



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 29 January 2010

5815/10

LIMITE

**JAI 85
COSI 1**

NOTE

From: Presidency
To: Delegations
Subject: Consequences of the entry into force of the Lisbon treaty: the COSI

The Lisbon Treaty

The Lisbon Treaty establishes the Committee on Internal Security (COSI):

A standing Committee shall be set up within the Council in order to ensure that operational cooperation on internal security is promoted and strengthened within the Union. Without prejudice to Article 207, it shall facilitate coordination of the action of Member States' competent authorities. Representatives of the Union bodies, offices and agencies concerned may be involved in the proceedings of this committee. The European Parliament and national Parliaments shall be kept informed of proceedings.

Given the important role of COSI in strengthening operational cooperation, which is fundamental to internal security in the European Union, it is necessary to take all the necessary measures to make COSI as effective as possible.

Scope and tasks of the COSI

Building on the work which has already taken place during the Swedish Presidency, under Title V of Part Three of the TFEU, it is foreseen that the Standing Committee shall facilitate and ensure effective operational cooperation and coordination, including in areas covered by police and customs cooperation and by authorities responsible for the control and protection of external borders. It shall also cover, where appropriate, judicial cooperation in criminal matters relevant to operational cooperation in the field of internal security.

Scope

The scope of this Committee will include police and customs cooperation, control and protection of external borders, and, where appropriate, judicial cooperation in criminal matters.

The main tasks of the COSI will be the following:

- To ensure operational cooperation and coordination.
- To evaluate the general direction and efficiency of operational cooperation and identify possible shortcomings or failures.
- To recommend measures to address them.

The Stockholm Programme confers to COSI the task of developing, monitoring and implementing the Internal Security Strategy. Likewise, it foresees that COSI will be regularly informed of coordination and cooperation efforts against trafficking in human beings.

In order to encourage increasingly coordinated, integrated and effective operations through COSI, stringent cooperation must be fostered between EU agencies and bodies involved in EU internal security such as Europol, Frontex, Eurojust, Cepol and Sitcen. Such actors must continue to improve the provision of effective support to specialist services in Member States.

COSI should take over, for the most part, the functions of the European Police Chiefs Task Force as the management body for COSPOL projects. Nonetheless, if required, each Presidency could organise meetings between Member States' Police Chiefs, on a voluntary and informal basis.

Though COSI will not be involved in preparing legislative acts, it should advise bodies involved in the legislative process to take due account of the operational needs and strategic lines of cooperation between all actors involved when new legislation is prepared.

Likewise, it must be able to facilitate and ensure effective operational cooperation and coordination against criminal activity, which has an impact on the security of people in Europe.

In order to carry out the functions described above, Member States' representatives at COSI need to be of a suitable profile and professional level.

With respect to the above, the Presidency invites Delegations to address the following questions:

- Which are the main priorities COSI should deal with in the first stages of its work?
- Should COSI take over the main tasks of the Police Chiefs Task Force?
- Should COSI facilitate the coordination of operational cooperation on security issues with third countries and key regions?

Delegations are invited to send their comments in writing to the Presidency (efernanp@mir.es and javier.albaladejo@reper.mae.es) and the General Secretariat of the Council (cosi@consilium.europa.eu) by the 12th of February.