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DAPIX 144
CRIMORG 100
ENFOPOL 281

OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council
On: 13 September 2016
To: Working Party on Information Exchange and Data Protection (DAPIX)
Subject: Summary of discussions

1. Adoption of the agenda

The agenda was adopted as set out in CM 3661/16.

2. Information from the Presidency

The Presidency set out their priorities and ongoing work on files with interest for DAPIX.

Furthermore, the Presidency informed delegations that the next DAPIX meeting would be advanced from 19 to 18 October 2016.

3. Prüm Council Decision

3.1 Implementation – state of play

Delegations added details on the state of play set out in 5017/5/16 REV 4 JAI 2 DAPIX 1 ENFOPOL 3 CRIMORG 1.

On 19 August 2016, the draft Council Implementing Decisions for DNA/DK (11219/16) and FP/DK (11220/16) had been submitted by the GSC to the European Parliament for consultation.

With regard to configuration problems encountered when testing new bilateral connections for dactyloscopic data exchange, SE was advised to check whether the standard configuration set out in the interface control document (ICD) in chapter 2 of the Annex to Council Decision 2008/616/JHA had been implemented properly. Furthermore, a brief technical discussion was held on the minimum requirements to respect in order to avoid bad quality results when exchanging data on fingerprints (FP). The Commission promised to inform specifically on quality control requirements at the next meeting.

NO informed about the new information management system at the core of their future Prüm data exchange which would allow to use new technology such as UMF to optimise follow-up activities.

3.2 Organisation of evaluation visits

Evaluation visits for FP in GR were scheduled for next November, and for VRD in CZ and NO for November and December respectively.

3.3 On-going evaluation

Greece / DNA

Delegations took note of the:

- updated declaration in accordance with Art. 2(3) of Council Decision 2008/615/JHA (11912/16 DAPIX 137 CRIMORG 96 ENFOPOL 268),
- draft Council Conclusions (11926/16 JAI 718 DAPIX 138 CRIMORG 97 ENFOPOL 269 ENFOCUSTOM 122),

- draft Council Implementing Decision (11927/16 JAI 719 DAPIX 139 CRIMORG 98 ENFOPOL 270 ENFOCUSTOM 123),

with a view to launching, once the Conclusions have been adopted, the consultation of the European Parliament, and adopting the Implementing Decision upon receipt of the opinion of the EP.

Greece / Fingerprints

Delegations approved the reply to the questionnaire (11854/16 DAPIX 135 CRIMORG 95 ENFOPOL 263) on the understanding that GR would not use SISnet mail for the Prüm follow-up information exchange.

Czech Republic / Data protection

Delegations took note of the reply to the questionnaire (11777/16 DAPIX 127 CRIMORG 88 ENFOPOL 253).

Czech Republic / VRD

Delegations took note of the reply to questionnaire (11766/16 DAPIX 126 CRIMORG 87 ENFOPOL 252).

Denmark / VRD

Delegations took note of the:

- evaluation visit report (11788/16 JAI 706 DAPIX 128 CRIMORG 89 ENFOPOL 255 ENFOCUSTOM 116),
- overall evaluation report (11789/16 JAI 707 DAPIX 129 CRIMORG 90 ENFOPOL 256 ENFOCUSTOM 117),

- draft Council Conclusions (11790/16 JAI 708 DAPIX 130 CRIMORG 91 ENFOPOL 257 ENFOCUSTOM 118),
- draft Council Implementing Decision (11791/16 JAI 709 DAPIX 131 CRIMORG 92 ENFOPOL 258 ENFOCUSTOM 119),

with a view to launching, once the Conclusions have been adopted, the consultation of the European Parliament, and adopting the Implementing Decision upon receipt of the opinion of the EP.

3.4 Fingerprint search capacities

Delegations approved the maximum search capacities per day for dactyloscopic data as set out in 11540/16 JAI 694 DAPIX 124 CRIMORG 82 ENFOPOL 247.

3.5 EUCARIS

Delegations briefly commented on the EUCARIS account 2015, the implementation budget 2016 and the budget proposition 2017 (11793/16 DAPIX 132), and on the proposal for changes in the EUCARIS vehicle signals (11892/16 DAPIX 136).

Since both documents are to be thoroughly discussed and decided upon at the EUCARIS General Assembly in Jersey on 6 and 7 October 2016, several delegations promised to expand and submit their specific remarks to the EUCARIS secretariat in due time ahead of the Assembly.

4. Manual on Law Enforcement Information Exchange

The translation into all official languages of the manual (6704/16) had been completed.

Delegations discussed the proposed update 2016 (11794/16 JAI 710 DAPIX 133 ENFOPOL 259 COMIX 574 ENFOCUSTOM 120 CRIMORG 93 SCHENGEN 15 VISA 276 SIRIS 118 COPEN 247 ASIM 113 FRONT 329) and supported the idea of a prominent place for the information on the new data protection directive. In order to enhance the user-friendliness of the current handbook and to streamline the content of the proposed update, the Presidency invited the meeting to submit drafting suggestions to dapix@consilium.europa.eu by 30 September 2016 so as to continue the discussion on the manual at the forthcoming meeting.

Delegations were invited to submit contact details on Passenger Information Units (PIUs) (CM 3713/16) on the understanding that the implementation deadline of 25 May 2018 would be indicated in the tables on national contact details of the manual.

5. Renewed Information Management Strategy (IMS) –5th action list

Oral information was given regarding the state of play of the 5th action list (510824/16 JAI 637 CATS 52 DAPIX 113 ASIM 101 JURINFO 43):

- action 1: A.T.H.E.N.A (Addressing Training to SPOC as Hub of a European Network for Law enforcement Agencies) - SPOC training: Funding of the action had been agreed by the Commission. Further details of the development of the action would be given by the IT delegation at the forthcoming meeting.
- action 2: ADEP (Automation of data exchange processes): Financing of the pilot project had been agreed by the Commission. Three workshops on respectively legal, operational and IT issues were scheduled for 7 October 2016 in Dublin in order to continue the setting up of tests aimed at proving the added value of the DE software. The FR delegate stressed the strong data protection component of the software and the political support ADEP had gained by FR and DE Ministers of the Interior.
- action 3: PNRDEP (Passenger Name Record Data Exchange Pilot): Progress had been made on the feasibility study of the pilot. Technical details and the role of Europol had been discussed at the first expert meeting in Vilnius. Preferable IT solutions for data exchange would be searched at the meeting in Sofia in mid-October.
- action 5: UMF 3 (Universal Message Format): Work on the three parts of the action (updating the UMF standard, governance structure, pilot implementation) was ongoing as scheduled. After the implementation of the pilot in existing operational systems of Europol, and EE, ES, FI, GR and PL, these Member States would be able to simultaneously search their national and Europol systems by means of Europol's interface QUEST (QUerying Europol SysTems). Europol informed that QUEST supports the wider concept of a “Single Search Interface” as introduced by the European Commission, the “Integrated Data Management Concept” as introduced by the new Europol Regulation, and would ultimately increase interoperability and police cooperation within a secure data exchange environment. Tests on QUEST with DE were scheduled for next December, the deployment for 2017.

Furthermore, the DE delegate underlined progress regarding the development of a UMF search module "Firearms" with active support from Interpol and SIS II experts. Ideally, this would be operational within the UMF3 framework.

- action 7: PCCC (Police and Customs Cooperation Centre): European dimension: Six out of 66 PCCCs are currently using SIENA (Secured Information Exchange Network Application) for their daily information exchange. The roll-out of SIENA, harmonisation of information exchange in PCCCs and exchange of best practices between PCCCs would be on the agenda of conferences at Europol headquarters on 28 September and 11-12 October 2016, and a workshop in December 2016.

The Presidency stated that leaders were yet to be searched for action 4, 8 and 9. Furthermore, it was suggested to submit information in writing on the state of play of each action at the next meeting.

6. Passenger Name Records (PNR)

Upon the presentation of key points of Directive (EU) 2016/681 on the use of passenger name record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime, delegations discussed the setting up of passenger information units (PIUs). They took note of the message of CCWP that customs authorities should be involved in the process (see 11998/16).

NL informed both about the first meeting of the informal PNR working group, chaired by NL, on 14 September 2016 in Budapest, the day after the closing conference of the HU PNR project, and about the PNR PIU net pilot project with NL, UK, DE and US as participating parties. More information would be provided at the forthcoming DAPIX meeting.

In view of all ongoing initiatives, specifically PNRDEP and those mentioned in the Roadmap on Information Exchange (9368/1/16 REV1) with regard to objectives 37 - 40, as much synergy as possible was recommended by delegations, in particular with regard to volumes of PNR data to cope with and the appropriate software to develop. FR promised to submit to the upcoming meeting an information note on technical details.

Given the fact that only a few Member States already have PNR legislation in place and therefore not all Member States start from the same implementation level, delegations supported the idea that DAPIX would assure a monitoring role in order to provide a single point of reference and to reach a coordinated approach on the PNR implementation.

7. Survey on information exchange on weapons

The Presidency invited delegations to reply by 30 September 2016 to questionnaire CM 3817/16 aiming at obtaining a clearer picture on information exchange on firearms in view of the Council's position on the proposed amendments on the firearms Directive.

Furthermore, DAPIX would welcome an overview on activities and results referring to information exchange in this context.

8. Non-binding guideline for cross-border citizens assistance

Delegations approved the guideline (11928/16 DAPIX 140 ENFOPOL 271) subject to an additional sentence stating that the decision to launch a call for citizens assistance in the case of a missing person is the sole remit of the designated national competent authorities.

9. AOB

No issue was raised under this point.
