



Council of the
European Union

**Brussels, 22 May 2019
(OR. en)**

9481/19

**COSI 117
JAI 555
ENFOPOL 261
ENFOCUSTOM 108
CYBER 173**

NOTE

From:	Presidency
To:	Permanent Representatives Committee/Council
No. prev. doc.:	9035/19
Subject:	Draft Council Conclusions on Novel Actionable Information - Adoption

Delegations will find enclosed in the Annex the draft Council conclusions on Novel Actionable Information, which was endorsed by COSI on 14 May 2019 with a view to submitting it to COREPER/Council for adoption.

Draft Council Conclusions on Novel Actionable Information

THE COUNCIL OF THE EUROPEAN UNION,

RECALLING that in accordance with Article 67(3) TFEU, the Union shall endeavour to ensure a high level of security through measures to prevent and combat crime, and through measures for coordination and cooperation between police and judicial authorities and other competent authorities,

TAKING INTO CONSIDERATION the Council Conclusions on the mid-term review of the Renewed European Union Internal Security Strategy 2015-2020¹ that underline the necessity to follow a swift and flexible intelligence-led approach to tackle emerging threats,

TAKING INTO CONSIDERATION the impact that digital transformation has on all spheres of public life,

AWARE that rapid technological developments and global connectivity are associated with the need for law enforcement authorities to build adequate capacities both in order to respond effectively to the evolving criminal environment, but also to make the best use of emerging technological advancements,

NOTING that current technological innovations contribute to an increased volume of digital data,

NOTING that the majority of criminal investigations have a component of digital data, which requires that law enforcement authorities, including front-line officers recognise, understand and use digital data and calls for strengthening data analysis capacities across the Union as a matter of priority,

¹ 13319/17

RECOGNISING that developing knowledge is a time and resource consuming process and that law enforcement authorities need to optimise the use of their resources, people skills, organisational experience and services provided,

RECOGNISING that there are ongoing efforts by Member States to respond to the rapid technological developments, with authorities working together to support the various research and innovation activities of law enforcement authorities, including through EU funding, which already offer opportunities to learn from practice and shared experience,

BUILDING upon the thematic discussions of Ministers and at COSI and the contributions by Member States through consultations and expert meetings organised by Europol² and CEPOL,

RECOGNISING the important role of EU JHA Agencies in ensuring within their respective mandates that operational cooperation is facilitated, promoted and strengthened within the European Union,

RECALLING that facing new challenges posed by technological developments requires the allocation of adequate resources, as called for by the European Council in October 2018³,

THE COUNCIL OF THE EUROPEAN UNION,

- 1. STRESSES** the urgency for a more streamlined process to support law enforcement authorities across the Union in understanding, developing and using technologies and tools in the area of digital data, including research and innovation initiatives;
- 2. STRESSES** the fact that alongside information exchange, operational cooperation between competent authorities in the Union would benefit from a structured knowledge exchange based on the concept of "learn to find and learn to use digital data", supported by a knowledge-sharing platform made available to law enforcement authorities to that end;

² 15200/1/18

³ EUCO 13/18

3. **WELCOMES** the active participation of relevant stakeholders in various collaboration formats, where they already share their practice and experience in the area of digital data;

CALLS UPON EUROPOL TO:

4. Present a roadmap for the development of a knowledge-sharing platform - “*Novel Actionable Information*” (*NAI*) (hereinafter “the NAI platform”) to the Standing Committee on Operational Cooperation on Internal Security (COSI) by the end of 2019 with the objective of connecting experts, tools, initiatives and services in the area of digital data⁴, while building upon already available experience with knowledge sharing and expert platforms, such as the Europol Platform for Experts (EPE) including SIRIUS⁵, and avoiding duplication with already existing initiatives;

⁴ The NAI platform should support Member States and other relevant stakeholders, e.g. agencies, practitioners networks to:

- a) share knowledge on ways of performing (criminal) analysis between law enforcement authorities across the EU.
- b) design, update and use procedures, methodologies, guidelines, manuals and software programmes on handling digital data.
- c) share lessons learned, best practice and working scenarios involving digital data handling.
- d) store applications, algorithms, or other software tools, including testing, updating or use.
- e) have an overview of relevant initiatives (actions, projects related to knowledge development) which should facilitate prioritisation, avoiding duplication and optimising the use of resources.

The following functionalities for the NAI platform could be considered: practitioner’s competences, e-library capabilities, a toolbox platform, on-going or envisaged initiatives.

⁵ An electronic tool within the Europol Platform for Experts (EPE) to support the EU funded SIRIUS project that provides knowledge, tools and training to law enforcement authorities and judicial authorities in the EU with the aim of improving the quality and the efficiency of requests to access electronic evidence.

5. Set up an **Expert Working Group on Criminal Analysis** with the objective of aligning standards of criminal analysis, including by sharing best practice, knowledge, and research and innovation capabilities in this area;
6. **CALLS UPON Member States, Agencies and Networks** to contribute regularly and in a timely way with appropriate initiatives to the NAI platform by sharing, testing, promoting, making use and keeping the content on (criminal) analysis and digital data up-to-date;
7. **NOTES** the importance of initial and continuous training in understanding and making use of digital data for law enforcement authorities and **CALLS UPON CEPOL** to develop and implement training packages, including e-learning, in order to reach out to the widest possible circle of law enforcement officials, thus promoting the use of procedures, methodologies, guidelines, manuals and software programmes, identified within the platform for this purpose;
8. **NOTES** the importance of judicial cooperation in ensuring robust responses to serious and organised crime and **CALLS UPON EUROJUST** to promote the full use of the NAI platform, while ensuring synchronisation and complementarity with other relevant initiatives addressed to judicial authorities;
9. **CALLS UPON the Commission** to explore the possibility of allocating adequate resources, as called for by the European Council in October 2018⁶, and to support the NAI platform as regards future funding made available to the MS, Agencies and networks (e.g. budget top-ups or calls for projects) with a view to ensuring cohesion and complementarity between stakeholders by promoting the use of NAI as a common platform for initiatives and projects;
10. **INVITES the Standing Committee on Operational Cooperation on Internal Security** to monitor the added value of the NAI platform, including in the broader context of challenges posed in the area of handling of digital data.

⁶ EUCO 13/18