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Subject:	Summary Report of the National EMPACT Coordinators' (NEC) Meeting held at Europol Headquarters on 24, 25 and 26 May 2016

1. Introduction

This document is a summary of the proceedings of the National EMPACT Coordinators' (NEC) meeting that took place at Europol from 24 to 26 May 2016, chaired by The Netherlands' Presidency of the Council of the European Union (Presidency).

The meeting was attended by 110 delegates comprising the NECs, Drivers, Co-Drivers, as well as representatives of the Presidency of the Council, including the COSI SG Chair/COSI Deputy Chair, General Secretariat of the Council, European Commission, CCWP, CEPOL, EUROJUST, FRONTEX, eu-LISA, and Europol staff members. The Presidency made a general introduction to the meeting stressing the importance of the EMPACT network and their input. Europol's Deputy Director Operations welcomed the delegates on behalf of Europol and stressed the continuous support of the Agency to the Member States.

2. General Overview

The first day of the meeting was dedicated to discussing the progress, successes and practical issues related to the EMPACT projects. It started with the presentation of Europol's report 'EU Policy Cycle for Organised and Serious International Crime – Europol's Findings May 2016'. The next part was dedicated to Drivers' reporting the results achieved within the framework of the Operational Action Plans (OAPs) 2015 and 2016 in plenary, followed by questions and discussion. On the second day four parallel working sessions were dedicated to the following topics: Future Funding of the EU Policy Cycle, Roles of the Co-Drivers and the Action Leaders, Involvement of the Public Prosecutor's Office and Criminal Money. Discussion documents referring to each of the four topics had been provided to the participants prior to the meeting.

During the second day the COSI SG Chair / COSI Deputy Chair, reported on the topics discussed by COSI. These included the definition of Joint Action Days (JAD), the strategic planning of the JADs 2016, and the alignment of the 8th Action Plan of the CCWP with the EU Policy Cycle. Details regarding the state of play of the independent evaluation of the EU Policy Cycle were provided by the European Commission.

On the third day information was provided and discussions were held about the criminal use of the Internet / DarkNet, the alignment of the 8th Action Plan of the CCWP with the EU Policy Cycle, the operational state of play of the JADs 2016 and the proposed planning procedure for the 2017 JADs. Other presentations and discussions included operational cooperation with Third Countries and the European Cross-Border Surveillance Group.

The NEC meeting ended with conclusions by the Netherlands' Presidency and the introduction of the main priorities (proposals) of the incoming Slovak Presidency.

3. Europol Director's Draft Report on the EU Policy Cycle

The report had been circulated prior to the meeting, so key points were highlighted and feedback encouraged. The presentation did not include the work of the priorities as summarized in Annex A (9926/16 ADD 1 RESTREINT UE + 9931/16 RESTREINT UE) because the Drivers were to present this in the next session. The Presidency checked if delegates recognized themselves in the report, which was generally the case. The delegates were invited to forward their proposals for amendments to the Europol Director's Draft report to the EMPACT Support Unit by the 27 May 2016.

4. Key Themes during the Drivers' Reporting

During two panel discussions facilitated by the Netherlands' NEC and Co-NEC, 13 Drivers presented the achievements and successful activities conducted during the implementation of the 2015 and 2016 OAPs, as well as issues of concern and other matters relevant to getting the NECs' assistance and guidance in finding solutions. The moderators asked questions and sought to explore key issues, particularly those relevant to the work of several priorities.

The most relevant issues reported included:

- Engagement and commitment of all participants in the respective EMPACT project groups:
Some Drivers expressed their satisfaction with the proactive approach of the participants. However, at least 3 Drivers stressed the lack of engagement by some Member States; that too much of the work is still carried out by small, sub-sets of Member States within the respective EMPACT project groups. In one of the EMPACT projects 3 Member States lead more than 3 operational actions each; however, the more active involvement of other Member States is required. The Driver of the Organized Property Crime priority explained that non-participation was not always an indication of a lack of interest but sometimes related to a lack of capacity or resources.
The Presidency recommended discussing these issues in the margins of the parallel sessions on the role of the Co-Drivers and the Action Leaders.

- EMPACT as prominent network: In general, the operational contributions by Member States and the operational results are increasing with several good practices. But it would strengthen the process more if MS would use EMPACT consequently as prominent network for cooperation in case of cross-border crime. In addition, it was stated by some participants that it would be helpful if EU funding would be exclusively available for actions under the umbrella of EMPACT projects when the same crime areas are targeted, to avoid the creation of parallel networks.
- Use of the Internet / DarkNet: The use of the Internet/DarkNet was presented as a relevant crime enabler in diverse priorities including Synthetic drugs and Firearms. The Driver of the Child Sexual Exploitation (CSE) priority noted that it would be good to explore collectively all activities taking place on the DarkNet. Ireland highlighted a document on the DarkNet elaborated under the Firearms priority as being of a high quality and suitable for training and investigation purposes at the national level.
- Money laundering and asset recovery: The importance of conducting parallel financial investigations was stressed by at least one Driver and supported by the Chair. During the discussion it became clear that a successful approach depends on a dedicated action leader having expertise in this area, because the action requires for specific knowledge.
- High Value Targets (HVTs): In this regard, the availability of the Grant Agreement funding was highlighted positively by the Driver of the Synthetic Drugs (SD) priority. An increased number of operational meetings about HVTs had led to increased involvement and exchange of information. The Driver of the OPC priority reported that 19 cases were selected as HVTs, based on preparatory work developed over five years. In other EU Policy Cycle priorities, obstacles by MS have been raised in 2015 to agree on a description of HVTs. The support of Europol and Eurojust was required to establish the criteria to identify HVTs.

- Proposal for an operational - tactical workshop for Drivers and Co-Drivers: It was mentioned by the moderator and a few drivers that OCGs are increasingly involved in more than one crime area (poly-crime networks), organizing their business models and making use of networks of facilitators. The developing trends and modus operandi and possible links between the EU Policy Cycle priorities are very interesting to examine. The Driver of the Facilitated Illegal Immigration priority proposed that a tactical/operational meeting should be organised for the drivers and co-drivers to discuss two or three common main operational topics. This meeting should be organized in autumn (around the NEC meeting).
- Joint Action Days (JADs): Several Drivers provided information about the JAD actions and their planning and participation in the 2016 JADs.
- EU Policy Cycle's external dimension/Cooperation with Third Countries: While some Drivers already reported positive experiences leading to significant operational results, other Drivers stressed the need to further develop the working relations with relevant Third Countries. The Payment Card Fraud (PCF) priority explained the importance of deploying officers to Third Countries, which is planned in their 2016 OAP. Portugal pointed out the lack of cooperation agreements with Third Countries as a challenge. It was mentioned that the cooperation with existing networks and platforms of Third Countries could be used more to avoid overlaps and gaps. An overview of the most relevant networks and the introduction of the EU Policy Cycle amongst them could support a coordinated approach. Operational Actions concerning the cooperation with Third Countries might require for additional funding because of the costs. An example is the cooperation between 10 MS and China in EMPACT Chinese THB.
- Cooperation with Third Parties and the private sector: The benefits were highlighted by the Driver of the PCF priority where cooperation with the private sector had brought significant results in the framework of a JAD; legal obstacles preventing LEAs from receiving vital information from the financial sector had been overcome.

- Multidisciplinary approach: This aspect was highlighted by 8 Drivers. In most cases they were referring to the cooperation with customs/CCWP, other examples were cooperation with labour inspectorates in the field of THB and the involvement of European Food Standards Agency, Trading Standards (UK) and DG SANTE in the Counterfeit Goods priority.
- EU Policy Cycle funding: Several Drivers reported that postponements in the implementation of actions were due to the Delegation Agreement funding arriving several months after the formal start of the OAP implementation. At least two Drivers looked forward to the launch of a “mini-call”. One Driver described difficulties in persuading participating Member States to apply for the Delegation Agreement funding, another expressed difficulties with managing the Delegation Agreement funds.
- New concept to support fast investigations in the area of Facilitated Illegal Immigration: Austria provided information on the new Joint Operational Office, funded by an EMPACT grant that can host case officers from different Member States to work on joint investigations. The Driver of the priority stressed the flexibility of the concept.
- Interoperability of relevant information systems: In response to a question from Belgium regarding interoperability of the relevant systems, the Driver of the Firearms priority mentioned that despite respective agreements at the political and strategic levels, there are still some challenges at the operational level (e.g. national investigators are required to manually check several relevant databases).

The Presidency provided conclusions on several of the cross-cutting issues:

- To need to increase the level of commitment and contribution by all participants in the EMPACT projects; this is a fundamental step towards reaching the desired results. The respective EMPACT project groups should be a prominent network in the EU to tackle the prioritized organized crime areas.
- Considering the increasingly entrepreneurial character of cross border operating OCGs involved in poly-crime activities, often active in more than 2 Member States, it is necessary to identify the key persons in the criminal business structures and to identify HVTs. It was proposed to explore the possibility of drafting a HVTs' definition to enhance tackling HVTs in the framework of the 2017 OAPs.
- To continue improving cooperation with Third Countries and developing instruments to facilitate this. To focus on partnerships promoting operational cooperation and information sharing (e.g. information exchange with Third Countries which have not yet concluded an operational agreement with Europol.). The main players to support this include Europol, Interpol, Eurojust, and networks of Member States' liaison officers.
- To continue improving cooperation with Third Parties and with the private sector and developing the right models, methods and best practice to support this.
- To enhance the multidisciplinary approach especially in relation to the involvement and the coordination between police and custom services, but also with other partners.
- To strengthen the common focus on cross cutting elements such as the use of the internet/DarkNet and the financial business models of OCGs.
- To organize an operational-tactical meeting for Drivers and Co-Drivers, to focus on specific modi operandi, used by OGCs, which are relevant for several EU Policy Cycle priorities. The timing will be discussed with Europol.

5. Results of Parallel Sessions' Discussions

The following outcomes of discussions during the parallel working sessions were presented by the NECs of SE, LU, BE and UK in plenary.

Future Funding of the EU Policy Cycle

The working sessions focused on three key areas: bridging the funding gap in 2017 (before the Europol Regulation enters into force on 1 May 2017), designing the long-term funding architecture and re-allocating funds not spent under the current Delegation Agreement.

Europol proposed to provide two types of grants. The first for high-value, long-term grants, similar to the current situation, with a call for proposals and a fixed deadline. The second for lower-value, short-term grants covering ad-hoc needs related to investigations (similar to the current Red Envelope, without a single fixed deadline, the grant applications would be assessed on an ad-hoc basis). These proposals received a positive feedback from the delegates.

Europol's proposal to recycle unspent funding in a mini-call to be launched in autumn 2016 did not receive such an enthusiastic response, two Drivers expressed an interest.

A number of other relevant issues were raised, including the need to provide training to Action Leaders to give them the confidence and technical knowledge to manage funding. This could support them making an application under a mini-call or for a short-term grant. In general, action planning with insufficient financial understanding was identified as a problem leading to poor implementation rates. Amending the current Action Leaders' Workbooks (an action planning document) to include better financial planning data could also help to develop better actions that could be more effectively monitored and achieve better outcomes.

Roles of the Co-Drivers and the Action Leaders

In the document “EMPACT Terms of Reference” (Council document reference 14518/12) the roles and responsibilities of the actors in EMPACT are described, including the roles of the Driver and the participants in the projects. Since the document was drafted and approved in COSI (on 21 September 2012), the process of cooperation in EMPACT has developed. The involvement of Member States in the role of Co-Drivers has increased and the role of action leaders has become essential to achieving success. Neither the Co-Driver nor the action leader roles were described in detail in the EMPACT Terms of Reference.

The Co-Driver is mentioned briefly within the section that elaborates on the responsibilities of the Driver. However, this definition is very limited and does not describe concrete responsibilities. We have seen that the role of the Co-Driver is crucial, since the management of the OAP requires a substantial amount of time and effort to ensure its implementation

The term “action leader” is only mentioned twice in the EMPACT Terms of Reference. This does not reflect the integral role an action leader plays in the implementation of the operational actions. There is no specific definition in the document, simply a brief sentence stating that “*project participants can be appointed as action leader on a specific action.*”. The driver can also execute or delegate the management/leadership of a specific action on the action leader.

During the current EU Policy Cycle it has been noted that the role of the action leader is rather crucial, since they are in charge of developing and taking the action forward throughout the year. They also report back to the Driver regarding the status of the actions, and their reporting is then used in the Driver’s report that is sent to the EMPACT Support Unit and eventually to COSI.

During the NEC meeting, there was a parallel session focusing on defining the roles of the Co-Driver and the action leader. The goal was to describe these roles, based on the input by NECs, Drivers and Co-Drivers. The participants were kindly requested to share their ideas on both roles by replying to a questionnaire in advance of the NEC meeting. On the basis of the input delivered through the questionnaire by 30 participants (Member States and agencies), the parallel session was prepared. During the parallel sessions where the participants provided valuable insights, the participants looked at the definitions and came up with several minor changes to the proposed definitions that were brought up during the discussions. After the NEC meeting, the formulated definition was circulated once more for one final check. The definition that was agreed upon between MS and EU agencies in the parallel session can be found in ANNEX I.

In addition, the Member States' participation in the EMPACT projects was discussed. The necessity of having the right experts in the EMPACT meetings with the mandate to decide on their Member States' participation in actions was highlighted. The involvement of different law enforcement agencies (LEAs) should also be taken into account. The European Police Chiefs' Convention (EPCC) was identified as a key platform to promote the EU Policy Cycle.

The Presidency concluded that the draft text regarding the roles of the Co-Driver and the Action Leader will be submitted to the NEC meeting delegates for their written comments to be submitted to the Presidency by 11 June 2016. The final draft (ANNEX I) will be provided to COSI.

Involvement of the Public Prosecutor's Office in the EMPACT Projects

The involvement of public prosecutors in both operational and strategic processes is essential. Their role depends on the type of crime phenomena, the priorities, and the legal systems. The involvement of a public prosecutor brings the following benefits:

- Having prominent role in the prosecution phase;
- Access to their more extensive powers, networking and policy development;
- The early coordination of criminal investigation activities;
- Need to be involved in the EMPACT process to further develop operational activities;
- An early involvement is important to create an commitment;
- A public prosecutor can bring experience and can gain experience by taking part in discussions and activities at the EU level; this can be taken back to the national level to see the national situation from a different perspective.

The involvement of public prosecutors can be increased by:

- Awareness raising (e.g. via training). The NECs and other actors can initiate contacts at the national level.
- Active participation in relevant EMPACT processes at the national level. The experiences gained at national level can be shared and presented at EU/international level. Prior to the participation in the NEC and other relevant meetings, all relevant actors should be brought together at the national level. Subsequently, one representative can share the views on behalf of the respective Member State with the wider EU community and report back to the national level.
- Active participation in relevant EMPACT processes at the EU level. Prosecutors should be able to take part in MASPs and OAPs drafting sessions.

The identification of a suitable public prosecutor foresees taking into account geographic competence (a national competence is preferred to a local one), level of expertise, already existing networks, and nature of the phenomenon.

Criminal Money

The need to further improve the financial aspects of EMPACT investigations was widely recognized. The following challenges were identified:

- To find the right Action Leader (Action Leaders having are rarely the appropriate expertise to lead the action);
- A lack of knowledge about how asset seizure and recovery can be best carried out;
- differences in money laundering legislation (proving the predicate offence is necessary in some Member States);
- To understand which tools shall be applied to respective priorities;
- To bring knowledge together in a cross-border, multi-disciplinary process;
- To increase the amount of assets recovered;
- The timescale for asset recovery is usually longer than EMPACT reporting periods.

The EMPACT approach to criminal money can be strengthened in the following ways:

- Member States to recognize which cases are suitable for financial investigations by sharing and cross-checking information at an early stage via Europol.
- Europol should seek to provide horizontal assessments of cross-priority money laundering issues.
- If a case is interesting in terms of financial investigations, each Member State to plan how to carry out the financial aspects of the investigation.
- To make better use of operational meetings by involving financial experts, multi-disciplinary partners and the judiciary (Eurojust).
- When holding a strategic or operational meeting about a particular crime threat, to bring in an expert, who has access to the financial world and expert groups.
- To bring together collective understanding to see where the synergies lie in order to understand the business model in each of the threats.
- To use JITs as an instrument to develop the cooperation.
- In the future: selecting Action Leaders who have the appropriate (financial) knowledge concerning the topic. More harmonisation of the actions in the OAPs could strengthen the approach, especially when the Action Leaders would be joined in a horizontal expert group to support the EU Policy Cycle priorities (in cooperation with Europol).

The NECs, (Co-) Drivers, and Action Leaders need to play a role in stimulating the development of financial investigations and assets recovery: the NECs to organize events at the national level, supported by Europol (strategic products), the Drivers to implement these topics in the OAPs, to monitor the progress, improve common knowledge on phenomena and to develop and evaluate the business model; the Action Leaders to be capable of steering the process, finding the right people with a financial background or interest is important.

The business model should not only focus on financial investigation, but also include asset recovery. The Presidency will propose steps to strengthen the approach, focusing on the next EU Policy Cycle (including more harmonisation).

6. Reporting from COSI

Planning of the JADs 2016

The COSI SG Chair/ COSI Deputy Chair summarised the main developments with respect to the JADs. The French delegation initiated the development of the JAD definition. Currently, there are two documents available which provide a basis for the 2016 JADs, in addition, the Media Strategy will be developed. COSI hopes that these documents will address the operational requirements; sometimes there is a gap between the operational and strategic levels and it is necessary to pay attention to this gap.

The Chair stressed the importance the definition of the JADs which has allowed the drafting of the discussion paper on the JADs 2017 Planning Procedure, which will be discussed on the last day of the NEC meeting.

Alignment of the 8th Action Plan of the CCWP with the EU Policy Cycle

COSI has stressed the importance of customs' involvement in implementing the EU Policy Cycle. The Netherlands' Presidency organised a joint COSI SG/CCWP meeting on 3 March 2016. A document on synergies and cooperation possibilities was developed and coordination measures were proposed. Another COSI SG/CCWP meeting will be organised. The integration into the EU Policy Cycle of the valuable work of the customs services is making significant progress.

The European Commission stated that CCWP actions that are aligned with EMPACT and in the OAPs could potentially benefit from EMPACT grants.

State of Play of the Independent Evaluation of the EU Policy Cycle

In 2015, COSI decided that the independent evaluation should be carried out by an external evaluator together with a monitoring group of Member States' experts led by Belgium. In March 2016 the European Commission awarded the contract to a consortium - RAND Europe and Ernst & Young. The evaluation team has already conducted desk research, made a first visit to Europol and carried out several initial interviews. The evaluators were given the opportunity to conduct face to face interviews with some relevant actors in the margins of the NEC meeting. The European Commission stressed the importance of providing high quality responses to the evaluation team.

7. Criminal Use of the Internet/DarkNet

The Netherlands' High Tech Crime Unit representative made a presentation providing an insight into functioning of the DarkNet and the anonymity it offers to criminals. Europol EC3 contributed complementary information on the implementation of one of the largest cybercrime operations coordinated by Europol in the field of Cyber CSE. Detailed information on procedures applied during the operation was provided.

Europol EC3 presented a proposal to establish a horizontal group composed of the relevant Action Leaders from different EU Policy Cycle priorities with a view to organising regular meetings, using available technical solutions and discussing respective methodologies. The Presidency welcomed the proposal.

Europol EC3 also introduced a proposal to establish a training system based on three layers: the first layer providing basic knowledge on the Dark Web and technical means of investigation, the second layer focused on officers who are more specialised and more regularly involved in the technical investigations and the third layer addressing the key experts.

The Presidency informed the meeting about the document 'Effective operational cooperation in criminal investigations in cyberspace', that is currently under preparation at the COSI level.

8. Alignment of the 8th Action Plan of the CCWP with the EU Policy Cycle

The CCWP Vice-Chair presented the current priorities of the 8th Action Plan of the CCWP:

- 8.1 Illegal trade via Internet /small consignments;
- 8.2 ‘Customs against internet crime’ (C@iC);
- 8.3 Cash movements;
- 8.4 Illicit trafficking in firearms;
- 8.5 Export of strategic goods;
- 8.6 Regional occurrence of excise fraud (cigarettes and mineral oils);
- 8.7 Central Coordination Units.

COSI SG/CCWP agreed on the document ‘Synergies and opportunities for coordination between the activities developed under the EU Policy Cycle and the 8th Customs Cooperation Working Party Action Plan’. The Annex to this document which references the potential links between actions in the 2016 EMPACT OAPs and actions in the 8th Action Plan of the CCWP was presented.

The CCWP Vice-Chair stated that several EMPACT OAPs contain actions involving customs and foresee checks on goods; in several operational actions there is a requirement to check small consignments. He presented an overview of the Joint Customs Operations (JCOs) and EMPACT JADs planned in 2016 in which the overlaps were highlighted.

In order to achieve best possible synergies, the CCWP will ensure that the operational actions under the OAPs are taken into account in the drafting of the mandates for the implementation of the actions under the 8th Action Plan of the CCWP by liaising with the respective Drivers. The involvement of customs in the OAPs drafting shall be ensured by inviting either the respective Action Leaders or the CCWP Chair to the OAP drafting workshops; the General Secretariat of the Council has already issued an overview of contact details. CCWP is seeking to cooperate with EMPACT and work towards a more multidisciplinary approach.

Several Member States took the floor after the presentation of the CCWP Vice-Chair.

France stated that overlaps and redundancies between the 8th Action Plan of the CCWP and the EMPACT OAPs should be avoided.

Ireland pointed out the issue of using different communications systems. The CCWP Vice-Chair recognised this as one of the most important elements. If all customs organisations cannot use SIENA, there is a need to ensure availability of a second channel.

Belgium referred to the coordination of timing and to the two types of the JADs (The CCWP has a two-year cycle whilst the EU Policy Cycle is four years, with annual OAPs), and asked how the CCWP targets and decides when developing their own actions. The CCWP Vice-Chair explained that the two-year Action Plan cycle is sufficiently flexible to accommodate alignment with the OAPs and that a threat assessment from customs' perspective is used to decide on the respective actions.

9. EMPACT Joint Action Days 2016 – State of Play

The EMPACT Support Unit presented the new Ciconia Alba 2016 JAD logo and provided a brief overview on the development of the EMPACT JADs since 2014. The main activities undertaken in 2016 were listed: the JADs planning meeting held on 28 – 29 January 2016 at Europol attended by the NECs, Drivers, Co-drivers and EMPACT Support Managers during which seven potential JADs were identified and a JAD Action Leader training event on 7 and 8 April 2016.

A reference was made to two strategic documents on JADs approved by COSI in 2016 (doc. 8069/16 EU RESTRICTED and doc. 8127/16). Some characteristics of the definition of Joint Action Days approved by COSI on 21 April 2016 and an outline of the JADs planned in 2016 were presented. The EMPACT Support Unit invited the delegates to provide feedback on the presented overview. A Media Contact Points meeting will be held on 7 and 8 June 2016 at Europol. Final figures reflecting results of the 2016 JADs would be available close to the COSI meeting in December 2016.

During the discussion the Driver of the OPC priority invited Drivers of other priorities, who expressed their interest in a JAD during the planning meeting in January, to a coordination meeting. EMPACT Support Unit welcomed this intervention. The Driver of the Firearms priority provided more insight into planning of a respective JAD. Frontex proposed some amendments to the presented overview of the planned 2016 JADs.

10. EMPACT Joint Action Days 2017 Planning Procedure (Discussion Paper for NECs)

The Chair presented the discussion paper prepared by the Netherlands Presidency and Europol. It concerned the proposed planning procedure for JADs 2017 in 7 steps with the aim to achieve a timely collaborative planning of JADs, following the definition as validated in COSI on 18 April 2016. A timely planning makes it possible for the Law Enforcement Agencies of the participating Member States, (multidisciplinary) partners and EU Agencies to adopt the actions including the necessary staff capacity in the (national) plans. The planning procedure includes the strategic guidance of COSI.

The General Secretariat of the Council and Frontex proposed some drafting amendments. The Belgian NEC and the Spanish driver of Illegal Firearms remarked that the plan is logical; however, the time schedule is demanding and requires a high level of commitment of drivers, co-drivers and especially the action leaders. The Presidency stated that the main condition of a successful JAD planning procedure is the commitment and the role of the Action Leaders organising the process.

11. Operational Cooperation with Third Countries

The Euromed Police IV Project Leader presented the main developments in the framework of the project which includes Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Palestinian Authority, Syria (temporary suspended) and Tunisia.

The overall objective is to increase citizen security across the Euro-Mediterranean area through the strengthening of cooperation between ENI SPC, as well as with the EU MS and other third countries. There are two expected results:

- Coordinated approach to cooperation in the Euro-Mediterranean area in priority areas aligned with the EU Policy Cycle and complement to the MASPs.
- Strengthening of strategic and operational cooperation between the SPC and with the Member States and Agencies.

The Euromed priority areas in the alignment with the EU Policy Cycle were listed: [Terrorism], FII, THB, Counterfeit goods, Excise and MTIC Fraud, Synthetic Drugs, Cocaine and Heroin, Illegal Firearms Trafficking, Organised Property Crime and Cybercrime.

In reply to questions from Austria the Euromed Police IV Project Leader informed the meeting that the project will start soon, currently the necessary information is being collected. He expressed an interest in receiving information on the Member States' activities in the region to avoid duplications. The EUROMED project would later identify which activities could be performed jointly.

Spain asked the EMPACT Support Unit to prepare an overview of specific operational actions identified in different OAPs related to the MENA countries. Poland expressed an interest in an update on the experience in the MENA region. Belgium asked if EUROMED could be used as a platform to facilitate cooperation in MENA region. Belgium proposed to gear the cooperation with Third Countries between the EU Policy Cycle priorities giving the example of the coordinated cooperation between the 10 MS and China in EMPACT THB, whilst China is also of importance for EMPACT Synthetic drugs.

The Presidency confirmed that it is necessary to further coordinate and strengthen the process of cooperation with Third Countries.

12. European Cross-Border Surveillance Working Group

The Chair of the European Cross-Border Surveillance Working Group introduced the expert group's mission and vision. He also informed the delegates about a threat assessment currently under preparation looking at all aspects of cross-border surveillance that will be finalised in Stockholm next week.

13. EMPACT Updates and Changes

EMPACT Support Unit gave an update on the changes to EMPACT since the last NEC meeting held in November 2015 including the latest changes in EMPACT participation.

14. Conclusions by the NL Presidency of the Council of the European Union

The chair concluded on the NEC meeting and presented an overview of the priorities, policy proposals and conferences organized by the Netherlands Presidency, including the topics relevant for the EU Policy Cycle.

15. Incoming Presidency of the Council of the European Union

The Slovak Presidency presented the priority proposals for their Presidency period July to December 2016 (to be approved by the Government of the Slovak Republic in June 2016):

- Effective implementation of the European Agenda on Migration;
- The proper functioning and strengthening of the Schengen area;
- Preparation of a document "Impact Assessment" concerning an amendment to the rules governing SIS II;
- Progress in negotiations on the "Smart Borders Package";
- Progress in negotiations on the "Border Management Package";
- Negotiation on an amendment to the Visa Code;
- Implementation of the respective measures to combat terrorism;
- Implementation of the European Union Internal Security Strategy 2015-2020;
- Negotiations to amend existing laws on the acquisition and possession of firearms.

The incoming Slovak Presidency also informed about the organisation of a number of events to be held in the Slovak Republic. The next NEC meeting under the chair of the Slovak Presidency will take place on 22 & 23 November 2016 at Europol HQ.

16. Presidency Conclusions

The Presidency (NEC and co-NEC) expressed their gratitude for the contributions by the participants to the NEC meeting. The discussions led to some new insights concerning the way that EMPACT can be taken forward by drivers, co-drivers, action leaders, EU Agencies, participants and (multidisciplinary) partners. Good practices were shared and some practical and concrete areas for improvement were identified, realizing that the independent evaluation takes place simultaneously.

In general, the EMPACT projects have made significant steps forward since the start of the Policy Cycle. The cooperation between MS, agencies, multidisciplinary partners and private partners (like the banking sector) is still developing. The judiciary (Public Prosecutors Office) seems to be the next crucial partner to be involved in a structural way. The cooperation with Third Countries is of increasing importance and requires for more coordination. Further extension of these forms of cooperation will require financial support to organise the necessary meetings introducing the projects and to build up networks.

Drivers have reported on substantial results. Operational information and cases shared via Europol have led to an increased awareness on (new) trends and modi operandi and cross cutting elements as a part of the criminal business models of organised crime groups, like the use of the internet/DarkNet and specific modi operandi concerning criminal money. Tackling these specific areas requires specific knowledge to be incorporated in the EMPACT groups and knowledge to be exchanged. CEPOL supports this process already by providing trainings. But thematic meetings on horizontal topics through the different EU Policy Cycle priorities, supported by Europol (EC3, Focal Point Sustrans and Focal Point Asset Recovery) and other relevant Agencies like Eurojust will be crucial.

One of the common elements of the conversations during the NEC meeting was the necessity of EU wide commitment and support to carry out the OAPs. The discussions included two elements:

The first one is the contribution by Member States by taking responsibility for the EU Policy Cycle priorities by delivering drivers, co drivers and action leaders and to contribute to the actions at EU level. Especially the role of the action leader turns out to be very crucial in this process. The workload arising from the OAPs is substantial and the burden should be spread over the Member States. Sharing the workload could generate more efficiency, effectiveness and strength to combat organised crime. A definition for co-driver and action leader is proposed to reflect the integral role of the co-driver and action leader. (ANNEX I)

The second element concerns the return of investment of EMPACT. Taking full advantage of the EMPACT projects asks for strong support at national level, promoting EMPACT to be the prominent channel for cross border cooperation on the prioritised crime areas, emphasising the necessity of cross border and multidisciplinary cooperation on targeting organised crime.

The NECs play a crucial role in this, but support from COSI and the strategic level in the Member States is necessary to strengthen the process. It is advised that new EU projects targeting the same crime areas as the EMPACT projects will be developed under the umbrella of the EU Policy Cycle on organised crime or that coordination and cooperation is sought in order to avoid overlap and to ensure the most efficient use of (financial) resources.

Finally, the Presidency (NEC Netherlands) thanked Europol for the excellent cooperation during the preparation of the meeting.

Proposed definition of the Co-Driver and action leader

In the document “EMPACT Terms of Reference” (Council document reference 14518/12) the roles and responsibilities of the actors in EMPACT are described, including the roles of the Driver and the participants in the projects. Since the document was drafted and approved in COSI (on 21 September 2012), the process of cooperation in EMPACT has developed. The involvement of Member States in the role of Co-Drivers has increased and the role of action leaders has become essential to achieving success. Neither the Co-Driver nor the action leader roles were described in detail in the EMPACT Terms of Reference.

During the current EU Policy Cycle the NECs have experienced that the role of the co-driver and action leader is rather crucial. However, the lack of common definition of the role of the co-driver and action leader hampers effective implementation of the operational action plans.

Therefore, the following definitions on the role of co-driver and action leader have been established by the NECs on the basis of a questionnaire and discussion during the NEC meeting 24-26 May 2016. It is based on all the input from MS and EU Agencies. This also provides input to the ongoing independent evaluation on the EU Policy Cycle.

Definition co-driver

Where a co-driver is appointed in an EU Policy Cycle priority, it is the responsibility of the co-driver to:

- Liaise with, and support the driver with all issues related to the successful implementation of the OAP together with the action leaders and the group
- Chair and coordinate meetings, and substitute in the absence of the driver
- Support to draw up, together with the EMPACT group, the OAP

- Support the driver to keep close contacts with the participating MS and Agencies on the integration of the actions developed in the OAPs into their national planning and the Agencies' yearly work programme
- Liaise, where relevant, with or on behalf of the driver on cross-cutting issues with drivers/co-drivers of other relevant EMPACT priorities
- Assist the driver in his/her responsibility to report towards the EMPACT Support Unit

The Driver may delegate specific tasks to the Co-Driver (e.g. division of SGs, finance, operational activities)

Definition action leader

On behalf of the Driver, it is the responsibility of the action leader to:

- Ensure the implementation of the OAs, including financial management when funded and with regards to the KPIs/goals
- Follow up/monitor timelines and deadlines of the OAs
- Maintain communication with the participants and relevant stakeholders in the OAs
- Organize and chair meetings in relation to the OAs
- Review, assess and evaluate OAs
- Provide input for the Driver's reporting
- Draft action plan for OAs (workbook)

Because of the important task of the action leader, he or she should demonstrate strong leadership and sufficient substance and support at national level in order to safeguard the execution of the OA.