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OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council
On: 21 February 2018
To: Delegations

Subject: Standing Committee on Operational Cooperation on Internal Security
(COSI)

MIXED Committee

1. Adoption of the agenda

The agenda set out in 1486/1/18 REV 1 was adopted.

2. Information from the Presidency

The Presidency informed the Committee about the following main events in the field of security, e.g. thematic conferences, management boards meetings of the JHA EU agencies and other high-level events that will take place in Sofia during the Bulgarian Presidency.

Management board meetings: FRONTEX on 7-8 February, Europol on 3-4 May, CEPOL on 15-16 May.

A thematic conference on the implementation of the PNR Directive took place on 21 February. A conference on prevention of radicalisation, with a focus on the Western Balkans and children returnees, organised jointly with RAN, will take place on 4-5 April. A conference on illegal trafficking of cultural goods will take place on 9 May and on border security on 17 May.

3. Frontex risk analysis for 2018

The Executive Director of Frontex presented the Annual Risk Analysis (ARA) for 2018, focusing on the main trends and featuring analysis of four aspects: terrorism and border control, impact of cross-border crime, trafficking in human beings (THB) and processing of personal data.

4. Fight against terrorism

4.1. Travel movements of foreign terrorist fighters/returnees and persons involved in terrorism or terrorism related activities: Article 36, SIS II post-hit follow-up

The Committee expressed general support for the proposed approach outlined in the Presidency paper (5635/1/18 REV 1) and tasked the SIS/SIRENE WP and TWP with identifying concrete practical solutions and recommendations for optimising the implementation of the existing tools along the work strands outlined in the document, while building on the discussion at COSI. On that basis draft Council Conclusions should be presented to COSI with a view to submitting them for adoption by the Council in June.

COSI

4.2. The Strategy of Communication of ISIS: presentation on trends and challenges¹

The Committee took note of a presentation on the public communication strategy of Da'esh given by Mr Javier Lesaca, researcher at the School of Media and Public Affairs at George Washington University. It was highlighted that analysing and systematically organising all the information and public big data generated by terrorist groups such as Da'esh can generate actionable intelligence of great value for the fight against violent extremism and terrorism.

¹ Exceptionally in the presence of the Schengen Associated States.

5. Implementation of the renewed EU Internal Security Strategy 2015-2020: duo Presidency paper²

The Committee took note of the of the duo Presidency paper on the implementation of the renewed Internal Security Strategy (5670/1/18 REV 1) and of the Presidency's intention to develop, in close cooperation with the incoming Austrian presidency, a concept for a joint implementation paper, with a structure based on priorities.

6. EU Policy Cycle on combating serious and organised crime

6.1. Funding: towards more efficient use

The Committee expressed overall support for the measures put forward in the Presidency paper (5929/18) for more efficient use of the Policy Cycle budget in the future, including taking stock of the state of play of the budget use in September. Europol also presented an explanatory note on the current financial rules and implementation practices in managing the EU Policy Cycle budget (5929/18 ADD 1). Delegations underlined the need for transparency and flexibility, including when it comes to holding meetings outside Europol and the funding of non-EU countries' participation. AT suggested establishing a subgroup of funding experts from volunteering Member States under the auspices of the National EMPACT Coordinators' (NEC) meeting to identify technical and legal options for an improved and in general more flexible funding procedure for the EU Policy Cycle. CEPOL will continue to provide training with a view to enhancing knowledge and practical understanding of funding requirements. COSI will return to this issue in the future to monitor the progress achieved.

6.2. Joint Action Days (JAD) definition: application with regard to cross-cutting EU crime priorities

The Committee agreed that the condition of 'multiple priority crime areas' in the definition of JADs, as referred to in 5931/18 should be considered fulfilled when at least two operational action plans (OAPs) are involved in a JAD. However, one OAP would be sufficient if the planned JAD links at least one operational action having a clear operational objective in the relevant priority crime area with at least one operational action having a clear operational objective related to a cross-cutting priority without an OAP (i.e. 'document fraud').

² Exceptionally in the presence of the Schengen Associated States.

6.3. Other items

The Committee took note of the state of play of the following items in connection with the EU Policy Cycle, as presented by the Presidency:

Following the strategic guidance provided by COSI on 14 December 2017 (15755/17), on 5 February 2018 the COSI Support Group agreed on the JADs 2018 concept as set out in 5676/18 EU RESTRICTED.

At the same COSI Support Group meeting, Europol presented the state of play of the Operational Task Forces (OTFs), in particular the outcome of the Heads of Europol National Units (HENU) meeting (OTF item). The standard operating procedure for the selection of high-value targets (HVTs) and the establishment of OTFs was amended, reflecting the outcome of the COSI meeting on 14 December 2017 and adding process flowcharts for HVT selection and OTF establishment as annexes.

Further to that COSI Support Group meeting, the timeline for EU Policy Cycle activities in the first half of 2018 was updated (5681/1/18 REV 1), as was the list of relevant actors in the different crime priorities (6050/18).

Synergies and opportunities for coordination between the activities developed under the EU Policy Cycle for the year 2018 and the ninth Customs Cooperation Working Party (CCWP) action plan were discussed at the CCWP meeting on 14 February 2018 on the basis of 5920/18. COSI Support Group delegates were invited to attend that discussion.

The Presidency also announced that the Council website now has a new dedicated page with content on the EU Policy Cycle, which is intended to improve visibility of the Policy Cycle and of its contribution to combating organised and serious international crime. ES distributed the logo for the 'Cocaine' priority and Europol suggested that a logo for the whole EU Policy Cycle could be developed (a meeting on the media strategy for the EU Policy Cycle will be held at Europol on 1 March 2018).

7. Improved EU law enforcement capability to address child sexual exploitation online

- Presentation by Europol and exchange of views

The Committee expressed general support for improving law enforcement capability to address online child sexual exploitation, as put forward by Europol in 5932/18 and referred to in 5933/18, notably the establishment of dedicated information flows and communication mechanisms, supported by Europol's EC3 dedicated team through long-term sustainable solutions. The proposed solution will facilitate the development of rapid and reliable procedures for removing and disabling access to such illegal content online and would enhance investigative capabilities at EU level. It will also systematically strengthen the cooperation of online platforms with competent authorities in Member States by providing easily accessible and user-friendly technical interfaces that would allow prioritising resources and analysing more effectively the large volume of illicit material. Drawing upon the technological progress in information processing, the use of automatic detection and filtering technologies could be considered in this context. The Committee further instructed that work should continue to assess the feasibility of different funding mechanisms, including from external funding via a grant, while looking for synergies and complementarity with similar projects run by Member States and other international partners. The issue can be raised at the next HENU meeting for further consideration. The concrete technical modalities of such a project should also be further considered at expert level, e.g. at a dedicated workshop organised by Europol on 22-23 March under the EMPACT umbrella. Once the work has advanced sufficiently, the issue should be brought back to COSI SG and as necessary to COSI for further guidance.

8. WHOIS database reform: next steps

COSI took note of the information provided by the Commission on the latest WHOIS developments. The need to preserve the functionality of the WHOIS database for achieving public-interest objectives such as combating criminal offences online, protecting the rights of intellectual property holders and enhancing cybersecurity and consumer protection, while complying with data protection rules, was underlined. It was concluded that a structured follow-up on this issue would be provided in an appropriate Council working format that would allow for a multidisciplinary consideration of the issues at stake.

9. Integrative internal security governance for the Western Balkans (MP)

- Draft action plan for the Western Balkan Counter-Serious- Crime initiative (WBCSCi)

COSI endorsed the input to the draft action plan for the Western Balkan Counter-Serious Crime initiative and the proposed measures for improving synergies with the Policy Cycle in particular, as put forward in 5934/18. The need to avoid duplication of efforts in the implementation of the respective measures in the broader context of enhancing cooperation in the region was underlined.

10. Commission Communication: Reporting on the follow-up to the EU Strategy towards the eradication of trafficking in human beings and identifying further concrete actions

The Committee took note of the presentation by the EU anti-trafficking coordinator of the Commission communication (15438/17). All actors involved should ensure that the use of resources is optimised so that duplication is avoided. The need for a global awareness campaign that would involve all relevant actors, enhancing the protection of victims at the borders and the importance of the involvement of EEAS capabilities and tools in addressing challenges posed by this form of crime were underlined.

11. AOB

The committee was informed that the EU CTC is working on a policy debate paper for the March Council concerning the EU JHA agencies' role in counter-terrorism. Furthermore, a questionnaire on child returnees was circulated to MSs and partners in the Western Balkans on 19 February 2018.
