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OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council
On: 27 May 2016
To: Law Enforcement Working Party
Subject: Summary of discussions

1. Adoption of the agenda

The agenda was adopted as set out in CM 2702/16.

2. Information from the Presidency

The Presidency briefed the delegates with respect to the following aspects:

- the adoption by the EP of the Europol Regulation, its signing and subsequent publication in the Official Journal on 24 May 2016;
- the Conference on EFSA 2020 which took place in Amsterdam on 2-3 May 2016 and which was attended by 100 participants representing 26 Member States, the Commission, the General Secretariat of the Council, Europol, Eurojust, Cpol and EJTN;
- the follow-up for the Action Plans of financial investigation (Coreper on 18 May, JHA Council on 10 June) and on forensics (Coreper on 1 June and JHA Council on 10 June);

- the Roadmap to enhance information exchange and information management including interoperability solutions in the Justice and Home Affairs area prepared by the Presidency, to be adopted at the JHA Council on 10 June;
- the status of JPCO ARES, which finished its pre-operational phase on 27 May 2016.

3. Cepol

Cepol presented its **annual report** for 2015 as set out in 8973/16, stressing the fact that it managed to reach increased recognition and visibility, to work in partnership with other relevant stakeholders and to show flexibility and responsiveness in addressing training needs deriving from pressing security challenges. For the fifth year in a row, it also increased its outreach within a similar budget. The LEWP took note of the report, which will subsequently go to Coreper and Council for endorsement. The **Commission** gave a short update on the state of play of the development of a **methodology for the strategic training needs assessment** stating that towards the end of 2016 - beginning of 2017 the final product will be available and Cepol will be able to use it.

4. **Renewed European Union Internal Security Strategy Implementation Paper: first half of 2016**

The Presidency briefed the delegates on the **LEWP relevant aspects of the Renewed European Union Internal Security Strategy Implementation Paper: first half of 2016**, set out in 9151/16. These concerned:

- the assessment of strategic training needs (Cepol);
- the financial investigation (relevant Action Plan);
- the development of the European Forensic Science Area (relevant Action Plan);
- the cooperation between customs and law enforcement agencies (joint CCWP/LEWP meeting to prepare JPCO ARES).

5. Communication from the Commission to the European Parliament, the **European Council** and the Council delivering on the European Agenda on Security to fight against terrorism and pave the way towards an effective and genuine Security Union

The Commission briefed the delegates on the main aspects of the **Communication "Delivering on the European Agenda on Security"** (8128/16 + ADD 1):

- its focus is on fighting terrorism and radicalisation, although some files (like PNR or firearms) are also relevant for the fight against organised crime;
- it covers most dimensions of the terrorism threat;
- it states achievements and actions required to fill gaps but it does not modify the actions already announced (Action Plan on firearms and explosives, Action Plan on terrorist financing).

The Commission also outlined the legislative initiatives, launched or completed, which cover the areas of prevention, prosecution and protection as well as the planned initiatives for the period between the second quarter of 2016 and the second quarter of 2017.

6. LEWP networks

The Presidency put forward for discussion a second revised version of the document outlining the **strategic objectives of the networks** (6883/2/16 REV 2). 13 networks (out of 16) have sent input regarding their objectives and it was concluded that these are in line with the EU Policy Cycle and/or the findings of the SOCTA. A discussion followed on the different types of legal basis allowing a network to become part of the LEWP system. The Legal Service of the Council also participated.

Under the same item, **EFE Network** (European Firearms Experts) presented its manuals on firearms purchased over the internet and Darknet and on firearms guidance (8954/16 and 8955/16).

7. **Proposal for a Joint Police Operation (JPO) CARS**

Slovakia, as incoming Presidency, presented its proposal for Joint Police Operation CARS, set out in 9059/16. The deadline for Member States to announce participation is 30 June 2016.

8. **Europol**

The draft **Agreements on Operational and Strategic Cooperation between Europol and Georgia** (8956/16 + 8957/16) and **between Europol and Ukraine** (8958/16 + 8959/16) were presented for approval by LEWP. Finland introduced a reservation as it wished to inform its national Parliament about the two agreements (reservation expected to be lifted by the end of June 2016). Next steps: revision by the lawyer-linguists, consultation of the EP and of the Management Board, approval by Coreper/Council.

LEWP also took note of the **annual report of Europol for 2015** as set out in 8961/16 (to be endorsed by Coreper and subsequently by the JHA Council on 10 June 2016).

Finally, Europol briefed the delegates on the **state of play of the implementation of the new Europol Regulation**: Management Board and Director's decisions will be necessary to put into practice the new Integrated Data Management Concept (IDMC) and the other provisions of the Regulation. These decisions will be clustered on a thematic basis - data protection, external relations, financing, staff etc. The IDMC implementation will be done in close cooperation with the law enforcement authorities of the Member States.

9. **Implementation of the Council Conclusions of 15-16 June 2015 concerning the introduction of mandatory standardised marking of construction machinery and agricultural and forestry vehicles in order to better protect them against theft**

The Commission (DG Grow) informed the delegates that it is currently working on a new proposal in the area of mobile machinery. However, the proposal does not contain any provisions on mandatory marking because the request came too late. Considering this, the Commission agreed to work on an impact assessment study on a proposal on mandatory marking. In this respect, additional information is needed (studies or reports showing evidence of the problems created by the lack of mandatory marking).

10. Priorities of the Slovak Presidency

Slovakia briefly presented its **priorities** for LEWP:

- implementation of the two Action Plans on forensic and on financial investigation;
- environmental crime;
- discussion and approval of the annual work programme of networks.

Meetings are planned for the following dates: 29 September, 8 November, 6 December 2016.

11. AOB

No items were raised.
