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**GENVAL 90  
COPEN 246  
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## **OUTCOME OF PROCEEDINGS**

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From: Working Party on General Matters, including Evaluations (GENVAL)  
On: 20 July 2016  
To: Delegations  
Subject: Summary of discussions

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### **1. Adoption of the agenda**

The agenda was adopted as set out in doc. **CM 3505/16**.

### **2. Presentation of the Presidency's programme**

The Presidency informed the Working Party that during the current semester GENVAL activities will mainly involve continuing the 7th evaluation round on cybercrime and the discussions on the draft Firearms Directive; other topics might include the follow-up to the Council conclusions on Trafficking of Human beings for labour exploitation and on the protection of victims' rights.

### 3. Seventh round of mutual evaluations

- Adoption of the report on Italy

**doc. 9955/1/16 REV 1 GENVAL 71 CYBER 66 RESTREINT UE**

The draft report on Italy, as set out in document 9955/1/16 REV 1 GENVAL 71 CYBER 66 RESTREINT UE, was adopted by the Working Party following the discussion held at last GENVAL meeting on 24 June 2016.

### 4. Seventh round of mutual evaluations

- Adoption of the report on Cyprus

**doc. 9892/1/16 REV 1 GENVAL 67 CYBER 63 RESTREINT UE**

The draft report on Cyprus, as set out in document 9892/1/16 REV 1 GENVAL 67 CYBER 63 RESTREINT UE, was adopted by the Working Party following the discussion held at last GENVAL meeting on 24 June 2016.

### 5. Seventh round of mutual evaluations

- Discussion of the report on Portugal

**doc. 10905/16 GENVAL 83 CYBER 81 RESTREINT UE**

The expert team responsible for the evaluation presented the content of the draft report on Portugal, and the respective conclusions and recommendations addressed to Portugal and those addressed to the Member States.

PT acknowledged that the evaluation report reflects in an accurate way the situation in Portugal and agreed with the recommendations, highlighting the intention to make further progresses.

DK, DE and HR asked some questions and commented regarding certain aspects included in the report that were responded by PT and by the evaluation team.

In relation to certain comments made by DE, the evaluation team clarified that:

- recommendation 9.2.1 no 1 related to statistics can contribute to have a more comprehensive picture of the phenomenon, which is essential to combat cybercrime in an efficient manner;
- in respect of recommendation 9.2.1 no 5, which provides that national authorities should take into consideration the strengthening of cooperation with the private sector, the DE proposal to add "within the limits provided by law", has no added value, being obvious that the recommendation is made within the limits of the law;
- recommendation 9.2.2 no 4 is formulated in a "soft" way ("should consider to use blocking procedures") and it doesn't involve an obligation for Member States.

SE underlined that, whereas the evaluation reports on the Member States are elaborated by independent experts based on their operational views, the discussions on the final report of this mutual evaluation round would offer the opportunity to adapt the text, including as regards the collection of statistics, also from a more political point of view.

The draft report on Portugal will be presented at next GENVAL meeting for adoption.

## **6. Orientation debate on the eighth round of mutual evaluations - Possible topics**

**doc. 11112/16 GENVAL 86 COPEN 237 COSI 121 ENFOPOL 234 ENV 496 DAPIX  
117 DROIPEN 129**

The Working Party had a first orientation debate on the possible topics for the eighth round of mutual evaluations, on the basis of doc. 11112/16. A number of delegations indicated their provisional preferences, while most of their comments focused on three topics, namely : a) environmental crime, b) information exchange and management in the Justice and Home Affairs area and in particular the feeding and consulting of EU debates and d) practical application of EU legal Instruments on victims' rights. Only two delegations could support topic c) regarding the practical application of EU legal instruments on procedural rights for suspects and accused persons in criminal proceedings.

Two alternative topics were proposed by delegations, namely "detention conditions in the Member States" (DE) and "cross-border implementation of sanctions" (BE).

The Commission expressed its preliminary comments on the four topics proposed by the Presidency, underlining that at this stage it is neither expressing any position on the above alternative topics, nor making any additional proposals.

The Presidency invited delegations to send written comments on the possible topics for the eighth evaluation round to the Presidency and to the General Secretariat of the Council by 12 September 2016, with a view to a more in depth discussion at next Genval meeting on 27 October 2016.

## **7. Workshop and practical training EEODN (European Explosive Ordnance Disposal Network)**

**Košice, Slovak Republic, 11 – 15 July 2016**

– Information by the Presidency

**doc. 11111/16 JAI 659 GENVAL 85 COSI 118 COTER 76 CRIMORG 75 ENFOPOL 229**

The Presidency presented the outcome of a seminar and practical training in the framework of the European Explosive Ordnance Disposal Network (EEODN), held in Košice, Slovak Republic, from 11 to 15 July 2016, and relevant conclusions and recommendations, as set out in doc. 11111/16. The main goal of this event was to further develop the active exchange of information on the illegal use of explosives and hazardous materials, especially in terrorist attacks, with a view to improving detection and response capabilities, and thus contributing to increase security.

## **8. AOB**

The Commission briefly informed the Working Party on an implementation report based on Article 10 of Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organised crime. The report, that outlines differences in transposition of the above Framework decision, is foreseen to be presented in more in details and discussed at the CATS meeting on 12 September 2016.