Council of the European Union

OUTCOME OF PROCEEDINGS

From:	JHA Senior Officials meeting EU - OIPC Interpol
On:	10 December 2018
To:	Delegations
Subject:	Summary of discussions

1. Introduction and adoption of the agenda

The agenda as set out in 13832/18 was adopted.

2. Counter terrorism: collection and exchange of information

2.1. MENA region and Sahel

Participants confirmed the high priority attached to capacity building and broader engagement with the countries both in MENA and Sahel regions. While the progress in different countries varies, positive results were noted from the implementation of the Interpol led project Sharaka, which is funded by the EU. It is intended to introduce Interpol policing tools and capabilities, including connections to Interpol databases and the secure communication network I-24/7 in selected border posts in six MENA countries: Algeria, Egypt, Jordan, Lebanon, Morocco and Tunisia.

COM and EEAS called for increased coordination and involvement in Interpol projects of EU CT/Security experts posted in EU DEL in the region that could support continuous CT engagement.

CEPOL's training programme in the MENA region has been extended from 4 to 6 countries (Jordan, Lebanon, Tunisia, Turkey, as well as Algeria and Morocco). Targeted training programmes were seen by participants as a good platform for gradually building trust and deepening cooperation. It was agreed to pursue further coordination of training activities run by both Interpol and CEPOL in the region to avoid duplication.

Europol welcomed the increased involvement of MENA countries in EMPACT operational actions, where Interpol is also a key player. Frontex reported on its African Frontex Intelligence Community (AFIC) project, aimed at building capacity for intelligence/risk analysis in 31 African countries, including in MENA. The 1st pilot training on risk analysis started in Niger and the plan is to roll out to other countries. Its other project in cooperation with DG NEAR - EU for border security extending to Algeria, Tunisia and Egypt aims to provide tailor-made targeted training on information management.

Interpol reported that more MENA countries are joining Interpol's CT analytical file (71 countries in total now). Interpol confirmed that an interoperability solution is pursued for its facial recognition project DTECH and the similar FACE project run by Europol. There are some open issues, but engagement on both sides is in place. The need for external funding was flagged in this context.

Interpol informed that DE will fund their G5 Sahel Joint Taskforce – Police Component presented at the last SOMEI in June. The links with the relevant EU CSDP missions, as well as DEVCO's project in the region should be considered to avoid duplication.

COM expressed interest to support Interpol's project FIRST in Sahel aimed at supporting local LEA in collecting biometrics (fingerprints and facial recognition) of terrorist fighters and other individuals linked to terrorist in prisons.

2.2. Foreign terrorist fighters

– *Collection and exchange of battlefield evidence: capacity building, collaboration between military services and law enforcement authorities, role of Interpol and Europol.*

– *Exchange of information on potential FTFs from countries not complying with UNSCR 2178 and UNSCR 2396.*

COM highlighted the progress on the DEVCO funded EU-Interpol-NATO battlefield evidence project with 40 military personnel trained in Italy in 2018 and battlefield evidence guidelines to be produces in 2019. Interpol confirmed its intention to organise similar trainings for the Sahel countries in the context of its G5 project.

Interpol stated that they had started recently receiving information on FTFs from Operation Gallant Phoenix. The information has been made available to 71 member countries, including EU Member States. This provided member countries with information they did not previously have.

Interpol will also share a list with 25 countries which do not share available FTF data with it, despite UNSC Resolutions. EU assistance could be valuable in respect of outreach to these countries. Interpol also flagged a concern that information they have provided to some EU MSs on FTFs has not been uploaded on SIS or no feedback/follow up has been provided. Eurojust clarified that practices of MSs when uploading information on SIS vary, sometimes involving detailed prior assessment and it is in the prerogative of MSs solely to provide the respective follow up in accordance with national legislation. It was agreed that Eurojust would try to find out in how many prosecutions battlefield evidence was crucial.

3. **Migrant smuggling: enhancing collaboration and information sharing in key locations/routes; role of military & civilian EU CSDP missions; Crime Information Cell in EUNAVFOR MED Sophia and Information Clearing House (ICH) on migrant smuggling at Europol**

Progress on a number of initiatives has been noted on the EU side - a set of operational measures with law enforcement focus to step up the efforts against migrant smuggling networks was approved by the JHA Council on 6 December, positive results from the CIC pilot project in EUNAVFOR MED Sophia have been noted in the Implementation report presented in November 2018, the Information Clearing House in Europol (ICH) is developing its capacity. The procedure on posting the Interpol Liaison officer to the ICH is to be finalised soon, further to the approval of its funding by the COM.

The 2019 EMPACT operational action plan on migrant smuggling has been approved and the Interpol's proactive involvement in WB and North Africa, notably on document fraud was welcomed. Interpol has created a dedicated criminal analytical file on migrant smuggling.

Interpol outlined certain areas for a more structured cooperation with the EU on migrant smuggling in North Africa and WB. Concrete steps could include supporting ICH to look at high value targets, improving the capacities of priority countries to feed in relevant systems with quality data, developing threat analysis for the priority regions to target actions better, apply a "follow the money" approach to map the activities of criminal networks, focus on criminal hubs in countries of origin etc. It might be appropriate to take a project based approach with the countries of interest.

4. **Western Balkans**

Participants confirmed the need for a continuous engagement with the region with the EU providing updates on the various cooperation initiatives with the WB, e.g. Joint Action plan on CT for the WB signed in October, with EEAS/COM now working bilaterally with each WB partner to define national action plans, a Prum-like agreement signed in the context of the South-East Europe Police Cooperation Convention, the CT/security expert actively engaged in building cooperation in the region, increased involvement of WB partners in EMPACT, deployment of Europol liaison officers in Albania and Serbia is scheduled for the beginning of next year, while there is still an issue with the deployment of liaison officers in BiH, etc. CEPOL called for more coordination of training activities in the region.

Interpol pointed out that the implementation of the FRONTEX Status agreements is a good opportunity to promote the consultation of Interpol data bases. Interpol is interested in participating in projects to build capacity in the field of collecting the biometric data of irregular migrants. FYROM has approached them with such a request. If other partners in the region with similar needs are identified joint training activities could be developed.

5. ICANN WHOIS database reform

Interpol stated that the development of an interim solution for providing access to WHOIS data for accredited LEA for Interpol's member countries is underway. It follows very much the approach put forward by US and UK, while these countries are already ahead with setting up the technical parameters for their projects. Interpol is engaging directly with the main registries and registrars using as a basis the agreements already signed by US and UK. Contacts with smaller providers will be established at a later stage.

10 member countries will participate in a pilot project with concrete results expected by the end of 2019. These will be reported to the next General assembly of Interpol before the solution is fully deployed.

6. Information from Interpol

Use of SLTD and other relevant Interpol databases:

Interpol reported a further increase in the consultation of its stolen and lost travel document (SLTD) database by EU Member States. EU Member States represent 43% of global searches against SLTD. In 2019 Interpol will focus on increasing the capacities for the use of SLTD in 12 MSs under a project funded by ISF-Police.

Red Notices - state of play

Interpol expressed its gratitude to the Member States which will second, temporarily, legal experts to support the screening of the backlog of Red Notices issued before 2016. As of Jan 2019 - 7 additional staff will be allocated to the team reviewing the remaining 80 000 notices, including experts form SK, HR, DE, SE and Ukraine. INTERPOL clarified that if a red notice concerns a person with confirmed refugee status, the notice will be cancelled with just a general notification to the issuing country. Interpol underlined in this respect that it is important for member countries to notify Interpol's General Secretariat about the confirmation of the refugee status of a person or that he/she is subject to an asylum application review, in line with the Interpol GA resolution adopted in Beijing on 26 - 29 September 2017.

Interpol will update the Council of Europe Parliamentary Assembly next week on the latest developments around the review of existing red notices.

I-check it:

This program, launched as a pilot in 2012, enables private sector companies (airlines, cruise ships, banks, hotels, etc.) to check their customers against the SLTD and TDAWN databases of Interpol. In case of a hit, the Interpol national bureau of the country of departure, transit, arrival, and the originating country of the hit and the General Secretariat, receive a notification. Private sector partners can choose not to be informed. A SLTD hit using i-Checkit led to 4 detentions from an Air Asia flight from Kuala Lumpur to HK, without flight delay. So far, there were 165 million searches made by Air Asia and one cruise company, resulting in 4700 hits leading to 48 criminal cases.

7.   Priorities of the incoming Romanian Presidency of the Council

The incoming RO Presidency presented its main priorities. Together with the recurring topics, COSI will focus inter alia on developing the concept of novel actionable information (NAI) and EU Policing 2030/2040.

8.   Any other business

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