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'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. prev. doc.:	8014/2/21 REV 2
Subject:	Draft Council Conclusions on the impact of the COVID-19 pandemic on internal security: threats, trends, resilience and lessons learned for EU law enforcement – Approval

1. The draft Council Conclusions on the impact of the COVID-19 pandemic on internal security: threats, trends, resilience and lessons learned for EU law enforcement were discussed by the members of the Law Enforcement Working Party during their informal videoconferences on 26 April, 7 May and 18 May 2021.
2. The finalised text of the Council Conclusions resulting from the above discussions is set out in the Annex to this note.
3. In view of the above, the Permanent Representatives Committee is invited to recommend that the Council approves the Council Conclusions on the impact of the COVID-19 pandemic on internal security: threats, trends, resilience and lessons learned for EU law enforcement, as set out in the Annex.

DRAFT COUNCIL CONCLUSIONS

on the impact of the COVID-19 pandemic on internal security: threats, trends, resilience and lessons learned for EU law enforcement

BEARING IN MIND the efforts made at European Union and Member State level to secure a high level of protection of EU citizens and, in this context, ensure business continuity in law enforcement and coordinated action against emerging threats;

ACKNOWLEDGING the unpredictable risks and threats and the incoming challenges that this crisis posed to the internal security landscape;

CONSIDERING the importance and benefits of the lessons learned and shared among Members States and EU institutions and agencies;

RECOGNISING that current and similar future disruptive crises may generate systemic security problems, uncover vulnerabilities and require enhanced cooperation;

IDENTIFYING the need to prevent and tackle the proliferation of negationist movements that spread misinformation about COVID-19 and hate speech, particularly in social media;

RECALLING that more resilient, operational and effective cross-border cooperation and timely exchange of information are essential in a crisis situation, and that emergency law enforcement cooperation mechanisms must be activated rapidly in order to increase the level of preparedness and ensure immediate response.

NOTING that sharing knowledge and information leading to the detection of crime threats and trends in organised crime groups is crucial for informed and strategic decision-making on how to approach and anticipate future developments in criminal networks;

Furthermore, **STRESSING** that the need of sharing operational and sensitive information in a crisis situation – so as to ensure the continuity of ongoing work on cross-border investigations/cases – has reinforced the commitment in developing secure communication solutions which can replace physical contacts;

To that end, **FOCUSSING** on making better use of existing means of cooperation and **BUILDING** upon established structures.

THE COUNCIL,

in order to ensure Protection

URGES Member States to coordinate the exchanging of cross-border information, law enforcement joint operations, best practices and expertise between neighbouring countries and at EU level and to secure critical entities during crisis situations, in compliance with national legal frameworks;

ENCOURAGES Member States to identify practical solutions to prevent hindrances to strategic, operational and tactical cross-border law enforcement cooperation, particularly when travels between Member States are restricted due to measures imposed;

ENCOURAGES EUROPOL to support Member States, through the exchange of information, in line with its mandate in cross-border operations to prevent terrorism and organised crime during crisis situations, that affect EU internal security;

UNDERLINES THE NEED to prevent the infiltration of criminal networks in the implementation of the *Next Generation EU*. Timely exchange of information – in particular on ongoing fraud investigations, risks, threats, fraud methods and patterns – between relevant EU agencies, especially Europol, OLAF and EPPO and Member States, is therefore essential.

In order to achieve better Preparedness

RECOMMENDS Member States to cooperate with each other, if needed, by sharing technical support, such as law enforcement experts and equipment and communication systems in crisis situations.

ENCOURAGES CEPOL and the Members States, if necessary with financial support by the EU, in the development of scenario-based training and practical exercises between law enforcement agencies and these with other stakeholders, such as civil protection, emergency medical services and local authorities to ensure preparedness and resilience for future pandemics and other crises;

STRESSES THE NEED for the Commission to support Europol's Core Group on Secure Communications, and the Innovation Lab - which are tasked to implement the roadmap on new secure communications solutions, as endorsed by COSI¹ - to set up a common, resilient, interoperable and secure instrument for communications and videoconferencing tools (video, audio and instant messaging) in the European law enforcement cooperation framework. These secure communication tools could be used to plan and coordinate joint operations, as well as to exchange confidential and sensitive information during crisis situations among Member States' law enforcement agencies and between them and relevant EU agencies and entities;

WELCOMES Europol's development of analytical reports on crime trends and threat and risk assessments during the current pandemic, supporting Member States in cross border cooperation and transnational crime prevention. URGES Europol to consider this as a best practice to be taken into consideration in future crisis.

¹ 12860/1/20 REV 1

In order to ensure better Prevention

RECOMMENDS to Member States that they develop and promote information and awareness campaigns for their citizens, benefitting from their own and from EUCPN, Europol and law enforcement networks expertise, in order to prevent the impact of cybercrime activities as well as misinformation and hate speech; particular care should be focused on how to protect children online and mitigate the risk of them becoming victims of criminal organisations;

ENCOURAGES Member States to share best practices within EUCPN and other relevant networks on national and local strategies that improve reporting channels for victims of crimes, such as domestic violence and sexual abuse in order to facilitate contacts with law enforcement agencies and other stakeholders during lockdown and crisis situations. This cooperation could also contribute to deepening partnerships and improving the interaction between law enforcement agencies, civil society and victims of crime;

ENCOURAGES the Commission, in close cooperation in the Framework of the IPCR and the concerned EU Agencies (such as Europol) to support Member States in the prevention of crisis affecting one or more Member States, adopting a resilient and flexible approach;

URGES the Commission to support the improvement of the existing cooperation and coordination mechanisms and fora, namely the Europol Platform for Experts (EPE) v-Room, to foster strategic and operational cooperation, and to also exchange best practices in response to major crises like the current pandemic.
