



Council of the
European Union

Brussels, 29 June 2017
(OR. en)

10483/17

LIMITE

**JAIEX 45
RELEX 558
ASIM 79
VISA 239
FRONT 283
CYBER 99
CRIMORG 126
DATAPROTECT 120
EUROJUST 96
EJUSTICE 79
COTER 54
CORDROGUE 82
USA 37**

OUTCOME OF PROCEEDINGS

From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	10084/17
Subject:	Outcome of the EU – US Justice and Home Affairs Ministerial Meeting, Valletta, 15-16 June 2017

Summary: First meeting with the new US Administration at ministerial level. Discussions were held in a constructive mood, with both parties underlining their wish to pursue and reinforce cooperation on matters of common interest: counter terrorism, cyber crime, transnational organised crime, migration and border management. Both parties also signalled their commitment to pursue consultations on visa reciprocity, as attested by the joint statement of the Commission and the Department of Homeland Security on advancing towards full visa waiver reciprocity between the European Union and the United States.

1. Counter-terrorism

The EU side recalled the most relevant areas of transatlantic cooperation on counter terrorism, underlining in particular the importance of pursuing and strengthening the existing instruments of information sharing on Foreign Terrorist Fighters. The exchange of liaison officers from law enforcement agencies was mentioned by both sides as a very effective practice that should be encouraged and facilitated where possible. The EU side also stressed the importance of sharing battlefield information and of making better use of cooperation under the Interpol framework.

The US side agreed with the EU assessment on information sharing and committed to improve existing arrangement to allow real time sharing whenever possible. The US side signalled its growing concern with online terrorist propaganda. Examples of how the two sides are cooperating to counter online propaganda and radicalisation more broadly were also presented and discussed.

On aviation security, the US shared information on its current concerns in this matter and explained the recent decision to introduce security procedures for electronic devices ('laptop ban') from certain airports. While the policy is under review, the two sides agreed to continue discussing the matter at technical level, with a view to improving global standards of aviation security.

Regarding the EU-US PNR agreement, both sides assessed its implementation as largely positive and the EU informed the US that the opinion of the ECJ on the PNR Canada is announced for 26 July.

The EU side provided some information on the most recent developments in the negotiation of the 4th Anti-Money Laundering Directive and on how the proposed amendments to the Directive will give the EU improved resources also for combatting terrorist financing.

2. Cyberspace - jurisdiction, cooperation and protection of personal data

The EU side briefed on the ongoing discussions on more efficient measures to ensure criminal justice in cyberspace, based on the outcome of the expert process. It underlined the need for innovative and practical solutions, especially in what concerns cooperation with service providers. The EU also signalled its willingness to discuss the various options with the US.

Regarding cybercrime, the EU briefly informed about the Action Plans for the new Policy Cycle, the focus on encryption and improved resilience to cyber attacks.

The US side welcomed the information provided by the EU and reaffirmed its interest to pursue technical exchanges on all cyber-related issues.

The Umbrella Agreement was praised as a very useful instrument for data exchange and both sides committed to continue its full implementation.

3. Transnational organised crime

The US side stressed the importance that the current Administration attaches to counter narcotics, given the rise in drug consumption in the US and the lethal nature of new drugs in the market. The US called on the EU to join forces in an effort to stem drug trafficking, including by improved investigations of financial flows. The EU agreed on the need for law enforcement agencies to keep exchanging information on drugs trafficking. The EU also informed about the situation in Europe regarding drug use and the combat against drug trafficking. Regarding cooperation with third countries, the EU provided some elements about its cooperation with Latin America in the context of the Rule of Law reinforcement programme. Both sides mentioned the need to investigate more thoroughly the links between drug traffickers and terrorist groups.

The two sides underlined the importance of expanding cooperation with third countries on transnational crime in general and agreed to examine, on a case-by-case basis, the possibility of joint positions towards countries that refuse to cooperate. The EU side presented exiting assistance programmes to improve investigation and legal assistance capacity in some third countries, which focus mainly on Neighbourhood partners.

4. Border management, migration and visa reciprocity

The EU side provided an overview of recent measures aimed at improving border security and stated its willingness to cooperate more with the US, namely through the exchange of screening practices. The US side also stated its interest in more sharing of information collected at the borders (including at the EU hotspots) and in working together to disrupt migrant smuggling routes.

Regarding visa reciprocity, the two sides agreed to continue working together towards full visa reciprocity between the EU and the US. A Joint Statement on this issue by Commissioner Avramopoulos and Deputy Secretary for Homeland Security Duke was issued at the end of the meeting.

5. Priorities of the incoming Estonian Presidency

The incoming Estonian Presidency briefly presented the priorities it would be pursuing during the next semester in the JHA area, taking forward on-going files and putting a particular focus on migration and asylum, the interoperability of databases, counter-terrorism, border management, the future of e-justice and data protection.
