

### Starting-points

**Mutual trust** between administrations and in particular between law enforcement officers is a key prerequisite for effective European co-operation in the area of justice, freedom and security. The first way to bolster mutual trust is to further develop **practical co-operation**. We should ensure and show that our **existing** instruments and organisations really work and, if necessary, improve the working practices of the organisations that already exist instead of creating new instruments and institutions. Furthermore, EU policies should be **coherent**, both within the area of justice, freedom and security (eg. border control, migration and fight against human trafficking) and vis a vis other EU policy areas.

A particular challenge is to better articulate the JHA aspects in the EU **external relations**. The Stockholm programme should contain an ambitious JHA external relations agenda (including strategies on information exchange and data protection) and arrangements for an optimal involvement of the relevant actors (Member States, European Parliament, European Commission) in the preparation and development of policies and negotiations.

The four issues which are emphasized in our contribution are **cross-border law enforcement co-operation, information exchange, fighting terrorism** and **civil protection**.

### 1) Strengthening the cross-border law enforcement co-operation

#### ***European Criminal Intelligence Model (ECIM) and Internal Security Architecture***

- Making qualitative threat assessments on all of the important criminal phenomena; improving the quality of the OCTA: improving its methodology, an equivalent delivery of information regime to Europol, involving the judicial authorities and Eurojust, elaborating an instrument that is valid for at least two years.
- Charting proper operational targets and organising relevant operational actions, on the basis of clear and carefully established political priorities.
- Improving the COSPOL methodology so that the COSPOL projects, and the supporting AWF's, are addressing the established priorities. Careful attention should be paid to clear and simple evaluation mechanisms.
- The Member States should be fully committed and affirm capacity for realizing the priorities.

### ***Legal instruments***

- Evaluating if the existing EU legal instruments are sufficient and appropriate to meet the operational needs of law enforcement practitioners.
- Setting up common legal frameworks providing for practical co-operation in the field.

### ***Operational co-operation***

- Promoting and expanding regional forms of co-operation. The Benelux Treaty concerning cross-border police intervention of 8 June 2004 could be an excellent source of inspiration for developing the EU legal framework in the field of law enforcement co-operation. It contains far reaching provisions e.g. on cross-border hot pursuit, cross-border observation, assistance in the field of public order and security, police interventions in urgent cases on the territory of another country and the exchange of material.
- Stimulating the exchange of police officers for strategic and operational purposes, both within the EU and outside it. Developing a close co-operation and co-ordination between our liaison officers outside the EU, their deploying Member States and Europol. Promoting the common use of such liaison officers. Strengthening of the existing networks of EU liaison officers. Setting up such networks in order to fill geographic gaps outside the EU.
- Developing a close co-operation in the acquisition and the deployment of new technologies in the field of internal security.
- Stepping up efforts to improve the situation as regards interoperability of public safety mobile radio systems. Promoting the migration to modern communication networks (e.g. high bandwidth networks).
- Exchanging experiences and best practices in working with Police and Customs Co-operation Centers (PCCC's) and further developing minimal standards for their functioning. Encouraging the setting up of a net of regional PCCC's in order to facilitate the enhancement of data exchange, operational capacities and the analysis of regional cross-border phenomena within the EU. Experiences and data collected at the level of the PCCC's should nourish joint priorities for border regions on the common picture, assessment of criminality and insecurity.
- Reinforcing the role of Cepol in setting up gradually a European police education model for senior police officers comprising elements such as harmonised and joint training programs, promotion of a European law enforcement culture and mutual recognition of Cepol diplomas. Enhancing the complementarity between Cepol, Europol and Frontex in the field of education and training.
- Further developing the co-operation in the field of public order and security during major events with an international dimension. Exploring an EU exit ban system.

### ***Europol***

- Further developing of the European Police Office so that it can grow into the platform of first choice for information sharing. Supporting Europol in its efforts for a smooth adaptation of its working

methods to the new legal framework, especially on the implementation of measures aimed at deepening the possibilities of the organisation to assist and support the competent law enforcement authorities of the Member States.

- Information gathering and transmission and analysis of information should stay the core business of Europol for the years to come. After that Europol has been adapted to its new legal framework, we should explore the possibilities to provide it with additional powers.
- Promoting regional co-operation within the Europol environment (e.g. the North-West Hub) and strengthening the co-operation between Europol and regional co-operation initiatives in Europe.
- Developing a systematic exchange of information between Europol and Eurojust, avoiding duplication of data collection and data analysis. Reinforcing the institutional links between the two organisations in this regard.
- Strengthening the co-operation model between Europol and Interpol, avoiding redundancy, permitting to collaborate in complete interoperability and integrating the external dimension of third countries.
- Developing incentives to work with JIT's and reinforcing the central role of Europol and Eurojust within such teams.
- Considering ways to strengthen the co-operation between Europol and the SitCen (e.g. through joint strategic analysis and a better follow-up of the analysis products).
- Strengthening the co-operation between Europol and Frontex (e.g. through joint risk analysis, common operations, a better follow-up of the information and the products of each organisation).

### ***Prevention***

- Enhancing the potential of the EUCPN in order to reinforce the concrete exchanges of best practices on crime prevention between the Member States.
- Developing a better dialogue and co-operation with the private security sector in the EU, in particular with regard to preventive measures.
- Applying an integrated approach towards the fight against organised crime, in which a co-ordinated set of means available to the government is employed (criminal, fiscal and administrative law). Intensifying the co-operation between local authorities and exchanging criminal information between the Member States for an effective appliance of the integrated approach.

### **2) Optimising law enforcement information exchange and EU information systems**

- Developing a global and coherent long-term EU policy on law enforcement information exchange which complies with a high level of data protection, on the basis of an overall evaluation report on the implementation of the principle of availability of information and a thorough analysis of the gaps and the missing links and the needs that still exist for our law enforcement authorities.
- Increasing the interoperability of systems (e.g. by joint standards and uniform formats).

- Reassessing of data protection regimes, taking into account new data management tools resulting from technological developments (e.g. encryption software regulating access to protected segments of databases). Information exchange and data protection are no zero sum game. New developments may enable us to better serve the information needs of law enforcement without compromising vital data protection principles.
- Making an EU-wide agreement on the required level of data protection in information sharing with third countries, so that all the agreements with third countries have the same guarantees on data protection. In this regard preconditions for the exchange of information from common databases (Europol and Eurojust) with third countries have also to be regulated.
- Elaborating an EU legal instrument on the exchange of strategic and operational information between European agencies in the field of law enforcement.
- Continued attention should be paid to systems or databases which are already developed or which are under development by Interpol. The resources are too scarce to not to consider the possibility of complementary systems and databases.
- Establishing performant information household management systems at the level of the Member States. Implementing of minimal norms and standards (e.g. on unique national databases and contact points) and streamlining of the existing procedures at national level. EU-financing could be very useful to support the Member States in acquiring state-of-the-art equipment.
- Continued attention should be paid to the implementation of an improved operational SIS and to the implementation of the Prüm Decisions, with a view to start with the EU-wide automated sharing of information, at the latest in August 2011. EU-financing could be very useful to support the Member States in this regard.
- Establishing a common platform for the technical management of EU data infrastructures like the SIS, the VIS and Eurodac.

### **3) Fight against terrorism**

- Further implementing of the EU Strategy and Action Plan to Combat Terrorism. The emphasis should be on the continuity of the efforts, the multidisciplinary approach with regard to the fight against terrorism, the operational dimension of it and the co-operation between the EU Member States, with EU bodies like Europol and Eurojust and with key third countries and international organisations like the UN.
- Encouraging the exchange of good practice and the conduct of pilot projects enabling Member States to gain a common understanding of the terrorism issue and allowing the development of a tool box on which Member States can draw to choose the most appropriate measures to deal with their specific situation; thus taking into account the fact that the threat level varies according to the different Member States and that the response has to be tailor-made.

- Further implementing of the EU Strategy and Action Plan on Radicalisation and Recruitment. The focus should be in first instance on prevention and the detection of radicalisation at an early stage: through a well-balanced local preventive approach, measures of community policing, a close association of the different players of the civil society and a well-balanced EU communication strategy (e.g. showing the Union's action in the field of the defense of human rights, crisis management, development aid and technical assistance, countering the single narrative and making proactive use of the internet).
- Ensuring a common understanding of the phenomenon of terrorism, in particular through the analysis made by the SitCen. Ensuring a proper follow-up of the SitCen analysis, especially from a policy point of view.
- Developing the multidisciplinary action of the EU against CBRN threats and risks, both in the field of possible attacks as in the field of consequence management (close involvement of all the relevant actors: police, civil protection, public health sector, etc.).
- Improving the level of preparedness by strengthening the international co-operation with regard to the organisation of multidisciplinary counter-terrorism exercises.
- Reinforcing the external action of the EU in the field of counter-terrorism: contribute to the fight against radicalisation; technical assistance, reflect on how development aid could better take into consideration counter-terrorism aspects; continue to promote the implementation of the UN counter-terrorism strategy and the adoption of the UN counter-terrorism convention.

#### **4) Civil protection**

- Improving the EU response capacity in the face of disasters and crises, both within EU-borders and in third countries:
  - o Reinforcing the EU civil protection capacities with regard to prevention, preparedness and response, within the possibilities of the framework of the Treaties.
  - o Reinforcing the regional and cross-border co-operation between Member States.
  - o Establishing of a wide-scoped risk analysis on a regional scale, based on possible disaster scenarios and an inventory of national capabilities which are potentially available for deployment.
  - o Identifying gaps, learning lessons and adopting the necessary measures for the improvement of the existing EU instruments such as the Civil Protection Mechanism and the Financial Instrument, following their evaluation.
  - o Reinforcing the development of the Civil Protection Modules and promoting the further registration of new modules, in order to enable all Member States to actively contribute to the strengthening of the European mutual assistance. Special attention for multinational modules is needed.

- Further developing and reinforcing of the Monitoring and Information Centre (MIC) within the Civil Protection Mechanism and developing of a core group of experts available for EU assessment and co-ordination teams.
- Improving the existing database (CECIS) through a better identification of the national capacities.
- Promoting the intercompatibility of communication systems of emergency services between neighbouring Member States.
- Further improving of the co-operation with the UN and the NATO.
- Training and exchange of expertise:
  - Undertaking the necessary actions for developing the European disaster management training network and for improving of common training.
  - Carrying out more joint exercises in the field of disaster management and evaluation meetings following the exercises.
  - Promoting best practises and the exchange of experts.
- Risk awareness of the population, information to and communication with the public in the event of an emergency situation:
  - Raising the awareness and preparedness of the citizens in the event of an emergency situation.
  - Increasing the safety of civil protection workers during emergency situations.
  - Improving synergies between the different European information and early warning systems.

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