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Subject:	Council Conclusions on Strengthening European Union-Ukraine Cooperation on Internal Security - Council conclusions (7 December 2017)

Delegations will find in the annex the Council conclusions on Strengthening European Union-Ukraine Cooperation on Internal Security, adopted by the Council at its 3584th meeting held on 7 December 2017.

COUNCIL CONCLUSIONS
ON STRENGTHENING EUROPEAN UNION-UKRAINE COOPERATION ON
INTERNAL SECURITY

UNDERLINING the need for preventive engagement with third countries and maximising the added value of existing policy dialogues in order to address the root causes of security issues as outlined in the European Agenda on Security¹,

BEARING IN MIND the European Neighbourhood Policy principles of the EU, that underline the importance of a special relationship with the EU's neighbours in order to foster stability and security²,

ACKNOWLEDGING the efforts and concrete deliverables made by Ukraine while implementing all the benchmarks from visa liberalisation roadmap and its readiness to continue with sustainable reforms in relevant areas for Ukraine, as well as EU internal security,

EMPHASIZING the expected deliverable agreed in the Eastern Partnership Summit concerning strengthening the resilience of the Eastern Partnership countries, including through stronger cooperation in the area of civilian security and increasing the resilience of partner countries through civilian security sector reform, implementation of integrated border management, disrupting organised crime, tackling hybrid threats, countering terrorism, preventing radicalisation and enhancing cybersecurity³,

¹ COM(2015) 185 final, 28 April 2015

² 15169/15

³ SWD(2016) 467 final, 15 December 2016; SWD(2017) 300 final, 9 June 2017; 14821/17

TAKING INTO ACCOUNT the Council Conclusions on the Renewed European Union Internal Security Strategy 2015-2020⁴ and its mid-term review⁵, which identify as a priority area the strengthening of the linkages between internal and external security policies, to make progress towards the implementation of the Global Strategy of the EU's Foreign and Security Policy⁶ and an effective and genuine Security Union⁷ by reinforcing cooperation with priority third countries, including those in the Eastern Partnership, in the areas of counter terrorism and the prevention of the spread of violent extremism and radicalisation, the fight against transnational serious and organised crime, as well as the fight against cybercrime and tackling hybrid threats,

RELYING ON the Association Agreement⁸ between the EU and its Member States, and Ukraine, where parties committed to combating organised crime, developing border management, establishing together an effective and preventive policy against illegal migration and stepping up cooperation in the fight against terrorism,

UNDERLINING the EU's commitment to fight terrorism and serious and organised crime in full compliance with human rights and the rule of law,

HIGHLIGHTING the importance of contributing to the internal security of Ukraine in an efficient and coordinated manner and RECOGNISING that relevant authorities of the EU and Member States should have a common understanding of the internal security situation in Ukraine,

CONSIDERING the importance for the relevant EU JHA Agencies, in accordance with their available financial and human resources, to enable setting up cooperation with appropriate authorities of priority countries, including Ukraine, in raising the capacity related to information systems, especially on sharing knowledge and best practice on renewing databases to ensure coherence with databases of the EU,

⁴ 9798/15

⁵ 13319/17

⁶ 10715/16

⁷ COM(2016) 230 final, 20 April 2016

⁸ OJ L 161, 29 May 2014, p. 3

ACKNOWLEDGING the possible impacts which the conflict in Eastern Ukraine may have on the overall internal security of Ukraine as well as of the EU,

REITERATING the EU's unwavering support for Ukraine's unity, sovereignty, independence and territorial integrity,

NOTING the importance of continuing to enhance the EU and Ukraine cooperation against common threats posed by the illicit trafficking of firearms as stated in the EU Action Plan against illicit trafficking in and use of firearms and explosives⁹,

THE COUNCIL,

STRESSES that supporting Ukraine in further developing its integrated border management and migration management, including its intelligence-led policing and biometrics-based identity management, will directly benefit the EU, especially taking into account the achieved visa free regime and considering that the functioning of border and migration management has direct impact on tackling cross-border crime,

UNDERLINES that the fight against transnational serious and organised crime, including smuggling of migrants and trafficking of human beings, firearms, goods and organised property crime should be the focus areas in supporting Ukraine and thus it is important to involve Ukraine in the relevant Operational Action Plans of the EU Policy Cycle for organised and serious international crime whenever operational needs require and in line with the EU Policy Cycle Terms of Reference, and facilitate the cooperation with the relevant networks of the Member States' law enforcement authorities¹⁰, as discussed in the Law Enforcement Working Party (LEWP)¹¹,

⁹ COM(2015) 624 final, 2 December 2015

¹⁰ Networks under the monitoring of Law Enforcement Working Party

¹¹ 11842/17

RECOGNIZES hybrid threats¹² which Ukraine has been confronted with, as an early warning sign to the Member States about possible emerging internal security threats and views it as a possibility to learn from the experience of Ukraine,

NOTES that greater awareness of hybrid threats affecting the close neighbourhood of the EU will contribute to increased internal security within the EU and allow to coordinate a needs based approach to supporting Ukraine, as emphasized in the Communication on countering hybrid threats¹³, which call for strengthening cooperation with Eastern Partnership countries, and as referred in the Communication on building strong cybersecurity for the EU¹⁴, which outlines that supporting efforts to build national resilience in third countries will increase the level of cybersecurity globally, with positive consequences for the EU,

HIGHLIGHTS the prevention and fight against corruption at all levels of cooperation and support to Ukraine, as well as the strengthening of an independent judiciary and law enforcement bodies, as a horizontal priority issue,

EMPHASIZES the need to provide support to the law enforcement authorities of Ukraine in the above-mentioned areas and to assist the authorities of Ukraine in bringing their law enforcement system closer to the EU standards to allow for more cooperation,

INVITES the EU JHA Agencies to step-up further cooperation with Ukraine within their mandate, capacity and priorities (while coordinating, where relevant, support activities with the Support Group for Ukraine (SGUA) and other relevant EU actors), notably:

- Europol in exchanging best practices and developing further operational cooperation, including cooperation with Europol's European Cybercrime Centre (EC3),
- Frontex in continuing with support related to integrated border management, including strategic advice, technical assistance projects and operational cooperation,

¹² such as hybrid threats listed in the JOIN(2016) 18 final, 6 April 2016: recruiting and directing proxy actors, cyber-attacks, targeting critical infrastructure, economic pressure and influence, disinformation campaigns, violation of border regime and public order

¹³ JOIN(2016) 18 final, 6 April 2016

¹⁴ JOIN(2017) 450 final, 19 September 2017

- CEPOL in offering participation in Agency's law enforcement training activities and for this purpose also encouraging Ukraine to finalise the process of signing the working arrangement between CEPOL and Ukraine,
- Eurojust in developing further cooperation and engagement with Ukraine,

MEMBER STATES AGREE:

- to assess and discuss in cooperation of the Standing Committee on Operational Cooperation on Internal Security (COSI) and the Political and Security Committee (PSC) once a year or more frequently, if needed, the possible internal security threats in relation to the situation in Ukraine and when appropriate other Eastern Partnership countries, whenever needed and requested by Member States on the basis of assessments prepared by the EU Intelligence and Situation Centre and Europol, with a view to ensuring coordinated EU responses and providing strategic guidance to the relevant authorities of the Member States and EU JHA Agencies,
- to facilitate the involvement of Ukraine in the Operational Action Plans of the EU Policy Cycle for organised and serious international crime, where relevant, whenever operational needs require and in line with the EU Policy Cycle Terms of Reference, and in the work of appropriate networks of the Member States' law enforcement authorities¹⁵, based on crime trends,

¹⁵ Networks under the monitoring of Law Enforcement Working Party

- to invite the Support Group for Ukraine (SGUA) jointly with the European Union Advisory Mission (EUAM) Ukraine and other EU actors to keep Member States informed via COSI and PSC (and other relevant bodies if appropriate) of Ukrainian needs for assistance in the area of civilian security sector reform and EUAM to continue conducting regular mapping exercise of the existing EU and Member States' activities, thereby helping the Member States to direct assistance more efficiently, avoid overlap and leverage all actions by relevant EU and other donors in Ukraine,
 - to seek coordination of their bilateral assistance plans and activities regarding Ukraine with SGUA and EUAM at an early stage as far as possible, taking into account the on-site expertise of EUAM and other EU actors on the civilian security sector of Ukraine,
- to monitor and gather statistical information, together with the Commission and EEAS, regarding developments with an impact on internal security of the EU in the Eastern Neighbourhood, such as cybercrime, trafficking in human beings, illegal firearms trafficking, organised property crime and consider adequate policy responses if needed.
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