



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 5 February 2014

6147/14

GENVAL 7

OUTCOME OF PROCEEDINGS

of: Working Party on General Matters, including Evaluations (GENVAL)

on: 22 January 2014

Subject: Summary of discussions

1. Adoption of the agenda

The agenda as set out in CM 1088/14 was adopted.

2. Sixth round of mutual evaluations - Adoption of the Report of the Netherlands

13681/1/13 REV 1 GENVAL 57 EUROJUST 70 RESTREINT EU

The draft report was adopted by the Working Party following the discussion held at the previous GENVAL meeting.

3. Sixth round of mutual evaluations - Adoption of the Report of Italy

15858/13 GENVAL 66 EUROJUST 107 RESTREINT EU

The draft report was adopted by the Working Party following the discussion held at the previous GENVAL meeting.

4. **Sixth round of mutual evaluations - Discussion of the Report of the United Kingdom**

15844/13 GENVAL 65 EUROJUST 106 RESTREINT UE

The evaluation team presented the content of the draft report and the ensuing conclusions and recommendations. The UK delegation commented on the findings of the evaluation team and replied to the questions asked by other delegations in particular in relation to the policy on appointing and functioning of the EJM contact points and the exchange of information based on Article 13 of the Eurojust Decision.

5. **Seventh round of Mutual Evaluation (Cybercrime)**

- presentations from EU agencies and the Council of Europe;
- discussion of the draft questionnaire

5335/14 GENVAL 3 CYBER 3

5202/1/14 REV 1 GENVAL 1 CYBER 2

Representatives of Eurojust, the European Cybercrime Centre and the Council of Europe presented an outline of their activities and recent developments in counteracting cybercrime. Member States discussed afterwards the revised version of the questionnaire for the 7th round of mutual evaluations which was largely based on the input provided by delegations and competent EU agencies (Eurojust and European Cybercrime Centre) following the initial discussion held at the meeting of GENVAL on 27 November 2013. A new draft of the questionnaire with further refinements of the text will be submitted to delegations under silent procedure with a view to subsequent adoption.

6. **Trafficking in human beings** - evaluation of the EU Strategy towards the Eradication of Trafficking in Human Beings 2012–2016 - questionnaire

- presentation by the Commission

5297/14 GENVAL 2 DROIPEN 6 JAI 18 JAIEX 4 MIGR 4 RELEX 27 COSI 5

The Commission outlined the history and objectives of the EU strategy and provided an overview of the content of the questionnaire. It advised that a separate questionnaire would be issued to other agencies and the Commission. It expects to publish the report as part of a package on trafficking in Human Beings in June. To this end, it urged MS to complete and return questionnaire to the Council Secretariat by the 28 February.

**7. Communication from the Commission to the European Parliament and the Council
A European terrorist finance tracking system (EU TFTS)**

17063/13 JAI 1092 DATAPROTECT 187 ECOFIN 1091 GENVAL 85 ENFOPOL 398

Communication from the Commission to the European Parliament and the Council on the Joint Report from the Commission and the U.S. Treasury Department regarding the value of TFTP Provided Data pursuant to Article 6 (6) of the Agreement between the European Union and the United States of America on the processing and transfer of Financial Messaging Data from the European Union to the United States for the purposes of the Terrorist Finance Tracking Program

17064/13 JAI 1093 USA 62 RELEX 1085 DATAPROTECT 188

- presentation by the Commission

The Commission presented both communications and highlighted its findings that an EU TFTS would be costly, burdensome and of little added value. The Joint report on the TFTP was more positive and concluded that the Agreement was operating effectively between EU and US. The report includes multiple concrete examples where TFTP data has been used in counter terrorism investigations yielding positive results.

In response to a question from Belgium, the Chair advised that these items would feature on the CATS agenda on 25th February.

8. Report from the Commission to the European Parliament and the Council on the joint review of the implementation of the Agreement between the European Union and the United States of America on the processing and transfer of passenger name records to the United States Department of Homeland Security

17066/13 JAI 1094 USA 63 RELEX 1086 DATAPROTECT 189 AVIATION 231

- presentation by the Commission

The Commission presented its report, drawing attention to the key recommendations and findings. No intervention by MS.

9. AOB

- information from the Presidency on the programme for GENVAL;

Chair confirmed the dates for the meetings: 1st April and 21st May and reaffirmed the Presidency's commitment to continuing with the 6th Round evaluation round and concluding the preparatory work for the 7th Round evaluation. On the latter, the Chair recalled the conclusions from the morning session on the Questionnaire and advised that once the revised version issues, assent by silent procedure will ensue. The Chair reiterated her invitation to MS to notify the Council Secretariat of their preferences for the scheduling of on site visits for the 7th Round.

- GRECO - EU participation - status

The Commission advised that in response to the comments of Member States, it is preparing an impact assessment with other institutions which it expects to complete in the first half of 2014. France asked the Commission when it would prepare the draft mandate as envisaged by the Stockholm programme. The Commission advised that it was not in a position to indicate the timeframe until the impact assessment is complete.
