



Advisory Groups

to the Europol's European Cybercrime Centre

Terms of Reference, Rules for Membership and Mandate

1. Status

The Advisory Groups (hereafter 'the Groups') are advisory groups to the Europol's European Cybercrime Centre (hereafter 'EC3'), established by and reporting to the Head of EC3.

2. Mission Statement

"To work jointly in the fight against cybercrime by sharing relevant information and expertise on pertinent trends and developments.

To develop novel and innovative responses with a view to permanently mitigate the risks posed by cybercrime in a pro-active, adaptive, efficient and inclusive manner that leverages the power of public-private partnerships."

3. Aims and Objectives

The EC3 may consult the Groups on any matter relating to their area of expertise.

In order to promote better cooperation and mutual understanding of the needs and priorities of the private industry and the law enforcement in the context of the fight against cybercrime, the objective of the Groups is to:

- Provide relevant knowledge and expertise to the EC3 on matters related to their area of expertise in relation to the fight against cybercrime.
- Update and share information and expertise on all relevant developments in their area of expertise;
- Assist the EC3 in defining priorities for its work of in this area, including by advising on the cooperation with relevant stakeholders;
- Assist the EC3 in defining priorities for its work in the areas of awareness, prevention and protection;

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- Assist the EC3 in striking the right balance between disruption, harm reduction and prevention on the one hand and investigation and prosecution on the other hand.

The EC3 may consult the Groups on any matters relating to their area of expertise.

The EC3 may assign specific tasks and deliverables to the Groups or its members.

Although the Groups may provide policy input on its own initiative or upon invitation by the EC3, such input shall exclusively be addressed to the EC3.

The Groups shall refrain from taking any political or commercial position in the preparation and delivery thereof.

4. Membership

Members shall be individuals of proven expertise and professional experience in those areas which are relevant to the fight against cybercrime.

To ensure proper alignment with the work and the mandate of Europol and the policy level in general, EC3 and the European Commission shall also be represented in the Groups.

Membership of the Groups is non-transferrable, however if for whatever reason a Group's member is unavailable they may nominate an alternate from their organisation to attend a scheduled meeting. Such arrangements shall be notified in writing in advance to the EC3 Advisory Groups Support Secretariat (O372@europol.europa.eu).

4.1. Appointment

Members shall be appointed by the Head of EC3. Appointment is based on nomination and is preceded by a selection procedure.

On the basis of the call for applications and the outcome of the assessment process, applicants who are deemed suitable candidates for the Groups' membership but are not appointed shall be placed on a reserve list, with their consent. The EC3 may use this list for the appointment of replacements for members, if needed. If the EC3 considers the reserve list insufficient, it may re-publish the call for applications in order to constitute a new list.

When selected, members shall produce a **certificate of good conduct** (see Annex 1) prior to the official appointment, as well as a **letter of endorsement and support from their management**.

The EC3 may decide to spread the starting date of the term of office of members to enhance the continuity of the work of the Groups over time. This means that new members can accede prior to the expiration of the term of office of other members.

Members shall be appointed in a personal capacity for a period of two years.

4.2. Renewal

Members shall remain in office until their term of office ends by effluxion of time or on resignation.

Their term of office may be renewed, subject to decision of the Head of EC3, and shall be based on an assessment of the performance of the members.

4.3. Resignation

Members unable to attend a scheduled meeting have to provide an excuse and possibly nominate an alternate for that meeting. Members who fail to attend two consecutive meetings without providing a valid excuse shall be deemed to have resigned from the Groups.

Any changes in affiliation need to be communicated to the Chair of the Groups and the secretariat in due course. If a member changes affiliation their membership will lapse and they will have to go through another selection procedure for reapplying to one of the Groups. In exceptional cases, EC3 may decide to keep the membership active.

Members who are no longer in a position of contributing effectively to the group's deliberations, who resign or who do not comply with the conditions set out in those Terms and References may be replaced for the remainder of their term of office, following a new selection process.

4.4. Communication

The names and affiliations of the Groups' members shall be published on EC3's website.

5. Mandate

Members shall actively contribute to enhancing the cooperation between EC3 and their sector using their expertise and information picture for the general interest.

Members are expected to:

- actively contribute to at least two strategic products of EC3 per year (IOCTA and QQRs among others);
- actively participate in the Groups' meetings, by suggesting agenda items, bringing forward cases and projects;
- actively propose and/or contribute to joint position/white papers as well as policy papers;
- actively propose and participate in measures to combat cybercrime, for instance in the areas of prevention and protection;
- propose and/or support novel and innovative approaches to combatting cybercrime.

5.1. Organisation

The Groups shall be composed of up to 30 members each representing a wide-range of expertise related to the fight against cybercrime. The Group shall have a balanced representation in terms of background and geographic regions.

EC3 will act as permanent Secretariat to the Groups (O372@europol.europa.eu).

5.2. Reporting

In terms of deliverables and performance monitoring, the Groups will report in writing at least once a year in line with the mandate defined by the Head of EC3.

Minutes of the AG meetings will be circulated to the EC3 Programme Board.

6. Meetings

Meetings of the Groups shall be convened three times per year, either virtually or offline. Additional meetings may also be organised on an *ad hoc* basis if and when necessary.

As the Secretariat, EC3 will be responsible for preparing invitations and drafting agendas, proposals and minutes as well as drafting a yearly activity report to the Programme Board.

The deliverables of the Groups will be submitted to the Head of EC3. A draft agenda will be circulated at least two weeks in advance of the meetings in order to allow members to provide comments.

7. Financial Issues

Members of the Group will participate on a *pro bono* basis and will not receive any financial compensation for their work.

Financial support for travel expenses in connection to meetings at Europol's headquarter may be granted, subject to the availability of funds and approval by the Head of EC3.

Requests for financial assistance shall be made to the Head of EC3 via the Groups' Secretariat. Only representatives of public bodies and civil society organisations shall be entitled to receive financial support.

8. Areas of Work

Concrete deliverables will be identified every year in a separate Work Plan on mutual agreement between the EC3 and the members of the Groups.

9. Interaction with Other Advisory Groups

The meetings of each Advisory Group are also announced to members of other Advisory Groups and are in principle accessible to members of those groups should they have an interest in specific topics under discussion.

Furthermore, the EC3 may decide to organise joint meetings on topics that are of relevance to members of two or more Advisory Groups.

10. EC3 Space platform and online community

The Groups' Secretariat will make all relevant documents available to the members (with exception of classified information) via a dedicated online community on EC3's restricted SPACE platform, including invitations, minutes and reports. Those documents will be circulated via e-mails as well.

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The EC3 encourages the use of the EC3 SPACE platform to ensure a constant exchange of information between EC3 and the Groups' members, establish a single-point of information access and to allow for online discussions and comments.

11. Public Access Requests

Europol can authorise public access¹ to a document of the Groups based on the principle of transparency and the rights for individuals to access documents of EU bodies are laid down in Article 15 of the TFEU and Article 42 of the Charter of Fundamental Rights of the EU. Regulation (EC) No 1049/2001 provides the rules for access to documents. Specific rules for access to Europol documents are established in Article 45 of the Europol Council Decision of 6 April 2009² and in the Management Board implementing rules of 8 July 2009³.

12. Public Relations and Communications

- All AG related documents will be marked with a security level label in accordance with the Europol classification levels to indicate whether they can be shared by members. Minutes of the AG Meetings are restricted to AG Members only;
- Members of the Groups are allowed to refer to their membership in the public domain, but must treat the content of meetings, the groups' activities and related documentation as confidential unless otherwise indicated;
- Members of the Groups are not entitled to publicly represent or speak on behalf of the AG without authorization;
- EC3 reserves the right to dismiss any member of the Groups who is identified as using his or her membership for undue influence, including commercial advantage.

13. Confidentiality

No exchange of data containing personal information will take place during the meetings of the Groups.

14. Review of the Terms of Reference

These Terms of Reference will be presented to the Head of EC3 and the Europol Deputy Director of Operation for review whenever the need arises but at least every other year.

Annex 1

¹<https://www.europol.europa.eu/content/public-access-europol-documents>

²https://www.europol.europa.eu/sites/default/files/publications/council_decision.pdf

³https://www.europol.europa.eu/sites/default/files/public_access_to_europol_documents.pdf

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| Certificates of Good Conduct - Member States | |
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| Country | Name of Certificate |
| Austria | <i>Strafregisterbescheinigung</i> |
| Belgium | <i>Extrait du Casier Judiciaire/Uittreksel uit het Strafregister</i> |
| Bulgaria | <i>Свидетелство за съдимост</i> |
| Croatia | <i>Potvrda o podacima iz kaznene evidencije</i> |
| Cyprus | <i>Πιστοποιητικό Ποινικού Μητρώου</i> |
| Czech Republic | <i>Výpis z rejstříku trestů</i> |
| Denmark | <i>Privat straffeattest</i> |
| Estonia | <i>Karistusregistri teatis</i> |
| Finland | <i>Criminal records extract: visa, work permit etc.</i> |
| France | <i>Extrait de casier judiciaire (bulletin numéro 3)</i> |
| Germany | <i>Führungszeugnis (Privatführungszeugnis)</i> |
| Greece | <i>αντιγράφου ποινικού μητρώου</i> |
| Hungary | <i>Erkölcsi bizonyítvány</i> |
| Ireland | <i>Police Certificate</i> |
| Italy | <i>Certificato del casellario giudiziaro - certificato penale</i> |
| Latvia | <i>Izziņa par (ne)sodāmību</i> |
| Lithuania | <i>Pažyma apie teistumą (neteistumą)</i> |
| Luxembourg | <i>Extrait du casier judiciaire (FR) / Strafregisterauszug (DE)</i> |
| Malta | <i>Conduct Certificate / Ċertifikat tal-Kondotta</i> |
| Poland | <i>Zaświadczenie o niekaralności</i> |
| Portugal | <i>Certificado de Registo Criminal</i> |
| Romania | <i>Certificat de cazier judiciar</i> |
| Slovak Republic | <i>Výpis z registra trestov</i> |
| Slovenia | <i>Potrdilo o nekaznovanosti</i> |
| Spain | <i>Certificado de Antecedentes Penales</i> |
| Sweden | <i>Utdrag ur belastningsregistret (för utlandsändamål)</i> |
| The Netherlands | <i>Verklaring Omtrent het Gedrag</i> |
| United Kingdom | <i>Basic Disclosure*</i> |

* Europol may also conduct a background check equivalent to a Certificate of Good Conduct for UK nationals directly in cooperation with the UK authorities