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**LIMITE**

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**NOTE**

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From: Presidency  
To: Standing Committee on Operational Cooperation on Internal Security  
Subject: Renewed European Union Internal Security Strategy Implementation Paper

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In its Conclusions of 16 June 2015 on the Renewed European Union Internal Security Strategy<sup>1</sup>, the Council underlined that the Renewed European Union Internal Security Strategy 2015-2020 represented a comprehensive and realistic shared agenda for the Council, the Commission and the European Parliament, and considered that it was of utmost importance to develop a responsive and operational approach when implementing the renewed European Union Internal Security Strategy 2015-2020.

These Council Conclusions requested COSI to develop, in close cooperation with the Commission and, where appropriate, by involving other relevant actors, a well-targeted implementation document with a list of priority actions to implement the Renewed European Union Internal Security Strategy 2015-2020. This implementation document should be developed as soon as possible and at the latest by December 2015.

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<sup>1</sup> 9798/15

In accordance with its specific role in organising and programming the work of the Council in the JHA area during the second half of 2015, the Presidency will submit this document to the COSI - CATS meeting on 22-23 July 2015 and intends to start acting on the implementation of various measures from the beginning of July 2015 onwards.

### ***Purpose and function***

The Presidency's objective is to allow COSI to develop and maintain a precise overview of the activities that the Council's Working Parties and Committees conduct or foresee and to allow COSI to give appropriate orientations and guidance for the implementation of the Renewed Internal Security Strategy. The table set out in annex 2 to this document provides a horizontal overview of the Working Parties where the various measures will be discussed. For each Working Party this document sets out which activities the Presidency intends to undertake with a view to achieving progress with regard to these measures. For the ease of reference, cross references to the relevant measures listed in the horizontal table in annex 2 are set out next to the main activities.

The annexed working document has two main functions:

- it presents a concrete programme for Council activities to be conducted during the second semester of 2015 with a view to implementing the renewed Internal Security Strategy; and
- it provides a template which can be used by future Presidencies for planning the work to be conducted during their term in office on the implementation of the renewed Internal Security Strategy (ISS).

As this document is aimed at providing an overview of the scheduled ISS implementation activities during the Luxembourg Presidency, it only mentions ISS related activities that will be carried out or at least commenced in 2015. This is without prejudice to any activities to be started under future Presidencies and this document should therefore very much be considered as a 'living document', which will need to be reviewed by each Presidency when programming the agendas of Working Parties and Committees, taking into account progress achieved in the Council and also incorporating the regular updates that the Commission has announced in the European Agenda on Security.

The document does not purport to be an exhaustive Presidency programme of all Working Party activities in the area of justice and home affairs. It does not list a number of activities that are part of "ongoing Council business", and obviously the Presidency/Council will develop other activities that do not relate to the ISS.

### *Structure*

This document consists of various sections, one for each relevant Council committee or working party, setting out their roles and main activities in the implementation of the ISS in the second part of 2015. In preparing this programme, the Presidency has drawn upon the useful contribution of the Commission's services. The Annex gives an overview of the issues which the Presidency intends to deal with in Working Party and Committee meetings.

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## **COSI**

COSI, as established by Article 71 TFEU and laid down in the Council Decision of 25 February 2010, has a 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 Internal Security Strategy 2015-2020. The progress in the implementation of the renewed EU Internal Security Strategy will therefore be closely monitored by COSI, which will discuss a number of operational issues related to the priorities identified in the renewed ISS. For some of the items listed below, this will be done on the basis of work carried out by other Working Parties.

### **(1) Implementation of the EU Policy Cycle [ *Measure 35* ]**

In this regard COSI will in particular examine the following items:

- extending the Policy Cycle to neighbouring countries and strengthening the involvement of third countries in the Operational Action Plans;
- increasing the involvement of Customs authorities in the Policy Cycle;
- monitoring emerging threats, including hybrid threats by using an intelligence-led approach;
- the independent evaluation mechanism;
- monitoring the development of operation “Blue Amber”;
- funding: state of play of the delegation agreement;
- lessons learned from the Joint Actions Days 2015 and strategic debate concerning the Joint Action Days 2016;
- the new OAPs 2016.

*Objectives:*

- *monitor operation "Blue Amber" at Council in October 2015*
- *approval independent evaluation mechanism for EU Policy Cycle*
- *identify concrete measures with a view to extending the work of the Policy Cycle to neighbouring countries*

**(2) European Agenda on Migration [Measure 33]**

In line with the "Roadmap on the follow-up to the EC conclusions" (8497/15), COSI will ensure that the actions undertaken in the framework of the EU Policy Cycle are integrated with the European Agenda on Migration. In this regard COSI will in particular deal with the following items:

- ensure that the actions of the Policy Cycle are streamlined with the European Agenda on Migration, in particular with regard to THB and smuggling of migrants;
- possible state of play JOT MARE.

*Objective: ensure coordination between the relevant OAPs and the European Agenda on Migration*

**(3) Integrated Border Management [Measures 13]**

In this regard COSI will in particular examine:

- border security issues, notably in relation to the reinforced application of the Schengen framework ; and
- the use of the existing databases such as SIS and SLTD.

*Objectives:*

- *ensure implementation of the measures of the Riga Joint Statement*
- *strengthening use of the SLTD database*

#### **(4) Terrorism [Measures 21, 22 and 25]**

COSI will be invited to monitor the establishment of the European Counter-Terrorism Centre and the Internet Referral Unit within the ECTC at Europol. In this regard COSI will in particular deal with the following items:

- presentation of the Europol TE-SAT report;
- giving guidance to Europol in developing the ECTC and the IRU;
- discussing the link between organised crime and terrorism;
- Council Conclusions on the Western Balkan Counter Terrorism Initiative, incl. Action plan covering 2016-2017

*Objectives:*

- *monitor the establishment of ECTC and IRU*
- *prepare draft Council Conclusions on the Western Balkan Counter Terrorism Initiative, incl. Action plan covering 2016-2017*

#### **(5) EU Forum with IT companies [Measure 23]**

The Commission will be invited to update COSI on the launch and activities of the EU Forum with IT companies in the second half of 2015. COSI will be invited to provide guidance, as appropriate.

*Objective: Commission to inform COSI on state of play. COSI to give guidance on the activities of the Forum.*

#### **(6) Firearms [Measure 29]**

The Commission's proposals to strengthen the firearms legislative framework are expected in 2016. Pending these proposals, COSI will in particular deal with the following items:

- the outcome of OAP Firearms;
- the specific Europol threat assessment in firearms;

- follow-up on the implementation of the Action Plan on illicit trafficking in firearms between the EU and the South East European region for the period 2015-2019;
- initiatives with neighbouring countries such as the MENA countries in order to develop operational action in the fight against illegal trafficking in firearms.
- draft Council Conclusions on the strengthening of the use of Interpol's iARMS database;

*Objectives:*

- *monitoring OAP Firearms and Europol specific threat assessment*
- *explore ideas to cooperate with MENA countries*
- *elaborate Council Conclusions on the strengthening of the use of Interpol's iARMS database*

**(7) Administrative approach [Measure 32]**

COSI will discuss the administrative approach to prevent and disrupt organised crime on the basis of the report of the Informal Network of National Contact Points.

*Objectives: prepare the discussions under NL Presidency*

**(8) Links internal - external security [Measure 36]**

COSI and PSC will discuss strengthening the implementation of the Road Map, "Strengthening Ties between CSDP and FSJ". COSI should also discuss how to contribute to existing policy dialogues on security with key third countries and tackling hybrid threats. In this regard COSI will in particular deal with the following items:

- examine the Commissions' Progress reports: follow-up
- contribute to policy dialogues with third countries

*Objective: Discuss Implementation Road Map and contribute to policy dialogues*

**(9) Cooperation between JHA Agencies [Measure 15]**

COSI will also look at deepening the cooperation between JHA Agencies. Ways of improving information exchange between JHA agencies, including ways to improve Member States' contributions to the JHA Agencies will be discussed. COSI will be informed of the outcome of the next meeting of the Heads of JHA Agencies, to be hosted by eu-LISA in November 2015.

*Objective: debate ways of further improving cooperation*

**(10) Information exchange [Measure 5]**

COSI will follow-up on the implementation of the recommendations of the 2012 communication of the Commission on the European Information Exchange Mechanism: on the basis of the discussions at DAPIX.

*Objective: Monitor follow-up*

**(11) Fight against drug trafficking [Measure 30]**

COSI will also discuss the future of the MAOC-N structure on the basis of a presentation by the Presidency.

*Objective: ensure continuity of MAOC-N*

**(12) Development of a global approach to PNR [Measure 8]**

COSI will be invited to express itself on various possible options for exchanging PNR with third countries

*Objective: exchange of views with a view to providing input to COM for a future global PNR approach*



## CATS

CATS is a Council senior level committee of the Directors and Directors General at the Ministries of Justice and Home Affairs in the Member States. It assists Coreper in relation to legal, horizontal and strategic matters in the field of police and judicial cooperation in criminal matters. It works in collaboration with other relevant Council Committees, in particular COSI and SCIFA, and relevant working parties, providing the latter where appropriate with strategic guidance and support.

### **(1) (Additional protocol to) the Council of Europe Convention on the Prevention of terrorism [Measure 24]**

The planned update of the FD on terrorism will be taking into account the Additional protocol supplementing the Council of Europe Convention on the Prevention of terrorism, as indicated in the Security Agenda. To that end the Presidency envisages the adoption of the Council decision on the signing on behalf of the EU of the CoE Convention on the prevention of Terrorism and its recently adopted Additional Protocol.

*Objective: Allowing the Union to sign the Protocol and the Convention would feed in the envisaged review of the existing Framework Decision with a view to implementing the criminal law aspect of the UN Security Council Resolution 2178.*

### **(2) Data Retention Directive [Measure 9]**

On the basis of Member states contributions CATS will examine the various ways in which the ruling of the ECJ and of some national Courts invalidating the Data Retention Directive have been taken into account in national legislation.

*Objective: stock-taking of national situations*

**(3) E-evidence [Measures 17 and 38]**

An exchange of views on the current challenges that national competent authorities face to ensure an expedient collection of e-evidence in cyber-related criminal proceedings will take place at the Informal COSI-CATS meeting on 22-23 July 2015. This subject will be taken further at a dedicated Presidency workshop on mutual legal assistance in the digital age, which will take place in Luxembourg on 15 October 2015.

*Objective: exchange views with a view to identifying gaps and possible needs for legislative action in the future*

**(4) Criminal justice response to radicalisation [Measure 19]**

A High-Level Ministerial Conference “Criminal justice response to radicalisation” will be held in Brussels on 19 October 2015. Following the conference, the Presidency will present Council conclusions on this topic.

*Objective: adopt Council conclusions on the criminal justice response to radicalisation*

## **TERRORISM WORKING PARTY (TWP)**

The Terrorism Working Party discusses the operational aspects of CT (as opposed to COSI, which discusses CT issues at strategic and policy shaping level). It should assess the terrorist threat; manage and improve cooperation instruments, define new cooperation instruments (e.g. the role and responsibilities of Europol in the field of terrorism) and continue cooperation with COTER (Second Pillar) via a joint meeting during each Presidency. The joint half-yearly TWP/COTER session is a regular dialogue on cross-cutting issues, with a view to reinforcing links between external and internal aspects of CT (such as in aviation security, cyber security, data issues, radicalisation, terrorist financing, terrorist movement, diaspora engagement and tackling the terrorist threat at its source).

Apart from the regular information updates on incidents of significant interest (incl. Member States informing on Foreign Terrorist Fighters), INTCEN reports and presentations comprising an important element of TWP and COTER discussions and CTC, COM, EEAS and Europol informing on Counter Terrorism (CT) activities, the following items may be discussed during the second half of 2015 in the context of the implementation of the ISS:

### **(1) EU Forum with IT companies [Measure 23]**

TWP will receive regular updates concerning the establishment of the EU Forum with IT companies and contribute to the guidance to be provided by COSI.

*Objective: Monitor ongoing initiative*

## **(2) Prevention of radicalisation [Measures 21, 22, 25 and 28]**

TWP will in particular deal with the following items:

- Presentation “Radicalisation hotline” by AT and FR;
- Presentation of the RAN Center of Excellence;
- Outcome of the Ministerial conference "Criminal justice reply to radicalisation in prisons", Brussels on 19 November 2015;
- Regular updates from SSCAT (Syria Strategic Communications Advisory Team);
- Launching and roll-out of the Information Referral Unit (IRU);
- Outcome of the questionnaire “Draft guidelines of the EU strategy for combating radicalisation and recruitment to terrorism”.

*Objective: Monitor ongoing initiatives*

## **(3) Presentation of R&D contribution to actions against radicalisation [Measures 25]**

The project **SAFIRE** (Scientific Approach to Finding Indicators and Responses to radicalisation), completed in 2013, has focused on the real needs of the policy-makers and of the security practitioners. It provides a model of the radicalisation process based: on typologies of radical groups, cultural aspects of radicalisation, observable indicators of radicalisation, pre-existing actions to reverse, halt or prevent the radicalisation process. The project also explored the ethical, legal and political context relevant to radicalisation, showing in particular that intervening in the pre-violent stage of radicalisation is not supported by all EU Member States. The model provided by SAFIRE can practically guide the choice of interventions, identify which factors are central and which are peripheral to a particular aspect of radicalisation.

*Objective: Raise awareness among CT officials regarding R&D dimension in this field*

**(4) Western Balkan counter-terrorism initiative (WBCTI) [Measure 27]**

TWP will in particular deal with the following items:

- continuation of the Western Balkan counter-terrorism initiative. Extend work with other relevant third countries;
- threat assessment and counterterrorism strategy: Presentation by Serbia and Montenegro

*Objective: adopt draft Council Conclusions on the Western Balkan Counter-Terrorism Initiative, incl. an attached action plan covering 2016-2017 to be adopted at the December JHA Council.*

**(5) Foreign terrorist fighters [Measure 24]**

TWP will in particular look at the following actions:

- Presentation of the activities of the Dumas Group;
- Withdrawal of travel documents: outcome of the questionnaire and presentation by the UK;

*Objective: examine possibilities for measures against foreign terrorist fighters*

**(6) The link between terrorism and organised crime [Measure 36]**

TWP will examine the links between these two crime phenomena by dealing with the following items:

- Presentation by the European Parliament “Nébuleuse criminalo-terroriste en Europe: correlation entre groupes terroristes et crime organisé dans l’UE; and
- Presentation by Europol “The link between organised crime and terrorism”.

*Objective: monitor link between these two important crime phenomena.*

**(7) CBRN-E Progress report on the implementation of Action Plans [Measure 26]**

TWP will discuss the Commission Progress Report on the implementation of the 2009 EU CBRN Action Plan as well as the Action Plan on the 2008 EU Action Plan on Enhancing the Security of Explosives.

*Objective: discuss findings of the report as well as ideas for the way forward*

**(8) Presentation of R&D contribution to the detection of improvised explosive devices (IED) [Measure 26]**

BONAS developed a new wireless-sensor network to protect against terrorist threats – particularly those from improvised explosive devices (IEDs) – by detecting precursor traces in IED production as found near bomb-making facilities. These sensors were successfully tested in two field campaigns to demonstrate their capabilities to detect target precursors directly in field operations involving simulated bomb factories.

*Objective: Raise awareness among CT officials regarding R&D dimension in this field*

## **LAW ENFORCEMENT WORKING PARTY (LEWP)**

The main goal of LEWP is to contribute to ensuring security in the Union by enabling police and other law enforcement agencies to better combat cross-border crime. In line with the principles set out in the renewed ISS, this is done, inter alia, by increasing cross-border cooperation, including operational cooperation, and mutual trust, as well as ensuring a cross-sectorial approach.

The following actions could be undertaken in the second half of 2015 in the context of the implementation of the ISS, many of them in the context of better steering the networks and encourage top-down approach in the LEWP relationship with such networks by better guiding their action, which would help contributing to the implementation of the renewed ISS as follows:

### **(1) Europol Regulation [Measure 2]**

LEWP is, together, with JHA Counsellors responsible for receiving debriefings, discussing compromise proposals on the way forward.

*Objective: adopt Europol Regulation*

### **(2) Glossary of Firearms Terminology [Measure 29]**

The European Firearms Experts (EFE) have been tasked to update the Glossary of Firearms Terminology and bring it line with the existing EU and international legislation. The Glossary could foster a common understanding of the terminology and thus help to improve the sharing of information on firearms.

*Objective: promote the use of the updated Glossary by relevant experts*

**(3) Security-related research and industrial policy [Measure 20]**

The European Network of Law Enforcement Technology Services (ENLETS) should further implement the Council Conclusions on strengthening the internal security authorities' involvement in security-related research and industrial policy and thus contribute to the promotion of security-related research and innovation by further involving end-users at all stages of the process, from conception to market.

*Objective: monitor the implementation of the Council Conclusions in order to provide guidance for further activities*

**(4) Financing of organised crime and the infiltration of the licit economy by organised crime [Measure 36]**

The recently created operational network - @ON - aimed at countering mafia-style serious and organised crime groups could contribute to addressing the financing of organised crime and the infiltration of the licit economy by organised crime by improving the sharing of relevant knowledge and expertise.

*Objective: monitor the implementation of the Council Conclusions*

**(5) Combatting the environmental crime [Measure 34]**

The informal network for countering environmental crime (EnviCrimeNet) could contribute to combatting the environmental crime and provide its contribution in relation to the relevant legislation.

*Objective: monitor the activities of the network in order to provide guidance for further activities*



**(6) Development of the European Forensic Area [Measure 14]**

A questionnaire on this topic was presented to LEWP on 24 June. The replies will be analysed and processed jointly by relevant stakeholders - NL, LU, GSC, COM, Europol, Eurojust, ENFSI. On this basis NL, during its Presidency, will draft and present a paper outlining the measures to be adopted.

*Objective: provide contributions to the questionnaire in order to prepare the work of the NL Presidency*

**(7) Assessing strategic training needs [Measure 19]**

LEWP will be invited to reflect on developing methodologies for assessing strategic training needs and the impact and effectiveness of such trainings (2015-2020), with a view to ensure well-targeted trainings by CEPOL.

*Objective: Organise a thematic discussion on training needs*

**(8) Organisation of Joint Police Operations [Measure 15]**

LEWP will monitor the organisation of Joint Police Operations (JPOs), which address cross-border crime and contribute to improving operational cooperation.

*Objective: Present results of the JPO LUXCAR and discuss the need for further JPOs*

**(9) Cooperation between customs and law enforcement agencies [Measure 15]**

LEWP will discuss the recommendations outlined in the Europol report.

*Objective: discuss better ways of coordination customs and police law enforcement work*

**(10) Internet based organised crime [Measure 36]**

LEWP will be invited to discuss the findings and recommendations of Europol's I-OCTA evaluation.

*Objective: take note of the report of the Informal Network of National Contact Points*

**(11) Administrative approach [Measure 32]**

LEWP will discuss the administrative approach to prevent and disrupt organised crime on the basis of the report of the Informal Network of National Contact Points.

*Objective: take note of the report of the Informal Network of National Contact Points*

## **CUSTOMS COOPERATION WORKING PARTY (CCWP)**

The CCWP deals with the operational cooperation between customs authorities from Members States, at experts and plenary level. In this sense, the outcomes and conclusions of debates, actions, Joint Customs Operations etc. organised under the auspices of this Working Party should feed into the work related to the renewed ISS, bringing on board the customs perspective on aspects like firearms, drug trafficking and NPS, cash movements, counterfeit goods, the use of Internet or criminal activities etc. The following actions will be undertaken in the second half of 2015 in the context of the implementation of the renewed ISS:

- (1) Finalise the Action Plan 2014-2015 and adopt the Final Reports for Actions 7.1-7.4, 7.8, 7.9 and 7.11. The Presidency will finalise Action 7.10, which concerns environmental crime [Measure 34]**

*Objective: explore to what extent its outcomes could feed into Commission proposals for the review of policy and legislation on environmental crime in 2016*

- (2) Adopt a new Action Plan 2016-2017 [Measures 29, 30 and 37]**

To be drafted on the basis of document 9396/15 (adopted at CCWP on 17 June 2015), which suggests that the following challenges and threats should be taken into account for the drafting of the next Action Plan: firearms, cigarette/tobacco products smuggling, synthetic drugs (NPS), counterfeit goods, use of information technology and internet for criminal activities, cash movements, excise duty/MTIC fraud and environmental crimes. The Presidency will therefore draft the new Action Plan, which could feed into:

- the Commission's proposals for the new Firearms legislation;
- Member States' activities in fighting illicit drugs;
- as far as the use of information technology and internet for criminal activities are concerned, assess if and to what extent the customs perspective in this area (use of Darkweb for illicit trade in drugs, precursors, NPS, counterfeit goods, firearms etc.) should be considered;

*Objective: prepare the work of the next four Presidencies and feed into the above actions*

**(3) Cooperation between customs and law enforcement agencies [Measure 15]**

CCWP will discuss the recommendations outlined in the Europol report.

*Objective: discuss better ways of coordination customs and police law enforcement work*

## **WORKING PARTY ON INFORMATION EXCHANGE AND DATA PROTECTION (DAPIX)**

With regard to information exchange, the Working Party on Information Exchange and Data Protection (DAPIX) is mandated to improve cross-border law enforcement exchange while taking due account of the protection of personal data, in particular by examining the implementation of Council Framework Decision 2006/960/JHA ("Swedish Framework Decision" (SFD)) and the "Prüm Council Decisions" 2008/615/JHA and 2008/616/JHA. To that end, DAPIX is furthermore implementing the Council's Information Management Strategy (IMS) aiming at technical solutions to current information exchange issues.

In the second half of 2015, the Working Party will continue to deal with:

### **(1) Prüm Decisions [Measure 6]**

Pending 4 cases at the ECJ, DAPIX will continue with the further preparation of Council Implementing Decisions (22), subsequent to organisation of evaluation visits in Member States in question, drafting of evaluation visit reports, overall reports, Council Conclusions on the implementation of automated data exchange for certain data categories (DNA, fingerprint data (FP) and vehicle registration data (VRD)) in certain Member States, preparation of the consultation of European Parliament ;

*Objective: examine implementation of the Prüm Decisions ;*

DAPIX will draw up a pragmatic compilation of lessons learnt concerning Prüm follow-up (or 2nd step) procedures, which are governed by national law, by discussing national approaches.

*Objective: identify best practices - possibly draft of a handbook in the framework of IMS.*

**(2) Swedish Framework Decision on "simplifying the exchange of information and intelligence between law enforcement authorities of the Member States of the EU"**  
*[Measure 6]*

Since the legal implementation has been nearly completed, awareness rising at both political and practical level should be envisaged. The biggest challenge seems to be a lack of training at operational, SPOC (Single Point of Contact) level. To that end, DAPIX experts discuss with a view to further defining a European Information Exchange Model (EIXM) which goes beyond the description of the status quo, best practices on current information exchange.

*Objective: provide input for future training schemes (probably within the IMS).*

**(3) IMS (Information Management Strategy) [Measure 5] concerning the improvement of interoperability of national and international systems (both on a organisational and technical level) by steering, in particular:**

- the further deployment of the UMF project (Universal Message Format, on-going project under DE lead) in specific expert meetings; and
- the ADEP project (Automation of Data Exchange Procedures, on-going project under FR/FI lead), by organising expert meetings on technical details;
- by convening a conference of Police and Customs Cooperation Centres (PCCC) aimed at further strengthening their European dimension.

*Objective: exchange expertise with a view to enhancing interoperability of national and international systems.*

**(4) European Police Register Information System (EPRIS) [Measure 7]**

DAPIX will contribute to the reflection regarding the possibilities of setting up a European Police Register Information System

*Objective: provide input for legislative proposals COM may submit in 2016.*

## **FRIENDS OF THE PRESIDENCY GROUP (FoP) ON CYBER ISSUES**

FoP has been created with the main objective of ensuring a horizontal coordination of cyber policy issues within the Council by providing a platform for information exchange and priorities setting through strategic political discussions covering a broad range of issues related to security and resilience of networks and information systems, cyber defence, fight against cybercrime and EU international cyber policy. FoP is contributing to the implementation of the EU Cyber Security Strategy through specifically dedicated Roadmap.

The following actions could be undertaken in the second half of 2015 in the context of the implementation of the ISS:

### **(1) Monitor the implementation of the EU Cybersecurity strategy [Measures 37 and 38]**

*Objective: monitor the implementation by Member States*

### **(2) Ratification of the Budapest Convention [Measure 37]**

The FoP will continue to support the efforts of the three remaining Member States to ratify the Budapest Convention and to encourage promotion thereof as a model for cybercrime legislation when engaging internationally, including in the capacity building activities.

*Objective: ratification of the Budapest Convention by all Member States*

### **(3) EU positions in international fora [Measure 39]**

The FoP will, through thematically focussed meetings, seek to form/consolidate EU position or to provide political guidance in respect to the ongoing external discussions on international security issues, including the norms for responsible state behaviour. It will also continue to be involved in the preparations for the World Summit on Information Society+10 Review Process, the IANA transition and to work for reaffirming the MSH model in Internet governance.

*Objective: form/consolidate EU position in international fora on cyber related issues*

**(4) Discuss (legal) gaps in the fight against cybercrime and practical responses [Measure 37]**

The FoP will discuss security issues related to encryption IP addresses, cloud computing, jurisdiction and crypto-currencies, international recognition of e-evidence, public private partnership and access to information in order to seek global approaches aiming at overcoming obstacles to cybercrime investigations.

The FoP will provide attention to the further development of the responsible disclosure policy issue as an example of good practice that can serve as fast track solution to some cyber security concerns.

*Objective: provide practical input to COM on potential new legislative instruments as well as raise awareness and share good practices.*

**(5) Presentation of R&D contribution against cybercrime [Measure 38]**

The **SECCRIT** (SEcure Cloud computing for CRitical infrastructure IT) project is a multidisciplinary research project with the mission to analyse and evaluate cloud computing technologies with respect to security risks in sensitive environments, and to develop methodologies, technologies, and best practices for creating a secure, trustworthy, and high assurance cloud computing environment for critical infrastructure IT.

*Objective: provide practical input to COM on potential new legislative instruments as well as raise awareness and share good practices.*



## **WORKING PARTY ON SCHENGEN MATTERS ("SIS/SIRENE" configuration)**

This Working Party, which meets in different configurations (Evaluation, Acquis, SIS/SIRENE and SIS TECH) deals with all aspects regarding the correct implementation of the Schengen acquis by Member States. The SIS/SIRENE configuration examines measures related to checks on persons and efficient monitoring of the crossing of external borders.

The following actions could be undertaken in the second half of 2015 in the context of the implementation of the ISS:

### **(1) Monitoring the application by Member States of the common risk indicators** *[Measure 14]*

A questionnaire will be submitted to the delegations in order to assess the degree of implementation and the obtained results of a set of recommendations agreed in December 2014 in the context of the foreign fighters (14523/3/14 REV 3). A considerable part of them regards travel ban as well as an enhanced use of the SIS in the context of document checks, both inside the territory and at the external borders. Although the measures at central level have been implemented, the implementation achievement may vary among the Member States.

The Schengen Working Party will assess the degree of implementation and the obtained results of the recommendations in order to fight against the foreign terrorist fighters phenomenon.

*Objective: monitor implementation and results of a recommendations agreed in December 2014 - discuss possible new suggestions*

### **(2) Coordination mechanism to improve the implementation of certain categories of entry ban alerts** *[Measure 11]*

Furthermore, in second half-year 2015 the discussions could be continued at political level on the setup of a coordination mechanism to improve the implementation of certain categories of entry ban alerts, pursuant to the Council Conclusions as set out in 17112/13.

The Schengen Working Party will examine how:

- to implement travel bans as well as an enhanced use of the SIS in the context of document checks, both inside the territory and at the external borders.
- to continue the discussions on the setup of a coordination mechanism to improve the implementation of certain categories of entry ban alerts.

*Objective: provide input into legislative proposals COM will submit in 2016*

**(3) Monitoring the application by Member States of the common risk indicators**  
*[Measure 13]*

The Schengen Working Party will engage in discussions on a systematic use of SIS and SLTD based on common risk indicators

*Objective: ensure coordination between Schengen Matters WP and Frontiers WP with a view to monitoring the level of the implementation - report to December JHA Council*

**(4) SIS II [Measure 12]**

The Schengen Working Party will deal with the following issues related to SIS II:

- the UK's accession to the SIS II by October 2015;
- the implementation of "emergency procedures" in the SIS II;
- monitoring the use of biometric data in the SIS II.

## **WORKING PARTY ON FRONTIERS**

The Working Party on Frontiers (including its Mixed Committee formation) is the Council body primarily responsible to examine the EU Borders Policy related issues (be it of legal, or practical nature).

The WP will be actively involved in the monitoring of the degree of implementation of the measures undertaken by the Member States for the reinforced application of the Schengen Framework. The recently updated Schengen Handbook shall serve as a reference for this monitoring task. In the context of the implementation of the ISS in the second half of 2015 the Working Party will especially look at:

**(1) Examine the application by Member States of the common risk indicators [*Measures 13 and 14*]**

This exercise shall cover the application by Member States of the common risk indicators, which are going to serve as a basis for carrying out systematic checks on travel documents, as well as all persons (including those who enjoy the right of free movement under Union Law) against relevant data bases. It is likely to start most likely in early autumn 2015 and constitutes a follow-up to the work which is currently being carried out in order to fulfil the mandate from the JHA Council in March 2015. Close cooperation with the Commission and with Frontex is needed. It could also be recalled that this exercise shall be further substantiated with information regarding the implementation emanating from the Schengen Evaluation context.

The recently updated Schengen Handbook also refers to the use of common risk indicators regarding systematic control of travel documents against the SIS II and SLTD data bases and of persons enjoying the right of free movement under EU Law, based on risk assessment. The Commission has presented at the JHA Council on 15-16/2015 these common risk indicators<sup>2</sup>. In this regard the Working Party will:

- examine the implementation of the measures undertaken by the Member States for the reinforced application of the Schengen Framework by using the updated Schengen Handbook for border guards; and
- examine the application by Member States of the common risk indicators, which are going to serve as a basis for carrying out systematic checks on travel documents, as well as all persons (including those who enjoy the right of the free movement under Union Law) against relevant data basis.

*Objective: examine the level of the implementation - report to December JHA Council*

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<sup>2</sup> 9940/15

## **WORKING PARTY ON GENERAL MATTERS INCLUDING EVALUATIONS (GENVAL)**

The GENVAL Working Party is a horizontal and cross-cutting justice and home affairs Working Party, covering both criminal law and related security aspects. It deals with issues in these areas that are not dealt with by COSI or any other Working Party, in particular relating to organised crime, crime prevention (excluding terrorism), and coordinates the process of mutual evaluations of Member States' practices in the area of law-enforcement (except Schengen evaluations).

The following three topics could be discussed in the second half of 2015 in the context of the implementation of the ISS:

### **(1) PNR Directive [*Measure 1*]**

GENVAL was the responsible working party when the proposal for a "Directive on the use of Passenger Name Record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime" was discussed in 2010-2012 (general approach reached in April 2012). When informal trilogues with the European Parliament start, hopefully in autumn 2015, on the Council side, GENVAL, together with JHA Counsellors, will be the responsible working parties receiving debriefings, discussing compromise proposals and the way forward.

The Presidency intends to use the Working Party to discuss thematic topics in PNR matters.

*Objective: adopt the PNR Directive*

**(2) Support to local authorities on the administrative approach to prevent and disrupt organised crime [Measure 32]**

Preparatory activities, in coordination with the future NL Presidency, which, considering the issue as a priority of its programme, intends to have Council conclusions adopted by the June 2016 JHA Council on the administrative approach to crime prevention, covering *inter alia* embedding the role of the local authorities within the Informal network of contact points on the administrative approach to organised crime, in line with the Network's multi-annual work programme ( 2015 - 2017). This could involve discussion, with special focus on the support to local authorities, on:

- relevant activities within the framework of the EU Crime Prevention Network (EUCPN), in particular the ongoing elaboration of best practices in the form of a Handbook (following discussions on the administrative approach in Riga at the end of June 2015); and
- a recent Commission-funded external study on the administrative approach.

*Objective: provide input to the future NL Presidency*

## **HORIZONTAL WORKING PARTY ON DRUGS (HDG)**

The Horizontal Working Party on Drugs is tasked with leading and managing the Council's work on drugs. It performs both legislative and general policy work and takes a strategic approach, in particular via the EU Drugs Strategy 2013-2020, which is implemented through the EU Action Plan on Drugs 2013-2016. This Action Plan named the fight against drug trafficking as one of the key pillars of the Strategy. It also is in charge of new legislation on drugs.

In practice its work is more focused on horizontal issues, demand reduction side and international cooperation on drugs rather than on operational aspects related to fighting drug trafficking.

The following topics will be discussed in the second half of 2015 in the context of the implementation of the ISS:

### **(1) International cooperation in the field of drugs [Measure 31]**

This is major pillar of the EU Drugs Strategy. In 2014 the EU-Central Asia Action Plan on Drugs 2014-2020 was endorsed and the EU-Western Balkans Action Plan on Drugs was prolonged, which will be further implemented. Expert dialogues on drugs will be held with US, Western Balkans, Community of Latin American and Caribbean States (CELAC) and possibly with Russia, where an important part of agenda will be devoted to drug trafficking.

*Objective: prepare third country dialogues*

### **(2) Legislative package (Regulation and Directive) on new psychoactive substances (NPS) [new Measure 4]**

To tackle the increasing challenge posed by new psychoactive substances (the number of which already exceeded the number of "traditional" drugs, with 101 new substances being reported for the first time to the European Early Warning System in 2014) the Commission in September 2013 tabled a legislative package (Regulation and Directive) on new psychoactive substances. The Horizontal Working Party on Drugs has been examining the proposed Regulation, aiming at establishing the most efficient mechanism to tackle this challenge.

*Objective: obtain substantive progress on the negotiations of the Regulation*

## **WORKING PARTY ON COOPERATION IN CRIMINAL MATTERS (COPEN)**

COPEN is tasked with legislative activities regarding the cooperation between the Member States in criminal matters, where a core principle is the mutual recognition of judicial decisions. The working party examines initiatives relating to mutual legal assistance in criminal proceedings, the surrender and transfer of sentenced persons, the enforcement of judicial decisions. Eurojust and the European Judicial Network are invited to contribute to the discussions at the COPEN meetings. COPEN is also tasked with providing follow up to the implementation of the EU legislative acts in the field, in particular in relation to the mutual recognition instruments.

### **(1) Implementation of mutual recognition instruments (e.g. EAW, EIO) [Measure 17]**

COPEN will continue evaluating the current state of play and the challenges faced in the implementation and practical application of the mutual recognition instruments by the Member States.

*Objective: continuing the ongoing evaluation of Member state implementation and discuss possible solutions to difficulties encountered*

### **(2) EPPO [Measure 18]**

COPEN will continue working on the Commission proposal for a European Public Prosecutor's Office. By the end of 2015 the Presidency [hopes to reach a partial general approach on the articles 17 to 33 and more if possible] or [hopes to advance the work on this file as much as possible].

*Objective: Contributing to the establishment of an effective framework for the protection of the EU financial interests.*



## **WORKING PARTY ON FUNDAMENTAL RIGHTS, CITIZENS' RIGHTS AND FREE MOVEMENT OF PERSONS (FREMP)**

The Working Party on Fundamental Rights, Citizens' Rights and Free Movement of Persons (FREMP) deals with all matters pertaining to the respect and promotion of fundamental rights in the European Union, citizens' rights and free movement of persons, as enshrined by the Treaties and the Charter of Fundamental Rights. FREMP is tasked with the preparatory work of the negotiations for the accession of the Union to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR). It is also responsible for elaborating the legal basis and the multiannual work programme of the Fundamental Rights Agency and works closely with the Agency on different topics related to fundamental rights. Regarding security and respect for fundamental rights, the Council conclusions of 23 June 2015 (prepared by FREMP) on the application of the Charter of Fundamental Rights in 2014 underline that:

- security and respect for fundamental rights are consistent and complementary policy objectives;
- Member States and the EU need to work together to ensure that all security measures comply with the principles of necessity, proportionality and legality, with appropriate safeguards to ensure accountability and judicial redress;
- proportionate and legitimate responses also foster peaceful, inclusive and diverse societies and integrate respect for fundamental rights into planning and implementing counter-terrorism and other law enforcement actions from the outset.

In addition to this overarching human rights angle, FREMP will follow up:

- (1) The first Annual Colloquium on fundamental rights in the EU: "Tolerance and respect: preventing and combating anti-Semitic and anti-Muslim hatred in Europe" organised by COM on 1-2 October 2015 [*Measure 25*]**
- (2) Presentation by the Institute for Strategic Dialogue NO and by the FRA "Islamophobia"**

*Objective: take note of outcome of conferences*

**ANNEX 2**

		COSI	TWP	LEWP	CCWP	DAPIX	Cyber FoP	SCHENGEN	FRONTIERS	GENVAL	HDG	OTHER
	<b>MEASURES</b>											
	<i>Improving information exchange</i>											
1	Adoption PNR Directive											
2	Adoption Europol Regulation											
3	Adoption Data Protection Package											
4	Adoption proposals on new psychoactive substance											DAPIX
5	Develop/implement information management strategy											
6	Monitor implementation of Prüm Decisions/"Swedish Framework decision"											
7	Development of an EPRIS											
8	Development of a global approach to International PNR											
9	Data Retention Directive											
10	Creation of European Forensic Area											CATS
	<i>Monitor effectiveness of the SIS and Schengen Border Code</i>											
11	a) Look into possibilities to help MS to implement travel bans set at national level.											
12	b) Evaluate SIS in 2015-2016 to assess whether new operational needs require legislative changes, such as introducing additional categories to											
13	c) Help MS to use automated border controls with checks of SIS and SLTD, monitor compliance by MS to their obligation to provide data to SLTD											
14	Monitor application of common risk indicators (foreign terrorist fighters)											
	<i>Improving operational cooperation</i>											
15	Maximise operational cooperation, inter alia by contribution from EU											
16	Develop the risk assessments methodology in areas such as critical infrastructures, money laundering, virtual currencies, terrorist financings											
17	Monitor implementation of mutual recognition instruments											COPEN
18	Adoption EPPO Regulation											COPEN
	<i>Supporting actions</i>											
19	Develop trainings, methodologies for assessing strategic training needs											
20	Examine further possible action re EU security industry											

		COSI	TWP	LEWP	CCWP	DAPIX	Cyber FoP	SCHENGEN	FRONTIERS	GENVAL	HDG	OTHER
	<i>Tackling terrorism and preventing radicalisation</i>											
21	Creation of the European Counter-Terrorism Centre at Europol											
22	Roll-out of the Internet Referral Unit (EU IRU) at Europol											
23	Establishment of EU Forum with IT companies											
24	Updating terrorism legislation (Foreign Terrorist Fighters)											CATS
25	Prevention radicalisation in prisons, effective disengagement/de-radicalisation programmes, including via RAN centre of excellence											
26	Enhance protection against explosives											
27	Foster anti-radicalisation programs/actions with relevant third countries											
28	Strengthen the EU's own strategic communication											
	<i>Disrupting organised crime</i>											
29	Fighting illicit firearms											
30	Fighting illicit drugs											
31	Implement and further expand the EU external policy in the field of drugs											
32	Administrative approach											
33	Implementation of the European Agenda on Migration (in particular the fight against smuggling of migrants)											
34	Fighting Environmental crime											
35	Implementation of the EU Policy Cycle, including to neighbouring countries											
36	Monitoring links between organised crime and other crime phenomena											
	<i>Fighting cybercrime</i>											
37	Monitor implementation of Cybersecurity instruments, incl. Budapest											
38	Analysing legal gaps and remedies in the fight against cybercrime											
39	Foster international cooperation in the fight against cybercrime											
40	Adoption of Directive on network and information security											TELECOM WP