I-ITEM NOTE

From:	General Secretariat of the Council
To:	COREPER
No. prev. doc	13902/1/10 REV 1 COSI 58 ENFOPOL 252 CRIMORG 160 ENFOCUSTOM 78
Subject:	Draft Council Conclusions on the creation and implementation of a EU policy cycle for organised and serious international crime

1. Based on its "Harmony" project - "A generic European Crime Intelligence Model - Bringing together the existing instruments and strenghtening Europol's central role", the Presidency proposed to the Standing Committee on operational cooperation on internal security (COSI) on 7 September 2010 to agree upon the concept of the EU policy cycle for organised and serious international crime as well as the different steps needed to fully implement it.

2. In its meeting of 5 October 2010, COSI discussed the draft Council conclusions set out in document 13902/1/10 REV 1 COSI 58 ENFOPOL 252 CRIMORG 160 ENFOCUSTOM 78 and agreed on the text as set out in annex, which includes the proposals made at the meeting.

3. Coreper is therefore invited to submit these draft Conclusions to the Council for approval.

THE COUNCIL OF THE EUROPEAN UNION,

REFERRING TO the Council Conclusions of 12 October 2005[1] regarding the European Crime Intelligence Model (ECIM) providing for a new common concept and methodology to tackle organised crime;

REFERRING TO the Council Conclusions on the Architecture of Internal Security as approved in 2006 in which the establishment of a reference framework for EU internal security consisting of four steps is described[2];

RECALLING that the entry into force of the Lisbon Treaty provides the basis and a unique opportunity for developing a security agenda shared by the EU and its Member States with clear roles and responsibilities.

RECALLING that in the Stockholm Programme[3], the European Council calls upon the Council and the Commission to define a comprehensive EU Internal Security Strategy based, in particular, on the following principles:

- *clarity on the division of tasks between the Union and the Member States, reflecting a shared vision of today's challenges,*
- *solidarity between Member States,*
- *reflection of a proactive and intelligence-led approach,*
- *stringent cooperation between the Union Agencies, including further improving their information exchange,*
- *the aim of making citizens aware of the importance of the Union's work to protect them*

and based on the EU common values and principles as reaffirmed in the EU Charter on Fundamental Rights.

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[1]　Doc. 10180/4/05 CRIMORG 56 ENFOPOL 75
[2]　Doc 7039/2/06 JAI 86 CATS 34
[3]　OJ C 115, 11.5.2010, p. 1

RECALLING that, as set out in the Stockholm Programme developing, monitoring and implementing the Internal Security Strategy should become one of the priority tasks of the Standing Committee on operational cooperation on internal security (COSI) set up under Article 71 TFEU;

RECALLING that in the Stockholm Programme, the European Council calls upon the Council and the Commission:

- *to adopt an organised crime strategy, within the framework of the Internal Security Strategy,*
- *set its priorities in crime policy by identifying the types of crime against which it will deploy the tools it has developed, while continuing to use the Organised Crime Threat Assessment Report (OCTA) and its regional versions;*

RECALLING that terrorism, serious and organised crime, cyber-crime, cross-border crime, violence itself, natural and man-made disasters are considered as main challenges for the European Union as identified by the Internal Security Strategy which was endorsed by the European Council at its meeting on 25 and 26 March 2010.

RECALLING that according to the Internal Security Strategy the Commission will adopt a Communication on the Internal Security Strategy, the follow-up of which would need to be aligned to the present Council Conclusions.

RECALLING that, as set out in the Stockholm Programme, "the internal security strategy should also take into account the external security strategy developed by the Union"; account should also be taken of the impact the policy cycle may have on relations with third countries.

NOTING the result of the "Harmony" project - "A generic European Crime Intelligence Model - Bringing together the existing instruments and strenghtening Europol's central role" - initiated by Belgium with the support of the European Commission's Framework Partnership Agreement "Prevention of and fight against crime"[4] [5]. While recognizing the importance of the main challenges identified by the Internal Security Strategy, the focus of the project has been initially limited to developing a policy cycle for serious and organised crime.

REFERRING to the first main assessment and description report for internal debate (M.A.D.R.I.D. Report), which was submitted as a basis for the Council's discussion on internal security in June 2010.

BEARING IN MIND that Ministers agreed on 15 July 2010 to work towards an effective implementation of the Internal Security Strategy and, therefore, asked the COSI to develop a methodology that gives an overview of the security issues within Europe, to focus on those threats and challenges that need specific attention and to develop an approach to tackle and monitor these threats and challenges;

CONSCIOUS of the need to further develop and streamline the existing structures and instruments and RECOGNIZING the need to develop a coherent, multidisciplinary and integrated approach in order to increase consistency, efficiency, transparency and accountability in the fight against organised and serious international crime ;

RECALLING the creation of the "Comprehensive, Operational, Strategic Planning for the Police" (COSPOL) methodology as a multi-lateral platform for law enforcement cooperation;

CONVINCED that the best way to achieve this approach is by creating and implementing a policy cycle for organised and serious international crime; that such a policy cycle corresponds with the organised crime strategy required by the Stockholm Programme.

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[4]   Project JLS/2008/ISEC/FPA/C4/073
[5]   **Doc. 14851/10 COSI 66 ENFOPOL 282 CRIMORG 175 ENFOCUSTOM 87**

CONCLUDES TO

1.   Establish and implement a multi-annual policy cycle with regard to serious international and organised crime in order to tackle the most important criminal threats in a coherent and methodological manner through optimum cooperation between the relevant services of the Member States, EU Institutions and EU Agencies as well as relevant third countries and organisations.

The policy cycle for serious international and organised crime consists of four steps:

i.   Policy development on the basis of a European Union Serious and Organised Crime Threat Assessment (EU SOCTA) that must provide for a complete and thorough picture of criminal threats impacting the European Union.

ii. Policy setting and decision-making through the identification by the Council of a limited number of priorities, both regional and pan-European. For each of the priorities a Multi-Annual Strategic Plan (MASP) needs to be developed in order to achieve a multidisciplinary, integrated and integral (covering preventive as well repressive measures) approach to effectively address the prioritised threats.

iii. Implementation and monitoring of annual Operational Action Plans (OAP) that need to be aligned to the strategic goals which have been determined in the MASP, building upon the COSPOL framework as the multilateral cooperation platform to address the prioritised threats.

iv. At the end of the policy cycle a thorough evaluation needs to be conducted and will serve as an input for the next policy cycle.

2.   Align the timing and methodology when in the future other policy cycles for areas identified in the Internal Security Strategy were to be created so as to allow the political level to decide at the same time on the priorities.

3. Agree and implement an initial and reduced 2 year policy cycle 2011-2013 on the basis of the Organised Crime Threat Assessment of 2011 and following the principles as set out in Annexes 1 and 2. This period allows for the time required to further develop the instruments needed to create a fully fledged 4 year policy cycle.

4. Agree, taking into account the result of the evaluation of the initial policy cycle, and implement a 4 year policy cycle 2013 – 2017 on the basis of the EU SOCTA 2013 and following the principles as set out in Annexes 3 and 4.

INSTRUCTS COSI TO

5. Agree and endorse the customer requirements for the EU SOCTA,

6. Submit, on the basis of the Policy Advisory Document drafted by the Presidency and the European Commission based upon the OCTA 2011 and the EU SOCTA from 2013 on, conclusions to the Council to decide on the priorities,

7. Adopt the Multi-Annual Strategic Plans and the annual Operational Action Plans and coordinate and monitor the implementation thereof.

CALLS UPON THE MEMBER STATES TO

8. Integrate the actions developed within the European policy cycle whenever relevant into their national planning and to allocate dedicated resources to support a common EU approach.

9. Actively support all the phases that constitute the cycle.

CALLS UPON THE EUROPEAN COMMISSION TO

10. Develop together with the experts of the relevant EU Agencies and Member States a Multi-Annual Strategic Plan for each priority, defining the most appropriate strategy to tackle the problem,

11. Develop through consultation with the Member States' and EU Agencies' experts an independent mechanism to evaluate the implementation of the MASP and OAPs,

12. Report yearly to the COSI on the implementation of planned activities and horizontal cross-cutting issues related to the OAPs,

13. Carry out at the end of the policy cycle an overall evaluation of the implementation of the MASP and transmit the results thereof to the Council via the COSI,

14. Propose to review the ISEC funding mechanism and to consider the feasibility of setting up of an Internal Security Fund in order to effectively support the activities agreed upon within the policy cycle.

CALLS UPON THE EU AGENCIES TO

15. Develop together with the experts of the Member States the Operational Action Plans concerning priorities corresponding to their mandate;

16. Integrate the actions developed within the policy cycle into their yearly working programmes;

17. Develop under the leadership of Europol the EU SOCTA and its methodology, on the basis of the requirements endorsed by COSI and in close cooperation with the relevant experts;

18. Contribute to raising awareness about the EU policy cycle, in particular CEPOL by providing training packages.

Policy cycle 2011 – 2013

(Initial and reduced policy cycle for serious international and organised crime)

Important preliminary remark

Acknowledging that a fully fledged policy cycle will only start based on the EU SOCTA 2013, the following approach – as a learning process for the first policy cycle – will be followed based on the OCTA 2011:

- Strategic goal setting by expert group of MS and Agencies per crime priority (commissioned by COSI) area instead of the elaboration of fully-fledged multi-annual strategic plans;

- The conversion of the strategic objectives into operational plans in the COSPOL framework using the template to be developed (see activity 6);

- Covering a time span of two years (instead of a four-year policy cycle) to bridge the period between the OCTA 2011 and EU SOCTA 2013;

- The approach to address the crime priority areas will be organised within the (reviewed) COSPOL framework (see activity 13) mainly focussing on law enforcement related issues, instead of an integrated approach.

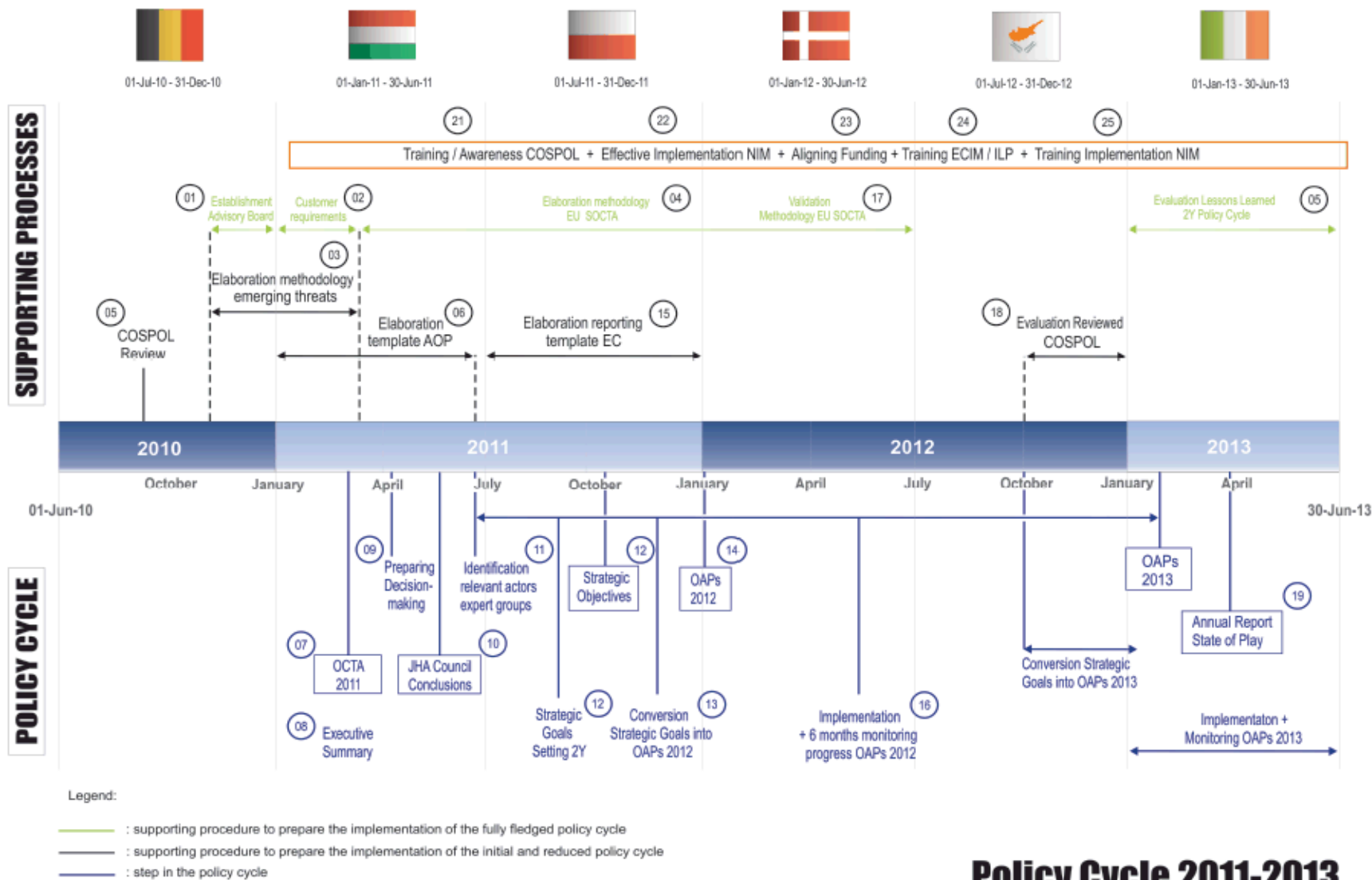| Ref no.	Action/activity	Responsible / leading actors	Other actors involved[12]	Timing
1.	Establishment of an Advisory Board, hosted by Europol, as a COSI expert group to prepare the customer requirements for the EU SOCTA	COSI	EC MS Europol & other Agencies	Before end 2010
2.	Agree on the customer requirements for (first) EU SOCTA	COSI	EC MS Europol & other Agencies	Beginning of 2011

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1   Considering the importance of the external dimension of the ISS, when and where necessary, third parties should also be involved.

2   When reference is made to "expert groups" it should be noted that these expert groups are not meant to become permanent, formal working Council structures and need to be considered as flexible and temporary meetings.

Ref no.	Action/activity	Responsible / leading actors	Other actors involved	Timing
3.	Elaboration of methodology for reporting on emerging threats (and production of an emerging threats report when required)	Europol	Expert group of MS & Agencies Advisory Board	From 2011 on
4.	Development of the new methodology for EU SOCTA in line with the identified customer requirements	Europol	Expert group of MS & Agencies	From 2011 on
5.	Review of the COSPOL terms of reference, including considering the possibility to fund the projects by EC	COSI EC	MS Agencies	Second half 2010
6.	Development of operational action plan template to be presented to COSI.	Europol	Agencies Experienced COSPOL drivers MS	Before mid 2011
7.	Production of the OCTA 2011	Europol	MS Agencies	March 2011
8.	Production of an executive summary of the OCTA including conclusions and a list of recommended crime priorities	Europol		March 2011
9.	- production of the Policy Advisory Document - draft Council Conclusions on JHA crime priorities	COSI together with EC COSI		April 2011
10.	Political decision on JHA crime priorities	Council		May 2011
11.	Identification of the relevant actors at EU and MS level to set up strategic goals covering the period 2011 – 2013 with main focus on LEA activities per priority crime area decided by the Council	COSI	EC Agencies MS	June 2011
12.	Discussion on and adoption of the 2Y strategic goals, including tasking the relevant MS and Agencies	COSI	MS EC Agencies	October 2011
13.	Converting the strategic goals into annual operational plans according to the developed template	MS Agencies		October – December 2011 (repeated annually)

Ref no.	Action/activity	Responsible / leading actors	Other actors involved	Timing
14.	Validation of each operational action plan	COSI	MS Agencies	End 2011 (repeated annually)
15.	Elaborate a reporting collection mechanism for COSI integrating reporting of MS and Agencies (to their respective Supervising Authorities)	EC	MS Agencies	End 2011
16.	Implementation of operational action plans 2012 / 2013 including 6 months monitoring progress by COSI	MS drivers Agencies	COSI	Start in 2012 – until end 2013
17.	Formal validation of EU SOCTA methodology	COSI		May/June 2012
18.	Evaluation of the functioning of the (reviewed) COSPOL framework with a view to further improve it as the platform for multi-lateral cooperation to implement the multi-annual strategic plans	COSI EC	MS Agencies	End 2012
19.	Based on the reporting mechanism in point 15, yearly state of play for COSI, focussing on implementation of planned activities and horizontal cross-cutting issues	EC	COSI	Beginning of 2013 (repeated annually)
20.	Evaluate lessons learned from the first 2Y policy cycle in order to integrate these into next policy cycle	COSI	MS EC Agencies	Beginning of 2013
21.	Develop and deliver a training/awareness package about (reviewed) COSPOL framework (see activity 5)	CEPOL	MS Agencies	2011 – 2013
22.	Consider further measures to ensure effective implementation of MS' National Intelligence Models aligned with ECIM	EC COSI	MS	From 2011 on
23.	Consider aligning ISEC funding with the policy cycle and the identified priorities	EC	MS Agencies	From 2011 on
24.	Align and deliver training package ECIM/ILP with the European Policy Cycle	CEPOL	MS Agencies EC	2011

Ref no.	Action/activity	Responsible / leading actors	Other actors involved	Timing
25.	Develop and deliver training/awareness package to further support MS in implementing National Intelligence Models	CEPOL	MS Agencies	From 2011 on

Policy Cycle 2011-2013

Policy cycle 2013 – 2017
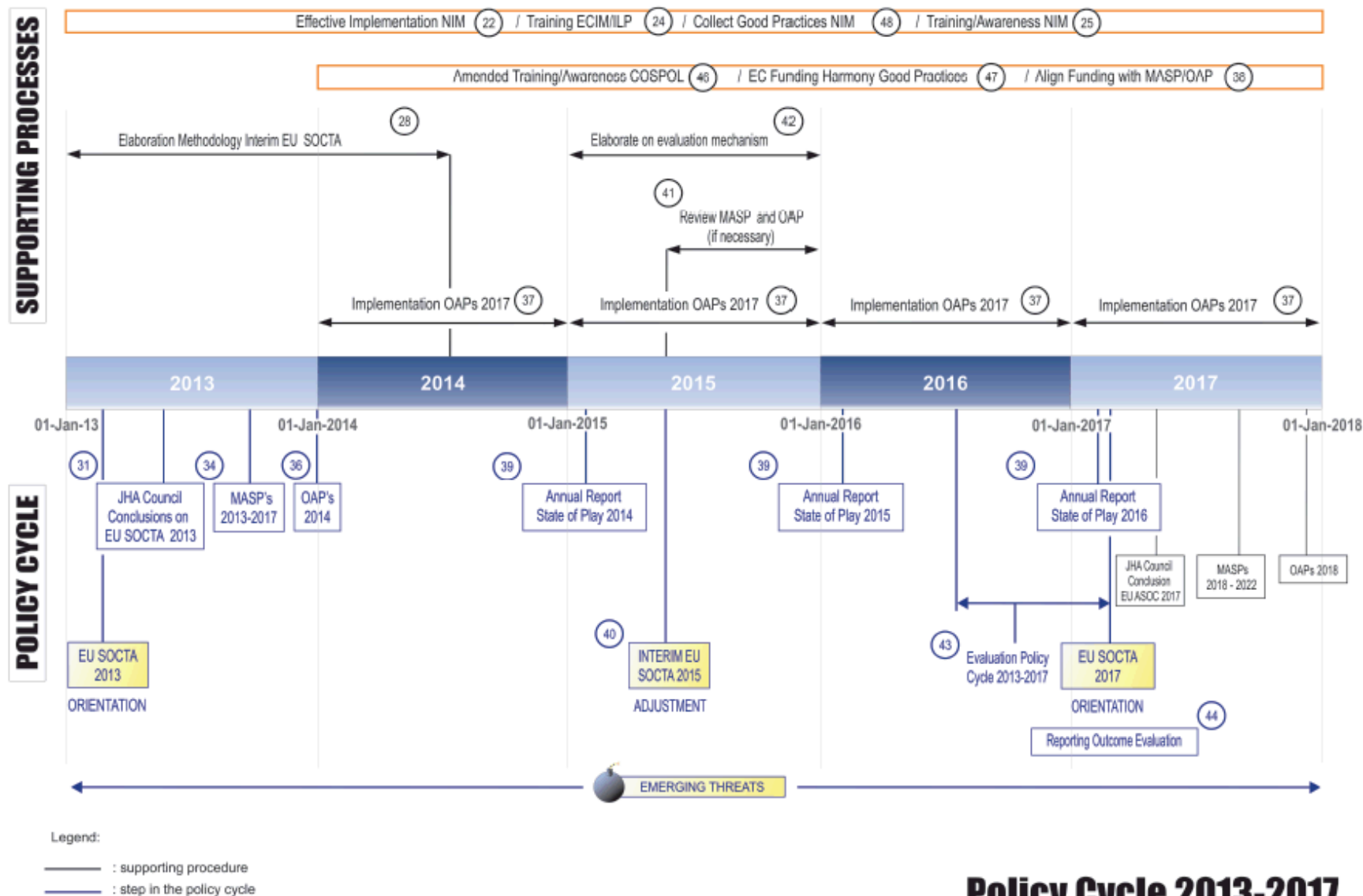**(Full fledged policy cycle for serious international and organised crime)**

Ref. no.	Action/activity	Responsible / leading actor	Other actors involved [1] [2]	Timing
26.	Production of the first EU SOCTA according to the activities 1, 2 and 4 in the policy cycle 2011 – 2013 (Advisory Board, requirements and methodology)	Europol	All relevant actors	March 2013
27.	Production of an executive summary of the EU SOCTA, including conclusions and a list of recommended crime priorities	Europol		March 2013
28.	Elaboration of methodology of Interim EU Assessment	Europol	Expert group of MS & Agencies Advisory Board	2013 – 2014
29.	Further development of methodology for reporting on emerging threats	Europol	Expert group of MS & Agencies Advisory Board	2014 - 2017
30.	- production of the Policy Advisory Document - draft Council Conclusions on JHA crime priorities	COSI together with EC COSI		April 2013
31.	Political decision on JHA crime priorities	Council		May 2013
32.	Identification of the relevant actors at EU and MS level to draft multi-annual strategic plans per priority crime area decided by Council	COSI	EC Agencies MS	June 2013
33.	Elaboration of draft multi-annual strategic plans by elaborating concrete problem-oriented solutions to address the crime priorities, including key performance indicators to measure achievement	Expert groups of MS and Agencies, coordinated by EC		June – September 2013

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[1]　Considering the importance of the external dimension of the ISS, when and where necessary, third parties should also be involved.

[2]　**When reference is made to "expert groups" it should be noted that these expert groups are not meant to become permanent, formal working Council structures and need to be considered as flexible and temporary meetings.**

Ref. no.	Action/activity	Responsible / leading actor	Other actors involved	Timing
34.	Discussion on and adoption of the multi-annual strategic plans, including tasking the relevant MS and Agencies	COSI	MS EC Agencies	October 2013
35.	Converting each multi-annual strategic plan into an annual operational plan according to the developed template	MS Agencies		October – December 2013 (repeated annually)
36.	Validation of each operational action plan	COSI	MS Agencies	starting from 2014 (repeated annually)
37.	Implementation of annual operational plans including 6 months monitoring progress by COSI	MS drivers Agencies	COSI	Start in 2014 – until end 2017
38.	Align the ISEC funding and/or the Internal Security Fund with the multi-annual strategic plans and the annual operational plans	EC	MS	2013 - 2017 ISS Fund (from 2014 on)
39.	Based on the reporting mechanism in point 15, yearly state of play for COSI focussing on implementation of planned activities and horizontal cross-cutting issues	EC	COSI	Beginning 2015 (repeated annually)
40	Production of the interim EU assessment	Europol	All relevant actors	March 2015
41	Review, if necessary, of the multi-annual strategic plans	COSI		October 2015
42.	Elaborate an independent evaluation mechanism	EC MS	Agencies COSI	2015
43.	Commencement of an independent evaluation	EC	MS Agencies COSI	2016
44.	Reporting on the outcome of the independent evaluation to JHA Council	EC	MS Agencies COSI GENVAL	March 2017
45.	Evaluate lessons learned from the policy cycle in order to integrate these into next policy cycle	COSI	MS EC Agencies GENVAL	Second half 2017

Ref. no.	Action/activity	Responsible / leading actor	Other actors involved	Timing
46.	Amended training and awareness packages about (reviewed) COSPOL framework, based upon the evaluation of 2012 (see activity 18.)	CEPOL	MS Agencies	2014 – 2017
47.	Provide funding as an incentive for Harmony "good practices"	EC	MS Agencies	From 2014 on
48	Compile "good practices"/lessons learned for the implementation of MS' National Intelligence Models aligned with ECIM	Europol	MS Agencies COSI	From 2011 on
(22 continued)	Consider further measures to ensure effective implementation of MS' National Intelligence Models aligned with ECIM	EC	MS	From 2011 on
(24 continued)	Align and deliver training package ECIM/ILP with the European Policy Cycle	CEPOL	MS Agencies EC	2011
(25 continued)	Develop and deliver training/awareness packages to further support MS in implementing National Intelligence Models	CEPOL	MS Agencies	From 2011 on

Policy Cycle 2013-2017