EuroCOP policy grid – 2020

September 2020

European Union			
Issue	**Summary and relevance**	**Status**	**Timeline and next steps**
Political			
EU-UK relations	The EU and UK are negotiating the terms of the future relationship following Brexit. Security is a significant aspect of the agreement, including the UK-Northern Ireland border and access to certain law enforcement databases.	Talks are continuing although they are increasingly fractious. The two sides have not reached agreement on the role of the European Court of Justice and police and judicial cooperation. The Internal Market Bill recently proposed by the UK has led to serious divisions and a lack of trust amongst the two sides.	**29 September – 2 October 2020:** Round 9 of formal talks **30 September 2020:** Deadline for UK government to retract or amend the Internal Market Bill. **15 October 2020:** UK self-imposed deadline to achieve a deal. **31 October 2020:** EU deadline for a deal (allowing enough time for ratification). **31 December 2020:** End of transition period
EU Multi-annual financial framework	EU Member States are discussing the EU's next seven-year budget (MFF), to extend from 2021-2027. Leaders have agreed a €1.82 trillion budget and recovery package that will be funded by the Commission borrowing from capital markets. The budget carves out over €13 million for security and defence, allocating €1.7 billion for the Internal Security Fund and increasing the amount of the budget dedicated to Europol by at least 10% (link).	The European Parliament will need to approve the budget before it can come into force. The European Parliament has welcomed the recovery fund but is critical of cuts made to flagship programmes for climate protection and the digital transition as well as how light the rule of law provisions are. The Hungarian parliament has announced that it will also not consent to the package unless it finds the rule of law provisions acceptable.	**17-18 July 2020:** Council agreed budget **Autumn 2020:** European Parliament vote on the budget **January 2021:** New budget cycle begins

▉ Top priority/live issues   ▉ Medium priority   ▉ Low priority/inactive files

| COVID-19 | In the short term, the COVID-19 pandemic has had significant consequences for EU border controls and the functioning of the Schengen Area.

In the longer term, the economic impact of the pandemic is likely to have an impact on budgets and resourcing for critical public services.

The Commission also expects an increase in cross-border crime and internet fraud due to increased reliance on digital solutions during the pandemic. | The majority of Member States adopted a phased return to border opening: the majority of Member States opened internal borders from 15 June but localised spikes in cases have resulted in some Member States imposing new travel restrictions. As the spikes are becoming greater throughout the union, two-week quarantines are gradually being reimposed across the bloc.

The EU has adopted a list of non-EU countries considered 'safe' for reopening borders to unrestricted travel. Some Member States have not adopted this list. | **17-18 July 2020:** EU leaders agreed recovery fund |
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| **Legislative** | | | |
| **Strengthening of Europol's mandate** | The Commission intends to strengthen Europol's mandate in order to reinforce operational police cooperation. This may include the creation of a 'European innovation hub for internal security'. | The Commission held a targeted consultation with stakeholders in July 2020 and will use the results to develop a new legislative proposal. | **July 2020:** EuroCOP sends response to Commission consultation
Q4 2020: Publication of legislative proposal and impact assessment |

Anti-Money Laundering Regulation	The Commission will publish new legislation to strengthen anti-money laundering measures. The ongoing public consultation includes questions around Europol's mandate with regard to coordination and information exchange between national financial intelligence units.	Consultation with stakeholders ongoing.	**7 May 2020:** Action Plan and public consultation published **26 August 2020:** Public consultation deadline **10 September 2020:** EBA issues Opinion and Report on the future EU legal framework on AML/CFT. **Q1 2021:** Legislative proposal
Additional measures on critical infrastructure protection	The Commission will publish new rules to enhance EU security measures around critical infrastructure. The European Parliament has called for a cross-sector approach and a new focus on cybersecurity.	Preparation phase.	**7 August:** Commission roadmap closed **Q4 2020:** publication of legislative proposal and impact assessment
Directive on security of network and information systems (NIS Directive)	Cybersecurity is a priority area for the new Commission. The Commission intends to launch a review of the Directive on security of network and information systems (NIS Directive), in order to 'further strengthen overall cybersecurity in the Union'.	Preparation phase – public consultation ongoing	**July 2020:** Public consultation opens **2 October 2020:** Public consultation closes **Q4 2020:** Legislative proposal and impact assessment
Directive on the use of PNR data	The 2016 Directive on the use of passenger name record data sets out rules to help Member States prevent, detect and investigate terrorism and other forms of serious crime.	In force.	No revisions planned

🟥 Top priority/live issues   🟨 Medium priority   🟩 Low priority/inactive files

Schengen Information System: **Regulation on SIS for the return of illegally staying third-country nationals** **Regulation on SIS in the field of border checks** **Regulation on SIS in police and judicial cooperation matters**	The Schengen Information System (SIS) is the most widely used and largest information sharing system for security and border management in Europe. SIS enables competent national authorities, such as the police and border guards, to enter and consult alerts on persons or objects. The system assists the competent authorities in Europe to preserve internal security in the absence of internal border checks.	The SIS was updated by three Regulations in November 2018. These Regulations entered into force on 28th December 2019 and they will be completely operational from December 2021.	**November 2018:** EU adopts Regulations updating SIS **December 2021:** Updated Regulations become fully operational
Directive defining the facilitation of unauthorised entry, transit and residence	The Directive sets out obligations for Member States to impose sanctions on persons who assist illegal migration.	In force	No revisions planned
Directive on combating the sexual exploitation of children online and child pornography	This 2011 Directive addresses new developments in the online environment, such as grooming (offenders posing as children to lure minors for the purpose of sexual abuse).	In force	No revisions planned

Top priority/live issues   Medium priority   Low priority/inactive files

Directive on attacks against information systems	The 2013 Directive aims to tackle large-scale cyber-attacks by requiring Member States to strengthen national cyber-crime laws and introduce tougher criminal sanctions.	In force	No revisions planned
Proposed Regulation and Directive on facilitating cross-border access to electronic evidence for criminal investigations.	The Commission has proposed a Regulation and Directive to make it easier and faster for law enforcement and judicial authorities to obtain the electronic evidence they need to investigate and eventually prosecute criminals and terrorists.	Under discussion in the European Parliament.	**April 2018:** Proposals published **December 2019:** Council agrees position **March 2020:** European Parliament vote delayed
Directive on combating fraud and counterfeiting of non-cash means of payment.	The Directive, adopted in April 2019, removes obstacles to operational cooperation and enhances prevention and victims' assistance, to make law enforcement action against fraud and counterfeiting of non-cash means of payment more effective.	Being transposed into national law.	**2021:** Deadline for implementation in Member States **April 2019:** Directive adopted **September 2017:** Directive proposed
Fair minimum wages for workers in the EU	In November 2017, the EU institutions proclaimed the European Pillar of Social Rights, setting out the EU's commitment to fair wages for workers. President von der Leyen committed in January 2020 to proposing a legal instrument to ensure every worker in the Union has a fair minimum wage.	Preparation phase. High-level political discussions within the Commission on timing are ongoing.	**January 2020:** Consultation with social partners (businesses and trade unions) on fair wages. **Q2/Q3 2020:** Second stage consultation with social partners (open until November 2020) **October 2020:** Legislative proposal.

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Prüm system	The Prüm Decisions contains rules for operational police cooperation such as joint patrols and introduced procedures for fast and efficient data exchange in specific areas. The core of the Prüm framework lays down provisions under which EU Member States grant each other access to their automated DNA analysis files, automated fingerprint identification systems and vehicle registration data.	In effect. Roadmap published on review of the automated data exchanges under the system. Given the advances in technology, forensics and data protection, certain aspects of the framework are being reassessed.	A revision of the framework is currently under discussion. **11 August 2020:** Commission roadmap opened for feedback **06 October 2020:** Commission roadmap closes for comments. **Q3 2020:** Public consultation expected **Q2 2021:** Planned Commission adoption
Directive on combating terrorism	All Member States have to ensure that they criminalise conduct such as training and travelling for terrorism, as well as terrorist financing. These harmonised definitions of terrorist offences serve as a benchmark for cooperation and information exchange between national authorities.	In effect	**2017:** Directive adopted **September 2018:** Deadline for incorporating rules into national law
Proposed Regulation on preventing the dissemination of terrorist content online	In September 2018 the Commission published a proposal to introduce stricter rules to tackling terrorist content online, including a one-hour deadline for content to be removed.	Discussions between EU institutions ongoing.	**September 2018:** Proposal published **April 2019:** European Parliament adopts position **October 2019:** Discussions between EU institutions begin - ongoing
Regulation on the European Union Agency for Law Enforcement Training (CEPOL)	The Regulation establishes the legal mandate of the European Union Agency for Police Training.	In effect. The Commission is required to evaluate CEPOL by 1 July 2021 to assess the effectiveness and efficiency of its working practices.	**9 September 2020:** Commission roadmap closes for comments **July 2021:** Commission report evaluating CEPOL expected

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Directive 2000/54/EC - biological agents at work	This Directive focuses on minimum requirements for the health and safety of workers exposed to biological agents at work. With the ongoing COVID-19 pandemic and the need for police officers to enforce all rules, and lockdown rules especially they may come into contact with biological agents (including COVID-19).	In effect	No revisions planned
Directive 90/270/EEC - display screen equipment	This Directive lays down minimum safety and health requirements for work with display screen equipment. The rules here are relevant for police officers who work in front of screens.	In effect	Will be revised under the updated 2021-2027 Strategic Framework on Health and Safety at Work.
Directive 2003/88/EC - working time	This Directive establishes minimum safety and health requirements for the organisation of working time. These include minimum periods of daily rest, weekly rest and annual leave, breaks and maximum weekly working time. The Directive also protects workers from negative health effects owed to shift and night work as well as certain patterns of work.	In effect	**2021:** Commission expected to submit a five-year report to the European Parliament, the Council and the European Economic and Social Committee on the application of this Directive.
Directive 89/654/EEC - workplace requirements	The Directive creates minimum standards for safety and health at the workplace.	In effect	Will be revised under the updated 2021-2027 Strategic Framework on Health and Safety at Work.
Directive 89/656/EEC - use of personal protective equipment	The Directives puts in place minimum requirements for personal protective equipment (PPE) that are used by workers at work.	In effect	No revisions planned
Directive 2019/1152 on Transparent and Predictable Working Conditions	The Directive creates new rights for all workers, especially for those workers in more precarious jobs, while limiting burdens on employers and maintaining labour market flexibility.	In effect	No revisions planned. Scheduled review is by August 2027.

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Non-legislative			
Strategic guidelines for justice and home affairs (Post-Stockholm Programme priorities)	The Council had originally aimed to discuss these strategic guidelines in mid-March 2020, with a view to their endorsement ahead of a March European Council meeting. Given COVID-19, this has now been delayed. These guidelines will become the framework under which the Strategic Agenda for 2019-2024 will be implemented.	Ratification stage; Member States are struggling to reach agreement particularly around the issue of migration.	**TBC 2020**
Occupational safety and health (OSH) Framework	The EU's Strategic Framework on Health and Safety at Work is a 6-year strategic agenda, which is coming to an end in 2020. The EU will now be setting up a new EU Strategic Framework on Health and Safety at Work for the period 2021-2027 (as specified in the Council conclusions of December 2019)	Preparation phase	**TBC 2020**
Action plan to implement the European pillar of social rights	Some aspects of the pillar include Directive 2019/1152 have already been put in force, yet the Commission is to publish its Action Plan on implementing the remaining aspects of the pillar next year.	Preparation phase, originally scheduled for 2021	**TBC 2021**

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New Security Union Strategy	The Commission has published a new Security Union Strategy. The Commission will: - **Strengthen Europol's mandate** - Explore a **Police Cooperation Code** to support law enforcement cooperation - Consider EU-**level coordination for police forces** in case of force majeure events such as pandemics - Explore the possibility to **exchange police records to help identify if any police record on a person exists in other Member States**, and facilitate access to these records once identified - Improve instruments for **cross-border cooperation and information sharing**, e.g. information on travellers and others - Improve law enforcement authorities' capacity in **digital investigations**, including access to digital evidence - Launch action plans on **counter-terrorism, drugs, firearms trafficking and migrant smuggling** - Introduce new **cybersecurity** rules and clear rules to investigate and prosecute **cybercrime**	Strategy published. Legislative initiatives to follow.	**July:** Publication of Security Union Strategy

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| Internal Security Fund | In April 2014, the European Parliament and the Council created the Internal Security Fund (ISF) for 2014-2020, with a view to streamlining EU funding in the areas of border control and visa policy. The Fund has two components: one deals with external borders and visa issues, while the other focuses on police cooperation, preventing and combatting crime, and on crisis management.

The Commission has proposed €1.7 bn for the ISF in the period 2021-2027. | Discussions between EU institutions ongoing. | **May 2018:** Commission proposed new budget for the ISF
November 2018: European Parliament draft report on ISF
October 2019: Discussions between EU institutions begin

EP timeline (link) |
| New Pact on Migration and Asylum | A new approach to an EU migration and asylum system, including the need for safer and more legal pathways for migrants to enter the EU.

The proposal is expected to include new asylum centres along the outer borders of the EU. | Preparation phase. | **24 September 2020:** Presentation of strategy to LIBE committee
30 September 2020: Publication of strategy |

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Strategy on Child Sexual Exploitation	A new approach to tackle child sexual abuse on a continental scale. The Commission intends to: - Adopt **e-evidence proposals**, which will allow evidence held by the private sector to be utilised more effectively. - Help **Europol** support the fight against child abuse including utilising Europol as a **central EU criminal information hub** - Improve the **digital capabilities** of law enforcement - Ensure police officers (amongst other professionals who come in contact with abused children) are **trained and equipped with tools** to prevent and detect early signs of possible sexual violence and abuse - Establish a **European centre to prevent and counter child sexual abuse**. As to law enforcement this would mean a facilitator of data exchanges between countries and between the private and public sectors.	Strategy published in July 2020. Targeted legislation to allow online service providers to continue to apply voluntary mechanisms to identify, report and take down content.	**July 2020:** Publication of strategy **September:** Publication of targeted legislation to identify, report and take down content. **Q4 onwards:** Further proposals to be published

■ Top priority/live issues ■ Medium priority ■ Low priority/inactive files

Action Plan on trafficking in firearms	A single action plan to address legal loopholes and inconsistencies in firearms controls that hinder police cooperation across the EU and south-east Europe partners (Western Balkans, Moldova and Ukraine). The Commission intends to: - Improve the European intelligence picture including **harmonised collection of data on firearms seizures** (as done to analyse drug seizures) and **tracking in real-time firearms related incidents** - Explore allowing the rules of police cooperation to ensure **more systematic tracing of seized weapons, to exchange intelligence outside of specific investigations, share ballistic data more easily and systematically, or carry out controlled deliveries**. - Propose an **EU Memorandum of Understanding between parcel operators and police and customs authorities**	Strategy published in July 2020. Legislative proposals to follow.	**July 2020:** Publication of strategy **Q4 onwards:** Legislative proposals to be published

Top priority/live issues Medium priority Low priority/inactive files

Action Plan on Drugs	Sets out the EU's approach to drugs. The Commission intends to: - **Enhance collaboration and cooperation between law enforcement** in countries in the drug supply chain (i.e. source, transit, target). - Analyse the **threats posed by social media platforms, apps and digital marketplaces** through further collaboration with the private sector. - Take further measures to enhance the abilities of law enforcement to find **production and cultivation sites**. - Increase law enforcement supports in the disruption of **drug supply chains into prisons.**	Strategy published in July 2020. Legislative proposals to follow.	**July 2020:** Publication of strategy **Q4 onwards:** Legislative proposals to be published
Updated Skills Agenda for Europe	This comes as a follow-up to the Commission's 'New Skills Agenda for Europe' set out in 2016 and aims at improving EU-wide skills and preparing the European workforce for digitisation. The Agenda sets out 12 actions to improve skills in the EU to strengthen sustainable competitiveness, ensure social fairness and build resilience.	Communication published in July 2020.	**1 July 2020:** European Skills Agenda published

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White Paper on Artificial Intelligence	On 19 February 2020, the European Commission published a White Paper aiming to foster a European ecosystem of excellence and trust in AI and a Report on the safety and liability aspects of AI. A legislative proposal is expected during the first half of 2021. Separately, the European Parliament is developing its position on what should be included in the proposal. In particular, the LIBE Committee is developing a report on the use of AI in policing (link).		**19 February 2020:** Commission publishes roadmap on AI **14 June 2020:** Public consultation closes **28 September 2020:** European Parliament LIBE Committee adopts report on use of AI in policing **H1 2020:** Legislative proposal on AI
Violence against women and domestic violence	A Commission roadmap has been opened on violence against women and domestic violence. The EU will assess whether EU legislation has helped prevent and combat domestic violence, and whether there are gaps in the current legislation.	Preparation phase: public consultation to launch in Q4 2020, with the evaluation set to conclude by Q2 2021.	**21 August 2020:** Commission roadmap closed for comments **Q4 2020:** Public consultation to launch
Council of Europe			
Ethnic profiling in Europe: a matter of high concern	The Council of Europe has been discussing ethnic profiling in Europe since 2018. A report is under discussion to gather data and establish legal standards against abuse.	Preliminary draft report under consideration.	**April 2018:** Motion for resolution tabled **September 2020:** Consideration of preliminary draft report
Use of force by law enforcement officers	Members of the Council of Europe have adopted a motion for resolution calling for a report that will develop standards on the use of force by law enforcement officers.	Motion for resolution published 10 September.	**September 2020:** Motion for resolution published **October 2020:** Motion to be discussed by CoE Standing Committee

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