



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 23 October 2012

15373/12

CATS 70

OUTCOME OF PROCEEDINGS

of: CATS

on: 9 October 2012

Subject : Outcome of proceedings of CATS on 9 October 2012

MIXED COMMITTEE

1. Adoption of the provisional agenda

The agenda has been approved.

2. SIS II

- State of play
- GPMB - Estonian IT expert

The Committee took note of a report from the Commission on the SIS II project. With regard to the "comprehensive test", COM indicated that the results had been mixed. On the 9 October 2012, 22 Member States had received a "passed" verdict while 7 others still had to re-execute part or all of the tests.

COM explained that this could impact the schedule which is already heavily committed. The planning foresees the real life migration to start on 4 January 2013 leading to a start of operations by the end of March 2013. COM also reported that significant progress had been made in the preparation for the start of the IT Agency which should go live on the 1 December 2012.

DE, in response to the COM report, pointed out that the Council had taken note of the outcome of the Milestones 2 tests, including DE's dissenting opinion.

The Presidency announced that an expert from Estonia had joined the Global Project Management Board.

CATS

1. Adoption of the provisional agenda

The agenda has been approved.

2. Draft Council Conclusions on the protection of soft targets from terrorist attacks doc. 14590/12 ENFOPOL 315

A large number of delegations considered that, even though this was an important subject that should be addressed at EU level, more time was needed for discussions at technical level before submitting the draft conclusions to Coreper/Council. The Presidency announced that a JHA Counsellors meeting would be convened to further discuss the document with a view to forwarding it to the Council.

3. Revised EU Radicalisation and Recruitment Action Plan - implementation plan doc. 13524/2/12 REV 2 ENFOPOL 261 JAI 586 COTER 90 RESTREINT UE

Following the last minute amendments introduced by the EEAS which needed in-depth scrutiny by COM and delegations, the Presidency suggested that the revised document be examined by the JHA Counsellors, after which it would be submitted to the Council (JHA) in October for endorsement.

4. Implementation report on the Council Conclusions on enhancing the links between internal and external aspects of counter-terrorism

doc. 13460/3/12 REV 3 ENFOPOL 257 COTER 89 JAIEX 65 COSI 70 CATS 57

In view of the comments by one delegation, it was not possible to finalize the report at the CATS meeting. For this reason, the Presidency intends to organize a JHA Counsellors meeting to reach a commonly agreed text with a view to submitting it to the Council.

5. Cooperation Agreement between CEPOL and the Academy "Stefan Cel Mare" of the Ministry of Internal Affairs of the Republic of Moldova"

doc. 14423/1/12 REV 1 ENFOPOL 304 JAIEX 78 COEST 329

6. Cooperation Agreement between CEPOL and the Police Training Centre of the Albanian State Police

doc. 14422/1/12 REV 1 ENFOPOL 303 JAIEX 77 ELARG 97 + COR 1

The meeting endorsed the two above-mentioned Cooperation Agreements, which would be tabled at Coreper and at the Council of 25-26 October 2012.

UK entered a scrutiny reservation to be lifted before the agreements would be submitted for approval to Council.

7. Draft Council Resolution on the creation of an informal network of law enforcement authorities and expertise competent in the field of cultural goods (EU CULTNET)

doc. 14232/12 ENFOPOL 292 CULT 116 ENFOCUSTOM 93

The meeting took note of the draft Resolution, which would be submitted to Coreper and Council for approval.

The Commission informed the meeting that it was examining how to provide financial support to CULTNET and the fight against trafficking of cultural goods in general, including via JITs and JCOs. COM also announced that it had approved the request to support the improvement of the Interpol database on stolen cultural goods.

- 8. Developments in the case law of the Court of Justice**
- Case C-355/10, European Parliament v Council
doc. 14236/12 JUR 508 JAI 647 FRONT 128 COMIX 520
- Case C-130/10, European Parliament v Council
doc. 9748/10 COTER 39 PESC 630 RELEX 427 FIN 186

The Council Legal Service gave a presentation of the two cases.

- 9. Protecting the Union's financial interests by means of criminal law**
doc. 13318/1/12 REV 1 DROIPEN 119 JAI 577 GAF 19 FIN 623 CADREFIN 376
CODEC 2037
doc. 12683/12 DROIPEN 107 JAI 535 GAF 15 FIN 547 CADREFIN 349 CODEC 1924 +
ADD 1 + ADD 2 + ADD3 +ADD 4

In view of the fact that it was the first time that the proposal, submitted on 12 July 2012, was discussed, the Commission made a comprehensive presentation of the proposal, followed by an additional explanation by OLAF. The proposal was presented at the same day to the Council (ECOFIN). On the basis of doc.13318/1/12 and the questions contained therein, Member States had an initial orientation debate. Concerning the legal basis of the draft proposal, the Council Legal Service will issue a written opinion. The proposal will be discussed by Ministers at the upcoming JHA Council on 26 October. First meeting of the Working Party responsible (DROIPEN) will take place on 30-31 October 2012.

10. AOB

The Dutch delegation, supported by two delegations, noted that relations with Russia regarding judicial cooperation were bilateral and that it was not appropriate for Eurojust to discuss such issues in the context of a working group set up by Eurojust. Other delegations noted that Russia was an important partner and that it was important to continue to discuss best practices and exchange views with them. The Presidency concluded that it was not a formal working part but rather a forum for looking at practical problems and exchange views with Russia.
