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NOTE

from: Presidency

to : Steering Group II (Police and Customs Cooperation)

Subject: Work programme of the Spanish Presidency
– Steering Group II

Delegations will find annexed the Spanish Presidency's work programme for Steering Group II.

The Spanish Presidency will, in the case of activities for which Steering Group II is responsible, seek to move further along the path mapped out at the meeting of Heads of State and Government in Brussels on 29 October 1993 and therefore to strengthen systematic and organized cooperation between the Member States in order to ensure the security of individuals within the European Union.

The Spanish Presidency notes the progress made and the impetus given to work begun under previous Presidencies, which it welcomes, since it intends to introduce concrete police-cooperation measures using the instruments available under Article K.3 of the Treaty on European Union in accordance with the instructions given by the European Council at the Brussels Summit on 10 and 11 December 1993 and the Plan of Action drawn up by the Justice and Home Affairs Council.

For its part, the European Council in Corfu on 24 and 25 June 1994, condemned the continuing manifestations of intolerance, racism and xenophobia, and wanted a global strategy to be developed at Union level in order to combat such acts. It also requested the Justice and Home Affairs Council to complete its work on tackling the threats posed by organized crime (including terrorism) and drugs and to complete work making possible the setting up of Europol.

The European Council in Essen on 9 and 10 December 1994 reaffirmed the need to strengthen the Union's action in the area of internal security by providing cooperation in the fields of Justice and Home Affairs with the necessary legal and operational means, in particular by establishing Europol.

Finally, the last European Council in Cannes on 26 and 27 June 1995 was able, thanks to the efforts of previous Presidencies, to make the coming to fruition of the Europol project, even though 1996 may prove too early for a legal instrument enabling it to become operational.

In the meantime, the Spanish Presidency will continue working to ensure that, once the regulatory and legislative procedures enabling implementation of the Convention on the establishment of a European Police Office have been completed, Europol will be endowed with everything it needs to ensure that it has the capacity to operate successfully.

Moreover, since the Presidency is aware of the need to coordinate the actions of Member States in countering displays of violence and organized cross-frontier crime, and the need to establish effective police cooperation in our technologically advanced societies where the fight against crime requires the use of new technologies and of scientific methods, it thinks it necessary to give a practical impetus to cooperation in technical and scientific policing.

The Spanish Presidency is therefore submitting the following work programme for Steering Group II:

1. WORKING PARTY ON TERRORISM

The Presidency will, it hopes with the Working Party's active participation, be concentrating its efforts on the document "**assessment of the terrorist threat**" and proposes focusing on the preventive aspect in order to facilitate forecasting and adopt appropriate measures.

Similarly, the Presidency is concerned by the upsurge in racial violence in the Member States and will continue to examine the measures necessary to combat **racism and xenophobia** effectively.

In efforts to curb intolerance it is also proposed that the Working Party establish mechanisms for exchanging information on **movements of non-sporting groups** at public events relating to terrorism, radicalism, extremism or violence of any stripe.

In this context, the Presidency intends to ask the Working Party to draw up a **selective list of persons** of special interest to each Member State because of their links with those supporting, protecting or concealing terrorist activities, particularly Islamic terrorism.

In view of the importance of exchanges of operational and/or confidential communications between police services, the Working Party will be asked to continue work on guaranteeing security in the **transmission of encrypted messages**.

Finally, it is necessary to establish a flexible relationship between this Working Party and the Police Cooperation Working Party in order to give police officials the instruments necessary to carry out their tasks and, more specifically, we would refer to training in languages such as Arabic and the training necessary to deal with occurrences of racial violence and xenophobic conduct. It is therefore proposed that a seminar be held in Spain on "preventing and combating racism, xenophobia and other social violence".

The conclusions of the seminar will be supplied to the Working Party on Police Cooperation, which will encourage in its field the possible applications to police training. This will in turn transmit the training-related conclusions of the seminar to the Working Party on Terrorism.

2. WORKING PARTY ON DRUGS AND ORGANIZED CRIME

The Spanish Presidency will, in line with the work of previous presidencies, endeavour to obtain an overall view of the phenomenon of organized crime in the European Union. It therefore requests the Working Party to collaborate in drawing up the "**Report on organized crime in the European Union (1994)**".

Moreover, in order to combat **illegal trade in motor vehicles** destined for the countries of Central and Eastern Europe, the Baltic States and North Africa, the Presidency will be asking the Working Party to adopt a standard multilingual form for requesting and transmitting urgent information between all countries of the European Union and other countries receiving stolen vehicles.

The Presidency is aware of the importance of **combating fraud** and intends to produce a report on the nature and extent of stock exchange and credit fraud to serve as a basis for subsequent police action in this area and to organize a seminar on the fight against international telecommunications fraud to draw up the conclusions appropriate to the fight against this phenomenon.

In the matter of **combating drug abuse**, the Presidency proposes the compilation of a practical "Joint European Drugs Manual" to serve as a guide within the Union to the control of the supply and distribution of drugs. To provide solid support when the origin, production methods and distribution channels used by the various groups of drug traffickers are analyzed, the Presidency considers that the Working Party could usefully examine the creation of an analytic drug database.

As for the **illegal trade in works of art**, the Spanish Presidency will not only continue the work outstanding from previous presidencies but will also organize discussion days with representatives of Member States of the Union and other countries having similar problems (Egypt, India, Russia, etc.) in order to reach conclusions on how to block illegal trade channels and solve the problems involved in returning clandestinely exported items to their countries of origin.

Finally, the Spanish Presidency hopes to produce summaries and reports to bring to fruition **the work begun under previous presidencies** on the initiative of different delegations on:

- * Strategy to combat drugs
- * Money laundering
- * Cooperation with the CCEE
- * Transatlantic dialogue

3. WORKING PARTY ON POLICE COOPERATION

Experience has shown that the sheer number of areas addressed by the Working Party on Police Cooperation prevented the progress necessary on all active fronts, relegating to second place aspects of cooperation which the Spanish Presidency regards as indispensable for effective cooperation between police forces in modern post-industrial societies. Moreover, the very complexity of our societies makes it advisable that an ad hoc Working Party be entrusted with the task of studying the impact of new technologies and applied science on police methods of crime prevention and investigation.

It is therefore the Spanish Presidency's intention to set up the Technical and Forensic Police Working Party which will under the aegis of the Working Party on Police Cooperation concentrate on three major areas:

(a) Police training:

With the aim of proposing to the Justice and Home Affairs Council suitable common measures in this field, the Presidency wants and has instructed the Working Party **to draw up an atlas of policing methods in the European Union.**

It would also be useful to define **the public and private police training initiatives in/by Member States of the Union.**

The Presidency further intends to convene **a meeting of Training Directors** in early September in order to draw conclusions for planning police officer training in the Member States of the Union in the 21st century.

In this context, and in response to the concern shared by all Member States about **racism and xenophobia**, there are plans to hold a seminar in Spain to find forms of cooperating in the fight against racist or xenophobic behaviour, which will be communicated to the Working Party on Terrorism, and to apply the conclusions of the seminar to basic and continuing police training.

(b) Public order/safety of citizens:

In this area, the Spanish Presidency is concerned at the violence generated by sporting events and therefore intends to obtain exhaustive information on **the activities of violent groups in sport** by asking the Working Party to prepare a survey of radical groups involved in violence in sport so that the safety risks of sporting events can be measured. In this context, the Presidency plans to hold a seminar on violence in sport with a view to defining the problems specific to each Member State so that uniform criteria for action can be established.

In order to continue studying the measures needed to combat the phenomenon of **urban violence** in the European Union, it is proposed that the Group should draw up a note on the types, attitudes and outlook of violent "city gangs".

(c) Technical and forensic police

Cooperation in the field of technical and forensic policing has high priority in view of the inclusion of new technologies and scientific methods into police work, itself a revolution and the reason why the Spanish Presidency advocates the setting up of an ad hoc Working Party. It derives from the need to rescue the work begun in 1988 by the TREVI Group and continued by the Working Party on Police Cooperation in the field of scientific and technical investigation, which has taken second place owing to the number of topics addressed by that body. This will leave it free to deal in detail with other topics on which it should concentrate.

It is proposed that the Working Party deal with the following questions:

* Communications technology:

The Presidency is looking here at the need to **update the document on legal aspects** as regards the legal interception of communications.

It is also the Presidency's intention to continue work on the legal interception of telecommunications beyond national frontiers (satellite communications).

* Criminal investigations:

The Presidency is aware of the importance of new technologies in gathering data for the successful outcome of police investigations, particularly in the fields of document scanning, voice analysis and ballistics. The Presidency intends initially to expedite the standardization of **criteria for voice investigation and analysis**.

* Identification and analysis techniques

Identification using modern audiovisual techniques (video, photography) and traditional techniques backed up by automation (fingerprinting) should be examined so that, with total observance of the rights of the individual, persons of interest to the police can be identified beyond doubt.

Consideration should also be given to the possibilities offered by modern laboratory techniques for the police in identifying perpetrators and elucidating crimes of every sort. Specifically, the Spanish Presidency is interested in initiating a study of **European population DNA sequencing**.

4. WORKING PARTY ON EUROPOL

The Presidency, aware of the enormous importance of the European Police Office and wanting rapid availability of this first-rate instrument for close cooperation in the field of Home Affairs, intends to prepare the rules for the swift implementation of Europol once the Convention has entered into force. It will therefore be submitting the following proposals on:

- * The staff regulations of Europol officials
- * The rights and obligations of liaison officers (ELOs)
- * The Protocol on privileges and immunities
- * The rules of procedure of the Administrative Board of Europol
- * The financial Regulation
- * The rules for use of work files for the purpose of analysis
- * The rules on confidentiality.

The Working Party on Europol will also continue throughout the Spanish Presidency to monitor the European Drugs Units (EDU), including budgetary aspects.

5. WORKING PARTY ON CUSTOMS COOPERATION

To enable the customs authorities to cope with the new types of fraudulent trafficking resulting from the abolition of controls at internal borders of the Union and to establish a data information system on persons and operations requiring special vigilance, the Presidency is giving this Working Party the following brief:

- * Revision of the Naples Convention on mutual assistance between the customs authorities of the Member States of the Union
- * Adoption of the Convention establishing a Customs Information System
- * Conclusion of customs cooperation agreements with third countries.