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COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	8 December 2021
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2021) 799 final ANNEX 2
Subject:	ANNEX to the COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL on the Third Progress Report on the implementation of the EU Security Union Strategy

Delegations will find attached document COM(2021) 799 final ANNEX 2.

Encl.: COM(2021) 799 final ANNEX 2



Brussels, 8.12.2021
COM(2021) 799 final

ANNEX 2

ANNEX

to the




**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT AND THE COUNCIL**




on the Third Progress Report on the implementation of the EU Security Union Strategy





Legend:

Legislative files: ● = adopted ● = ongoing work ● = awaiting Commission's proposal


Non-legislative files: ● = adopted ● = ongoing work




Actions	State of play
I. A future-proof security environment (critical infrastructure, cybersecurity, public spaces)	
Legislative files	  
<ul style="list-style-type: none"> Proposal for a Directive on the resilience of critical entities, COM (2020) 829. 	<ul style="list-style-type: none"> Adopted by the Commission on 16.12.2020. In Council, discussions are ongoing. SI presidency aims to a general approach by the end of the mandate. The Parliament adopted the mandate for negotiations on 19 October 2021. <div> <div></div> <div></div> <div></div> </div>
<ul style="list-style-type: none"> Revised Network Information Security (NIS) Directive, COM(2020) 823. 	<ul style="list-style-type: none"> Adopted by the Commission on 16.12.2020. In Council, discussions are ongoing. SI presidency aims to a general approach by the end of the mandate. In the Parliament, ITRE Committee voted on its draft report in October. The Parliament adopted the mandate for negotiations on 10 November 2021. <div> <div></div> <div></div> <div></div> </div>
<ul style="list-style-type: none"> Digital operational resilience for the financial sector (DORA Regulation and Directive), COM (2020) 595. 	<ul style="list-style-type: none"> Adopted by the Commission on 24.09.2020. Negotiations are ongoing. The Council reached a General Agreement on 24 November, while the European Parliament is still working on its report. <div> <div></div> <div></div> <div></div> </div>
<ul style="list-style-type: none"> Regulation on Information Security in the Union institutions and bodies. 	<ul style="list-style-type: none"> Commission adoption planned in 2022. Internal work is ongoing. <div> <div></div> <div></div> <div></div> </div>
<ul style="list-style-type: none"> Regulation on measures for a high common level of cybersecurity at the Union institutions and bodies 	<ul style="list-style-type: none"> Commission adoption planned in 2022. Internal work is ongoing. <div> <div></div> <div></div> <div></div> </div>
Non-legislative files	
<ul style="list-style-type: none"> EU Cybersecurity Strategy, JOIN (2020) 18. 	<ul style="list-style-type: none"> Adopted on 16.12.2020. An implementation report was presented by the Commission and HRVP in June 2021. <div> <div></div> <div></div> <div></div> </div>


<ul style="list-style-type: none"> Regulatory framework for the European unmanned traffic management concept (U-Space), C(2021) 2671, C(2021) 2672, C(2021) 2673. 	<ul style="list-style-type: none"> Adopted by the Commission on 22.4.2021. As announced under the Sustainable and Smart Mobility Strategy, the Commission plans to adopt a new Drone Strategy in 2022 to guide the further development of this technology while guaranteeing the highest safety, security and environmental standards. 	●
<ul style="list-style-type: none"> Creation of a Joint Cyber Unit. 	<ul style="list-style-type: none"> Commission Recommendation to set up the JCU adopted on 23.06.2021. The Council Presidency finalised Council Conclusions on the Joint Cyber Unit in October 2021. 	●
<ul style="list-style-type: none"> Step up cooperation for the protection of public spaces, including spaces of worship. 	<ul style="list-style-type: none"> Included in the Counter-Terrorism Agenda for the EU, adopted on 9 December 2020. 	●
<ul style="list-style-type: none"> Resilience of critical energy infrastructure. 	<ul style="list-style-type: none"> Ongoing work on a Commission Recommendation towards a harmonised approach to identify critical energy infrastructure, exchange of information and, available options to finance the resilience of critical energy infrastructure. Ongoing work to establish a Standing Group of Operators and authorities on the resilience of energy infrastructure. 	●
<ul style="list-style-type: none"> Network code on cybersecurity for cross-border electricity flows. 	<ul style="list-style-type: none"> Commission adoption planned in 2022 Internal work is ongoing. 	●
<ul style="list-style-type: none"> Sharing of best practices on addressing misuse of drones. 	<ul style="list-style-type: none"> Ongoing. 	●
II. Tackling evolving threats (Cybercrime, modern law enforcement, illegal content online, hybrid threats)		
Legislative files   		
<ul style="list-style-type: none"> Proposals on detection and removal of child sexual 	<ul style="list-style-type: none"> Short term proposal: Adopted by the Commission on 10.09.2020. Political agreement of the co legislators on 29.04.2021. Entered into 	● ● ●

abuse.	force on 03.08.2021.			
	<ul style="list-style-type: none"> Long term proposal: Work ongoing – adoption planned in 2022. 	●	●	●
<ul style="list-style-type: none"> Legislative proposal on the digitalisation of crossborder judicial cooperation. (COM(2021) 759) 	<ul style="list-style-type: none"> Adopted by the Commission on 01.12.2021 	●	●	●
Non-legislative files				
<ul style="list-style-type: none"> EU Strategy for fight against child sexual abuse. 	<ul style="list-style-type: none"> Adopted by the Commission on 24.07.2020. 		●	
<ul style="list-style-type: none"> Enhance law enforcement / judiciary capacity in digital investigations. 	<ul style="list-style-type: none"> Improving law enforcement capacity for digital investigations included in EU Strategy to tackle Organised Crime adopted on 14 April 2021. In that Strategy, the Commission has laid out its intention to “suggest a way forward in 2022 to address the issue of lawful and targeted access to encrypted information in the context of criminal investigations and prosecutions. 		●	
<ul style="list-style-type: none"> Set out an EU approach to countering hybrid threats: 	<ul style="list-style-type: none"> Mainstream considerations on hybrid into policy making, identification of sectoral hybrid resilience baselines, situational awareness, creation of an online platform. Ongoing work at the internal level, with MS and with Agencies. 		●	
<ul style="list-style-type: none"> Review of EU operational protocol for countering hybrid threats (EU Playbook) SWD(2016)227. 	<ul style="list-style-type: none"> Pending the outcome of the review of the EU crisis management mechanisms. 		●	
III. Protecting Europeans from terrorism and organised crime				
Legislative files		  		
Anti-money laundering package	<ul style="list-style-type: none"> Adopted by the Commission on 20.07.2021 Negotiations started on all the texts in the Council. The package	●	●	●

	<p>comprises:</p> <ul style="list-style-type: none"> - Proposal for a regulation establishing the Authority for Anti-Money Laundering and Countering the Financing of Terrorism and amending Regulations (EU) No 1093/2010, (EU) 1094/2010, (EU) 1095/2010 (COM/2021/421) - Proposal for a regulation on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing (COM/2021/420) <p>Proposal for a directive on the mechanisms to be put in place by the Member States for the prevention of the use of the financial system for the purposes of money laundering or terrorist financing and repealing Directive (EU) 2015/849 (COM/2021/423)</p> <ul style="list-style-type: none"> - Proposal for a regulation on information accompanying transfers of funds and certain crypto-assets (recast) (COM/2021/422). 			
<ul style="list-style-type: none"> • Revision of Regulation 258/2012 on export authorisation, and import and transit measures for firearms. 	<ul style="list-style-type: none"> • Adoption planned for Q1/Q2 2022. 	●	●	●
<ul style="list-style-type: none"> • Review of legislation on freezing and confiscation and on Asset Recovery Offices. 	<ul style="list-style-type: none"> • Adoption planned for Q2 2022. • Roadmap and Inception Impact Assessment published in March 2021. 	●	●	●
<ul style="list-style-type: none"> • Review of the Environmental Crime Directive 99/2008/EC. 	<ul style="list-style-type: none"> • Adoption planned for 14 December 2021. 	●	●	●
<ul style="list-style-type: none"> • Revision of the mandate of the European Monitoring Centre for Drugs and Drug Addiction. 	<ul style="list-style-type: none"> • Adoption planned for Q4 2021 / Q1 2022. 	●	●	●

Non-legislative files			
• A Counter-Terrorism Agenda for the EU, including renewed anti-radicalisation actions in the EU COM(2020) 795.	• Adopted by the Commission on 9.12.2020.		●
• EU Strategy to tackle organised crime (with an accompanying Staff Working Document on EMPACT).	• Adopted by the Commission on 14.04.2021.		●
• EU Strategy in Combating Trafficking in Human Beings 2021-2025.	• Adopted by the Commission on 14.04.2021.		●
• EU Agenda on Drugs and Action Plan 2021-2025.	• Adopted by the Commission on 24.07.2020.		●
• 2020-2025 EU Action Plan on Firearms trafficking.	• Adopted by the Commission on 24.07.2020.		●
• Opening of negotiations with 13 third countries for cooperation with Eurojust.	• Mandate adopted by Council on 01.03.2021. Commission contacts with third countries ongoing.		●
• New cooperation with key third countries and international organisations against terrorism.	• Ongoing.		●
• European Public Prosecutor's Office (EPPO): Recommendation on cooperation agreements with selected third countries.	• Preparatory work ongoing.		●
• An EU Action Plan against Migrant Smuggling, 2021-2025.	• Adopted by the Commission on 29.09.2021		●
IV. A strong European security ecosystem			

Legislative files				
• Strengthening of Europol mandate.	• Adopted by the Commission on 09.12.2020. The Council adopted its general approach in June 2021. The EP draft compromise proposal was voted in the Plenary of 21 October. Trilogues started in October 2021.	●	●	●
• Prüm Regulation on the automated exchange of information between law enforcement authorities.	• Adopted on 8.12.2021	●	●	●
• Proposals to modernise existing rules on data exchange and intra-EU law enforcement cooperation and create an EU police cooperation code	• Adopted on 8.12.2021. Package composed of a Directive on on information exchange between law enforcement authorities of Member States and a Council recommendation for operational police cooperation.	●	●	●
• European Cybersecurity Industrial, Technology and Research Competence Centre and Network of National Coordination Centres proposal Regulation.	• Adopted in May 2021. • Regulation establishing the Competence Centre and Network entered into force on 28 June 2021.	●	●	●
• Revision of the Advance Passenger Information Directive.	• Ongoing work. Adoption planned for Q4 2022.	●	●	●
• Digital information exchange on cross-border terrorism cases.	• Adopted by the Commission on 1.12.2021.	●	●	●
• IT collaboration platform for Joint Investigation Teams.	• Adopted by the Commission on 1.12.2021.	●	●	●
• Framework for reciprocal access to security-related information for front-line officers between the EU and key third countries	• Ongoing work. Adoption planned for Q4 2022.	●	●	●

to counter shared security threats.		
Non-Legislative files		
<ul style="list-style-type: none"> The Horizon Europe Cluster 3 (civil security for society) work programme 2021-2022 Implementing Act 	<ul style="list-style-type: none"> Adopted by the Member States in June 2021 (via the HE Programme Committee) 	●
<ul style="list-style-type: none"> Updating the external dimension of the EU policy on Passenger Name Record 	<ul style="list-style-type: none"> Roadmap published on 24.07.2020. Adoption planned for Q3/4 2022. Expecting the CJEU judgement in the course of 2022 on whether the PNR Directive and the relevant implementation laws are considered compatible with Union law, in particular the Charter of Fundamental Rights 	●
<ul style="list-style-type: none"> Better security standards for identity cards and residence documents (implementation of Regulation 2019/1157). 	<ul style="list-style-type: none"> Ongoing (Member States started issuing identity cards and residence documents according to tighter security standards as of August 2021). 	●
<ul style="list-style-type: none"> European Innovation hub for internal security. 	<ul style="list-style-type: none"> Hub established as a collaborative networks of innovation labs. Regular meetings of the Hub team take place every 2 weeks 	●
<ul style="list-style-type: none"> Commission Recommendation to Council to open negotiations with Interpol. 	<ul style="list-style-type: none"> Two Council Decisions on the opening of negotiations with Interpol to sign a cooperation agreement adopted on 14 July 2021. Negotiation to start with Interpol in December 2021. 	●
<ul style="list-style-type: none"> Strengthening and improving of the exchange of criminal records information (ECRIS and ECRIS-TCN). 	<ul style="list-style-type: none"> The Commission's Opinion on the eu-LISA technical specifications for ECRIS-TCN was adopted on 02.06.2021. The ECRIS-TCN Implementing Decision is currently being finalised. Adoption of the Implementing Decision planned for Q1 2022 	●