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NOTE

From:	Presidency
To:	Delegations
Subject:	Council recommendation on law enforcement operational cooperation implementation roadmap

Delegations will find in annex an implementation roadmap on Council Recommendation 2022/915 on Law enforcement operational cooperation to be presented at the LEWP-P meeting on 16 February 2023. In light of the final provisions of the Recommendation, the work done by the Czech Presidency and the Commission, in particular the workshop on implementation of the Council Recommendation on operational law enforcement cooperation on 12 December 2022, the Swedish Presidency decided to frame the ongoing cooperation as a roadmap portrayed in the annex. In order to avoid duplication, this annex shall be regarded as input into the upcoming Commission assessment about the effect given to the Recommendation by the Member States. The roadmap is a living document in order to share ongoing good practices and projects run under this non legally binding framework.

Roadmap on the implementation of the Council recommendation on Law enforcement operational cooperation

Recommendations	Relevant Actors and recommendation leader (RL)	Timeline	Ongoing initiatives/cooperation	Planned initiatives/cooperation
1. Cross-border hot pursuit				
1.1 allow cross-border hot pursuit for criminal offences listed in the Annex of the recommendation	<ul style="list-style-type: none"> MS 	<ul style="list-style-type: none"> June 2024: Council Recommendation 	<p>BE: The new BENELUX agreement will allow for cross-border pursuit for all the criminal offences listed, through the recognition of the legality of all hot pursuits which have been legally started on own territory.</p> <p>AT already implemented</p>	<p>BE: The police and customs police cooperation agreement between BE and DE may include the possibility to for cross-border hot pursuit to be aligned with the BENELUX-treaty.</p>
1.2 allow cross-border hot pursuits to continue on their territory without any geographical or temporal limitation, until the arrival of the officers from their law enforcement authority	<ul style="list-style-type: none"> MS 	<ul style="list-style-type: none"> June 2024 Council Recommendation 	<p>BE: Cross-border hot pursuit is already possible without geographical or temporal limitation between BE and FR, LU, NL and DE.</p> <p>AT: Already implemented</p> <p>DK/SE: SE/DK authorities may continue an ongoing hot pursuit on DK/SE territory on the Oresund Link for any criminal offence which is subject to public prosecution/extradition in both MS.</p> <p>DE/DK authorities may</p>	

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			<p>continue a hot pursuit into Denmark in case of criminal offences which may give rise to prosecution/extradition..</p> <p>FR: Lifting of territorial limits for cross-border prosecutions between FR and LU.</p>	
1.3 on an annual basis, collect data and compile statistics on the cross-border hot pursuits carried out by their law enforcement authorities and report those statistics to the Council and the Commission	<ul style="list-style-type: none"> MS (RL) COM (assist RL) LEWP-P 	<ul style="list-style-type: none"> June 2023 and 2024: Presentation of the report to LEWP-P June 2023 and 2024: MS to report to COM 	<p>AT: The collection of data and the processing of statistics in accordance with the requirements of the Recommendation began in January 2023.</p>	<p>BE: Belgium is currently examining the possibilities and challenges for data collection and compilation of statistics in the future, also concerning cross-border hot pursuits carried out by Belgian law enforcement officers (Police).</p>
1.4 allow officers who conduct a cross-border hot pursuit to: carry their service weapons and ammunition and other service equipment (vehicle, radiocommunication and GPS) and be able to use it	<ul style="list-style-type: none"> MS (RL) COM (assist RL) LEWP-P (relevant expert groups) EUROPOL 	<ul style="list-style-type: none"> June 2024: Council Recommendation 	<p>BE: Cross-border hot pursuit carrying a service weapon and ammunition and other service equipment is already possible. Use of the service weapon is only authorized in case of legitimate self-defense or defense of others, according to the definition and conditions applicable in the host State.</p> <p>AT: Already implemented</p> <p>DK: Police officers have the right to carry service</p>	

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			weapons during hot pursuits. The police officers are only permitted to use the weapon in self-defence.	

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2. Cross-border surveillance				
2.1 allow cross-border surveillance for criminal offences listed in the Annex but also in relation to persons that can lead to the identification or the tracing of such suspected persons	<ul style="list-style-type: none"> MS 	<ul style="list-style-type: none"> June 2024: Council Recommendation 	<p>BE: Cross-border surveillance is already allowed for several criminal offences.</p> <p>AT: Both foreign units act in AT and local units act abroad.</p>	<p>BE: The BENELUX agreement will allow, for urgent cross-border surveillance for more criminal offences than the current listed offences of the CISA.</p> <p>AT: In accordance with the Council decision 2008/617/JHA, the possibility of cross-border assistance for surveillance should also be available in combination with coordinated training and common standards.</p>
2.2 based on jointly agreed procedures, allow and facilitate the pooling of material	<ul style="list-style-type: none"> MS (RL) LEWP (ESG) COM EUROPOL 	<ul style="list-style-type: none"> April 2023: Merging of ESG June 2024: Council Recommendation 	<p>MS supported the idea of merging of ESG, SENSEE and SCG giving more strength and coherence to the experts network.</p> <p>BE: Already possible to share material with neighbouring countries.</p> <p>AT: ESG could support the development of common standards for cross-border surveillance operations and training.</p>	<p>AT: May consider this as a solution of pooling specific equipment like it has been done for the joint purchase of speedboats</p>

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2.3 allow officers who conduct a cross-border surveillance to: carry their service weapons and ammunition and other service equipment (drones vehicle, radiocommunication and GPS) and be able to use it, and to designate a central authority or authorities to coordinate inbound and outbound cross-border surveillance, to be part of or work in close cooperation with the single point of contact, and to be able to process and provide requests for authorisation 24 hours a day, 7 days a week	<ul style="list-style-type: none"> MS 	<ul style="list-style-type: none"> June 2024: Council Recommendation 	<p>BE: Already allowed for officers between BE and FR, LU, NL and DE. Use of the service weapon is only authorized in case of legitimate self-defense or defense of others. Yet no rules regarding the carrying and use of specific equipment apart for the parties of the BENELUX agreement.</p> <p>AT: Cross-border surveillance are laid down in bilateral agreements. However, there is also a need for adaptation due to the further development of technical possibilities.</p> <p>DK: Officers are allowed to carry service weapons during cross border surveillance and to use it in self-defence.</p>	AT: Regulations are open for the future that put the officers on an equal footing with the local units when carrying out cross-border missions

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3. Joint operations				
3.1 allow officers involved in joint operations to: perform identity checks and detain any person who tries to avoid this check; to wear their uniform and carry their service weapons and ammunition and other service equipment and be able to use it; operate secure real-time means of communication across borders	<ul style="list-style-type: none"> MS (RL) 	<ul style="list-style-type: none"> June 2024: Council Recommendation 	<p>BE: Performing identity checks or detaining a person trying to avoid checks is possible on the basis of the tripartite BENELUX agreement, and the bilateral agreements with DE and FR.</p> <p>Foreign officers to wear their uniform and carry their service weapons and ammunition and to use it in situations of legitimate self-defense or defense of others as well as to operate secure real-time means of communication across borders.</p> <p>AT : Already been implemented.</p> <p>ES: EMPACT pilot project to create and deploy a European operational team in the Iberian Peninsula to implement a high value targets plan.</p> <p>Collaboration project between the ES and IE to carry out joint high-visibility patrols in areas with a high influx of tourists during</p>	<p>BE: BENELUX agreement will allow for a larger range of operational competences. The police and customs police cooperation agreement between BE and DE may include the possibility to grant a large range of competences during joint actions.</p>

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			summer. FR: FR and DE set up a joint unit to combat illegal immigration with UCFA and the UOFA carries out joint cross-border operations. The possibility of creating other units with neighbours is still under study.	
3.2 on an annual basis, collect data and compile statistics on: the number of joint patrols and other joint operations which were carried out and the Member States on whose territories the joint patrols or other joint operations were carried out.	<ul style="list-style-type: none"> MS (RL) COM (assist RL) LEWP-P 	<ul style="list-style-type: none"> June 2023 and 2024: Presentation of the report to LEWP-P in 2023 and 2024: MS to report to COM 	<p>BE : The collection of data and compilation of statistics is integrated into the Belgian action plan, for cross-border surveillance and cross-border hot pursuit and for joint actions.</p> <p>AT: The collection of data and the processing of statistics in accordance with the requirements of the Recommendation began in January 2023.</p>	BE : aims to start collecting the first statistical data as of 2024

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4. Police and Customs Cooperation Centres				
<p>4.1 PCCC's carry out following tasks: facilitating joint patrols and other joint operations; contributing to joint analysis of cross-border crimes and sharing such analysis through the national single point of contact with relevant authorities; supporting investigations into cross-border crimes</p>	<ul style="list-style-type: none"> MS (RL) Agencies LEWP 	<ul style="list-style-type: none"> June 2024: Council Recommendation 	<p>BE: 10-point action between BE and FR in provinces of Hainaut and West Flanders includes plan to expand analytical capacity of the PCCC in Tournai. Discussions regarding the EPICC in Kerkrade will continue, with close consultation of main partners and 'customers' of the three PCCC's involved.</p> <p>AT: The PCCs already participate in mixed patrols or provide subareas of their facility.</p> <p>HR: Since its inception in 2006, the Safe Tourist Destination project has seen over 1000 foreign police officers from 21 states. HR signed a Partnership Agreement with FR, PT, ES and IT as junior partners.</p>	<p>BE: The roll-out of SIENA is foreseen via the CMS. The PCCC of Kerkrade will act as a pilot for the implementation.</p> <p>AT: Evaluation of the preparation of analyses by the PCC</p>

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4.2 adopt best practices on cross-border law enforcement cooperation, including through joint police stations and PCCCs.	<ul style="list-style-type: none"> MS (RL) LEWP COM Agencies 	<ul style="list-style-type: none"> June 2024: 	<p>BE: Several platforms have been created to discuss the operational cooperation, and challenges and best practices of an operational or strategic nature. Discussions take place between BE and neighbouring countries at both local and national level, with BE participating in one or more PCCCs with all neighbouring countries</p> <p>AT: already practiced with HU</p>	BE: Evaluation of possible expansion

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5. Support platform for joint patrols and other joint operations				
5.1 to set up a support platform to identified and recorded centrally the needs of Member States for organisation of joint patrols or other joint operations	<ul style="list-style-type: none"> MS (RL) COM 	<ul style="list-style-type: none"> June 2024: Council Recommendation 	<p>AT: Data collection was started to assist the support platform.</p> <p>FR: Digital platform "EU-Patrols" to fully manage the European reinforcement missions on a single platform.</p>	
5.2 provide the support platform with information on their needs and the circumstances of the request	<ul style="list-style-type: none"> MS COM Agencies 	<ul style="list-style-type: none"> June 2024: Council Recommendation 	<p>BE: mechanisms are in place to bilaterally communicate the nature and needs of the request,</p> <p>AT: Information has been collected since January 2023 and can be made available as soon as the support platform has been installed.</p>	
5.3 designate, depending on the nature of the joint operations, an appropriate national contact point	<ul style="list-style-type: none"> MS 	<ul style="list-style-type: none"> June 2024: Council Recommendation 	<p>BE: A single Point of Contact for joint operations is in place. For local joint operations, there are support mechanisms available, depending on the scale and nature of the operation.</p> <p>AT: Establishment of a national contact point already completed.</p>	

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6. Ensuring effective access to information and communication				
6.1 have secure remote access to national databases and to Union and international databases through the ESP	<ul style="list-style-type: none"> MS (RL) COM JHA Agencies 	<ul style="list-style-type: none"> June 2024: Council Recommendation 	BE: The “Focus” application allows users to consult a series of national databases, as well as EUCARIS at a European level. Users must verify themselves using VPN, ensuring secure access to data.	BE: BENELUX agreement will allow for the direct consultation of each other’s (police) databases in joint police stations and during joint patrols/controls. A similar agreement could bilaterally occur between BE and DE.
6.2 can use secure real-time means of communication that are capable of operating in the territory of another Member State	<ul style="list-style-type: none"> MS COM (RL) Europol LEWP-P Relevant networks 	<ul style="list-style-type: none"> June 2024: Council Recommendation 	<p>BE: 8 binational radio talkgroups can be used by both BE and NL with 500 radio terminals available in each country. This “semi-roaming” system is regularly evaluated by both MS.</p> <p>AT: Currently there is only the non-secure solution with TETRA Euro-DMO Talkgroups. refer to “Manual on cross border operation” VII bis. Radiocommunication</p>	<p>BE : the Belgian Federal police (BFP), through the EC “BroadNet Preparation” project (“BroadWay” successor) will define the operational radio procedures of the future pan-European radio system. Feed-back will be given to LEWP by LEWP/RCEG.</p> <p>AT: In the future there may be a solution in form of the “BroadNet” project</p>
6.3 ensure secure real-time direct communication across borders either by making use of the technical solutions	<ul style="list-style-type: none"> MS COM (RL) EUROPOL LEWP-P Relevant networks 	<ul style="list-style-type: none"> June 2024: Council Recommendation 	AT : See 6.2	AT: In the future there may be a solution in form of the “BroadNet” project

Recommendations	Relevant Actors and recommendation leader (RL)	Timeline	Ongoing initiatives/cooperation	Planned initiatives/cooperation
7. Joint training and professional development				
7.1 include the possibility of a course on cross-border operational law enforcement cooperation in the initial training courses	<ul style="list-style-type: none"> • MS (RL) • CEPOL • COM 	<ul style="list-style-type: none"> • June 2024: Council Recommendation 	<p>BE: Training courses provided on cross border cooperation during basic training in a number of police schools, mainly in the border areas.</p> <p>ES: exchange of students from the FR Gendarmerie with the Valdemoro Academy of the Guardia Civil (Spain) for the training of future agents</p> <p>AT: In the Austrian Police Academy, fighting cross-border crime is strongly included in the initial training</p>	BE: Expand to more police schools

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7.2 set up, together with neighbouring Member States, joint initial training courses and exchange programmes	<ul style="list-style-type: none"> MS (RL) CEPOL COM 	<ul style="list-style-type: none"> June 2024: Council Recommendation 	<p>BE: joint training courses with NL and LU based on the 2018 BENELUX agreement. A similar course, targeting first line police officers in border regions has been developed between BE and FR</p> <p>AT: Austrian Police Academy: Is not foreseen for the initial police training</p> <p>HR: HR actively participates in the CEPOL Exchange Programme 2023.</p>	<p>BE: Implementation of these training courses when the new BENELUX agreement enters into force.</p> <p>HR: HR plans on intensifying cooperation with other MS through CEPOL's activities.</p>
7.3 seek to design or adjust, in cooperation with CEPOL national courses on cross-border operational law enforcement cooperation	<ul style="list-style-type: none"> MS CEPOL (RL) COM 	<ul style="list-style-type: none"> June 2024: Council Recommendation 	<p>BE: the ATHENA Project Partners presented the first Training Manual for Single Point of Contact Operators used for CEPOL Basic and Advanced Training.</p> <p>AT: The Austrian Police Academy is involved in planning and executing CEPOL activities</p>	

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7.4 set up joint continuous professional development courses and initiatives for law enforcement officers to develop skills and knowledge on cross-border operational law enforcement cooperation	<ul style="list-style-type: none"> MS CEPOL COM (RL) 	<ul style="list-style-type: none"> June 2024: Council Recommendation 	BE: See also 7.2 AT: The Austrian Police Academy is a member and leading partner of CEPA- (AT, HU, D, CH, SK, SI, CZ) and organises yearly courses and seminars. ERASMUS+ Exchanges are also provided	AT: ERASMUS+ Exchanges will be extended
7.5 seek to design and offer career paths for law enforcement officers for cross-border duties	<ul style="list-style-type: none"> MS 	<ul style="list-style-type: none"> June 2024: Council Recommendation 	AT : Already done	
7.6 provide language training and training for officers from the law enforcement authorities involved in cross-border operational law enforcement	<ul style="list-style-type: none"> MS (RL) CEPOL (assist) 	<ul style="list-style-type: none"> June 2024: Council Recommendation 	AT: The Austrian Police Academy provides language courses in 11 different languages	
7.7 seek to align their training portfolio to the priorities related to cross-border operational law enforcement cooperation set in the EU-STNAs	<ul style="list-style-type: none"> MS (RL) CEPOL (assist) COM 	<ul style="list-style-type: none"> June 2024: Council Recommendation 	AT: Adoption every year	
7.8 inform CEPOL of their training needs in relation to cross-border operational law enforcement cooperation	<ul style="list-style-type: none"> MS (RL) CEPOL COM 	<ul style="list-style-type: none"> June 2024: Council Recommendation 	AT: The Austrian Police Academy is in close cooperation with CEPOL	

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7.9 Consider the possibility of creating large-scale and long-term pan-European joint training and exchange programmes for law enforcement officers	<ul style="list-style-type: none"> MS CEPOL Agencies COM (RL) 	<ul style="list-style-type: none"> June 2024: Council Recommendation 	<p>ES: See 7.1</p> <p>FR: The Polaris project aims to promote joint initial training between European police forces, will begin joint training of FR and DE students. In July, a three-week initial training course will take place in Florence with cadets from IT, FR, ES, and PT.</p>	<p>HR: HR welcomes the recommendation and believes it will contribute to a more uniform handling, and better cooperation between the law enforcement officers of all MS.</p>