border and Coast Guard and repealing Council Joint Action n°98/700/JHA, Regulation (EU) n° 1052/2013 of the European Parliament and of the Council and Regulation (EU) n° 2016/1624 of the European Parliament and of the Council, submitted on 12 September 2018 	
	<i>State of play/progress made:</i> On 14 September 2016 the co-legislators adopted the new Regulation setting out the mandate of FRONTEX. The Commission submitted a proposal on 12 September 2018, with a view to further enhancing the mandate of FRONTEX and facilitating the procedures for the implementation of the European Integration Border Management.	<i>Envisaged follow-up:</i> Reach a general approach of the Council by June 2019.
56.	Eurojust Regulation Responsible WP: COPEN	
	<i>Main documents:</i> <ul style="list-style-type: none"> Regulation (EU) 2018/1727 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust), and replacing and repealing Council Decision 2002/187/JHA(OJ L 295, 21.11.2018, p. 138) 	
	<i>State of play/progress made:</i> The Regulation (2018/1727) was adopted on 14 November 2018.	<i>Envisaged follow-up:</i> In accordance with its Article 82(2), the Regulation shall apply from 12 December 2019.
57.	EPPO Regulation	

	Responsible WP: COPEN	
	<p><i>Main documents:</i></p> <ul style="list-style-type: none"> • Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor’s Office (‘the EPPO’) • OJ L 283, 31.10.2017, p. 1–71 	
	<p><i>State of play/progress made:</i></p> <p>Adopted</p>	<p><i>Envisaged follow-up:</i></p> <p>Attention will be given by the RO Presidency to the setting up of the EPPO.</p>

58.	Cooperation between customs and LEA Responsible WP: COSI, CCWP	
	<p><i>Main documents:</i></p> <ul style="list-style-type: none"> Enhancing Customs contribution to internal security (7705/2/18 REV 2) <p>This document presents a number of areas where cooperation between customs authorities, police and other specialised law enforcement authorities, police and other specialised law enforcement authorities, as well as the interaction with relevant JHA agencies, e.g. Europol and Frontex, could be stepped up as a part of an integrated approach to security.</p>	
	<p><i>State of play/progress made:</i></p> <p>At its meeting on 15 May 2018, COSI endorsed the workstrands identified in doc. 7705/2/18 REV 2 on enhancing the contribution of customs authorities to the internal security in the EU.</p> <p>At its meeting on 19 June 2018, the CCWP (Plenary) held an exchange of views on the follow-up to the COSI meeting.</p> <p>The AT Presidency initiated a structured approach with a series of thematic discussions, based on questions in a Presidency note prepared in advance for each plenary meeting and following the rationale set out in 7705/2/18 REV 2. On 5 July 2018, CCWP held a first thematic discussion on cooperation with Europol, on 18 September 2018 CCWP discussed cooperation with Frontex and on 26 October 2018 cooperation with CEPOL.</p> <p>On 8 November 2018, CCWP held a joint meeting with the Law Enforcement Working Party (LEWP).</p> <p>At its meeting on 16 November 2018, CCWP approved an interim report on enhancing customs contribution to internal security which was presented to COSI on 23 November 2018. COSI welcomed the report and expects a final report containing recommendations on further action.</p>	<p><i>Envisaged follow-up:</i></p> <p>To elaborate a final report at the level of the CCWP, complete with recommendations.</p> <p>The main objective would be to agree on a number of measures, their way of implementation and timeline (and probably financial aspects) which could be presented to COSI and, if possible, to the Council.</p>

59.	Cooperation between LEA and national security authorities	
	Responsible WP: COSI, TWP	
	<i>Main documents:</i>	
	<i>State of play/progress made:</i> Regular debriefs at COSI and the JHA-Council by Europol and the CTG on the state of play of cooperation with CTG services.	<i>Envisaged follow-up:</i> Continuous
60.	Cooperation between JHA agencies on CT	
	Responsible WP: TWP, COSI	
	<i>Main documents:</i> <ul style="list-style-type: none"> JHA agencies' role in CT (6146/18 + ADD 1 + ADD 1 EXT 1) and discussion papers 7871/18 and 8482/18 	
	<i>State of play/progress made:</i> Discussions in TWP and COSI during the BG Presidency	<i>Envisaged follow-up:</i> Next steps could be considered to be defined under the RO Presidency, as appropriate. necessary

61.	Expert groups and Networks related to the LEWP Responsible WP: LEWP	
	<p><i>Main documents:</i></p> <ul style="list-style-type: none"> • Guidelines for networks: 15572/17 • Overview of LEWP networks and their strategic objectives: 11055/18 	
	<p><i>State of play/progress made:</i></p> <p>Work on the Networks' strategic objectives is currently a regular topic in the LEWP. The LEWP continuously monitors the work of its networks and provides the necessary input and orientation. Recent initiatives include the strengthening of ATLAS and CULTNET networks.</p>	<p><i>Envisaged follow-up:</i></p> <p>After the adoption of Council conclusions on the strengthening of the ATLAS Network (15627/17), a permanent ATLAS support office is being created under the auspices of Europol and should be operational by the end of the first semester of 2019. Further enhancements are being discussed in the LEWP on the basis of the above conclusions (pooling of expensive equipment, training centres of excellence etc.).</p> <p>Work will continue during the RO Presidency as one of the priorities is <i>creating synergies between the LEWP networks</i>.</p>
62.	JHA Agencies' network Responsible WP: COSI	
	<p><i>Main documents:</i></p> <ul style="list-style-type: none"> • Final report on the JHA Agencies' cooperation for 2017 (10117/18) 	
	<p><i>State of play/progress made:</i></p> <p>Agencies' Directors meeting was held in November 2018. A report on the network activities for 2018 will be presented at COSI in February 2018 by EIGE.</p>	<p><i>Envisaged follow-up:</i></p> <p>Europol will be chairing the agencies network in 2019.</p>

63.	Europol agreements with third countries Responsible WP: LEWP	
	<p><i>Main documents:</i></p> <ul style="list-style-type: none"> • 9320/18 + ADD 1 • 9330/18 + ADD 1 • 9331/18 + ADD 1 • 9332/18 + ADD 1 • 9333/18 + ADD 1 • 9334/18 + ADD 1 • 9339/18 + ADD 1 • 9342/18 + ADD 1 	
	<p><i>State of play/progress made:</i></p> <p>Council Decisions, authorising the opening of negotiations with all eight of the third countries concerned, have been adopted together with their respective negotiating Directives.</p>	<p><i>Envisaged follow-up:</i></p> <p>The Commission has opened the negotiations with Turkey in 2018 and will do so with other countries identified as most urgent during 2019. The first meeting of JHA Counsellors (Europol) where the Commission will present the state of play should be scheduled in March or April 2019.</p>
	<p><i>Internal/External nexus of security</i></p>	

64.	Strengthening the links between external and internal dimension of security Responsible WP: COSI / PSC	
	<i>Main documents:</i> <ul style="list-style-type: none"> • Crime Information Cell Pilot Project: Identifying challenges and opportunities for the exchange of information between EUNAVFOR MED Operation Sophia and JHA agencies (6 March 2018) (6440/18) • Council Decision (CFSP) amending Decision (CFSP) 2015/778 on a European Union military operation in the Southern Central Mediterranean (EUNAVFOR MED operation SOPHIA) (7708/18) • Crime Information Cell Pilot Project - Final Report (14312/18) 	
	<i>State of play/progress made:</i> EUNAVFOR MED Operation Sophia, Europol and FRONTEX presented a report on the final results of the CIC pilot project at the COSI/PSC meeting in November (14312/18).	<i>Envisaged follow-up:</i> Follow up on the CIC activities.
65.	Integrative Internal Security Governance (IISG) Responsible WP: COSI	
	<i>Main documents:</i> <ul style="list-style-type: none"> • Council Conclusions on strengthening the EU internal security's external dimension in the Western Balkans including via the Integrative Internal Security Governance (IISG) - (8 December 2016) (15413/16) • IISG in the Western Balkans - draft Integrative Plan of Action for the Western Balkan Counter Serious Crime Initiative (WBCSCi) (5934/18) 	
	<i>State of play/progress made:</i> On 5 and 6 September 2018 the IISG Support Group organised in Belgrade a workshop with Drivers and Action Leaders who consider the Western Balkans to be an area of interest; the outcomes of the workshop are to be reported to COSI, including possible synergies, challenges faced and ideas which could be implemented in the EU Policy Cycle 2018-2021.	<i>Envisaged follow-up:</i> Continuous

3. Enhancing security at the external borders			
66.	<p>Entry/Exit System Regulation Responsible WP: Frontiers</p>		
	<p><i>Main documents:</i></p> <ul style="list-style-type: none"> Regulation (EU) 2017/2226 of the European Parliament and of the Council of 30 November 2017 establishing an Entry/Exit System (EES) to register entry and exit data and refusal of entry data of third-country nationals crossing the external borders of the Member States and determining the conditions for access to the EES for law enforcement purposes, and amending the Convention implementing the Schengen Agreement and Regulations (EC) No 767/2008 and (EU) No 1077/2011 (OJ L 327, 9.12.2017, p. 20–82) 		
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top;"> <p><i>State of play/progress made:</i></p> <p>On 20 November 2017 the Council adopted the Regulation for an entry-exit system and the regulation amending the Schengen border code in relation to the entry-exit system. This system will register identity data as well as entry, exit and refusal of entry information of third country nationals crossing the external borders of the Schengen area. eu-LISA, together with the member states, is expected to start building the new system, which should be operational by the end of 2020.</p> </td> <td style="width: 50%; vertical-align: top;"> <p><i>Envisaged follow-up:</i></p> <p>Work has been pursued - mainly in the context of the Smart Borders Committee - in order to adopt all the necessary Implementing Decisions which will allow eu-LISA to proceed with the technical implementation of the system, including the relevant calls for tender.</p> <p>With a view to implementing the EES necessary steps are being taken in other relevant fields, such as the adaptations of the bilateral agreements that some Member States had stipulated with third countries allowing their citizens to prolong their stay in the Member State in question.</p> </td> </tr> </table>	<p><i>State of play/progress made:</i></p> <p>On 20 November 2017 the Council adopted the Regulation for an entry-exit system and the regulation amending the Schengen border code in relation to the entry-exit system. This system will register identity data as well as entry, exit and refusal of entry information of third country nationals crossing the external borders of the Schengen area. eu-LISA, together with the member states, is expected to start building the new system, which should be operational by the end of 2020.</p>	<p><i>Envisaged follow-up:</i></p> <p>Work has been pursued - mainly in the context of the Smart Borders Committee - in order to adopt all the necessary Implementing Decisions which will allow eu-LISA to proceed with the technical implementation of the system, including the relevant calls for tender.</p> <p>With a view to implementing the EES necessary steps are being taken in other relevant fields, such as the adaptations of the bilateral agreements that some Member States had stipulated with third countries allowing their citizens to prolong their stay in the Member State in question.</p>
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67.	ETIAS Regulation Responsible WP: Frontiers	
	<p><i>Main documents:</i></p> <ul style="list-style-type: none"> • Proposal for a Regulation of the European Parliament and of the Council establishing a European Travel Information and Authorisation System (ETIAS) and amending Regulations (EU) No 515/2014, (EU) 2016/399, (EU) 2016/794 and (EU) 2016/1624 (14082/16) • Regulations (EU) 2018/1240 and 2018/1241 have been published (OJ L 236, 19 September 2018, p.1) 	
	<p><i>State of play/progress made:</i></p> <p>A political agreement was reached with the EP in April 2018 (7986/1/18 REV 1). Following the confirmation of such agreement by the EP Plenary in July and by the Council early September, the ETIAS Regulations have been published in the OJ on 19 September 2018.</p>	<p><i>Envisaged follow-up:</i></p> <p><i>Consequential amendments to the ETIAS Regulation in the context of interoperability were tabled by the COM.</i> The envisaged changes are necessary to enable ETIAS to consult VIS, SIS, EES, Eurodac, Europol data and ECRIS-TCN. <i>In the beginning of September, COREPER granted a revised mandate for the Interoperability proposals taking into account the consequential amendments (see point 35).</i></p> <p>In parallel, work will be pursued - mainly in the context of the Smart Borders Committee - in order to adopt all the necessary implementing and delegated acts which will allow eu-LISA to proceed with the technical implementation of the system, including the relevant calls for tender.</p> <p>COM tabled two new proposals (5071/19 and 5072/19) on 8 January 2019 to include further consequential amendments that are necessary to establish the interoperability of other EU information systems with ETIAS. The RO Presidency intends to facilitate discussions with a view to adopting a position in the Council as soon as possible.</p>

68.	Temporary reintroduction of controls at the internal borders Responsible WP: Frontiers	
	<i>Main documents:</i> <ul style="list-style-type: none"> • Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2016/399 as regards the rules applicable to the temporary reintroduction of border control at internal borders (16 May 2018) (8741/18) 	
	<i>State of play/progress made:</i> <p>The relevant proposal was submitted by the Commission on 27 September 2017. On 19 June 2018 Coreper agreed on a mandate to the Presidency for negotiations with the European Parliament. The main elements of the relevant compromise are linked with the total period allowed internal controls for the same reason (one year), as well as on the procedure for the reintroduction/prolongation(s) of internal border controls, aiming at trust-building elements in the application of such controls.</p> <p>The EP adopted its position in November 2018.</p>	<i>Envisaged follow-up:</i> <p>Trilogues ongoing with a view to reaching a political agreement with the EP within the current legislature.</p>

69.	False documents Responsible WP: Frontiers (False documents)	
	<p><i>Main documents:</i></p> <ul style="list-style-type: none"> • Communication from the Commission to the EP and the Council - Action plan to strengthen the European response to travel document fraud (08 December 2016) (COM(2016) 790 final) • Council Conclusions on the Commission Action plan to strengthen the European response to travel document fraud (30 March 2017) (7696/17) • Council Conclusions on identity management (30 March 2017) (15862/17) • Report from the Commission to the EP and the Council on the implementation of the Action Plan to strengthen the EU response to travel document fraud (doc. 13265/18) • Questionnaire on the implementation of common minimum security standards related to the security of issuing processes (9231/18) 	
	<p><i>State of play/progress made:</i></p> <p>On-going implementation of actions contained in the Action plan by Member States and the Commission</p>	<p><i>Envisaged follow-up:</i></p> <p>In line with Commission's report on the implementation of the Action plan, Member States are reminded to swiftly implement the measures described in the Council conclusions of 27 March and 18 December 2017.</p>

70.	Common risk indicators Responsible WP: Frontiers	
	<i>Main documents:</i> <ul style="list-style-type: none"> • Frontex booklet was updated in January 2018 	
	<i>State of play/progress made:</i> In June 2015, the Commission finalised a first set of common risk indicators, concerning foreign terrorist fighters, to detect terrorist travels. Common risk indicators and guidance from FRONTEX now support the work of national border authorities when conducting checks on individuals.	<i>Envisaged follow-up:</i> Implementation
71.	Improving security features of ID cards Responsible WP: Frontiers	
	<i>Main documents:</i> <ul style="list-style-type: none"> • Proposal for a Regulation on strengthening the security of identity cards of Union citizens and of residence documents issued to Union citizens and their family members exercising their right of free movement (8175/18 +ADD 1+ADD 2) • Opinion of the European Data Protection Supervisor (11629/18) • Council negotiating mandate (14360/18) 	
	<i>State of play/progress made:</i> On 17 April 2018 COM submitted a proposal for the draft Regulation. Coreper approved the Presidency's negotiation mandate on 14 November 2018. The LIBE Committee approved the EP report on 3 December 2018.	<i>Envisaged follow-up:</i> Negotiations with the EP are planned for January 2019. The Presidency's intention is to reach a political agreement by mid-February 2019 to allow for adoption of the act still this parliamentary term.