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## OUTCOME OF PROCEEDINGS

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From: General Secretariat of the Council  
On: 3 and 4 March 2016  
To: Standing Committee on Operational Cooperation on Internal Security  
Subject: Summary of discussions

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### MIXED COMMITTEE

#### 1. Adoption of the agenda

The agenda set out in 6347/16 was adopted.

#### 2. Draft Council conclusions on migrant smuggling

The Committee agreed on the draft Council conclusions as set out in 6475/16. These draft Council conclusions would be submitted to Coreper with a view to adoption by the Council on 10 March 2016.

#### 3. Any other business

No items were raised.

**1. Adoption of the agenda**

The agenda set out in 6347/16 was adopted with the addition of an information item by the Commission on its recent EU Action Plan against Wildlife Trafficking.

**2. Information from the Presidency:**

- Financial investigation

The Committee was informed about the Presidency's intentions regarding financial investigation, in particular the development of a draft Action Plan on financial investigation, which would be discussed by the Law Enforcement Working Party.

- Preparation of the COSI-PSC meeting

The Committee was informed about the agenda for the COSI-PSC meeting which was to be held in the afternoon.

**3. Draft implementation paper for the renewed Internal Security Strategy 2015-2020<sup>1</sup>**

The Committee endorsed the draft implementation paper for the renewed Internal Security Strategy 2015-2020 as set out in 5298/1/16 REV 1 and will be kept informed about the progress made. It also took note of the suggestion to discuss the Action Plan on terrorist financing in COSI.

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<sup>1</sup> Exceptionally in the presence of the Schengen Associated States.

#### **4. Fight against terrorism: implementation of the Council conclusions of 20 November 2015 on Counter-Terrorism**

##### **– state of play: presentation by the Counter-Terrorism Coordinator (CTC)**

The CTC presented his report on the state of play of the implementation of the counter-terrorism measures as set out in 6450/16. The report shows that while progress is being made in all areas, further urgent improvements to information sharing and border security are necessary.

Delegations welcomed the CTC's report, in particular the recommendations it sets out. The French delegation suggested that an overview paper, similar to the ISS implementation paper, could be developed.

The Commission fully supported the recommendations and gave an update on recent developments. The Commission was considering the organisation of a workshop to push forward the implementation of PNR. The Commission would also welcome an ad hoc meeting to brief Member States on the progress with regard to the Internet Forum. Regarding the Terrorist Financing Tracking Programme (TFTP), the Commission stressed that it would build upon the success of the current TFTP and would aim for an EU system complementary to the TFTP. The Commission also welcomed the operationalisation of the common risk indicators ahead of the outcome of the discussions on the draft Regulation amending Regulation No 562/2006 (EC) as regards the reinforcement of checks against relevant databases at external borders.

The Presidency concluded by inviting delegations to send their comments on the CTC's report, which would be inserted in a new version for the JHA Council on 10 March 2016 (6785/16).

##### **– possible development of a structured and multidisciplinary approach: follow-up discussion after informal COSI dinner**

The Presidency identified a number of ideas regarding the possible development of a structured and multidisciplinary approach, in particular the need for clarity regarding the different CT actions and initiatives to avoid duplication, the important role COSI should play in realising a strategic overview and the fact that this structured approach should not be considered a new policy cycle, although some elements could be useful.

The Swedish delegation presented a joint contribution from Belgium, Germany, Spain, France, Romania, Finland, Sweden and the United Kingdom, outlining some possibilities for a structured approach as set out in 6215/16. These delegations supported the development of a master document, to be drawn up by the Presidency and the CTC and presented to COSI for strategic discussion. The structured approach should also describe the different decision-making processes for the work by different actors. Various actors would contribute to this master document.

Eurojust referred to its toolbox as an example. This gives an overview of FTF fighting instruments in place.

The Spanish delegation stated that although the policy cycle as such could not be copied over to terrorism, certain elements would be beneficial, in particular regarding threat assessment. Other delegations also referred to better threat assessment and to INTCEN's role in that respect.

The Belgian delegation referred to the work of the Dumas group and suggested that this group could provide strategic reports to COSI.

The Commission representative stated that terrorism was a cross-border threat affecting the internal security of the Union. He therefore argued for a more ambitious and pragmatic approach which would go beyond the creation of a master document. The Commission and the CTC supported the suggestion made by the Director of Europol to invite both Europol and INTCEN to review their cooperation and to explore the possibilities for an integrated assessment.

The Presidency noted that delegations welcomed the idea of drafting a master document which would give an overview of the various actions and the competent actors. It also noted that further discussions were needed on improving the terrorism threat assessment. The Presidency would prepare a Presidency paper for the next COSI meeting.

## **5. Architecture of information exchange systems and their interoperability/interconnectivity: follow-up discussion after informal COSI dinner**

Various delegations welcomed and supported the Presidency's discussion paper (DS 1129/16). Delegations stressed the importance of improving the quality of information as well as the need for end-user-friendly systems. No new systems were considered necessary but the existing ones should be better used. Delegations also mentioned the importance of mutual trust and of improving access to relevant databases for relevant actors such as Europol and Frontex. One-stop information shop, cross-matching (UMF), privacy by design and the role and training of the SPOCS were also highlighted.

Different delegations preferred to start with in-depth evaluation of the operational and legal obstacles to and challenges for information exchange. Delegations advocated a realistic and pragmatic approach with a focus on concrete, end-user friendly solutions. A distinction could be made between short-, medium- and long-term priorities.

The Spanish delegation suggested inviting the DAPIX Working Party to comment on the discussion paper.

The Presidency invited delegations to send their comments by 18 March 2016. Based on these comments and taking into account the Commission's communication, expected on 6 April, the Presidency would issue a new paper for the next COSI meeting.

## **6. Firearms: coordination of the planned and ongoing initiatives/actions<sup>1</sup>**

A large number of delegations supported the Presidency's ideas to improve coordination between the various actions in relation to firearms. Delegations broadly supported the idea of establishing a matrix which would give an exhaustive and clear overview of all actions to fight against firearms trafficking (6130/16). The Spanish delegation suggested that the Commission Task Force Firearms could be the appropriate body to develop this matrix.

Some delegations considered that the focus should be on 'illegal' firearms. Delegations also felt that operational actions should be brought under the umbrella of the EU policy cycle. Some more explanations were needed regarding the organisation of joint operations and joint meetings.

The Commission fully supported the Presidency paper and underlined the important role of the EMPACT Driver and the EFE leader. The Commission also supported a reference to the focal points and linking the operational actions to the policy cycle.

The Presidency welcomed delegations' support for the creation of a matrix and invited delegations to send their contributions by 18 March 2016 at the latest. The Presidency would reflect on the scope, in particular whether or not to include legal and illegal firearms as well as operational actions. The COSI Support Group was invited to continue these discussions.

## **7. EU policy cycle for organised and serious international crime:**

### **– independent evaluation mechanism: state of play**

The Committee took note of the state of play of the independent evaluation. The Commission representative said that the selection process was still ongoing. The Commission's aim was to have the contract signed in the second half of March 2016 and to receive the interim evaluation report at the end of August 2016. The final report was expected by the end of January 2017.

The Italian delegation stressed the importance of involving all stakeholders, in particular the national experts, and suggested that the monitoring group could meet prior to the mid-term and final reporting.

The Presidency welcomed the fact that Belgium had volunteered to lead the monitoring group and invited the Commission and the leading expert to keep COSI informed about the progress made.

### **– funding: state of play**

The Commission stated that the College had decided to grant an additional EUR 2 million under the Delegation Agreement and to extend the deadline for implementation from 31 December 2016 to 30 June 2017.

The Deputy Director of Europol hoped to have a better picture of the financial implementation of the grants in April 2016. The need for an additional mini call would then be evaluated, depending on the amount of unspent money. He also pointed out that the NEC meeting in May would discuss funding, in particular the way forward after the period covered by the Delegation Agreement.

The French delegation stressed COSI's strategic role in the discussions on funding and stated that COSI should have a strategic debate before grants were allocated.

Europol stated that if a mini call were to be launched, this call would be presented to COSI.

The Presidency concluded that it would reflect together with the incoming Slovak Presidency on the organisation of a strategic debate on funding in COSI.

– **Joint Actions Days 2016: presentation of concept JADs 2016 by Europol and discussion**

The Committee discussed the concept of the Joint Action Days (JADs) 2016 as presented by Europol (6016/16 EU RESTRICTED). Various delegations recalled that the operations should be intelligence-led. The French delegation, supported by other delegations, asked for a better definition of the JADs (15566/15). These delegations also voiced strong concerns about the organisation of large-scale 'Archimedes-style' operations. The French delegation also suggested a media strategy which would focus not only on the JADs but also on the results of the policy cycle as a whole.

Europol clarified that the Archimedes-style operation planned for 2016 would be different from the 2014 operation. Europol was willing to present a more detailed explanatory note at a forthcoming COSI meeting.

The Presidency noted the concerns voiced by some Member States with regard to the type of operation and invited Europol and the COSI Support Group to discuss this ahead of the COSI meeting in April 2016.

**8. Draft report to the European Parliament and national parliaments on the COSI proceedings July 2014 - December 2015: discussion**

The Committee agreed on the draft report to the European Parliament and the national parliaments on COSI's proceedings between July 2015 and December 2015, as set out in 5299/2/16 REV 2. This draft report would be submitted to the Council with a view to its transmission to the European Parliament and national parliaments.

## **9. Customs cooperation: Synergies and opportunities for coordination between the activities developed under the EU policy cycle and the Eighth Customs Cooperation Working Party Action Plan**

Various delegations welcomed the Presidency's proposal for coordination measures to explore synergies and avoid duplication between the 2016 OAPs and the Customs Cooperation Working Party Action Plan (6015/1/16 REV 1).

The Deputy Director of Europol stated that the NECs could play an important role at national level and welcomed the customs representation in the Europol liaison bureaux. He also stressed the role of the World Customs Organisation. Finally he drew delegations' attention to the different timelines for the CCWP Action Plan and the OAPs.

The Commission representative suggested that the relevant customs actions could be included in the OAPs.

The Presidency welcomed the broad support for its proposals and invited the COSI Support Group and the CCWP to follow up on these discussions.

## **10. Organised Property Crime:**

- **Joint DE-FR paper for a draft European initiative to combat organised domestic burglary**
- **presentation of operations funded under ISEC**

The German and French delegations presented their proposal for a draft European initiative to combat organised domestic burglary (5303/3/16 REV 3). These delegations said that the scope of their initiative was larger than the OAP on Organised Property Crime (OPC) and would complement it. The German delegation also presented the results of an ISEC-MOCG project which started in 2014 and resulted in the dismantling of 22 MOCG structures. The project would normally stop at the end of May but the French and German delegations were willing to continue. The Commission was keen to consider support under the 2016 ISF (Union action) for those actions of the initiative that were not covered by the policy cycle.



Various delegations agreed on the importance and urgency of the subject-matter. However, some delegations also expressed concerns regarding possible duplication and overlapping with the OAP OPC.

The Presidency invited France and Germany to hold a meeting with the participants of the OAP OPC to coordinate the envisaged actions.

## **11. Any other business**

- **Europol’s work programme 2016 and Europol Strategy 2016-2020: information from the Presidency**

The Committee took note of Europol’s work programme for 2016. The Europol Strategy 2016-2020 set out in 15099/15 would be presented at a forthcoming meeting.

- **Workshop on the development and principles of an EU Communication Strategy to promote respect, non-discrimination, fundamental rights, freedoms and solidarity throughout the EU (Vienna, 14-15 December 2015): information from the Austrian delegation**

The Committee took note of the outcome of the above-mentioned workshop. A large-scale conference on human rights would be organised in Vienna in June and another major conference would be held in Sarajevo at the end of 2016.

- **Wildlife trafficking**

The Commission informed the Committee that a communication on an EU Action Plan against Wildlife Trafficking (6570/16) had been adopted on 26 February 2016. The Netherlands Presidency's aim was for Council conclusions on this subject to be adopted in June 2016. The Commission asked the Presidency to ensure that security concerns are taken into account in these draft conclusions.