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COVER NOTE

From:	Presidency
date of receipt:	3 April 2017
To:	Working Party on Information Exchange and Data Protection (DAPIX)
Subject:	Minutes of the Informal Working Group on PNR (IWG PNR)
	Brussels, 7 March 2017

On behalf of the Informal Working Group on PNR (IWG PNR), the Presidency submits to delegations the minutes of the IWG PNR meeting in Brussels, 7 March 2017.

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Minutes Informal Working Group on PNR (IWG PNR)

Brussels, 7 March 2017

Introduction chair

The IWG is a forum for day-to-day business questions and technical support, but also on the more political and strategic, or governance aspects where good practices from one Member State can help the other. The IWG serves as peer group and as a bridge between the in depth knowledge of the experts and other working groups, or the Council and is laying the solid foundation for the future and whomever comes after us – the work on the PIUs is just beginning. IWG members are encouraged to invest in the community and actively participate and together work towards a common approach, mutual trust and clarity of expectations in our cooperation.

Presentation Europol

Presentation on the objective, functionalities, and potential use of the Europol Platform for Experts (EPE) for PNR, which is named Rover. EPE is a secure and dedicated on-line platform for the sharing of best practices and should serve as the 'go to area' for the PIU/PNR community. IWG members expressed commitment to invest in the platform and its development to ensure it is used as becomes a valuable tool for the community. Updates on progress and other important information will be added to the platform, but is dependent on information and updates being shared by IWG Members to the Secretariat. To avoid an overload of email messages being sent across the IWG community re various discussions on topics, centralising questions and communication is essential, this need is something which EPE/Rover can facilitate. It is therefore especially important to ensure that the access to Rover for the IWG members is managed properly and Europol will ensure that all current IWG members, and other relevant national PNR/PIU project members, have access to Rover as soon as possible.

Three questions were posed to the IWG members re the use of Rover:

- How wide should the community be? *Consensus IWG-PNR: limited to IWG members and PIU/PNR project members only with possibility to request access for additional members if necessary. The IWG will also consider an additional 'open' version of Rover that can provide information to specific non-IWG members about the developments.*

- Is there any objection to putting the whole address list on EPE? *Consensus IWG-PNR: no objection. The list will be added.*

- Do we think it is valuable to get an automatic notification when there is new information on Rover? *Consensus IWG-PNR: notifications are useful, and the members will ensure they receive notifications independently (e.g. notifications being 'on' or 'off').*

Tour de table – best practices of MS

Member States inform each other on the state of play with a focus on good practices and the most pressing issues. A few highlights:

- Sweden and Europol suggest to seek cooperation of the members in the Frontex initiative. *Following Frontex' presentation in Budapest and the IWG invitation to Frontex to join the IWG, the chair confirms that the IWG will work to find coherence and a connection between the two in order to mutually strengthen efforts.*

- The main issues mentioned is the inability to test of developed IT-systems with real PNR data as legal framework not being in place which would be the requirements for requesting and receiving this type of data from the carriers. *NL offers the IWG members their self built PNR-data generator.*

- The UK advises Member States the good practice of patience with air carriers. Their business is different than ours. The UK lesson learned is that it is not enough to just connect the carriers, one needs to consistently confirm the data you receive are what you expected.

- The US invites all MS to visit NTC to see good practices in working with PNR. The US wishes everyone patience and resilience, it's complex but the benefits will show.

- The good practice of the Belgian delegation is to add other transport sectors from the beginning and to have regular consultation meetings with IATA, IACO, and operators etc.

Appeal to Member States from the chair

- Please fill in the Rover platform with national state of play (PIU-staff functionalities for example)
- Please approach your colleagues that attend DAPIX meetings to coordinate better with IWG efforts.
- We need to be conscious of a possible connection with EES and ETIAS: partially because both domains will all be looking at the same travel data and on the other hand, similar purpose limitations are at hand. *Further clarifications from COM was sought and provided during the 4th PNR Directive Transposition Meeting which was conducted the following day.*
- Looking at interoperability and the ISF call for proposals: we need to combine our strength and not double efforts or compete amongst ourselves. There are three initiatives even though the IWG previously concluded the MS should make every effort to apply with only one proposal. *Consensus IWG-PNR: the proposal coordinators are open to the suggestion to examine the possibility of merging the proposals.*

Subgroup Carrier Connection and Carrier Engagement – lead France

- Important we understand the data we receive.
- MS priorities should be; 1) the technical specifications should be provided to the relevant air carriers at the latest 6 months prior to the implementation deadline, and 2) testing carrier connectivity should be initiated as soon as the IT infrastructure has been installed, tested and certified at the latest 2 months prior to the implementation deadline.
- We need a basic common approach beyond the implementation act on; Number of pushes, GOVREQ (art. 8.5), ACKRES & COA, data transmission security, data matrix, small airlines.
- Luxemburg proposes a single window for air carriers. This was also point of discussion in the last HLEG on interoperability where EE presented this idea - it was concluded that this is impossible to realize in the current political climate and timeframe, but it should be further detailed to get more understanding.

State of play of the PNRGOV Sub-Working Group „Protocols" – lead Germany

- This PNRGOV subgroup has been established to work on an open standard communications protocol, which is a long term solution.
- First step is to analyze non-functional-requirements for a protocol. A questionnaire to all group members was send to get detailed information about these requirements (priorities, use cases, …).
  Germany asks all Member States to fill in the questionnaire on the open standard before March 17. The results will be presented at the next PNRGOV Working Group 15 in April 2017.
- Future milestones will be; Agreement on NFRs and priorities, the Sub-Working Group will start looking for candidates and possible pilots, evolve 2 or 3 proof of concepts, recommendations will be presented at the PNRGOV Working Group 16 in October 2017.

The subgroup lead will take the feedback from the IWG given today into the next steps, and working towards the next meeting. Rover will be used as the medium for further communication. The subgroup lead further calls upon IWG members to join the PNRGOV Sub-WG (presented by Germany) and attending the PNRGOV meetings in general – the next one is scheduled in April in Washington.

Subgroup Operational – lead UK

The purpose of the group is to:
a)   Promote and develop the operational use of PNR targeting in the EU
b)   Develop common standards of capability across EU PNR targeting
c)   Identify and develop best practice for PNR targeting across the EU
d)   Develop a tasking and co-ordination process that allows interoperability to take place in an effective manner

Consensus IWG-PNR: all of the members of the IWG wish to join the operational subgroup.
A specific point about the amount of time reserved for in depth discussion within the subgroups when the IWG meets is made in the Concluding Remarks.

The Subgroup lead asks the members to fill in the following capability matrix to understand how PIUs are developing in relation to the focus and purpose of the subgroup:

Country	PIU Y/N	Single Watchlist capability	24/7	PIU staffing	API % ingest	PNR % ingest	Passenger ingest per annum	PNR targeting capability	Targeting training	Interoperability capable
UK	y	y	y	200	100	80		y	n	

Other UK suggestions:

- Intelligence Tasking
  The driver for an EU operational sub group should be to understand the intelligence picture of threat / risk that PNR targeting can hope to address. If the group agrees the UK will approach Europol for their assistance in understanding this picture. *Consensus IWG-PNR: considered to be useful.*

- Moving towards a PNR sub-group tasking and co-ordination process
  Within the UK PIU (NBTC) there is a monthly TCG process that reviews the risk and looks at profiles we have in place to address this risk. If the group agrees we should be moving towards a similar approach for EU wide PNR targeting. *Consensus IWG-PNR: considered to be useful.*

- PIU Training / Standards
  If the group agrees we should be identifying a common approach to training, and a minimum standard to which are staff are trained in PNR targeting. We could consider this being an accredited standard. *Consensus IWG-PNR: considered to be useful.*

- Communications and contacts

   The group should supply contact detail for its leads. *Consensus IWG-PNR: the current IWG member list can be used through Rover.*

   The group may wish for there to be a communication document to be produced on a regular basis, updating on PNR targeting matters. *Consensus IWG-PNR: considered to be useful. This exchange will take place through Rover.*

- Operational Best Practice / Operational highlights

   The group may consider we wish to circulate and identify operational best practice and highlights. *Consensus IWG-PNR: considered to be useful. This exchange will take place through Rover.*

   The subgroup lead will take the feedback from the IWG given today into the next steps, and working towards the next meeting. Rover will be used as the medium for further communication.

Subgroup Interoperability

Consensus IWG-PNR: the work in this subgroup will be lead by the developments in PNRDEP and the next project for interoperability. Operational, legal and technical questions will all be addressed in those projects.

Update on PNRDEP study – Hungary

- Foreseen outcome of the PNRDEP study: common understanding on the data (e.g. data elements, risk profiles) to be shared, an available legal framework, business process of the data exchange and technical solutions for: 1) the exchange of PNR data case by case (simple solution/classified solution, 2) a common message/data format, 3) the support of the analytical work
- The project is in the testing phase (three test meetings between December 2016 and May 2017). The closing conference will take place on June 7-8 in Lisboa. A new (shorter) version of the feasibility study will also be distributed around that time.

Update on International High Speed Trains – Belgium

Taking into account the possibilities under the European PNR Directive, the governments of Belgium, France, the Netherlands and the UK discussed a common approach towards the use of passenger data from international high-speed train operators (as decided at informal JHA in Malta). They took the initiative to establish a taskforce of experts of the governments involved – chaired by Belgium - to reach a common approach on how they process passenger data in the field of high-speed trains. The governments' aim is to set clear ambitions, using common terms, taking account of public security operational requirements and of operators' business processes to ensure absolute clarity from the governments towards the sector. As decided in Malta, a first meeting has been organised with representatives of Eurostar, Eurotunnel and Thalys. They have accepted voluntarily to join the work of the taskforce to help establish this common approach. This way of working ensures the development of an approach that takes into account the specific nature of the sector, while fostering international security.

The taskforce is currently in the phase of developing a common approach paper. This document will be submitted for validation at political level in the margin of the next JHA meeting end of March. The taskforce decided to give an update about their work on the next Landsec meeting (end of April).

Concluding Remarks and Next Steps

- Sweden and Hungary suggest to have break out sessions of the subgroups at the next IWG. *Consensus IWG-PNR: the IWG is still looking for the most optimal way to discuss and exchange when there is so much to discuss and share. The Chair and the incoming Chair DE will work together to make sure there is a focus on the work in the subgroups. The IWG members are called upon to have this mindset as well, to make sure the next meeting can really meet our joint needs.*
- The Chair and the incoming Chair will plan the next meeting of the IWG. Again, there will be an attempt to organise this back to back with an already scheduled meeting. The IWG members will support these efforts and remain flexible in attaching an extra day to be able to attend.

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