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NOTE

From:	Presidency
To:	Working Party on Information Exchange and Data Protection (DAPIX)
No. prev. doc.:	15701/1/14; 5237/15; 14636/15
Subject:	Renewed Information Management Strategy (IMS) - draft 5th Action List

On 26 June 2009 (16637/09), the Presidency submitted a proposal for an Information Management Strategy (IMS) to the Ad Hoc Working Group on Information Exchange. The aim of this strategy is to provide a methodology (the “how”) to ensure that decisions about the need for managing and exchanging data, and decisions about the ways to do so are taken in a coherent, professional, efficient, cost-effective way, accountable and comprehensible to the citizens and the professional users.

On 30 November 2009, the Council approved Conclusions on an updated Information Management Strategy (IMS) for EU internal security. The Strategy as such has a long-term focus and can be further developed and updated as the overarching vision develops. Upon proposal from DAPIX, the Council approved a renewed IMS Strategy (15701/1/14) on 18 December 2014.

The IMS aims at supporting, streamlining and facilitating the management of information necessary for carrying out expedient cross-border information exchange between law enforcement authorities, authorities responsible for border management, and judicial authorities dealing with criminal matters. The IMS provides guidance on how to translate business needs into structures and content, and contained under a number of focus areas the strategic goals to be achieved.

The Council Conclusions on IMS set out that steps should be taken to develop and update as necessary a detailed IMS action list in order to fulfil the overall aims and objectives of the Strategy. To that end, delegations are regularly invited to propose actions and define their concrete goals, processes and deadlines.

So far, three action lists with a life-span of 18 months each were established. The 4th IMS action list, which currently contains six actions, was drafted in line with the outcome of questionnaire CM 5306/14. As discussed at the DAPIX meeting of 2 September 2015, it was understood to be a living document supposed to expire, in principle, on 30 June 2016.

With this in mind, the Presidency suggested considering the setting up of a 5th Action List whose life span would be limited to 18 months and start on 1 July 2016. It includes the actions of the 4th list which were not yet concluded, as well as actions such as the 'PCCC: European dimension' action, and the 'A.T.H.E.N.A. - SPOC training' action, the PNRDEP (Passenger Name Record Data Exchange Pilot) and the action to define Prüm post-hit procedures, on which preliminary presentations or discussions were on the DAPIX agenda of 26 January 2016. Pursuant to these discussions, the Presidency invited delegations leading those actions to submit detailed descriptions of the proposed actions.

Furthermore, the Presidency highlights the need to incorporate the specific, practical short- and medium-term actions contained in the roadmap on JHA information exchange and information management¹ into the IMS action list, pending their further operationalisation. Thereby, all DAPIX relevant actions are put in the framework of the IMS and included in one single document.

Since the roadmap had not yet been adopted by the Council when this note was drafted, the roadmap related suggestions are set out separately. The discussion of the overview of DAPIX relevant actions of the roadmap are therefore set out in Annex 2 to this note and should steer the discussion on further IMS actions or how to react on DAPIX specific roadmap points.

In view of facilitating the further implementation of the IMS, the Presidency invites delegations to endorse the current IMS action list at the forthcoming DAPIX meeting and to further reflect on how to implement the roadmap actions.

¹ "Roadmap to enhance information exchange and information management including interoperability solutions in the Justice and Home Affairs area" (9368/1/16 JAI 478 COSI 92 FRONT 224 ASIM 80 DAPIX 80 ENFOPOL 157 SIRIS 90 DATAPROTECT 57 VISA 165 FAUXDOC 23 COPEN 172)

OVERVIEW OF DRAFT 5th ACTION LIST

Action	Subject	Doc.
1	A.T.H.E.N.A. - SPOC training	6770/16
2	ADEP (Automation of Data Exchange Process)	14944/12 updated doc pending
3	PNRDEP (Passenger Name Record Data Exchange Pilot)	6857/16
4		
5	UMF 3 (Universal Message Format 3)	6882/16
6	Prüm DNA post-hit procedures	5113/12 updated doc pending
7	PCCC: European dimension	5131/16
8		
9		
10		

OVERVIEW OF MEMBER STATES AND EU BODIES INVOLVED

Action	1	2	3	4	5	6	7
BE							<u>X</u>
BG			X		X		
CZ							X
DK					X		
DE		X			<u>X</u>		X
EE					X		
EL					X		
ES		o	X		X		
FR		<u>X</u>					
IE		X					
IT	<u>X</u>				X		X
CY							
LV					X		
LT			X		X		
LU							
HU		o	<u>X</u>		X		X
MT					X		
NL					X		
AT					X		
PL					X		X
PT			X				
RO			X				
SI					o		
SK							
FI		X			X	<u>X</u>	
SE					X	<u>X</u>	
UK					X		
CH					o		
IC							
LI							
NO					X		
COM		o			X		X
GSC							
Europol		o	o		X		X
Eurojust		o			o		
Frontex					X		
EDPS		o					
euLISA					X		
OLAF					o		
JSA/JSB		o					
JRC							
Interpol					X		

X = Lead X = Actors o = other concerned parties /observers

OVERVIEW OF CHAIRS FOR ACTIVATED/PROPOSED ACTIONS

AP	Subject	Chairperson	E-mail
1	A.T.H.E.N.A. - SPOC training	Italy To be defined	
2	ADEP (Automation of Data Exchange Process)	France -Jacques Weber, -Gilles Barbey (ass)	jacques.weber1@interieur.gouv.fr gilles.barbey@interieur.gouv.fr
3	PNRDEP (Passenger Name Record Data Exchange Pilot)	Hungary -Zsolt Szolonoki -Zsuzsa Petho	zsolt.szolnoki@bm.gov.hu zsuzsa.petho@bm.gov.hu pnr@bm.gov.hu
4			
5	Universal Message Format 3(UMF 3)	Germany Krzysztof Klebek	IT-UMF@bka.bund.de
6	Prüm DNA post-hit procedures	Finland/Sweden Virpi Koivu	Virpi.Koivu@intermin.fi
7	PCCCEuropean dimension	Belgium Daniel Colling	daniel.colling.6260@police.be

Action no:	Proposed action	Strategic objectives	Focus area	Performance indicator	Possible outcome
1	A.T.H.E.N.A.: Addressing training needs of SPOCs as hubs of a European network of law enforcement agencies	Comprehensive training on the different EU police communication channels and EU information exchange mechanisms and instruments. Exchange of best practices regarding the functioning of SPOCs, and/ or establishing a format for regular contacts of heads of SPOC/ SPOC staff, focusing on training needs and activities. Identification of common workflow requirements for SPOCs in Member States and development of related guidelines as a basis for SPOC staff training.	1, 6, 8	Reports to DAPIX	Establishment, together with Cepol, of a repository of good practices regarding training on EU law enforcement information exchange, taking into account related existing curricula and results of related initiatives
Terms of reference: 6770/16					

Action no:	Proposed action	Strategic objectives	Focus area	Performance indicator	Possible outcome
2	ADEP: (Automation of Data Exchange Process)	<p>Streamlining and speeding up information exchange by automation of manual procedures;</p> <p>know quickly where the relevant information is located.</p> <p>Contribution to achieve the goals of Council Framework Decision 2006/960/JHA (SFD) and, therefore, to implement the principle of availability, taking into account Decision 2009/316/JHA (ECRIS) and Annex A on categories of offences thereof,</p> <p>Cost efficiency and data protection reinforced</p>	1, 3, 4	<p>Test in laboratory of an ADEP prototype based on anonymisation/pseudonymisation of data and encryption/optimisation by the filter of Bloom in line with the similar work led by Europol..</p> <p>work (Item 05/pseudonymisation of criminal intelligence) and Commission (FIUs</p>	<p>Information exchange based on an automatically generated reply protocol (Hit/noHit) complemented by a minimum set of mandatory and optional data (Hit +++).</p> <p>Automation of requests for information by: consulting an « index » provided by each MS, using a standard transliteration interface, such as the one used in the SIS or in the EIS, giving preference to the UMF technology, SIENA Channel taking into account the information exchange with Europol, allowing MS to set up their connection to the system at their own pace.</p>
Terms of reference:					

Action no:	Proposed action	Strategic objectives	Focus area	Performance indicator	Possible outcome
3	PNRDEP : Develop technical solutions for the implementation of PNR data exchange by means of a pilot	Explore possible use of existing law enforcement data exchange channels – especially SIRENE, SIENA and FIU.net – for PNR data exchange . Assess most appropriate information exchange channel.	1, 2, 3, 4, 5, 6	Comparative study including national PNR legislation and examination of use of existing law enforcement data exchange channels Meeting reports to DAPIX	Document compiling the best practices regarding the possible technical solution and interconnectivity of PIUs
<p>Terms of reference: 6857/16</p> <p>Project aims at providing possible solutions for the technical implementation of passenger name record (PNR) data exchange between Passenger Information Units (PIU) by</p> <ul style="list-style-type: none"> • exploring the feasibility of using existing law enforcement data exchange channels – especially SIRENE, SIENA and FIU.net – for PNR data exchange between PIUs; • conducting a comparative study in the first part of the project which will incorporate an integrated legal analysis on the national legislations governing the functioning of national PNR systems as well as the examination of the infrastructure and technical solution of existing law enforcement data exchange channels possibly used for PNR data exchange; • testing the most appropriate channel(s). <p>Several meetings are planned and DAPIX will regularly be informed about the outcome by means of reports.</p> <p>Duration: 01 January 2016 – 30 June 2017 (18 months).</p>					

Action no:	Proposed action	Strategic objectives	Focus area	Performance indicator	Possible outcome
4					

Action no:	Proposed action	Strategic objectives	Focus area	Performance indicator	Possible outcome
5	Universal Message Format – UMF 3: a) further technical implementation of EU-PIM in a Universal Message Format b) concept and set-up of a management entity including a governance structure for EU-PIM and the UMF-standard c) development and dissemination of new UMF standard in pilot projects	XML-based data format for structured cross-border data exchange Improve technical interoperability between national LEA Re-use of components Reduction of technical interfaces Simplifying design, development and maintenance	4.b 4.d 5.a	Reports to DAPIX	Common semantic standard for cross-border and EU information exchange (UMF) Simultaneous real-time request of national databases and EIS
<p>Terms of reference: 6882/16</p> <p>The UMF Interoperability Coordination Programme aims at producing a commonly recognised standard specification for the exchange of information between national LEA. The programme is to be realised in three steps: The third activity (UMF3) with 17 MS and Norway participating is about the concept and proposal for a management entity and a governance process for the maintenance and development of the new standard. The management entity may also provide advice and consultancy to national or European projects interested in applying the model and standards thus contributing to a smooth implementation, uniform usage and optimal interoperability. Six pilot projects (Europol & EE, FI, GR, PL and ES) on querying simultaneously national databases and the Europol database (EIS)</p>					

Action no:	Proposed action	Strategic objectives	Focus area	Performance indicator	Possible outcome
6	Prüm post-hit procedures Overview of national operative Prüm DNA post hit procedures Description of reporting of DNA profiles/ FP comparison	Increased knowledge of what action can be expected from Prüm partners	1, 2, 3, 4, 5, 6	Reports to DAPIX	Standard form for Prüm post-hit follow-up procedures
<p>Terms of reference:</p> <p>The action builds upon and complements the outcome of the ISEC funded project "Developing the exchange of DNA data and the related post-hit information exchange under the Prüm Decision" aimed, in particular, at finding out best practices to manage the post-Prüm hit communication process and enhancing information sharing with Europol.</p> <p>The action is aimed at a result as practical and concrete as possible.</p> <p>The added value for Prüm information sharing comes from increased knowledge of what action can be expected from Prüm partners in different situations.</p> <p>By national operative post-hit procedures are meant first and foremost procedures by which the hit information is conveyed to the national investigative units in different hit situations and what is the follow up after the information has been forwarded.</p>					

Action no:	Proposed action	Strategic objectives	Focus area	Performance indicator	Possible outcome
7.2	PCCC: European Dimension	<p>Analysis of cross-border crime</p> <p>Further implementation of SIENA</p> <p>Harmonisation of information exchange in PCCCs</p> <p>Exchange of best practices</p> <p>Strengthening of customs' involvement in PCCCs</p>	1, 2, 3, 4	Implementation of annex 5 to the PCCC Guidelines	<ul style="list-style-type: none"> • workshop: <ul style="list-style-type: none"> ○ participants: Europol, national central services and PCCCs; ○ objective: exchange of views on potential of each of these levels, the need for complementarity between these levels and the possibilities to mutually enrich the analysis to gain a complete picture of cross-border crime ○ exchange of experience • support of PCCC Heerlen • survey the experience and best practices of PCCCs • system interfaces linking national case management systems (i.a. in PCCCs) to SIENA • survey of standards used in PCCCs regarding information exchange • workshops to exchange best practices and to draft recommendations for information exchange standard, based on SIENA requirements and taking into account UMF references • survey on the situation in the PCCCs on the presence of the customs / exchange of best practices in this matter

Terms of reference: 5131/16

The action builds upon the results achieved with regard to the pilot project of implementing SIENA in PCCCs with a view to strengthening the European dimension of PCCCs. Several initiatives can contribute to promote the further development of PCCCs, e.g. improving the way of working and the quality of service provided, improving information exchange between PCCCs, the respective national central authorities and Europol.

Action no:	Proposed action	Strategic objectives	Focus area	Performance indicator	Possible outcome
Terms of reference:					

Theme 1 Information-centred approach to Law Enforcement

No.	Objective	Action	Primary Responsible Party/Parties	Stakeholders	Timetable	Monitoring	Council request financial support
2	Enhance data / information quality	<p>A) Within the relevant governing body/working party propose, discuss and agree on a common set of standards (law enforcement authorities, public prosecution) (inserting and querying data) regarding the quality of data / information</p> <p>B) eu-LISA to develop a central monitoring capacity for data quality.</p> <p>C) Disseminate data quality standards with the help of joint manuals, best practices and expertise among Member States; eu-LISA to share expertise regarding the central monitoring capacity for data quality with Member States and other EU JHA agencies while fully taking into account the prerogatives of Member States and other EU JHA agencies to determine their quality of information monitoring.</p> <p><i>A&B: Possibly require legal changes/steps, C: No legal changes required</i></p>	<p>Member States</p> <p>Europol,</p> <p>Eurojust,</p> <p>Frontex,</p> <p>eu-LISA</p>	Commission	<p>A&C) 2018</p> <p>B) 2018/2019 or earlier depending on need for legal changes to the mandate of eu-LISA</p>	<p>DAPIX WP</p> <p>COPEN WP</p> <p>SJS/SIRENE WP</p> <p>Governing Bodies EU agencies</p>	<p>A & C) ISF</p> <p>B) eu-LISA budget – through extra financial support EU budget</p>

Suggested DAPIX Follow-up: Develop a new IMS action to implement action A in 2nd half 2016 with the involvement of relevant EU agencies (Europol, Eurojust, eu-LISA and Frontex) being required – the latter could possibly provide a basic proposal for an IMS action.

Theme 2 Practitioner centred approach to information management and information exchange

No.	Objective	Action	Primary Responsible Party/Parties	Stakeholders	Timetable	Monitoring	Council request financial support
6	Increase the trust among and expertise of practitioners at various and between various levels including understanding of each other's practices and backgrounds.	<p>A) (Further) develop national training and awareness raising programmes for law enforcement and public prosecution, including joint training, in cooperation with relevant EU agencies, taking into account all existing channels and tools with their purposes, conditions and benefits.</p> <p>B) Develop cross-border exchange programmes with various categories of practitioners from various levels.</p> <p>The primary focus should lie on the integrated use of those tools while national legal, operational and technical differences should be fully taken into account. An important starting point is the Manual on Law Enforcement Information Exchange as a tool for SPOC personnel. The manual was adopted in 2015 and is regularly updated.</p> <p>Practitioners including from SPOCs, PCCC's and other should be involved in developing and applying the mentioned programmes.</p> <p><i>A&B: No legal changes required</i></p>	<p>Member States</p> <p>Cepol</p> <p>EJN</p> <p>eu-LISA</p> <p>SIRENE</p> <p>Bureaux</p>	<p>Europol</p> <p>Eurojust</p> <p>Commission</p> <p>Interpol</p>	Ongoing	<p>DAPIX WP</p> <p>LEWP</p> <p>CCWP</p>	<p>A&B) ISF central budget and national programmes</p> <p>Cepol and eu-LISA as EU agencies are not recipients of EU funding programmes. Their assistance requires sufficient means through the regular budget lines for those agencies.</p>

Suggested DAPIX follow-up: Based on their relevant programmes, Cepol, EJN and eu-LISA provide in the 2nd half of 2016 together an overview of relevant current European training and exchange programmes.

No.	Objective	Action	Primary Responsible Party/Parties	Stakeholders	Timetable	Monitoring	Council request financial support
7	Cross border law enforcement cooperation	<p>A) Fully introduce Single Points of Contact (SPOCs) for cross-border law enforcement information exchange in all Member States - including 24/7 availability in relation to Article 7 of the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism - based on the guidelines 10492/14 and the SPOC Guidelines for international law enforcement information exchange 6721/14.</p> <p>B) In accordance with the Information Management Strategy action develop training and exchange programmes for SPOC personnel.</p> <p>C) Study the feasibility of Computer Aided Translation to reduce both the information exchange lag and the burden on the staff in SPOCs.</p> <p>D) 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. Hence using (specific) solutions cannot be binding.</p> <p>E) Consider the establishment of common platform (Working Party within the Council or Support group to DAPIX) in order to carry out regular meetings between the Heads of SPOC to discuss up-to-date issues.</p> <p>A- E: no legal changes required.</p>	<p>Member States</p> <p>Cepol</p>	<p>Europol</p> <p>Eurojust</p> <p>European Commission (OLAF, DG TAXUD)</p> <p>eu-LISA</p>	<p>A) Ongoing – completion in 2018</p> <p>B) Ongoing – completion in 2018</p> <p>C) 2018</p> <p>D) Ongoing,</p> <p>E) 2018</p>	<p>DAPIX WP</p> <p>COPEN WP</p> <p>LEWP</p>	<p>A. n.a.</p> <p>B. ISF central funding. Cepol as a EU agency is not recipient of EU funding programmes.</p> <p>C. EU funding</p> <p>D. EU funding</p> <p>E. n.a.</p>

Additional remarks: The Council confirmed in its Conclusions of 6 and 7 June 2013 following the Commission Communication on the European Information Exchange Model (EIXM) (9811/13) the need to establish Single Points of Contact (SPOCs) for cross-border law enforcement information exchange in all Member States. To that end, guidelines were established in document 10492/14. The implementation of SPOCs in Member States should be further pursued according to these guidelines, bearing in mind legal, operational, procedural and other differences between Member States. Thereby rapidity, more coherence and oversight in view of sharing information for mutual legal assistance can be ensured. This will be supported through the implementation of effective case management and workflow solutions. Such solutions require tailor-made elements to fulfil national demands and this initiative should only provide assistance. Hence the use of (specific) solutions cannot be binding.

Suggested DAPIX Follow-up: Actions A and D should figure as regular agenda items on DAPIX agenda in view of identifying possible obstacles and solutions for the establishment of SPOCs. Action B already proposed as an IMS action, action C could be a possible new IMS action with the involvement of eu-LISA being required; establish action E as a separate item on the DAPIX agenda in order to reinforce actions A and C.

Theme 3 Optimal use of European information systems

No.	Objective	Action	Primary Responsible Party/Parties	Stakeholders	Timetable	Monitoring	Council request financial support
13	Full use of Prüm possibilities to exchange fingerprints, dna and vehicle registration data	<p>A) Undertake EU pilots and if required follow-up steps to enforce connections of Member States to the Prüm network.</p> <p>B) Identify key obstacles for:</p> <ul style="list-style-type: none"> i: the connection to the Prüm network ii: the full use of Prüm possibilities iii: solve the obstacles <p>C) Examine the possibility for Europol to become a partner in the Prüm framework with a view to enabling the cross matching of DNA, finger prints and vehicle registration data with third countries with which Europol has an operational agreement while fully taking the information owner principle into account.</p> <p><i>A&B: No legal changes required, C: legal changes required</i></p>	<p>A) Commission</p> <p>B) Member States, Commission</p> <p>C) Commission</p>	<p>Europol</p> <p>Eurojust</p> <p>Frontex</p>	<p>A) Ongoing,</p> <p>B) Ongoing</p> <p>C) 2018</p>	<p>Commission</p> <p>DAPIX WP</p>	<p>A&B (i and ii)</p> <p>Not applicable</p> <p>B (iii): ISF funding national programmes</p> <p>C n.a.</p>

Additional remarks: DNA, fingerprints and vehicle registration data are key identifiers in criminal investigations and possibly provide evidence for criminal proceedings. In view of the ever increasing international dimension of organised crime, terrorism and other security risks, it is vital that all Member States are as soon as possible fully connected to the Prüm automated data exchange. Moreover, Member States should prioritise operational connections with other Member States. Implementation obstacles should be addressed as soon as possible.

Suggested DAPIX Follow-up: Action A is a prerogative of the Commission, action B currently ongoing item in the DAPIX agenda, action C agenda item for DAPIX to be developed by Europol and the Commission.

No.	Objective	Action	Primary Responsible Party/Parties	Stakeholders	Timetable	Monitoring	Council request financial support
16	Streamlining and speeding up international information exchange by automation of manual procedures	Develop the Automation of Data Exchange Process (ADEP) project The project must ensure complementarity with existing information management solutions especially with regard to Europol (EIS), as well as seek a low-cost, legally proof and user-friendly solution. <i>Legal changes possibly required particular when implementing</i>	Member States	Europol	Ongoing in accordance with the current IMS project.	DAPIX WP	ISF funded project

Additional remarks: rapid and efficient information exchange is essential to ensure fast follow-up actions in investigations, control actions and other activities. Hence it is important to determine swiftly where vital information is present and to address oneself to the right party. The Automation of Data Exchange Process (ADEP) aims at addressing this need and thereby providing a contribution to the goals of Council Framework Decision 2006/960/JHA (SFD). The technical development of ADEP takes into account Annex A on categories of offences of Decision 2009/316/JHA (ECRIS).

Suggested DAPIX Follow-up: current IMS action proposal

Data Protection constellation DAPIX WP:

_No.	Objective	Action	Primary Responsible Party/Parties	Stakeholders	Timetable	Monitoring	Council request financial support
3	Full compliance with data protection and data security requirements	A) Analyse, develop and promote privacy-by-design solutions B) Share experiences, practices and insights with a view to implementing the EU data protection package <i>No legal changes required</i>	Member States Commission eu-LISA	Europol, Eurojust, Frontex,	2017/2018 legally and 2018 -2020 operational processes, awareness.	DAPIX WP	ISF

Additional remarks: Full compliance with fundamental rights and data protection rules is a precondition for managing and sharing information for law enforcement. On 28 April 2016, the EU data protection package was formally adopted by the co-legislators. It now has to be implemented and will require measures to ensure clarity, guidance and workable solutions for the day-to-day work of practitioners. Sharing expertise, experiences and practices internationally will facilitate a practical and more uniform support for practitioners when implementing and applying data protection requirements.

Follow-up: Action to be discussed by Data Protection constellation together with Information Exchange constellation in (a) possible joint session(s).