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**NOTE**

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From:	General Secretariat of the Council
To:	National Parliaments
Subject:	Report to the European Parliament and national Parliaments on the proceedings of the Standing Committee on operational cooperation on internal security (COSI) for the period July 2017 - December 2018

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The Presidency of the Council has submitted to the Council the annexed report on the proceedings of the Standing Committee on operational cooperation on internal security (COSI) for the period July 2017 - December 2018<sup>1</sup>.

In accordance with Article 71 of the Treaty on the Functioning of the European Union and Article 6(2) of the Council Decision establishing the Standing Committee on operational cooperation on internal security (COSI), the Council hereby transmits the said report to the national Parliaments.

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<sup>1</sup> Available in all official languages of the European Union on the Council public register, doc. [6818/19 REV 1](#).

**Report to the European Parliament and national Parliaments on the  
proceedings of the Standing Committee on operational cooperation on internal  
security (COSI) for the period July 2017 - December 2018**

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This is the sixth report to the European Parliament and national Parliaments in accordance with Article 71 TFEU and Article 6(2) of Council Decision 2010/131/EU1 establishing the Standing Committee on operational cooperation on internal security (COSI), which provides that the Council shall keep the European Parliament and the national Parliaments informed of the proceedings of the Standing Committee.

This report presents the activities of COSI during the period of July 2017 - December 2018 under the Presidencies of Estonia, Bulgaria and Austria.

## 1. SUMMARY

*Under the trio Presidency of Estonia, Bulgaria and Austria, COSI has continued to fulfil its mandate to facilitate, promote and strengthen the coordination of operational cooperation of the EU Member States in the field of internal security. In this capacity, COSI has acted as a monitoring, advisory and decision-making body, with high representatives and experts from all EU Member States and, when necessary, the relevant JHA agencies, creating the necessary synergies between police, customs, border guards and judicial authorities and assisting in the direction of training of law enforcement officers.*

*COSI has witnessed many developments, advancements and concrete operational results under the trio Presidency.*

*COSI oversees the implementation of the Internal Security Strategy. The trio Presidency coordinated to ensure that they had shared objectives to be brought before COSI. A mid-term review of the renewed ISS was carried out under the EE Presidency<sup>2</sup>. It confirmed the priority areas in the fight against terrorism, serious and organised crime and cybercrime, identified in the Council conclusions on the renewed European Union Internal Security Strategy 2015-2020<sup>3</sup>.*

*Pursuant to this mid-term review, a renewed approach for the monitoring of the implementation of the renewed ISS was introduced, on the basis of a joint Implementation Paper of the outgoing and incoming Presidencies, with a structure based on priorities, on the planning and implementation of the renewed EU ISS. These developments enabled COSI to have a more streamlined overview and efficient role in monitoring the implementation of the ISS and in providing strategic guidance.*

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<sup>2</sup> Council conclusions on the mid-term review of the Renewed European Union Internal Security Strategy 2015-2020 (13319/17)

<sup>3</sup> 9798/15

*Furthermore, under the AT Presidency, COSI prepared Council conclusions of the future strategic direction in the field of internal security, which were adopted by the Council in December 2018<sup>4</sup>.*

*Counter Terrorism (CT) remained a priority on the COSI agenda. In November 2017, COSI endorsed the way forward of the EU Threat Assessment in the field of CT aiming to optimise the process of drawing specific policy recommendations based on reports from EUROPOL and assessments from INTCEN<sup>5</sup>.*

*COSI has also followed the work of the High-Level Commission Expert Group on Radicalisation (HLCEG-R), which was established in the second semester of 2017, and based on the European Council conclusions of 22-23 June 2017. These conclusions highlighted the need to accelerate the collective efforts to share knowledge on foreign terrorist fighters as well as home-grown radicalised individuals, with the aim of implementing policy and legal measures to manage the terrorist threat.*

*Concerned about the travel movements of foreign terrorist fighters and returnees, under the Bulgarian Presidency COSI tasked the SIS/SIRENE WP and the Terrorism Working Party (TWP) with identifying concrete practical solutions and recommendations, which resulted in Council conclusions on strengthening the cooperation and the use of the Schengen Information System (SIS) to deal with persons involved in terrorism or terrorist-related activities<sup>6</sup>.*

*COSI provided input on the Council conclusions on the strengthening the ATLAS Network<sup>7</sup> and the CBRN conclusions<sup>8</sup> from a strategic point of view to strengthen the coordination of operational cooperation in the field of CT.*

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<sup>4</sup> 14806/18  
<sup>5</sup> 13414/1/17 REV 1  
<sup>6</sup> 9691/18  
<sup>7</sup> 15627/17  
<sup>8</sup> 15648/17

*COSI has a central role in steering the EU Policy Cycle for organised and serious international crime/EMPACT. As set out in the EU Policy Cycle Terms of Reference (ToR)<sup>9</sup>, COSI closely evaluates the implementation of the Operational Action Plans (OAPs), including the participation of Member States and other actors in order to ensure commitment and the required allocation of human and financial resources. The Committee monitors the progress of the OAPs every six months, including on the basis of Europol's findings on the implementation of OAPs, reports by the Drivers and the National EMPACT Coordinators (NEC).*

*The trio Presidency saw the end of the first full policy cycle with excellent tangible results and the launch of a new policy cycle for the period 2018-2021. The Joint Action Days are a clear indication of the effectiveness of the EU Policy Cycle under the strategic guidance of COSI. Over the years 2017 and 2018, 1 630 cases and investigations were initiated, 2 270 suspects arrested, 343 firearms seized and 1 528 human trafficking victims identified. Under the EE Presidency, a new reporting mechanism was introduced which was designed to streamline the reporting process for the Drivers of the OAPs and make it more effective.*

*Consistent efforts were made at COSI level to support more efficient use of the available funding of the EU Policy Cycle.*

*Strengthening the identity of the EU Policy Cycle to foster the involvement of all relevant actors and improving the communication on operational results was another overarching theme during the reporting period. A set of recommendations on communication as identified by the media contact points from Member States and EU agencies and aiming at improving the visibility of the EU Policy Cycle, including through a dedicated logo, is now integrated in the EU Policy Cycle Terms of Reference.*

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<sup>9</sup> 10544/2/17 REV 2

*At the JHA Council in June 2018, Ministers reiterated the added value of the EU Policy Cycle and its contribution to the internal security of the Union and the fight against serious and organised crime. The multi-disciplinary architecture providing a strong common operational platform for a broad range of actors at national and EU level, thus enhancing mutual trust, was highlighted in particular. This has allowed for a more flexible and coordinated multi-agency approach and targeted responses to the evolving and complex nature of crime.*

*Further to the call by the European Council in October 2018, COSI developed a comprehensive and operational set of measures with a law enforcement focus to enhance the response to migrant smuggling networks. The set of measures draws on enhanced inter-agency approach both at EU and national level, optimising the synergies between available operational tools, maximising the use of the EU's external assets, to enhance cooperation with priority third countries.*

*It seeks to strengthen the implementation of already existing measures under the EU Action Plan against migrant smuggling (2015-2020) and includes new activities, for example the establishment of a Joint Liaison Task Force on migrant smuggling at Europol, or strengthening the capacity of the EU Internet Referral Unit within Europol to monitor and disrupt the online communications of smuggling networks. The set of operational measures was adopted by the Council on 6 December 2018<sup>10</sup>.*

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<sup>10</sup> 15250/18



*The multidisciplinary inter-agency outlook was guiding the strategic input by COSI for a more structured approach for enhancing customs contribution to internal security. Further to a thematic debate hosted by the BG Presidency in May 2018, the Committee endorsed a framework to guide further work in this area into three directions: institutional cooperation, operational cooperation, and the exchange of information and interoperability<sup>11</sup>. The latter are consistent with the priorities of the Strategy for future customs law enforcement cooperation. To develop these work strands, the AT Presidency initiated a series of thematic discussions at the CCWP with COSI welcoming the interim report<sup>12</sup> in November 2018 and encouraging further work on the specific measures.*

*Upon the initiative of the EE Presidency, COSI endorsed four concrete priorities for strengthening the EU law enforcement response to cybercrime by addressing criminality on the dark web, EU law enforcement response to major cyber attacks, defining law enforcement interests in the IP WHOIS database reform and improving the capability to investigate and attribute online crime<sup>13</sup>. The priorities were addressed and developed over the 18 months.*

*COSI continued to monitor relevant developments and progress in the area of information exchange and interoperability. COSI took note of the Report on the state of play on the implementation of the Roadmap to enhance information exchange and information management including interoperability solutions in the Justice and Home Affairs area on 26 June 2018<sup>14</sup>.*

*The internal/external security nexus continued to fall within the focus of COSI, which explored the possibility of strengthening and expanding the cooperation. COSI and PSC hold regular joint meetings every semester in this context. The establishment of the pilot project on a Crime Information Cell (CIC) within EUNAVFOR MED operation Sophia brought tangible progress in enhancing operational cooperation between the Common Security and Defence Policy (CSDP) and Justice and Home Affairs (JHA) actors. The CIC was activated on 5 July 2018.*

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<sup>11</sup> 7705/2/18 REV 2

<sup>12</sup> 13250/18

<sup>13</sup> 14762/17

<sup>14</sup> 7931/1/18 REV 1

*A joint report by EUNAVFOR MED Operation Sophia, Europol and FRONTEX on the final results of the pilot project was presented at the COSI/PSC meeting in November 2018<sup>15</sup>. Overall, the pilot was considered to be a step forward, benefiting all parties and improving mutual awareness of the respective roles and responsibilities of the actors involved, with MSs supporting the continuation of the project, subject to a formal decision by PSC.*

*On 23 November 2018, COSI and PSC also took note of the Civilian CSDP Compact, which was approved by FAC on 19 November 2018<sup>16</sup>, given its wider relevance to both internal and external security actors. The importance of MS' support for the initiative, including the National Implementation Plans, and the involvement of JHA actors was highlighted.*

*Cooperation with the Western Balkans and Ukraine in the area of internal security has also been a prominent part of COSI activities, highlighting the need to step up efforts in this context.*

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<sup>15</sup> 14312/18

<sup>16</sup> 14305/18

## **2. IMPLEMENTATION OF THE RENEWED INTERNAL SECURITY STRATEGY**

A mid-term review of the renewed ISS was carried out under the EE Presidency<sup>17</sup>. This review took into account the results of the Comprehensive Assessment of EU Security Policy<sup>18</sup>, undertaken by the Commission. It confirmed the priority areas in the fight against terrorism, serious and organised crime and cybercrime, noted as priorities in the Council conclusions on the renewed European Union Internal Security Strategy 2015-2020<sup>19</sup>.

Pursuant to discussions under the Maltese and Estonian Presidencies and as a result of a mid-term review carried out by the EE Presidency of the implementation of the Internal Security Strategy (ISS), there was a call from Member States for a more streamlined overview of the implementation of the ISS. The necessity for trio Presidency coordination regarding the implementation of the renewed EU ISS 2015–2020 was raised, so as to ensure a shared vision for COSI proceedings over an 18-month period<sup>20</sup>.

The Council conclusions of 12 October 2017 on the mid-term review of the Renewed Internal Security Strategy<sup>21</sup> envisage that COSI should *'monitor the joint Implementation Paper of the outgoing and incoming Presidencies, with a structure based on priorities, on the planning and implementation of the renewed EU Internal Security Strategy.'*

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<sup>17</sup> Council conclusions on the mid-term review of the Renewed European Union Internal Security Strategy 2015-2020 (13319/17)

<sup>18</sup> 11550/17 +ADD 1 +ADD 2

<sup>19</sup> 9798/15

<sup>20</sup> 11968/1/17 REV 1

<sup>21</sup> 13319/17

Pursuant to the Council conclusions, the Bulgarian (BG) Presidency put forward a new structure of the duo Presidency paper, consisting of two parts<sup>22</sup>:

- **A general report** providing an overview of the progress achieved during the reporting period in the main priorities of the renewed ISS and a number of cross-cutting priority areas, while focusing on the main achievements and setting out the follow-up envisaged by the current Presidency, as relevant.
- **Technical follow-up on specific measures**

COSI regularly monitors the implementation of the renewed ISS on that basis.

### 3. **COUNTER TERRORISM**

#### 3.1. **EU Threat Assessment**

The years 2017 and 2018 witnessed a decline in the number and impact of terrorist attacks, but Counter Terrorism (CT) remains a top priority on the COSI agenda, requiring a multidisciplinary approach to tackle this threat to the security of the EU.

COSI endorsed the way forward of the **EU threat assessment** in the field of counter-terrorism<sup>23</sup>, following discussions at TWP. Since the exercise started in 2016, every six months a set of conclusions and policy recommendations has been prepared on the basis of Europol's reports and INTCEN's assessments. In 2017, it was specified that recommendations should only be amended or drawn up if the threat picture has changed or requires adjustment<sup>24</sup>. Furthermore, COSI received regular presentations from INTCEN and EUROPOL on specific aspects related to the terrorist threat, including the presentation of TE-SAT 2018<sup>25</sup>. The Counter Terrorism Group (CTG) has provided updates about the current cooperation on CT on enhancing information exchange and cooperation between competent authorities and with Europol.

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<sup>22</sup> 7706/18

<sup>23</sup> 13414/1/17 REV 1

<sup>24</sup> 7879/2/18

<sup>25</sup> 10259/18

### 3.2. JHA Agencies

**JHA agencies' role in counter-terrorism is increasing.** The mandates of the agencies (notably Europol, Eurojust, FRONTEX/EBCGA, CEPOL and eu-LISA) have been strengthened during recent years. Today they are much more involved in supporting the CT efforts of the Member States. On the basis of a paper from the EU CTC<sup>26</sup>, COSI discussed possible ways of enhancing the cooperation and coordination of the work of the agencies.

### 3.3. High-Level Commission Expert Group on Radicalisation

The European Council conclusions of 22-23 June 2017<sup>27</sup> highlighted the need to accelerate the collective efforts to share knowledge on foreign terrorist fighters as well as home-grown radicalised individuals and take forward policy and legal measures to manage the terrorist threat. This consequently led to the establishment of the **High-Level Commission Expert Group on Radicalisation** (HLCEG-R) in July 2017<sup>28</sup>. The Standing Committee followed the work of the HLCEG-R, which met for the first time in September 2017. COSI exchanged views<sup>29</sup> on the final report of the HLCEG-R in June 2018, which was considered a good basis for further work, including the structures and the new working methods suggested (peer reviews and enhanced study visits). The actions decided as priorities are part of a comprehensive approach on preventing radicalisation including manifestations of right-wing/left-wing extremism.

In the framework of COSI and TWP, Member States also receive regular updates on the EU Internet Forum, the Radicalisation Awareness Network (RAN) Centre of Excellence and the European Strategic Communications Network (ESCN).

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<sup>26</sup> 8482/18

<sup>27</sup> EUCO 8/17

<sup>28</sup> Commission Decision of 27 July 2017 on setting up the High-Level Commission Expert Group on radicalisation (C(2017) 5149 final)

<sup>29</sup> 10239/18

### 3.4. Foreign terrorist fighters and returnees

The Committee, concerned about the travel movements of **FTFs and returnees**, expressed general support for the Bulgarian Presidency initiative aiming, among other things, to streamline the follow-up in respect of FTFs movements following a hit under an Article 36 SIS II alert<sup>30</sup>. The Committee tasked the SIS/SIRENE WP and TWP with identifying concrete practical solutions and recommendations in this respect. In June 2018<sup>31</sup>, the Council adopted conclusions on strengthening the cooperation and the use of the Schengen Information System (SIS) to deal with persons involved in terrorism or terrorism-related activities, including foreign terrorist fighters, which had been drawn up by the TWP.

COSI has been also informed about the results<sup>32</sup> of the questionnaire<sup>33</sup> on approaches to dealing with accompanying family members of Foreign Terrorist Fighter (FTF) Returnees, in particular children, which was presented by the EU CTC Office.

### 3.5. ATLAS Network

In November 2017, COSI agreed on the draft Council conclusions on the strengthening of the **ATLAS Network**<sup>3435</sup>, which were subsequently approved by the JHA Council the following month. COSI continued to monitor the implementation of the conclusions. The Committee was informed about the Terms of Reference for the cooperation between the ATLAS Network and Europol signed on 10 October 2018, including the establishment of a permanent office, the ATLAS Network Support Office, within the European Counter Terrorism Centre at Europol, which is planned to be operational in July 2019.

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<sup>30</sup> 5635/1/18 REV 1

<sup>31</sup> 9691/18

<sup>32</sup> 9316/18

<sup>33</sup> 6900/17

<sup>34</sup> A cooperation platform of 38 special intervention units of EU Member States and associated countries, Switzerland, Norway and Iceland.

<sup>35</sup> 12583/5/17 REV 5

### 3.6. CBRN Threat

The **CBRN threat** (chemical, biological, radiological and nuclear) remains relevant, especially after the Salisbury nerve agent attack in March 2018 and the ricin-related incident in Cologne in June 2018. The Committee provided its input on the CBRN draft conclusions ahead of the December 2017 JHA Council. COSI will continue to monitor the progress on the implementation of the Action Plan<sup>36</sup> to enhance preparedness against CBRN security risks and encourage progress in this area.

### 3.7. Financing of terrorism

COSI examined the role of criminal 'hawala' and other similar service providers<sup>37</sup>. In November 2017 the Committee also took note of the information regarding the high-level meeting organised by the Commission, on assessing the need for additional measures to facilitate access to financial information.

## 4. THE EU POLICY CYCLE FOR ORGANISED AND SERIOUS INTERNATIONAL CRIME/EMPACT

Since its establishment in 2010, the EU Policy Cycle for organised and serious international crime/EMPACT (hereinafter 'EU Policy Cycle') has provided the main framework for operational cooperation across the European Union to tackle the main criminal threats affecting the internal security of the Union.

One of the key features of the EU Policy Cycle is its integrated multidisciplinary character, both in terms of using and aligning the complementary contribution of all multi-disciplinary and multi-agency actors, and integrating different types of tools and activities to tackle EU crime priorities<sup>38</sup>.

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<sup>36</sup> COM(2017) 610 final

<sup>37</sup> 12005/17

<sup>38</sup> 10544/2/17 REV 2

This multi-disciplinary approach is prompted mainly by two types of consideration: (1) the difference in competence, mandate and working methods of the various players involved at national and EU level and in the context of internal or external action and (2) the complex and cross-border nature of serious and organised crime that requires the use of a vast range of tools and approaches to counteract it effectively.

The achievements of the EU Policy Cycle are demonstrated by solid operational results<sup>39</sup>, reported regularly by the Operational Action Plan Drivers and also generated through the Joint Action Days (JADs). Equally important, the EU Policy Cycle has brought a new dimension of cooperation across the established structures at national and EU level and has provided opportunities to develop new approaches based on its multidisciplinary setting.

In June 2018, ministers took stock of the impact of the EU policy cycle for organised and serious crime, following the completion of the first full EU Policy Cycle (2014-2017). They confirmed its added value and highlighted its multidisciplinary component as a clear example of a successful EU initiative.

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<sup>39</sup> [See under https://www.consilium.europa.eu/en/policies/eu-fight-against-organised-crime-2018-2021/](https://www.consilium.europa.eu/en/policies/eu-fight-against-organised-crime-2018-2021/)



#### 4.1. Implementation of the EU Policy Cycle

During the EE Presidency the new EU Policy Cycle 2018-2021 was launched. One general (four-year) Multi-Annual Strategic Plan (MASP) relating to a common minimum horizontal strategic goal<sup>40</sup>, the 13 MASPs for the EU Policy Cycle 2018-2021 and the Operational Action Plans (OAPs) 2018, which are produced on a yearly basis, were adopted<sup>41</sup>.

The development of a methodology for a new policy cycle 2018-2021 concluded with the adoption of the new reporting mechanism, which was agreed by COSI on 14 December 2017.

COSI and COSI-SG are giving special attention to the implementation of the two horizontal priorities in the context of the new EU Policy Cycle: document fraud and criminal finances. The strong commitment of all relevant actors in this respect is crucial for the successful implementation of these priorities. This is particularly relevant for the document fraud priority, which does not have dedicated funding and should rely, to that end, on the support of the drivers of the other priorities.

As a means to monitor the implementation of the EU Policy Cycle, COSI will conduct a mid-term and final assessment of the results of the actions to measure the achievement of the strategic goals to improve operational implementation.

On 5 May 2018 there was an exchange of views between delegations at COSI in relation to the OAP 2017 closing reports, the National EMPACT Coordinator (NEC) report and Europol's findings report. In the context of the 2017 monitoring exercise<sup>42</sup> COSI agreed on the need to ensure the quality and timely submission of the OAP implementation reports, exchanged views on the possible development of an online reporting tool, and agreed on the NEC's proposal to establish a pilot project for online reporting for the EU Policy Cycle in the OAP on Organised Property Crime.

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<sup>40</sup> 12561/17 + COR 1

<sup>41</sup> The MASP and OAPs 2018 are listed on 15080/17 and 15077/1/17 REV 1 Respectively.

<sup>42</sup> 7912/18

COSI-SG has assumed a stronger role in concluding a number of more procedural items. This allowed the 13 EU Policy Cycle OAPs for 2019<sup>43</sup> to be adopted at the COSI SG meeting on 16 November 2018 ahead of COSI, which enabled Europol to release the 2019 funding calls for proposals earlier.

## 4.2. Funding

On 21 February 2018 the Committee expressed overall support for the measures put forward in the Presidency paper<sup>44</sup> for more efficient use of the Policy Cycle budget in the future, including taking stock of the state of play of the budget use in September. Europol also presented an explanatory note on the current financial rules and implementation practices in managing the EU Policy Cycle budget<sup>45</sup>. Delegations underlined the need for transparency and flexibility, including when it comes to holding meetings outside Europol and the funding of non-EU countries' participation. AT suggested establishing a subgroup of funding experts from volunteering Member States under the auspices of the NEC meeting to identify technical and legal options for an improved and, in general, more flexible funding procedure for the EU Policy Cycle. CEPOL will continue to provide training with a view to enhancing knowledge and practical understanding of funding requirements.

In September 2018 COSI endorsed the short-term recommendations of the ad hoc expert group on funding, chaired by AT and FR, established under the auspices of the NEC in April 2018<sup>46</sup>. Some of these recommendations are already reflected in the allocation of EU Policy Cycle funding in 2019. Work on the mid- and long-term recommendations<sup>47</sup> will continue in the expert group and a report will be presented to COSI in a future meeting.

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<sup>43</sup> 14029/18  
<sup>44</sup> 5929/18  
<sup>45</sup> 5929/18 ADD 1  
<sup>46</sup> 11473/18  
<sup>47</sup> 12010/18

In September 2018 Europol briefed the Committee on the implementation of the 2018 EU Policy Cycle budget with reference to the 'three streams' of funding<sup>48</sup> (high-value grants, low-value grants and EMPACT meetings organised by Europol). There was a high implementation rate in relation to the use of low-value grants; however, the average implementation rate for the high-value grants was at 22 % (in September 2018). It was recalled that there is also a possibility to transfer the unallocated funds from the high-value grants to the overall envelope available for the low-value grants, thus increasing the operational support for all OAPs. Member States were encouraged to engage proactively in maximising the use of available funds.

In order to keep a clear perspective of the funding distribution and expenditure, Europol will present a state of play to COSI every June so that funds may be reallocated within the two types of grants.

### **4.3. Strengthening the EU Policy Cycle**

#### **4.3.1. Approval of the new reporting mechanism**

On 14 December 2017 the Committee approved the reporting mechanism for the EU Policy Cycle 2018-2021<sup>49</sup>.

The new reporting mechanism contains a number of elements, including new reporting templates and schemes, aimed at facilitating the work of the Drivers, Co-Drivers and Action Leaders while making it possible to ensure more uniform reporting against KPIs and to better summarise and highlight the results and achievements of the EU Policy Cycle.<sup>50</sup> The Drivers and Action Leaders will have a different reporting schedule and methodology, and there is a common set of common minimum horizontal strategic goals for all crime priorities, which will improve consistency.

As stated previously, work on a possible IT online reporting online tool will be further explored with a view to trying to implement it in the course of the four-year period of the Cycle.

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<sup>48</sup> 11975/1/18 REV 1

<sup>49</sup> 13460/3/17 REV 3

<sup>50</sup> 7912/18

### 4.3.2. Strengthening the identity of the EU Policy Cycle

COSI further provided guidance on strengthening the identity of the EU Policy Cycle and endorsed the recommendations on improving communication on the EU Policy Cycle<sup>51</sup>, including the logo proposed by the NECs on 15 May 2018.

The BG Presidency announced that the Council website now has a new dedicated page with content on the EU Policy Cycle, which is intended to improve the visibility of the EU Policy Cycle and of its contribution to combating organised and serious international crime<sup>52</sup>. Updated Terms of Reference<sup>53</sup> were discussed by the COSI Support Group on 10 December 2018 in order to operationalise the media recommendations on better communication on the EU Policy Cycle.

### 4.3.3. Joint Action Days (JADs)

Following the strategic guidance provided by COSI on 14 December 2017<sup>54</sup>, on 5 February 2018 the COSI Support Group agreed on the JADs 2018<sup>55</sup>.

The final results and evaluations of the JADs 2018<sup>56</sup> and strategic guidance by COSI for JADs 2019 were presented to COSI SG on 10 December 2018. It was highlighted that JADs are growing in number and are constantly improving. The main results from 2018 included 1 026 cases and investigations initiated, 1 137 suspects arrested, 136 firearms sized and 337 human trafficking victims identified. The financial crime dimension was identified as an area where improvement was still required.

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<sup>51</sup> 7909/18

<sup>52</sup> <https://www.consilium.europa.eu/en/policies/eu-fight-against-organised-crime-2018-2021/>

<sup>53</sup> 14884/18 and revised with MSs comments 14884/1/18 REV 1

<sup>54</sup> 15755/17

<sup>55</sup> 5676/18 EU RESTRICTED

<sup>56</sup> 14826/18

## **5. MIGRANT SMUGGLING AND TRAFFICKING IN HUMAN BEINGS**

Fighting the smuggling of migrants is one of the building blocks of EU migration policy, as highlighted in the European Agenda on Migration and the EU Action Plan against migrant smuggling. It is also among the key priorities outlined in the Malta Declaration of 3 February 2017 and its implementation plan.

Based on the contributions by Europol (European Migrant Smuggling Centre activity report), Frontex (presentation of the Centre of Excellence on Document Fraud) and Eurojust (report on case work on migrant smuggling), on 26 June 2018 COSI held a thematic discussion and confirmed the way ahead for optimising the use of EU tools to fight migrant smuggling while building on the progress achieved so far<sup>57</sup>. The important role of the operational activities in the context of the EU Policy Cycle/EMPACT were underlined. The full implementation of the Information Clearing House at Europol should be pursued. Engaging with third countries (source and transit) was reiterated as a main focus of future work, where the involvement of the European Migration Liaison Officers in third countries could be enhanced. The need to integrate better the judicial dimension in fighting migrant smuggling was pointed out on several occasions.

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<sup>57</sup> 10256/18

On 18 October 2018, the European Council called for stepping up the fight against migrant smuggling networks and invited the Council to develop a comprehensive and operational set of measures to this end by December. The JHA Council approved on 6 December 2018 a comprehensive and operational set of measures<sup>58</sup> with law enforcement focus on enhancing the response to migrant smuggling networks, as a result of the support of the European Commission and respective EU agencies and the work carried out in COSI<sup>59</sup>.

This work built on the discussions<sup>60</sup> held at COSI in September 2018 with a focus on extracting lessons from existing models, such as the Joint Operational Office in Vienna, and the recommendations made by the Commission, the EEAS, Europol<sup>61</sup>, Frontex, Eurojust and CEPOL. The set of measures intends to enhance the response to migrant smuggling networks building on the framework of the EU Action Plan on migrant smuggling<sup>62</sup> (2015-2020) through:

- improving the flows of relevant information;
- strengthening the operational tools to effectively disrupt migrant smuggling networks;
- disrupting smuggling networks' online communications;
- maximising synergies with the Union's external action in priority third countries and regions.

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<sup>58</sup> 15250/18

<sup>59</sup> 14576/18

<sup>60</sup> 10256/18

<sup>61</sup> 10944/18 and 12383/18

<sup>62</sup> COM(2015) 285 final

The Committee took note of the presentation in February 2018 by the EU anti-trafficking coordinator on the report on the follow-up to the EU Strategy towards the Eradication of trafficking in human beings and identifying further concrete actions<sup>63</sup>. Three priority areas for further action were identified:

- stepping up the fight against organised criminal networks by means including disrupting the business model and untangling the trafficking chain;
- providing better access to and realise the rights for victims of trafficking;
- intensifying a coordinated and consolidated response, both within and outside the EU.

## **6. OTHER FORMS OF ORGANISED AND SERIOUS INTERNATIONAL CRIME**

### **6.1. Organised domestic burglary**

Germany presented a progress report<sup>64</sup> which was prepared in close cooperation with Belgium, France, Sweden and Europol regarding the follow-up to the Council conclusions on organised domestic burglary<sup>65</sup>. The conclusions build on the OAPs on organised property crime (OPC) under the EU Policy Cycle promoting a holistic approach. While some actions set out in the conclusions seem to be complete, some others still require further work.

A decrease in this type of crime in 2016 and 2017 was noted, which might be a result of the implementation of the EU policy cycle and more specifically, of the combined results obtained by MS and all stakeholders within the OAP on OPC. The importance of comparable data in this context was underlined.

The importance of the multidisciplinary approach in relation to this crime phenomenon, including better involvement of Eurojust and integration of the judicial dimension, as well as operational cooperation with non-EU countries of origin was pointed out. Work on that matter will continue in the COSI Support Group.

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<sup>63</sup> 15438/17

<sup>64</sup> 10260/18

<sup>65</sup> 13268/16

## **6.2. Trafficking in firearms: National Firearms Focal Point approach**

The Chair of the European Firearms Experts (EFE) network presented best practice guidance for the creation of national firearms focal points within the EU Member States<sup>66</sup>, as endorsed by the LEWP on 17 May 2018. The purpose of the focal points is to gather, analyse and improve the flow of information regarding the criminal use and illicit trafficking of firearms into and within the Member States and throughout the EU at a strategic and operational level. The Commission called on the 15 Member States that have not yet nominated focal points to do so as soon as possible.

COSI invited LEWP to monitor further developments.

## **6.3 Money Laundering and Asset Recovery**

Based on the EU SOCTA 2017, a new cross-cutting priority, Criminal Finances, Money Laundering, and Asset Recovery (CFMLAR), was added under the EU Policy Cycle.

The multidisciplinary framework provided by the EMPACT has made it possible to develop a network of financial investigators from European police and customs authorities, who have worked together to define comprehensive, pragmatic and efficient operational action plans to fight against criminal OCGs.

Also implementing a horizontal strategy, this priority has made it possible to promote financial aspects in all of the other EMPACT crime areas.

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<sup>66</sup> 8586/18



## 7. **CYBER**

In November 2017 COSI supported the EE Presidency initiative to strengthen the EU law enforcement response to cybercrime in four priority areas<sup>67</sup>, addressing the need to:

- improve the fight against criminality on the dark web;
- increase a joint EU law enforcement response to major attacks;
- define law enforcement interests in the IP address the WHOIS database reform;
- improve the capability to investigate and attribute online crime.

Europol/EC3 was tasked with preparing a roadmap for tackling criminality on the dark web and integrating the roadmap in the EU Policy Cycle, as well as developing an Emergency Response Protocol for a coordinated EU law enforcement response in the case of major cyber attacks, taking into account Member States' sole responsibility on matters of national security. It was further suggested that voluntary codes of conduct with internet access providers should limit the number of subscribers behind each IPv4 and that the issue of logging source port numbers be raised within the EU Internet Forum with internet content providers.

### **7.1. WHOIS database reform**

On 21 February 2018 COSI took note of the information provided by the Commission on the latest WHOIS developments. The need to preserve the functionality of the WHOIS database for achieving public-interest objectives such as combating criminal offences online, protecting the rights of intellectual property holders and enhancing cybersecurity and consumer protection, while complying with data protection rules, was underlined. It was concluded that a structured follow-up on this issue would be provided that would allow for a multidisciplinary consideration of the issues at stake. Work on that matter is being developed further in the Horizontal WP on Cyber Issues.

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<sup>67</sup> 13461/17

## 7.2. The EU Law Enforcement Emergency Response Protocol

The LE ERP for Major Cross-Border Cyber Attacks<sup>68</sup> was presented to COSI SG under the AT Presidency on 10 December 2018 by Europol. It was highlighted that improvements were attained in terms of communication through SIENA and VCP.

## 8. CUSTOMS COOPERATION

COSI established cooperation with customs authorities as one of its priorities during the reporting period. Synergies and opportunities<sup>69</sup> for coordination between the activities developed under the EU Policy Cycle for 2018 and the ninth Customs Cooperation Working Party (CCWP) action plan were discussed at the CCWP meeting on 14 February 2018 and endorsed by COSI in May 2018.

In May 2018, COSI held thematic discussions on enhancing the customs contribution to internal security, leading to explorations on the development of a comprehensive report. The Committee tasked CCWP, in close cooperation with LEWP, Europol, Frontex and, where relevant, the Working Party on Customs Union (Customs Union Group - CUG), with continuing with the discussions and providing COSI with outcomes on specific work strands (institutional cooperation, operational cooperation, and the exchange of information and interoperability). The Committee welcomed the interim report<sup>70</sup> on enhancing the customs contribution to internal security during its November 2018 session, further praising the achievements secured at CCWP level. COSI will remain involved in this issue by monitoring the upcoming risk analysis, encouraging joint training initiatives between customs and law enforcement and underlining the importance of further integration between the Policy Cycle and the work of customs authorities. COSI welcomed the first Joint Session of European Directors General of Customs and Chiefs of Police that took place on 26 September 2018 in the margins of the European Police Chiefs Convention at Europol in The Hague, with a view to creating further opportunities for cooperation between the two communities.

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<sup>68</sup> 14893/18

<sup>69</sup> 5920/2/18

<sup>70</sup> 13250/3/18 REV 3

## **9. INTERNAL - EXTERNAL SECURITY NEXUS**

### **9.1. CSDP-JHA cooperation**

COSI continued to discuss the possibilities of strengthening EU internal and external security cooperation. COSI and PSC have held regular joint meetings once per presidency in this respect.

On 26 September 2017, COSI-PSC exchanged views on how to strengthen the links between CSDP missions and JHA policies. It was agreed that a concept for a Crime Information Cell would be considered in the context of a pilot project in the EUNAVFOR MED operation Sophia<sup>71</sup>.

On 19 October 2017, the European Council called for ensuring that CSDP missions and operations are fully staffed and that their mandates are adapted as required to assist in the fight against trafficking and smuggling networks in order to help disrupt their business model; and for information and data sharing within the EU, between Member States, JHA agencies, and CSDP missions and operations, as well as with international partners, to be enhanced.

On 8 and 9 November 2017, an experts workshop took place and provided recommendations on the EUNAVFOR MED pilot project<sup>72</sup>. The state of play was presented at the JHA Council on 7 December 2017. On 8 March 2018 Ministers endorsed the principle of participation of the EU agencies in a pilot project for a Crime Information Cell in EUNAVFOR MED Operation Sophia put forward in a joint concept note of the COM and EEAS.

The establishment of the Crime Information Cell (CIC) within EUNAVFOR MED Operation Sophia<sup>73</sup> brought about tangible progress in enhancing operational cooperation between the Common Security and Defence Policy (CSDP) and Justice and Home Affairs (JHA) actors. The CIC was activated on 5 July 2018; since then, five specialised personnel from Europol, Frontex and EUNAVFOR Med have embarked on board the flagship of EUNAVFOR MED Operation Sophia.

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<sup>71</sup> 11716/17

<sup>72</sup> 14265/17

<sup>73</sup> 7708/18

A joint report by EUNAVFOR MED Operation Sophia, Europol and FRONTEX on the final results of the pilot project was presented at the COSI/PSC meeting in November (14312/18). Overall, the pilot was judged to be a step forward, benefiting all parties and improving mutual awareness of the respective roles and responsibilities of the actors involved with MS supporting the continuation of the project, subject to a formal decision by PSC.

On 23 November, COSI and PSC also took note of the Civilian CSDP Compact, which was approved by FAC on 19 November 2018, given its wider relevance to both internal and external security actors. The importance of MS' support for the initiative, including the National Implementation Plans, and the involvement of JHA actors, was highlighted. The High Representative and the Commission will present a joint Action Plan as well as mini-concepts in early spring 2019 to roll out concrete steps to be taken by the EU institutions to contribute to a coherent implementation of the Compact.

## **9.2. EU-Ukraine internal security cooperation**

During the EE Presidency, COSI worked on draft Council conclusions<sup>74</sup> on strengthening European Union-Ukraine internal security cooperation, which were adopted at the Council in December 2017<sup>75</sup>. Discussions highlighted the need to provide support to law enforcement authorities, specially through CSDP instruments. In June 2018, COSI was briefed by the Head of EUAM Ukraine, who provided an overview on the SSR in Ukraine highlighting five key priority areas of support (delineation of competences, HR management, community policing, public order and criminal investigation).

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<sup>74</sup> 13272/3/17 REV 3

<sup>75</sup> 15615/17

### 9.3. EU and Western Balkans cooperation

EU and Western Balkans have a shared interest in addressing common challenges in the areas of security and rule of law, in the light of the European perspective of all six partners. Many regional initiatives are already in place. COSI underlined the necessity to step up efforts in the region, where the role of the JHA agencies could be exploited to its full potential; the need to strengthen practitioners' networks and develop joint actions that could also be instrumental to mitigating regional tensions and building trust and cooperation in the region; the EU Policy Cycle is seen as a solid platform on which cooperation with the WB could be deepened. Important progress was noted. A Joint Action Plan on Counter Terrorism<sup>76</sup> was signed at the EU-Western Balkans Ministerial Forum on Justice and Home Affairs on 5 October 2018; the 'Prüm agreement for Southeast Europe' was signed in the margins of the Ministerial conference on Security and Migration, Promoting Partnership and Resilience, held in Vienna on 13 and 14 September 2018, and the CFSP dialogues and CSDP-JHA cooperation, including through EULEX Kosovo continued. The Committee was informed of developments in the region, taking note of the IISG kick-off conference<sup>77</sup> in September 2017 and the draft Integrative Plan of Action for the Western Balkan Counter Serious Crime Initiative<sup>78</sup>, and the Brdo Process Ministerial Meeting and Integrative Internal Security Governance Board Meeting<sup>79</sup> of 15-16 March 2018.

Furthermore, COSI was briefed in May 2018 about the first EU-Western Balkans JHA Senior Officials Meeting of April 2018 and by Europol on the involvement of the Western Balkans in the Policy Cycle. In February 2018 COSI endorsed the input on the action plan for the Western Balkan Counter Serious Crime initiative and the proposed measures for improving synergies with the Policy Cycle in the appropriate fora, such as the SEPCA (Southeast Europe Police Chiefs Association), in this regard Europol presented its input on the SEPCA region threat assessment<sup>80</sup>.

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<sup>76</sup> 12411/18  
<sup>77</sup> 12373/17  
<sup>78</sup> 5934/18  
<sup>79</sup> 9063/18  
<sup>80</sup> 10261/18

## **10. INTEROPERABILITY**

Work in the field of interoperability continued on the basis of the updated Roadmap to enhance information exchange and information management including interoperability solutions in the Justice and Home Affairs area<sup>81</sup>. COSI monitored the discussions in DAPIX (Friends of the Presidency) as regards interoperability of EU information systems and the follow-up on the final report of the High-Level Expert Group on information systems and interoperability. COSI received an update on the Roadmap<sup>82</sup> to enhance information exchange and information management including interoperability solutions in the Justice and Home Affairs area, and the Committee endorsed its third implementation report in June 2018<sup>83</sup>.

## **11. TRAINING**

In November 2018 COSI welcomed the presentation of the first EU Strategic Training Needs Assessment<sup>84</sup> (STNA) by CEPOL, as an important collective effort to identifying training priorities in the area of internal security and its external aspects at EU level.

COSI took note of the joint project<sup>85</sup> of integrated training of police academy cadets run by the French Gendarmerie and the Spanish Guardia Civil. Delegations welcomed the initiative. The possibility to develop this model at EU level, including through EU financing support, should be considered. CEPOL involvement was encouraged as soon as possible.

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<sup>81</sup> 14750/17, presented to the Council on 9 June 2017 in line with the Council conclusions on the way forward to improve information exchange and ensure the interoperability of EU information systems (10151/17)

<sup>82</sup> 12223/3/17 REV 3

<sup>83</sup> 7931/1/18 REV 1

<sup>84</sup> 14196/18

<sup>85</sup> 12412/18

CEPOL and EUCPN presented the state of play of the initiative<sup>86</sup> on community policing. They have taken a joint action approach to facilitate the collection and analysis of best community policing practices, with the intention of issuing a joint handbook/toolbox of best practices, which will be prepared on that basis. An analytical paper on the use of community policing in the Member States, including an applicable policy framework will also be developed.

## **12. ROLE OF THE COSI SUPPORT GROUP**

The COSI SG should support and facilitate COSI's work, notably within the framework of the EU Policy Cycle. It should prepare discussions for COSI, either by concluding certain items that can be dealt with at COSI SG level or by streamlining discussions for COSI. Issues that require further guidance from COSI or issues of a strategic nature should be presented to COSI for discussion. The Europol findings on the implementation of OAPs, the EU SOCTA and the mid-term and final assessment of the results of the actions of the Policy Cycle should always be presented to COSI. COSI SG should not replace or duplicate work.<sup>87</sup>

## **13. CONCLUSION**

COSI remained committed to its central role in ensuring that operational cooperation on internal security is promoted and strengthened within the Union, as well as in developing, implementing and monitoring the renewed EU ISS 2015-2020 in cooperation with the Commission. COSI continued to monitor the implementation of the EU Policy Cycle and steer further developments. The new Policy Cycle 2018-2021 continues to be a key tool for the EU's fight against organised and serious international crime for the coming four years that provides a solid multidisciplinary platform for operational cooperation of a multitude of actors.

Strengthening the nexus between internal and external security policies will continue to be a priority for the coming years. Making further progress in ensuring greater coherence between internal and external actions in the field of security, for example between CSDP missions and JHA actors will be key.

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<sup>86</sup> 12088/18

<sup>87</sup> 8900/17

**14. ANNEX I - COSI & COSI-PSC MEETINGS JULY 2017 - DECEMBER 2018**

<b>MEETING</b>	<b>DATE</b>	<b>AGENDA</b>	<b>OOP</b>
COSI SG	10/07/2017	CM 3460/17	
COSI SG	8/09/2017	CM 3860/17	
COSI SG	18/09/2017	CM 4004/17	
COSI	25/09/2017	CM 4081/17	13209/17
COSI-PSC	26/09/2017	CM 4131/17	
COSI SG	23/10/2017	CM 4571/1/17 REV 1	
COSI SG	10/11/2017	CM 4837/1/17 REV 1	
COSI	21/11/2017	ST 14260/1/17 REV 1	15754/17
COSI SG	1/12/2017	CM 5250/1/17 REV 1	
COSI	14/12/2017	CM 5251/17	5338/18
COSI SG	5/02/2018	CM 1321/18 + COR 1	
COSI	21/02/2018	CM 1486/18 + COR 1	7286/18
COSI SG	16/04/2018	CM 2264/18	
COSI SG	2/05/2018	CM 2539/2/18 REV 2	
COSI	15/05/2018	CM 2425/1/18 REV 1	11157/18
COSI SG	15/06/2018	CM 3125/1/18 REV 1	
COSI	26/06/2018	CM 3350/18	11158/18
COSI SG	17/09/2018	CM 4193/18	
COSI	28/09/2018	CM 4202/1/18 REV 1	12745/18
COSI SG	16/11/2018	CM 5196/1/18 REV 1	
COSI	22 & 23/11/2018	CM 5197/1/18 REV 1	15077/18
COSI-PSC	23/11/2018	CM 5198/2/18 REV 2	
COSI SG	10/12/2018	CM 5550/1/18 REV 1	

