



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 10 May 2010

9442/10

**JAI 396
COSI 34**

OUTCOME OF PROCEEDINGS

of: Standing Committee on operational cooperation on internal security (COSI)
on: 30 April 2010

Subject : Summary of discussions

1. Adoption of the agenda

The agenda set out in doc. 9169/10 was adopted with the addition of information points by the Presidency, the PL and IT delegations under the item AOB.

2. State of the EU internal security: presentation and discussion M.A.D.R.I.D. report

Delegations discussed the draft M.A.D.R.I.D. report, set out in doc. 8849/10 JAI 323 COSI 21, which included delegations' written comments and which would be submitted to the JHA Council with a view to contributing to the debate on the state of the EU internal security. Delegations welcomed the Presidency's draft report but asked for more time for further scrutiny. Some preliminary comments were made regarding i.a. the methodology of the report, its relationship with the future Commission Communication on the operational dimension of internal security and the Harmony project, the importance of translating it into concrete operational actions, the inclusion of a regional approach and the deletion and amendment of certain references.

The Presidency invited delegations to send their comments on the M.A.D.R.I.D. report by 7 May 2010. On the basis of delegations' comments the Presidency would prepare a revised draft which will be submitted for discussion to the next COSI Support Group. The Presidency also agreed to circulate the joint report of Europol, Eurojust and Frontex on the state of internal security¹.

3. Cooperation between Agencies: presentation and discussion final report

The Committee took note of the final report on the cooperation between JHA Agencies, which was jointly drafted by CEPOL, Eurojust, Europol and Frontex (doc. 8387/10 JAI 287 COSI 17) and discussed COSI's role in ensuring consistency of action with regard to the measures suggested in the joint report (doc. 8850/10 JAI 324 COSI 22). In general, various Member States indicated that the cooperation between the Agencies should not be institutionalised and should be kept as flexible as possible. The need to harmonise the legal framework was not supported by delegations. Some delegations referred to the importance for Frontex to exchange personal data which should be taken into account in the discussions on the new Frontex Regulation. Delegations also agreed on the idea of having regular meetings of the heads of JHA Agencies and commented on the functions of chair and secretariat for these meetings. Various delegations stated that COSI should be involved in these meetings either by chairing them or by ensuring a regular reporting to COSI.

The Presidency concluded that this issue will be re-discussed at the next COSI Support Group meeting. It also took note of the request from some Member States for further clarification of some of the measures mentioned in the Agencies' joint report (doc. 8387/10 JAI 287 COSI 17) and agreed to circulate the Netherlands and German comments².

¹ Note from the Secretariat : see doc. 9359/10 JAI 390 COSI 29

² Note from the Secretariat : see doc. 9440/10 JAI 394 COSI 32 and 9438/10 JAI 393 COSI 31

4. Global operation

Doc. 8851/10 JAI 325 COSI 23

A significant number of delegations confirmed their participation in the global operation. Some delegations stated that further information was awaited before a final decision on their participation would be taken. A number of delegations stated that although they would not participate, they would be willing to contribute to this exercise by providing information. Some comments were also made regarding the need to ensure an appropriate level of confidentiality as regards the results of the operation.

The Committee took note of a paper of the countries of the Salzburg Forum regarding the role of COSI and a procedure for the initiation of joint operations and measures (doc. 9360/10 JAI 391 COSI 30).

5. Follow-up to the Council Conclusions on 29 measures for reinforcing the protection of the external borders and combating illegal immigration

- Role of COSI

The meeting reached consensus on the Presidency proposal (doc. 8852/10 COSI 24 ASIM 48 FRONT 57 COMIX 321) regarding the involvement of COSI in the implementation of 5 out of the 29 measures set out in the above-mentioned Council Conclusions. The COSI Support Group was invited to submit to the next COSI meeting concrete proposals for COSI's involvement in the identified measures and delegations were invited to indicate their willingness to participate in the elaboration and implementation of these proposals.

- EUROSUR: presentation by the Commission

The Commission representative briefly presented the European Border Surveillance System as set out in doc. DS 1269/10 and invited Member States to reflect on the possible role of EUROSUR in fighting cross-border crime, in enhancing information exchange at national and European level, and in supporting interagency cooperation.

Various delegations supported the EUROSUR project and welcomed the possibility to discuss the project in COSI.

The Presidency concluded that EUROSUR will be re-discussed at future meetings of COSI and indicated that concrete proposals on its functioning will be needed for these discussions.

6. Status report on the review of COSPOL projects: presentation by Europol

Europol informed the meeting on the outcome of a meeting of the COSPOL drivers and co-drivers which was held on 15 April 2010 and where some general trends regarding the COSPOL projects could be identified. The final review will be presented before the meeting of the Member States' officials, responsible for conducting the COSPOL projects, which Belgium will organise on 10 September in Europol (doc. 9214/10 COSI 27 ENFOPOL 116).

7. Any other business

- Frontex coordinated operation

The Committee was informed by PL on a recent incident in a Frontex coordinated operation (DS 1276/10). PL underlined the need to establish a general procedural framework for reactions by all Member States involved in case of incidents and to establish the limits of responsibility of the Member States participating in the joint operations coordinated by the agencies.

The Frontex representative informed the Committee about the measures undertaken by Frontex to prevent similar incidents, which were discussed and endorsed by its Management Board.

Since this issue had also been discussed in the framework of SCIFA, the Presidency considered it appropriate to continue these discussions in SCIFA and to inform COSI on the outcome of the discussions.

- **Sarajevo Declaration**

The Committee took note of the Sarajevo Declaration on Intercultural Dialogue and Internal Security which was adopted by the Ministers of the Western Balkan countries and the Salzburg Forum countries at a conference held in Sarajevo on 28 and 29 April 2010 (doc. 9224/10 JAI 375).

- **Trafficking in Human Beings**

The Presidency briefly reported on the 3rd National Networking Meeting, "Towards Global EU Action against Trafficking in Human Beings", which was held on 5 March 2010 in Madrid. The objective of the 3rd National Networking Meeting was to contribute to the implementation of the Action Oriented Paper (AOP) on strengthening the EU external dimension on action against trafficking in human beings.
