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**Report on the meeting between Europol and
 FRONTEX to discuss the Future Group**

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Meeting name	FRONTEX-Europol discussions on setting up a Future Group on Travel Intelligence and Border Management
Date	7 March 2019
Place of the meeting	Warsaw
Agenda reference	Topics for discussion agreed in advance by email
Meeting attended by	[REDACTED] and [REDACTED] from Europol and around 14 participants from FRONTEX

Main topics:	
General aim and context	<p>The current approach to the implementation of recent initiatives at policy level to strengthen border management and interoperability is mainly focussed at the individual legal frameworks.</p> <p>Europol worked on the idea of organising a number of workshops with the various partners involved in the area from police services, customs, border guards, including the participation of COM and other Agencies.</p> <p>The idea was strongly supported by FRONTEX and the idea evolved towards a joint establishment of this group, each fostering the involvement of the respective constituencies. The meeting of 7 March 2019 was aimed at aligning our perspectives and identifying the next steps towards setting up the group.</p>

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<p>Alignment on the underlying ideas and objectives</p>	<p>On behalf of Europol, the point was made that the actual work of the High-Level Expert Group on Interoperability was to large degree steered by a number of plans COM had in mind to strengthen border management and interoperability.</p> <p>This has limited the actual openness for new ideas. Moreover, those discussions were mainly intended to justify and propose new legislative measures, rather than looking at concrete operational opportunities. And also the current groups discussing interoperability topics are mainly looking at the implementation of new legislation.</p> <p>What is needed as well is to look at the operational opportunities of working across silos and how the different competent authorities and EU Agencies can work closer together as a result of the enhanced instruments.</p> <p>FRONTEX agreed with the perspective and added that the Agencies should look at how we can better support the MS. They mentioned the need for a Fusion Centre and that just giving another party raw data doesn't work. Staff at the border should be better informed and the Interoperability initiatives risk to overload them with data.</p> <p>Furthermore, PNR and API data should be brought closer together.</p> <p>Current best practices should be identified and elevated to the broader community.</p> <p>From Europol's perspective, it was emphasized that the approach should be open and not Agency-centric. What Agencies can do better might come out of the discussions, but this should not burden the open discussion.</p>
<p>Legal frameworks concerned</p>	<p>FRONTEX had listed the recently introduced or revised legal frameworks that relate to interoperability and border management. From a policing perspective, we added the main law enforcement information exchange instruments: Prüm, Swedish Framework Decision, anti-money laundering legislation, etc.</p>
<p>Relationship to other groups and political bodies</p>	<p>Based on an overview of the existing working groups under COM, eu-LISA and Council, a discussion was held on the link with other discussions.</p> <p>It was agreed that it's important to keep the connection with the discussions in the different groups and political fora, but this should not hamper the creation of the Future Group.</p> <p>In particular the recently established groups under COM are De Jure established to see to the collective implementation of the new legislation. E.g., the ETIAS Expert Group looks concretely at the implementation of ETIAS, how to use flagging, etc.</p> <p>The purpose of the Future Group is entirely different, looking at building new business concepts to tackle certain forms of crime better and more efficiently by working together across disciplines and making optimal use of the new legal possibilities and tools.</p> <p>It was agreed that a limited number of Council Working Parties and the respective governance bodies of the two Agencies should be informed regularly on the progress of the Future Group.</p>

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	<p>The Future Group will be an informal group and any suggestions for resolving issues or the introduction of new business concepts will be submitted to the formal groups under the Commission and Council for endorsement, where needed.</p>
<p>Thematic Scope</p>	<p>In terms of content, FRONTEX presented a number of topics under the headings of analysis, decision making and investigation.</p> <p>From the side of Europol, the strong orientation on border management aspects was highlighted. Also the use of border management information for criminal investigations deserves attention.</p> <p>In addition, it was suggested to look at the whole spectrum of the multi-disciplinary cooperation to see concretely how national investigations, Europol's analysis, targeting using travel data and interventions at the border could be linked up in a horizontal form of cooperation.</p> <p>It could be considered to organise workshops/meetings around specific teams and possibly inviting also dedicated subject-matter experts for certain discussions.</p>
<p>Composition</p>	<p>A discussion was held on how to identify the right participants. FRONTEX considered to invite the respective MB delegations to propose candidates.</p> <p>From Europol's perspective, this would come with the risk that the usual 'generic experts' would be appointed, without much ability to contribute to the topic.</p> <p>Instead, it was proposed to look in the respective communities to look for suitable candidates who understand the topic, including the broader dimension, and who are familiar with the recent interoperability developments, as well as the information management aspects of the data concerned.</p> <p>It was agreed that notes will be exchanged on the concrete experts and that jointly a good representation across regions, countries and areas of expertise would be composed. Europol had already come up with its list, which it will soon share with FRONTEX.</p> <p>It was also agreed that the group should have representatives from border management, law enforcement involved in the prevention and investigation of serious and organised crime, terrorism and customs services. Furthermore, eu-LISA and COM should take part. For COM this would be from the border management unit and from the police cooperation unit.</p> <p>FRONTEX was concerned that MS might raise issues about the composition. To address that, it was agreed that the criteria on which the selection and composition is to be based will be taken up in the terms of reference.</p>
<p>Working methods</p>	<p>FRONTEX proposed that Europol and FRONTEX would jointly chair the meetings of the Future Group.</p> <p>From the side of Europol, I emphasized that we have a completely</p>

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	<p>open mind to the discussions and the issues and solutions that may come out. If FRONTEX would share that openness, then obviously there would be no objection to co-chairing.</p> <p>However, if there were to be already concrete ideas and concepts that FRONTEX would like to promote during these meetings, then it could better take the role of participant.</p> <p>Several FRONTEX representatives insisted that these roles could easily be combined, but we stuck to the principle of independent chairmanship. Under no circumstance would we invite Member States to an open meeting, for them then to be taken hostage in a discussion that is steered towards a pre-cooked plan.</p> <p>This led eventually to the solution in which this principle of impartiality is reflected in the Terms of Reference for the group and that if any of the Agencies wishes to present a concept that this is announced as such, not presented by the chair and moderated by the co-chair of the other Agency.</p> <p>On funding, neither FRONTEX nor Europol has planned budget to fund MS attendance to the meetings for 2019. FRONTEX stated that it could possibly find budget for meetings held in Warsaw. For Europol I expressed the intention to look for budget as well, but without concrete engagement as to the result of that effort.</p> <p>The idea is to organise 5-6 meetings between May 2019 and the beginning of 2020. The idea was launched earlier to host a joint conference on travel intelligence and border management just after the Summer, but that might shift towards the end of 2019 or early 2020 so that the results of the Future Group can be presented there.</p> <p>In terms of deliverables, we agreed to look at new operational concepts to be developed and presented, where applicable and needed with suggestions for new policy measures or legal changes.</p> <p>Progress is to be reported on a recurrent basis to the respective governance board and to the most relevant Council Working Parties (DAPIX and Frontiers).</p>
Preparatory steps	Europol and FRONTEX agreed to take the following steps: <ul style="list-style-type: none">- To share proposals of experts to be invited;- To look at a future planning for meetings and themes to be addressed;- To work on a first draft for the Terms of Reference, including selection criteria for the experts.
Additional information	<u>EDOC-#1031161-Frontex input future group v1</u>

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