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NOTE

from :	Police Chiefs Task Force
to :	Article 36 Committee
Prev. doc. :	5859/3/06 ENFOPOL 20 REV 3
Subject :	Comprehensive Operational Strategic Planning for the Police (COSPOL) <ul style="list-style-type: none">- Consolidation in the framework of the ECIM, the OCTA, the Council priorities and strategies in the fight against organised Crime and terrorism- Roles and responsibilities (terms of reference)

At its meeting of 3 October 2006 the Police Chiefs Task Force agreed to forward the afore mentioned text to the Article 36 Committee for endorsement.

The agreed text is in annex.

1. Background

1.1 Aim and rationale of the document

This document sets out the framework for the Comprehensive Operational Strategic Planning for the Police (COSPOL), explaining its relationship with the European Criminal Intelligence Model (ECIM), the Organised Crime Threat Assessment (OCTA) and the Council priorities and strategies in the fight against organised crime and terrorism.

It also specifies the roles and responsibilities of the different COSPOL participants, taking into account the evaluation of the first six COSPOL projects as well as the discussion on the (methodology for producing) the first Europol OCTA.

The Police Chiefs are requested to take note of this revised version and approve it for implementation.

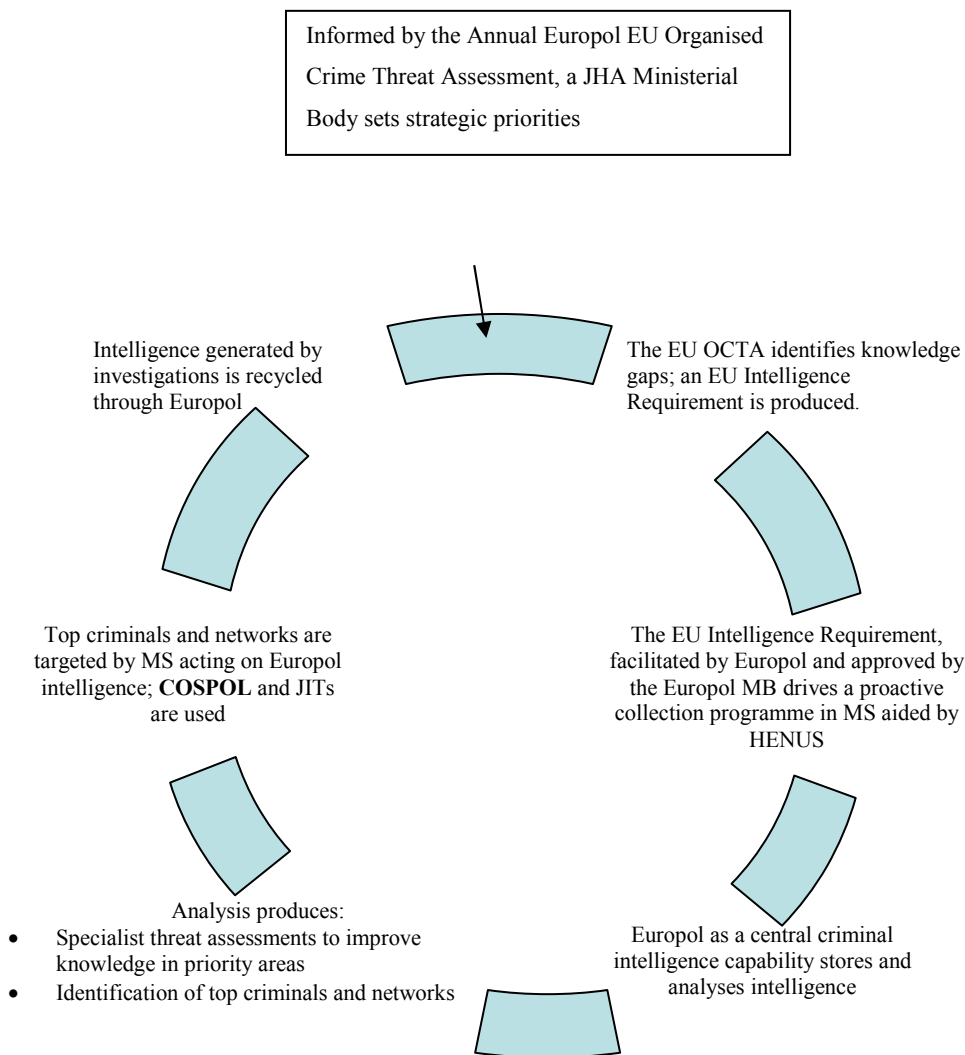
1.2 COSPOL definition

COSPOL is a multi-lateral law enforcement instrument under the guidance, support and direction of the Police Chiefs Task Force (PCTF). It is intended to achieve tangible operational results in terms of arrests of top level criminals and the dismantling of criminal and terrorist organisations or networks, whilst ensuring that the Member States' competent authorities make use of Europol's analytical support, in particular its Analysis Work Files (AWFs).

2. Consolidation of COSPOL in the framework of ECIM and OCTA

- 2.1 With the introduction of the ECIM and the publication of the OCTA in April 2006, the PCTF agreed to ensure that its operational activity, as directed through COSPOL, addresses the priorities set out by the Council on the basis of the OCTA and those set in the fight against terrorism. It was also confirmed that the PCTF would act as the senior tasking and coordinating body in regard to cross-border EU police co-operation.

2.2 COSPOL groups will be used primarily as a means of targeting top organised crime enterprises identified by the OCTA (or its related products), but also to address the Council priorities in the fight against terrorism. There are also provisions for COSPOL to be used to improve knowledge gaps, if these are prioritised for further action. A diagram of where COSPOL sits within the ECIM is set out on the next page.



2.3 COSPOL groups will be closely linked to existing AWFs in order to exploit Europol's intelligence and analytical support and also to reinforce the intelligence cycle, so that the results of COSPOL activity can be fed back into Europol.

- 2.4. A strict requirement is that all COSPOL projects shall determine clear objectives and criteria how results should be measured. Each project must focus on well identified and defined targets within a certain priority area identified by the Council on the basis of the OCTA or otherwise decided upon by the Police Chiefs.
- 2.5 Given that the OCTA will be updated annually it was agreed that COSPOL's annual evaluation report should also be produced approximately with the same frequency. This will ensure that the PCTF can task new or revised groups based on the Council priorities in the fight against organized crime. Europol will liaise with the PCTF Support Unit and incumbent Presidency before the publication of the OCTA so that planning for future COSPOL activity can be undertaken at the earliest opportunity. Vice versa, Europol shall be consulted and provide advice for the selection of new COSPOL areas of activities, in order to ensure that Europol can plan and provide the necessary resources and expertise. In the same sense, the PCTF will assign new tasks on the basis of decisions of the Council in the fight against terrorism.
- 2.6 It is unlikely, however, that all COSPOL groups will neatly fit the yearly cycle described above. The PCTF recognised that some projects would need longer time scales but recommended that action plans should be set up with specific, actionable short- to medium-term aims.
- 2.7 The PCTF considered whether COSPOL should extend beyond areas of business identified within the OCTA or existing AWFs¹. Such scenarios should be considered on a case-by-case basis. Additionally, notwithstanding the role of the Europol Management Board and the Council, the PCTF should use its strategic meeting in Council structures to advise Europol if its future work programme should be broadened to incorporate new areas of business.

¹ This possibility should be kept to cover situations where the Police Chiefs wish to action a project that is within their remit but is outside Europol's mandate.

3. Project Management

- 3.1 Pre-opening phase: The initiation and management of COSPOL projects or action plans in general should be in line with the existing procedures and working methods already in place at EU level, such as Europol's procedures² which are jointly being developed with and approved by the Member States in an ongoing process. The preparatory phase should encompass a clearly defined project proposal, including the scale of the problem and MS' potential to tackle the problem.

Furthermore, COSPOL projects should be preceded by an in-depth feasibility study covering: resource and budget implications; and MS' preparedness and ability to share data in line with the collection plans.

- 3.2 Project phase: The project should be based on a project plan which includes a detailed description of the project, its objectives, milestones, resources, roles and responsibilities, timeframe for specific outputs and expected outcome. Further details on the respective roles and responsibilities are outlined in the annex.

4. Evaluation

- 4.1 The evaluations of COSPOL which were carried out in the beginning of 2006 have identified a lack of detailed project planning and implementation to ensure a clear formulation of objectives and tasks in the COSPOL projects as well as definition of products and deliverables at the beginning and during the project phases.

This indicates the need for a mechanism by which the performance of each group can be measured and a system of accountability whereby the groups are answerable to the Police Chiefs Task Force. As such, COSPOL should be measured, using existing Europol tools, via the input, output and outcomes of the related AWFs at Europol and also on its concrete law enforcement results in the Member States.

² A template for project management standards will be provided by Europol.

4.2 For that reason each Driver or Co-Driver of the COSPOL projects shall report twice a year at the operational meetings to the Police Chiefs Task Force. This ‘status report’ should focus on:

- (a) The overall project objectives and the specific operational actions and achievements.
- (b) Whether the objectives have been reached or an explanation why not.
- (c) What action the project group intends to take to meet its objectives and within what timescales.
- (d) Suggestions towards the PCTF to support and help the project meet its objectives.

The PCTF Support Unit at Europol assists the PCTF by pro-actively requesting necessary actions and compiling the project documentation well in advance of the meeting of the PCTF (see item 3).

4.3 It is recommended that the annual evaluation of the COSPOL initiatives be undertaken with the benefit of the OCTA and ECIM along these lines. The chair of the PCTF may consider informing the Article 36 Committee about the results.

5. Roles and Responsibilities of COSPOL participants

The roles and responsibilities of COSPOL participants were initially agreed by the PCTF at its strategic meeting in December 2005 and revised at operational and strategic meetings in 2006. These roles and responsibilities cover all stakeholders within COSPOL: Driver and Co-Driver countries, Forerunner countries, Europol, PCTF Support Unit, all Member States and other involved authorities.

Therefore, all COSPOL projects and activities should be initiated, managed and coordinated in accordance with the principles and working methods listed above, as well as the overall terms of reference for COSPOL projects.

The terms of reference are set out in the Annex below.

TERMS OF REFERENCE

COSPOL is a multi-lateral law enforcement instrument under guidance, support and monitoring of the Police Chiefs Task Force (PCTF), intended to achieve tangible operational results in terms of arrests of top level criminals and the dismantling of criminal and terrorist organisations or networks, whilst ensuring that the Member States' competent authorities make use of Europol's analytical support, in particular its Analysis Work Files (AWFs).

In order that the European Police Chiefs can rely on COSPOL as an effective operational resource, full commitment is required from all Member States to support and contribute to COSPOL's aims and expectations.

The constitution of the forerunner groups is important to the future success of all COSPOL initiatives. It is recognised that COSPOL can only work when all Member States and Europol are committed to investing in the process. When a Member State participates as a forerunner country it must be prepared to invest both financial and human resources to the intelligence gathering and operational phases.

Requirements and Commitments of the Leading Member State (Driver)

The role of the leading Member State is pivotal to the success of COSPOL. It must primarily identify with the particular crime area and ideally have a well established infrastructure in place dealing with this problem. Inclusion of the crime area within its national priorities should be a consideration. The Chief of Police or his/her substitute for the leading Member State must appoint a representative to preside over the group. The person must be a well placed law enforcement officer with sufficient skills and competences to perform the task. It is important to consider the time demands which such a role will entail and it is further necessary to ensure that sufficient support is available.

The nominated person (Driver)

- In cooperation with the other forerunner countries and Europol drafts and produces an action plan setting out aims and milestones against which they can be measured.
- Leads the group according to the project planning.
- Has excellent knowledge of the group's working language.
- Reports on behalf of the COSPOL group to the PCTF.
- Is in such a position that time spent on COSPOL tasks does not cause conflict within his/her own agency
- Is a specialist in the particular crime area with strategic and operational knowledge and experience pertinent to the target group
- Receives the support and resources necessary to carry out this task
- Organises and chairs the meetings of the forerunner group
- Where necessary co-opts other countries and international law enforcement agencies to the COSPOL group for the specific purpose of the realisation of the action plan
- Acts as a mediator and finally as a decision maker whenever problems or differences of opinion arise (e.g. concerning commitment, target selection...).

Problems which cannot be clarified by the Driver shall be brought to the attention of the PCTF-Support Unit which will inform the EPCTF Chairman. Where appropriate, the Chairman contacts the Police Chief of the concerned country in order to find a solution.

Requirements and Commitments of the Co-Driver Countries

The Co-Driver is the substitute for the Driver who supports and assists in all above mentioned matters. As this position may require acting as the Driver of the initiative, the nominated person should be able to comply with the requirements and commitments of the Leading Member State as well. It is not mandatory to appoint a Co-Driver for each initiative. Such appointment will be examined and approved by the PCTF, depending on the needs and nature of the project.

Requirements and Commitments of Forerunner Countries

It is essential that all Member States which agree to participate in a Forerunner Group are committed to the aims of the COSPOL target group and are fully prepared to invest time and effort as necessary. As a consequence, Member States should carefully examine the membership of each COSPOL group to ensure that their national crime priorities are reflected in their membership of that particular COSPOL group. It is important that all forerunner countries demonstrate the following:

Ownership: Forerunner countries must have ownership of the problem reflected in the COSPOL target and associated AWF at Europol. This may be evaluated according to their national priorities and where appropriate should be included within their own Criminal Intelligence Model or equivalent thereof.

Commitment: Forerunner countries must display commitment to the COSPOL group and associated AWF at Europol. Where a role is accepted, then the MS must ensure continuity of attendance at all COSPOL meetings and operations. The nominated participants should be specialists in that area and not generic policy makers. MS should provide two participants where they are able to do so. These will be:

- A senior officer with strategic command who has the authority from his/her agency to commit such resources and finances as may be required. This person need not attend every meeting but must remain fully briefed and retain overall responsibility for the MS commitment to COSPOL.
- An operational officer who is a specialist in the particular target area. This officer must have sufficient experience and knowledge to efficiently represent his/her MS interests within the COSPOL forerunner group and thus efficiently contribute to the joint enterprise. This person should also be effectively mandated as the nominated National Expert for the associated AWF at Europol. This participant should attend every meeting and will report directly back to the strategic member.

- **National Contact Point:** In order to ensure continuity each MS must nominate a national contact point for the COSPOL Group who will be responsible for coordination of his/her Member State's participation and cooperation. This person must have a national remit as it is important that COSPOL captures each Member State's full national picture and not just regional concerns. This person should be the strategic member of the forerunner group who may, where appropriate, delegate this work to the operational member.

Requirements and Commitments of the Support Unit

The following conditions are applicable for the role of the Support Unit:

- To be the depositary for the project plan documentation as the focal point that can be consulted to check the status of the activities
- To produce the annual evaluation³ (see point 2.5.) of the COSPOL projects to brief the Police Chiefs about the development and to give the basis for decisions on starting new, closing or continuing running projects
- If feasible, depending on workload and availability, to attend the regular COSPOL meetings as a representative of the Chair of the PCTF to monitor and guide the group in accordance with agreed direction from the PCTF
- To ensure regular contact and liaison with the Driver thus enabling a flow of information direct from the PCTF to the forerunner group.

Requirements and Commitments of Europol

The following conditions are applicable for Europol's role:

- To participate in all COSPOL groups
- To ensure that each COSPOL group works closely with the stated aims of its associated Analysis Work File. In cases where no AWF exists, to ensure learning is captured and used for relevant purposes.
- To receive intelligence from the Member States comprising the COSPOL groups, provide analytical support and disseminate relevant information.
- To provide guidance and expertise where applicable.

³ To be presented to the Police Chiefs together with the annual OCTA including proposals for the development of the COSPOL projects (i.e. opening new, shutting down or continuing of old groups).

Requirements and Commitments of all Member States

It is recognised that each Member State has a role to play in all COSPOL groups whether or not they are members of the forerunner group. The prompt delivery of intelligence and, where applicable, operational commitment is required to ensure an accurate and swift development of information. Member States, in line with their national legislation, are thus required:

- To deliver required information and intelligence following a request through COSPOL in a timely and accurate fashion. This information has to be sent through the respective Europol Liaison Bureau, cleared for the concerned AWF at Europol and marked COSPOL;
- When requested by the leading Member State or Europol to assist in operational activity on a COSPOL target and associated AWF at Europol;
- To market COSPOL and the associated AWF at Europol at a national level ensuring law enforcement officials are aware of COSPOL and Europol as a tactical option.

Requirements and Commitments of other involved authorities:

EUROJUST should be involved in all initiatives for judicial matters and also their advice may be sought in all phases of the projects, where appropriate.

CEPOL assists by providing general training on intelligence-led law enforcement but can also provide training, linked to specific COSPOL initiatives.

The assistance of INTERPOL and FRONTEX should be sought when their expertise can bring added value to the COSPOL projects. This will obviously differ from one area of activity to the other.

The decision of approaching one of these authorities is up to the nominated Driver.
