

9576/97

LIMITE

ENFOPOL 162

NOTE

from : Presidency

to : K.4 Committee

Subject: Provisional work programme of Steering Group II and its working parties for the period 1 July to 31 December 1997

Introduction

The 1997 Luxembourg Presidency work programme for all Steering Group II Working Parties (Police and Customs Cooperation) draws on the Council Resolution on the JHA multi-annual work programme (9043/96 JAI 46) and the Irish and Netherlands Presidencies' programmes for Steering Group II.

The Luxembourg Presidency will also take account of the action plan on drugs adopted by the 1996 Madrid European Council.

The Luxembourg Presidency's aim is to promote pragmatic police and customs cooperation at European level.

This work programme also incorporates the so-called horizontal topics, i.e. "*cooperation with third countries*", "*cooperation with the countries of Central and Eastern Europe (CCEE)*", "*racism and xenophobia*" and "*trafficking in human beings*".

Finally, broadly speaking, the Luxembourg Presidency will give priority to the implementation of the recommendations of the High-level Working Party as approved by the Amsterdam European Council, which should allow progress to be made in the fight against organized crime.

Work programme of the ad hoc Europol Working Party

In accordance with the undertaking given pursuant to Article K.1(9) of the Maastricht Treaty and account being taken of the Council Resolution laying down the priorities for cooperation in the field of justice and home affairs for the period 1 July 1996 to 30 June 1998 (JAI 46), the Luxembourg Presidency of the ad hoc Europol Working Party intends to continue along the lines followed by the previous Presidencies.

The Presidency is relying on the support and cooperation of all delegations, the Council Secretariat and the Commission, as well as on the valuable assistance of the EDU.

Conscious as it is of the urgent need to improve police cooperation, the Presidency will concentrate its efforts on the following two fronts:

1. legislative progress within the context of the implementation of the Europol Convention, and
2. the development of the activities of EDU-Europol and the monitoring of its management.

1. Implementation of the Europol Convention

The Presidency is aware that priority must be given to expediting completion of the implementing arrangements for the Convention before ratification by the Member States and will, thanks to the progress made and discussions held during the Netherlands Presidency, continue work on

- (a) the draft Regulation on the protection of confidential information
- (b) the draft rules provided for in Article 18(2) (communication of data to third States and third bodies)
- (c) the draft rules provided for in Article 10(4) (receipt of data from third States and third bodies)
- (d) the rules of procedure of the joint supervisory body
- (e) the method for organizing the index system.

With respect to (d), the Presidency will contact the Group of Data Protection Commissioners with a view to ensuring that an initial draft Regulation is available as soon as possible.

Once the Convention enters into force, Europol's successful operation will hinge on the computer system's state of readiness. The Presidency will obviously devote some time to a discussion of certain questions of principle as regards information technology policy so that it can establish guidelines for the practical implementation by the technical Working Parties.

2. Monitoring of the management of EDU-Europol

Aside from carrying out the tasks of day-to-day operational control, the Presidency's objective is to have the Council adopt

- the work programme of EDU-Europol for the period January to June 1998;
- the EDU's activity report for the period January to June 1997.

In addition, a draft budget for 1998 will be drawn up for Europol.

Work programme of the Working Party on Drugs and Organized Crime

The future proceedings of the Working Party on Drugs and Organized Crime and the definitive programme of the Luxembourg Presidency depend to a considerable extent on the decisions taken at the Amsterdam European Council on the basis of the proposals made by the High-Level Working Party. The Luxembourg Presidency will make every effort to give effect to these decisions as soon as possible. Subject always to the possibility of a more appropriate forum being established or designated, the Luxembourg Presidency proposes to focus the efforts of the Working Party on Drugs and Organized Crime on the following issues.

1. Combating drugs

Within the context of the application of the Joint Action, the Luxembourg Presidency will continue its work on the basis of the interim report submitted to the Amsterdam European Council while taking account of the priorities adopted under the Netherlands Presidency by the Working Party on Drugs and Organized Crime, with a view to drawing up the first evaluation report to be addressed to the European Council in Luxembourg.

The Presidency intends to lay particular stress on:

- combating intracommunity traffic, including drug-tourism, examining regional initiatives and operations and studying with EDU-Europol the possibilities for an evaluation of the phenomenon;
- continuation of the work begun on synthetic drugs, including work on purity indicators;
- further work on trafficking in drugs from Latin America and trafficking in heroin with progress reports being sent to the K.4 Committee at regular intervals;
- a discussion on the conclusions of the second meeting of high-level experts with the Andean countries (18 and 19 June 1997) and of the seminar being organized by Spain in the autumn;
- examination of measures to improve police and customs cooperation in the combating of illicit production and the diversion for illicit use of narcotic and/or chemical substances;
- follow-up to the work on monitored deliveries;
- joint assessment with the Working Party on Customs Cooperation of methods of cooperation between police and customs services.

In addition, the Presidency proposes to make a more general examination of the measures and experiments carried out with success by certain Member States with a view to extending them to all Member States of the Union. In this context, it will keep a close eye on the project involving the monitoring of routes provided for under the Schengen Agreement as a contribution to combating transborder traffic in drugs, and will cooperate with the Austrian Schengen Presidency to draw conclusions or make proposals which might be taken into account when a similar project is put in hand at European Union level.

In accordance with the decision taken by the JHA Council on 28 November 1996, the Luxembourg Presidency will continue its evaluation of the implementation of the recommendations addressed to the CCEE and will examine the extent to which the CCEE could be involved in the initiatives planned in the EU framework.

2. 1996 annual report on organized crime in the European Union

The 1996 report on organized crime in the European Union will be submitted in September 1997. In preparing it, the Luxembourg Presidency, in close cooperation with EDU-Europol, will already take account of some of the mechanisms adopted at the beginning of 1997 by the Working Party on Drugs and Organized Crime to improve the quality of the report in an effort to make it easier to establish recommendations. To that end the "Contact Network" will be involved in the utilization of national contributions so as to render the overall report more homogeneous.

3. Trafficking in human beings and sexual exploitation of children

The Luxembourg Presidency intends to study the specific investigative methods used by the law enforcement agencies to combat this particularly serious form of crime including the aspect of means of inducement, such as on line data services.

A seminar will be arranged with EDU-Europol to tackle operational problems.

4. Money laundering

The Luxembourg Presidency will continue the work begun under previous Presidencies and more particularly the feasibility study regarding the structured exchange of police information on combating money laundering, and will begin examining the proposals made by EDU-Europol.

5. Exchange and exploitation of police information

The Luxembourg Presidency makes provision in its programme for examination of the conclusions of Intellex 97 to define the operational objectives which can be achieved directly and identify recommendations designed to offset the difficulties obstructing the effective exchange of tactical or operational information.

6. Credit card fraud

The Luxembourg Presidency proposes tackling the problem of credit card fraud by examining the possibilities for close cooperation with private bodies administering credit cards.

7. Traffic in stolen vehicles

Where stolen vehicle traffic is concerned, the Luxembourg Presidency is of the opinion that the conclusions reached following the first project organized under the Schengen Convention to monitor routes could usefully be studied to channel further proceedings within the European Union in conjunction with EDU-Europol. A seminar will be arranged in Luxembourg with the CCEE attending.

Initiatives involving the networking of registration services and training programmes will be developed with EDU-Europol.

8. Transatlantic dialogue

Within the framework of the Working Party on Drugs and Organized Crime, the Luxembourg Presidency intends to organize a European Union/United States/Canada seminar to exchange information and experience on certain forms of organized criminal activity (situation analysis and risk assessment).

Work programme for the Police Cooperation Working Party

Continuing the work accomplished under the Netherlands Presidency, the Luxembourg Presidency's programme for the Police Cooperation Working Party is in two parts, a general part and a "technology and interception" part.

A. General part

1. Cooperation on training

The Luxembourg Presidency proposes following up or intensifying the initiatives already in hand, including in particular the cooperation established with the Association of European Police Colleges (AEPC) on the basis of the decisions adopted in this connection under the Netherlands Presidency.

2. Cooperation with the CCEE

With a view to improving the coordination of police cooperation measures vis-à-vis the CCEE, the Luxembourg Presidency will give all appropriate attention to the examination and follow-up of requests for opinions made to the AEPC under the Netherlands Presidency with respect to:

- the annual inventory of bilateral cooperation projects and action between Member States and the CCEE
- assistance with training (European curriculum) for CCEE police forces.

3. Cooperation on public order and security

As regards public order and security, the Luxembourg Presidency proposes compiling a register of competent central authorities on the basis of the provisions of the joint action of May 1997.

It will also tackle the implementation of the Council Resolution on preventing and restraining hooliganism.

B. Technology and interception part

In general, the Luxembourg Presidency proposes following the proceedings of the various technical Working Parties in the following areas:

- interception of satellite communications
 - Internet
 - European radiocommunication standard,
- and improving cooperation with ENFSI.

General questions will always be discussed on the first day of the meeting while subjects related to the "technology and interception" aspect will be discussed on the second day.

Work programme for the Customs Cooperation Working Party

1. Common strategy at external frontiers

As part of the effort to improve the effectiveness of the fight against illicit traffic in sensitive goods and illicit drug trafficking, the Luxembourg Presidency will continue the proceedings to establish a common strategy at external frontiers with appropriate adjustments for the various types of frontier. The Presidency will pay particular attention to the implementation of the recommendations from the United Kingdom as the lead country for the common strategy at external frontiers (point No 18 on the list adopted in Madrid).

2. Joint customs surveillance operations at external frontiers of the Union

The Presidency will begin the implementation of the recommendations made in the Resolution concerning a handbook for joint customs surveillance operations, by initiating the specific operations scheduled for the second half of 1997 and developing the action being taken with respect to the Balkan route which is planned for the end of 1997 under the aegis of the WCO and which is to be coordinated by Germany.

3. Risk analysis

The Presidency will devote particular attention to the practical implementation of the joint action for the refining of targeting criteria, selection methods and the collection of customs and police information.

4. Container controls

The Luxembourg Presidency will make an assessment of the outcome of the visits made by experts to Antwerp, Felixstowe, Hamburg, Le Havre and Rotterdam. The preparation of a common training handbook for container controls and the promotion of joint operations will also form part of the Presidency's programme.

5. Naples II Convention

The Presidency will continue the work on the so-called Naples II Convention and will attempt to reach agreement on the questions outstanding so that the Convention can be signed before the end of the year, thus complying with the deadline set by the Amsterdam European Council.

6. Strategic action programme as regards customs – IIIrd pillar

The Presidency proposes continuing the work begun in previous Presidencies and will aim to achieve agreement on the revised French proposal.

7. Traffic in works of art and radioactive materials

The Presidency will take the necessary follow-up action to the conclusions reached at the seminar held by the Italian customs authorities on traffic in radioactive materials and works of art.

8. Combating counterfeiting

On the basis of a paper from the Netherlands delegation on counterfeit and pirated goods, the Presidency aims to draw up common guidelines to lay even greater stress on the role played by the customs authorities in combating this new form of fraud.

9. CIS Convention

The Luxembourg Presidency will be placing CIS-Convention matters on the agenda. These include ratification by the Member States, the intended provisional entry into force and the launching of the planned CIS Committee and the Council's policy for further development of the CIS.

10. Follow-up to Memoranda of Understanding between customs authorities and business operators

The Presidency will continue with the assessment of the joint action adopted under the Irish Presidency.

11. Follow-up to the Council Resolution on the drawing up of police/customs cooperation agreements in the fight against drugs

The Presidency will make a joint assessment with the Working Party on Drugs and Organized Crime of progress to date with implementing the Resolution in question.

Work programme for the Working Party on Terrorism

1. Introduction

The activities of the Working Party on Terrorism will be continued in line with its activities in previous years. The main focus will continue to be the strengthening of cooperation between Member States. Priority is being given to obtaining an up-to-date picture of important events and trends in the sphere of terrorism, paying special attention to Islamic terrorism and separatism. A key move here will be to draw up the document on the terrorist threat. In future, data on information technology problems in connection with terrorism will be included. Another important initiative in combating terrorism is the list of counter-terrorist centres of excellence.

2. Input of the Luxembourg Presidency

– Recent terrorism developments

To assist the Working Party's proceedings and strengthen cooperation between Member States, the Presidency proposes continuing the practice whereby Member States take advantage of Working Party meetings to exchange information on recent developments with respect to terrorism as seen from the most significant incidents and trends in this respect.

– Document on the terrorist threat

An attempt will be made to complete this six-monthly update of events and trends in the field of terrorism in October 1997, including the summary and analysis of the document. Member States are therefore requested to send the Presidency the information they wish to have included in the document by 15 September 1997 at the latest. Henceforth the document will also include information on information technology aspects as they relate to terrorism (problems of interception, the internet, electronic sabotage).

– **List of counter-terrorist centres of excellence**

This list is intended to facilitate counter-terrorist cooperation between the Member States of the European Union by making available each other's counter-terrorist know-how, skills or expertise. Every Member State will indicate the particular forms of know-how, etc. which it can offer and which other Member States can make use of. The list will be kept up to date by the United Kingdom delegation until the end of its own Presidency.

– **Counter-terrorist action under the Second Pillar**

An effort will be made through the Working Party to obtain an even clearer picture of counter-terrorist initiatives elsewhere. Within the European Union framework, joint activities will take place with the COTER Working Party (CFSP).

– **Consolidation function of the Working Party**

The Irish Presidency embarked on a consolidation of Agreements, etc., on the basis of the Working Party's activities. This will be continued.

3. **Seminar**

The Luxembourg Presidency is to organize a seminar on the "Funding of Terrorism" on 17 and 18 November 1997 which the United States, Canada and Japan will also attend.
