



Council of the
European Union

088842/EU XXV. GP
Eingelangt am 21/12/15

Brussels, 21 December 2015
(OR. en)

15288/15

JAI 1000
COSI 193
COMIX 689

OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council
On: 16 December 2015
To: Standing Committee on Operational Cooperation on Internal Security
Subject: Summary of discussions

MIXED COMMITTEE

1. Adoption of the agenda

The agenda set out in 15289/15 was adopted.

2. EU Policy Cycle for organised and serious international crime

- **Monitoring of the 2015 Operational Action Plan: report of the Europol Director and 6 -month progress report**
- **Priority on illegal immigration**

The Committee took note of the 6-month progress report for the second half of 2015 as set out in 14891/15 (RESTREINT UE)

– **Operational Action Plan 2016 "Illegal Immigration"**

The Committee approved the Operational Action Plan (OAP) on Illegal Immigration as set out in 14819/1/15 REV 1 (RESTREINT UE).

3. Any Other Business

No items were raised.

COSI

1. Adoption of the agenda

The agenda set out in 15289/15 was adopted.

2. Firearms: Communication from the Commission to the European Parliament and the Council implementing the European Agenda on Security: "EU Action Plan against illicit trafficking in and use of firearms and explosives": presentation by the Commission¹

The Committee welcomed the Commission's Action Plan against illicit trafficking in and use of firearms and explosives (14971/15 + ADD 1) and in particular the inclusion of explosives in this Action Plan. Delegations underlined the importance of cooperation with third countries, especially the Western Balkans as a priority region and Ukraine. Some concerns were voiced on a number of issues, such as the obligatory use of iARMS, iTrace or IBIN, the prohibition of cash payments for individuals, the possible duplication with other initiatives, notably with the Operational Action Plan on Trafficking Firearms and the importance of enhancing the intelligence picture on firearms. Some delegations also stated that the Action Plan should not affect Member States' defensive capabilities. The important role of Europol was also underlined and Europol stated that it was fully committed to supporting the Action Plan.

¹ The Mixed Committee countries were invited to attend the discussions on this item.

Frontex stated that it would appreciate a tasking for Frontex considering the important external dimension. Frontex was ready to allocate resources.

The Commission welcomed Member States' comments and underlined that the Action Plan was not intended to replace the EMPACT project Firearms, which should be continued. It noted Member States' concerns regarding iARMS and invited Member States to join the interoperability project iARMS-SIS. The Commission representative also referred to Annex 1 to 14971/15, which would be used as a scoreboard. The Commission would regularly report to COSI to avoid duplication with other initiatives.

3. Information from the Presidency:

- Follow-up to the JHA Council of 4 December 2015

The Presidency informed delegations about the main outcomes of the JHA Council of 4 December 2015, in particular the Presidency's progress report on the implementation of the renewed Internal Security Strategy and the discussions on counter terrorism. The Presidency recalled that Ministers were informed about Member States' use of the different information systems and the Presidency was confident that Member States would do their utmost to optimise the use of these systems by March 2016. The decision of the incoming Trio Presidency to follow the same implementation model for the Renewed EU Internal Security Strategy (2015 - 2020)² was also welcomed.

- JHA Senior Officials meeting EU-OIPC Interpol on 23 November 2015

The Presidency informed delegations about the outcome of the discussions at the JHA Senior Officials meeting EU - OIPC Interpol which was held in Brussels on 23 November 2015 (15200/15).

² 9798/15

4. EU Policy Cycle for organised and serious international crime:

- **Monitoring of the 2015 Operational Action Plans: report of the Europol Director and of the National EMPACT Coordinators meeting and 6 -month progress report**

The Committee took note of the report of the National EMPACT Coordinators (NEC) meeting which was held at Europol on 24-25 November 2015, as set out in 14884/15. The Committee also took note of the Europol findings in relation to the implementation of the EU Policy Cycle up to mid-October, in particular the progress made in implementing the second year of the 2014-2017 Policy Cycle as set out in 14881/1/15 REV 1 and welcomed the new approach of the report, which looked into the progress made within each priority, with an emphasis on content and operational results (14881/15 ADD 1 EU RESTRICTED). It particularly welcomed the increased operational nature of the OAPs since the number and proportion of operational actions had risen (103 out of 206 actions).

Some delegations underlined that Europol should support the Member States in the Policy Cycle and should not act as supervisor. Europol's activities in the framework of the Policy Cycle should therefore be carried out within the limits of this role.

One delegation stated that more attention should be given to preventive measures, to the multidisciplinary aspects and to money laundering. Various delegations also commented on the important role of the NEC and the need for timely preparation. Delegations underlined again the need for the Customs to be more closely involved in the Policy Cycle. The Italian delegation stated that the multidisciplinary approach should respect the existing national structures.

Europol agreed that the preventive measures and financial investigations were also important and was ready to discuss the different deadlines with a view to facilitating the work of drivers and NECs. Europol also supported the Spanish comment that more Member States should volunteer to lead the operational actions. Finally, Europol agreed that it was not supervising the Policy Cycle but stated that it had a monitoring role.

– **Operational Action Plans 2016:**

The Committee approved the Operational Action Plans as set out in 14821/2/15 REV 2, 14822/1/15 REV 1, 14837/2/15 REV 2, 14838/1/15 REV 1, 14839/1/15 REV 1, 14851/1/15 REV 1, 14852/2/15 REV 2, 14854/1/15 REV 1, 14855/2/15 REV 2, 14857/1/15 REV 1, 14858/1/15 REV 1 and 14859/2/15 REV 2 (all classified RESTREINT UE).

– **Funding: strategic discussion of the implementation of funding on the second call (second tranche) of the Delegation Agreement**

The Committee agreed on the plans presented by Europol (14163/15) about how to use the additional funds possibly made available by the European Commission for the second tranche of the second call under the EMPACT Delegation Agreement.

– **Final results of operation Blue Amber: presentation by Europol**

The Committee took note of the final results of operation Blue Amber, which were presented by Europol. It had also received the Europol press release.

The final results and lessons learnt would be discussed at a meeting at Europol in January 2016 involving the drivers and other stakeholders. The planning of JADs 2016 would also be discussed at this meeting.

– **Europol situation report on trafficking in human beings: presentation by Europol**

The Committee took note of the Europol situation report on trafficking in human beings as set out in 15067/15. One delegation praised the terminology used in this report as a point of reference and highlighted the fact that a distinction should be made between smuggling of human beings and trafficking in human beings as two different crime phenomena.

5. Fight against terrorism: the use of JHA tools and agencies in the MENA region in the context of the fight against terrorism: discussion on the basis of 14408/1/15 REV 1

The Committee discussed again the fight against terrorism on the basis of a Counter-Terrorism Coordinator (CTC) paper regarding the use of JHA tools and agencies in the MENA region (14408/1/15). Delegations welcomed the CTC's paper but voiced some concerns regarding the feasibility of some of the measures put forward in the paper, in particular the dual use of the Europol Liaison Officers. Delegations called for a proper coordination since a wide range of initiatives were already deployed in the region by Member States on a bi- and multilateral basis, which were not addressed in the paper. These initiatives use important resources and overburdening of national law enforcement as well as of EU agencies should be avoided. Delegations also referred to the important role of Interpol in the MENA region. The need to focus on aviation security was also underlined.

6. Heads of JHA Agencies meeting on 3-4 November 2015: report by eu-LISA on the activities and achievements of the JHA Agencies Network in 2015

The meeting took note of the report on the Agencies' activities and key findings regarding their cooperation, as well as of the scorecard on the Agencies' multilateral cooperation, both discussed at the meeting of the heads of JHA Agencies, hosted by eu-LISA on 3-4 November (14784/15, 14779/15 + ADD 1). The next meeting of the Heads of JHA Agencies would take place on 3-4 November 2016 in Vienna and would be organised by the European Union Agency for Fundamental Rights (FRA).

7. EU Internet Forum – First results: presentation by the Commission

The meeting took note of the first results of the EU Internet Forum, which was launched by the Commission on 3 December 2015. The Commission invited the incoming Presidency to put this item on the COSI agenda again in the coming months.

8. Presentation of the work programme of the incoming NL Presidency

The Netherlands delegation informed the meeting of its work programme for the coming six months which would be focused on implementation and consolidation. Work would be taken forward on the EU Renewed Internal Security Strategy 2015-2020 and the European Agenda on Migration under the next trio Presidency. COSI would focus on the implementation of the Renewed ISS, the Policy Cycle, counter-terrorism, the link migration and internal-external security, firearms, the cooperation between JHA Agencies, cybercrime, financial investigations and the administrative approach.

The provisional meeting dates were: 3 March, 17 May and 22 June 2016. Joint meetings were scheduled to take place on 18 April (with SCIFA) and 21 June (with SCIFA and with the PSC) 2016.

9. Any Other Business

No items were raised.
