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NOTE

From:	Presidency
To:	Working Party on Information Exchange and Data Protection (DAPIX)
No. prev. doc.:	5887/17
Subject:	Strengthening of SPOCs - Proposal for the 5th IMS action list

1. Introduction

The Council Conclusions on a renewed Information Management Strategy (IMS) for EU internal security (15701/1/14 JAI 897 DAPIX 175 CRIMORG 109 ENFOPOL 372) set out that steps should be taken to develop and, where necessary, update a detailed action list in order to fulfil the overall aims and objectives of the strategy. The IMS provides for a methodology aimed at ensuring coherence of decisions concerning management and exchange of data as well as the methods used.

The current note is intended to serve as the reference document for the "Strengthening of SPOCs"-project. It sets out the background, the objectives as well as the way forward and organisational aspects of the project and deliverables.

2. Background

The need to establish efficient Single Points of Operational Contact (SPOC) for the exchange of information between law enforcement authorities inspired the drafting of SPOC guidelines¹, adopted by the Council in June 2014. This document also mentions the need and rationale for the development of case management systems (CMS).

Furthermore, the "Roadmap to enhance information exchange and information management including interoperability solutions in the Justice and Home Affairs area"² indicated that the implementation of Action 7(D) of the annexed action plan, which contains a practitioner-centered approach to enhancing cross border law enforcement cooperation, should be taken forward in the framework of the IMS. Action 7 (D) of the roadmap action plan specifically suggests to :

"Develop/introduce effective case management and workflow solutions specifically for SPOCs with a view to mutual legal assistance cooperation. Such solutions require tailor-made elements to fulfil national demands and this initiative should only provide assistance. ..."

The SPOC business focus on:

1. Handle (receive, evaluate, reply, disseminate) the incoming and outgoing international information exchange flows and international alerts (= incoming information and requests)
2. Manage the internal workflows (archive, cross check, linking, statistics, etc...)

¹ 10492/14 DAPIX 75 ENFOPOL 157

² 9368/1/16 REV 1

3. Objectives

With a view to strengthening the SPOC business, IMS action No 8 envisages:

1. to enhance cross border information exchange,
2. to increase the interoperability or the efficiency in the use of existing instruments for cross-border information exchange.

To that end, the action aims to contribute to defining more effective case management and workflow solutions for SPOCs, including tailor-made elements to fulfil national demands regarding international information exchange, alerts and mutual legal assistance cooperation.

Modern technology makes it possible to achieve the desired level of availability of information, minimizing disruption and manual re-registration while increasing the quality of information, the level of data protection and data security. To that end, the entire information exchange process as addressed by the various applicable legal instruments at national, regional, supranational and international levels may be documented taking into account relevant essential business activities.

Dealing with law enforcement information exchange, the SPOC should follow *the “circle of criminal intelligence”* (receive, evaluate, reply, disseminate, cross-check and handle incoming and outgoing international information flows). With a view to making this procedure more efficient at each SPOC, access to a *“case management system” (CMS)*, that evaluates, classifies and disseminates the information originating from all cooperation channels and national authorities, is considered of crucial importance.

The *prioritization of the incoming information* should be among the core functions of the SPOC. To support this, the system that is dealing with the reception-evaluation-distribution of the incoming data should also have the ability of prioritization.

Every case should *automatically be attributed to a single registration* number, unique for the involved cooperation channels such as SIRENE, INTERPOL, EUROPOL, etc. This could make the handling of each case more speedy and help avoiding any confusion (duplications) during the course of the above described “circle of criminal intelligence”. Besides, following the attribution of a single registration number, the creation of a related folder would be ideal.

Before being distributed to the operating agencies, the data contained in each request which arrives at the SPOC, should undergo an automated *cross-check* against national and international databases available at the SPOC.

Ideally, the national case management systems should be (*inter*)connected to SIS/SIRENE and Interpol, as well as to Europol via SIENA.

The result of this action would constitute a case management business needs document. The focus would be on the added value such a case management system (CMS) would have especially for its main users, that is the SPOCs, the law enforcement community at large and the relevant JHA agencies at EU level.

4. Way forward

Depending on the functionalities offered in the different SPOCs, variants of sub-processes and sequences would also be identified. These processes could then be rated as mandatory for all or required or optional for specific ones, when these are not fully necessary for the process as a whole. The relevant actors, targets, tasks, pre-requisites and dependencies would also need to be identified.

The Member States (BE, LV, SE and MT) participating in action No 8 will analyze the needs, workflows and practices within their SPOCs/LEAs. The outcome will be documented and presented by means of reports to DAPIX as the basis for possible further improvement in this area.

DAPIX should also consider to analyze the current situation of case management and workflow systems used for the handling of police cooperation requests in the Member States. To this end, Member States would be asked to reply to a questionnaire on national SPOC structures by 30 June 2017.

5. Timetable

Three different issues will be presented to DAPIX:

- (1) the needs concerning the processes related to the handling of incoming requests within SPOCs, that is the handling of requests and replies received from the national competent authorities and of requests and replies received from regional, supranational and international partners;
- (2) the needs concerning the processes within the SPOCs, that is the procedures and practices within the SPOC which regulate/facilitate the effective handling of requests, the use of data received, the relationship with the national competent authorities, access of relevant databases, prioritization and the availability of single search interfaces and level of automation.
- (3) analysis of possible strengths and weaknesses, threats and opportunities of the different processes and identification of those processes which render case management and workflow effective.

Timing: report by September 2017
