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Subject: Draft report to the European Parliament and national Parliaments on the proceedings of the Standing Committee on operational cooperation on internal security for the period July 2017 - December 2018

In accordance with Article 71 TFEU and Article 6(2) of Council Decision 2010/131/EU establishing the Standing Committee on operational cooperation on internal security (COSI), the Council shall keep the European Parliament and the national Parliaments informed of the proceedings of the Standing Committee.

Delegations will find attached in the Annex a draft report on the COSI proceedings for the period July 2017 - December 2018.

Delegations are kindly invited to submit written comments and drafting suggestions on the draft report by 4 March 2019 to cosi@consilium.europa.eu

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This is the sixth report to the European Parliament and national Parliaments in accordance with Article 71 TFEU and Article 6(2) of Council Decision 2010/131/EU¹ establishing the Standing Committee on operational cooperation on internal security (COSI), which provides that the Council shall keep the European Parliament and the national Parliaments informed of the proceedings of the Standing Committee.

This report presents the activities of COSI during the period of July 2017 - December 2018 under the Presidencies of Estonia, Bulgaria and Austria.

1. SUMMARY

COSI has under the trio Presidency of EE, BG and AT continued to fulfil its mandate to facilitate, promote and strengthen the coordination of operational cooperation of the EU Member States in the field of internal security. In this capacity COSI has acted as a monitoring body, as an advisory body and a decision making body with high representatives and experts from all EU Member States and when necessary the relevant JHA Agencies. During this period COSI has worked on a multi-disciplinary and multi-agency platform including cooperation and synergies between police, customs, border guards and judicial authorities and assisting in the direction of training of law enforcement officers.

COSI has witnessed many developments, advancements and concrete operational results under the trio Presidency.

COSI oversees the implementation of the Internal Security Strategy. The trio Presidency coordinated to ensure that they had shared objectives to be brought before COSI. A mid-term review of the renewed ISS was carried out under the EE Presidency¹. It confirmed the priority areas in the fight against terrorism, serious and organised crime and cybercrime, noted as priorities in the Council conclusions on the renewed European Union Internal Security Strategy 2015-2020².

Pursuant to the Council conclusions a renewed approach for the monitoring of the implementation of the renewed ISS was introduced. Namely, on the basis of a joint Implementation Paper of the outgoing and incoming Presidencies, with a structure based on priorities, on the planning and implementation of the renewed EU Internal Security Strategy. These developments enabled COSI to take a more streamlined overview and efficient role in monitoring the implementation of the ISS and in providing strategic guidance.

¹ Council conclusions on the mid-term review of the Renewed European Union Internal Security Strategy 2015-2020 (13319/17)

² 9798/15

Furthermore, under the AT Presidency COSI prepared Council conclusions of the future strategic direction in the field of internal security, which were adopted by the Council in December 2018³.

Counter Terrorism covers a very broad spectrum and requires a complex multitude of essential tools to respond to it. It remains a top priority on the COSI agenda. In November 2017 COSI has endorsed the way forward of the EU Threat Assessment in the field of counter terrorism aiming to optimise the process of drawing the specific policy recommendations based on reports from Europol and assessments from INTCEN⁴.

COSI has also followed the work of the High Level Commission Expert Group on Radicalisation (HLCEG-R), which was established under the Estonian Presidency in the second semester of 2017, and based on the European Council Conclusions of 22-23 June 2017. These conclusions highlighted the need to accelerate the collective efforts to share knowledge on foreign terrorist fighters as well as home-grown radicalised individuals with the aim to implement policy and legal measures to manage the terrorist threat.

Concerned about the travel movements of foreign terrorist fighters and returnees, COSI under the Bulgarian Presidency tasked SIS/SIRENE WP and the Terrorism Working Party (TWP) with identifying concrete practical solutions and recommendations which resulted in Council Conclusions on strengthening the cooperation of the use of the Schengen Information System (SIS) to deal with persons involved in terrorism or terrorist related activities being endorsed. COSI provided input on the ATLAS Network draft conclusions and the CBRN draft conclusions from a strategic advisory aspect to strengthen the coordination of operational cooperation in the field of CT.

³ 14806/18

⁴ 13414/1/17 REV 1

COSI has a central role in steering the EU Policy Cycle on organised and serious international crime/EMPACT. As set out in the EU Policy Cycle Terms of reference (ToR)⁵, COSI closely evaluates the implementation of the OAPs, including the participation of Member States and other actors in order to ensure commitment and the required allocation of human and financial resources. The Committee monitors the progress of the OAPs every 6 months inter alia on the basis of Europol's findings on the implementation of OAPs, reports by the Drivers and the National EMPACT Coordinators (NEC).

The trio presidency saw the end of the first full policy cycle with excellent tangible results and the renewal of a new policy cycle for the period 2018-2021. The Joint Action Days are a clear indication of the effectiveness of the EU Policy Cycle under the strategic guidance of COSI. Over the years 2017 and 2018, 1630 cases and investigations were initiated, 2270 suspects arrested, 343 firearms seized and 1528 human trafficking victims were identified. Under the EE presidency a new reporting mechanism was introduced which was designed to streamline the process for the drivers of the Operational action plans and make it more effective.

Consistent efforts were made at COSI level to support more efficient use of the available funding of the EU Policy Cycle.

Strengthening the identity of the EU Policy Cycle to foster the involvement of all relevant actors and improving the communication on operational results was another overarching theme during the reporting period. A set of recommendations on communication as identified by the media contact points from Member States and EU Agencies and aiming at improving the visibility of the EU Policy Cycle, including through a dedicated logo is now integrated in the EMPACT Terms of Reference. At the JHA Council in June 2018, Ministers reiterated the added value of the EU Policy Cycle and its contribution to the internal security of the Union and the fight against organised crime. The multidisciplinary architecture providing a strong common operational platform for a broad range of actors at national and EU level thus enhancing mutual trust was highlighted in particular. This has allowed for more flexible and coordinated multiagency approach and targeted responses to the evolving and complex nature of crime.

⁵ 10544/2/17 REV 2

Further to the call by the European Council in October 2018, COSI developed a comprehensive and operational set of measures with law enforcement focus to enhance the response to migrant smuggling networks. The set of measures draws on enhanced inter-agency approach both at EU and national level, optimising the synergies between available operational tools, maximising the use of external assets of the EU, to enhance cooperation with priority third countries,.

It seeks to strengthen the implementation of already existing measures under the EU Action Plan on migrant smuggling (2015-2020) and includes new activities, for example the establishment of a Joint Liaison Task Force on migrant smuggling at Europol, or strengthening the capacity of the EU Internet Referral Unit within Europol to monitor and disrupt smuggling networks online communications. The set of measures were adopted by the Council on 6 December 2018⁶.

The multidisciplinary interagency outlook was guiding the strategic input by COSI for a more structured approach for enhancing customs contribution to internal security. Further to a thematic debate hosted by the BG Presidency in May 2018, the Committee endorsed a framework to guide further work in this area into three directions: institutional cooperation, operational cooperation, and the exchange of information and interoperability. The latter are consistent with the priorities of the Strategy for future customs law enforcement cooperation. To develop these work strands, the AT Presidency initiated a series of thematic discussions at the CCWP with COSI welcoming the Interim report(13250/18) in November 2018 and encouraging further work on the specific measures.

Upon the initiative of the EE Presidency COSI endorsed four concrete priorities for strengthening the EU law enforcement response to cybercrime by addressing criminality of the dark web, EU law enforcement response to major attacks, defining law enforcement interests in the IP WHOIS reform database and improving the capability to investigate and attribute online crime⁷. The priorities were addressed and developed through the 18 months.

⁶ 15250/18

⁷ 14762/17

COSI continued monitoring relevant developments and progress in the area of information exchange and interoperability. COSI took note of the Report⁸ on the state of play on the implementation of the Roadmap to enhance information exchange and information management including interoperability solutions in the Justice and Home Affairs area on 26 June 2018.

The internal /external security nexus continued to be in the focus of COSI, which explored the possibility of strengthening and expanding the cooperation. COSI and PSC hold regular semestrial joint meetings in this context. The establishment of the pilot project on a Crime Information Cell (CIC) within EUNAVFOR MED Operation Sophia brought a tangible progress in enhancing operational cooperation between the Common Security and Defence Policy (CSDP) and Justice and Home Affairs (JHA) actors. The CIC was activated on 5 July 2018.

A joint report by EUNAVFOR MED Operation Sophia, Europol and FRONTEX on the final results of the pilot project was presented at the COSI/PSC meeting in November (14312/18). Overall the pilot was judged to be a step forward, benefiting all parties and improving mutual awareness of the respective roles and responsibilities of the actors involved with MSs supporting the continuation of the project, subject to a formal decision by PSC.

On 23 November 2018, COSI and PSC also took note of the Civilian CSDP Compact, which was approved by FAC on 19 November 2018, given its wider relevance to both internal and external security actors. The importance of MS' support for the initiative, including the National Implementation Plans, and the involvement of JHA actors was highlighted.

EU and Western Balkans cooperation and EU - Ukraine cooperation in the area of internal security have also been prominent part in COSI activities, where delegations underlined the necessity to step up efforts in the region and the role of JHA agencies could be used to its full potential (Western Balkans).

⁸ 7931/1/18 REV 1

2. IMPLEMENTATION OF THE RENEWED INTERNAL SECURITY STRATEGY

A mid-term review of the renewed ISS was carried out under the EE Presidency⁹. This review took into account the results of the Comprehensive Assessment of EU Security Policy¹⁰, undertaken by the Commission. It confirmed the priority areas in the fight against terrorism, serious and organised crime and cybercrime, noted as priorities in the Council conclusions on the renewed European Union Internal Security Strategy 2015-2020¹¹.

Pursuant to discussions under the Maltese and Estonian (EE) Presidencies and resulting from a mid-term review carried out by the EE Presidency of the implementation of the Internal Security Strategy (ISS) there was a call from Member States for a more streamlined overview of the implementation of the ISS. The necessity for trio Presidency coordination regarding the implementation of the renewed EU ISS 2015–2020 was raised, so as to ensure a shared vision for COSI proceedings over an 18-month period¹².

The Council conclusions of 12 October 2017 on the mid-term review of the Renewed Internal Security Strategy¹³ envisage that COSI should "*monitor the joint Implementation Paper of the outgoing and incoming Presidencies, with a structure based on priorities, on the planning and implementation of the renewed EU Internal Security Strategy.*"

At the COSI meeting on the 20 February 2018, the Bulgarian (BG) Presidency suggested the necessity to put forward a concept that would require detailed consideration by delegations. In this respect a new structure of the duo paper was presented¹⁴ and was organised on the basis of priorities consisting of two parts:

⁹ Council conclusions on the mid-term review of the Renewed European Union Internal Security Strategy 2015-2020 (13319/17)

¹⁰ 11550/17 +ADD 1 +ADD 2

¹¹ 9798/15

¹² 11968/1/17 REV 1

¹³ 13319/17

¹⁴ 7706/18

- **A general report** providing an overview of the progress achieved during the reporting period in the main priorities of the renewed ISS and a number of cross-cutting priority areas, while focusing on the main achievements and setting out the follow up envisaged by the current Presidency, as relevant.
- **Technical follow-up on specific measures**

COSI monitors regularly the implementation of the renewed ISS on that basis.

3. **COUNTER TERRORISM**

3.1. **EU Threat Assessment**

The years 2017 and 2018 witnessed a decline in the number and impact of terrorist attacks, but Counter Terrorism (CT) remains a top priority on the COSI agenda, and presents an opportunity for the multidisciplinary approach required to tackle this threat to the security of the EU.

COSI endorsed the way forward of the **EU threat assessment** in the field of counter-terrorism¹⁵, following discussions at TWP. Since the exercise started in 2016, every six months a set of conclusions and policy recommendations has been prepared on the basis of Europol's reports and INTCEN's assessments. In 2017, it was specified that recommendations should only be amended/drawn up in case the threat picture has changed or needs adjustment. Subsequently, COSI endorsed regular updates¹⁶ on the threat picture. Furthermore, COSI received regular presentations from INTCEN and EUROPOL on specific aspects related to the terrorist threat, including the presentation of TE-SAT 2018¹⁷. The Counter Terrorism Group (CTG) informed about the current cooperation on CT on enhancing information exchange and cooperation between competent authorities and with Europol.

¹⁵ 13414/1/17 REV 1

¹⁶ 7879/2/18

¹⁷ 10259/18

3.2. JHA Agencies

JHA Agencies' role in counter-terrorism¹⁸ is increasing, and the agencies (notably Europol, Eurojust, Frontex/EBCGA, CEPOL and eu-LISA) have been strengthened through revised mandates during recent years. Today they are much more involved in supporting the CT efforts of the Member States. On the basis of a paper from the EU CTC, COSI discussed possible ways of enhancing the cooperation and coordination of the work of the agencies.

The importance of the judicial dimension in counter-terrorism and the role of Eurojust was highlighted during the debate.

3.3. High-Level Commission Expert Group on Radicalisation

The European Council conclusions of 22-23 June 2017¹⁹ highlighted the need to accelerate the collective efforts to share knowledge on foreign terrorist fighters as well as home-grown radicalised individuals and take forward policy and legal measures to manage the terrorist threat. This consequently led to the establishment of the **High-Level Commission Expert Group on Radicalisation** (HLCEG-R) in July 2017²⁰. The Standing Committee followed the work of the HLCEG-R which met for the first time in September 2017. The final report of the HLCEG-R was issued on the 18 May 2018, and COSI exchanged views²¹ on the final report in June 2018, which was considered a good basis for further work, including the structures and the new working methods suggested (peer reviews and enhanced study visits). The actions decided as priorities are part of a comprehensive approach on preventing radicalisation including manifestations of right-wing/left-wing extremism.

In the framework of COSI and TWP, Member States receive regular updates on the EU Internet Forum, the Radicalisation Awareness Network (RAN) Centre of Excellence and the European Strategic Communications Network (ESCN).

¹⁸ 8482/18

¹⁹ EUCO 8/17

²⁰ Commission Decision of 27 July 2017 on setting up the High-Level Commission Expert Group on radicalisation (C(2017) 5149 final)

²¹ 10239/18

The Committee took note of a presentation on the public **communication strategy of Daesh** 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 Daesh can generate actionable intelligence of great value for the fight against violent extremism and terrorism.

The Committee, concerned about the travel movements of **FTFs and returnees**, expressed general support for the proposed approach outlined in the Presidency paper²² and tasked the SIS/SIRENE WP and TWP with identifying concrete practical solutions and recommendations. In May 2018, COSI endorsed the draft *Council Conclusions* on strengthening the cooperation and the use of the Schengen Information System (SIS) to deal with persons involved in terrorism or terrorism-related activities, including foreign terrorist fighters, which had been elaborated by the TWP. The conclusions were adopted by the JHA Council in June 2018²³.

COSI was informed about the results²⁴ of the questionnaire²⁵ on approaches to dealing with accompanying family members of Foreign Terrorist Fighter (FTF) Returnees, in particular children, which was presented by the EU CTC Office.

3.4. ATLAS Network

In November 2017, COSI provided input on the **ATLAS Network**²⁶ draft *Council Conclusions*²⁷ which were subsequently approved by the JHA Council the following month. COSI was informed about the cooperation agreement signed on 10 October 2018 between ATLAS, Europol and the Commission, including the establishment of a permanent office, the Atlas Network Support Office within the European Counter Terrorism Centre at Europol, which will be operational in July 2019.

²² 5635/1/18 REV 1

²³ 8974/18

²⁴ 9316/18

²⁵ 6900/17

²⁶ A cooperation platform of 38 special intervention units of EU Member States and associated countries, Switzerland, Norway and Iceland.

²⁷ 12583/5/17 REV 5

3.5. CBRN Threat

The **CBRN threat** (chemical, biological, radiological and nuclear) remains relevant, especially after the Salisbury nerve agent attack in March 2018 and the ricin-related incident in Cologne in June 2018. The Committee provided its input on the CBRN draft conclusions ahead of the December 2017 JHA Council. COSI will continue to monitor the progress on the implementation of the Action Plan²⁸ to enhance preparedness against CBRN security risks and encourage progress in this area.

3.6. Counter terrorism financing

COSI examined **counter terrorism financing**, including the role of criminal “Hawala”²⁹ and other similar service providers, and the Committee took note of the information regarding the High Level meeting, on assessing the need for additional measures to facilitate access to financial information.

4. SERIOUS AND ORGANISED CRIME AND THE EU POLICY CYCLE / EMPACT

Since its establishment in 2010, the EU Policy Cycle for organised and serious international crime/EMPACT (hereinafter 'EU Policy Cycle') provides the main framework for operational cooperation across the European Union to tackle the main criminal threats affecting the internal security of the Union.

One of the key features of the EU Policy Cycle is its integrated multidisciplinary character, both in terms of using and aligning the complementary contribution of all multi-disciplinary and multi-agency actors, and integrating different types of tools and activities to tackle the EU crime priorities³⁰.

This multi-disciplinary approach is prompted mainly by two types of consideration: (1) the difference in competence, mandate and working methods of the various players involved at national and EU level and in the context of internal or external action and (2) the complex and cross-border nature of serious and organised crime that requires the use of a vast range of tools and approaches to counteract it effectively.

²⁸ COM(2017) 610 final

²⁹ 12005/17

³⁰ 10544/2/17 REV 2

In its conclusions on the continuation of the EU Policy Cycle for the period 2018-2021³¹, the Council acknowledged in particular that *'the EU Policy Cycle has achieved its objectives in improving cooperation in the field of the fight against serious and organised crime, brought EU added value to Member States and provided them with structures for strengthening their cooperation and contributed to creating trust amongst the relevant stakeholders.'*

The achievements of the EU Policy Cycle are demonstrated by solid operational results³², reported regularly by the Operational Action Plan drivers and generated also through the Joint Action Days (JADs), but equally importantly the EU Policy Cycle has brought a new dimension of cooperation across the established structures at national and EU level and has provided opportunities to develop new approaches based on its multidisciplinary setting.

In June 2018, Ministers took stock of the impact of the EU policy cycle for organised and serious crime, following the completion of the first EU policy cycle (2014-2017). They confirmed its added value and highlighted its multidisciplinary component as a clear example of a successful EU initiative.

4.1. Implementation of the EU Policy Cycle

Important progress was made on the implementation of the EU policy Cycle 2014-2017 with a series of operational actions. During the EE Presidency the 13 (four year) multi-annual strategic plans (MASPS) and Operational Action Plans(OAPs), that are produced on a yearly basis were adopted³³ as well as one general MASP relating to a common minimum horizontal strategic goal³⁴ pursuant to discussion at the National EMPACT coordinator meeting on the 16-17 November 2017.

The development for a methodology for a new policy cycle 2018-2021 concluded with the adoption of the new reporting mechanism, which was agreed by COSI on 14 December 2017. The main changes in the Policy Cycle were designed to more effective, efficient and streamlined. i.e. drivers and action leaders will have a different schedule and methodology, a common set of horizontal strategic goals for all crime priorities which will improve consistency.

³¹ 7704/17

³² See a summary overview of operational results of the OAPs in 2017 (7907/18).

³³ The MASP and OAPs 2018 are listed on 15080/17 and 15077/1/17 REV 1 Respectively.

³⁴ 12561/17 + COR 1

As a means to monitor the implementation of the EU Policy Cycle, COSI will conduct a mid-term and final assessment of the results of the actions to measure the achievement of the strategic goals to improve operational implementation.

On 5th May 2018 there was an exchange of views between delegations at COSI in relation to the closing OAP 2017 reports, the National EMPACT Coordinator (NEC) report and the Europol's finding report. In this context of the 2017 monitoring exercise³⁵ COSI agreed on the need to ensure the quality and timely submission of the OAP implementation reports and exchanged views on the possible development of an online reporting tool and, in particular, agreed on the NECs' proposal to establish a pilot project for online reporting for the EU Policy Cycle in the OAP on Organised Property Crime.

COSI SG has assumed a stronger role in concluding a number of more procedural items. This allowed the 13 EU Policy Cycle OAPs for 2019³⁶ to be adopted at the COSI SG meeting on the 16 November 2018 ahead of COSI which enabled releasing earlier the 2019 funding calls for proposal in.

4.2. Funding

On the 21.02.18 The Committee expressed overall support for the measures put forward in the Presidency paper³⁷ 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 budget³⁸. 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 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.

³⁵ 7912/18
³⁶ 14029/18
³⁷ 5929/18
³⁸ 5929/18 ADD 1

In September 2018 COSI endorsed the short term recommendations of the ad hoc expert group on funding established under the NEC auspices in April 2018³⁹. Some of these recommendations are already reflected in the proposed allocation of EU Policy Cycle funding in 2019. Work on the mid- and long-term recommendations⁴⁰ will continue in the expert group and a report will be presented to COSI in a future meeting

In September 2018 Europol briefed the Committee on the implementation of the 2018 EU Policy Cycle budget with reference to the 'three streams' of funding⁴¹ (high value grants, low value grants and EMPACT meetings organised by Europol). There is a high implementation rate in relation to the use of low value grants, however the average implementation rate for the High Value Grants in 2018 was at 22 % (In September 2018). It was recalled that there is also a possibility to transfer the unallocated funds from the high-value grants to the overall envelope available for the low-value grants, thus increasing the operational support for all OAPs. Member States were encouraged to engage proactively in maximising the use of available funds.

In order to keep a clear perspective of the funding distribution and expenditure, Europol will present a state of play to COSI every June so that funds may be reallocated within the two types of grants.

5. STRENGTHENING THE EU POLICY CYCLE

5.1. Reporting mechanism: approval of the new reporting mechanism

The Committee on the 14.12.17 approved the reporting mechanism for the EU Policy Cycle 2018-2021⁴². The EE Presidency highlighted that COSI had been instructed by the Council to amend the relevant EU Policy Cycle documents, including the reporting mechanism, to simplify and streamline the process. In this context, the Presidency also underlined that the new reporting mechanism contains a number of elements that aim to facilitate the work of the Drivers, Co-Drivers and Action Leaders while allowing to better summarise and highlight the results and achievements of the EU Policy Cycle. Work on a possible IT reporting online will be further explored with a view to try to implement it in the course of the four-year period of the Cycle.

³⁹ 11473/18
⁴⁰ 12010/18
⁴¹ 11975/1/18 REV 1
⁴² 13460/3/17 REV 3

5.2. Strengthening the identity of the EU Policy Cycle

COSI further provided guidance on strengthening the identity of the EU Policy Cycle and endorsed the recommendations on improving communication on the EU Policy Cycle⁴³, including the logo proposed by the NECs on 15.05.18.

The BG Presidency 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 crime⁴⁴. An updated Terms of Reference⁴⁵ was brought before COSI Support group on the 10.12.2018 in relation to media recommendations on better communication of the EU Policy Cycle.

5.3. Joint Action Days

Following the strategic guidance provided by COSI on 14 December 2017⁴⁶, on 5 February 2018 the COSI Support Group agreed on the JADs 2018⁴⁷

The final results and evaluations of the JADs 2018⁴⁸ and strategic guidance by COSI for JADS 2019 were presented to COSI SG on the 10.12.18. It was highlighted that JADS are growing in number and are constantly improving. The main results from 2018 included 1026 cases and investigations initiated, 1137 suspected arrested, 136 firearms sized and 337 human trafficking victims identified. The financial dimension was identified as an area where improvement was still required.

⁴³ 7909/18

⁴⁴ <https://www.consilium.europa.eu/en/policies/eu-fight-against-organised-crime-2018-2021/>

⁴⁵ 14884/18 and revised with MSs comments 14884/1/18 REV 1

⁴⁶ 15755/17

⁴⁷ 5676/18 EU RESTRICTED

⁴⁸ 14826/18

6. ORGANISED AND SERIOUS INTERNATIONAL CRIME

6.1. Organised domestic burglary

Germany presented a progress report⁴⁹ which was prepared in close cooperation with Belgium, France, Sweden and Europol regarding the follow-up to the Council conclusions on organised domestic burglary⁵⁰. The conclusions build upon the OAPs on organised property crime (OPC) under the EU Policy Cycle promoting a holistic approach. While some actions set out in the conclusions seem to be completed, some others still require further work.

A decrease in this type of crime in 2016 and 2017 was noted, which might be a result of organised mobile criminal groups having moved their activities to other Member States. The importance of comparable data in this context was underlined.

The importance of the multidisciplinary approach in relation to this crime phenomenon, including better involvement of Eurojust and integration of the judicial dimension, as well as operational cooperation with non-EU countries of origin was pointed out. Work on that matter will continue in the COSI Support Group.

6.2. Trafficking in firearms: National Firearms Focal Point approach

The Chair of the European Firearms Experts (EFE) network presented best practice guidance for the creation of national firearms focal points within the EU Member States⁵¹, as endorsed by the LEWP on 17 May 2018. The purpose of the focal points is to gather, analyse and improve the flow of information regarding the criminal use and illicit trafficking of firearms into and within the Member State and throughout the EU at a strategic and operational level. The Commission called upon the 15 Member States which have not yet nominated focal points to do so as soon as possible.

COSI invited LEWP to monitor the further developments.

⁴⁹ 10260/18

⁵⁰ 13268/16

⁵¹ 8586/18

7. CYBER

The EE Presidency proposed the need to strengthen the EU law enforcement response to cybercrime by means of a paper outlining four priority issues⁵². These items include;

- the need to improve the fight against criminality on the dark web
- to increase a joint EU law enforcement response to major-attacks
- to define law enforcement interests in the IP address WHOIS reform database
- to improve the capability to investigate and attribute online crime.

This paper was brought before COSI on the 21.11.2017 and was welcomed by the delegations were they discussed the paper and concluded that it would be beneficial to have a road map for tackling criminality on the dark web. Europol/EC3 was tasked with preparing this work and integrating the roadmap with the EU Policy Cycle and to develop an Emergency Response Protocol for a coordinated EU law enforcement response in the case of major cyber-attacks, taking into account Member States' sole responsibility on matters of national security. Europol EC/3 were also tasked with preparing the draft protocol with experts from Member States to be brought before COSI again in 2018. Furthermore EC/3 were tasked to work with Member States to define law enforcement interests in the IP domains WHOIS reform and to report these law enforcement needs to COSI in the context of internet governance discussions. It was further suggested that voluntary codes of conduct with internet access providers should limit the number of subscribers behind each IPv4 and that the issue of logging source port numbers be raised within the EU Internet Forum with internet content providers.

⁵² 13461/17

7.1. WHOIS database reform

On the 21.02.2018 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 that would allow for a multidisciplinary consideration of the issues at stake. Work on that matter is carried further in the Horizontal WP on Cyber Issues.

7.2. The EU law Enforcement Emergency Response Protocol

(LE ERP) for Major Cross-Border Cyber Attacks⁵³ was presented to COSI SG and the AT Presidency on the 10.12.18 by Europol. It was highlighted that improvements were attained in terms of communication through SIENA and VCP.

8. MIGRANT SMUGGLING AND TRAFFICKING IN HUMAN BEINGS

Fighting the smuggling of migrants is one of the building blocks of EU migration policy. It is among the key priorities outlined in the Malta Declaration of 3 February 2017 and its implementation plan.

Based on the contributions by Europol (European Migrant Smuggling Centre activity report), Frontex (presentation of the Centre of Excellence on Document Fraud) and Eurojust (Report on case work on migrant smuggling), on 26 June 2018 COSI held a thematic discussion and confirmed the way ahead for optimising the use of EU tools to fight migrant smuggling while building on the progress achieved so far (10256/18). The important role of the operational activities in the context of the EU Policy Cycle/EMPACT was underlined. The full implementation of the Information Clearing House should be pursued. Engaging with third countries (source and transit) was reiterated as a main focus of future work, where the involvement of the European migration liaison officers in third countries could be enhanced. The need to integrate better the judicial dimension in fighting migrant smuggling was pointed out on several occasions.

⁵³ 14893/18

On 18 October 2018, the European Council called for stepping up the fight against people smuggling networks and invited the Council to develop a comprehensive and operational set of measures to this end by December. The JHA Council approved on 6 December 2018 a comprehensive and operational set of measures⁵⁴ with law enforcement focus on enhancing the response to migrant smuggling networks, as a result from the work carried out in the COSI⁵⁵.

This built upon the discussions⁵⁶ held at COSI in September 2018 with a focus on extracting lessons from existing models, such as the JOO in Vienna, and the recommendations made by Europol⁵⁷, Frontex and Eurojust. The set of measures intends to enhance the response to migrant smuggling networks in the framework of the EU Action Plan on migrant smuggling⁵⁸ (2015-2020) through:

- Improving the flows of relevant information
- Strengthening the operational tools to effectively disrupt migrant smuggling networks
- Disrupting smuggling networks' online communications
- Maximising synergies with external action of the Union in priority third countries and regions

The Committee took note of the presentation in February 2018 by the EU anti-trafficking coordinator presenting the Report on the follow-up to the EU Strategy towards the Eradication of trafficking in human beings and identifying further concrete actions⁵⁹. Three priority areas for further action were identified:

- Stepping up the fight against organised criminal networks by means including disrupting the business model and untangling the trafficking chain;
- Provide better access to and realise the rights for victims of trafficking;
- Intensify a coordinated and consolidated response, both within and outside the EU.

⁵⁴ 15250/18

⁵⁵ 14576/18

⁵⁶ 10256/18

⁵⁷ 10944/18 and 12383/18

⁵⁸ COM(2015) 285 final

⁵⁹ 15438/17

9. CUSTOMS COOPERATION

COSI placed cooperation with customs authorities as one of its priorities during the reporting period. Synergies and opportunities⁶⁰ 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, which were endorsed by COSI in May 2018.

In May 2018, COSI held thematic discussions on enhancing the customs contribution to internal security leading to explore the development of a comprehensive report. The Committee tasked CCWP in close cooperation with LEWP, Europol, Frontex and where relevant the Working Party on Customs Union (Customs Union Group - CUG). The Committee welcomed the report⁶¹ on enhancing customs contribution to internal security during its November 2018 session further praising the achievements secured at CCWP level. COSI will remain involved in this topic monitoring the upcoming risk analysis, encouraging joint training initiatives between customs and law enforcement and underlining the importance of further integration between the Policy Cycle and the work of custom authorities. COSI welcomed the European Police Chiefs Convention and Customs Director Generals meeting (the Hague, 26 - 27 September 2018) joint session of the two communities with a view to creating further opportunities for cooperation.

10. INTERNAL - EXTERNAL SECURITY NEXUS

10.1. CSDP-JHA cooperation

COSI continued to discuss the possibilities of strengthening EU internal and external security cooperation. COSI and PSC have held regular joint meetings once per Presidency in this respect.

On 26 September 2017, COSI-PSC exchanged views on how to strengthen the links between CSDP missions and JHA policies. It was agreed that a concept for a crime information cell would be considered in the context of a pilot project in the EUNAVFOR MED operation SOPHIA⁶².

⁶⁰ 5920/2/18

⁶¹ 13250/3/18 REV 3

⁶² 11716/17

On 19 October 2017, the European Council called for ensuring that CSDP missions and operations are fully staffed and that their mandates are adapted as required to assist in the fight against traffickers and smugglers networks and to help disrupt their business model; and for information and data sharing within the EU, between Member States, JHA agencies, and CSDP missions and operations, as well as with international partners, to be enhanced.

On 8 and 9 November 2017, an experts workshop took place and provided recommendations on the EUNAVFOR MED pilot project⁶³. The state of play was presented at the JHA Council on 7 December 2017. On 8 March 2018 Ministers endorsed the principle of participation of the EU agencies in a pilot project for a Crime Information Cell in EUNAVFOR MED Operation Sophia put forward in a joint concept note of the COM and EEAS.

The establishment of the Crime Information Cell (CIC) within EUNAVFOR MED Operation Sophia⁶⁴ brought a tangible progress in enhancing operational cooperation between the Common Security and Defence Policy (CSDP) and Justice and Home Affairs (JHA) actors. The CIC was activated on 5 July 2018, since then five specialised personnel from Europol, Frontex, and EUNAVFOR Med were embarked on board of the Flagship of EUNAVFOR Med operation Sophia.

A joint report by EUNAVFOR MED Operation Sophia, Europol and FRONTEX on the final results of the pilot project was presented at the COSI/PSC meeting in November (doc. 14312/18). Overall the pilot was judged to be a step forward, benefiting all parties and improving mutual awareness of the respective roles and responsibilities of the actors involved with MSs supporting the continuation of the project, subject to a formal decision by PSC.

On 23 November, COSI and PSC also took note of the Civilian CSDP Compact, which was approved by FAC on 19 November 2018, given its wider relevance to both internal and external security actors. The importance of MS' support for the initiative, including the National Implementation Plans, and the involvement of JHA actors was highlighted. The High Representative and the Commission will present a joint Action Plan in early spring 2019 to roll out concrete steps to be taken by the Union institutions to contribute to a coherent implementation of the Compact.

⁶³ 14265/17

⁶⁴ 7708/18

10.2. EU-Ukraine internal security cooperation

During the EE Presidency COSI worked on draft Council conclusions⁶⁵ on strengthening the European Union - Ukraine internal security cooperation, which were adopted⁶⁶ at the Council in December 2017. Discussions highlighted the need to provide support to law enforcement authorities, specially through CSDP instruments. In June 2018 COSI was briefed by the Head of EUAM Ukraine who provided an overview on the SSR in Ukraine highlighting five key priority areas of support (Delineation of competences, HR management, community policing, public order and criminal investigation).

10.3. EU and Western Balkans cooperation

EU and Western Balkans have a shared interest in addressing common challenges in the areas of security and rule of law, in light of the European perspective of all six partners. Many regional initiatives are already in place. COSI underlined the necessity to step up efforts in the region, where the role of the JHA agencies could be exploited to its full potential; the need to strengthen practitioners networks and develop joint actions that could be also instrumental to mitigate regional tensions and build trust and cooperation in the region; EU policy Cycle is seen as a solid platform on which cooperation with WB could be deepened. Important progress was noted. Joint Action Plan on Counter-Terrorism⁶⁷ were signed at the EU-Western Balkans Ministerial Forum on Justice and Home affairs on 5 October 2018, the "Prüm agreement for Southeast Europe", the CFSP dialogues and CSDP-JHA cooperation including through EULEX Kosovo. The Committee was informed of developments in the region taking note of the IISG kick off conference⁶⁸ in September 2017 and the draft Integrative Plan of Action for the Western Balkan Counter Serious Crime Initiative⁶⁹, and the Brdo Process Ministerial Meeting and Integrative Internal Security Governance Board Meeting⁷⁰.

⁶⁵ 13272/3/17 REV 3

⁶⁶ 15615/17

⁶⁷ 12411/18

⁶⁸ 12373/17

⁶⁹ 5934/18

⁷⁰ 9063/18

Furthermore, COSI was briefed in May 2018 about the first ever Senior Officials Meeting EU-Western Balkans on Justice and Home Affairs and by Europol on the involvement of the Western Balkans in the Policy Cycle. COSI endorsed in February 2018, the input to the action plan for the Western Balkan Counter-Serious Crime initiative and the proposed measures for improving synergies with the Policy Cycle in the appropriate fora as the SEPCA (Southeast Europe Police Chiefs Association), in this line EUROPOL presented its input to the SEPCA region threat assessment⁷¹.

11. INTEROPERABILITY

Work in the field of interoperability continued in the basis of the updated Roadmap to enhance information exchange and information management including interoperability solutions in the Justice and Home Affairs area⁷². COSI monitored the discussions in the DAPIX (Friends of the Presidency) as regards interoperability of EU information systems and the follow-up on the final report of the High-Level Expert Group on information systems and interoperability. COSI received an update on the Roadmap⁷³ to enhance information exchange and information management including interoperability solutions in the Justice and Home Affairs area, and the Committee endorsed its third implementation report in June 2018⁷⁴.

12. TRAINING

In November 2018 COSI welcomed the presentation of the first EU Strategic Training Needs Assessment⁷⁵ (STNA) by CEPOL, as an important collective effort to identify training priorities in the area of internal security and its external aspects at EU level.

⁷¹ 10261/18

⁷² 14750/17, presented to the Council on 9 June 2017 in line with the Council conclusions on the way forward to improve information exchange and ensure the interoperability of EU information systems (10151/17)

⁷³ 12223/3/17 REV 3

⁷⁴ 7931/1/18 REV 1

⁷⁵ 14196/18

COSI took note of the joint project⁷⁶ of integrated training of Police academy cadets run by the French Gendarmerie and the Spanish Guardia Civil. Delegations welcomed the initiative. The possibility to develop this model at EU level, including by EU financing support should be considered. CEPOL involvement as soon as possible was encouraged.

CEPOL and EUCPN presented the state of play of the initiative⁷⁷ on community policing. They have taken a joint action approach to facilitate the collection and analysis of best community policing practices, with the intention to issue a joint handbook/toolbox of best practices which will be prepared on that basis. An analytical paper on the use of community policing in the Member States, including an applicable legislative and policy framework will also be developed.

12.1. Role of the COSI Support Group

The COSI SG should support and facilitate COSI's work, notably within the framework of the EU Policy Cycle it should prepare discussions for COSI, either by concluding certain items that can be dealt with at COSI SG level or by streamlining discussions for COSI. Issues that require further guidance from COSI or issues of a strategic nature should be presented to COSI for discussion. The Europol Director's report on the functioning of the Policy Cycle, the SOCTA and the mid-term and final assessment of the results of the actions of the Policy Cycle should always be presented to COSI. COSI SG should not replace or duplicate work⁷⁸

13. CONCLUSION

COSI remained committed to its central role in ensuring that operational cooperation on internal security is promoted and strengthened within the Union, as well as in developing, implementing and monitoring the renewed EU ISS 2015-2020 in cooperation with the Commission. COSI continued to monitor the implementation of the EU Policy Cycle and steer further developments. The new Policy Cycle 2018- 2021 continues to be a key tool for the EU's in the fight against organised and serious international crime for the coming four years that provides a solid multidisciplinary platform for operational cooperation of a multitude of actors.

⁷⁶ 12412/18

⁷⁷ 12088/18

⁷⁸ 8900/17

Strengthening the nexus between internal and external security policies will continue to be a priority for the coming years. Making further progress in ensuring greater coherence between internal and external actions in the field of security, for example between the CSDP missions and JHA actors will be a key.

14. **ANNEX I - COSI & COSI PSC MEETINGS JULY 2017 - DECEMBER 2018**

MEETING	DATE	AGENDA	OOP
COSI SG	10/07/2017	CM 3460/17	
COSI SG	8/09/2017	CM 3860/17	
COSI SG	18/09/2017	CM 4004/17	
COSI	25/09/2017	CM 4081/17	13209/17
COSI PSC	26/09/2017	CM 4131/17	
COSI SG	23/10/2017	CM 4571/1/17 REV 1	
COSI SG	10/11/2017	CM 4837/1/17 REV 1	
COSI	21/11/2017	ST 14260/1/17 REV 1	15754/17
COSI SG	1/12/2017	CM 5250/1/17 REV 1	
COSI	14/12/2017	CM 5251/17	5338/18
COSI SG	5/02/2018	CM 1321/18 + COR 1	
COSI	21/02/2018	CM 1486/18 + COR 1	7286/18
COSI SG	16/04/2018	CM 2264/18	
COSI SG	2/05/2018	CM 2539/2/18 REV 2	
COSI	15/05/2018	CM 2425/1/18 REV 1	11157/18
COSI SG	15/06/2018	CM 3125/1/18 REV 1	
COSI	26/06/2018	CM 3350/18	11158/18
COSI SG	17/09/2018	CM 4193/18	
COSI	28/09/2018	CM 4202/1/18 REV 1	12745/18
COSI SG	16/11/2018	CM 5196/1/18 REV 1	
COSI	22 AND 23/11/2018	CM 5197/1/18 REV 1	15077/18
COSI PSC	23/11/2018	CM 5198/2/18 REV 2	
COSI SG	10/12/2018	CM 5550/1/18 REV 1	
