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OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council
On: 11 and 12 September 2014
To: Law Enforcement Working Party (including Mixed Committee EU/Iceland, Norway, Switzerland and Liechtenstein)
Subject: Summary of discussions

1. Adoption of the agenda

The meeting adopted the agenda as set out in doc. CM 3750/2/14 REV 2.

2. Proposal for a Regulation of the European Parliament and of the Council establishing a European Union Agency for law enforcement training (Cepol), repealing and replacing the Council Decision 2005/681/JHA

The meeting took note of the presentation by the Commission of the new CEPOL Regulation (12013/14) including the explanation of the proposed developments of the agency and the rationale behind them. The Commission also informed the meeting that a corrigendum to the initial proposal would be issued shortly.

Delegations generally welcomed the Commission's proposal and its timing. In particular, a majority of delegations welcomed the extended mandate of CEPOL and of its target groups and the fact that a network of national training institutes would be preserved. A number of delegations mentioned the need to balance the enlargement of the scope of CEPOL's activities with the resources made available to the agency. Some delegations questioned a reference to the Law Enforcement Training Scheme (LETS) in the Regulation and suggested to have further discussions on LETS.

Several delegations highlighted the need to preserve Member States' competence for law enforcement training carried out at national level. A number of delegations voiced some caution in relation to the proposed governance of CEPOL, in particular as regards the creation of the Scientific Committee and the appointment of the Executive Director of the agency. Some delegations expressed the need to clarify CEPOL's relations with other EU agencies providing training (e.g. Frontex).

A representative of CEPOL presented CEPOL's comments in relation to the proposed Regulation as set out in doc. 13077/14, in particular as regards clarifying certain tasks of CEPOL and resources for implementing them.

The meeting then examined Articles 1-3 of the proposed Regulation based on a presentation of each Article by the Commission followed by comments and drafting suggestions from delegations.

The Chair took note of delegations' comments and invited them to provide their written drafting suggestions on Chapter I by 10 October 2014. On the basis of delegations' contributions, a revised version of this Chapter would be prepared. The Chair informed the meeting that the draft CEPOL Regulation would also be presented at the CATS meeting on 15 September 2014.

3. Draft Council Resolution on the creation of an anti-mafia operational network - @on - to counter mafia-style serious and organised crime groups

The meeting discussed the draft Council Resolution relating to the creation of the @ON network (12214/14). A number of delegations welcomed the text proposed by the Presidency and made some drafting suggestions. The FR delegation indicated its wish to join the core group of the network.

The DE, FR and UK delegations entered scrutiny reservations on the document.

Delegations were invited to provide their written drafting suggestions by 26 September 2014. On that basis, the document would be revised and presented to the next LEWP meeting. The Chair informed delegations that the draft Council Resolution would also be presented at the CATS meeting on 15 September 2014.

4. Proposal for best practice guidelines in relation to the fight against illegal gambling and betting

The meeting discussed draft recommendations proposed by the Presidency intended to support law enforcement authorities in preventing and combating illegal gambling and betting (doc. 12926/14).

Some delegations pointed out the lack of EU-wide definitions in the area of illegal gambling and betting, the need to clarify the scope of the proposed recommendations, the national administrative differences in handling this phenomenon and the ongoing discussions in other fora on related subjects. The representative of the Commission informed delegations about the upcoming experts' meeting on 7 October 2014 where the proposed recommendations could also be discussed. The HR, MT, NL, FI, PL, PT and RO delegations entered scrutiny reservations on the document.

Delegations were invited to provide their written comments on the text by 26 September 2014.

5. Proposal in relation to fighting against trafficking in human beings

The meeting took note of the presentation by the Presidency of the proposal to compile best practices in fighting against trafficking in human beings based on Member States' contributions to the questionnaire set out in doc. 11181/14.

A number of delegations intervened noting the importance of this subject while also underlining the need to avoid duplication and ensure synergies with initiatives and structures already in place, e.g. EU Policy Cycle and the EU Anti-Trafficking Coordinator.

The Chair invited delegations to provide their replies to the questionnaire by 10 October 2014.

6. Proposal in relation to countering metal theft

The meeting took note of the presentation by the Presidency of the revised proposal in relation to countering metal theft (doc. 10593/1/14 REV 1). One delegation referred to the ongoing internal consultations concerning this proposal.

Delegations were invited to provide their written comments (if any) by 18 September 2014 and were informed that if no objections to the proposal to establish a list of contact points for countering metal theft were received by this date, Member States would be invited to send the details of their contact points to the General Secretariat of the Council by 30 October 2014.

7. Draft Council Conclusions on the role of law enforcement cooperation in combating food crime

The meeting discussed the revised text of the draft Council Conclusions on the role of law enforcement cooperation in combating food crime (doc. 11466/1/14 REV 1). The role of customs authorities and the importance of the multidisciplinary approach in this field were underlined.

The CZ, DE and UK delegations entered scrutiny reservations on the document.

The Presidency informed the LEWP that the draft Council Conclusions would be presented at the meeting of the Working Party on Foodstuffs on 19 September 2014 and that the topic would also be discussed at the international conference on food fraud on 23-24 October 2014 in Rome. On that basis the draft Council Conclusions would be revised and presented to the LEWP in November.

8. Proposal to organise a Joint Police Operation on waste trafficking

The meeting approved the proposal of the Presidency to organise a Joint Police Operation on waste trafficking (doc. 11475/14). Delegations were invited to confirm their participation in this JPO by 19 September 2014. The meeting was informed that 11 Member States had already indicated their wish to take part in the operation.

One delegation proposed that customs authorities be informed and take part in this JPO and another delegation suggested to take into account the outcome of the AUGIAS project on this subject.

9. Proposal aimed at identifying best practices on nuclear transport safety and security and counteraction against sabotage activities

The meeting took note of the presentation by the Presidency of the proposal aimed at identifying best practices relating to nuclear transport safety based on the Member States' contributions to the questionnaire set out in doc. 12217/14. The Presidency informed the meeting that a conference on this subject would be held in Rome in October 2014.

A few delegations pointed out the existing guidelines of IAEA on this subject and the need for the LEWP to focus solely on the law enforcement aspects of nuclear transport safety and security.

Upon the request of one delegation, the deadline for contributions to the questionnaire was extended to 8 October 2014.

10. The role of Law Enforcement Training in the reviewed Internal Security Strategy

Delegations held a brief exchange of views on the role of law enforcement training in the ISS based on the questions raised by the Presidency in document 12986/14, highlighting the need to differentiate between training carried out at national level and training provided by CEPOL.

The Presidency informed delegations about its plans in relation to ISS and invited them to provide written comments on the aforementioned document by 26 September 2014.

11. CEPOL's cooperation agreements

Following a brief presentation by CEPOL, the meeting agreed to the draft Working Arrangement between the Ministry of Security of Bosnia and Herzegovina and CEPOL (doc. 12639/14) and to submitting it to Coreper and the Council for approval.

Following a presentation by CEPOL of the draft Working Arrangement between the Ministry of Interior of the Former Yugoslav Republic of Macedonia and CEPOL (doc. 12640/14), the Presidency took note of the suggestion by one delegation to clarify the ambiguity in Article 11 of the draft Working Arrangement in relation to the official languages of the Arrangement.

12. Proposal for best practices guidelines to support police officers dealing with minors who are victims of crime

The meeting approved the best practice guidelines to support police officers dealing with minors who are victims of violence (doc. 12930/14), as proposed by the Presidency based on the outcome of the questionnaire on this subject and the EMPEN seminar held on 25-28 August 2014 in Budapest.

13. Report on the activities and the work programme of TISPOL

The meeting took note of the presentation by the TISPOL expert on the operational results of recent TISPOL activities and the plans of the network for 2014.

14. Operational cooperation at the Nuclear Security Summit, held in The Hague on 24 and 25 March 2014

The meeting took note of the presentation by the NL delegation about the operational police cooperation at the Nuclear Security Summit held in the Hague on 24-25 March 2014 and the best practices identified during this event.

15. AOB

No points were raised under AOB.

LAW ENFORCEMENT WORKING PARTY

MIXED COMMITTEE

1. Adoption of the agenda

The meeting adopted the agenda as set out in doc. [CM 3750/2/14 REV 2](#).

2. Proposal for establishing law enforcement information exchange centres in the Mediterranean area in order to counter cross-border criminality towards the European Union

The meeting took note of the presentation by the Presidency of the proposal for establishing law enforcement information exchange centres in the Mediterranean area aimed at preventing and combating crime originating in this region (doc. [12929/14](#)).

A number of delegations as well as representatives of the Commission and Europol intervened, underlining the importance of countering crime in the Mediterranean region while at the same time emphasising the need to avoid duplicating existing initiatives (e.g. EU Policy Cycle and Task Force Mediterranean), information exchange channels (e.g. SIENA) and the work carried out by other bodies (e.g. PCCCs, Frontex and Europol). Possible legal and security problems relating to establishing such centres were also noted. A few delegations underlined the necessity to use the existing informal Liaison Officers' (LOs) networks in the countries of the Mediterranean region more effectively and referred to a related discussion at the SCIFA meeting of 19 September 2014 on the better use of the network of Immigration Liaison Officers (ILOs). The possibility to also discuss this proposal in DAPIX was mentioned.

The DE, EL, FR, HR, NL and UK delegations entered scrutiny reservations in relation to the proposal.

The Presidency took note of delegations' comments.
