

J+1A
8A-SCA

EUROPEAN UNION
THE COUNCIL

Brussels, 15 November 1995

11640/95

LIMITE

EUROPOL 113

N O T E "A" POINT

from : the Permanent Representatives' Committee (part 2)

to : the Council

No. prev. doc.: 10301/5/95 EUROPOL 97 REV 5

Subject: Europol Drugs Unit - Working Programme January to June 1996

1. At its meeting of 14 November 1995, the COREPER reached agreement on EDU/Europol's working programme for the first half of 1996 as attached, it being understood that the Europol Working Party would control EDU's activities.
 2. The Council is invited to adopt this report as an "A" point.
-

EUROPOL DRUGS UNIT - WORKING PROGRAMME

JANUARY TO JUNE 1996

I. Introduction

This document sets out the planned working programme of the EDU for the first half of 1996. The programme has been and will continue to be developed and specified, taking into account recommendations and requirements of the Member States' law enforcement agencies, as put forward by the Heads of National Units, and to be submitted for final agreement to the Europol Working Party.

Additionally, the signing of the Europol Convention on July 26, 1995 in Brussels will affect all activities to be undertaken in the coming year(s) rather than just the first six months of 1996.

Following agreement to the Europol Convention, the EDU Business Plan will be reviewed in co-operation with the Heads of Europol National Units in order to facilitate a long term strategy and to ensure continuity in the bi-annual working programmes.

The working programme is divided into two parts:

- EDU-related activities based on the Joint Action (chapter II) and
- preparatory activities for the post-Convention situation (chapter III).

II. EDU-related activities

1. General

All EDU activities will be carried out within the remit set out in the Joint Action and in line with the expectations of the law enforcement agencies of the Member States as identified by the Europol National Units (ENUs).

The exchange of information and the production of strategic and operational analysis reports remain the main activities of the EDU. Special attention will be given to improve the quality of the information exchanged. However, it is expected that the Europol National Units will increasingly use the facilities of the EDU to support ongoing operations and investigations, without itself being operational.

The improvement of the use and involvement of the EDU in international law enforcement co-operation, in terms of both quality and quantity, is the responsibility of both the EDU and the Europol National Units.

Within the broad framework provided by the Joint Action, the EDU is engaged in ongoing consultation with representatives of Member States and Europol National Units as to needs as well as seeking to develop agreed strategies to meet these. At this stage in the organisations development, the focus is on becoming more pro-active by adopting a project-oriented approach and collaborating with the Europol National Units in respect of specific areas of work. In this context, the organisation will be addressing, with its users, issues associated with project choice and the quality and quantity of projects to be adopted. Some examples, still the subject of consultations, are cited on pages 3 and 4 of this programme.

Internationally, the EDU, advised by the Europol National Units and steered by the Europol Working Party will continue the endeavour to harmonise its activities with those of other appropriate international law enforcement agencies and international organisations, such as ICPO-Interpol, the World Customs Organisation (WCO) and the United Nations Drugs Control Programme (UNDCP).

In line with the expectations of the Heads of Europol National Units and respecting the EDU mandate, the EDU will also avoid duplication in appropriate areas of work with European Institutions and other bodies.

On request of the Steering Group II ⁽¹⁾, the HENUs (with EDU support) will prepare:

- an evaluation exercise on the quality of its service in relation to Member States;
- a study on the relationship between ICPO Interpol and EDU (future Europol).

In line with the recent agreement of the Working Party on Europol the relationship between the Europol National Units and the EDU will be further developed and defined.

2. Support Function of the EDU for Actions and Investigations in the Member States

The EDU intends continually to enhance co-operation with the Member States' Europol National Units in general:

- by developing a strategy for the routing of inquiries by the National Units;
- by developing a strategy for day-to-day work, to be translated into practical user guidelines for the Europol National Units;

⁽¹⁾ doc. 9710/95 ENFOPOL 96 page 6

- by striving to increase the speed, the quality, and the completeness of replies to enquiries and operational support by maintaining a measuring and evaluation system;
- by organising the required expert meetings (e.g. illegal immigration, money laundering) in order to prepare or implement recommendations, proposals and plans for future developments to be discussed at the March 1996 Heads of Europol National Units meeting;
- by facilitating and improving the support given on request to Member States' law enforcement agencies, offering the use of new EDU facilities for Member States' operations and providing operational analytical support to liaison officers on a bi-lateral basis (EDU itself being a non operational unit).

The EDU's main projects in specific fields of criminality:

For each proposed project there will be consultations with Member States and Heads of National Units regarding project objectives, costs, time scale and outputs sought as well as agreement to arrangements for monitoring and control and for ensuring consistency and quality. Once an agreed list of projects has been finalised, arrangements will be made for regular assessments of progress involving the Heads of National Units, before a final evaluation by the Europol Working Party. The main projects presently under consideration are as follows.

Drugs

- to analyze and implement the results emanating from the conferences on controlled deliveries and related surveillance techniques in order to harmonise methods and techniques where appropriate in agreement with the Heads of Europol National Units;
- to continue the development for use throughout the EU of a database system on ballistic profiling in respect of ecstasy (possibly to be extended to other forms of synthetic drugs);
- to consider the provision of a regular bulletin on the outward appearance (packaging) of all drugs seized in the EU (within agreed parameters), following a review of similar work being conducted elsewhere (e.g. Interpol) to avoid duplication of effort, as sponsored by the current Presidency;
- to consider the implementation of a bulletin board system for information to be forwarded to ENUs;

- in order to rationalise the collection of data and in line with ENUs expectations and decisions, to provide a structure for the transmission of information by Member States to the EDU and to the European Drugs Monitoring Centre in Lisbon; and to establish an exchange of information (e.g. statistics) between these institutions based on an agreement to exchange data in respect of police prevention measures.

Money Laundering

- to support the implementation of the strategy on money laundering, due to be presented to the Council, leading to investigation-related initiatives. Accordingly, the EDU proposes to initiate a study to identify the possibilities for Europol to be notified of those suspicious transactions ⁽¹⁾, from the Member States. Additionally, to analyze the need for harmonisation of the various relevant national legislations and procedures, taking into account the work already being carried out by FATF.
- to consider possible initiatives related specifically to the cash flow across EU borders.

Nuclear crime

- to make available to the law enforcement agencies of the Member States (via Europol National Units) the information and expertise accrued from the expert meeting held in 1995;
- to consider the feasibility of an EU law enforcement database and to organise exchange of information in relation to experiences with technical preventive equipment;
- further to the training of the ELOs and the EDU analysts, in order to enhance expertise in this field of criminality, to consider the production of a threat assessment to complement the situation reports currently being produced by other organisations (e.g. Interpol);
- to implement the results of the meeting scheduled for October 26 - 27 and evaluate the situation and possibilities for future law enforcement co-operation in the field of illicit trafficking in radioactive and nuclear substances and to enhance EDU participation.

(¹) Article 6 of the EC Directive on money laundering (91/308/EEC)

Illegal Immigration

- to implement the orientations of the Heads of Europol National Units resulting from the action plan developed by the project team on crimes involving clandestine immigration networks and to present the conclusions and proposals to the relevant authorities; and initiate possible co-operation with CIREFI;
- to develop a strategy with the appropriate authorities in the Member states to overcome the legal and procedural difficulties encountered in support of ongoing operations in this field of criminality;
- to progress the Balkan route illegal immigration project.

Stolen Vehicles

- following an evaluation of experience in the exchange of intelligence to date, to increase the awareness of all law enforcement personnel in the Member States about the potential benefits of the EDU in this field of criminality;
- to enhance bilateral and multilateral activities in the field of illicit vehicle trafficking in order to fulfil the specific tasks of the EDU as detailed in the Joint Action.
- to carry out a multilateral stolen vehicle project together with some forerunner countries;
- to develop a systematic analysis in order to disseminate intelligence on the modus operandi used in this field of criminality (e.g. falsification of documents, routing of stolen vehicles, theft techniques, structure of the criminal groups).

Proposed EDU's analysis projects would:

- implement results emanating from the analytical conference scheduled for December 7, 1995 and evaluate the situation and possibilities for future law enforcement co-operation in this field;
- promote and if possible establish direct access by ELOs to Member States' tactical and strategic information and intelligence databases,

- implement a strategy for the effective gathering of information and intelligence in respect of the following specific projects:
 - = EU Threat Assessment document (organized crime)
 - = Threat Assessment on specific threat (if agreed at the Heads of Europol National Units meeting to be held in November 15/16)
 - = EU Drug Situation Report (this document will be linked to the EU survey by experts on the size and impact of organised crime involved in the drug trade, and may become a future task of EDU);
- provide the annual drug seizure statistics for 1995/96 and bi-annual drug price documents through the collection of the relevant data.

3. Meetings

At this point in time the following meetings are planned for the first half of 1996:

Date (1996)	Subject
February	Illegal immigration
March ⁽¹⁾	Heads of Europol National Units
April	Money laundering
April	Financial experts
to be determined	Airport intelligence (chaired by Belgium)

(¹) exact date(s) to be confirmed in line with the third pillar timetable.

4. Personnel

Previously authorised recruitment for the first half of 1996 will be taken forward together with necessary replacements when required. In connection with the recruitment of new personnel an introduction programme will be developed to assure a fast and efficient start within EDU.

Together with the competent Member States' authorities, EDU will prepare and develop in detail the Staff Regulations for the EDU personnel in order to support the Europol Working Party.

A Personnel Filing System will be developed, taking into account the differences in legislation and conditions of service in the 15 Member States.

5. Finance

Following the amendments to the present budget regulations and financing principles the internal procedures concerning the implementation of the budget will be improved and streamlined.

The draft EDU budget for 1997 will be prepared.

6. General Services

The renovation of the Europol building is almost complete. Outstanding work includes modifying the entrance for disabled persons and drawing up proposals for improved climate control in the offices in the old part of the building.

A contracts register will be set up jointly, to record and monitor all contracts including maintenance of the building and of all technical equipment.

An inventory system is also planned. This will show more clearly than at present who owns what items of furniture and equipment (Host State, Common Budget, Member States or future Europol) and where the responsibility for maintenance and replacement will lie. The new system will form an integral part of the future financial planning and management system.

7. Security

The priorities for 1996 will be to develop the specialist skills of security staff; to optimise staffing levels and manpower planning; and to elaborate the detailed security plan for Europol.

8. Training

The EDU will throughout 1996 develop and implement a training strategy which will have as its aims to:

- improve the effectiveness of the organisation by ensuring the availability of properly trained staff with the relevant skills for their duties (first priority);
- consider the training requirements of ENUs with a specific training need, in consultation with Heads of Europol National Units and following the agreement of the Europol Working Party, consider how these can best be met, including by the EDU, as appropriate
- encourage the personal and professional development of individuals, both in the short to medium term interests of EDU and later of Europol, and in the medium to long term interests of the law enforcement agencies which they belong to.

Because training is expensive, both in direct costs and in terms of abstractions, there will first be a careful assessment of the needs of EDU and of the personnel. This will be followed by a thorough and continuing evaluation of benefits.

9. Information Technology

The IT bureaus main priorities during 1996 will be to:

- maintain the operational effectiveness of present systems, with a specific emphasis on maximising the technical performance of the network and the security of data.
- enhance those facilities which will significantly improve the performance of individuals or units in a cost effective manner, through closely focused IT training and the development of applications (such as *Information Exchange* and *Logo* which will positively impact on EDU's core business).

10. Awareness Programme

EDU's success is totally dependent on a free flow of information between itself and its ultimate customers, the law enforcement personnel of the Member States.

EDU will therefore develop a two way **communication strategy** which will have both an internal and an external dimension. It will aim to improve:

- the knowledge of all law enforcement personnel in the Member States about the potential benefits of the Europol Drugs Unit

- the knowledge of EDU personnel about the needs of the National Units and of the law enforcement agencies they serve
- EDU's ability to respond effectively to those needs
- the feedback to EDU about the value of its contribution.

III. Preparatory activities for the post-Convention situation

1. Vision and structure of Europol

Under the guidance of the Working Party on Europol, the EDU is preparing a document setting out a post-Convention vision, including Europol's organisation and structure.

2. Post-Convention Information System

The information system envisaged in the Europol Convention will have to meet a number of requirements, including:

- storage of certain types of data with different levels of access;
- exchange and handling of data within Europol and with the National Units;
- strict compliance with the Convention, data protection and other rules.

It could take up to two years to provide the system (plus the time it takes individual countries to implement their parts of it). Its development should therefore be initiated as soon as possible.

EDU has been instructed to call a meeting of IT experts from the Member States to carry out a feasibility study, draw up a development programme and timetable, and calculate the financial implications. Subject to their advice and the decisions of the appropriate bodies, in particular relating to resources, a project team will be established. Issues to be addressed include: the technical, legal and financial aspects; planning and control; liaison with National Units and with suppliers; documentation, formulation of an operational requirement, evaluation of tenders, contract negotiation, detailed specification, preparation of test scripts and dummy databases, functionality and volumetric testing, formal system acceptance procedures, training and implementation both in-house and within the 15 National Units (many of which will require considerable support). Quality assurance will be of paramount importance.

The project teams tasks during the first 6 months should include the production of the following documents :

- Overall project plan
- Implications of the Convention for the system architecture
- Functional requirements and constraints imposed by the Convention
- User requirements
- Legal position
- Inventory of Member States' desires and possibilities
- Proposed system architecture
- Proposed functional architecture
- Financial implications
- Supplier selection criteria
- Training plan
- Implementation procedures.

3. Analysis

EDU and Europol National Units will start to develop common methods for strategic, tactical and operational analysis taking into account the respective articles of the Convention and the work already undertaken in the different EU working parties and in the Member States.

4. Headquarters Agreement

The various aspects of the future Headquarters Agreement are to be studied and a draft prepared in close co-operation with the Dutch competent authorities from the Ministries of Foreign Affairs, Justice, the Interior, Finance and Social Affairs.

The main items of the Headquarters Agreement will determine the position of Europol with respect to the legal status, finances, inviolability, immunities and privileges of the organisation, its premises and its staff.

5. Post-Convention Regulations

An EDU contribution to the creation of regulations in consultation with the Working Party on Europol will be made (see article 45 of the Convention and others), e.g.:

- to contribute to the preparation and development of the Staff Regulations for the permanent and temporary personnel of Europol;
- to contribute to the development of the financial regulations and the necessary arrangements initiated for their implementation. This will include, amongst other things, the planning for the setting up of a financial administration system independent of the Dutch Ministry of Justice, and training of personnel.

FINAL COMMENTS

Responsibility for implementing each individual item detailed in this working programme is assigned to a particular member of the Management Team.

All planned measures detailed in **part II (EDU related activities)** are within current budget allocations.

The financial implications in respect of the planned Europol information system laid down in **part III (Preparatory activities for the post Convention situation)** will have to be revised as concluded during the financial experts meeting held on 3/4 May 1995 in The Hague.
