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LIMITE

JAI 873
COSI 167
FRONT 408
ASIM 140
DAPIX 188
ENFOPOL 375
SIRIS 147
DATAPROTECT 95
VISA 340
FAUXDOC 36
COPEN 308

NOTE

From:	Presidency
To:	Permanent Representatives Committee/Council
No. prev. doc.:	9368/1/16 REV 1, 13283/16, 12286/1/16 REV 1, 11954/16
Subject:	Roadmap to enhance information exchange and information management including interoperability solutions in the Justice and Home Affairs area:
	- State of play of its implementation

Introductory remarks

The Council at its meeting of 9-10 June 2016 endorsed the Roadmap to enhance information exchange and information management including interoperability solutions in the Justice and Home Affairs area (9368/1/16 REV 1). It aims to contribute to tackling migratory, terrorist and crime-related challenges by enhancing information exchange and information management by implementing specific, practical short- and medium-term actions and long-term orientations.

State of play

The Presidency has gradually prepared an overview Chapter by Chapter of the progress made since the endorsement of the Roadmap:

- the implementation of Chapter 2 (Actions 1-16) regarding information management and exchange in the area of law enforcement, including judicial cooperation in criminal matters, was presented to the Working Party on Information Exchange and Data Protection (DAPIX) at its meeting on 18 October 2016 (13283/16);

- the implementation of Chapter 3 (Actions 17-40) regarding the strengthening of the collection, checking and connection of information for the detection of persons involved in terrorism and terrorism-related activity and their travel movements, was presented at the COSI meeting on 28 September 2016 (12286/1/16 REV 1); and

- the implementation of Chapter 4 (Actions 41-50) regarding border management and migration, was presented at the SCIFA meeting on 13 September 2016 (11954/16).

This overview was based on the discussions in several Working Parties (DAPIX, TWP, SIS/SIRENE, Frontiers, VISA) as well as contributions by the Member States, the Commission Services and EU agencies (Europol[1], Eurojust, CEPOL, eu-LISA, Frontex).

The way forward with Actions 17, 18, 19, 20, 22 and 30 has also been discussed within G13 - a group of Member States particularly affected by the phenomenon of foreign terrorist fighters (FTFs). The outcome of this discussion is set out in 13777/16. COSI at its meeting on 8 November 2016 agreed to submit this contribution to the Council for endorsement. Upon the endorsement by the Council, this contribution will be reflected in the Roadmap implementation report.

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[1]   See 11495/1/16 REV 1.

In the preparation of COSI meetings of 28 September and 8 November 2016, Member States were invited to provide information regarding the implementation of several Actions which mainly depend on the national practice and implementation. This concerns Actions 6(A), 7(A), 21, 26, 27, 28, 29 and 34. Contributions in relation to these Actions were received from 27 Member States and 1 Schengen associated country[2].

Some of the contributions in relation to Actions 17-20, 22, 24 and 27 were received following the meeting of the Working Party for Schengen Matters (SIS/SIRENE) on 12 July 2016 (see 10945/16). The Presidency of SIS/SIRENE has also invited Member States to provide their input in relation to Action 23 on the basis of 11088/16. At the TWP meeting on 4 October 2016, the Chair invited delegations to provide their contributions in relation to the implementation of Action 35.

Based on the discussions at the aforementioned meetings and additional written contributions by Member States and EU agencies, the Presidency has prepared an updated overall overview of the implementation of the Roadmap. COSI at its meeting on 8 November 2016 took note of this report and agreed on the need for its continuous and timely implementation by all relevant stakeholders. COSI also agreed that the current revised implementation report which takes into account further delegations' comments is submitted to Coreper and the Council. The latest changes in the text of the last column, are underlined, the deleted parts are marked with (…).

The Permanent Representatives Committee is invited to invite the Council to take note of this implementation report.

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[2]   AT, BE, BG, CY, CZ, DE, DK, EE, EL, FI, FR, HR, HU, IE, IT, LT, LU, LV, MT, NL, PL, PT, RO, SE, SI, SK, UK and CH

**ROADMAP TO ENHANCE INFORMATION EXCHANGE AND INFORMATION MANAGEMENT
INCLUDING INTEROPERABILITY SOLUTIONS IN THE JUSTICE AND HOME AFFAIRS AREA**

**CHAPTER 2: INFORMATION MANAGEMENT AND EXCHANGE IN THE AREA OF LAW ENFORCEMENT INCLUDING JUDICIAL
COOPERATION IN CRIMINAL MATTERS**

Theme 1 Information-centred approach to Law Enforcement

No.	Objective	Action	Primary Responsible Party/Parties	Stake-holders	Timetable	Monitoring	Implementation
1	Identify - operational and legal obstacles in order to improve the **availability** of information and the subsequent follow up	Undertake a gap and needs analysis among Member States law enforcement authorities and including public prosecution, EU JHA agencies and customs authorities from a legal, operational, behavioural and (IT) system/technical point of view on the availability of information in existing and pursued EU information instruments to identify redundancies and blind spots. This analysis should include an in-depth evaluation of the factual operational and legal obstacles (including the way principles are applied) and challenges in order to improve the follow-up to information exchange in law enforcement and criminal justice systems and to look at possible bridges with border management systems. *No legal changes required (the follow-up possibly)* *Council request financial support:* *Commission Budget (not EU funding programmes)*	Commission (High Level Expert Group) Member States	Europol Eurojust Frontex eu-LISA FRA	2017	COSI	As announced in the Commission Communication of 6 April 2016 on "Stronger and Smarter Information Systems for Borders and Security" (7644/16), the **High-Level Expert Group on Information Systems and Interoperability** (**HLEG**) was created and started its activities on 20 June 2016. It is tasked to identify and address shortcomings, and information and knowledge gaps, caused by the complexity and fragmentation of information systems at European level or for other reasons. Some of the considerations that are guiding the work of the HLEG are the following: information systems should be complementary; overlaps should be avoided, and existing overlaps should be eliminated; gaps will be appropriately addressed; where necessary and feasible, information systems should be interconnected and/or interoperable; simultaneous searches of systems should be facilitated. Three sub-groups of HLEG are tasked to focus on the following challenges: (1) to improve the implementation and use by Member States of existing systems and to make

							existing systems more effective, process-oriented and user-friendly; (2) to consider the development of new systems to address identified gaps in the present information system landscape; and (3) to develop an interoperability vision for the next decade that reconciles process requirements with data protection safeguards. **Eu-LISA** has presented an analysis of system usage, possible obstacle and proposed some technical measures at the HLEG subgroup meeting on existing systems on 20 July 2016, and is ready to support the implementation of various solutions. The HLEG is expected to meet 5 times by May 2017, and at least three meetings of each of the sub-groups are also planned. Following the last meeting of HLEG in May 2017 the Commission will prepare a **Report to the European Parliament and the Council in June 2017**. The Report will present the main findings of HLEG and propose concrete actions for follow-up.

| 2 | Enhance data / information quality | 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

B) eu-LISA to develop a central monitoring capacity for data quality.

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.

A&B: Possibly require legal changes/steps, C: No legal changes required Council request financial support: A & C) ISF, B) eu-LISA budget – through extra financial support EU budget | Member States Europol, Eurojust, Frontex, eu-LISA | COM | A&C) 2018 B) 2018/2019 or earlier depending on need for legal changes to the mandate of eu-LISA | DAPIX WP COPEN WP SIS/ SIRENE WP Governing Bodies EU agencies | *In the context of the implementation of 5th IMS action list, **Actions 2(A) and 2(C)** should be taken forward in the framework of IMS action 4.*

As regards **Action 2(B),** since 3 July 2016 **eu-LISA produces data quality reports** concerning each MS which provides a clear indication about the alerts to be corrected. (See also Action 20 of the Roadmap).
At the HLEG subgroup meeting on existing systems on 20 July 2016, **eu-LISA presented relevant statistics on data quality,** which highlighted areas in which data quality improvements may be necessary. At the second HLEG subgroup meeting on 12 October 2016, a **proposed action plan** and a general timeline for the implementation of various actions was discussed.
Taking account of those discussions, eu-LISA on 18 October 2016 submitted to DAPIX a preliminary action plan concerning the data quality of large-scale IT systems. A preliminary exchange of views was held. The preliminary action plan will also be discussed with the Commission and the Member States acting within the governance bodies of SIS, VIS and Eurodac, and at DAPIX during its meeting in December 2016. |

| 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

No legal changes required
Council request financial support: ISF | Member States Commission eu-LISA | Europol, Eurojust, Frontex, | 2017/2018 legally and 2018 -2020 operational processes, awareness. | DAPIX WP | **Action 3(A):** The HLEG in its activities is guided by a general consideration that a modular approach should be pursued, making full use of technological developments and building on the principles of privacy by design.

No specific solutions have been considered so far.

Action 3(B): the Data Protection Regulation will apply from 25 May 2018, and as regards the Directive, Member States have to transpose it into their national law by 6 May 2018. **The Commission established an Expert Group** that should <u>serve as a panel for the exchange of experiences and information on how</u> Member States' existing and future legislation will ensure effective and uniform application of the Regulation. As regards the Directive, the expert group should <u>provide advise</u> how to ensure <u>by its implementation</u> a high level of protection of personal data of individuals held by police and criminal justice authorities and at the same time allow the exchange of data in a smoother manner, improving police and judicial cooperation in preventing and fighting crime. Furthermore, the **Commission will adopt delegated and implementing acts on the basis of the Regulation and the Directive**.
Moreover, the European Data Protection Board is tasked with delivering opinions and guidelines on issues laid down in the Regulation.
Finally, in light of the entry into force of the Regulation, the Commission will submit proposals to amend the Data Protection Directive for the EU institutions and the ePrivacy Directive. |

Theme 2 Practitioner centred approach to information management and information exchange

No.	Objective	Action	Primary Responsible Party/Parties	Stake-holders	Timetable	Monitoring	Implementation
4	Pursue interoperability solutions, creating but not necessarily ending with a one-stop-shop information solutions at national and European level through single interface solutions for Member States in view of feeding and searching national, European (e.g. SIS) and international (e.g. Interpol) information systems	a) Provide standardised operational requirements - such as minimum requirements for a user-friendly interface providing standardised structures for data, efficiency and operational gains - enabling tailor-made national solutions and respecting access rights; and provide best practices of solutions (an example of a solutions for access to Interpol's and national systems: Interpol's FIND and MIND[3] solutions, and an example to search Europol's EIS, the index of AWF and national systems: the Europol supported pilot project QUEST). B) Study the best practices in Member States for providing real-time mobile access for practitioners to certain information sources, generation of location-aware signals and alerts and capabilities to provide real-time information, including live audio and video *Sub-action A&B do not require legal changes. However if technical requirements are embedded in legal texts amendments could be required.* *Council request financial support: ISF*	eu-LISA Member States Commission	Europol Eurojust Frontex Interpol	A&B) 2018 following gap analysis action 1	DAPIX WP Expert Group on Information Systems and Interoperability	**Action 4(A):** The main task of the HLEG is to address the legal, technical and operational aspects of the different options to achieve interoperability of information systems. **The different options of a (centrally located) single search interface (SSI) were discussed at the HLEG subgroup meeting on 12 October 2016.** See also below in relation to Action 5 and QUEST project. As regards **Action 4(B),** mobile access solutions are being discussed by the **ENLETS Mobile group**. ENLETS is the European Network of Law Enforcement Technology Services, incorporating former e-Mobidig (European Union (EU) Mobile identification interoperability group). The group meets approximately 3 times a year with the participation of 30-40 law enforcement experts, and recently including representatives of eu-LISA as well. Currently a **forerunners group** by DE, FI, NL, SE, SI is being set up to align the needs, share innovations and disseminate best solutions. NL already provides 60000 officers with a mobile solution and is open to share best practices. Such a mobile solution provides a possibility to: - check the identity of a person, by connecting to the police and justice databases using the

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3 Fixed Interpol Networked Database (FIND) and the Mobile Interpol Networked Database (MIND), aim to facilitate simultaneous searches in the Interpol systems and in national systems (including NSIS).

							name, address and date of birth that was given to the officer by the person, - verify documents by making a photo of the readable zone in a passport, - check fingerprints <u>via</u> the phone on an accessory that will copy the fingerprint, - give fines that are sent by email directly, - register traffic accidents, burglaries etc., - live audio and video link is possible. Currently all MS are developing their own solutions, and the **ENLETS Mobile group could be requested to provide a platform to align and exchange various developments as well as study best practices.** According to **eu-LISA**, officers engaged in field operations, including those from Europol, have been identified as target end-users of a single search interface, possibly running on mobile devices. Europol and eu-LISA are committed to work together in designing and developing such devices and interfaces.
5	Further develop the Universal Messaging Format (UMF	Further develop the Universal Messaging Format The further development of the format should take into account structures and developments of existing information systems such as SIS, while further development of those systems should take into account the UMF. *Depending on the national and European legal framework implementing the UMF will require legal changes.* *Council request financial support: ISF financed UMF 3 project*	Member States Europol Frontex eu-LISA Interpol	Commissi on	Ongoing ((…)UMF3 project)	DAPIX WP	In the context of the implementation of the 5th IMS action list, this Action **is taken forward as IMS action 5**. UMF is a European standard to facilitate effective information sharing and information exchange in the law enforcement area, in development since 2008. It defines how communication between police information systems of MS as well as international systems like the Europol Information System (EIS) is to be shaped. The **UMF 3 project** is <u>led</u> by Germany <u>(…)</u> and comprises three main objectives: **Stream 1: Further development of the contents of the UMF standard** <u>and dissemination of the enhanced information model in respect of personal data and object</u>

						data. Object data also comprise the firearms module. As regards the latter, the aim is to agree on one data exchange format for firearms to be consistently used by all UMF partners. This would enhance interoperability of systems and subsequently facilitate the possibility for frontline investigators in MS to run searches on firearms in SISII, iARMS, Europol and national systems in one single search. The Commission, Eu-LISA, Europol, Interpol and MS firearms specialists are contributing to discussions within the UMF Focus Group on firearms. **Stream 2: Establishing a European governance model to sustainably maintain the UMF standard**. Collection and analysis of governance requirements to be finalised by autumn 2016; development of governance structures by Q3 2017; agreement on a governance structure in Q1 2018. **Stream 3: Pilot implementation (Europol, EE, EL, ES, FI, PL):** the participating MS will be able to simultaneously query their national systems and EIS (…) using the UMF standard. Europol therefore develops a UMF-compatible interface named QUEST, which also supports the wider concept of a Single Search Interface (SSI). All pilot systems are planned to go live by Q4 2017, and UMF3 should be finalised by March 2018. DE will be the first MS to test it in practice towards the end of 2016. (…)

6	Increase the trust among and expertise of practitioners at various and between various levels including understanding of each other's practices and backgrounds.	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. B) Develop cross-border exchange programmes with various categories of practitioners from various levels. 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[4]. The manual was adopted in 2015 and is regularly updated.[5] Practitioners including from SPOCs, PCCC's and other should be involved in developing and applying the mentioned programmes. *A&B: No legal changes required* *Council request financial support: A&B)* *ISF central budget and national programmes* *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.*	Member States Cepol EJN eu-LISA SIRENE Bureaux	Europol Eurojust Commission Interpol	Ongoing	DAPIX WP LEWP CCWP	**Action 6(A):** Out of 19 MS which provided contributions on the implementation of this Action at national level, 17 MS referred to various forms of ongoing training activities in relation to international police and judicial cooperation, among which: - training modules/courses at police schools/academies, - regular seminars, including in regional MoI offices, - joint trainings for police and judicial authorities; - ad hoc trainings, - multi-disciplinary working parties, - regular train-the-trainer sessions, - Europol internship programme, - Europol Road Shows, - "SIRENE on tour" trainings, - EU-funded training projects, - bilateral work programmes regarding training, - e-learning activities, - special web page with information on international police cooperation in the police extranet; - handbook on legal assistance in police intranet, - police web apps, - police magazine, - comprehensive brochure for police schools. Cooperation with EU agencies in training activities was mentioned. Among the awareness raising activities cooperation in the context of European Judicial Network in Criminal Matters and the EUROJUST National Coordination System was mentioned.

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[4]   see action 7
[5]   6704/16

							1 MS replied that its new dedicated Academy will develop relevant national straining, another MS said such training programmes were not yet available. As regards **CEPOL trainings**, the learning outcomes of the relevant courses for 2017 in the area of migration, firearms and terrorism have been enriched to reflect the specific needs, such as encouraging the use of all relevant databases and information exchange possibilities (in particular SIS II, EIS, SLTD, VIS, EURODAC, ECRIS, etc.), feeding and using available systems for firearms, sharing experience on application of Article 36 of the SIS II Regulation in detecting and addressing suspicious travel. **Eu-LISA** also delivered its specialised training for SIRENE Officers in collaboration with CEPOL and a course on SIS II to SIRENE officers. **Action 6(B)**: **CEPOL plans that 450 officers will participate in its exchange programme in 2016** addressing various categories of practitioners from various levels. It comprises 22 categories including but not limited to all EU Policy Cycle priority areas, counter-terrorism, maintenance of law and order, research and science, and fundamental rights. The Erasmus-style method provides the participants with the opportunity to create a network of colleagues and familiarise themselves with the working methods of other countries by exchanging experiences, exchange information and sharing expertise. On a longer term it contributes to build trust and to establish a more efficient cooperation of not only MS, but among all 39 involved countries (MS, EU Candidate countries and Eastern Partnership (ENP) countries). **The exchange programme will continue in 2017.**

| 7 | Cross border law enforcement cooperation | 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.
B) In accordance with the Information Management Strategy action develop training and exchange programmes for SPOC personnel.
C) Study the feasibility of Computer Aided Translation to reduce both the information exchange lag and the burden on the staff in SPOCs.
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.
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.

A- E: no legal changes required.
Council request financial support:
A.   and D. n.a.
B.   *ISF central funding. Cepol as a EU agency is not recipient of EU funding programmes.*
C.   and D. EU funding | Member States Cepol | Europol Eurojust European Commission (OLAF, DG TAXUD) eu-LISA | A) Ongoing – completion in 2018
B) Ongoing – completion in 2018
C) 2018
D) Ongoing, E) 2018 | DAPIX WP COPEN WP LEWP | **Action 7(A):** the implementation of SPOCs in MS should be further pursued, namely in accordance with the guidelines set out in 10492/14 and bearing in mind legal, operational, procedural and other differences between MS.
14 MS indicated that their SPOCs are fully operational, while 4 MS indicated that they are under construction or are scheduled to be set up in the near future in line with the aforementioned guidelines. 1 MS mentioned that some SPOC functions are performed by the International Relations Unit of the police, some others - by the Counter Terrorism Unit.

In relation to Action 7(B), which should be taken forward in the framework of the IMS action 1, **CEPOL will offer a specific residential activity "SPOC-one stop shop" (training course No 67/2017) in 2017** with the aim to promote cooperation and enhance knowledge on innovative methods and techniques regarding information exchange via SPOC. It is offered for SPOC personnel (operators).The CEPOL exchange programme fully supports the exchange of SPOC personnel giving the opportunity to combine training with the ability to identify good practice within the network.

In the context of the implementation of the 5th IMS action list, ***Actions 7(C) and Action 7(D)*** *- should be taken forward in the framework of the IMS action 8.*

As regards **Action 7(E),** discussions on how to carry out Head of SPOC meetings, either within or outside of Council structures, are ongoing in DAPIX. |

8	Enhance bilateral law enforcement information exchange	Strengthen Police and Customs Cooperation Centres (PCCCs) and their cooperation with SPOCs while ensuring a centralised (national or at least state level) overview and monitoring of cross-border information exchange. *No legal changes required* *Council request financial support: ISF funded project*	Member States	Europol Frontex	Ongoing	DAPIX WP CCWP	In the context of the implementation of the 5th IMS action list, this Action is taken forward **as IMS action 7, led by BE**, with the support by the German Federal Police led ISF Project "Strengthening of PCCC Activities in the European Union". The annual PCCC Conference took place on 11-12 October 2016 at Europol and discussed particularly (1) **trans-border crime analyses by PCCCs** In the beginning 2017, a comprehensive workshop will be held, aimed at increasing the number of PCCCs carrying out analysis and at stepping up the level of analysis from step one (exchange of statistics related to border regions) to step two (analysing exchanged statistics already at PCCCs) to step three (thoroughly processing analysis up to initiating criminal investigations by national competent law enforcement authorities). (2) **use of SIENA by PCCCs**: 6 PCCCs have implemented SIENA for their so called "point to point" communication between their respective national delegations. To harmonise the use of SIENA by PCCCs and to define the common PCCC interests in this regard, an informal group of PCCCs using SIENA was set up. Two meetings in 2016 were held at Europol, which focused on the needs of PCCCs in respect of the further development of SIENA. In addition, an OSCE-led project is focusing on the use of SIENA by PCCCs at the Western Balkan area. All these initiatives will serve as a basis for a workshop in Q1 2017 to define best practices for information exchange by and via PCCCs.

Theme 3 Optimal use of European information systems

No.	Objective	Action	Primary Responsible Party/Parties	Stake-holders	Timetable	Monitoring	Implementation
9	Improve the information potential of EU agencies	Increase the data supply to Europol and Eurojust as well as systematic sharing of cases as appropriate *No legal changes required* *Council request financial support: n.a.*	Member States	Europol Eurojust	Ongoing	MB Europol College of Eurojust	According to **Europol**, on 4 October 2016 the EIS contained 384,804 objects. **Compared to Q3 2015, the EIS content increased by 57%, and compared to Q2 2016, the content increased by 1%.** The total number of Person objects stored in the EIS was 106,493, which represents an increase of 50% when compared with Q3 2015 and a decrease of 4% when compared with Q2 2016. The total number of objects stored in the EIS at the end of Q3 2016 is a record number. 549 new CBCC events were triggered in Q3 2016, 298 of which were related to persons. **Terrorism related objects**: The number of terrorism related objects increased by 20% (to in total 13,645) compared to the number of such objects at the end of Q2 2016. There are 7,166 persons linked to terrorism in the EIS, of which 6,506 are labelled as or assumed to be 'foreign fighters' or their supporters/facilitators. **Crime areas**: Robbery, with 22% of all objects remains the major crime area, followed by drug trafficking with 20%, other offences with 13%, fraud and swindling with 7% and illegal immigration with 6%. The number of MS using data-loaders to insert data into the EIS remains 16. Some MS have not used their data loaders during Q3 2016. A record total of 468,952 searches (99% by MS) were performed in the EIS in Q2 2016. 89% of the searches in Q3 2016 were batch searches. **The number of searches conducted in Q3 2016 sets a new record, and brings the total**

							number of searches performed in a year (2016 so far) to more than 1,000,000 for the first time in the history of the EIS.
							As of October 2016, SIENA v3.0 is available. This new version of **SIENA,** contains the features required for the accreditation of SIENA to EU Confidential. 10,852 new cases were initiated in Q3 2016. Compared to Q3 2015 the number of initiated cases increased by 6%; compared to Q2 2016 the number of new cases decreased by 3%. 85% of new cases were created by MS, 10% by third parties, and 4% by Europol. Cases initiated by MS and third parties in PCCCs account for 39% of all new cases in SIENA. 212,127 messages were exchanged in Q3 2016. Compared to Q3 2015 the number of messages exchanged increased by 16%; compared to the previous quarter (Q2 2016) the number of messages decreased by 4%. 70% of messages were exchanged by MS, 11% by third parties, and 19% by Europol. Latest figures by Europol show that more than 30% of SIENA cases and up to 10% of SIENA messages are generated by PCCCs.
							According to Eurojust, as regards **information transmitted to Eurojust** on counter-terrorism investigations and prosecutions, 100 cases were referred to Eurojust in 2015, and 113 in 2016. in 2015, 218 counter-terrorism court proceedings were concluded, whereas in 2016 - 65.

10	Europol to fully use SIS, VIS and EURODAC	A) Europol to fully use its current permission to access to SIS, VIS and EURODAC including by establishing technical effective connections; and B) After undertaking these steps identifying possible obstacles to batch cross-matching on these systems, and keep statistics and provide analysis of use of the above-mentioned databases in similar way as Member States are obliged to do. *A&B: No legal changes required* *Council request financial support: Europol budget*	Europol Commission eu LISA	Member States	Ongoing, - completion action A in 2017	MB Europol MB eu-LISA WG on Informa-tion Systems and Interopera-bility	**Europol** is improving its technical capabilities to enable a systematic cross-matching of **SIS alerts** against Europol data. A batch search mechanism is currently under development, and is planned to be available by the end 2016. Europol is preparing business requirements for the connection to and use of **VIS and EURODAC**. (…)
11	Enhance the effectiveness of using the Schengen Information System (SIS)	A) Law enforcement, border guard authorities and immigration services include when available identifiers in alerts (copy passport, digital photo, biometrics, DNA-profiles to be considered) on the basis of existing legal provisions; enable searches on fingerprints and provision of facial image feedback in the case of a hit. The workload for SIRENE Bureaux and other practitioners should be assessed when further pursuing this action including through solutions to interpret information easily. B) Implement an Automated Fingerprint Identification System (AFIS) functionality in the SIS within the central as well as national system in view of its full use. C) Find a short term solution to allow reciprocal sharing of information between Schengen, non-Schengen States and Member States who are partially using the Schengen acquis instruments associated to Schengen, pending a permanent solution to this issue in terms of provision and access to EU information databases *A – C no legal changes required* *Council request financial support:*	Member States Commission eu-LISA	Europol Eurojust Frontex SIRENE Bureaux	A) Gradual ongoing process depending on national availability and possibilities. B) 2017 (central level) / 2018 onward (national level) C) 2017/2018	A) SIS/ SIRENE WP B) MB eu-LISA SIS/VIS Committee C) SIS/ SIRENE WP SIS/VIS Committee	As regards **Action 11(A), MS continue to work on providing training to staff of the relevant authorities**. In addition, efforts are being made to improve the updating of the databases and enhance procedures. As regards **Action 11(B),** AFIS functionality is provided for in Article 22(c) of the SIS II legal basis. **eu-LISA started working on the implementation of the AFIS in the SIS with the Commission and the MS** in June 2016 in the dedicated Project Management Forum (PMF) that aims to better coordinate the implementation of the AFIS projects on the central as well as on the national level. The detailed design of the solution is currently being finalised. The plan is to implement the AFIS at central level with six piloting MS in a first phase by mid-2017 and to have the biometric functionalities in production early 2018. The AFIS will then be rolled out to other MS in a second phase, when additional requirements (e.g. increased throughput, enhanced response time) would be implemented. **Action 11(C):** 1 MS has initiated discussions with a number of MS in respect of sharing this

		A) n.a. B) Introduction in central system - EU budget Introduction nationally – national budget (with after 2017 possibly ISF funding) C) to be determined				information, and will keep COSI updated as discussions progress.
12	Enhance the effectiveness of using the Schengen Information System (SIS)	Revise the legal basis of the Schengen Information System taking into account the evaluation undertaking by the Commission (including new functionalities, extend the access of EU agencies while fully taking into account the information owner principle and the legal base of the agencies, facilitating access to hit information). The revision should include the provision for a long-term solution to allow the reciprocal exchange of information between Schengen, non-Schengen Member States and Member States who are partially using the instruments associated with Schengen Further explore and decide if MS return orders can and should be inserted in SIS. *Legal changes required* *Council request financial support: EU funding in view of implementation*	Commission Council European Parliament	eu-LISA Europol Eurojust Frontex	Ongoing: Proposal end 2016 Adoption co-legislators 2017	Schengen Working Party (SIS/SIRENE) configuration	**The Commission carried out an overall evaluation of the SIS**. The evaluation report was distributed to experts from MS on a restricted basis in May 2016. Based on the outcome of the evaluation, a legislative proposal will be prepared, containing a series of measures aimed at maximising the effectiveness, efficiency and added value of the SIS. (…) **Work on the review of the legal basis of SIS is due to be completed by 7 December 2016 and Q2 2017, following the outcome of the HLEG**. According to **Europol**, the planned legal revision of the SIS framework should take into account the business needs of Europol with regard to extending the access rights to alerts on missing persons and on persons refused entry or stay in the Schengen territory and it should facilitate the systematic cross-matching of biographic and in the future - once AFIS for SISII is operational - biometric data against Europol systems.

| 13 | Full use of Prüm possibilities to exchange fingerprints, dna and vehicle registration data | A) Undertake EU pilots and if required follow-up steps to enforce connections of Member States to the Prüm network.

B) Identify key obstacles for:
i: the connection to the Prüm network
ii: the full use of Prüm possibilities
iii: solve the obstacles

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.

A&B: No legal changes required, C: legal changes required
Council request financial support: A&B (i and ii)
Not applicable
B (iii): ISF funding national programmes
C n.a. | A) COM
B) Member States, COM
C) COM | Europol
Eurojust
Frontex | A) Ongoing,
B) Ongoing
C) 2018 | COM
DAPIX
WP | **Action 13(A):** on 29 September 2016, the Commission sent warning letters to HR, EL, IE, IT and PT on the delay of the implementation of the Prüm Decisions (2008/615/JHA). According to the Commission, these MS have not implemented automated data exchange for at least two of the three data categories covered by the Prüm Decisions. The MS now have two months to respond.
This is the first time that the Commission is issuing ex-third-pillar infringement proceedings in the domain of police and judicial cooperation

Action 13(B) corresponds to the main task of DAPIX, the Prüm monitoring. In the context of the implementation of the 5th IMS action list, this Action **is taken forward as IMS action 6,** the purpose of which is to analyse the procedures applied by the MS law enforcement authorities following a hit in other MS DNA registers. In order to identify commonly encountered business obstacles, a targeted research was carried out in April and May 2016 based on a questionnaire on the daily Prüm follow-up of data exchange management. The purpose was to examine whether expedite information exchange is hampered by either current national legislation or by not applying best practices, or by other factors such as technical challenges.
On the basis of the summary of 12 MS responses, an analysis will be made before end October 2016 to draw conclusions and to propose good practices for the post-hit supply of further information. **The final report concluding IMS 6 is scheduled to be prepared by December 2016.** |

							Action 13(C): Europol will prepare a business case to help explore the possibility to become an information exchange partner in the Prüm framework. Such access would enable Europol to support MS with cross-checking biometric data from prioritised cases received from Third Parties with MS data (DNA/fingerprints of convicted/suspected persons) and possibly identify matches that can supply relevant information to on-going cases. *This Action should be taken forward in the framework of the IMS action 9. A detailed action plan is expected next year.*
14	Improve the sharing of criminal records, particularly relating to terrorism convictions	A) Facilitate access to ECRIS for all relevant authorities and increase use of the system B) Additionally, consider solutions (other than the ECRIS system) to allow the pro-active sharing of convictions data, in particular relating to terrorism; and, as appropriate, assess the legal and practical feasibility of implement a solution which includes making certain convictions data available to the relevant authorities. *A: No legal changes required, B: Legal changes required* *Council request financial support:* A) n.a. B) to be determined	Member States Eurojust Commission	Europol Frontex OLAF eu-LISA	A) Ongoing B) 2019	COPEN	(…) The issues relating to facilitating the access to ECRIS for all relevant authorities by Member States nor other solutions allowing the pro-active sharing of convictions data (…) have not been discussed in detail. 1 MS has indicated its willingness to work with other MS on this Action among a group of interested MS, and will report back to COSI.

15	Enhance the coordination and monitoring capabilities of Eurojust Members	Enable the setting up and connection of the members of the Eurojust National Coordination System (ENCS) to the Eurojust's Case Management System (CMS) *No legal changes required* *Council request financial support:* EU funding	Member States Eurojust	Europol Frontex OLAF	Ongoing in view of completion in 2017/2018	College of Eurojust	According to **Eurojust, 25 MS have established** the Eurojust National Coordination System (**ENCS), and** **14 secure connections are operational.**
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. *Legal changes possibly required particular when implementing* *Council request financial support:* ISF funded project	Member States	Europol	Ongoing in accordance with the current IMS project.	DAPIX WP	In the context of the implementation of 5th IMS action list, this Action is taken forward as IMS action 2. The FR led ADEP project with currently 6 participating MS is supported by **Europol**, in particular with a view to ensure interoperability and complementarity with Europol systems and tools, including the storage of linked information in the EIS and the exchange of information as follow-up to identified matches.

CHAPTER 3:

STRENGTHEN THE COLLECTION, CHECKING AND CONNECTION OF INFORMATION FOR THE DETECTION OF PERSONS INVOLVED IN TERRORISM AND TERRORISM RELATED ACTIVITY AND THEIR TRAVEL MOVEMENTS

Theme 1: Improving existing instruments – quantity, quality and timeliness

SIS

No.	Objective	Action	Primary Responsible Party/Parties	Stakeholders	Timetable	*Implementation*
17	Create a joint understanding of when a person should be entered in the SIS regarding terrorism and terrorism related activity	Agree on indicative criteria for inserting terrorism related SIS alerts	Member States, TWP, SIS VIS Committee	MS (SIRENE Bureau) eu-LISA	2016, ongoing	A number of Member States (MS) recalled the **Milan Conclusions of July 2014**, which establish a list of criteria for inserting terrorism-related alerts with special focus on foreign terrorist fighters. MS further stated that these indicative criteria **should be based on the Common Risk Indicators, which are reviewed and updated by DUMAS**. Some MS recalled that their competent authorities must, despite the common indicative criteria, have full operational discretion to decide which persons alerts are issued for, when and how they are issued and which alert category is used. On the basis of a request by the Council in 2015, **Frontex** - in cooperation with Europol - prepared a **booklet of the common risk indicators (CRI) for foreign terrorist fighters (FTFs)** in January 2016 and updated it in June 2016. The purpose of the booklet is to serve **as an aide memoire** to the relevant MS and Schengen Associated Country border authorities and to officers deployed in Frontex for coordinated operational activities at border crossing points (BCPs). Frontex provides joint briefings (with Europol) to Seconded Guest Officers (SGOs) that are being deployed to Frontex Joint Operations at BCPs. The agency also adapted operational plans in this regard to include the findings from the CRIs.

| 18 | Ensure structural information to SIRENE Bureaux and SIS end users on persons involved of terrorism or terrorism related activity | Member States will create alerts once criteria are met (unless there are operational reasons not to) | Member States | SIRENE Bureaux | 2016, ongoing | MS indicated that **practice of which institution creates alerts varies** as follows:
- such alerts in the SIS are created by national security or counter-terrorism departments, in cooperation with the SIRENE Bureau;
- only the competent counter-terrorism units can ensure that structured information is provided. The SIRENEs only act as transmission channels for the information provided;
- the insertion of alerts under Article 36.3 is performed manually by the SIRENE Bureau or other police unit, at the request of the authorities responsible for national security.
There is a steady increase of alerts issued for discreet and specific check; to date there are about 86 000 such alerts in SIS out of which 9 500 are issued by the state security authorities. |
| 19 | Ensure clear indication to SIRENE Bureaux and SIS end users that an alert concerns a person involved of terrorism or terrorism related activity | Use of marker 'terrorism related activity' where applicable | Member States | SIS VIS Committee, SIRENE Bureaux eu-LISA | 2016, ongoing | Many replies showed that the marker is **currently being used** when creating alerts in the SIS.
Some MS supported the idea of making the type of offence marker mandatory for specific checks in the case of terrorism-related activity (except when it is impossible for legal or operational reasons), whilst others preferred it to remain optional.
One MS referred to the technical updates being developed in order to be able to enter the "type of offence" also for Art. 36 alerts.
One MS recalled that it is essential to **train end-users** on how to use such markers and how to handle hits related to terrorism.
This issue and the way forward has also been discussed in the **SIS VIS Committee** on 15/09/2016 and on 25/11/2016. The Commission, with eu-LISA, explores the technical feasibility of the different options.
According to **eu-LISA**, an evolution to code table ST028_TYPEOFOFFENCE done in 2015 is already technically supporting the possibility to use the marker "terrorism related activity". Business-wise it needs to be addressed by SIRENE and SISVIS. As a recall, there is no change on that matter in the scope of next release (Nov-2016). |

20	Ensure sufficient quality of data in SIS, so that informed follow up actions can be taken	Minimum standards for data quality required by SIS should be respected by Member States	Member States, SIS/ SIRENE, EC, SIS-VIS Committee	eu-LISA SIRENE Bureaux	2017, ongoing	MS support efforts to increase data quality. One MS mentioned it ensures data quality by a number of measures. On the other hand, **minimum standards should not be an obstacle to issuing an alert**. Not all information is always available, or it may not be possible to add information for operational reasons. If the party issuing the alert is obliged to fill in certain fields this may regrettably reduce the number of alerts issued. It is also possible that the compulsory additional information in the M form may also have an adverse effect on the number of intelligence-related Article 36(3) alerts issued by security and intelligence services.
						MS suggest that the **development of a SIRENE form** for use with terrorism-related SIS II alerts (other than Article 26 alerts) **should be discussed further,** possibly at a forthcoming Advanced SIRENE seminar. Another suggestion was that the DUMAS group could serve as a platform for these discussions. Relevant (SIS) experts from MS, COM and eu-LISA should be invited to these discussions.
						For the first HLEG subgroup of 20 July 2016, **eu-LISA presented relevant statistics on data quality** which highlighted areas in which data quality improvements may be necessary. Proposals for technical updates that could be implemented at central level were made. The proposals are being prioritised in collaboration with MS and Agencies' end-users in order to guide further concrete activities. Since 3 July 2016 eu-LISA also produces data quality reports concerning each MS which provides a clear indication about the alerts to be corrected.
						This topic was further discussed at the HLEG on 12 October 2016. (See also the information relating to data quality under Action 2).

21	Ensure additional information on criminal records is available to SIRENE Bureaux and SIS end users	Insert additional information based on criminal records (national databases and ECRIS) with an alert	Member States, SIS VIS Committee	Eurojust, SIRENE Bureaux, EC	2016, ongoing	11 replies indicated the possibility for SIRENE Bureaux to access national criminal records registers, 1 of which only for a hit/no-hit consultation. 3 MS mentioned that access is possible in some cases (for example, when issuing Article 26 alerts / when relevant for EAW), and 1 MS referred to the possibility to obtain information on criminal records via the Ministry of Justice. 4 replies indicated that there is no legal basis under national law to ensure the availability of information on criminal records. A number of MS also indicated that in line with the ECRIS legal base it is only accessible to the central authority. 2 MS indicated that it would be necessary to add information if a person is known as violent or in possession of a firearm. 1 MS suggested to reach a common understanding about the "relevant" instances to insert additional information. **1 MS suggested a discussion within the GENVAL (ECRIS) WG in order to determine whether the current legal framework allows for the inclusion of such data in the SIS II and what amendments would be required.**
22	Create a joint understanding on immediate reporting upon a hit in the SIS	Commonly define when 'immediate reporting' is required upon a hit as well as what action should be taken	TWP, SIS/SIRENE WG	SIRENE Bureaux Commission, eu-LISA	2016, ongoing	Some MS consider that the services which are responsible for a case should **inform** the SIRENE Bureaux immediately **of the reasons for the alert**, in order for them to be available instantly if there is a hit. **In addition, the criteria on when to insert an 'immediate action' should be commonly agreed.** After that, in case of an immediate action, there should be a compulsory, commonly-defined procedure for reporting the immediate action: through its SIRENE National Unit which is to inform immediately the MS which inserted the alert and which is the owner of the information. Besides, in order to complete these actions correctly it is **essential to train end-users**. To perform an immediate reporting action requires considerable resources in MS, it is therefore considered advisable to use this action to persons representing high risk, such as returnees. On the other hand, some MS indicated that the definition of 'immediate reporting' should not be by default only in high-risk cases. For example, Article 36 action to be taken is very clear and mentioned in the related documents. Mandatory supplementary information according to the SIRENE manual should be always included in the M form indicating that the person is considered to be a foreign

						terrorist fighter. One MS indicated that the SIRENE manual should be amended to ensure the implementation of this Action. One MS has already put in place technical changes in the national databases, in order to highlight action to be taken for the Article 36(3) alerts, such as immediate reporting to the national SIRENE Bureau. Following a hit, the end-user should urgently contact the SIRENE Bureau and send the G form. In order to ensure harmonised use and understanding of 'immediate reporting', a procedure was disseminated at national level, specifying all cases in which this option should be used. There is an indication that **this matter requires the input of the TWP or LEWP.**
23	Make possible that SIS alerts can call for preliminary and temporary holding or detention where sufficient national legal grounds are available	Create a new type of action	Commission (EC), SIS/SIRENE WG	Member States	2017-2018, ongoing (update SIS II Regulation and Decision)	The SK Presidency has put forward an initiative with specific questions to **SIS/SIRENE WG** (11088/16) aimed at identifying problems, possible solutions and modalities related to the use of Article 36 alerts and the creation of a new type of action facilitating preliminary and temporary holding or detention in the context of the fight against terrorism. MS were invited to provide their contributions by 30 September 2016. In their contributions, the majority of MS stated they were in favour of introducing a new measure in the SIS II for specific situations in relation to the fight against the terrorism. Preliminary holding in legitimate circumstances is an established practice, which already exists in the national law of MS. Bearing in mind the fact that such a measure entails an interference with fundamental rights, the performance and conditions of such a measure should be precisely defined by the legal framework of SIS II. Moreover, the executing MS, on the basis of the information provided, should be able to decide whether to apply the measure pursuant to national law, as depriving somebody of their liberty at the request of the law enforcement authority of another country is a serious step. The main concerns raised by MS relate to the lack of a clear definition and specification of the possible new measure, so in case of its adoption, precise rules should be determined. In order to make such a new measure as efficient as possible, its application should be harmonised in all MS.

24	Ensure that end users are equipped to conduct discreet and (where national legal ground are available) specific checks	Strengthen effective discreet and specific checks including through training the trainers	EC, Member States, CEPOL, eu-LISA	SIRENE Bureaux	2016 (start), ongoing	Some MS currently apply only discreet checks. According to the information provided by **CEPOL**, **in 2016 a specialised course for SIRENE officers** will be held, which covers handling the alerts of Article 36 of Council Decision on SIS II (discreet checks). MS should **further discuss their end-user training needs and make proposals to CEPOL** for the possible inclusion of specific events in the annual work programme. These aspects may also be included in any terrorism-related training provided by CEPOL. One MS referred to the lack of legal basis for specific checks.
25	Systematic feedback on hits or requests for immediate action to national SIRENE Bureaux and the issuer of an alert	Enable systematic reporting of a hit in SIS to the national SIRENE Bureaux of the Member State where the hit occurs as well as the Member State that issued the alert	SIS VIS Committee, EC, Europol, Member States	SIRENE Bureaux	2017, ongoing	One MS indicated that to secure immediate reporting, a 'link' between the end-user application and the SIRENE system will be implemented in Q1-2017. When an end-user has a hit with immediate reporting, the SIRENE will automatically be notified and can immediately initiate a follow-up by contacting the end-user (the 'Austrian solution', supported by a few MS). **Europol** is improving its technical capabilities **to enable a systematic cross-matching of SIS alerts against Europol data**. A batch search mechanism is currently under development that is planned to be available by the end of 2016. The planned **legal revision of the SIS framework** should extend Europol's access rights to alerts on missing persons and on persons refused entry or stay in the Schengen territory and it **should facilitate the systematic cross-matching** of biographic and in the future – once AFIS for SISII is operational – biometric data against Europol systems. Europol is willing to contribute to a business assessment for establishing a consistent procedure to ensure the most effective follow-up to SIS alerts, including by systematically sharing relevant data with Europol and facilitating the exchange of all information related to hits via SIENA. According to **eu-LISA**, in early 2015, an evolution of SIS II alerts on persons for discreet and specific checks ensures that immediate action is taken towards the appropriate SIRENE bureaux.

26	Ensure that information of extremist speakers, who are deemed to pose a threat to public order, is shared between Member States	Make optimal use of SIS, primarily through Article 24.3, and in accordance with national legislation, where appropriate issue alerts for third country nationals who are not present on the territory of MS	EC, co-legislators, follow-up Member States	Member States (e.g. SIRENE Bureaux)	2017, ongoing	5 replies indicated that this possibility had already been used (alerts, entry bans or expulsions), while 11 other MS indicated that they did not have experience in this field, but were committed and technically able to use this possibility (to issue alerts and share relevant information with other MS). 1 MS which is not connected to SIS disseminates relevant information via SIENA. Another MS would support further work to share such information between Schengen and non-Schengen partners.
27	Ensure that both law enforcement authorities and security services can quickly enter alerts into the SIS	Where necessary, change national practice to ensure that both law enforcement authorities and security services can insert alerts in the SIS directly without interference of judicial authorities	Member States	Member States' SIRENE Bureaux TWP, SIS SIRENE	2016, ongoing	**16 MS confirmed that they have national practice** in line with this action, and the creation of Article 36 alerts does not require the intervention of the judicial authorities. In MS where no direct access is granted to the state security services to SIS, the police or the SIRENE Bureaux enter the alerts in SIS on their behalf. In most MS **working arrangements** are in place to ensure the effective use of SIS by the state security services. **2 MS indicated that alerts have to be authorised by judicial authorities**. 1 MS indicated that it is opposed to the entry of Article 26 alerts for the arrest for extradition without at least a request by the judicial authorities.

Stolen and Lost Travel Documents database

No.	Objective	Action	Primary Responsible Party/Parties	Stakeholders	Timetable	*Implementation*
28	Allow checks against travel documents that have not yet been declared stolen, lost or invalidated	Insert documents associated to alerts on persons into the Interpol TDAWN when deemed necessary	Member States, third countries, Interpol	eu-LISA	2016, ongoing	A number of MS underlined that documents referred to in Interpol notices become part of TDAWN, and therefore when issuing such notices at least 8 MS feed TDAWN. 1 MS mentioned that it does insert documents into TDAWN, another MS initiated a procedure in order to be able to do so. A few other replies indicated that documents in TDAWN are accessible when cross-checking Interpol's databases via FIND. On the other hand, 6 MS indicated they were not using nor feeding TDAWN due to various reasons - legal procedures, technical complications or additional costs, while 1 of them mentioned that it could be useful. One MS suggested to harmonise the rules for accessing international databases and the query procedures.
29	Full connectivity to SLTD at external border crossings	Make the SLTD nationally available for automated and systematic checks	Member States	Interpol	2017, ongoing	21 MS indicated that this possibility was already or shortly will be available, and a few among them mentioned that it was available via the national single search interface (in some cases both via fixed and mobile devices). A number of MS referred that this possibility was not only available for border guards, but also for police. 1 MS among those pointed out that it was not available for customs authorities for automated checks (only for manual ones).

Europol

No.	Objective	Action	Primary Responsible Party/Parties	Stakeholders	Timetable	*Implementation*
30	Ensure that information on FTF is consistently and systematically uploaded to European systems and platforms, and synchronised where possible	Implement a consistent three-tier information sharing approach regarding FTF by making optimal and consistent use of SIS, the Europol Information System (EIS) and the relevant Focal Points at Europol	Member States, Europol	SIRENE Bureaux eu-LISA	2017, ongoing	Two MS indicated that they had shared all relevant information regarding FTF with Europol (EIS and relevant FP). **Europol will continuously engage** in assessing and promoting the opportunities of implementing a consistent three-tier information sharing approach regarding foreign terrorist fighters. On 4/10/2016 the EIS contained 13645 objects linked to terrorism, which is an increase of 20% when compared with end of Q2 2016. 7166 persons in EIS are linked to terrorism of which 6506 are FF or are assumed to be FF or their supporters (labelled as such by the contributors of the data).
31	Ensure better use of existing secure channels for exchange of information regarding terrorism and terrorism related activity	A) Make better use of SIENA as a secure channel for the exchange of law enforcement information regarding terrorism and terrorism related activity, B) Consider introducing a 24/7 regime of work in order to improve the effectiveness of channels	Member States, Europol	TWP	A: 2016 B: 2017 (discus-sion) - onward (national impleme-ntation)	As regards Action 31(A), **Europol has upgraded SIENA** to the confidentiality level of EU CONFIDENTIAL/UE CONFIDENTIEL **in October 2016** (the accreditation has been endorsed). This will serve in particular the counter-terrorism units in the Member States. Europol is also working on the further extension of the SIENA web services. As regards Action 31(B), **the 24/7 regime at Europol has taken effect**. Ideally this would be mirrored by a 24/7 approach by all MS to ensure the effectiveness of the entire chain at all times. 1 MS mentioned 24/7 availability of its CT SIENA.

Eurojust

No.	Objective	Action	Primary Responsible Party/Parties	Stakeholders	Timetable	*Implementation*
32	Ensure that Member States are informed on all prosecutions and convictions on terrorist offences in the EU	Transmit to Eurojust information on all prosecutions and convictions on terrorist offences	Member States, Eurojust	TWP	2016, ongoing	At the **TWP meeting on 11 July 2016**, **Eurojust** briefed the delegates about counter-terrorism relevant elements of its activity (in line with the note on the feeding of databases 9201/16). (See also Action 9 as regards information sharing with Eurojust).
33	Ensure connection of Eurojust to the Focal Point Hydra at Europol	Connect Eurojust to the Focal Point Hydra at Europol	Eurojust, Europol	Member States	2016, 2017	According to **Europol and Eurojust, the agreement to associate Eurojust to Focal Point HYDRA** within the AWF Counter-terrorism **was concluded in July 2016.**

Theme 2: Organise to protect: connect silos and expertise

No.	Objective	Action	Primary Responsible Party/Parties	Stakeholders	Timetable	*Implementation*
34	Nationally connect counterterrorism experts and other services involved in the detection of travel movements of persons involved in terrorism and terrorism related activity	At national level – if not existing -, it is advisable to create multidisciplinary platforms on the detection of travel movements of persons involved in terrorism and terrorism related activity	Member States		2016	**24 replies** indicated that **multidisciplinary platforms were already in place** or that at least close cooperation, coordination and information exchange (for example, via a dedicated IT platform) was ensured at national level. One MS indicated that its multidisciplinary operational platform also discusses progress of the implementation of the Actions in the Roadmap and reports to the national monitoring cycle.
35	Ensure that national good practices regarding cooperation with third countries on counterterrorism are shared between Member States	Share good practices on cooperation with third partners in relation to counterterrorism among MS and third country partners	Member States, TWP	EC	2017	At the TWP on 3 October 2016 the Presidency invited MS to provide information about sharing good practices by sending contributions by 17 October 2016. Three MS indicated that they were sharing their experience with the Western Balkans countries within WBCTi (Western Balkans Counter Terrorism Initiative), 1 MS referred to sharing good practices at RAN conferences and TWP. 1 MS indicated it was one of the project partners in a regional project on First Line Practitioners Dealing With Radicalism and Extremism for sharing best practices on CT with Western Balkans. Another MS participates in the Group of National Focal Points for countering radicalisation and violent extremism leading to terrorism and foreign fighters in Southeast Europe, which was established on 15/10/2015 in the framework of the Regional Cooperation Council (RCC).

| 36 | Ensure common understanding between end users, regarding the detection of travel movements of persons involved in terrorism and terrorism related activity | Create joint and multidisciplinary training for CT, border and law enforcement experts in cooperation with existing expert groups such as SIS/SIRENE, regarding the detection of travel movements of persons involved in terrorism and terrorism related activity | Member States, CEPOL, Frontex | SIS/SIRENE, TWP, SIS VIS Committee | 2017 | According to information provided by **CEPOL**, it assessed training activities proposed **for 2017** and **SIS use has been included in the following activities mainly in the area of CT, migration and firearms**:
 2/2017: Organised crime facilitating illegal immigration;
 3/2017: Combating facilitation of illegal immigration - EU external border policy;
 5/2017: Hotspots – regional focus on migration;
 28/2017: Firearms – Strategic aspects in law enforcement;
 29/2017: Firearms – Cross-border investigations;
 30/2017: Tackling firearms trafficking at the EU external borders;
 33/2017: Identify and discover foreign fighters.
 CEPOL training is open for all law enforcement agencies. |

Theme 3: National detection capabilities by PIUs

(…)

No.	Objective	Action	Primary Responsible Party/Parties	Stakeholders	Timetable	*Implementation*
37	Ensure compatible national implementation of the PNR-directive in the Member States	Initiate operational PNR informal working group	Presidency, Member States and Commission	PIUs in Member States, DAPIX, Europol.	2016	The informal working group on the implementation of the PNR Directive (**IWG PNR**), chaired by NL, has started its activities at its first meeting on 14/09/2016 in Budapest. More information would be provided at the forthcoming DAPIX meetings. The activities of the IWG PNR should be consistent and not overlap with neither the Commission's efforts nor those of other initiatives to support the implementation of the PNR Directive. Furthermore, at the DAPIX meeting on 18/10/2016 a large group of MS requested that the issues identified by IWG PNR be discussed in DAPIX with all Member States and other possible stakeholders involved. Europol will contribute to the work of IWG PNR.
38	Use national practice of Member States in the construction of new PIUs	Offer technical assistance in construction of PIUs	Member States	DAPIX	2016	This will be organised **via the IWG PNR.**

| 39 | Agreement on how information is shared between PIUs and with third countries where possible | Ensure interoperability and share information on suspects and anomalous travel patterns and targeting rules | Member States, Commission /Europol, | DAPIX | 2018 | **Europol is offering support** to the EU level discussions **regarding the interoperability** of MS PIUs. In the framework of the PNR DEP project (ISF funded, HU led pilot project on PNR data exchange), the first version of the feasibility study on PNR data exchange will be available <u>in November 2016 and will be discussed at the next PNR DEP expert meeting in December 2016. DAPIX is regularly informed about the intermediate results of the project. In addition, the Commission on 27 October 2016 published a call for proposals aimed at funding projects, through the ISF-Police Programme, dealing with the exchange of PNR data between MS.</u> |
| 40 | Make full use of Europol databases to support PIUs | Define Europol support of PIU practices, cooperation, and activities | Member States, Europol, | EC, DAPIX | 2017 | **Europol will,** in consultation with the Member States and the PIUs, collect the requirements to **prepare a proposal** on how it can support the national PIUs in the most effective way, including in relation to information sharing and development of targeting rules (both national and supra-national). <u>(…)</u> |

CHAPTER 4: BORDER MANAGEMENT AND MIGRATION

No.	Objective	Action	Primary Responsible Party/Parties	Stakeholders	Timetable	Monitoring mechanism	Implementation
41	Registering entry and exit at the EU external borders of Persons enjoying free movement.	Examine the need and added value of registering travel movements of persons enjoying Free Movement of Persons, including an assessment of impact, costs, proportionality of the different possible solutions (including broadening the scope of EES) *Council request financial support: ISF*	COM, High Level Expert Group	Commission, Member States, eu LISA, EDPS, Frontex	End 2016	SCIFA/ COSI/ WG Frontiers	The option of registering the travel movements of persons enjoying free movement of persons was considered within the Working Party on Frontiers in the context of the ongoing discussions held on the Commission's proposal for a Regulation establishing an Entry/Exit System. <u>Broadening the scope of the EES proposal to persons enjoying free movement of persons has</u> not met with the support of a sufficient majority of MS. <u>The invitation to explore the necessity, technical and operational feasibility and proportionality of registration of travel movements of persons enjoying free movement of persons has nevertheless been made to the HLEG. Discussions on options, for instance to use existing tools and instruments (e.g. SIS and PNR), to register travel movements of these categories of persons have started and will continue within the HLEG. Depending on the outcome of these discussions, legislative amendments to existing instruments or suggestions for new legislative proposals could be recommended by the experts.</u>
42	Registering entry and exit at the EU external borders and admitted for a short stay and refusals of entry of third country nationals including contributing to return.	Negotiations on the legal proposals on Smart Borders, EU Entry and Exit and amendment of the SBC in the Frontiers Working Party *Council request financial support: ISF, COM Budget*	Member States, Commission and EP	eu-LISA	December 2016	SCIFA/ COSI/ WP Frontiers	Discussions leading to the establishment of an Entry/Exit System are ongoing in the Working Party on Frontiers. The European Council in its conclusions of 20-21 October 2016 called on the Council to establish its position before the end of the year and the Presidency is working to meet this objective. The EP has not yet established its position<u>, but is also expected to have the position before the end of the year</u>.

43	Close the information gap on pre-arrival data for travellers not generating API, PNR or visa data	Feasibility study and policy study of an EU Travel Information and Authorisation System *Council request financial support: ISF, COM Budget*	Commission	Commission, Member States, eu-LISA, EDPS, Frontex	October 2016	SCIFA/ WG Frontiers and VISA	The Commission is currently working with a view to submitting a proposal regarding the establishment of an EU system for travel authorisation for visa exempt third country nationals. The Commission launched the feasibility study on the necessity, technical feasibility and proportionality of establishing a <u>European</u> travel information and authorisation system (ETIAS). <u>The study will</u> be completed and become available together with the Commission proposal to be adopted in November 2016.
44	Enhancing of the security check in hotspots	In order to improve both the timing and execution of each security check, each step should be clearly defined in the SOPs of the hotspot and relocation workflow. Access should be provided to the relevant databases SIS, EU VIS, Eurodac, Interpol databases & Europol databases, in particular to facilitate information exchange on security concerns in relocation cases including exchange of fingerprints before relocation. For relocation, a questionnaire should be launched in order to establish when a relocation file meets the right standards. In case of a rejected relocation file because of security concerns, this information should be shared with all	EU agencies & host MS (EL & IT)	Member States, Commission	Immediate	SCIFA/ COSI/ WG Asylum	According to the information provided by the Commission, all persons arriving in the hotspots go through **a series of security checks** upon their arrival, and any candidates for relocation go through additional checks by the services of the receiving Member State. Frontex considers that the whole chain of managing irregular arrivals of migrants should be coordinated up until the registration facility in order to strengthen border security. It begins with the detection and possible interception at sea, coordinated disembarkation at shore, transportation to the registration facility and ends with the proper and complete registration of the migrant. **Obligatory security checks** are carried out in every hotspot, according to specific procedures: • Upon arrival in hotspots in Greece, everybody goes through a thorough search of their belongings (by the police); a nationality screening interview (by Frontex); a full identification and registration process including systematic fingerprinting and checks against all relevant international, EU and national databases (by national authorities with the support of Frontex). • Upon arrival in the hotspots in Italy,

		MS. *Council request financial support: ISF, AMF*					everybody goes through a thorough search of their belongings (by the police, with Frontex and Europol possibly attending as observers); a nationality screening interview (by the police supported by Frontex); a pre-identification and registration process including systematic fingerprinting and checks against all relevant international, EU and national databases. Italian Standard Operating Procedures (SOPs) in hotspots detail the security-check process[6]. **Europol** officers carry out, upon request from national authorities, **further secondary security checks**, the main goal of which is to detect terrorist threats and identify those individuals who pose such a threat. These activities are carried out in real time by Europol officers and increasingly by Europol Guest Officers in both Greece and Italy and are primarily focused on supporting the host Member State's investigations into organised criminal groups and terrorism. The checks are done instantly through the secured 'mobile offices' by cross-checking data against Europol databases. Europol treats the data as a regular Member State contribution with handling code H1 and thus may send relevant information to other interested Member States. This process has a significant potential: what initially may look like a minor case can evolve into/be linked to a large scale cross-border investigation. Europol will store the data for 6 months while Member State will remain the owner of the data. Unless the data generates a hit, the data will be automatically deleted after 6 months from the database. The main means of identifying migrants upon arrival is **fingerprinting**. As regards **access to relevant databases:**

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[6] http://www.libertaciviliimmigrazione.dlci.interno.gov.it/sites/default/files/allegati/hotspots_sops_-_english_version.pdf

						• In Greece, fingerprints are transmitted to Eurodac and checks are carried out on the national fingerprints criminal record database. Via 'Police on Line' (POL), different databases are accessible and checked by one click from the server in Athens and interoperability ensured with relevant European and international databases (e.g. SIS-II, VIS, Europol and Interpol); • In Italy, systematic fingerprinting checks are performed against Eurodac and the national AFIS fingerprints criminal record database. Both the SIS-II and Interpol databases are accessible in all hotspots through the SDI (Sistema di indagine) which is the query interface of the SII data base (*Sistema informativo interforze*). • It should be noted that the Member State guest officers deployed in the hotspots as part of EASO or Frontex calls do not have direct access to these databases, which can be accessed only by national police authorities. It should also be noted that only the designated National Access Point for Eurodac can access the Central System. Agencies and Member States' experts working under the auspices of the Agencies mandate may take and transmit fingerprints to Eurodac on behalf of Greece or Italy, but cannot directly access Eurodac themselves. **As regards relocation**, Member States retain the right to refuse to relocate person where an applicant poses a danger to their national security or public order. The reasons why a relocation case has been rejected should be shared directly with the Member State of relocation or the authorities in Greece and Italy as appropriate (whilst, on data protection grounds, it is not necessary to inform all other Member States). Where there is a serious security concern about an individual, an alert should be recorded in SIS

							II. The Commission is open to developing a questionnaire on the right standards for a security check for a relocation file if Member States deem this necessary.
45	Enhance operational cooperation of EU MS on migrant smuggling through their activities in the hotspots.	All agencies need to continue to make the necessary resources available, including for translation and interpretation *Council request financial support: n/a*	Frontex, Europol, Eurojust (…)	Member States	Immediate	SCIFA/ COSI	It is recalled that agencies do not directly make their own resources available but organise operational activities by deploying the resources made available by Member States. Agencies work in close cooperation with national authorities, which remain primarily responsible for all law enforcement actions on the ground. In the hotspots and with regard to the relocation procedure, additional efforts by all Member States are required. There are still significant shortfalls in experts provided by Member States replying to calls from agencies. (…).
46	Increase of the use of API data for border management	Establish systematic cross-checking of API data against SIS and Interpol SLTD database *Council request financial support: ISF*	Member States	Commission, eu-LISA, Frontex and other relevant agencies	End 2017	COSI	The possibility for Member States of establishing such systematic cross-check of data as a way to contribute to the acceleration of the required controls during the border crossing process is comprised in the Council general approach regarding the Commission proposal for the amendment of Regulation (EU) 2016/399 as regards the reinforcement of checks against relevant databases at external borders (systematic checks). This issue is part of the ongoing negotiations with the European Parliament and there seem to be no divergence between the two co-legislators regarding the relevant wording. In the meantime it is recalled that it is up to the Member States to put in place the necessary national measures allowing for the check of the national API system with other relevant databases and systems.
47	Strengthen the information position of EU MS on border	Assessment of the need to revise the legal basis of processing of API data	Commission	Member States, Frontex	2017	SCIFA/WG Frontiers	The definition of PNR data in the 2016 PNR Directive comprises API data. Once the PNR Directive is implemented, Member States will therefore have the possibility to use API data not

	management(and combating terrorism and organised crime)	*Council request financial support: n/a*					only for border control purposes (as is already the case under the API Directive) but also for purposes of criminal investigations. (…) The 2004 API Directive, however, only covers incoming extra-EU flights. Therefore, concerning the flights leaving the EU (and also intra-EU flights), there is currently no obligation for air carriers under the API Directive to collect and transfer API data to MS. As the PNR Directive does not establish any obligation for carriers to collect additional data than the ones collected in the normal course of their business, there is still a gap concerning the collection of API data which will not filled by the implementation of the PNR Directive.

48	Enhancing the functionalities of the VIS.	Examination further improvement's of the **VIS** with a possible need for amending the legal base *Council request financial support: n/a*	Commission	eu-LISA Member States, Europol	before end 2016;	SCIFA/WG VISA	The roll-out of the VIS worldwide, including at the external border crossing points, was completed in February 2016. As regards possible improvements of the VIS, the Commission will present on 27 October 2016 at the VISA Working Party the main findings of its report on the VIS evaluation and the next steps to be taken. On that occasion, it would be useful to consider a possible adaptation of the VIS in order to allow the system to accept more than one nationality. In fact, some terrorists or international criminals may use different nationalities, but VIS accepts only one value in the field "nationality". This could lead to hindering investigations. Furthermore, on the basis of eu-LISA statistics, it appears that only a low number of visas are systematically checked against the VIS at the EU external borders. Therefore, the SK Presidency decided in July 2016 to send a questionnaire to delegations regarding the use of VIS at the border crossing points with a view to identifying in particular the reasons why fingerprints are not always checked against the VIS. The replies to the questionnaire (13382/16 -compilation of the replies and 13386/16 -summary of the replies) will be presented on 26 October 2016 at the Frontiers WP and on 27 October 2016 at the Visa WP. Furthermore, on 14 October 2016 the Commission issued a report to the Council and to the EP on the implementation of the VIS Regulation (13530/16 + ADD 1 + ADD 2).

| 49 | Revision of the EURODAC Regulation | Negotiations on the legal proposal on Eurodac

Council request financial support: n/a | Member States, Commission and EP | eu LISA | End 2017 | SCIFA/WG Asylum | Following the submission by the Commission of the proposal for a recast Eurodac Regulation on 4 May 2016, the Asylum Working Party started its examination at its meeting on 12 May. The overall aim of the proposal, which includes the necessary changes to adapt and reinforce the Eurodac system in accordance with the new Dublin rules and to expand its purpose to help tackle irregular migration and facilitate returns, has been broadly supported. Possible simplification and broadening of access of law enforcement authorities to Eurodac is currently being examined (see 11943/16). |
| 50 | To address the existing information gap on the (travel) documents of third-country nationals. | Assessment of the need of central Residence Permits Repository whether such new EU tool is necessary, feasible and proportional to address the existing information gap on these categories of third-country nationals.

Council request financial support: ISF, eu-LISA | COM | Member States, eu-LISA, Frontex | first half of 2017 | SCIFA/ COSI/WG Frontiers | This issue is being addressed at experts level, within the High Level Experts Group under the umbrella of the Commission. This experts group will work to assess the possibility of the development of new systems to address perceived gaps in the present information system landscape, amongst which the Repository of residence cards and residence permits. Therefore, it would be premature to discuss this issue before receiving concrete findings from the above experts group. |