



**COUNCIL OF  
THE EUROPEAN UNION**

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<b>JAIEX</b>	<b>64</b>
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**NOTE**

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from:	Polish, Danish and Cyprus Presidencies
to:	Delegations
Subject:	JHA External Relations - Trio Programme

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**1. Introduction**

On 21 June 2011, the General Affairs Council adopted the overall 18 -month programme<sup>1</sup> of the Council. The programme sets out *inter alia* the political priorities for the external dimension of JHA (para. 276 – 283) and indicates tasks for several Council working parties that will be involved in achieving the goals concerning external relations within the JHA area. JAIEX will contribute to this process mainly by facilitating the exchange of information and providing a forum for strategic and horizontal reflections.

Staying fully in line with the overall 18- month programme of the Council, this document aims to contribute to the debate on the development of new working methods for JAIEX in order to improve its efficiency, and to elaborate on the TRIO's priorities, both geographical and thematic. This programme could be modified in line with new priorities that might emerge during the next 18 months. Each Presidency may undertake modifications if needed, during its six-month term.

Pursuant to the Coreper Decision establishing JAIEX, the Group's mandate is as follows:

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<sup>1</sup> 11447/11

“Point 3:

*(...) The Group's aim would be to facilitate the exchange of information and contribute towards more strategic and horizontal reflections in that area, with a view to supporting the work of the relevant RELEX and JHA committees and working parties by helping to ensure their consistency, but without prejudice to their mandates. It could act as a matter of priority in areas in which coordination currently appears to be lacking.*

Point 4:

*This (...) Group would:*

*ensure the proper functioning of the information and coordination mechanism;*

*facilitate a regular flow of information between the JHA-RELEX working bodies on questions relating to events, initiatives and projects in the JHA-RELEX area;*

*ensure horizontal follow-up to preparations for JHA-related meetings with third countries wherever such meetings involve several JHA committees or working parties, and report back on such follow-up to CATS, SCIFA, the High Level Working Group on Asylum and Migration, the Committee on Civil Law Matters (General Questions) and the competent geographical or thematic RELEX working party;*

*contribute towards the future updated JHA-RELEX Strategy, in cooperation with the competent committees and working parties. Where appropriate, the Ad Hoc Group could also take part in strategic reflections on thematic and geographical issues linked to the external JHA dimension in order to enable the competent committees and working parties to discuss those issues in more detail. In particular, at the request of the competent geographical working parties, it could focus on certain geographical areas which are of priority interest to the Union.”<sup>2</sup>*

The diagram in annex 1 is an unofficial outline demonstrating the complexity of the architecture as far as the external dimension of JHA issues is concerned.<sup>3</sup>

The TRIO aims to work together with the MS, the Commission, the EEAS, the European Parliament, EU agencies and other relevant parties in accordance with their competences.

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<sup>2</sup> doc. 14431/1/08

<sup>3</sup> The Council and its working parties, and also Member States, the Commission, the European Parliament and EU agencies, are involved in tackling the problems linked to external JHA matters.

## 2. Methodology

The TRIO Presidencies undertake to discuss in JAIEX the working methods for the JAIEX meetings itself and its position and role within the JHA working party structure. The latter discussion should take into consideration any possible amendments to the architecture of the JHA working groups, in so far as it may affect the JAIEX activities, *inter alia* the debate on CATS' and SCIFA's role. At the same time, relations between JAIEX and the geographical working groups chaired by the European External Action Service (EEAS) should be discussed at an appropriate time and in an appropriate manner, in order to set up a mutually beneficial framework of cooperation.

After three years of operation, first as an ad hoc working party and then a permanent one, JAIEX is now ready to reconsider its functioning. This exercise should take into account the permanently increased importance of the JHA-Relex activities in the overall external relations of the EU.

In this context, **the TRIO will address the following challenges:**

- a) to focus on key strategic problems;
- b) to address horizontal issues;
- c) to facilitate ongoing exchange of information;
- d) to contribute to work progress in geographical and thematic working parties;
- e) to cooperate with the MS, the Commission and the EEAS;
- f) to cooperate with the agencies;
- g) to enhance JAIEX working methods;
- h) to reconsider JAIEX's contribution to the Ministerial Forums with third states and regions.

The TRIO will take forward the ongoing discussions on the working methods, with the aim of drawing out the guidelines from the suggestions submitted by the MS.

### 3. Thematic priorities

Within JAIEX, the TRIO plans to deal with all the four major issues areas in the field of Justice and Home Affairs:

- **Mobility**
- **Security, including counter-terrorism**
- **Justice**
- **Horizontal issues**

The TRIO aims at strengthening the coordination between the policies conducted in these fields by promoting effective measures to implement these policies.

#### **A. Mobility**

**A balance will be sought between mobility**, and especially the visa facilitation or visa liberalisation process, and security. The European Pact on Immigration and Asylum and the Global Approach to Migration, including its southern and eastern dimension, will be used as guidelines, as will the 29 measures for reinforcing the protection of the external borders and combating illegal immigration<sup>4</sup>.

**The migration policy objectives should be properly reflected in political dialogue with third countries.** Agreements on visa liberalisation will be considered for individual countries when appropriate and only as far as sufficient guarantees on document security, including biometrics, illegal migration including readmission, public order security, judicial cooperation, as well as external relations and fundamental rights, are provided. Special attention will be paid to monitoring mechanisms for ensuring that the agreements are fully implemented. The TRIO will monitor work on a safeguard clause within the framework of the Regulation 539/2001.

The TRIO will facilitate work on the development and effective implementation of a comprehensive strategy on readmission as well as, with a particular focus on a common approach towards third countries which do not cooperate with the EU in this respect.

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<sup>4</sup> Council Conclusions, 25/26 February 2010

There will also be focus on the development dimension in the migration policy, including building mobility partnerships with third countries of origin.

The TRIO will encourage the conclusion of working arrangements on establishing cooperation between FRONTEX and third-countries in order to improve border management.

Regarding all these matters, JAIEX could develop cooperation with the High Level Working Group and other relevant working parties to contribute to the outcomes of their activities, while fully respecting the leading role of the HLWG in these matters.

## **B. Security**

**Security, including counter-terrorism, will be a priority for the TRIO as the EU is facing major challenges and threats.** The Presidencies will undertake every effort to exploit the full range of possibilities for cooperation with third countries in order to effectively tackle security issues.

- a) **On drugs**, the goal of the Presidencies' actions will be to enhance the struggle against drug-trafficking and production. It will rely on the 2005-2012 EU Drugs Strategy and its action plan for 2009-2012 as well as the European Pact to combat international drug trafficking. Efforts to strengthen cooperation with key partners on these issues will be made, in particular with West African and Latin America countries to disrupt cocaine and heroin routes, in line with the 2010 Commission annual report on the implementation of the EU Action Plan on drugs in which it called for more cooperation with producing and transit countries. The TRIO will work closely with EU institutions and agencies, Member States and relevant international organisations. Furthermore, JAIEX could play a role in the definition of the next EU strategy on drugs (post- 2012).

Special attention will be paid to the financial aspect of drug trafficking and the necessity of having an efficient mechanism that makes it possible to track and freeze traffickers' assets, as mentioned in the European Pact.

The TRIO will supplement discussions that are being held within Political Dialogues on Drugs, by allowing Member States to present their anti-drugs cooperation with third countries that are not currently discussed within the existing structures.

- b) **The TRIO also considers counter-terrorism as a priority.** Its ambition is to increase the EU's situational awareness, as repeated in the Counter-Terrorism Coordinator's Action Plan of January 2011, and to develop the EU's capacities to prevent, prepare, pursue and respond to terrorist threats, paying special attention to central Asia and the Af-Pak zone. This will be achieved inter alia by:
- increasing the capacity of public authorities as well as civil society to detect signs of radicalization, also on the internet, and address them;
  - improving transport security, continuing the negotiations on the second generation of EU- third- country agreements on Passenger Name Records, and building a strategy against piracy;
  - encouraging cooperation between the EU and its external partners, for example by setting up joint investigation teams;
  - developing action plans on civil protection and addressing the possibility of Chemical, Biological, Radiological and Nuclear threats.

Additionally, particular attention will have to be focused from the CT perspective and in the cooperative sense on the major sport events that will take place in the EU in 2012 (Olympic Games in London and the European Football Championship in Poland and in Ukraine).

To tackle these issues, the Trio Presidency will cooperate in particular with the CTC and the EEAS.

- c) Considering the cyber attacks against the Commission and the EEAS in March 2011, **the TRIO has made cyber security a priority.** The potential consequences on security, privacy and the financial costs of cybercrime, and in particular botnets, have to be considered thoroughly. Bearing in mind the existing frameworks of cooperation with third countries and also the Budapest Convention of 2001 on cybercrime, on which the current proposal for a Directive on attacks against information systems is based, the Trio Presidency will explore possibilities to develop global and regional responses to the threats linked to cybercrime and to develop strategies on cyber security.

- d) The TRIO's ambition is also to focus on the following security -related issues:
- i) Trafficking in human beings in its external dimension in close cooperation with the Anti-Trafficking Coordinator, as THB is increasing and taking new forms.
  - ii) The cooperation between JHA and CFSP/CSDP on strengthening civilian capabilities for CSDP missions, taking into account the debates held in PSC and COSI and their external implications.
  - iii) The activities and the role of liaison officers' networks in achieving the EU strategic goals within the external dimension of JHA. With respect to tasks and objectives set for Liaison Officers' by the relevant acquis, the Presidencies will focus discussions on the possible increase in their involvement in implementing EU policies and on the potential role of the EU agencies' Liaison Officers.
  - iv) Recognizing the need to tackle piracy in a fully coordinated and comprehensive manner, with particular emphasis on the significant and valuable contribution of the ongoing CSDP operation EU NAVFOR ATALANTA.

### **C. Justice**

**Judicial cooperation will also be one of the top priorities of the Presidencies.** The TRIO will aim at promoting the rule of law in third countries and increasing cooperation against all forms of transnational crimes. This will be done by:

- a) **contributing to the promotion of the rule of law**, bringing support to third countries which try to improve the efficiency of their judicial system, especially candidate and associated countries. Particular attention will be paid to third countries which undertake efforts to adhere to the rule of law.

- b) **creating the conditions for reinforced cooperation in civil and criminal law matters with third countries.** There is an absolute necessity to respond to expanding forms of transnational crime (e.g. financial fraud, illicit economic activities, massive corruption, trafficking in human beings and child pornography) but also to tackle civil issues (e.g. transnational commercial disputes and child protection issues). This should be done notably by encouraging third countries to accede to certain international conventions.

#### **D. Horizontal issues**

**The TRIO will take advantage of the JAIEX's position to tackle at least three horizontal issues.** Its target is to work on data protection and data exchange, which is a major topic in the JHA field, to encourage the promotion of EU values, and to increase efficiency in the use of the existing financial instruments.

- a) On data protection and data exchange, the TRIO will pay special attention to data protection in the existing agreements (e.g. Terrorist Finance Trafficking Program) or ongoing legislation (second generation of Passenger Name Records agreements). It will emphasize in particular the need for the reciprocity principle in data exchange. The possibility of joint working groups dedicated to this specific matter in EU relations with third countries, as is already the case with the US, could be one of the solutions explored by the TRIO.
- b) The promotion of EU values on fundamental rights, such as right of victims of crime and respect for human beings, will also be an area of action for the TRIO.
- c) The availability and the efficiency of the use of financial instruments for projects in/with third countries, especially in the fields of migration, security and justice, will be monitored with particular attention. To this end, new matrixes, both geographical and thematic, of financial instruments for third countries might be prepared and distributed to all relevant working parties.



#### **4. Geographical priorities**

Poland, Denmark and Cyprus will strive to maintain the balanced approach of the EU and its Member States to relations with third-countries in the field of Justice and Home Affairs.

The TRIO will pursue strategic reflection on the right set of activities tailored to the specificity of each region. The Council will fully exercise its responsibility for the negotiation and conclusions of international agreements, in line with chapter V of the Treaty on the Functioning of the European Union. The European Parliament and the Commission will be associated with this process as appropriate.

The TRIO believes that questions should be asked about necessity/feasibility as regards the way existing cooperation is evolving, as well as about possible ways to improve cooperation or identify relevant actors who might be missing.

Efficient coordination within the Council will contribute to a prompt EU response to emergencies and similar events without putting at risk the balance of activities of the EU as a global actor. Synergy between actions undertaken by the Commission and the European External Action Service on one hand and Member States' own activities on the other will be sought in the best interest of the Union.

Global risks stemming inter alia from terrorism, organized crime, drugs trafficking, etc., will be consistently addressed in compliance with geographical priorities and will be appropriately aligned with internal EU instruments.

##### **A. European Neighbourhood policy**

###### **a) Eastern Partnership countries.**

The Eastern Partnership aims at enhancing cooperation between the EU and its immediate eastern neighbours since this region is of particular interest to the EU.

In line with the European Council conclusions of 24 June 2011, comprehensive cooperation with the countries concerned will be developed, based on the discussions held on several topics between the Member States of the Partnership, notably issues related to Justice and Home Affairs, especially mobility and security issues, as well as law enforcement matters.

In line with its thematic priorities and the Global Approach to Migration in its Eastern and South-Eastern dimension, the Trio Presidency will focus on both security and mobility. It will continue the ongoing process of visa facilitation as a long-term perspective with these countries, in a secure environment and as long as the necessary conditions are met.

Particular emphasis will be put on the implementation of the Ukraine and the Republic of Moldova Visa Liberalisation Action Plans, which could also serve as useful models for the other eastern partners.

Assistance will be given with the launch of the negotiations on the VFAs with Armenia and Azerbaijan .

The TRIO is committed to enhancing the cooperation between law enforcement authorities with a view to strengthening the rule of law and the observance of human rights by public institutions. The promotion of EU values will be one of principal guidelines in all these actions.

Poland, Denmark and Cyprus will pay special attention to the area of freedom, security and justice in the context of the Association Agreements that are currently being or are to be negotiated with Eastern Partners. To this end, the Trio Presidency and Member States, through the JAIEX Working Party, will also be encouraged to take part in the debate on the future Commission proposals regarding the action plan for cooperation with the Eastern Partnership countries in the area of Justice and Home Affairs, as envisaged in the Stockholm Programme.

The TRIO will also seek to assist Belarus' efforts in the negotiations on (the launching of or proceeding with) visa facilitation agreements in parallel with readmission agreements, for the benefit of ordinary citizens.

The TRIO will actively support the South Caucasus states in their reforms to reinforce the rule of law and enhance respect for human rights. Careful attention will be paid to progress on readmission and visa facilitation agreements with these countries.

The Presidencies will aim to enhance police and judicial cooperation in order to tackle organized crime, *inter alia* drug trafficking, which is of particular importance considering the strategic position of these countries on the drug trafficking routes. The comprehensive dialogues on anti-drugs policy will start and continue with the Eastern Partners.

The TRIO will consider links to cooperation with the Black Sea Region initiative, in particular on border management, migration management, customs cooperation and the rule of law as well as on fight against cross-border crime.

b) Mediterranean region

The main challenge in the region will be to find a satisfactory and sustainable response to the increasing migration pressure stemming from the Southern Mediterranean and the Middle East. Tunisia, Egypt and Libya are the countries most concerned today but this could change in a very short period of time. The TRIO will be dedicated to ensuring the ongoing implementation of the 8 March 2011 Communication on a Partnership for democracy and shared prosperity with the Southern Mediterranean set out in the new response to a changing neighbourhood.

The Presidencies will focus on the role of the appropriate agency of the relevant EU agencies, such as Frontex and the European Asylum Support Office, in the process.

As regards the *Union for the Mediterranean*, it will be necessary to enhance the work started in the context of the Barcelona process and the Euro-Mediterranean Partnership, in particular regarding migration (maritime), border surveillance, preventing and combating drug trafficking, as well as civil protection, law enforcement and judicial cooperation.

The TRIO considers that a stronger partnership with third countries of transit and of origin is necessary, based on reciprocal requirements and operational support, including border control, the fight against organised crime, and return and readmission. Rapid action to deal with the challenges in this region is a priority.

In line with the European Council conclusions of 24 June 2011, the TRIO will assist the efforts to launch negotiations for Mobility Partnerships - with Morocco, Tunisia and Egypt, as a first group, as mentioned in the Council conclusions of 20 June 2011 on the European Neighbourhood Policy. The Trio will also assist in the possible considerations regarding the launch, on a case -by -case basis, of readmission and visa facilitation agreements with Southern partners, based inter alia on effective cooperation against illegal migration, including on readmission and border management.

As far as the institutions are concerned, the TRIO will foster the enforcement of the rule of law and respect for fundamental EU values, e.g. respect for human rights, democracy and independence of the judiciary.

Regarding civil and criminal matters, the Presidencies will aim at reinforcing the cooperation with Mediterranean countries, notably in the framework of the Hague Conference on Private International Law, with the support of the Council of Europe and the United Nations. The goal is to secure better protection of children, *inter alia* against parental child abduction, and to ensure rights of access in custody disputes. The Presidencies will endeavour to promote practical arrangements through the Malta process.

The TRIO will attach importance to continuing the existing partnerships in the field of Justice and Home Affairs with countries of the region.

Achieving progress in the field of justice and home affairs is critical both for the security of Turkey and for the European Union. The TRIO would like to consider ways to improve cooperation between the EU and all its MS and Turkey.

#### c) Baltic Sea cooperation and Northern dimension

Cooperation with the Baltic Sea Task Force will be promoted and deepened, notably on border control and on the struggle against trafficking in human beings.

### **B. Western Balkans**

The Western Balkans countries continue to be of strategic importance and of particular interest to the European Union. Strengthening the rule of law, including through judicial reform, and stepping up the fight against corruption and organized crime, remain crucial and require sustained efforts.

The cooperation will be continued with candidate countries, namely Croatia, the former Yugoslav Republic of Macedonia and Montenegro, and deepened with potential candidates, especially Serbia. Following the request of the Council, the Commission will soon publish its opinion on Serbia's application for membership.

The TRIO will support the efforts made by the countries of the region to develop judicial cooperation between them and with the European Union. It will especially try to take advantage of the new impetus given by the recent bilateral agreements, e.g. the extradition agreements between Serbia, Croatia and Montenegro.

The issue of mobility will be given particular consideration, as the TRIO strongly wishes to have regular reviews of the implementation of visa -free regimes. The results of the special monitoring mechanism set up by the Commission in cooperation with Frontex will be thoroughly and regularly examined.

The TRIO will also attach importance to actions taken by the countries concerned that are intended to heighten awareness of the scope and limits of the visa- free regime.

The Presidencies will pay special attention to Serbia and will be committed to acting with a view to favouring its recognition as candidate country.

a) Croatia

The existing bilateral cooperation between Croatia and Member States is instrumental. To this end, we welcome, as good practice, the agreements on police cooperation with Poland, Greece, Malta and with Europol.

The Commission's 2010 annual progress report showed that Croatia had made progress in the areas covered by chapters 23 (Judiciary and Fundamental Rights) and 24 (Justice, Freedom and Security). The report highlights, inter alia, the progress on the implementation of an independent judiciary and on the management on external borders and cooperation. Moreover, the Commission submitted on 10 June 2011 to the Council the draft Common Position on Negotiating Chapter 23 (and on the rest of the remaining open Chapters) and proposed to the Council the closure of the last four chapters in the accession negotiations with Croatia. We will support Croatia in complying with all the remaining *acquis*.

b) The former Yugoslav Republic of Macedonia

Concerning the former Yugoslav Republic of Macedonia, the 2010 Commission Progress Report stated that if good progress were made in the field of Justice, Freedom and Security, especially on asylum, visa policy, external borders management and compliance with the Schengen *acquis*, the situation was a little bit different for chapter 23. Indeed, there has only been limited progress in the reform of the judiciary and the struggle against corruption and the existing guarantees as regards fundamental rights need to be fully enforced.

The Presidencies will bring their support to the actions against corruption and will bolster the former Yugoslav Republic of Macedonia in its accession process. Underlining the importance of regional ownership, the Polish Presidency will hold the next EU-Western Balkans Ministerial Forum on Justice and Home Affairs in Ohrid.

c) Montenegro

Officially confirmed as candidate country by the European Council in December 2010, Montenegro will obviously expect support from the EU in its accession process. In cooperation with the Commission, the TRIO will be dedicated to helping the country to fulfil the criteria of accession, especially in chapters 23 and 24.

d) non-candidate countries

As regards the potential candidates, the Presidencies plan to focus discussion on progress in establishing an independent justice system, and as regards the fight against corruption and organized crime and the observance of data protection standards, which may be achieved through enhanced cooperation with the Commission and the relevant EU agencies, *inter alia* Europol, Eurojust and Frontex.

## **C. Strategic partners**

### **a) United States of America**

The Presidencies consider as crucial the strategic partnership of the EU with the United States of America, in the four abovementioned fields: security, mobility, justice and horizontal issues.

As far as security is concerned, the Presidencies will foster enhanced strategic and operational cooperation in fighting the most important threats to security, notably in the area of counter-terrorism, in partnership with the Counter-Terrorism Coordinator, and in addressing transnational and organized crime. Special attention will be paid to drugs -related crime as well as cyber crime, which represent increasing threats. Further cooperation within the EU-US Working Group on cybersecurity and cybercrime will be supported. The joint discussion on confiscation of criminal assets launched in 2011 will be continued.

The TRIO will focus on concluding a new Passenger Name Record agreement and will cautiously monitor its implementation, notably by means of regular reviews. Considering its new prerogatives, especially given the fact that its approval is required, the European Parliament is already and will continue to be widely associated with the ongoing negotiations.

On mobility, upcoming Presidencies will favour the exchange of information and best practices on border management, as is already the case through the EU-US Platform on Migration. They will seek joint actions to prevent illegal immigration and combat it efficiently. Addressing the reciprocity principle in visa issues, as well as ensuring the facilitation of legitimate travel and trade in a secure environment for all European and American citizens, will also be priorities of the TRIO.

Horizontal issues should be one of the important fields of cooperation with the United States of America, in particular the development of a data protection framework agreement. Poland, Denmark and Cyprus will look for a balanced agreement, which ensures an adequate level of protection of privacy, considering the security issues at stake.

In the area of justice, the Presidencies will monitor carefully the implementation and the functioning of the Mutual Legal Assistance and Extradition agreements and will act with a view to enhancing cooperation in civil and commercial matters, in particular through HCCH coordination. Exchanges of views on the ongoing development of EU instruments, such as the Brussels I Regulation, will take place.

#### b) Russian Federation

Deepening strategic cooperation with the Russian Federation will be a major priority for the TRIO.

Mobility issues will be a constant preoccupation, shared with the Commission which is working actively on the subject, especially through the Visa Dialogue. In line with the agreed common steps, the Presidencies will facilitate the process of visa liberalisation provided that sufficient guarantees on document security, including biometrics, illegal migration, including readmission, cooperation in combating threats for security and judicial cooperation, as well as on external relations and fundamental rights, are fulfilled. It will thus promote European values, e.g. human rights and respect for the rule of law. It will monitor the complete implementation of the readmission agreement.

Regarding migration management, the TRIO will be committed to supporting the Russian Federation in cooperating with the European Union in the Dialogue on Migration, inter alia on international protection issues.



The internationalisation of criminality calls for enhanced cooperation with third-countries. To this end, Presidencies will explore the possibilities of stronger cooperation between the EU and the Russian law enforcement authorities, notably to tackle cybercrime and trafficking in human beings. Dedicated meetings could be convened to this end, such as the one held at Europol on 25 January 2011 or the regular meetings of Liaison Officers.

Considering judicial cooperation, the EU will seek a deepened partnership with the Russian Federation, in line with the existing international conventions and within appropriate multilateral fora. The protection of children in trans-border disputes will be an issue of particular interest for the upcoming Presidencies.

The TRIO will support the strengthening of cooperation between the Russian Federation and the European Union agencies, e.g. Europol, Eurojust and Frontex.

#### **D. Other regions**

##### **a) Africa**

The adoption of the joint EU-Africa Action Plan 2011-2013 during the last Africa-EU summit in December 2010 and of a specific Partnership on Migration, Mobility and Employment are consistent with the previous agreements and joint actions between the EU and Africa. Indeed, the new Partnership on Migration, Mobility and Employment updates the 2008-2010 Partnership, and promotes a balanced approach on migration, mobility and employment, taking into account concerns of countries of origin, transit and destination. It calls, *inter alia*, for a visa dialogue, coordinated action against trafficking in human beings and reflection on the situation of asylum seekers and refugees and the local populations affected by forced displacements. The TRIO is dedicated to implementing this action plan as satisfactorily as possible, in an efficient partnership with African countries.

A particular focus will be put on West Africa, as several fields of cooperation, notably anti-drugs cooperation, development policy, migration and readmission agreements, have been identified so far.

The Trio Presidency will support the implementation of other liaison officers' platforms in Western African countries, as has already been done in Senegal and in Ghana. Those officers have an important added value in the fight against drug trafficking as they constitute a contact point for local authorities and contribute to the training of local police officers.

Considering the abovementioned relevant documents e.g. the Global Approach to Migration as well as the new Partnership on Migration, Mobility and Employment, the TRIO will promote the conclusion of balanced and voluntary agreements between the EU and Western African countries which promote the social and economic development and mobility, and also include a readmission agreement.

The Presidencies will attach importance to the enforcement and the respect of the rule of law and will be devoted to helping African countries in their efforts.

Finally, the TRIO underlines the necessity of enhancing cooperation with African States in the struggle against terrorism. It will focus on strengthening cooperation with relevant countries and will act in compliance with the EU strategy for the Sahel region.

#### b) India and China

Considering the growing importance of Asia, and especially of China and India, it is essential to strengthen the ties between the EU and those two countries in the field of Justice and Home Affairs.

In line with the Joint Statement released after the 11th EU-India Summit in Brussels in December 2010, and the Joint Declaration on terrorism of the same date, the TRIO will reinforce the EU dialogue with its Indian counterparts on this issue.

The Presidencies are committed to implementing, with India, the framework defined by those two documents. This cooperation should entail, for example, continuing the efforts to prevent access by terrorists to financial and other resources, and also exploring the possibility of an EU - India Mutual Legal Assistance Agreement and an EU – India Agreement on Extradition. The TRIO will also emphasize the fight against cybercrime.

Continuing the actions already carried out with India in the Gulf of Aden by the European forces of Operation Atalanta, the TRIO will do as much as possible to strengthen cooperation against piracy.

The Trio Presidency will also concentrate on discussing possible forms of cooperation against terrorism with China. Regarding this country, the TRIO will focus particularly on measures to combat labour and child trafficking, as it is one of the main routes used by traffickers originating from South-East Asia.

Considering the economic weight of those two countries, there is a clear need for a closer cooperation in the field of judicial cooperation in civil and commercial matters. To this end, the Hague Conference on Private International Law could provide a relevant framework.

Respect for intellectual property rights will be one of the priorities of the upcoming TRIO, which will seek to build strong cooperation with India and China, and relevant partners in Asia, on these matters, which are of major interest for the European Union.

Poland, Denmark and Cyprus look forward to developing a fruitful cooperation with India, China and other Asian countries on migratory issues, notably through mobility facilitation and readmission agreements.

#### c) Afghanistan and Pakistan

The terrorist threats, as well as the strategic position of this zone on the drug trafficking routes, call for a reinforced cooperation with relevant actors in Afghanistan and Pakistan. The Presidencies will look for all possibilities for cooperation, especially ways to strengthen the rule of law and to enhance police cooperation to address the challenges efficiently. All necessary Common Foreign and Security Policy and Common Security and Defence Policy resources should be involved.

For the TRIO, EU action should be taken as a whole and also include an economic and social dimension, for example by providing possibilities for cultivating other crops as alternatives to drug products.

#### d) Latin America

With Latin America, there seem to be several matters of common interest, and the TRIO is committed to cooperating with these countries, especially in the field of security and migration. Cooperation on anti-drugs policy as regards this region will be further developed and strengthened.

With Mexico, three particular areas for possible joint actions have been identified by two recent reports of the European External Action Service:

- Legal assistance, as Mexico is setting up a new criminal procedure model.
- Prevention of violence and illegal immigration. With regard to the latter, the reports suggested the setting up of special units dedicated to the prevention of illegal immigration.
- Border control. Indeed, as Mexican authorities are increasing the pressure on cartels, the latter are moving to Guatemala and there is a clear need for coordinated actions between the two countries.

The European Union will consider the feasibility of sending experts to train local law enforcement officers and judges and to familiarise them with respect for the rule of law. It will also examine possible ways of encouraging cooperation between Mexico and Guatemala.

The EU will attach importance to developing common actions against drugs, as well as enhancing existing cooperation platforms and creating others. Cooperation with the United States of America in this region will be of great importance.

Poland, Denmark and Cyprus will also pay a particular attention to the support the EU could give and to the concrete actions that could be launched in partnership with the countries of Central America, through the Central American Integration System (SICA), with which a first joint meeting on security issues was held in February 2011 in Brussels. The joint declaration issued after this first meeting calls for annual summits between the EU and the SICA countries.

e) International organisations

The recent international events which have had a Justice and Home Affairs dimension have clarified the wish for stronger cooperation between the European Union and international organizations, especially the United Nations and its agencies.

Considering the importance of migration and asylum issues, the TRIO will seek to ensure effective cooperation with relevant agencies in these fields, e.g. the office of the UN High Commissioner for Refugees and the International Organization for Migration.

The Presidencies will also carefully follow the work done, *inter alia*, in the framework of the UN Office on Drugs and Crime, the UN Commission on Crime Prevention and Criminal Justice, the UN Convention against Corruption and the UN Commission on International Trade Law.

Meetings at the appropriate level will be held with the Council of Europe and Interpol. The TRIO will focus on encouraging third countries to ratify the relevant Council of Europe conventions in the field of Justice and Home Affairs.

The Presidencies will also consider deepened cooperation with the OSCE, promoting notably exchanges of good practices and concrete actions. Strengthening ties with the Anti-Terrorist Unit, *inter alia* in the fields of cybercrime and travel document security, should be one of the key points of EU-OSCE cooperation.

Poland, Denmark and Cyprus will enhance contacts with regional organisations, *inter alia* the African Union, the Organisation of American States and the League of Arab States.

f) Countries affected by natural disasters or armed conflicts

Today's complex humanitarian environment, which is marked not only by a sharp increase in the number and scale of natural disasters, but also by regional conflicts endangering the security of relief workers, and a dramatic rise in internally displaced people, have led to a growing recognition of the necessity to assist affected countries.

The Monitoring and Information Centre (MIC), operated by the Commission, can assist these countries, at their request. It plays three roles:

- it acts as a focal point for the exchange of requests and offers of assistance
- it disseminates information on civil protection preparedness and response to States and to a wider audience of interested parties. It also broadcasts early warning alerts
- it facilitates the provision of European assistance through the Assistance Mechanism.

After a third -country request, the Commission consults the Presidency so as to determine the course of action needed. If the situation fall under what are know as the *crisis management provisions* (Chapter V TEU), the Presidency plays the lead role.

Given the above the Presidencies will attach importance to facilitating the intervention of the European Union through this mechanism when requested.

**Unofficial architecture of the actors involved in the JHA external dimension**

