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NOTE

From:	Presidency
To:	Law Enforcement Working Party
No prev. doc.:	17559/11 ENFOPOL 417 6241/13 ENFOPOL 35
Subject:	Relationship between the LEWP and the eighteen (18) expert groups and networks related to the LEWP - suggestions for improving the planning, monitoring and reporting

Introduction

Following requests at the LEWP meeting on the 18 December 2012 to discuss the relationship between the LEWP and the various related experts groups and networks related¹, the Presidency submitted a discussion paper at the LEWP meeting of 13 February 2013 (doc. 6241/13 ENFOPOL 35) and invited delegations to comment on 6 questions as a basis for further discussions.

The current document sets out a short summary of the few replies that were sent in (BE, CZ, DE, FI, FR, PL, UK) and proposes some guidelines that could facilitate the relationship between the LEWP and the networks. Taking into account the discussion at the LEWP meeting of 22 May and subsequent written comments, the Presidency has amended the guidelines and submits them to the LEWP for endorsement.

¹ doc. 17981/12 ENFOPOL 427 COMIX 747

Summary of the replies

The replies received from BE, CZ, DE, FI, FR, PL, UK confirm a number of the recommendations agreed in 2011:

- only business-driven meetings, when personal attendance is required, and with a clear focus
- need for better and effective reporting at national level and to LEWP
- need for LEWP to set clear expectations and directions and to monitor the networks, in order to ensure that goals of the networks are aligned with wider goals (of LEWP, of EU agencies, ...), while leaving a certain degree of operational freedom is applicable to some sub groups and networks and that LEWP could involve itself only where practicable.

BE suggested that a detailed assessment of each of the expert groups and networks should be carried out, prepared by a limited group. Because of the financing aspect, the Commission should partake in any assessment. The UK provided the following suggestions on assessing the performance of sub groups and networks:

- Adherence to action plans/work programmes (taking into account that sub groups and networks have differing operational outcomes/policy focus).
- Stakeholder satisfaction feedback or surveys amongst policing organisations/agencies/relevant partners.
- Engagement with relevant steering groups.

PL already provided a detailed contribution on the functioning and possible improvements of ENFAST, the network of experts on major sports events, EMPEN, RCEG.

FI proposed that those sub groups and networks that are not active should be transformed into a list of contact points, which could be used where necessary to exchange information among experts in a relevant area. Several delegations supported this proposal.

Proposal for guidelines

The aim of the current proposal is still very much the same as those set out in 2011 (doc. 17559/11), i.e. to facilitate a way for the LEWP to steer and monitor the activities of these groups whenever deemed appropriate and necessary. This is achieved by

- providing a clearer overview of currently operating groups and networks;
- facilitating the planning process for the incoming Presidencies in relation to the LEWP and its activities;
- helping to avoid overlaps of the activities of these expert groups and networks;
- providing a possibility for the LEWP to set certain guidelines for the activities of such expert groups and networks.

However, the groups and networks should also get a better access to and feedback from Council preparatory bodies, in particular and in the first place, the LEWP and they should be given sufficient room for developing their work according to operational needs.

The guidelines are based on the principles agreed in 2011 for planning and steering of the activities of the groups and networks but include some more detailed and practical indications. They are divided in a part aimed at the participants in the network and a part aimed at the LEWP delegates and (incoming) Presidencies.

When agreed, these guidelines could be published in a user-friendly format so that they can be handed out to all network participants and LEWP delegates at regular intervals, so as to ensure that the good practices are distributed widely and continually over time.

A. Good practices for the LEWP in monitoring and steering the networks

Planning

- (1) incoming Presidencies to liaise with their national participants in the networks and, where relevant, with the lead country/ies, at least 18 months before the start of the Presidency with a view to discussing the planning and possible deliverables
- (2) incoming 6 Presidencies invited to meet around March and around October to plan networks' meetings and update the rolling schedule; including timing for review of the network (see below, point 9)
- (3) incoming Presidency to present the rolling schedule in last LEWP meeting before its Presidency

Monitoring

- (4) Presidency to include the report from a network's meeting on the LEWP agenda, whenever possible within a month and in any case at the earliest possible occasion
- (5) LEWP to discuss ~~reports and any~~ work programmes and reports and set possible guidelines for the activities of the expert groups and networks taking into account possible overlapping, other (EU) policies as well as the priorities defined in the implementation of the EU policy cycle for organised and serious international crime and provide a general steering of such activities
- (6) LEWP delegates to request a national reporting on a network's meeting from their Member State's participant
- (7) in order to enhance and ensure national coordination, LEWP delegates to liaise with their Member State's participants at national level before and after an LEWP meeting where a network's issue is discussed
- (8) LEWP delegates to maintain a list of their Member State participants in the different networks

- (9) LEWP to review each network regularly (e. g. every 3-5 years, on a case-by-case basis²; depending on the review and where appropriate, amend terms of reference of the network³, merge a network with another expert group, transform a non-active network/expert group into a list of contact points or terminate if no longer required

Creation of networks

- (10) already in the decision-making process when establishing such groups and networks consider how to ensure the continuity of the activities of expert groups and networks (e.g. by foreseeing secretarial support, financing, planning and monitoring of the activities of such groups and networks)
- (11) consider the inclusion of a review or sunset clause when creating new networks.

B. Good practices for networks and groups

Organisation of the network

- (1) keep the internal organisation of the network as simple and pragmatic as possible
- (2) to ensure better continuity, consider appointing (a) lead country/countries to coordinate the activities of expert groups/networks in support of the Presidency (e.g. "Football Think Tank", ENLETS Core Group) or in the case of networks that have existed for longer, consider renewing the call to Member States to join the lead group
- (3) where such a lead group exists, include the rotating Presidency, or at least a member of the Trio Presidency at all times⁴
- (4) where appropriate, use virtual platforms (e.g. Europol platforms for experts - EPE, when there is a link to the Europol mandate) to exchange information/contacts etc

² Assessment can be made (i) according to adherence to action plans/work programmes (taking into account the differences between networks); (ii) looking at stakeholder satisfaction feedback or surveys amongst policing organisations/agencies/relevant partners; (iii) based on engagement with relevant steering groups.

³ For example, it could be decided that holding a conference every 3/4 years would be more beneficial for experts to meet and exchange best practices than keeping up a network.

⁴ EU Presidencies: 2013-2 LT; 2014-1 EL; 2014-2 IT; 2015-1 LV; 2015-2 LU; 2016-1 NL; 2016-2 SK; 2017-1 MT; 2017-2 UK; 2018-1 EE; 2018-2 BG; 2019-1 AT; 2019-2 RO; 2020-1 FI.

Planning of the work of the network

- (5) consider drawing up a work programme, even if in a summary format
- (6) submit this work programme to the LEWP or at least send it to the Council Secretariat (lewp@consilium.europa.eu) so that it can be relayed to the (incoming) Presidencies with a view to coordinating with related Presidency requests and/or priorities
- (7) use such forward planning to seek possibilities, where deemed necessary and appropriate, of more systematic funding of the activities and operation of such expert groups and networks
- (8) if/when EU funding is requested and when it is granted, the lead country of the respective project ~~and the Commission~~ should inform the LEWP about such decision and about the outcome of such project

Organisation of the network's meeting

- (9) only organise a meeting when there is a need to
- (10) principally ~~ideally~~ organise the meetings without interpretation to allow more flexible scheduling
- (11) if organised as an LEWP meeting, preferably do not schedule the meeting together with a plenary LEWP meeting (as it might result in attendance by LEWP delegates and prevent "real" experts from participating)
- (12) when possible and appropriate, consider organising meetings back-to-back with other events (including privately organised conferences)
- (13) when discussing dates for the next meeting and certainly when fixing the next meeting, always inform the Council Secretariat (lewp@consilium.europa.eu) so that the information can be relayed to the concerned (incoming) Presidencies
- (14) where appropriate, organise conference calls, video or web conferences or written correspondence to discuss issues that do not require personal attendance
- (15) ensure that meetings have a clear focus and cover topical issues with defined outcomes
- (16) prepare and distribute the detailed agenda well in advance and copy it to the Council Secretariat (lewp@consilium.europa.eu) so that it can be relayed to the concerned (incoming) Presidencies and, ~~if so requested~~, to the LEWP

Reporting

- (17) after each meeting and at the latest within 1 month, submit a written report to the LEWP following the template set out in Annex
- (18) send the attendance list to the Council Secretariat (lew@consilium.europa.eu) for transmission to the LEWP to facilitate the liaising between the LEWP delegate and the network participant
- (19) when there are issues to be discussed or approved by LEWP, ensure appropriate representation of the network's chair at the LEWP
- (20) if the network/group is divided in subgroups, the reporting to LEWP should be done via the network/group

The networks'/expert groups' reporting to the LEWP should as much as possible include the following topics:

- meeting place and date;
- attendance;
- reference documents (action plan, strategy, roadmap, ...);⁵
- Possible linkage to other working groups, networks or EU policies;
- items discussed, outcome/conclusions of discussions and possible next steps related to them;
- proposals for further action to be taken by the LEWP or other fora;
- next meeting: date, place and main topics;
- where necessary/appropriate, annexes or additional documents with (e.g.) more extensive progress reports on specific points or proposals for recommendations or proposal for an action plan or proposal for (an update of) a handbook or a draft letter to a third party, etc.

⁵ Action plans should always include clear and tangible objectives and goals for the network.