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OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council
On: 21 October 2015
To: Standing Committee on Operational Cooperation on Internal Security
Subject: Summary of discussions

1. Adoption of the agenda

The agenda set out in 13192/15 was adopted.

2. Information from the Presidency:

– Follow- up to the Council meeting of 8 October 2015

The Presidency called upon all relevant actors to contribute to the implementation of the Council conclusions on strengthening the use of means of fighting trafficking of firearms (12892/15), which were adopted by the Council on 8 October 2015. The Council also agreed on five short-term measures to fight terrorism where progress should be made before the December Council (12551/15). The progress in the implementation of these short-term measures would be discussed by COSI at its meeting on 24 November 2015. Regarding railway safety, the Council took note of the outcome of the discussions in the Transport Council and the Commission's intention to launch a study on concrete measures in the field of railway security. COSI would revert to this topic once the results of this study would become available. Europol informed the Council in a restricted session about the provisional results of operations carried within the framework of the EU Policy cycle on serious and organised crime, notably the Joint Action Days and COSI was mandated to have a strategic debate on the Joint Action Days 2016. COSI was also mandated to discuss the appropriate measures at EU level to respond to the growing phenomenon of criminal motorcycle gangs in border regions.

– **preparation of meetings with SCIFA and PSC**

The Committee took note of the agendas for the meetings of COSI with SCIFA and with the PSC on 22 October 2015.

3. Renewed Internal Security Strategy: state of play of the implementation

The Presidency informed the Committee about the progress realised in the implementation of the renewed Internal Security Strategy. The Presidency considered that substantial progress was made as demonstrated by the activities of various Working Parties. A number of issues would, however, require greater attention such as security related research or environmental crime. The Committee invited the relevant Working Parties to do their utmost to make further progress in the implementation of the renewed ISS and would re-discuss this topic at its next meeting in November. The Presidency was looking forward to the next meeting of the Informal Network of the National Contact Points on the Administrative Approach to prevent and tackle Organised Crime, which would only take place in 2016.

The Commission welcomed the progress which was made in the implementation and stated that it would report to the Council in December 2015 on the implementation of the European Agenda on Security. The Commission gave an update on recent developments and made specific reference to the RAN (Radicalisation Awareness Network) Centre of Excellence, the first official meeting of the EU IT Forum - a way to counter radicalisation narratives, which would be held on 2 December 2015, the future Commission Regulation on common de-activation standards expected in December and the discussions on the PNR Directive and the Europol Regulation.

4. EU Policy Cycle:

a) Independent evaluation mechanism: discussion

The Committee exchanged views on four options for identifying who should conduct the evaluation as set out in 12980/15. The Presidency noted that a large majority of delegations favoured option 2, that is a combination of a third-party consultant and a monitoring group of experts from Member States, the Commission and the General Secretariat of the Council. Delegations underlined that the expert group should be on an equal level with the consultant. The Presidency noted that one delegation still needed further reflections. Regarding the scope of the evaluation, the majority of delegations supported option 2 set out in 13054/15, that is an evaluation covering the MAPS and OAPS and not the political priorities nor the SOCTA. Some delegations underlined that a more comprehensive evaluation could be envisaged for the next Policy Cycle.

The Presidency invited the COSI Support Group to build on the outcome of these discussions and to elaborate a model for the independent evaluation mechanism which would be submitted to the next COSI meeting.

b) State of play OAP workshops and funding for 2016: presentation by Europol

The Presidency referred to the concerns voiced by a number of delegations at the COSI Support Group regarding some changes in the financing of the OAPs and in the application process under the Delegation Agreement. Recognising the competences of Europol and the Commission under the terms of the Delegation Agreement, the Presidency, supported by France, Germany and Belgium, underlined that COSI, as Strategic Committee, should be fully and in due time engaged when decisions of a strategic nature are taken.

The Europol Director explained the state of play regarding the financing of the OAPs. He said that following Member States' demands and various political statements, Europol decided to prioritise the OAPs Illegal Immigration and Firearms in terms of funding. It is, however, not excluded that other funds could be released in the future, depending on a possible Commission decision to reinforce the Delegation Agreement with an additional amount of 2.000.000 €and/or in case of unspent amounts in 2015. The Director pointed out that changing the methodology would take time and underlined that some deadlines were to be respected for the current call. He stated that the COSI Support Group could discuss the additional funding in case this second tranche of 2.000.000 would be released. He also stated that the communication channels could be improved and that the necessary adjustments would be made.

The Belgian and German delegations suggested that an assessment of the needs should be carried out before decisions on additional financing are being taken. It was also pointed out to examine whether there would be a budget surplus in 2015.

The Presidency concluded that COSI did not want to endanger the financing process under the current calls considering the strict deadlines and welcomed Europol's readiness to review the methodology to better involve COSI in the future.

c) Preliminary results of operation Blue Amber and strategic debate concerning the Joint Action Days 2016 (13131/15)

The Committee took note of the preliminary results of operation Blue Amber as presented by Europol. Following the discussions under Latvian Presidency regarding the need for a timely involvement of COSI in the preparation of the JADs 2016, the Presidency decided to have a strategic debate on these future JADs. Delegations indicated a preference for a "Blue Amber" type of operation, not excluding the possibility for an "Archimedes" type of operation for a short period of time. Delegations underlined that these operations should be intelligence-led and concentrated on the EU crime priorities with a certain degree of flexibility to react to emerging events. Reference was also made to the importance of ensuring a multidisciplinary approach, involving *inter alia* Customs and judicial authorities. Various delegations referred to the important role of the drivers and NECs and to involve them in an early preparation phase. Some delegations also referred to the cooperation with third countries and the regional approach.

The Presidency welcomed the debate, which would be continued at the next meeting.

d) Involvement of the Customs authorities in the implementation of the EU Policy Cycle: presentation by the French delegation

The Committee took note of a presentation by a representative from the French Customs on the French Customs' experiences with and involvement in the implementation of the EU Policy Cycle. The presentation showed the added value of a Customs involvement and the French representative called upon Member States' Customs authorities to participate in the Policy Cycle.

The Committee strongly welcomed the French presentation and expressed the wish to continue to be updated about the Customs' activities. The Committee considered it essential to have the Customs' authorities involved in the Policy Cycle and encouraged their active participation in the implementation of the relevant OAPs.

e) Cross-border crime linked to criminal motorcycle gangs: discussion of way forward

The Committee discussed the various proposals suggested by Belgium to react to cross-border crime linked to criminal motorcycle gangs (12041/15), as a follow-up to the discussions at the Council on 8 October 2015. It was noted that the drivers of various OAPs have been informed about this growing phenomenon and have been invited to take this into account in the drafting of the new OAPs 2016. These OAPs will be submitted to COSI for approval in December 2015. The Presidency also invited Europol to make sure that the next SOCTA provides more detailed information on polycriminal groups, which was also to be taken into account in the new SOCTA methodology. The Presidency also suggested discussing the administrative approach to this crime phenomenon at the next meeting of the Informal Network of the National Contact points.

The Netherlands delegation acknowledged the importance of this topic and stated that the administrative approach will be a priority under its Presidency.

The Commission welcomed that due attention would be given to this crime phenomenon both in the OAPs and in the administrative approach. The Commission considered it however premature to develop EU legislation as suggested by Belgium and preferred better understanding this phenomenon first.

5. Results of the European Police Chiefs Convention held at Europol on 23-24 September 2015: presentation by Europol (13178/15)

The Committee took note of the results of the fifth European Police Chiefs Convention (EPCC) which Europol co-hosted with the Luxembourg Police on 23 and 24 September 2015.

6. Threat assessment on Internet facilitated organised crime (iOCTA): presentation by Europol

The Committee took note of Europol's Internet Organised Crime Threat Assessment (iOCTA) 2015 set out in 12728/15.

7. Any Other Business

– FRA workshop

The Austrian delegation informed the Committee about a Stakeholder workshop on developing an EU Communication Strategy to promote respect, non-discrimination, fundamental rights, freedoms and solidarity throughout the EU, which would be held on 14-15 December 2015. This workshop would be organised by the Fundamental Rights Agency (FRA), in cooperation with the Austrian Ministry of Interior, the European Counter-Terrorism Coordinator, the European Commission and other partners, and aims at bringing together a mixed group of stakeholders.

– ATHOS 2015

The Estonian delegation drew delegations' attention to the ATHOS 2015 exercise which was organised in the beginning of October 2015. The operation was organised by the Estonian Ministry of Interior.