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From:	Presidency
To:	Delegations
Subject:	LEWP Networks and Expert groups - update of the Networks' reporting obligations

Introduction

At its meeting on 27 November 2017, the LEWP decided to simplify the manner in which its related expert groups and networks should report on their activities. Contrary to previous practice where working plans and reports on activities undertaken in the previous year were to be submitted to the LEWP at different stages of the year, it was decided to streamline these reporting obligations into one single moment.

The rules governing the relationship between the LEWP and its networks and expert groups were amended accordingly, stating that work programmes for the current year and annual reports for the preceding year should be submitted to the LEWP by the end of March of each year at the latest¹.

¹ Cf. Part A(6) and Part B(19) of 15572/17. Unfortunately, Part B(5) was not amended accordingly and still contains the erroneous information that work programs should be transmitted by the end of October of the preceding year. This, however, was not the intention of the LEWP and the issue should be addressed together with the revision proposed in this document.

Recent developments

In 2017, the abovementioned change was motivated by the fact that attending LEWP meetings at least twice a year to present work programmes and annual reports was proving complicated for the representatives of some networks.

Moreover, funding and thus also activity cycles of some networks were sometimes longer than one year, and representatives of such networks considered regular yearly reporting redundant, as they weren't able to provide significant new information to the LEWP.

And finally, the contents of LEWP meetings have also evolved over the past decade: it was common practice to hold 2-day meetings in its early years - often centred around detailed reporting on the activities of the expert networks.

More recently, the LEWP tends to concentrate on overarching topics of law enforcement cooperation in one day meetings, and the activity of well established specialised networks has become more independent of its plenary format. On the other hand, a number of previously active networks seem to have lost their momentum which also led to the absence of reporting.

Impact of COVID-19 and way forward

The current situation is likely to further reinforce the above trends. At every level including the LEWP plenary, law enforcement cooperation will often have to rely on virtual meetings, written proceedings and other flexible solutions.

While the rules set out in 15572/17 do not specifically require physical presentations of work programmes and annual reports by the networks' representatives in the LEWP, the need for such presentations seems to be implied by the requirement that the LEWP discusses (and in the case of work programmes also approve) these documents².

In that context, the Presidency suggests to introduce further flexibility in the rules set out in 15572/17: work programmes and annual reports could be systematically brought to the attention of the LEWP in writing, leaving the decision regarding the need for an ad-hoc plenary discussion to the discretion of the Presidency.

² Cf. A(6) and A(9) of 15572/17.

In in the mid-term future, the LEWP should consider an independent evaluation of the general aspects of the functioning and activities of its networks and expert groups.

The outcomes of the discussion will be reflected in a revised version of 15572/17, to be endorsed at a subsequent LEWP meeting. In that light, delegations are also kindly invited to suggest any other amendments to 15572/17 they deem necessary³.

³ For instance, paragraph A(5) makes reference to the renewed ISS which has been replaced by the new Security Union Strategy published on 24 July 2020, and to the EU Policy Cycle and SOCTA which will also be adapted in the near future.