Council of the European Union

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NOTE

From:	Presidency
To:	Delegations
Subject:	Draft Council conclusions on the development of a renewed European Union Internal Security Strategy

Delegations will find attached draft Council conclusions on the development of a renewed European Union Internal Security Strategy for discussion at the COSI Support Group meeting on 17 October 2014.

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DRAFT

Council conclusions on the development of a renewed European Union Internal Security Strategy

The Council of the European Union,

RECALLING the Internal Security Strategy for the European Union: "Towards a European Security Model" (Internal Security Strategy)[1], adopted by the Council on 25 and 26 February 2010 and endorsed by the European Council on 25 and 26 of March 2010 which sets out the common threats and challenges that Europeans face, the EU's internal security policy and the principles underpinning it; defines a European Security Model consisting of common tools, a commitment to further cooperation and solidarity between Member States and the close involvement of the EU's institutions, agencies and bodies; and, within the implementation of the Stockholm Programme, asks the Commission to adopt a communication on the Internal Security Strategy, including action-oriented proposals,

TAKING NOTE of the Commission's Communication on the "EU Internal Security Strategy in Action: Five steps towards a more secure Europe"[2] which identified five strategic objectives for internal security, namely the disruption of international criminal networks, the prevention of terrorism and addressing radicalisation and recruitment, raising levels of security for citizens and businesses in cyberspace, strengthening security through border management and increasing Europe's resilience to crises and disasters,

BUILDING on the **Strategic Guidelines adopted by the European Council** of 26 and 27 June 2014[3] calling for a review and update of the internal Security Strategy by mid 2015,

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[1]   Doc. 7120/10 CO EUR-PREP 8 JAI 182
[2]   Doc. 16797/10 JAI 990
[3]   Doc. EUCO 79/14 CO EUR 4 CONCL 2

TAKING IN CONSIDERATION the **Commission's final implementation report of the EU Internal Security Strategy** 2010 - 2014 assessing the actions implemented under the five strategic objectives and identifying a number of future challenges, cross-cutting objectives and emerging threats[4] in view of a renewed Internal Security Strategy,

WELCOMING the significant progress in the EU's actions in the field of Internal Security as shown by the **Commission reports on the Internal Security Strategy in action of 2011, 2013 and 2014,** which conclude that the five strategic objectives still remain valid,

CONSCIOUS of the fact that the EU and its Member States remain confronted with constantly evolving common crime threats and challenges which increasingly take advantage of new technologies (ICTs) in a globalised world, are growing in scale and more and more linked to social, economical and external factors such as the financial crisis and budgetary constraints as well as the effects of regional conflicts and social and political changes in third countries,

NOTING that the emerging and constantly changing threats and challenges to the internal security require a **flexible and operational approach**, taking into account risks of any kind which might create a problem to the security of European citizens,

RECOGNISING **the central role of the Standing Committee on operational cooperation on internal security (COSI)**, as established by Article 71 TFEU, in developing, implementing and monitoring the Internal Security Strategy,

RECOGNISING the added value and success of the **EU Policy Cycle** as an efficient tool in the fight against organised and serious international crime and welcoming the results and lessons learnt from the large scale law enforcement operation (Operation Archimedes) which took place between 15 and 23 September 2014,

ENCOURAGING the deployment of similar EU coordinated joint operations in the field of organised and serious international crime as well as the adoption of similar approaches in other crime areas,

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[4]   Doc. 11260/14

STRESSING the need for a well-considered information management and the importance of providing the relevant authorities with the tools required to fulfil their job and tackle the current threats, such as the EU PNR, notably in dealing with the criminal phenomena, whose source is outside the EU,

UNDERLINING the importance of appropriate **funding and the strategic use of EU funds such as the Internal Security Fund-1 (ISF-1) for police cooperation (2014-2020)** as well the research and development programme Horizon 2020, promoting partnership between the public and the private sector in security related research,

RECALLING the role of continuous **training** towards achieving a shared culture of European law enforcement as well as ensuring an effective implementation of Internal Security Strategy's fundamental objectives and basic principles within national training programmes, making the most of CEPOL's expertise and resources and the training capabilities developed in other JHA Agencies,

RECALLING the need **for consolidation of existing legislative tools and implementation** of legislation together with strengthening the operational cooperation,

EMPHASISING the need for **protection of all citizens**, especially the most vulnerable ones as evidence of **respect for fundamental rights**, with a focus on **victims** of crimes such as trafficking in human beings, terrorism or gender violence,

CONSCIOUS of the need for an increased involvement of the **European Parliament and national Parliaments,**

BASED on the contributions received at the informal meeting of Ministers of Justice and Home Affairs on 8 July 2014, at the informal meeting of the Standing Committee on operational cooperation on internal security and CATS held in Roma on 22 July 2014 as well as at the High Level Conference on a Renewed Internal Security Strategy jointly organised by the Commission and Presidency, where civil society contributed to the debate,

CONSIDERS that the following structure and principles should be reflected in the renewed Internal Security Strategy and INVITES the Commission to take into account all the prinples below when presenting by spring 2015 its Communication to the European Parliament and the Council for a renewed Internal Security Strategy:

1.   **IDENTIFICATION of the MAIN COMMON THREATS and CHALLENGES** for the next years in the field of Internal Security:

a)   **Serious and organised crime** in all its forms: drug trafficking, the infiltration of organised crime in the legitimate economy, facilitation of illegal immigration, trafficking in human beings, counterfeiting, MTIC and Excise fraud, money laundering, mobile organised crime groups and trafficking in firearms,

b)   **Terrorism**, **radicalisation and recruitment**: terrorism is a significant and an ever-evolving threat to the EU's internal security. Special attention should be given to the issue of foreign fighters which pose a very serious, direct and unprecedented threat to the EU security and which will require a strong cooperation with third states and strategic partners such as Interpol. A stronger involvement of civil society, NGOs and educational institutions would help in the fight against radicalization and recruitment of foreign fighters,

c)   **Cybercrime and the need for cyber security**, both for citizens and business, as well as tackling criminal profits are to be addressed taking in consideration the importance of the Web as fundamental tool for the EU growth. Special attention should be given to child sexual exploitation, cyber-attacks and on-line payment card fraud,

d)   Threats stemming from the use of **new technologies:** the breakdown of major Information and Communication Technologies could create safety and security challenges. The availability of enhanced communication and technological tools are abused to target individuals or companies,

e)   **New and emerging threats** should be closely identified and monitored by using an intelligence-led approach, based on threat assessments and on the basis of the Policy Cycle's methodology.

2. STRENGTHENING A **COMPREHENSIVE AND COHERENT APPROACH** both horizontally (law enforcement, integrated border management, judicial authorities, civil protection agencies, academia, non-governmental organisations, private sector) and vertically (international cooperation, regional, MS national, regional and local policies) through:

a) a **multidisciplinary and integrated approach** integrating actions in the field of law enforcement, judicial cooperation, border management and civil protection,

b) **access to, availability and exchange of information** is crucial in the fight against trans national crimes and terrorism. Interoperability of different systems, maximising and simplifying existing tools should be ensured to allow a more efficient and proportionate exchange of information and subsequently, joint operations, as well as gathering evidence for prosecution,

c) **prevention and anticipation** of criminal acts and terrorist attacks, requiring a proactive and intelligence-driven approach, sharing intelligence in time,

d) an effective use of **new technologies**, in particular Information and Communication Technologies, in preventing and countering threats to the EU internal security and protecting fundamental rights, including the freedom of movement of persons. This implies cooperation between the law enforcement sector and **research and development** industry,

e) stimulating and improving **coordination of investigations and prosecutions** in the Member States. Eurojust and Europol should play a significant role in this and their efforts should be complemented by other agencies' actions, in particular CEPOL and Frontex,

f) intensifying **operational cooperation** through EU joint operations with an enhanced involvement of Member States,

g) ensuring that the Internal Security Strategy is **coherent with the different strategies** related to the EU internal security such as the Maritime Security Strategy, Information management Strategy, Cyber Strategy and Drugs Strategy,

h)   considering the need to develop an **EU Border Security Strategy**, based on the Internal Security Strategy principles because the EU needs to move towards a modern and efficient border management. The principle of freedom of movement has to be combined with enhancing the level of border checks using state-of-the art technology.

3.   LINKING INTERNAL - EXTERNAL SECURITY

The Internal Security Strategy is a shared agenda for actions, where closer links between internal and external security should be developed and cooperation with third countries and partners such as Interpol be promoted. The interdependence between internal and external security is constantly growing and the renewed Internal Security Strategy should take into account the external security dimension and vice versa when considering any further development of the EU Security Strategy[5].

a)   Internal security should be more systematically addressed as part of the EU external relations policies and a strong coherence should be ensured in any foreign policy with regard to security related issues. Migration policies and cooperation with third countries in tackling criminal phenomena related to illegal immigration should be seen an integral part of the Union's external and development policies.

b)   Relations with third Countries should enhance cooperation on policy cycle's priorities as well as terrorism, foreign fighters and radicalization.

c)   When developing new external relations strategies, due consideration should be given to the principles of the Internal Security Strategy.

d)   The cooperation between all actors involved in internal and external security in combating the challenges identified above calls for a stronger coordination on security issues, notably between EU delegations and Member States' Embassies. Specific efforts are required to enhance coherence of action among civilian missions with a security related mandate, EC instruments and MS' bilateral initiatives. The principles contained in the CSDP/ FSJ road map need to be endorsed and fully exploited.

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[5]   A Secure Europe in a better world, "European Security Strategy" approved by the European Council on 12 December 2003 and the Report on the implementation of the European Security Strategy approved by the European Council on 11-12 December 2008.

4. **FUNDAMENTAL RIGHTS**

The Internal Security Strategy should contribute to a Union that protect its citizens and fully respects the rights and freedoms of EU citizens and those residing or staying in the EU. Respecting fundamental rights in planning and implementing internal security policies and actions has to be seen not only in view of ensuring proportionality, but as a tool for gaining citizens' trust and participation.

In this context, the EU Institutions and Member States are encouraged to work together with the European Union Fundamental Rights Agency to ensure that fundamental rights safeguards are integrated into the Union's legislation and operational work on internal security.

5. **IMPLEMENTATION**

The renewed Internal Security Strategy should focus on the implementation of existing tools and legislation and increase their effectiveness. More emphasis is to be put on strengthening the operational cooperation. COSI will play a significant role in the implementation of the Internal Security Strategy focusing its action on facilitating the operational cooperation among Member States and will monitor the implementation of the Internal Security Strategy. To this end, the Commission is invited to submit to the European Parliament and the Council, annually, a report on actions taken within the framework of the Internal Security Strategy, monitoring and evaluating the results and providing regular updates on actions taken to strengthen internal security within the Union.

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