

## **Information Exchange in Border Management**

Head of the Frontex Situation Centre, Dirk Vande Ryse, moderated the debate on Information Exchange in Border Management, putting the first question to Olivier Burgersdijk, Europol's Head of Business Demands and Products, asking him to set aside the technical component of the topic and focus on the cultural, operational, structural and legal issues concerning the sharing of data.

"We're not being very efficient," Burgersdijk admitted, as the processes require a lot of manual work, adding that automation would solve much of that. While the exchange of information presently happens on a case-by-case basis, "systematic sharing" was the goal.

He said that although an additional legal framework was not necessary, there was a crucial need "to establish trust between [European] partners" making the first mention of what would become a dominating theme of the debate – that of trust.

Phillippe Chrobocinski, the French Head of Research & Technology projects for Border Surveillance and Protection of Critical Infrastructure at Cassidian, said the many systems currently in place, hampered by cultural operating differences, must be adapted to create that trust.

But is 100% interoperability between agencies possible? "Of course not," Chrobocinski stated emphatically, as the multi-disciplinary agencies working to counter criminal activity from police through customs officers to border guards do not actually do the same work, "otherwise they should be in the same organization."

Professor of Law Paul de Hert from the Institute for European Studies in Brussels, referred to the nature of the establishment of Europol in 1995, which he believes remains controversial today, as there was a problem explaining the benefits of the agency to the Member States.

However, for Frontex there is at its disposal a "plurality of strategies" and "if Frontex wants to give added value to border guards by adding more intelligence, [while] on paper it looks ok, it will demand more than just paper." His advice was to look at the many strategies at hand and without letting one dominate, build "a richer approach" all the while bearing in mind "the catch-all phrase 'trust and mutual recognition.'"

The troublesome term "interoperability" of systems was once again raised by Vande Ryse and subsequently the even more troubling question of 'Who pays?' as he sought the panel's thoughts on the debate's technological aspect.

Chrobocinski confidently asserted that while the issue was complex, industry and the market would fill the gaps if new models and systems were needed, which he believed from a technical point of view to be "simple and not very costly".

"I have good news for Philippe," Burgersdijk responded, "because we're trying to make the life of industries easier." He explained that although prior to the Swedish E.U. Presidency "there was a big mess at the E.U. level," since 2009 there has been better management in all the areas involved. He agreed with the assessment that not everything would be made interoperable, but the draft plans and strategies are already there to bring about greater coordination and ultimately, "a single common interface for the whole E.U."

Prof de Hert described “interoperability” as an “attractive, very powerful” idea though not simple. He cautioned against repeating the mistakes of the past, which he likened to an “insult” to those in the personal rights movement who have pointed out “good reasons for not doing it,” but felt the debate had reached a mature level with emphasis now on data protection, accountability and respect for national differences in law.

“I’m optimistic about fusing data protection and the needs of police,” he concluded.

Finally, from the audience came a question and a warning about managing public awareness of the information management issue to convince people they have nothing to fear. Prof de Hert concurred: “It’s a very uncomfortable idea for everybody to be in a police database,” the latter plainly put it, but through learning about the successes of the processes people could be swayed.