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CATS 1
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NOTE

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| 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 and actions were implemented. The 4th IMS action list, which contained 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 submitted to DAPIX the draft 5th action list, which substitutes the 4th action list. It contains nine actions and its life span is limited to 18 months starting on 1 July 2016. Following the endorsement, on 20 June 2016, by the Council of the Roadmap on JHA information exchange and information management¹, the Presidency highlighted at the DAPIX meeting of 13 June 2016 the need to add to the draft 5th IMS those actions from the roadmap which are DAPIX relevant. Pending their further detailing, they are mentioned only as topics in the list.

In line with discussions of DAPIX on 13 June 2016, the Presidency invites delegations to endorse by means of silence procedure the consolidated draft 5th IMS action list as set out in Annex to this document. If no objections are submitted to dapix@consilium.europa.eu by 29 June 2016 cob, the draft 5th IMS action list is deemed endorsed.

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 LIST²

| Action | Subject | Doc. |
|---------------|--|---------------------------------|
| 1 | A.T.H.E.N.A. - SPOC training | 6770/16 |
| 2 | ADEP (Automation of Data Exchange Processes) | 14944/12 updated doc pending |
| 3 | PNRDEP (Passenger Name Record Data Exchange Pilot) | 6857/16 |
| 4 | Enhance Information Quality | tbd |
| 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 | Strengthen SPOCs | tbd |
| 9 | Europol's involvement in Prüm information exchange | tbd |

² The specific roadmap actions are referred to in the project sheets in order to facilitate cross-referencing when monitoring the IMS and the roadmap action lists.

OVERVIEW OF MEMBER STATES AND EU BODIES INVOLVED

| Action | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
|----------|----------|----------|----------|---|----------|----------|----------|---|---|
| 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 | | | | |
| Cepol | | | | | | | | | |
| 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 | |
| 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 | Enhance Information Quality | | |
| 5 | Universal Message Format (UMF 3) | Germany (Krzysztof Klebek / Europol) | IT-UMF@bka.bund.de |
| 6 | Prüm DNA post-hit procedures | Finland/Sweden Virpi Koivu | Virpi.Koivu@intermin.fi |
| 7 | PCCC: European dimension | Belgium Daniel Colling | daniel.colling.6260@police.be |
| 8 | Strengthen SPOCs | | |
| 9 | Europol's involvement in Prüm information exchange | | |

| 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 |
| <p>Terms of reference: 6770/16; 9368/1/16 Roadmap action 7B</p> <p><i>Additional remarks Roadmap: 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. The implementation of SPOCs in Member States should be further pursued according to the guidelines set out in 10492/14, bearing in mind legal, operational, procedural and other differences between Member States.</i></p> | | | | | |

| Action no: | Proposed action | Strategic objectives | Focus area | Performance indicator | Possible outcome |
|--|---|--|------------|--|---|
| 2 | <p>ADEP (Automation of Data Exchange Process)</p> | <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 in line with similar work led by Europol.</p> | <p>Information exchange based on an automatically generated reply protocol (Hit/no Hit) complemented by a minimum set of mandatory and optional data (Hit +++).</p> <p>Automation of requests for information by:</p> <ul style="list-style-type: none"> ● 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. |
| Terms of reference: 14944/12 (to be updated); 9368/1/16 Roadmap action 16 | | | | | |

| 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; 9368/1/16 Roadmap action 39</p> <p>The 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>Duration: 01 January 2016 – 30 June 2017 (18 months).</p> <p><i>Additional remarks Roadmap: Member State PIUs will agree on the way to share information on suspects and anomalous travel patterns and targeting rules, between the PIUs and with third countries where possible. Interoperability and information exchange between PIUs is key to ensuring an effective use of PNR. Lessons learnt from projects such as the FIU.net embedment should be taken into account when developed information exchange infrastructure and practices for the future PIUs to ensure a shared perspective is integrated from the beginning. Member States are encouraged to participate to the maximum extent in the Commission ISF projects on interoperability and other multilateral and international initiatives on this important issue. Europol could be of support in discussions at EU level on targeting rules used at national level, and the development of supranational targeting rules.</i></p> | | | | | |

| Action no: | Proposed action | Strategic objectives | Focus area | Performance indicator | Possible outcome |
|------------|---|------------------------------|------------|-----------------------|------------------|
| 4 | <p>Development of a common set of quality standards (law enforcement authorities, public prosecution) (inserting and querying data) for data / information</p> <p>Disseminating data quality standards by means of joint manuals, best practices and expertise among Member States;</p> | Enhanced information quality | tbd | tbd | tbd |

Terms of reference: 9368/1/16 Roadmap action 2 A&C

The primary responsible parties are: Member States, Europol, Eurojust, Frontex and eu-LISA.

Additional remarks Roadmap: The collection, check and connection of information should lead to follow-up operational actions such as post-hit actions, investigative steps, control actions, identification of persons or financial flows, and other actions. These phases cannot be distinguished easily. However, the prerequisite for all those phases is sufficient clear-cut information (including supplementary information) in order to determine which action to undertake. This is vital to ensure proper use of limited resources and to avoid misguided or ineffective actions. A number of obstacles have been defined in the recent past and highlighted by various Council fora.

| 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 ; 9368/1/16 Roadmap action 5</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:</p> <p>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.</p> <p>Six pilot projects (Europol & EE, FI, GR, PL and ES) on querying simultaneously national databases and the Europol database (EIS) are ongoing.</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: 5113/12 (to be updated); 9368/1/16 Roadmap action 13 B</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 | 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 |
| <p>Terms of reference: 5131/16; 9368/1/16 Roadmap action 8</p> <p>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.</p> | | | | | |

| Action no: | Proposed action | Strategic objectives | Focus area | Performance indicator | Possible outcome |
|------------|--|----------------------|------------|-----------------------|------------------|
| 8 | <p>Feasibility study of computer aided translation to reduce both the information exchange lag and the burden on SPOC staff.</p> <p>Develop / introduce effective case management and workflow solutions for SPOCs with a view to mutual legal assistance cooperation.</p> | Strengthening SPOCs | tbd | tbd | tbd |

Terms of reference: 9368/1/16 Roadmap actions 7 C&D

The primary responsible parties are Member States and Cepol. The stakeholders are Europol, Eurojust, the European Commission and eu-LISA. The timetable for the study is 2018, the timetable for developing case management and workflow solution is to be defined.

Additional remarks Roadmap: The implementation of SPOCs in Member States should be further pursued according to the guidelines set out in 10492/14, 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.

| Action no: | Proposed action | Strategic objectives | Focus area | Performance indicator | Possible outcome |
|------------|--|---|------------|-----------------------|------------------|
| 9 | Examine the possibility for Europol to become a partner in the Prüm framework with a view to enabling the cross matching of DNA, fingerprint and vehicle registration data with third countries with which Europol has an operational agreement while fully taking the information owner principle into account. | Full use of Prüm possibilities to exchange fingerprint, DNA and vehicle registration data | tbd | tbd | tbd |

Terms of reference: 9368/1/16 Roadmap action 13 C

The primary responsible party is the European Commission. The stakeholders are Europol and the Member States. The timetable is set on 2018.