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**NOTE**

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From: Presidency  
To: Permanent Representatives Committee/Council

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Subject: Implementation of Interoperability  
- Exchange of views

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**BACKGROUND**

Currently, EU information systems used by authorities for crime prevention, border management and migration management are not interlinked. Therefore, information is fragmented, and there is a risk of information gaps.

In order to solve these issues and to establish interoperability between EU information systems, two regulations establishing an interoperability framework in the field of borders, visa, police and judicial cooperation, asylum and migration (Regulations (EU) 2019/817 and 2019/818 respectively) were adopted in May 2019.

The Interoperability Regulations establish new tools to improve information flows:

- a European Search Portal: a one-stop shop to search simultaneously in multiple EU information systems;
- a shared Biometric Matching Service: a tool to cross-check biometric data (fingerprints and facial images) in relevant EU information systems;
- a Common Identity Repository: a shared container of biographical and biometric data of third country nationals available in several EU information systems;
- a Multiple Identity Detector: a tool to detect multiple identities.

In addition, a Common Repository for Reporting and Statistics will be created. This is a tool for generating cross-system anonymised statistical data and for enabling analytical reporting, bearing in mind restrictions in underlying regulations.

The Interoperability Regulations will help authorities to better detect security threats and combat identity fraud. They also aim to enhance border checks at the external borders and to prevent illegal immigration.

## **CHALLENGES AHEAD**

Adopting the interoperability legislative package in record time was already quite an achievement, but the work that lies ahead of us is the implementation of the interoperability framework and before that the establishment of the different new EU information systems such as the Entry/Exit System (EES) and the European Travel Information and Authorisation System (ETIAS).

That said, the new interoperability framework provides a unique opportunity to build a new information ecosystem in the field of justice and home affairs. To achieve this goal, interoperability should not be seen in silos as this would lead to fragmentation and inefficiencies. For this reason, Member States should develop their national technical infrastructure and business processes in close cooperation with the EU Agency for Large-Scale IT Systems (eu-LISA) and other relevant agencies.

In this context, it is important to bear in mind that interoperability is not a purely technical project. Its success requires Member States to put a lot of effort into redesigning business processes and building capacity. Supporting the authorities' operational needs should be the starting point.

As indicated by the Commission and eu-LISA during the second Forum on the implementation of the new architecture for EU information systems for borders and security, which took place on 15 November 2019, there is room for improvement by the Member States, the Commission and the relevant EU agencies on a series of issues, as outlined below.

The first element is ownership of the project and coordination at national level. Interoperability is a cross-cutting issue and should be coordinated as such. Programming and project planning are essential to make sure that the timelines set at national level are coherent with the overall timeline set for the implementation of the interoperability framework. Ensuring the steady and coordinated preparedness of all competent authorities within Member States is key for establishing the interoperability framework, in particular when those authorities belong to different organisational entities or ministries. Inter-ministerial bodies (e.g. a steering committee or national management board) should be set up at national level to cover all business and technical aspects of interoperability in a coherent way, while avoiding duplication. At the same time, the political level should be kept informed of relevant milestones, possible delays and challenges in order to be able to address any problems, including insufficient funding, at an early stage.

It is paramount that Member States together with EU-level support identify the resources needed for each project (e.g. EES, ETIAS, SIS, ECRIS-TCN and interoperability framework). Those resources cover personnel, finance, logistics, buildings and equipment. Ideally, financial resources should be secured until entry into operation and for the first years of maintenance. With respect to staffing, Member States should address the need for very specialised profiles with specific expertise in due time. As regards equipment and logistics, Member States together with the Commission and the relevant agencies should consider whether part of it needs to be procured and plan accordingly.

Another important aspect which does not only depend on the Member States, but also on the European Commission and on the European Parliament, concerns the outstanding legislative acts impacting on interoperability (the ETIAS consequential amendments pending the negotiating mandate of the European Parliament; the ongoing negotiations of the VIS Recast and the Eurodac Recast) and the adoption of numerous delegated acts and implementing acts. Ensuring a swift adoption and entry into force of the pending legislative files is essential for the implementation of interoperability. Any delay would impact negatively on the timeline set at political level, as well as on the cost of implementation of interoperability and the benefits for Member States.

Finally, several issues of a more technical nature should also be considered by Member States and the agencies to ensure a successful implementation of interoperability: reliable standardised technical solutions, capture of biometrics (facial images and fingerprints), with special emphasis on land border crossing points, in moving trains and, especially, at road border crossing points with multiple car lanes.

In parallel to the technical issues, Member States should develop their operational business processes, for example first-line border checks, so that front-line officers can benefit from interoperability. This may also require a significant amount of training. The challenges included in this document were identified at various meetings during Finland's Presidency.

## QUESTIONS

Taking into account the findings above, the Presidency would like to ask whether you agree with the issues identified. If so, could you highlight two or three challenges concerning the implementation of interoperability which you are facing, and how you envisage tackling them in practice? If you think that issues are missing in the note above, please indicate them and explain how they will be addressed in your Member State.