

## **Rules of Procedure for the European Network on the Administrative Approach (ENAA)**

The National Contact Point(s) of the European Network on the Administrative Approach,

having regard to the Conclusion of the Council of the European Union of 5 November 2010 on the fight against crimes committed by mobile (itinerant) criminal groups (hereinafter referred to as “the Council Conclusion”) on setting up a European Network on the Administrative Approach (ENAA)<sup>1</sup>.

### **Article 1**

#### **The Network**

The Network exists out of the European Union Member States which appoints the National Contact Point(s) (NCP) to represent the Member State in ENAA and meets at least once a year. Representatives from the European Commission, Europol, Eurojust and European Crime Prevention Network (EUCPN) will also attend the Network meetings as observers. The Secretariat of ENAA is also part of the full Network but does not participate in voting. The full Network is the ultimate body that takes decisions. The full Network also elects a Core Group of Member States (see Article 5).

### **Article 2**

#### **The National Contact Point(s)**

The National Contact Point (NCP) is an executive appointed by a national state institution which is responsible for the administrative approach. He/she is mandated by his/her country to actively contribute to the proper functioning and the visibility of ENAA and to promote the intergovernmental cooperation in the framework of ENAA, during the full Network meetings as well as interim discussions.

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<sup>1</sup> Previously known as the Informal Network of Contact Points on the Administrative Approach to Prevent and Disrupt Organised Crime

In order to comply with these duties, the NCP should have (a) knowledge in his/her country and of the EU policy in the field of the administrative approach and (b) a well-established network of contact points in his/her country, so that he/she can (i) promote the products of ENAA to them at national and local level, (ii) receive useful input from them such as policy decisions, overview of best practices implemented at national level, and expert advice, and (iii) he/she should provide, maintain and exchange administrative approach material with other Member States and the Secretariat.

Each Member State appoints a maximum of two NCPs and notifies the Secretariat of the names and contact details for who will represent the Member State in the Network. The NCP is responsible for keeping the information up to date.

The European Commission, Europol, Eurojust and the EUCPN shall notify the Secretariat of the name and contact details of their Representatives. The Representatives are responsible for keeping the information up to date.

### **Article 3**

#### **Decisions of the National Contact Point(s)**

The full Network shall adopt the Network's Work Programme and an Annual Report on the activities of the Network. These decisions and the decisions on the adoption and amendment of the Rules of Procedure shall be taken by two-thirds majority. Other decisions on matters of substance shall be adopted by two-thirds majority, whereas decisions on procedure of the meetings shall be adopted by simple majority.

Half of the EU Member States shall constitute a quorum. In the absence of a quorum, or if urgent issues arise between meetings, the Chairs may seek the NCPs' agreement to decisions by written procedure (modern means of telecommunication). The Chairs shall ensure that receipt of the communication is confirmed. The NCP (or their substitutes) shall respond to such requests by the deadline specified by the Chairs. The deadline should not

be less than two weeks. In the absence of a response, the NCP shall be deemed to have abstained from the vote. For a written procedure, no quorum shall be necessary.

#### **Article 4**

##### **Chairmanship of the full Network meeting**

ENAA is co-chaired by the Member State holding the Presidency of the Council of the European Union together with the Representative of the European Commission. The Chairs shall consult and co-operate closely with the Core Group. In planning meetings, attention shall be given to time- and cost-effectiveness.

#### **Article 5**

##### **Core Group**

The Core Group is composed of the NCP(s) from up to 4 Member States elected by the full Network for the term of 24 months and the NCP(s) from the outgoing, current and the incoming Presidencies of the Council of the European Union. Each Member State has one vote. The European Commission, Europol, Eurojust, the EUCPN are observers in the Network and can each designate one representative to attend the Core Group Meetings. The Secretariat of ENAA is also a member of the Core Group. The Core Group is co-chaired by the Member State holding the Presidency of the Council of the European Union together with the Representative of the European Commission.

The Core Group is responsible for driving the activity of the Network and overseeing the administrative tasks of the Secretariat, including preparing the meetings of the full Network.

#### **Article 6**

##### **Secretariat**

The Secretariat provides support to the Network and the Core Group and is responsible for the daily work of ENAA.

The Secretariat is an independent service hosted by the EUCPN. The EUCPN assumes some administrative responsibilities throughout the project<sup>2</sup>, however the Project Coordinator within the EUCPN Secretariat takes on the part of the administrative burden in relation to the projects content by writing and reporting on the project and taking all the administrative steps needed by the European Commission. All financial rules of the EUCPN and the European Commission have to be followed.

## **Article 7**

### **Meetings**

The full Network shall hold at least one meeting during each year, convened by its Chairs. If necessary, additional meetings can be convened by the Chairs.

The Chairs may, after consultations with the Core Group and when relevant, decide to invite institutions and bodies or individuals, who can provide relevant input to the matters discussed, to attend meetings at their own expense.

The full Network may decide to set up sub-groups for a fixed period, dealing with specific issues, which may meet as decided by the designated chair of the subgroup.

Each Member State has one vote. Permanent observers of ENAA are: Representatives of the European Commission, Council of the European Union, Europol, Eurojust and the EUCPN. Permanent observers do not have a vote. Ad hoc observers of ENAA may be other EU and international agencies, organizations and working groups, policy makers at the local and national level, practitioners etc. Ad hoc observers may participate in full Network meetings when there are agenda points which concern them, but they are excluded from discussions on the internal business of ENAA and they do not have a vote. They are invited by the Chair after consultations with the Core Group. The observers may: advise on particular issues which are put on the agenda by ENAA Members; strengthen the collaboration between

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<sup>2</sup> EU Commission funded project

ENAA and his/her agency/organization; play an essential role in improving the Network by applying administrative approach guidelines and practices of ENAA in his/her area.

## **Article 8**

### **Agenda and documents for the full Network meetings**

The provisional agenda for meetings and all documents foreseen for discussion including written documentation needed in order to take informed decisions shall reach the NCP(s) as well as the Representative of the European Commission and other European organisations two weeks in advance of the meeting.

The NCP(s) and the Representative of the Commission and other European organisations may propose agenda items to the Chairs, who shall, after consultations with the Core Group, decide the draft agenda of the meetings.

The Network's Work Programme and the Annual Report on the activities of the Network must each be listed on at least one meeting agenda each year.

## **Article 9**

### **Language**

The working language of the Network is English, this includes the written communications and official documents.

## **Article 10**

### **Records of the meetings**

The Secretariat of the Network shall record electronically the meetings, under the supervision of the Chairs. These recordings will solely be used by the Secretariat to write out the minutes.

The minutes of the meetings shall include a list of those present and a short report on the discussions and the actions assigned.

## **Article 11**

### **Correspondence**

The official address of the Network is the address, where the Secretariat of the Network is situated:

Waterloolaan/Bd. de Waterloo 76

1000, Brussels – Belgium.

## **Article 12**

### **Expenses for participating in meetings**

Travel and accommodation expenses for the full Network meeting shall be met by the Member States but may be funded by the European Commission.

Travel and accommodation expenses for the Core Group shall be met by the Member States and European agencies/organisations budgets of those attending the meetings.

## **Article 13**

### **Work Programme and Annual Report**

At the last full Network meeting of a Work Programme, the full Network will adopt a new Work Programme. The NCP(s) shall, in particular determine the priority fields to be examined and the main specific actions to be carried out. The Work Programme shall be forwarded to the competent working body of the Council<sup>3</sup> as a supplement to the Annual Report.

The Annual Report of the Network shall be submitted to the competent working body of the Council by the end of March after the completion of the year concerned. It shall summarize the activities carried out, the resources used and the results achieved.

## **Article 14**

### **Entry into force**

These rules shall take effect on the day following their approval by the full Network.

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<sup>3</sup> The Network is affiliated with the Law Enforcement Working Party (LEWP) since 2018