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ENFOPOL 360

OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council
On: 6 and 7 November 2014
To: Law Enforcement Working Party
Subject: Summary of discussions

1. Adoption of the agenda

The meeting adopted the agenda as set out in doc. CM 4692/14.

2. Information from the Presidency

The Presidency briefed the meeting about the outcome of the technical trilogue on the draft Europol Regulation, which took place on 4 November 2014, the way forward and other Europol-related items.

The Presidency also informed delegations that, based on the outcome of discussions at the LEWP meeting on 11-12 September 2014, the list of contact points responsible for countering metal theft was already available (doc. 14999/14), as well as 12 other updated lists of contact points and the revised version of the National factsheets of the Manual on cross-border operations.

The Chair pointed out that following the discussion by the LEWP at its meeting on 11-12 September 2014 on the role of law enforcement training in the ISS and subsequent written contributions by Member States, this topic has been included in the draft Council conclusions on the development of a renewed European Union Internal Security Strategy (see latest doc. 14186/6/14 REV 6).

The Presidency furthermore informed delegations that following the silence procedure, the draft Council Resolution on the creation of an operational network - @ON - to counter mafia-style serious and organised crime groups was deemed to be approved by the LEWP and would therefore be submitted to Coreper and the Council for adoption (see doc. 14929/14).

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

The meeting discussed the revised draft Council Conclusions on the role of law enforcement cooperation in combating food crime (doc. 11466/2/14 REV 2). Based on Member States' comments and drafting suggestions, a revised version of the document was issued (doc. 11466/3/14 REV 3) and further discussed during the meeting. The BE, CZ, DK, DE, PT, FI and UK delegations entered scrutiny reservations on this document.

Delegations were invited to lift their reservations by 14 November 2014, and were informed by the Presidency that if no further comments were received, the document would be submitted to Coreper and the Council for adoption.

4. Guidelines intended to support law enforcement authorities in preventing and combating illegal gambling and betting and related crimes

The meeting discussed the revised guidelines proposed by the Presidency aimed to support law enforcement authorities in preventing and combating illegal gambling and betting and related crimes (doc. 12926/2/14 REV 2). Several delegations underlined the non-binding character of these guidelines and the need to focus on law enforcement aspects in this document. The BE, DE and MT delegations entered scrutiny reservations.

Delegations were invited to provide their written comments on the proposed draft guidelines by 12 November 2014.

5. Guidelines to ensure the safe transport of nuclear materials and to combat sabotage

The meeting took note of the presentation by the Presidency of the proposed revised guidelines to ensure security of the international transport of nuclear materials and to combat sabotage (doc. 13626/1/14 REV 1).

A number of delegations underlined the role of IAEA in this area and the need to take account of or further develop, if considered necessary, the existing IAEA guidelines rather than develop new ones. For this reason a few delegations could not support the document. The BE, CZ, DE, EL, ES, FR, HU, MT, NL, LT and UK delegations entered scrutiny reservations.

Delegations were invited to provide their written comments on the proposed draft guidelines by 17 November 2014.

6. Overview of expert groups and networks related to the LEWP and the provisional planning of their meetings

The meeting took note of the overview of the planned meetings of expert groups and networks related to the LEWP as set out in doc. 8709/1/14 REV 1.

6.1. Report from ENLETS

The meeting took note of the results of the meeting of ENLETS held on 29-30 September 2014 in Rome (doc. 15000/14) and of the recommendations by the Core Group of the network in relation to the implementation of Council Conclusions on strengthening the internal security authorities' involvement in security-related research and industrial policy (doc. 14217/14), as presented by the UK representative in the Core Group of ENLETS, with the DE scrutiny reservation on the latter document.

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

The meeting took note of the results of the questionnaire (doc. 11181/14) on best practices in fighting against trafficking in human beings as presented by the Presidency. The Presidency invited delegations to send further information in reply to two revised questions of the aforementioned questionnaire by 17 November 2014, on the basis of which a full overview of replies would be prepared.

8. Firearms

8.1. Possible way forward in relation to the Glossary of Firearms Terminology

The meeting discussed the draft Council Conclusions on the Glossary of Firearms Terminology in law enforcement cooperation (doc. 14632/14). A few delegations expressed support to these draft Council Conclusions, while also suggesting that COSI be informed about them. The CZ, EL, FR and UK delegations entered scrutiny reservations on the document.

Delegations were invited to lift their reservations by 17 November 2014, and were informed by the Presidency that if no further comments were received, the document would be submitted to Coreper and the Council for adoption.

8.2. Draft Action Plan on firearms trafficking between the EU and the South East Europe region (2015-2019)

The meeting discussed the draft Action Plan on firearms trafficking with the South East Europe region (doc. 14633/14).

Several delegations intervened expressing their support to the draft Action Plan. It was suggested to consider a mid-term review of the Action Plan and the evaluation on its implementation at the end of the period, i.e. in 2019, and indicating the responsible actors and the deadlines for delivery. A representative of the Commission explained that detailed information on the implementation of the Action Plan would be developed later. The meeting was informed that this item would be submitted for discussion in COSI.

9. 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. Article-by-Article discussion:

- Revised Chapter I

The meeting examined the revised Chapter I of the draft CEPOL Regulation (doc. 14634/14), as prepared by the Presidency based on the drafting suggestions of the Member States and the outcome of discussions on the Law Enforcement Training Scheme at the CATS meeting on 22 October 2014. The NL and RO delegations entered scrutiny reservations on this Chapter, and the UK delegation entered a scrutiny reservation on Articles 1(2), 3 and 4(2).

The Chair took note of delegations' comments and invited them to provide their further written drafting suggestions on the revised Chapter I by 24 November 2014.

- **Chapters VI-VIII**

The meeting examined Chapters VI, VII and VII of the draft CEPOL Regulation (doc. 12013/1/14 REV 1) based on a presentation of each Article by the Commission followed by comments and drafting suggestions from delegations.

The discussions mainly focused on aligning the provisions of these Chapters with the corresponding provisions in the draft Europol Regulation as set out in the general approach of the Council (doc. 10033/14). The NL delegation entered a scrutiny reservation on Article 33.

The Chair took note of delegations' comments and invited them to provide their written drafting suggestions on Chapters VI, VII and VIII by 24 November 2014. On the basis of delegations' contributions, a revised version of these Chapters would be prepared.

10. AOB

No points were raised under AOB.
