



Council of the  
European Union

Brussels, 30 October 2015  
(OR. en)

13497/15

JAI 793  
DAPIX 186  
CRIMORG 105  
ENFOPOL 315  
COMIX 524

## OUTCOME OF PROCEEDINGS

---

From: General Secretariat of the Council  
On: 26 October 2015  
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 3921/15.

### 2. Information from the Presidency

The meeting was informed on

- the state of play of the Prüm Council Implementing Decisions on the launch respectively of dactyloscopic data exchange in BE, PL and SE, which were dealt with by the EP on 28 October 2015, and of VRD exchange in LV with regard to the incoming silence procedure to consult the EP;
- the state of play of the Prüm implementation; in this context, the DK delegation announced having reported the evaluation visits for DNA, FP and VRD to May 2016; the PT delegation informed about progress made concerning the implementation of FP data exchange, the UK outlined the state of play of the implementation case on whether to join the Prüm Decisions; NO informed having started the technical Prüm data exchange implementation and asked MS on the most appropriate ICT solutions and case management systems available;

- the outcome of 6th annual conference on Police and Customs Cooperation Centres (PCCCs) (13285/15 DAPIX 182), which stressed the increased role of PCCCs for law enforcement information exchange, the need for standardised information exchange and the SIENA potential in this context, and for closer links between PCCCs and SPOCs as well as Europol; BE outlined the current evolution in the PCCC Heerlen, which led NL to ask for further bilateral clarification.

### **3. Information exchange between SPOCs - towards enhanced cooperation**

The main issue on the agenda was the functioning of Single Points of Contact (SPOCs) for cross-border information exchange. The Presidency reminded delegation of the understanding reached at the previous DAPIX meeting that Prüm technical subgroups (DNA, FP or VRD) were justified if a substantial agenda was available. In the absence of such an agenda the Presidency turned the October DAPIX meeting into a SPOC meeting, stressing that by no means this would imply to cancel Prüm technical subgroups for good. In order to approach the subject from a business point of view, the Presidency had explicitly recommended to appoint SPOC staff to this meeting., the Presidency invited delegations to exchange their views on SPOCs along the lines of the topics set out in doc. 12359/15 DAPIX 158 CRIMORG 95 ENFOPOL 262 ENFOCUSTOM 95 COMIX 434.

Prior to the discussion on these topics, the Commission presented the SIS/Sirene bureaux workflow which was supposed to serve - within certain limits - as a role model for SPOC workflows to be commonly agreed upon by Member States.

Delegations acknowledged that a determinant for the success of SIS/Sirene bureaux beyond the technical and legally binding standards was the "SIS community" reaping the benefits of years of regular meetings and training schemes. The Presidency took note of the recommendation to create a SPOC community along the lines of the "SIS community" - which should facilitate the defining of obstacles encountered in information exchange across borders and the finding of harmonised and structured solutions to cope with those issues.

Several delegations stressed the SPOC concept as a valuable organisational solution in view of the general difficulty to handle, on the one hand, the complexity of the European law enforcement co-operation landscape and its linking together of European and national law, and, on the other hand, the ever increasing amount of cross-border information exchange. The added value of creating synergies within SPOCs was underlined in particular with regard to the efficiency gains through the integration of the three main communication channels, *i.e.* SIS/Sirene, Europol and Interpol.

The Presidency took note of the suggestion to reduce the complexity of relevant manuals for cross-border cooperation by consolidating their content and facilitating access to it with a view to enhancing the use.

It was admitted that the current SPOC guidelines for establishing and running a SPOC were non-binding. A lot of issues remained therefore at the discretion of national authorities leading to piecemeal solutions and a certain level of uncertainty as to how cooperate transnationally with the corresponding counterparts. On the other hand; it was questioned whether mandatory, legal binding rules on how to manage a SPOC would be more effective than the current flexibility complemented by a common understanding of how to achieve the goals.

Underlining the vitality of a case management for cross-border information exchange, several delegations welcomed as almost ideal the CZ implementation of a single technical solution for the SPOC workflow, built as far as possible on automated processing, even for dispatching requests, and in full compliance with the "Swedish Framework Decision" (SFD). The Presidency took note of the idea of several delegations to create a EU wide case management system and of the support for the BE suggestion to identify to that end cross-cutting issues and to draw up a list of common requirements. It was suggested that this could be pragmatically started by a dedicated forerunner group before being dealt with within Council structures.

For some delegations, the dispatching of requests and the choice of communication channels remained an issue and needed harmonisation. The NL delegation suggested that as a minimum requirement all communication channels should be run on a 24/7 basis. Some delegations voiced concerns about the availability of the Europol channel beyond business hours.

Regarding Prüm follow-up procedures - still considered as tentative -, one delegation advocated for a mandatory use of SIENA for Prüm messages. In view of lingering legal uncertainties as to the use of SIENA in case of information exchange not covered by the Europol mandate, and with regard to Europol's ongoing upgrading the confidentiality level of SIENA messaging to EU Restrictive, DAPIX was welcomed as the platform to address those issues with Europol from a technical point of view.

Summing up the discussion, the Presidency promised to table the issue of creating a SPOC network on the agenda of the next DAPIX meeting.

#### **4. Dutch initiative on missing persons**

The NL presented the questionnaires on the use and optimisation of respectively Interpol instruments (CM 4261/15) and citizens assistance (CM 4262/15) to identify and find missing persons and invited delegations to reply to each questionnaire by 23 December 2015. The GR and the CZ delegation reminded similar activities undertaken during their Presidencies and invited NL to take the results thereof into account for the "Missing Child Day" to take place in Amsterdam in May 2016.

#### **5. Any other business**

FR briefly informed about the technical progress made on the ADEP (Automation of Data Exchange Procedures) pilot to be presented at the DAPIX meeting on 2 December 2015.

The HU delegation briefly outlined the PNR data exchange pilot project planned to start on 1 January 2016 and end in June 2017. The goal is to reach at a common understanding on data to be exchanged, the legal framework, the business processes and appropriate technical solutions.

The DE delegate presented the "DNA fEUision - a project proposal for the next generation of IT architecture on EU DNA data exchange". Some of the delegations which supported the proposal already showed interest to participate in the project. DE promised to further work out certain details before the deadline for application for funding, namely 26 November 2015. COM reminded that aligning the project to the priorities of the call would be a condition for being taken into consideration for funding.