



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 15 June 2012**

**9336/1/12  
REV 1**

**LIMITE**

**COSI 24  
JAIEX 24  
CORDROGUE 23  
COAFR 118  
FRONT 63  
COMIX 278  
VISA 89  
GENVAL 27**

**NOTE**

---

From: Spanish delegation

---

To: JHA Counsellors / COSI Support Group

---

No. prev. doc.: 17605/11 COSI 98 JAIEX 128 CORDROGUE 87 CRIMORG 216 COAFR 339  
FRONT 184 COMIX 773

---

Subject: Final report of COSI project group on "Measure 16"

---

**1. Executive Summary**

The objective of the Project Group "Measure 16" was: *"to encourage Member States to improve the sharing of information concerning the new modus operandi of networks involved in illegal immigration, trafficking in human beings and falsification of documents, and to improve the use of existing databases, including the False and Authentic Documents Online (FADO), thus promoting early detection of those criminal activities at borders and the exchange of best practices"*<sup>1</sup>.

Delegations will find attached the final report introducing the work carried out in order to achieve that objective.

---

<sup>1</sup> See doc. 6975/10 ASIM 33 FRONT 24 COMIX 158

For two years, the Project Group on "Measure 16" led by Spain and composed of experts from BG, EE, NL, FI, UK and Norway, as well as the GSC, the Commission, Frontex and Europol, has been working to implement the 24 actions referred to below.

To achieve this goal, the Project Group involved several Council WPs, such as the Frontiers WP, the VISA WP, the Frontiers/False Documents WP, the FADO Team, the GENVAL WP and other groups of experts, as well as the JHA Counsellors at the permanent representations of Member States.

Most of the work was done with a limited number of meetings (held in Madrid, Warsaw and two in Brussels). Participants combined this with extensive use of e-mail correspondence.

The last Project Group meeting on "Measure 16", led by the Spanish National Police was organised in Brussels on 14 March 2012, with the participation of EE, ES, NL, UK, Frontex, Europol and the GSC. IT was invited as co-driver (with Frontex) of the Operational Action Plan (OAP) on illegal immigration (started in 2012) in case any of the actions could be considered unfinished and passed to this OAP to be continued.

Thanks to the efforts of all these actors, Member States are making better use of the already existing methods and systems, to combat trafficking in human beings and illegal immigration. Most countries are already implementing the above actions and are using the existing networks and databases more and more.

The OAP co-drivers began to implement some of their actions from January 2012, in the framework of the EU Policy Cycle. The Project Group coordinated with the OAP, thanks among other things to the participation of the co-drivers in the last PG meeting.

Since all the 24 actions under this "Measure 16" were considered to have been implemented or launched, the Project Group agreed to produce the final report and to close this PG.

**In 2012 information should be provided to COSI by the relevant actors concerning the following actions: 8 (COM), 12 (VISA WP), 15 (MS/ BE, IE, IT, MT, PL, RO, SI), 16 (Europol), 17 (GENVAL WP), 18 (NL), 7 and 20 (Frontex).**

## 2. Aims of the project

The proposals and objectives achieved by the PG were presented in doc. 11869/1/10 REV 1 COTER 57 PESC 813 RELEX 686 FIN 433, DS 1052/3/11 REV 3 as well as in the intermediate report (doc. 17605/11 COSI 98 JAIEX 128 CORDROGUE 87 CRIMORG 216 COAFR 339 FRONT 184 COMIX 773.)

These objectives were as follows:

- a. To create a Focal Point within the Analysis Work File (AWF) Checkpoint.
- b.-c. To pursue recording intelligence concerning victims provided by MS to Europol. To increase the use of AWF Phoenix, Europol's dedicated AWF to investigate trafficking in human beings (THB).
- d. To encourage participation and input of information by Member States in the AWF Checkpoint.
- e. To encourage participation and contribution of information by Member States in the AWF Phoenix.
- f. To encourage MS to input information into the FADO database.
- g. To encourage MS to register in the PKD.
- h. To encourage contributions of information to Europol on investigations (joint operations).
- i. To encourage seminars and training sessions; objective modified to the following: "to implement common training and standards".
- j. To promote the exchange of information between Immigration Liaison Officers (ILOs).

### **3. Actions or recommendations**

**Actions (or recommendations) are presented below, followed by the state of play or result.**

*Action 1/ Member States have been requested to develop their ongoing investigations into THB and illegal immigration through Europol channels, making the best use of Europol's network, Analysis Work Files (currently AWF Checkpoint and Phoenix) and the Information System. Relevant information gathered by Member States participating in Frontex-coordinated joint operations should be used to support this aim.*

Europol has specifically created "Focal Point Rain" within AWF Checkpoint to tackle the problem of falsification of documents. Member States should make optimum use of the secure information exchange system (SIENA) for this purpose. The operational results mentioned in action 2 show how efficient Member States cooperation can be when using Europol tools.

*Action 24/ In conjunction with Action 1 in this document, operational information from Member States' ILOs posted abroad should be shared with Europol (IS and AWFs) in accordance with national procedures and within the legal framework.*

Covered by action 1.

*Action 2/ Member States have been requested to make better use of JITs, and Europol to support this by organising operational meetings, providing expertise and "mobile office" support .*

*In the field of THB: one Joint Investigation Team (JIT) was implemented in March 2011 and another in July 2011. Two operational meetings were financed by Europol and organised by AWF Phoenix.*

*In the field of illegal immigration: AWF Checkpoint was implemented and provided financial support to 11 operational meetings. AWF Checkpoint also provided analytical support and mobile office to 7 operations organised during the first three months of 2011. (Description of the operations in Annex 1)*

**Action 3/** *Frontex to conduct a tailored risk analysis (TRA) on variations in the abuse of false documents used to enter the EU and on the efficacy of the various document databases on identity and travel documents that are used at present*

A questionnaire was sent to Member States with a deadline on 25 February 2011. Frontex then conducted the tailored risk analysis (TRA): "the nature and extent of travel-document fraud to enter the European Union 2009-2010" (April 2011). One of the outcomes of this TRA showed that training for consular staff was needed (see action 19).

*The following actions, 4, 5, 6, 9, 10 and 11, concern FADO and iFADO subjects and are interrelated:*

**Action 4/** *FADO partner states to close gaps concerning national documents. BG, DE, IE, EL, LT, LU, SK, SL, RO as well as Iceland, Norway and Switzerland were urged to take all appropriate measures to close any "gaps" of missing information as soon as possible and to notify COSI of the envisaged dates and detailed measures they plan to take, including the date of finalisation.*

**& Action 5/** *The FADO team recommended FADO users to close any gaps concerning information provided on "vehicle licences and log books".*

**& Action 6/** *FADO partner states were requested to use Expert FADO for the creation of alerts concerning false documents, and to use iFADO for consulting the alerts.*

**& Action 9/** *FADO partner states were requested to provide access to iFADO at all external border-crossing points for border guards, taking into consideration FOSS.*

**& Action 10/** *FADO partner states were requested to ask to mirror iFADO in national systems and national intranets.*

**& Action 11/** *FADO partner states were requested to provide access credentials for iFADO to all Embassies and Consulates or to mirror iFADO in Consular networks.*

The content of these actions was presented by ES to the FADO users and also to the False Documents WP. In this framework, Member States studied the feasibility of these actions. As a result, several Member States have already implemented most of the actions; some others are still working e.g. to mirror FADO in their national systems of police and border authorities.

*(Member States' replies are summarised at the end in Annex 2).*

*Action 7/ Frontex is in discussion with GSC-DG D on getting direct access to the Expert FADO system. Frontex should also link iFADO with the Frontex One-Stop Shop (FOSS) website portal.*

Frontex already has a direct connection to iFADO, but discussions are still ongoing as regards implementation on its Web portal.

**Frontex is invited to inform COSI when achieved.**

*Action 8/ COM and Europol were requested to ask GSC-DGH for access to iFADO and to Expert FADO (2011)*

*Europol:* by a letter dated 28 April 2011, Europol requested access to iFADO and at a later stage, to Expert FADO. With letter from 5 July 2011, the Director-General of DGH in the GSC conveyed his agreement to the request. The two services are currently in contact regarding implementation concerning iFADO and also possible future access to Expert FADO for Europol.

**COM: COM has requested access to iFADO (30 May 2012).**

*Action 12/ The VISA Working Party was requested to take into consideration the existence of the FADO database when examining the Commission proposal for a Decision of the European Parliament and of the Council on the list of travel documents entitling the holder to cross the external borders and which may be endorsed with a visa and on setting up a mechanism for establishing this list (15498/10 VISA 252 CODEC 1130 COMIX 702).*

On 19 April 2011 the ES leader informed the VISA WP of this action. The VISA WP Presidency considered that the COM proposal did not exclude the use of FADO by COM: actually, the Commission considers that the subject of its proposal, a table of travel documents for external borders, is an annex of the Schengen Borders Code and Visa Code, and that the aim of FADO is different (description of authentic documents and possible falsifications).

**The VISA WP is invited to follow this issue to ensure avoiding any duplication of databases and promoting the already existing FADO database.**

*Action 13/ NL is going to explore with the FADO team the possibility that other Member States could use the information from the Edison DISCS system on source documents, e.g. include it in the FADO system.*

NL implemented this action; Edison DISCS system on source documents was included in FADO.

*Action 14/ FADO team should make iFADO documents available not only online but also in the form of "pdf" documents.*

Since mid November 2011, iFADO users are able to download all iFADO documents in "pdf" format, for easier offline use.

*Action 15/ Member States were requested to inform COSI about plans and progress concerning registering in the ICAO PKD.*

Replies to DS 1439/11 concerning Member States' plans and progress on registering in the ICAO Public Key Directory (PKD) show the following result: three Member States ruled out joining the ICAO PKD for the time being (DK, EE and ES); eight Member States still plan or intend to register (BE, EL, CY, LT, LU, PT, FI, and SE); and nine Member States have already registered (CZ, DE, FR, LV, HU, NL, AT, SK, UK) as has CH.

**Other Member States are invited to inform COSI about the process (BG, IE, IT, MT, PL, RO, SI).**

*Action 16/ Provided that Frontex is granted access to relevant personal data and the legal requirements for joining Europol AWFs are fulfilled, Europol would invite Frontex to participate in operational support projects on facilitated illegal immigration and trafficking in human beings (currently the AWFs Checkpoint and Phoenix), and ensure that Frontex becomes an end user of the Secure Information Exchange System SIENA.*

Europol and Frontex are currently in the process of preparing a working arrangement, which is a legal requirement to exchange personal data.

Once such arrangement is in place, and provided MS agree, Frontex would be invited to join the respective areas.

**Europol will report to COSI on the progress.**

*Action 17/ The Member States were encouraged to consider the establishment of a National Multidisciplinary Expertise Centre on human trafficking and people smuggling (NMECHTPS - NL model)*

The ES leader sent a note to GENVAL for studying the possibility of national implementation of such a centre and explained the request to GENVAL at the meeting on 22 November 2011, where the NL delegation also made a presentation of its model. ES provided then a questionnaire to the GENVAL Presidency to request the Member States' opinions on the desirability and feasibility of setting up such a centre in each Member State.

*(Member States' replies are summarised in the Annex).*

**GENVAL WP is invited to inform COSI of the results of the future discussions and results.**

*Action 18/ Following the Action-Oriented Paper on THB, NL planned a pilot project to set up a Swift Action Team named SAT to fight trafficking of human beings.*

NL is working to implement this action and as a co-driver of the EMPACT/Policy Cycle Operational Action Plan on THB will continue to monitor this subject.

**NL is invited to inform COSI of the results.**

*Action 19/ Frontex to provide seminars and training on the detection of falsified documents and for consular staff.*

Done (see examples of this training in Annex).

*Action 20/ Frontex to inform COSI about planned Expertise Centre for Document Security*

An inventory has been made of what has been done so far in this field; ideas from different units within Frontex and external partners have been collected. On 9 November 2011 an internal meeting was organised by Frontex to discuss the material so far collected and prepare a pilot project for the European Document Fraud Expertise Centre. During the next stages the idea will be discussed with the Member States and Schengen Associated Countries and other entities involved.

**Frontex is invited to inform COSI of the progress of this action.**

*Action 21/ Europol to provide training in the use of SIENA and Operational and Strategic Analysis.*

Between 28 March 2011 and 8 April 2011, Europol delivered Strategic Analysis Training (SAT) to five Member States. This action will be continued.

*Action 22/ The Frontiers Working Party was requested to report on the continuing implementation of the mandate given by the ILO Regulation, with a view to enhancing the regular information exchange among Member States' ILOs and cooperation between those networks and Frontex.*

This question was considered by the Frontiers Working Party as being out of its competence. This issue is already discussed within Frontex.

*Action 23/ Member States were encouraged to consider creating national ILO contact points, where this had not yet been done, and to organise six-monthly meetings, in cooperation with other parties such as Frontex and Europol.*

After discussions with the Frontiers WP, the Presidency and Frontex, it was agreed that Frontex will organise such regular meetings as from the second half of 2012.

**Development of action 2: as an example, 7 operations were organised in the field of illegal immigration during the first three months of 2011, supported by Europol AWF Checkpoint:**

- in January, IT-led operation (4 Member States - 28 facilitators of illegal immigration arrested),
- in February, pan European operation against people smugglers (5 Member States - 35 facilitators were arrested),
- in March, FR and BE investigations and operations (12 forgers and facilitators of illegal immigration were arrested),
- in March, operation on marriages of convenience (12 facilitators arrested in 2 Member States),
- in April, operation on illegal immigration (12 facilitators arrested),
- in May, operation on false documents (6 document forgers and facilitators arrested in 2 Member States),
- in June, implementation of a coordination centre for a common action, provided by Europol (18 arrests in 3 Member States).

**Situation and responses of the countries concerning FADO and iFADO matters (Actions 4, 5, 6, 9, 10 and 11):**

<b>MS</b>	<b>Action 4</b> <i>Close gaps concerning national documents: BG, DE, IE, EL, LT, LU, RO, SK, SI, + CH, IS &amp; NO</i>	<b>Action 5</b> <i>MS+ to add missing vehicle licences and log books</i>	<b>Action 6</b> <i>MS+ to use Expert FADO for the creation of false alerts, and to use iFADO for consultation &amp; distribution</i>	<b>Action 9</b> <i>MS+ to provide access to iFADO at all external border-crossing points</i>	<b>Action 10</b> <i>MS+ to mirror iFADO in national systems and national intranets</i>	<b>Action 11</b> <i>MS+ to provide iFADO access to all Embassies and Consulates</i>
CZ				All have access	CZ uses own database DATEX	CZ uses own database DATEX
DE			DE has own alert distribution system; prefers simple “pdf upload”; thus considers this action unnecessary in DE because overly time consuming	DE has allocated 52 access rights to iFADO in several departments, except border crossing points where the national ISU system is used	DE will continue to use its national ISU system since this system is largely compatible with FADO& information can be taken over	DE uses the national system
EE				iFADO is already mirrored at all EE external border crossing points	iFADO is mirrored in Police and Border Guard Board, in the Estonian Forensic Science Institute and in the Intranet of the Ministry of Foreign Affairs	Except for the Population Facts department of the Ministry of Interior (poss. access in the first half of 2012), EE mirrors iFADO in the intranet of Consular Departments & Embassies and Consulates abroad

<b>MS</b>	<b>Action 4</b> <i>Close gaps concerning national documents: BG, DE, IE, EL, LT, LU, RO, SK, SI, + CH, IS &amp; NO</i>	<b>Action 5</b> <i>MS+ to add missing vehicle licences and log books</i>	<b>Action 6</b> <i>MS+ to use Expert FADO for the creation of false alerts, and to use iFADO for consultation &amp; distribution</i>	<b>Action 9</b> <i>MS+ to provide access to iFADO at all external border-crossing points</i>	<b>Action 10</b> <i>MS+ to mirror iFADO in national systems and national intranets</i>	<b>Action 11</b> <i>MS+ to provide iFADO access to all Embassies and Consulates</i>
ES	Already most Spanish documents are introduced	The Spanish Police is working on it	Is currently done	All border crossing points and Illegal Immigration Investigation Units have access to iFADO	The Spanish National Police has started to mirror iFADO in the internal network	After the implementation of action 10, Embassies and Consulates will also get access to iFADO
CY			The alerts are uploaded into FADO	All external border crossing points have access to iFADO	No plans yet to implement this action	No plans yet to implement this action
LV		Plans to enter the vehicle registration certificates into FADO soon		All border crossing points are already provided with iFADO (968 Border Guards)	Mirroring iFADO in the national systems has no added value in Latvia to increase the number of users	Access has been accomplished in the entire Consulate network.
PL	Already most Polish documents introduced			Polish Border Guards (BG) for the time being have access to iFADO at the 2nd and 3rd line of control	Polish BG have started actions to mirror iFADO in the internal network of the PL BG department. At the same time, PL plans to start to give access to iFADO for: Police, Ministry of Foreign Affairs and Internal Security Agency etc	Ministry of Foreign Affairs has two iFADO MS ADMIN's certificates

<b>MS</b>	<b>Action 4</b> <i>Close gaps concerning national documents: BG, DE, IE, EL, LT, LU, RO, SK, SI, + CH, IS &amp; NO</i>	<b>Action 5</b> <i>MS+ to add missing vehicle licences and log books</i>	<b>Action 6</b> <i>MS+ to use Expert FADO for the creation of false alerts, and to use iFADO for consultation &amp; distribution</i>	<b>Action 9</b> <i>MS+ to provide access to iFADO at all external border-crossing points</i>	<b>Action 10</b> <i>MS+ to mirror iFADO in national systems and national intranets</i>	<b>Action 11</b> <i>MS+ to provide iFADO access to all Embassies and Consulates</i>
RO	Responsibles have been encouraged and are working to fill the gaps concerning information and data					
FI						FI plans and foresees to implement the iFADO access via the Consulates' network soon.
SE				SE has no plans for implementation	Plans to mirror iFADO in the Police Intranet	
CH	CH is currently introducing all the relevant documents into the FADO Database, including. driving licenses					

**Responses to the questionnaire concerning Action 17: establishment of a National Multidisciplinary Expertise Centre on human trafficking and people smuggling**

- BE** such a centre could bring an added value in terms of coordination and sharing of information and knowledge. BE has set up an Interdepartmental Coordination Unit for the Fight against Trafficking and Smuggling in human beings. Concerning the organisation of a network BE prefers to use the already existing networks, such as the Informal Network of EU National Reporters or equivalent mechanisms on Human Trafficking.
- BG** considers that the creation of such a centre could provide an added value, if not duplicating structures. A similar Centre to the Dutch reference does not exist in Bulgaria. In order to create this, the financial mechanisms of ISEC and EMPACT should be considered. The idea of a network seems to be interesting.
- CZ** believes this centre would provide an added value to the countries which have external borders, which is not the case of CZ.
- DE** does not have such a centre but another one exists which concerns the smuggling of people (but not human trafficking). For the creation of a network DE recommends a wide participation of authorities concerning the irregular migration as well as a clear separation between strategic and operational exchange of data.
- ES** has not such a centre although it is considered that it could provide an added value to combat trafficking in human beings and people smuggling. Concerning the creation of a network, a better use of the already existing networks could be sufficient.
- FR** considers it could provide an added value with certain conditions. FR does not intend to create such a Centre, because several departments are already in charge of these two different crimes. Concerning the network, FR prefers to use the existing ones.
- IT** the competence of this interesting and current problematic falls on several Institutions. IT makes regular multidisciplinary conferences for the purpose of developing common strategies, information exchanges and coordinating actions. The creation of a network should be after an in depth analysis in order to avoid duplications and overlapping and to assess the usefulness of this proposal.
- CY** covers the subject of the trafficking in human beings by means of a multidisciplinary coordinating group composed of several different authorities. Nevertheless smuggling of people is not included. CY considers it would be very effective to connect both subjects by means of a new mechanism.

- LT** does not have any practice in this matter. Concerning the network the relevance of this creation should be analysed.
- NL** as a promoter of this action, consider that the creation of such a Centre usefulness. However, NL are not convinced of the need of such a network, since the majority of the Member States has not a national Centre; other networks can be used, e.g. within Europol.
- PL** has a positive opinion but requires a deep study and a visit to the Dutch Centre. Creating a network is considered as a difficult task.
- RO** has a positive opinion about the creation of such a centre. Financial means would be necessary. The creation of a network would need an impact assessment at the EU level.
- FI** does not need to establish such a centre for the time being. FI considers the coordination among Police, Customs and Border Guards is already very efficient.
- SE** does not have such a centre although considering it can provide an added value. SE considers the already existing structures should be the starting point for creating a network.
- UK** considers that this kind of centre provides an added value. The UK Human Trafficking Centre does not cover the smuggling of people (distinct and separate issues on the basis of the UK law).

**Development of Action 19: examples of training provided by Frontex**

- *Usual training*: in 2011 three Document Specialist Courses were conducted by Frontex together with the Partnership Academy of the Netherlands. In total 44 participants from 38 different Member States/SACs (Schengen Associated Countries) took part in these courses. The first week of the course took place in Eindhoven at St. Lucas-de Eindhovense School and the second week at the Police Academy of the Netherlands in Amsterdam. For the second week some international trainers from different Member States/SACs were invited. According to the feedback from the Member States/SACs participants, the courses were considered to be of a very high standard and helped to introduce a common standard regarding the detection of falsified documents at the 3<sup>rd</sup> level. The courses will continue in 2012.
- *Advanced level training*: after the advanced level training tool was finished, several meetings were held in which all Member States/SACs could participate to translate the tool from English into their own language. This project was completed in 2010. During the last Document Specialist Board (DSB) meeting, which took place in September 2011 in Amsterdam, all participants were asked to review the tool and look for updates and/or changes to be made to it. Depending on the outcome of this review (to be discussed at the next DSB meeting in Lyon), a schedule of actions for 2012 will be drawn up.
- *Specific consular staff training*: as an outcome of the Tailored Risk Analysis (see action 3), Frontex organized in July 2011 a start-up meeting to prepare the content of a training tool for consular staff. During a two-days meeting the concept training tool was developed with experts from eleven Member States. This training aims to prevent the irregular migration of travelers obtaining visas by presenting forged or counterfeit documents. The training for consular staff at Embassies/Consulates of Member States/SAC, dealing with the issuance of visas is conducted under the lead of Frontex using the (updated) basic training tool. The concept of the training and the related tool were presented during the 7<sup>th</sup> Document Specialist Board meeting, which was held at the Frontex Partnership Academy in the Netherlands. The preparation of the first action is ongoing. In line with the Risk Analysis, it is planned to deliver the first training in Kiev, Ukraine. For planning purposes, the TRU (Training Unit) is cooperating with the political officer of the EU delegation in Ukraine. At the last Schengen meeting with the Consuls in Kiev, the Consuls were very interested in this planned action but asked if the training could be postponed until the end of January 2012 for organizational reasons.