

# 30 ACTIONS IN THE FIELD OF HOME AFFAIRS

Spanish Presidency of the Council of the European Union during the second half of 2023



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#### MINISTERIO DEL INTERIOR

Issued by the Directorate-General for International Relations and Migration

Publications catalogue of the General State Administration https://cpage.mpr.gob.es

Published by: Ministry of the Interior. Technical General Secretariat © Ministry of the Interior

NIPO (printed edition): 126-24-017-1 NIPO (online edition): 126-24-018-7

LEGAL DEPOSIT: M-7865-2024

**DESIGN AND LAYOUT:** 

Communication Office - Ministry of the Interior

PRINTING:

FRAGMA S.A. - Av. De Castilla, 53, 28830 San Fernando de Henares, Madrid



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### INTRODUCTION

In the second half of 2023, Spain held the Presidency of the European Union Council for the fifth time. The Presidency made a significant effort to overcome challenges that, in some cases, had existed for years.

The responsibility of the Presidency was taken in a **particularly important time** for the Union as this was the last complete Presidency before the end of the institutional cycle of the European Union in June 2024, when the European Parliament elections would take place. As regards home affairs, the Spanish Presidency sought consensus and conducted negotiations in key aspects of the Union's legislative activity, both in the Council and the European Parliament, as the only way to overcome the challenges.

Thus, it has been a responsibility, but also an opportunity to make progress in the Area of Freedom, Security and Justice.

The task has been considerable and exciting. Important political and legislative progress has been made thanks to the continuous effort of the directorate bodies of the Ministry of the Interior, its working groups at the Council, and the Permanent Representation to the European Union within the framework of ongoing joint work with the other ministries. The preparatory work for the six-month Presidency included the organisation of preparatory meetings where the Minister met with his European coun-

terparts to have a complete picture of the goals and aspirations of all the Member States. The Minister also met the European Commissioner for Home Affairs, the LIBE Committee Chair and



the Secretary-General of the Council of the European Union. At a technical level, the Ministry of the Interior built a network of contacts to ensure the coordination of its actions. It was a continuous effort that lasted until the last working day and made it possible to successfully put forward initiatives key for the whole of the European Union that had been stalled for years. Also, innovative first steps were undertaken in several fields.

Over the course of the six-month Presidency, the Ministry of the Interior has



promoted and organised in Spain, individually or jointly with other stakeholders, more than 70 different events, and also successfully **completed 30** 

**actions** relating to its main areas of competence.

Among these actions three specific key achievements stand out over these six months for their immediate and long-term impact:

On 28 September 2023 the Ministers of the Interior of the Member States of the European Union and the Ministers in charge of internal security matters of the Member States of the Latin American Committee for Internal Security (CLASI) adopted a Joint Declaration. This joint meeting set the groundwork to strengthen structural dialogue on security between the European Union and Latin America.

On 20 December a final deal on five key legislative files that constitute the **European Pact on Migration and Asylum** — the first negotiations of which date back to the proposals made by the Commission in 2016 — was reached. When these new regulations are formally adopted, they will provide an improved and updated legal framework that will make the European migration and asylum system more efficient and increase solidarity among Member States.

After twelve years of negotiations, on 30 December, the Spanish Presidency succeeded in obtaining a unanimous decision from the Member States of the European Union to remove air and maritime internal border controls with Bulgaria and Romania.

This report aims at reviewing briefly these key milestones and achievements, and the appendix includes the events and meetings that were prepared, organised and held during the Presidency.

# PRIORITY 1

UNITED FOR A SPACE
FREE OF CONTROLS THAT
PROMOTES SOLIDARITY AND
RESPONSIBILITY

## EUROPEAN PACT ON MIGRATION AND ASYLUM



Final impetus and agreement on the European Pact on Migration and Asylum

The Spanish Presidency of the Council of the European Union and the European Parliament reached a final political agreement, on 20 December 2023, on five key legislative files that make up the European Pact on Migration and Asylum –four more files had already been agreed earlier, but their final approval was awaiting the adoption of a final agreement on the remaining legislative files—. The Pact was presented by the European Commission on 23 September 2020 to relaunch the reform –started in 2016 and stalled in subsequent years— of the Common European Asylum System (CEAS).

The five regulations that have been agreed by the Council, under the Spanish Presidency, and the European Parliament, affect all phases of international protection and migration management. The new rules, once adopted, will also strengthen solidarity between Member States and democratic values of the Area of Freedom, Security and Justice.

- Opposal for a Regulation of the European Parliament and of the Council establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU.
- Proposal for a Regulation of the European Parliament and of the Council on asylum and migration management and amending Council Directive (EC) 2003/109 and the proposed Regulation (EU) on the Asylum and Migration Fund.
- Proposal for a Regulation of the European Parliament and of the Council on the establishment of the "Eurodac" system.
- O Proposal for a Regulation of the European Parliament and of the Council addressing situations of crisis and force majeure in the field of migration and asylum.
- Proposal for a Regulation of the European Parliament and of the Council introducing a screening of third country nationals at the external borders and amending Regulations (EC) 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817.

# EXTERNAL DIMENSION OF THE MIGRATION AND BORDER POLICY

2

Push for reform of the Schengen Borders Code

The adoption of the European Parliament's position on the reform of the Schengen Borders Code, on 20 September 2023, has made it possible to start negotiating the file at the trilogue negotiations between the Council and the European Parliament.

The reform of the Code aims at providing new tools to combat the instrumentalization of migration flows; establishing a new legal framework for external border measures in the event of a health crisis, drawing on the lessons learned from the experience with the Covid-19 pandemic; updating the legal framework for reintroducing internal border controls in order to safeguard the principle of free movement while responding to persistent threats; and introducing alternative measures to these controls.

#### Key milestones and achievements:

O Holding of the first political trilogue and three technical meetings with the European Parliament.



## ENLARGEMENT OF THE SCHENGEN AREA

3

Agreement on the accession of Bulgaria and Romania to the Schengen Area

Twelve years after the start of negotiations, the Spanish Presidency of the Council succeeded in ensuring that, on 30 December 2023, the EU Member States unanimously adopted the Decision to abolish controls at internal air and maritime

borders with Bulgaria and Romania. This event marks the gradual progressive entry of these two countries into the Schengen Area.

From 31 March 2024, there will no longer be

checks on persons at EU internal air and maritime borders between Bulgaria and Romania and the other countries in the Schengen Area. Following this first step, a further decision should be taken by the Council to establish a date for the lifting of checks at internal land borders.



### OTHER AGREEMENTS



Participation of the Schengen Associated States in existing initiatives on Asylum, Borders and Visa issues

During the Spanish Presidency, a number of agreements have been reached on the participation of some Schengen Associated States in the structures and initiatives existing within the Union on Asylum, Borders and Visa issues.

By means of two Council Decisions, the modalities of Iceland ´s participation in the European Asylum Support Office (EASO) have been defined; the opening of negotiations with a view to amending the Agreements between the Union and Iceland, Norway, Switzerland and Liechtenstein in order to allow them to participate in the European Asylum Agency (EUAA) has been authorised; and the Decisions providing for the participation of Norway, Switzerland, Iceland and Liechtenstein in the Instrument for Financial Support for Border Management and Visa Policy (BMVI) in the period 2021-2027 have been adopted.

#### Key milestones and achievements:

Ocuncil Decision (EU) 2023/2165 of 10 July 2023 on the conclusion of the Agreement between the European Union and the Republic of Iceland on the modalities of its participation in the European Asylum Support Office.

October 2023 authorising the opening of negotiations on amending the Arrangements between the European Union, on the one part, and, respectively, the Republic of Iceland, the Kingdom of Norway, the Swiss Confederation and the Principality of Liechtenstein, on the other part, as regards the modalities of the participation by those countries in the European Asylum Support Office, in order for them to be able to participate in the European Union Agency for Asylum.

Ocuncil Decision (EU) 2023/2221 of 28 September 2023 on the signing, on behalf of the Union, of the Agreement between



the European Union and the Kingdom of Norway on supplementary rules in relation to the Instrument for Financial Support for Border Management and Visa Policy, as part of the Integrated Border Management Fund, for the period 2021 to 2027.

Ocuncil Decision (EU) 2023/2111 of 28 September 2023, on the signing, on behalf of the Union, of the Agreement between the European Union and the Swiss Confederation on supplementary rules in relation to the Instrument for Financial Support for Border Management and Visa Policy, as part of the Integrated Border Management Fund, for the period 2021 to 2027.

Ocuncil Decision (EU) 2023/2191 of 28 September 2023 on the signing, on behalf of the Union, of the Agreement between the European Union and Iceland on /supple-

mentary rules in relation to the Instrument for Financial Support for Border Management and Visa Policy, as part of the Integrated Border Management Fund, for the period 2021 to 2027.

Ocuncil Decision (EU) 2024/199 of 13 November 2023 on the signing, on behalf of the Union, and provisional application of the Agreement between the European Union and the Principality of Liechtenstein on supplementary rules in relation to the Instrument for Financial Support for Border Management and Visa Policy, as part of the Integrated Border Management Fund, for the period 2021 to 2027.



# PRIORITY 2

UNITED IN THE FIGHT AGAINST
TERRORISM AND THE PREVENTION
OF VIOLENT RADICALISATION
BY DEVELOPING
COOPERATION CAPACITIES

### TERRORISM AND RADICALISATION



Council Conclusions on dealing with individuals released from prison who may represent a potential terrorist threat

The Presidency established as one of its priorities in the fight against terrorism, addressing the potential risk to the EU's internal security that could be posed by the release of prisoners convicted of terrorism offences or radicalised inmates, based on cooperation and collaboration between States.

The approval, at the Justice and Home Affairs Council on 4 and 5 December 2023, of the Council Conclusions on dealing with individuals released from prison who may represent a potential terrorist threat, responds to the need to anticipate the threat posed by terrorism, thus achieving the objective envisaged by the Presidency to strengthen cooperation at European level in preventing and combating terrorism and violent radicalisation.

The Conclusions reached during the Spanish Presidency give continuity to the initiatives promoted within the European Union, complementing and consolidating the Conclusions adopted by the Council in 2019.

Their content promotes the exchange of information between the Member States, calling for more and better use of European systems and tools for effective cooperation. They also invite to strengthen the development, implementation and standardisation of tools for risk assessment of individuals who are about to be released from prison and are deemed to pose a potential continued terrorist threat after release and encourage the sharing of successful initiatives and good practices.



### **VICTIMS OF TERRORISM**

Council Conclusions on improving support and recognition of victims of terrorism

The Council Conclusions on improving support and recognition of victims of terrorism, approved at the Justice and Home Affairs Council held on 4 and 5 December 2023, complement those already approved by the same Council on 22 June 2018. These Conclusions reaffirm Spain's commitment to the victims of terrorism and the focus of the Union on them, pointing out concrete measures to be adopted both by the Member States and the European Commission in relation to this collective.

With the adoption of these Conclusions, the objectives of the Spanish Presidency of the

Council as regards victims of terrorism are met. Firstly, the existing European coordination mechanisms on victims, in particular the European Network of Single Contact Points for Victims of Terrorism (SCPVOT) and the EU Centre of Expertise for Victims of Terrorism (EUCVT) are strengthened. Secondly, Member States are called on to take into account the testimonies of victims in their activities and projects to delegitimise terrorism and to prevent violent radicalisation. Finally, there is a call to promote policies of recognition and remembrance of victims, thus responding to one of the main demands of this collective.

# PRIORITY 3

UNITED AGAINST THE GLOBAL
CRIMINAL THREAT THAT KNOWS
NO BORDERS AND TOWARDS A
SAFER DIGITAL EUROPE,
PROTECTING CHILDREN



## SERIOUS ORGANISED CRIME



Strengthening cooperation in the area of internal security between the European Union and Latin America

The Spanish Presidency established as a priority of action the promotion of cooperation with Latin America in the area of internal security so that it is consolidated as a structural relationship on the EU agenda. During the meeting of the Home Affairs Council held on 28 September 2023, the Joint Declaration of the Ministers for Home Affairs of the Member States of the European Union and the Ministers with responsibility for security matters of the Member States of the Latin American Committee on Internal Security (CLASI) was signed.

This political achievement, which is based on an initiative launched by the Spanish Presidency, has been a very important step in strengthening and consolidating common initiatives between the two regions.

The Declaration sets out specific intentions among the signatory countries with the objective to translate this political momentum to the strengthening of operational cooperation in key areas for both regions, such as the fight against trafficking of drugs, trafficking in human

beings and illicit smuggling of migrants, and trafficking in firearms. Police cooperation priorities also include the fight against child sexual abuse, cybercrime, environmental and financial crimes, illegal trade in cultural goods, money laundering, as well as corruption, and the illicit profits generated by such crime.

But above all, the aim of this initiative is to ensure a structured dialogue between the two regions at the highest level and with a guarantee of sustainability in time, in order to ensure cooperation and coordination in the face of the most serious threats to internal security in our countries.

In parallel, Ministers discussed coordination between supranational security organisations in order to foster coordination between the European Multidisciplinary Platform Against Criminal Threats (EMPACT) and the operational action plans (OAPs) of CLASI and AMERIPOL, with the aim of bringing the political impetus given, to the intended operational purpose.



#### Boosting the fight against drug trafficking and reflecting on and alerting of the threat of synthetic opioids, in particular fentanyl

The Spanish Presidency presented two key priorities in the field of the fight against drug trafficking. The first relates to the special plans to combat drug trafficking in Highly Impacted European Narcotics Areas (HIENAs), in view of the existence of specific areas in the EU Member States that suffer from this problem, and to encourage the European Commission to take action to improve police capabilities in places where such situations occur, from prevention to the restitution of the principle of authority.

The second priority presented by the Presidency relates to the destruction of drugs and other effects related to drug trafficking, with the aim to provide financially for concrete actions for the destruction of seized substances and effects.

In addition to these initiatives, Spain has focused on synthetic opioids, particularly fentanyl, as a potential threat that the Union may have to deal with, as is already the case in North America. In this respect, the Spanish Presidency has focused on the problem of production, trafficking and consumption of fentanyl, which has been addressed in several meetings at the highest level, such as the Ministerial Meeting between the United States of America and the European Union, or at the meetings of the Standing Committee on Operational Cooperation on Internal

Security (COSI), which have also involved the participation of the best specialists of the U.S. Drug Enforcement Administration (DEA), who shared with our European colleagues their concerns, but also the measures with which they are tackling the fight against a narcotic drug which causes more than 70,000 deaths a year in their country.

- On Informal meeting of the Standing Committee on Operational Cooperation on Internal Security, 6-7 July 2023.
- © EU-U.S. Ministerial Meeting on Justice and Home Affairs, 13-14 November 2023.





#### Boosting the work of the High-Level Group on Access to Data for Effective Law Enforcement

The Spanish Presidency of the Council strongly supported the establishment of a forum at the European level to analyse with a comprehensive approach the challenges faced by European law enforcement agencies in connection to serious crime in the digital age, and the need to provide authorities with a legal framework that reconciles the protection of European citizens from crime and terrorism, with full respect for their fundamental rights.

To this end, together with the Commission, it has promoted the work of this High-Level Group, launched by the Commission in June 2023, in setting up the three working groups of experts, defining their tasks and level of ambition, the schedule of activities and phases of analysis, the profile of the experts and their appointment, and the organisation of meetings of each expert group.

In addition, the Second Plenary Meeting of the High-Level Group was also held, at which a comprehensive analysis of the situation faced by the law enforcement agencies has been presented, and criteria and guidelines for discussion and analysis by experts in the next phase have been established: search and proposal of possible solutions.

#### Key milestones and achievements:

OPlenary Meeting of the High-Level Group

on Access to Data for Effective Law Enforcement, 21 November 2023.



# CHILD SEXUAL ABUSE



Progress in the negotiations on the Proposal for a Regulation of the European Parliament and of the Council laying down rules to prevent and combat child sexual abuse

On 11 May 2022, the European Commission presented a Proposal for a Regulation of the European Parliament and of the Council laying down rules to prevent and combat child sexual abuse, and the Spanish Presidency set among its priorities to make progress in the negotiations on this legislative file.

The negotiations on this legislative file have been extremely complex and have been under significant time pressure, due to the date originally set for the so-called "Interim Regulation" to expire (3 August 2024) and the end of the European Parliament's term of office.

Despite these conditioning factors, the Spanish Presidency of the Council has worked on the progress on this file with the firm will to agree on a Regulation that impose clear rules on providers of interpersonal communications services to prevent and combat child sexual exploitation, with the aim of achieving a strong position in the Council which, without undermining the initial objective of the proposal, would make it possible to start negotiations with the European Parliament.

To this end, the Spanish Presidency presented three compromise texts, in addition to three other compromise solutions which have

been proposed to the Member States in an attempt to find the best option which, without altering the objective of the proposed Regulation, would make it possible to achieve the qualified majority required to adopt the Council's position. While none of these options achieved the support from Member States needed to start the negotiation in trilogues, it was possible to agree on the content of 85 of the 89 articles that make up the legislative file. With regard to the non-agreed articles, the discussions served to clarify the limits that Member States and other actors are raising with regard to the approval of the rule that will finally regulate this crucial issue.

- Three monograph meetings on the Proposal for a Regulation laying down rules to prevent and combat child sexual abuse of the Law Enforcement Working Party (Police) in the Council, on 26 July 2023, 5 and 9 September 2023.
- Twenty-five bilateral meetings on the Proposal for a Regulation laying down rules to prevent and combat child sexual abuse.



#### Extension of the Interim Regulation on child sexual abuse for a period of 3 years

Due to the time pressure since the so-called "Interim Regulation" was due to expire on 3 August 2024 and there was a lack of sufficient support to adopt the Council's position on the Proposal for a Regulation of the European Parliament and of the Council laying down rules to prevent and combat child sexual abuse, the Spanish Presidency proposed the extension of the Interim Regulation.

This extension of the Interim Regulation would entail the extension of Regulation (EU) 2021/1232 of the European Parliament and of the Council of 14 July 2021 on a temporary derogation from certain provisions of Directive 2002/58/EC as regards the use of technologies by providers of number-independent interpersonal communications services for the processing of personal and other data for the purpose of combating online child sexual abuse. This would allow service providers to continue to voluntarily detect and report online child sexual abuse material.

The Member States have agreed, on 20

December 2023, the negotiating mandate of the Council for a Regulation extending temporary rules to combat online child sexual abuse for a period of three years, as opposed to the

two-year period proposed by the European Commission. By means of this exception, providers of interpersonal communications services are recognised the right to use specific technologies for the processing of personal data and other for the purpose of detecting online child sexual abuse in their services, to report it and to remove it.

- Monograph meeting of the JHA Counsellors to propose and seek support for the extension of the Interim Regulation on online child sexual abuse, 6 December 2023.
- Agreement, on 20 December 2023, of the Council's negotiating mandate on the extension of this transitional regulation.



# HATE SPEECH AND HATE CRIME



Agreement on the establishment of the European Network of contact points of law enforcement units specialised in criminal investigation of hate speech and hate crime

The Spanish Presidency of the Council also made the fight against hate speech and hate crime a priority. Thus, it has also been looking for synergies with the progress made in the field of criminal cooperation to promote improvements in the investigation of such crimes and the protection of victims.

forces in this area and to learn about the practices and experiences of the Member States in dealing with this issue, 8 November 2023.

O Joint Action Day on tackling hate crime, in cooperation with Europol, 14 December 2023.

- Agreement of the Member States to the establishment of a European Network of contact points of law enforcement units specialised in criminal investigation of hate speech and hate crime.
- First monographic debate on Hate Crime and Hate Speech in the Standing Committee on Operational Cooperation on Internal Security (COSI), 6-7 July 2023.
- > Presentation of the document "Combating hate crimes by law enforcement agencies in the Member States of the European Union", which aims to identify the needs of police



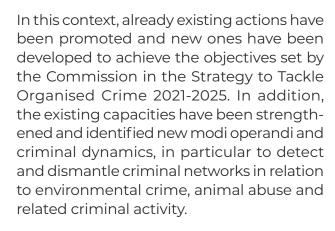
# ENVIRONMENTAL CRIME



Boosting the visibility and the fight against environmental crime

The Spanish Presidency reaffirmed its commitment to the fight against environmental crime and the need to place environmental crime at the centre of the action of the law enforcement agencies in order to curb the action of organised crime in this area. To this end, the debate on the challenges faced by European police services in

this field, specifically in the area of training and specialisation, has been included for the first time in the Standing Committee on Operational Cooperation on Internal Security (COSI).



As a sign of its commitment to the fight against this type of criminal activity, Spain will lead during 2024 and 2025 in the fight against environmental crime of the EMPACT Platform of the European Union against organised and serious international crime.



# PRIORITY 4

UNITED IN COOPERATION,
EXCHANGE OF INFORMATION
AND GOOD PRACTICES,
AND LAW ENFORCEMENT TRAINING

# EXCHANGE OF INFORMATION AND INTEROPERABILITY



Conclusion of negotiations on the new regulatory framework on automated data exchange for police cooperation (Prüm II)

On 9 December 2021, the European Commission presented a Proposal for a Regulation of the European Parliament and of the Council on automated data exchange for police cooperation (Prüm II), amending Decisions 2008/615/JHA and 2008/616/JHA and Regulations (EU) 2018/1726, 2019/817 and 2019/818. The new proposal upgrades the existing framework of data exchange (DNA, fingerprints, and vehicle registration) by including facial images and police records and allows Europol to access Member States' databases with information provided by third countries, and vice versa.

Two political trilogues have been held under the Spanish Presidency, as well as nine technical meetings and four Counsellors meetings, which led to an agreement and the conclusion of negotiations with the European Parliament.

The agreement, which was adopted unanimously by the Member States, establishes a useful, flexible and operational system, thus consolidating and substantially improving the existing one.



Advancing the negotiations on the new regulatory framework on the collection and transfer of Advance Passenger Information (API)

In December 2022 the European Commission presented two proposals for Regulations on the collection and transfer of Advance Passenger Information (API). The first Regulation aimed at enhancing and facilitating external border controls, amending Regulation (EU) 2019/817 and Regulation (EU) 2018/1726, and repealing Directive 2004/82/EC. The second one focuses on prevention, detection, investigation and prosecu-

tion of terrorist offences and serious crime, amending Regulation (EU) 2019/818.

In the first trilogue under The Spanish Presidency, negotiations on these proposals with the European Parliament have been initiated.



#### Progress in the negotiations on the EU-Interpol cooperation agreement

The Spanish Presidency of the Council has given strong impetus to the negotiations of the agreement between the European Union and INTERPOL, for which the Commission received a negotiating mandate from the Council, which must be ended before the agreement is ratified by the Interpol General Assembly to be held in 2024.

European Union, as well as the agencies and other EU bodies working in the field of Justice and Home Affairs, such as Europol, Eurojust, Frontex and the European Public Prosecutor's Office.

From the EU perspective, the main objective of the agreement is to give the European Travel Information and Authorisation System (ETIAS) access to

two INTERPOL's databases, which would be relevant for travel preauthorisation to the





#### Steps taken for compliance with the implementation of interoperability schedule

The Spanish Presidency has promoted an intelligent and secure management of mobility and external borders. During this semester, the definitive schedule for the implementation of interoperability for the relevant databases (namely those related to border management, visa, asylum, migration, and police and judicial cooperation) has been set in accordance with the Roadmap for the implementation of interoperability developed by the European Union Agency for Operational Management of Large-Scale IT Systems in the Area of Freedom, Security, Justice and Freedom, Security and

Justice (eu-LISA). It was endorsed by the Justice and Home Affairs Council on 19 and 20 October 2023.

According to the Roadmap, the first step involves the Entry/Exit System (EES), which will be operational in the second half of 2024 and will help improve border security. Secondly, the European Travel Information and Authorisation System (ETIAS) will be operational in early 2025, which aims to strengthen controls on foreign travellers in the European Union, and will help identify potential threats. Thirdly, the European Criminal Records Information System – Third-Country Nationals (ECRIS-TCN) will be instrumental in improving judicial cooperation and will be operational by mid-2025. Finally, in the second half of 2026, the implementation of interoperability will be completed, allowing the renewed Visa Information System (VIS) to be operational.

After a number of postponements of the schedule originally designed, the Spanish Presidency has called on all Member States to comply with the schedule set for the implementation of interoperability, as it is realistic and progressive, and aimed at contributing to the improvement of border management and internal security in the European Union.



## HARMONISATION OF LAW ENFORCEMENT PROCEDURES



Creation of a Working Group to elaborate the Guide of Good Practices on Missing Person

Regarding missing persons without apparent cause, the various existing instruments to improve international coordination in the fight against this phenomenon have been analysed during the Spanish Presidency.

As a result of the Member States' common interest in homogenising the procedures used by the Police Experts Network on

Missing Persons (PEN-MP), the creation of a specific working group within this Network has been approved. The task of this group will be to draw up a Guide of Good Practices on Missing Persons, which will provide law enforcement officers with a reference guide to address the different cases of missing persons without apparent cause.



Approval and publication of the Guide of Good Practices on cross-border surveillance

The Spanish Presidency has taken an important step in the implementation of the Council Recommendation (EU) 2022/915 on operational law enforcement cooperation, and has proposed to further discuss the unification of criteria for the development of cross-border surveillance.

The result has been the approval and publication of the Guide of Good Practices on cross-border surveillance, which has also been included in the existing roadmap of the above-mentioned Council Recommendation on operational police cooperation.

# LAW ENFORCEMENT TRAINING AND PROFESSIONAL ETHICS



Strengthening common standards of law enforcement training excellence

The Spanish Presidency has demonstrated its commitment to law enforcement training by promoting an enhanced cooperation with the European Union Agency for Law Enforcement Training (CEPOL). Thus, in order to strengthen the common standards of law enforcement training excellence, a common training environment with harmonised training levels was created (CEPOL's increased participation in the Council Working Groups on Justice and Home Affairs was crucial) with the aim of giving the organisation and its training work greater visibility.

To this end, an initiative has also been launched requesting the Commission to submit a proposal amending the Council Decision of 25 February 2010 on setting up the Standing Committee on Operational Cooperation on Internal Security, with the aim of including CEPOL along with the rest of the European Agencies participating in this Committee.

On the other hand, the Presidency has promoted an increase of training activities offered to those countries and regions of interest for the internal security of the European Union in areas such as immigration, citizen security, organised crime or terrorism. For example, the launch of the Training Project on specialisation in the control and investigation of drug precursors, whose first edition will be held in 2024.

# PRIORITY 5

UNITED IN SUPPORTING UKRAINE
AND THE SAFEGUARDING OF
EUROPEAN INTERNAL SECURITY





#### Extending temporary protection for people fleeing the war in Ukraine

On 24 February 2022, Russia started an illegal and unjustified war of aggression against Ukraine. Millions of people have since fled the country to seek refuge in EU countries and the Republic of Moldova. As a consequence, the Temporary Protection Directive was activated by the European Union on 4 March 2022, for a two-year period, as granted by Council Implementing Decision (EU) 2022/382 of 4 March 2022, subsequently extended by Council Implementing Decision (EU) 2023/2409 of 19 October. This EU emergency mechanism is activated in exceptional circumstances of mass influx of persons in order to provide collective and immediate

protection to displaced persons and reduce the pressure on the national asylum systems of EU countries.

On 27 September 2023, the Council agreed to extend until 4 March 2025 the activation of the temporary protection of persons displaced as a result of the war. The decision was adopted on 19 October 2023.



Monitoring the impact of the war of aggression in Ukraine on the internal security of the European Union

The Spanish Presidency has continued to monitor the impact of the war of aggression in Ukraine on the internal security of the Union. In this context, a meeting on Structured Dialogue on Internal Security with Ukraine was held on 16 November 2023, with the Ukrainian Minister of the Interior and various senior officials from his Ministry. Issues related to border security and management, illicit trafficking of firearms and terrorism, among others, were discussed in that meeting.

#### Key milestones and achievements:

• Remote participation of the Head of the Ukrainian Police in the informal meeting of the Standing Committee on Operational Cooperation on Internal Security (COSI), 6-7 July 2023.

# PRIORITY 6

UNITED IN PREVENTION
AND ANTICIPATION
FOR A MORE SECURE EUROPE

## CYBERSECURITY AND CYBERCRIME



Promoting new initiatives to combat the illegal use of cyberspace

The Spanish Presidency has shown a strong commitment in the fight against cybercrime and the promotion of cybersecurity culture in order to develop an open and secure cyberspace. In order to achieve that goal, it is key to support progress in cybersecurity and the creation of more robust digital environments in the field of law enforcement, through models of acquisition and exchange of best practices that may be attractive to citizens, especially young population groups.

In this context, it was proposed to carry out an analysis of the state of implementation and promotion of the gamification model in order to design plans and programmes aimed at disseminating the culture of cybersecurity by European institutions. The objective is to build and strengthen cybersecurity awareness among citizens, especially the younger ones, to develop the digital skills and competences of public and private professionals, and to generate a European gamification industry.

On the other hand, the fight against one of the fastest growing types of crime in recent years, online fraud, was addressed. This type of crime is especially difficult to combat due to the fact that the offender is in many cases located in third countries, with which law enforcement and judicial cooperation is very difficult.

## CIVIL PROTECTION



Reform the European Civil Protection Mechanism and a reflection on its future

Negotiations on the proposal for amending legislation of the European Civil Protection Mechanism have been finalised under the Spanish Presidency of the Council. The proposal for a Decision of the European Parliament and of the Council amending Decision 1313/2013/EU on a Union Civil Protection Mechanism was finally adopted by the Council on 13 November 2023.

Following this amendment concerning Article 35 of Decision 1313/2013, the transitional period to provide financing of aerial forest firefighting interim capabilities, established in the so-called "transitional EU-AER", is extended until 31 December 2027. The objective of the amendment is to provide the necessary means to ensure adequate preparedness to fight forest fires, until the permanent aerial forest firefighting fleet will become available.

The rapid adoption of this European Commission proposal is the final result of a legislative procedure initiated by the Council Working Party on "Civil Protection" under the Swedish Presidency, which was continued during the Spanish Presidency. This legislative procedure has been supported by the efforts made by the two Presidencies in order to ensure that the urgency of this measure was properly understood.

Furthermore, the Presidency called for an open debate on the future of the Mechanism in order to make more visible and discuss Member States' positions and concerns. The

Mechanism has recently faced different and complex challenges, including the pandemic and the support to Ukraine to mitigate the consequences of Russia's war of aggression. This has prompted some states to review future priorities on the protection of this Mechanism, as it has a limited budget.

Three sessions have been held to discuss this open reflection process, followed by many written contributions highlighting the increasing scope of the Mechanism's activities in different sectors during recent emergencies and the need to strengthen prevention and preparedness activities.

As a result of this open reflection process, a high-level meeting to discuss the future of the European Civil Protection Mechanism between the European Commission and Member States has been convened in February 2024.

#### Key milestones and achievements:

O Decision (EU) 2023/2671 of the European Parliament and of the Council of 22 November 2024 amending Decision 1313/2013/EU to extend the rescEU transitional. ecisión (UE) 2023/2671 del Parlamento Europeo y del Consejo, de 22 de noviembre de 2023, por la que se modifica la Decisión 1313/2013/UE para prolongar el período transitorio de rescEU.

## PROTECTION AND RESILIENCE OF CRITICAL ENTITIES



Monitoring and promotion of initiatives in the framework of the Directive on Resilience of Critical Entities

The Spanish Presidency of the Council has shown its commitment to the resilience of critical entities and has especially focused on the monitoring and promotion of initiatives within the framework of Directive (EU) 2022/2557 on resilience of critical entities. In order to address this issue, the following meetings were held: the fifth meeting of the Critical Entities Resilience Group (CERG Group), the meeting between this group and the Network and Information Systems Cooperation Group (NIS Cooperation Group), as well as the first working meeting of heads and authorities of national agencies responsible for infrastructure protection and resilience of critical

entities and the Mission Critical Communications Group (MCCG) meeting.

#### Key milestones and achievements:

> Implementation of the European Network of Member States' contact points for the exchange of information on cross-border incidents involving critical infrastructures.

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#### Progress in the negotiation and adoption of the Council Recommendation for a Critical Infrastructure Blueprint

Following the adoption of the Council Recommendation of 8 December 2022 on a Union-wide coordinated approach to strengthen the resilience of critical infrastructure, published on 20 January 2023, the Council committed to adopting a Blueprint on a coordinated response to critical disruptions of infrastructure with significant cross-border relevance.

In this context, the Spanish Presidency of the Council has focused its efforts on making progress in the negotiation and adoption of the Council Recommendation on a Union-wide coordinated response to critical disruptions of infrastructures with significant cross-border relevance, also known as the "EU Critical Infrastructure Blueprint",

presented by the European Commission. The Blueprint sets out the objectives and modes of cooperation between the Member States and EU institutions, bodies, offices and agencies in responding to incidents against critical infrastructures.

The Spanish Presidency has also submitted two compromise texts on the proposal, which allowed to reach important and definitive agreements and progress. The text will therefore be finally adopted in the first months of 2024.



## ROAD SAFETY



Promoting the revision of the Directive on Driving Licences and the Directive Facilitating Crossborder exchange of information on road safety-related traffic offences

On 1 March 2023, the European Commission submitted the road safety legislative package, which covered three files, including the amendment of the Driving Licences Directive. The Commission's proposal aims to improve road safety and facilitate the free movement of citizens within the Union.

The Spanish Presidency of the Council has intensively worked to adopt positions on this file. The general approaches were finally adopted at the Transport Council of 4 December 2023.

On the basis of the Commission's proposal, the Council agreed to adopt measures such as: mutual recognition of digital driving licences, accompanied driving from the age of 17 (including requirements for the accompanying person), the possibility for drivers who passed their driving test with automatic gearbox to drive manual gearbox vehicles with training (without passing a new test), the harmonisation of rules on exchanging driving licences with third countries or updating the standards on physical and mental fitness to drive.

The road safety legislative package submitted by the Commission also includes the amended Directive on the cross-border exchange of information on road safety-related traffic offences. This legislative proposal aims to ensure that non-resident drivers comply with traffic rules when driving in other Member States.

The Presidency has also made great efforts to reach a general approach on this file, which was adopted at the Transport Council on 4 December 2023.

The Council has maintained the broad outline of the Commission's proposal. However, it has made some changes to the proposal, especially aimed at clarifying the scope of application and definitions of the legislative act.



#### Presentation of the Guide of Good Practices in Road Safety

On 7 December 2023, the Guide of Good Practices for Road Safety, drawn up by the Spanish Presidency, was presented at the meeting of the High-Level Group on Road Safety.

The document analyses five very specific cases of risk exposure, and possible collisions in interurban areas, high capacity-roads and urban areas.

Furthermore, it presents the good practices adopted by Member States and sets recommendations on how to improve road safety in the fields assessed.

The document is expected to be formally adopted and published by the European Commission in the first quarter of 2024.



# COMMON CRIME



Council Conclusions on Crime Prevention in the European Union

The adoption of the Council Conclusions on a way forward for crime prevention in the Europe at the Justice and Home Affairs Council on 4 and 5 December 2023 is an important step towards a European Crime Prevention Strategy to tackle common crime and promote a culture of organised crime prevention.

The Council Conclusions document sets out a multidisciplinary framework for action on crime prevention, including the creation of a European Observatory for the Prevention of Crime as an instrument providing guidance regarding specific policy areas of the entire "Security Union".

#### Key milestones and achievements:

Two preparatory meetings with the European Crime Prevention Network (ECPN) and the European Commission to reach consensus on the Council Conclusions document.



Proposed Council Conclusions on law enforcement and cross-cutting response in low-density population areas

The Spanish Presidency of the Council has shown its commitment to the importance of taking tangible action to address the challenges posed by providing law enforcement in low-density population areas in large regions of Europe. In this context, the Spanish Presidency has drawn up a document of Conclusions on law enforcement and cross-cutting response in areas of low-density population. It focuses on the challenge of providing this service in large and sparsely populated areas,

where new forms of crime emerge, as well as other efforts made in other law enforcement fields, such as road safety, assistance to victims and environmental crime. It was also proposed the creation of a network of law enforcement experts in this field between Spain, France, Italy, Portugal and Lithuania.

## **APPENDIX**

### MEETINGS AND ACTIVITIES CONDUCTED BY THE SPANISH PRESIDENCY OF THE COUNCIL OF THE EUROPEAN UNION DURING THE SECOND HALF OF 2023

#### Meetings with the European Commission and the European Parliament

- 1.- Meeting between the Government of Spain and the European Commission, 3 July 2023 (Madrid).
- **2.-** Speech by the Minister of the Interior before the European's Parliament Committee on Civil Liberties, Justice and Home Affairs (LIBE), 9 October 2023 (Brussels).

#### Justice and Home Affairs Councils

- 1.- Informal Meeting of the Ministers of Justice and Home Affairs, 20-21 July 2023 (Logroño).
- 2.- Home Affairs Council, 28 September 2023 (Brussels).
- 3.- Justice and Home Affairs Council, 19-20 October 2023 (Luxembourg).
- 4.- Justice and Home Affairs Council, 4-5 December 2023 (Brussels).

#### Ministerial Meetings

- 1.- Ministerial Meeting EU-CLASI (Latin American Committee for Internal Security), 27-28 September 2023 (Brussels).
- 2.- EU-Western Balkans Ministerial Forum on Justice and Home Affairs, 26 -27 October 2023 (Skopje).
- 3.- EU-U.S. Ministerial Meeting on Justice and Home Affairs, 13-14 November 2023 (Washington D.C.).

#### High-Level Meetings

- 1.- High-Level Group on Road Safety Meeting, 20 September 2023 (Madrid).
- 2.- UE-US Senior Officials Meeting on Justice and Home Affairs, 5-6 October 2023 (Madrid).
- 3.- Civil Protection Directors-General Meeting, 17-18 October 2023 (Valencia).
- **4.-** Meeting of Heads of Maritime Coordination Centres in the Context of Drug Trafficking and Organised Crime, 18-19 October 2023 (Palma de Mallorca).
- 5.- Meeting on Structured Dialogue on Domestic Security with Ukraine, 16 November 2023 (Madrid).
- **6.-** Plenary Meeting of the High-Level Group on Access to Data for Effective Law Enforcement, 21 November 2023 (Brussels).
- 7.- EU-ICPO Interpol Senior Officials Meeting (SOMEI), 7 December 2023 (Brussels).

#### **Strategic Committees Meetings**

- 1.- Informal Meeting of the Standing Committee on Operational Cooperation on Internal Security (COSI), 6-7 July 2023 (Aranjuez).
- **2.-** Meetings of the Standing Committee on Operational Cooperation on Internal Security (COSI), 5 October and 22 November 2023 (Brussels).
- **3.-** Informal Meeting of the Strategic Committee on Immigration, Frontiers and Asylum (SCIFA), 13-14 July 2023 (Madrid).
- **4.-** Meetings of the Strategic Committee on Immigration, Frontiers and Asylum (SCIFA), 27 September and 23 November (Brussels).

#### Management Board of European Agencies

- **1.-** Management Board of the European Border and Coast Guard Agency (FRONTEX), 20-21 September 2023 (Pamplona).
- **2.-** Management Board of the European Union Agency for the Operation Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA), 15-16 November 2023 (Madrid).
- **3.-** Management Board of the European Union Agency for Law Enforcement Training (CEPOL), 22-24 November 2023 (Aranjuez).
- **4.-** Management Board of the European Union Agency for Law Enforcement Cooperation (Europol), 11-13 December 2023 (Zaragoza).

#### **Expert meetings, seminars and conferences**

#### External Dimension of Migration and Borders

- **1.-** Seminar on Coordinated Action of Coast Guard-Oriented Policing Institutions Aimed at Police Training and their External Dimension, 23-24 October 2023 (Valencia).
- **2.-** Joint Project Management Groups Meeting of the Entry/Exit System (EES), the European Travel Information and Authorisation System (ETIAS) and Interoperability (IO), 14 November 2023 (Madrid).
- 3.- International Seminar on Tax and Border Risk Analysis, 13-17 November 2023 (Madrid).

#### Terrorism and Radicalisation

- 4.- Seminar on Counter-Terrorism Financing, 18-19 September 2023 (Madrid).
- 5.- International Congress on Radicalisation, 26-27 September 2023 (Benalmádena).
- 6.- Working Meeting on Global Perspective on Explosive Precursors, 16-17 October 2023 (Madrid).
- 7.- Seminar on the Impact of Terrorism and Cyberthreats on National Security, 27 October (Ávila).
- **8.-** Meeting of the European High Risk Security Network (EU-HRSN) Meeting, 15-16 November 2023 (Logroño).

#### Victims of Terrorism

**9.-** International Seminar on Actions to Improve the Protection of Victims of Terrorism on the European Union, 25 September 2023 (Madrid).

#### Serious Organised Crime

- **10.-** Seminar on Connections between Latin American and European Cocaine Trafficking Organisations, 4-7 September 2023 (Madrid).
- 11.- Conference on New Challenges in the Fight against Online Fraud, 18-19 September 2023 (Madrid).
- **12.-** Biannual Meeting of the Task Force on New Psychoactive Substances of the International Narcotics Control Board, 18-19 October 2023 (Madrid).
- **13.-** General Assembly Meeting of the European Network of Fugitive Active Search Teams (ENFAST), 24-26 October 2023 (El Escorial).
- **14.-** Seminar on Necessary Preventive Mechanisms against Arms Trafficking and its New Trends, in Particular, Privately Made Firearms, 6-7 November 2023 (Madrid).
- **15.-** Meeting of the European Network on the Administrative Approach Tackling Serious and Organised Crime (ENAA), 16-17 November 2023 (Madrid).
- 16.- Meeting of Heads of Lawful Interception Authorities 21-22 November 2023 (Madrid).
- 17.- Seminar for the Exchange of Good Practices on Lessons Learned in the Field of Drug Trafficking on the basis of the Special Security Plan for the Campo de Gibraltar. Study assessing its impact and extrapolation to other European geographic areas. 21-23 November 2023 (Seville).

#### Child Sexual Abuse

**18.-** Conference on Combating the Sexual Exploitation of Children Thought the Use of New Technologies, 18-19 September 2023 (Málaga).

#### Hate Speech and Hate Crime

- **19.-** Seminar on the Use of AI to Combat Hate Crimes paying special attention to algorithms to detect hate speech and counter-narrative tools, 4-5 October 2023 (Madrid).
- **20.-** International Seminar on Good Practices in the Fight against Hate Crimes with particular emphasis on the assistance and support to victims of hate crimes, and collaboration and cooperation between public institutions, the private sector and the third sector, 6-7 November 2023 (Madrid).

#### Violence against women and gender-based violence

21.- Seminar on New Challenges in the Fight against Gender Violence, 14-17 November 2023 (Madrid).

#### **Environmental Crimes**

**22.-** Seminar to Analyse and Promote the Priorities Identified by the European Union in the European Union Strategy against Organised Crime 2021-2025 in the Environmental Field, 7-8 November 2023 (Madrid).

#### Information Exchange and Interoperability in Police Cooperation

- **23.-** Seminars on Operational Coordination Contact Points to Strengthen Information Exchange among Competent Authorities, 11-12 September (Madrid).
- 24.- 11th EDEN Conference on Data Protection in Law Enforcement, 18-19 September 2023 (Madrid).
- 25.- ATLAS Network Working Meeting, 5-9 October 2023 (Madrid).
- **26.-** Conference on the Strengthening Cooperation between Ameripol, the EU, Europol and Interpol, 16-17 October 2023 (Madrid).
- 27.- Radiocommunication Expert Group (RCEG) Meeting, 17-18 October 2023 (Madrid).
- 28.- Working Meeting of the Heads of SIRENE Offices (HOS), 19-20 October 2023 (Madrid).
- 29.- Meeting of the European Interpol Committee, 26-27 October 2023 (Toledo).
- **30.-** Meeting of the Management Group of the European Criminal Records Information System: Conviction Information of Third Country Nationals (ECRIS-TCN), 13 November 2023 (Madrid).
- **31.-** Meeting of the European Network of Law Enforcement Technology Services (ENLETS), 16 November 2023 (Málaga).
- 32.- Meeting of the Heads of Europol Liaison Offices, 23 November 2023 (Ossendrecht).
- **33.-** Working Meeting of the Heads of SPOC in the Security and Customs Services, 13-15 December 2023 (Alcalá de Henares).

#### Harmonisation of Police Procedures

- 34.- Seminar on Police and Custom Cooperation Centres, 11-13 September 2023 (Santander).
- **35.-** Seminar on Best Practice on Information Management on Missing Persons with No Apparent Cause, 25-26 October 2023 (Madrid).
- **36.-** Meeting of the European Firearms Experts (EFE) Group, 18-19 October 2023 (Madrid).
- **37.-** Meeting of the Informal Network of Law Enforcement Authorities and Expertise. Competent in the Field of Cultural Goods (EU CULTNET), 24-25 October 2013 (Madrid).
- **38.-** Meeting of the Informal Network of Law Enforcement Authorities and Expertise. Competent in the Field of Cultural Goods (EU CULTNET), 24-25 October 2013 (Madrid).
- **39.-** European Seminar on Implementation of the EFSA 2.0 Action Plan in the Framework of the European Network of Forensic Science Institutes (ENFSI), 14-15 November 2023 (Madrid).
- 40.- Meeting of the Major Events Expert Group, 14-17 November 2023 (Madrid).
- **41.-** Conference on the Evolution of the European Operational Team (EOT) Pilot Project on the Costa del Sol, 23 November 2023 (Marbella).
- **42.-** Annual Plenary Session of the European Network for the Protection of Public Figures, 28-29 November 2023 (Madrid).

#### Police Training and Professional Ethics

- **43.-** Seminar on the Importance of International Police Training in the Framework of the IBERPOL School, 3-7 July 2023 (Ávila).
- **44.-** International Seminar on Good Practices and Possibilities for International Cooperation in Police Training", 18 July 2023 (Aranjuez).
- **45.-** Seminar to Raise Awareness and Promote the Commitment of Law Enforcement Agencies to Ensure that Fundamental Rights Are Respected, 28-30 November 2023 (Madrid).

#### War in Ukraine

**46.-** Seminar on the Impact of the War in Ukraine on the EU Internal Security, 10-11 October 2023 (Aranjuez).

#### Cybersecurity and Cybercrime

- **47.-** Plenary Meeting of the European Clearing Board (EuCB), 7-8 November 2023 (Las Palmas de Gran Canaria).
- **48.-** Senior Experts Seminar on the Impact of Gamification Processes for Cybersecurity Culture Diffusion, 15-16 November 2023 (Aranjuez).

#### **Civil Protection**

- **49.-** Civil Protection Expert Workshop in the Framework of the Spanish Presidency of the Council of the European Union,4-6 July 2023 (Aranjuez).
- **50.-** Annual Meeting of National Training Coordinators of the EU Civil Protection Mechanism, 13-15 November 2023 (Alcalá de Henares).

#### Critical Infrastructure Protection and Resilience

- **51.-** Working Seminar on Critical Incident Response in the Madrid Metro, 16-20 October 2023 (Madrid).
- **52.-** Working Meeting of Heads and Authorities of National Agencies Responsible for Infrastructure Protection and Critical Entities Resilience, 24-25 October 2023 (Madrid).
- **53.-** Mission Critical Communication Expert Group Meeting (MCCG), 26-28 November (Madrid).

#### Common Crime

- 54.- Workshop of Young Talent for a Secure Europe, 17-19 July 2023 (Logroño).
- **55.-** Meeting of the Executive Committee of the European Crime Prevention Network (EUCPN) and the Jury of the European Crime Prevention Award (ECPA), 14-15 November 2023 (Madrid).
- **56.-** Seminar on the Analysis of the Challenge of Provision of Public Security Service in Large Depopulated Areas of Europe and the Impact of New Forms of Crime; Good Practices and Preventive Response, 22-23 November (Madrid).
- **57.-** Meeting of the Governing Board of the European Crime Prevention Network (EUCPN), 12 December 2023 (Valencia).

**58.-** Best Practice Conference of the European Crime Prevention Network (EUCPN) and Award Ceremony of the European Crime Prevention Award (ECPA) of the European Crime Prevention Network (EUCPN), 13-14 December 2023 (Valencia).

#### Working Party Meetings of the Council in Brussels

- 1.- Law Enforcement Working Party-Police (LEWP-P): 5 and 26 July, 5,14 and 20 September, 9 and 24 October. 7-8 November and 1 December 2023.
- 2.- Asylum Working Party (AWP): 13 September, 11 October and 9 November 2023.
- **3.-** Working Party for Schengen Matters: 6 July, 6 and 29 September, 10 October, 10 November and 11 December 2023.
- 4.- Working Party on Frontiers: 11 July, 12 September and 24 November 2023.
- **5.-** Working Party on Integration, Migration and Expulsion (IMEX): 27 July, 19 September, 20 December 2023.
- **6.-** Working Party on JHA Information Exchange (IXIM): 13 and 27 July, 7 and 21 September, 5 and 25 October, 9 and 23 November, and 12 December 2023.
- 7.- Working Party on Civil Protection (PROCIV): 13 July, 12 September, 5 October and 12 December 2023.
- **8.-** Working Party on Civil Protection-Critical Entities Resilience (PROCIV-CER): 14 July, 13 September, 4 October, 8 November and 11 December 2023.
- **9.-** Working Party on Terrorism (TWP): 12 July, 12 September, 17 October, 14-15 November and 1 December 2023.
- **10.-** Working Party on Transport (Road Safety): 3, 7 and 10 July, 11 and 25 September, 2,10,16,24 and 30 October, 13 and 16 November and 12 December 2023.
- 11.- Visa Working Party: 24 July, 26 October, 16 November and 11 December 2023.
- **12.-** Horizontal Working Party on Drugs (HDG): 11-12 July, 20-21 September, 17-18 October, 16-17 November and 11-12 December 2023.
- **13.-** Standing Committee on Operational Cooperation on Internal Security Support Group (COSI SG): 11 July, 11 September and 9 November 2023.





