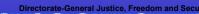


EUROPOL

Jacques Verraes
European Commission

DG Justice, Freedom and Security
Unit D.1 – Fight against terrorism, trafficking and exploitation
of human beings, and law enforcement cooperation.





Objective of Europol

- Improve effectiveness and cooperation of competent authorities
- · Preventing and combating serious and international crime
- Organized criminal structure involved
- Two or more member states are affected









Tasks of Europol

- · Facilitate the exchange of information
- Obtain, collate and analyse information
- Notify to MS connections identified between criminal offences
- Assist investigations in MS by forwarding relevant information
- Provide strategic intelligence
- · Support capacity in joint investigation teams (2002 protocol)
- Request MS to coordinate or conduct investigations (2002 protocol)

















Europol National Unit

- Sole link with Europol (direct contacts with national competent authorities allowed by 2003 protocol)
- Supply Europol with information held by all national LEA
- Only purposes not to supply:harm essential national security interests, jeopardize the success of an investigation or the security of individuals, information in the field of State Security
- Accountable of the accuracy and the up-dating of data
- Responsible for loading national data in the Information System
- Heads of Europol National Units acting as advisers of the Management Board of Europol.

Europol Liaison Officer

- MS to second at least one liaison officer
- Represents the interest of its national unit
- Security screening + obligation of confidentiality and discretion
- Subject to its national law
- Assists in the exchange of information

















Europol Information System

- All national data on criminal groups and activities (personal data + information on criminal offences)
- Europol national unit responsible for the loading and the communication with the information system
- Right to input and retrieve data: national unit, liaison officer, empowered Europol officials, Director and deputy directors of Europol
- Right to query the system granted to competent authorities by 2003 protocol
- Modification, correction and deletion by the unit which entered the data















Europol Analysis Work Files

- Core business of Europol is criminal analysis
- One analysis group per project
- Analysis group: analysts and other Europol officials, liaison officer and/or experts of the MS supplying the information or concerned by the analysis
- Right to input or retrieve data limited to analysts (extended to participants of the analysis group by the 2003 protocol)
- The national unit communicating data, via the liaison officer or not, is the sole judge of the degree of its sensitivity
- Dissemination or operational use of analysis data decided in consultation with the analysis group. Cannot be done without the agreement of the MS initially concerned.
- An index system for the data stored in all AWF can be consulted by the liaison officers



Information processing and data protection

- Implementation of convention $N^{\circ}108$ of 1981 and recommendation $N^{\circ}R$ (87) 15 of 1987 of the Council of Europe
- · Personal data retrieved from the system only used by the competent authorities in order to combat and prevent serious crime.
- Communicating MS may stipulate restrictions on the use of certain data (prior consultation before using the data)
- MS responsible for the legality of the collection, the transmission, the accuracy, the up-to date nature, the verification of storage time-limits (3) years, Europol to inform 3 months in advance)
- MS liable for any damage caused to an individual as a result of errors in data stored and processed by Europol.
- MS to inform Europol in case of deletion from national files of data communicated to Europol.
- · Right of access by individuals to data related to them







Information processing and data protection

- MS to designate a National supervisory body
- It monitors, in accordance with its national law the permissibility of the input, the retrieval and the communication of personal data to Europol
- Joint Supervisory body at Europol level composed of one or two representatives of each national supervisory body.
- MS to ensure a good level of data security (access control, storage control, user control, data access control, communication control, input control)

Organization

- Management Board composed of one representative of each MS
- Tasks of the Management Board: regulations concerning the processing of data, the staff, the relations with third states; selection of the Director, deputy directors and financial controller; drawing up of the budget; amendment to the convention; report on Europol activities and future activities
- Director responsible for the day to day administration, legal representative of Europol, accountable to the Management Board

Financial provisions

- Budget financed from MS' contribution
- Draft budget drawn up by the director, examined by the Financial Committee and the Management Board before adoption by the Council
- Adoption entails obligation for MS to make available their contribution
- Financial controller collects the income and monitor commitments and disbursement of expenditure
- Accounts audited each year by a joint audit committee











Accession by new Member States

- Convention to be ratified
- Instruments of accession deposited with the Secretary General of the Council
- Convention enters into force 3 months after the date of deposit.













Rights and obligations of Liaison Officers

- Officials of services responsible for preventing and combating criminal offences
- Two languages of the EU spoken
- Conditions of aptitude and ability
- Inform the Director of Europol of their activities + a monthly statistical report
- Availibility and continuity of the service has to be guaranteed















Rules on the confidentiality of Europol information

- All Europol information marked "Europol Unclassified not for public dissemination"
- 4 other levels of protection: Europol Restricted, Europol Confidential, Europol Secret, Europol Top Secret.
- Corresponding security measures detailed in the Security Manual.
- Level of protection chosen by the MS supplying the information to **Europol**
- A representative of each MS in the Europol Security Committee















Rules applicable to Europol Analysis Files

- When supplying data to Europol, MS to notify:
 - the purposes for which the data is supplied
 - the restrictions of their use, deletion or destruction
 - the possible access restrictions
- Data remain under the responsibility of the supplying MS until the inclusion in the work file
- Data only processed if it is adequate, accurate, relevant and not excessive in relation to the purpose of the work file
- Assessment of the source and of the information
- Recipient MS of data to inform the transmitting MS of the use made of the data and the results obtained
- Data are not kept more than 3 years.







