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European Union

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COVER NOTE

From: Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director

date of receipt: 25 May 2022

To: General Secretariat of the Council

No. Cion doc.: COM(2022) 252 final ANNEX

Subject: ANNEX to the COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL on the Fourth Progress Report on the implementation of the EU Security Union Strategy

Delegations will find attached document COM(2022) 252 final ANNEX.

Encl.: COM(2022) 252 final ANNEX



Brussels, 25.5.2022
COM(2022) 252 final

ANNEX

ANNEX

to the





**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT AND THE COUNCIL**

on the Fourth Progress Report on the implementation of the EU Security Union Strategy

Legend:





Legislative files: ● = adopted ● = ongoing work ● = awaiting Commission's proposal

Non-legislative files: ● = adopted ● = ongoing work

| Actions | State of play | | | |
|--|--|---|---|---|
| I. A future-proof security environment (critical infrastructure, cybersecurity, public spaces) | | | | |
| Legislative files <div style="float: right; text-align: right;">    </div> | | | | |
| <ul style="list-style-type: none"> Proposal for a Directive on the resilience of critical entities, COM (2020) 829. | <ul style="list-style-type: none"> Adopted by the Commission on 16.12.2020. In Council, discussions are ongoing. The Parliament adopted the mandate for negotiations on 19 October 2021. In trilogue negotiations since January 2022. The Council and the Parliament aim to finalise negotiations by the end of FR Presidency. | ● | ● | ● |
| <ul style="list-style-type: none"> Revised Network Information Security (NIS) Directive, COM(2020) 823. | <ul style="list-style-type: none"> Adopted by the Commission on 16.12.2020. Political agreement reached among co-legislators on 12.05.2022. Formal adoption pending. | ● | ● | ● |
| <ul style="list-style-type: none"> Digital operational resilience for the financial sector (DORA Regulation and Directive), COM (2020) 595. | <ul style="list-style-type: none"> Adopted by the Commission on 24.09.2020. Provisional political agreement reached on 10 May 2022. | ● | ● | ● |
| <ul style="list-style-type: none"> Regulation on information security in the institutions, bodies, offices and agencies of the Union COM(2022)119. | <ul style="list-style-type: none"> Adopted by the Commission on 22 March 2022. | ● | ● | ● |
| <ul style="list-style-type: none"> Regulation on measures for a high common level of cybersecurity at the institutions, bodies, offices and agencies of the Union COM(2022)122. | <ul style="list-style-type: none"> Adopted by the Commission on 22 March 2022. | ● | ● | ● |
| Non-legislative files <div style="float: right; text-align: right;">  </div> | | | | |

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| <ul style="list-style-type: none"> • EU Cybersecurity Strategy, JOIN (2020) 18. | <ul style="list-style-type: none"> • Adopted on 16.12.2020. An implementation report was presented by the Commission and HR/VP in June 2021. | ● |
| <ul style="list-style-type: none"> • Regulatory framework for the European unmanned traffic management concept (U-Space), C(2021) 2671, C(2021) 2672, C(2021) 2673. | <ul style="list-style-type: none"> • Adopted by the Commission on 22.4.2021. As announced under the Sustainable and Smart Mobility Strategy, the Commission plans to adopt a new Drone Strategy in 2022 to guide the further development of this technology while guaranteeing the highest safety, security and environmental standards. | ● |
| <ul style="list-style-type: none"> • Creation of a Joint Cyber Unit. | <ul style="list-style-type: none"> • Commission Recommendation to set up the JCU adopted on 23.06.2021. The Council Presidency finalised Council Conclusions on the Joint Cyber Unit in October 2021. | ● |
| <ul style="list-style-type: none"> • Step up cooperation for the protection of public spaces, including spaces of worship. | <ul style="list-style-type: none"> • Included in the Counter-Terrorism Agenda for the EU, adopted on 9 December 2020. | ● |
| <ul style="list-style-type: none"> • Resilience of critical energy infrastructure. | <ul style="list-style-type: none"> • Ongoing work on a Commission Recommendation towards a harmonised approach to identify critical energy infrastructure, exchange of information and, available options to finance the resilience of critical energy infrastructure. • Ongoing work to establish a Standing Group of Operators and authorities on the resilience of energy infrastructure. | ● |
| <ul style="list-style-type: none"> • Network code on cybersecurity for cross-border electricity flows. | <ul style="list-style-type: none"> • Commission adoption planned by end 2022/early 2023 • Internal work is ongoing. The Agency for the Cooperation of Energy Regulators is currently reviewing a draft proposal and plans to submit it to the Commission by mid July 2022. | ● |
| <ul style="list-style-type: none"> • Support the enhancement of Member States' capabilities to counter and mitigate the threat of non-cooperative drones | <ul style="list-style-type: none"> • Ongoing. | ● |

II. Tackling evolving threats (Cybercrime, modern law enforcement, illegal content online, hybrid threats)

| Legislative files | |  |  |  |
|---|--|---|---|---|
| <ul style="list-style-type: none"> Proposals on detection and removal of child sexual abuse. | <ul style="list-style-type: none"> Short term proposal: Adopted by the Commission on 10.09.2020. Political agreement of the co legislators on 29.04.2021. Entered into force on 03.08.2021. | ● | ● | ● |
| | <ul style="list-style-type: none"> Long term proposal: Adopted by the Commission on 11.05.2022. COM(2022)209 | ● | ● | ● |
| <ul style="list-style-type: none"> Proposal for a Regulation on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the judicial cooperation (COM(2021) 759) | <ul style="list-style-type: none"> Adopted by the Commission on 01.12.2021 Council examination ongoing, The European Parliament has appointed rapporteurs and held a first exchange of views on 12 May 2022. | ● | ● | ● |
| Non-legislative files | |  | | |
| <ul style="list-style-type: none"> EU Strategy for fight against child sexual abuse. | <ul style="list-style-type: none"> Adopted by the Commission on 24.07.2020. | | ● | |
| <ul style="list-style-type: none"> Enhance law enforcement / judiciary capacity in digital investigations. | <ul style="list-style-type: none"> Improving law enforcement capacity for digital investigations included in EU Strategy to tackle Organised Crime adopted on 14 April 2021. In that Strategy, the Commission has laid out its intention to “suggest a way forward in 2022 to address the issue of lawful and targeted access to encrypted information in the context of criminal investigations and prosecutions. | | ● | |
| <ul style="list-style-type: none"> Set out an EU approach to countering hybrid threats: | <ul style="list-style-type: none"> Mainstream considerations on hybrid into policy making, identification of sectoral hybrid resilience baselines, situational awareness, creation of an online platform. Ongoing work at the internal level, with MS and with Agencies. | | ● | |


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| <ul style="list-style-type: none"> Review of EU operational protocol for countering hybrid threats (EU Playbook) SWD(2016)227. | <ul style="list-style-type: none"> Pending the outcome of the review of the EU crisis management mechanisms. | ● |
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III. Protecting Europeans from terrorism and organised crime


Legislative files








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| <p>Anti-money laundering package:</p> <ul style="list-style-type: none"> - Proposal for a regulation establishing the Authority for Anti-Money Laundering and Countering the Financing of Terrorism and amending Regulations (EU) No 1093/2010, (EU) 1094/2010, (EU) 1095/2010 (COM/2021/421) - Proposal for a regulation on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing (COM/2021/420) - Proposal for a directive on the mechanisms to be put in place by the Member States for the prevention of the use of the financial system for the purposes of money laundering or terrorist financing and repealing Directive (EU) 2015/849 (COM/2021/423) - Proposal for a regulation on | <ul style="list-style-type: none"> Adopted by the Commission on 20.07.2021 <p>Trilogues started on 28 April 2022 in relation to one of the elements of the package: the proposal for a regulation on information accompanying transfers of funds and certain crypto assets (recast). Concerning the other elements of the package, discussions are still ongoing in Parliament and Council.</p> | ● ● ● |
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| information accompanying transfers of funds and certain crypto-assets (recast) (COM/2021/422). | | | | |
| <ul style="list-style-type: none"> Revision of Regulation 258/2012 on export authorisation, and import and transit measures for firearms. | <ul style="list-style-type: none"> Adoption planned for Q3 2022. | | ● | ● |
| Review of legislation on freezing and confiscation and on Asset Recovery Offices. COM(2022) 245 | <ul style="list-style-type: none"> Adopted by the Commission on 25.05.2022. | | ● | ● |
| <ul style="list-style-type: none"> Review of the Environmental Crime Directive 99/2008/EC. COM(2021)851 | <ul style="list-style-type: none"> Adopted by the Commission on 15.12.2021. Council examination ongoing, Parliament has not started work yet. | | ● | ● |
| <ul style="list-style-type: none"> Revision of the mandate of the European Monitoring Centre for Drugs and Drug Addiction. COM(2022)18 | <ul style="list-style-type: none"> Adopted by the Commission on 12.01.2022. | | ● | ● |
| Non-legislative files | | | |  |
| <ul style="list-style-type: none"> A Counter-Terrorism Agenda for the EU, including renewed anti-radicalisation actions in the EU COM(2020) 795. | <ul style="list-style-type: none"> Adopted by the Commission on 9.12.2020. | | | ● |
| <ul style="list-style-type: none"> EU Strategy to tackle organised crime (with an accompanying Staff Working Document on EMPACT). | <ul style="list-style-type: none"> Adopted by the Commission on 14.04.2021. | | | ● |
| <ul style="list-style-type: none"> EU Strategy in Combating Trafficking in Human Beings 2021-2025. | <ul style="list-style-type: none"> Adopted by the Commission on 14.04.2021. | | | ● |

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| <ul style="list-style-type: none"> • EU Agenda on Drugs and Action Plan 2021-2025. | <ul style="list-style-type: none"> • Adopted by the Commission on 24.07.2020. | ● | | |
| <ul style="list-style-type: none"> • 2020-2025 EU Action Plan on Firearms trafficking. | <ul style="list-style-type: none"> • Adopted by the Commission on 24.07.2020. | ● | | |
| <ul style="list-style-type: none"> • Opening of negotiations with 13 third countries for cooperation with Eurojust. | <ul style="list-style-type: none"> • Mandate adopted by Council on 01.03.2021. Commission contacts with third countries ongoing. Negotiations have formally started with 3 countries: Colombia, Armenia and Algeria. | ● | | |
| <ul style="list-style-type: none"> • New cooperation with key third countries and international organisations against terrorism. | <p>EEAS held Dialogues on Counter Terrorism with the following countries and International Organisations:</p> <ul style="list-style-type: none"> - India (Brussels, 30 March). - Israel (Tel Aviv, 4-5 April). - United Nations -UN (New York, 8 April). | ● | | |
| <ul style="list-style-type: none"> • European Public Prosecutor's Office (EPPO): Recommendation on cooperation agreements with selected third countries. | <ul style="list-style-type: none"> • Preparatory work ongoing. | ● | | |
| <ul style="list-style-type: none"> • An EU Action Plan against Migrant Smuggling, 2021-2025. | <ul style="list-style-type: none"> • Adopted by the Commission on 29.09.2021 | ● | | |
| IV. A strong European security ecosystem | | | | |
| Legislative files | | | | |
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| <ul style="list-style-type: none"> • Strengthening of Europol mandate. COM(2020) 796 | <ul style="list-style-type: none"> • Adopted by the Commission on 09.12.2020. • Political agreement reached on 01.02.2022 • Expected entry into force on 28 June 2022 | ● | ● | ● |
| <ul style="list-style-type: none"> • Revision of the Prüm decisions. COM(2021)784 | <ul style="list-style-type: none"> • Adopted on 1.12.2021 Negotiations ongoing. | ● | ● | ● |

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| <ul style="list-style-type: none"> Proposals to modernise existing rules on data exchange and intra-EU law enforcement cooperation and create an EU police cooperation code COM(2021) 782 and COM(2021) 780 | <ul style="list-style-type: none"> Adopted on 1.12.2021. Package composed of a Directive on information exchange between law enforcement authorities of Member States and a Council recommendation for operational police cooperation. Negotiations ongoing. | <ul style="list-style-type: none"> ● ● ● |
| <ul style="list-style-type: none"> European Cybersecurity Industrial, Technology and Research Competence Centre and Network of National Coordination Centres proposal Regulation. | <ul style="list-style-type: none"> Adopted in May 2021. Regulation establishing the Competence Centre and Network entered into force on 28 June 2021. | <ul style="list-style-type: none"> ● ● ● |
| <ul style="list-style-type: none"> Revision of the Advance Passenger Information Directive. | <ul style="list-style-type: none"> Ongoing work. Adoption planned for Q4 2022. | <ul style="list-style-type: none"> ● ● ● |
| <ul style="list-style-type: none"> Digital information exchange on cross-border terrorism cases. COM(2021)757 | <ul style="list-style-type: none"> Adopted by the Commission on 1.12.2021. General Approach is expected to be adopted in June, Parliament will take up discussions in May. | <ul style="list-style-type: none"> ● ● ● |
| <ul style="list-style-type: none"> IT collaboration platform for Joint Investigation Teams. COM(2021)756 | <ul style="list-style-type: none"> Adopted by the Commission on 1.12.2021. Council examination ongoing, Parliament has not started work yet | <ul style="list-style-type: none"> ● ● ● |
| <ul style="list-style-type: none"> Framework for reciprocal access to security-related information for front-line officers between the EU and key third countries to counter shared security threats. | <ul style="list-style-type: none"> Ongoing work. Adoption planned for Q4/2022 (possible postponement to Q1/2023). | <ul style="list-style-type: none"> ● ● ● |
| <p>Non-Legislative files</p>  | | |
| <ul style="list-style-type: none"> The Horizon Europe Cluster 3 (civil security for society) work programme 2021-2022 | <ul style="list-style-type: none"> Adopted by the Member States in June 2021 (via the HE Programme Committee) | <ul style="list-style-type: none"> ● |

| Implementing Act | |
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| <ul style="list-style-type: none"> Updating the external dimension of the EU policy on Passenger Name Record | <ul style="list-style-type: none"> Roadmap published on 24.07.2020. Adoption planned for Q3/4 2022. Expecting the CJEU judgement in the course of 2022 on whether the PNR Directive and the relevant implementation laws are considered compatible with Union law, in particular the Charter of Fundamental Rights  |
| <ul style="list-style-type: none"> Better security standards for identity cards and residence documents (implementation of Regulation 2019/1157). | <ul style="list-style-type: none"> Ongoing (Member States started issuing identity cards and residence documents according to tighter security standards as of August 2021).  |
| <ul style="list-style-type: none"> European Innovation hub for internal security. | <ul style="list-style-type: none"> Hub established as a collaborative networks of innovation labs. Regular meetings of the Hub team take place every 2 weeks.  |
| <ul style="list-style-type: none"> Commission Recommendation to Council to open negotiations with Interpol. | <ul style="list-style-type: none"> Two Council Decisions on the opening of negotiations with Interpol to sign a cooperation agreement adopted on 14 July 2021. Negotiation with Interpol started in December 2021. Two rounds of negotiation already took place.  |
| <ul style="list-style-type: none"> Strengthening and improving of the exchange of criminal records information (ECRIS and ECRIS-TCN). | <ul style="list-style-type: none"> The Commission's Opinion on the eu-LISA technical specifications for ECRIS-TCN was adopted on 02.06.2021. The ECRIS-TCN Implementing Decision is currently being finalised. Adoption of the Implementing Decision planned for Q1 2022  |