

HOUSE OF LORDS
MINUTES OF EVIDENCE
TAKEN BEFORE
THE SELECT COMMITTEE ON THE EUROPEAN UNION
(SUB-COMMITTEE F)
Europol, Raamweg 47, The Hague

INQUIRY INTO EUROPOL

TUESDAY 24 JUNE 2008

MR MAX-PETER RATZEL

Evidence heard in Public

Questions 167 – 198

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TUESDAY 24 JUNE 2008

Present

Dear, L.
Garden of Frognal, B.
Harrison, L.
Jopling, L. (Chairman)
Marlesford, L.
Young of Norwood Green, L.

Witnesses: **Mr Max-Peter Ratzel**, Director of Europol, examined.

Q167 Chairman: Director, good afternoon. Thank you again for entertaining us in a way we had not expected and which we much appreciate. We have a lot of questions we would like to ask you. You realise you are on the record and I do not need to repeat what I said earlier at lunch about the work of the Committee. Director, it seems to me that you did say a number of extremely interesting things to us over lunch, and if a moment came where you thought it was appropriate to repeat them during the session we have with you we would welcome that enormously. As far as politicians are concerned, there are some politicians who think if they have said something once there is no need ever to say it again, which is an absolute myth because in politics you have to say it time and time again. Can I begin by thanking you for your helpful evidence, but you say that Europol plays an important role in the EU Architecture of Internal Security by assessing EU-wide organised crime threats and by producing intelligence in the framework of its Analysis Work Files. What exactly is an Analysis Work File? Would you like to explain in detail what that is?

Mr Ratzel: Thank you, my Lord Chairman. First of all I would like to express Europol's gratitude for the opportunity to provide you with answers to your questions. We see this as an opportunity. We regard it as an acknowledgement of our work here, and on behalf of the staff members of Europol and the Directorate I really would like to express our appreciation.

Having been invited to give testimony I have also to tell you that I will give you testimony as Director of Europol headquarters. Sometimes it is necessary to make people aware that the word “Europol” has to be understood in different ways. Europol itself can be seen either as the headquarters, which is represented by me as the Director, or it can be seen in a wider understanding as representing all competent authorities in the Member States, including all governing bodies, and, of course, I would not feel entitled to speak on behalf of Europol in the wider understanding. You would have to ask the Council, the Management Board and all the other fora but also the competent authorities in the Member States, but I guess that you are aware that I represent the headquarters and I speak on behalf of the organisation; I am not speaking on behalf of the liaison officers who are part of our geographical environment here but are not part of Europol as headquarters under my control and supervision. Having said this, let me come to your questions in more detail. Analysis Work Files are quite sophisticated databases. You may remember what I said earlier today, that Europol has three major functions. We support Member States with three functionalities. One functionality is that we are an information facilitator. That means we provide a technical platform where Member States can communicate with each other. This technical platform is called an information exchange system. In the future it will be replaced by a new platform which will be called SIENA. This platform is accompanied and supplemented and supported by a human factor, which is the liaison officers’ network. Together the liaison officers and the technical platform provide the information facilitating. The second functionality is that we provide analysis to Member States, strategic and operational analysis for strategic purposes and for very concrete operational purposes. For that analysis we use our information system but especially the Analysis Work Files and I will come to that later on. The third functionality is that we provide operational support. A pre-condition for operational support is that Member States invite us to provide operational support and then we can go on the spot and follow the

demand and the invitation by the Member States. However, it is necessary to mention that even when they are on the spot our staff members do not have any coercive powers. We do not arrest people, we do not seize drugs, we do not search houses, but we can participate in these actions being taken by responsible people of the Member States, and also, of course, we provide training and expertise on the spot when requested. Let me come back to the Analysis Work Files. As I told you, this is a very sophisticated type of database for supporting investigations and providing various types of analysis to the operations and investigations of Member States. As the intelligence-led policing concept was introduced during the last few years, based on a Council Decision in the Hague programme in November 2004, one of the elements was for Europol to gather information from ongoing investigations, undergo crime analysis and feed back the results. The information system itself mainly holds factual so-called hot data on crimes, means of communication and means of transportation, but the Analysis Work Files are more sophisticated and more detailed. In the Analysis Work Files we can hold factual hard data but also soft data. These Analysis Work Files (and at the moment we are running 18 of them) can be dedicated to specific crime phenomena, they can be dedicated to an ethnic approach, they can be dedicated to a regional approach. It depends on the setting of priorities, and, always adopting that approach, we collect data in a systematic way from those Member States which participate in the Analysis Work Files and provide them with an analysis of those data. Unlike the information system, where all the Member States are duty bound to participate, it is up to the individual Member State to explain and declare their willingness and readiness to participate in up to all 18 Analysis Work Files. Of course, if you have an Analysis Work File which is very specific for three or four or five Member States not all 27 Member States may participate, but, as we can see now, the majority of the Member States would like to participate in as many Analysis Work Files as possible. To give you a short overview, we have two Analysis Work Files dealing with

terrorism issues. We have another one dealing with money laundering. We have another one dealing with counterfeiting of products and the counterfeiting of money, mainly counterfeiting of euros but also of the British pound. We have another Analysis Work File dealing with trafficking in human beings, another one dealing with illegal migration and another dealing with eastern European organised criminals. You see there is a big variety of Analysis Work Files. The data holder and the data owner is still the Member State which provided the information to us, so we strictly regard the data owner as principal. The Member States can provide us with various so-called handling codes to determine what should be happening with the data once it is provided to Europol. Is it only to be used at Europol for analysis purposes? Can it be shared with another Member State participating in Analysis Work Files? Can it be shared with third partners? Can it be used for police purposes only or can it be used for judicial purposes, or can it not be transferred to somebody else without prior consultation? This handling code provides the data owner with a very high safeguard so they know that the data may be analysed but it will not be transferred to somebody else unless there is a reconfirmation with the data owner. In practice the Analysis Work Files are very well established and very well appreciated. These Analysis Work Files are run by so-called project managers at Europol, persons with specific training and specific skills. The data are stored in the English language only and all the data insertion and data retrieval has to go via the specific data project manager, so we have a really high safeguarding institution for data protection and data security but also for confidentiality. As I said, these Analysis Work Files mainly serve operational purposes leading to operational analysis.

Q168 Chairman: You talk about security. My previous experience with the EEC, as it used to be, and with NATO, where I have an involvement now, is that the level of security is pretty poor on the whole. Are you satisfied that the level of security here is more closely controlled and more secure, if I may put it that way, than in some other organisations?

Mr Ratzel: I do not really feel entitled to compare the level of security at our organisation with the level of security at other organisations. I do not have benchmarks for that but I can tell you how we have implemented security here at Europol and I am confident to tell you that the level of security is improving step by step and meanwhile we have achieved a considerable level of security. When we talk about security we take into consideration various aspects – physical security, technical security, vetting of people, screening of people, handling of data, safeguarding of data. Security is a rather wide term. We have established at Europol a security person who is in charge of security. This must be, following the Council Decision, a Deputy Director, so even the appointment of the person in charge of security indicates that it must be a person who is appointed by the Council. That demonstrates that security issues are considered of very high importance. This is the first step. For that purpose that person is not under my governance, so he is independent and chairs the Security Committee. The Security Committee, in which all the Member States participate, advises the person in charge of security and in that security co-ordinating function he is independent from my tasking. If the security co-ordinator decides that something is wrong with security within Europol he informs me and advises me what to do. If I do not follow the advice, if I am not able to follow it, if I am not willing to follow it or if I am not successful in following it, this person informs the Management Board what was the advice, what has been done by the Director and what nevertheless has not been achieved so far. That gives you a clear indication of the strong role of the security co-ordinator. Internally in the organisation we have in addition a unit which is dedicated to dealing with security in the wider understanding for data protection, data security and confidentiality, and at the same time this unit serves the security co-ordinator as a secretariat in his role of having the Security Committee guided. In addition, we have a security officer in the organisation who is in charge of looking for security issues every day in practical terms and also, as far as necessary, of dealing with internal inquiries.

These internal inquiries are then done under my command. The head of the unit, who is in charge of data protection, data security and confidentiality is at the same time the data protection officer of the organisation. Working in that function as data protection officer he is not under the line command. He has direct access to me and he advises me what to do on data protection issues. He is also my liaison function to the Joint Supervisory Body which is looking after data protection issues at Europol. Our aim in the last three to five years has been to introduce a holistic view on security into the organisation. That has been quite a challenge as our staff members come from 27 different Member States with 27 different cultures and understanding in relation to security. What we see as a challenge overall but also in security is that we have to establish a common understanding when we use certain terminology, a common understanding of how to apply that terminology and what has to be done in order to achieve the necessary level of security. In addition we have to ensure that the Member States which are dealing with our products have the same understanding of security and the same or similar procedures in place as we cannot ensure the security of documents once they are handed out, for example, as hard copy. At the moment when they are handed out as a hard copy they are the responsibility of the Member State even if the person is sitting in Europol premises, so the moment we hand out the hard copies the responsibility is transferred, but this has to be discussed and debated with the Member States every day and from time to time, when security incidents happen, we make a clear analysis of what has happened and the major issue is to learn from these mistakes and these incidents and avoid them in the future. This is done in a joint exercise with the security co-ordinator and myself with the involvement of the Security Committee. I have to inform the Management Board Chairman in case of a serious breach of security and we have to learn the lessons and we do this as far as possible.

Q169 Chairman: Just let me try and encapsulate this. On a scale of one to ten how much of a worry is security to you?

Mr Ratzel: To be really clear, I am not 100 per cent sure that I get your question.

Q170 Chairman: Ten meaning you rarely sleep at night and one meaning that you really do not worry about it at all.

Mr Ratzel: I would say we are close to two.

Q171 Lord Marlesford: Director, I would like to ask you about the linkage between Analysis Work Files and Organised Crime Threat Assessments, but I would like first if I may to get slightly more detail on the Analysis Work Files. First of all, am I right in thinking you said there were 18 in total?

Mr Ratzel: Yes.

Q172 Lord Marlesford: Each of these is presumably a live file, is it? It is not a report which is then put away in a pigeonhole, and it is presumably mainly held on computers. Is it something you can print out a hard copy of, or is it so massive that it would not be possible? Some of the subjects you mentioned – money laundering, counterfeiting, et cetera, presumably mean that these files are huge databases in themselves. Is that correct?

Mr Ratzel: You are correct. These are living files so they are on the computer. Of course, whatever is on the computer in principle you can print out, but that would not make much sense. The work file gets well used, not by just having the data. The value of the work file is in, let us say, two or three components. One component is the collection of the data itself, which is the database. The second component is to have the proper software established to investigate or mine the database, and the third component is to have a very skilled and very professional analyst to do the crime analysis on these data. The analyst has first to study the

case and has to learn, together with the investigators, what the investigators are looking for and how far can he support them. That would be one approach or, if the investigators do not have a clear picture, his approach would be, “What is my feeling from the work file? What can I offer to the investigator to do as an analysis?”. Crime analysis can be done in various different ways. You can do, for example, a profiling analysis. You can do linkage analysis. You can do crime scene analysis. You can analyse the *modus operandi*, you can analyse the dates of the events, you can analyse the places of the events, et cetera, and you can mix up the various approaches, so a close interaction is needed between the people who do the analysis and those people who are investigating the case. That is exactly one of the triggering points with intelligence-led policing. This is one of the words which is understood in very different ways by very different persons. Some investigators feel tortured by intelligence-led investigations as they misunderstand the concept, while others, understanding the concept, see the advantage that they provide the data to an analyst and the analyst gives them a feedback on what could be done with the data, what could be the result of the data. When we print out the Analysis Work File that will not support an investigator, so what we print out is the result of the analysis, and the result of the analysis can be printed out in lists, it can be printed out in charts, it can be printed out in drawings; it depends very much on the purpose for which you need it. We have established and introduced software to do that. We have also introduced now a new system to support the analysts in the insertion process of the data, so with the new software which was recently introduced we have now minimised the workload for the analyst in introducing the data and inserting it into the database, which gives more space for the analysts to do the crime analysis. We have shifted the workload from pure typing in data to doing more crime analysis.

Q173 Lord Marlesford: That is very helpful. Can I take it that each of the Analysis Work Files has a manager responsible for it? Do I gather from what you said that the analysts and

the manager, the in-house Europol staff running the Analysis Work Files, are not the same as the investigators and that the investigators are likely to be from national police forces? Is that correct?

Mr Ratzel: It is a little bit more complicated. When we talk about the investigators, at least as I understand the word now, and I have to admit that I am not a native English speaker so there may be slightly different understandings, but even in my mother tongue -----

Q174 Chairman: You are doing very well.

Mr Ratzel: Thank you, but even in my mother tongue I see that sometimes we use the same word and we have a different meaning for that. When I speak about an investigator I have in mind the person who is really investigating the case. People doing crime analysis should be people with a professional knowledge on investigations and people with knowledge in crime analysis. We try to achieve this, as we have done in our professional units which deal, for example, with counterfeiting of euro currency, terrorism, organised crime. We have a mixture of people with a professional background in counterfeiting of euro currency, terrorism or organised crime. We call them experts. As a standard they have a law enforcement background. They may have been or are still police officers, customs officers, border guard officers, whatever is their background, or they may have more specific skills in crime analysis. Some of them have been police officers in the past and have achieved additional analytical skills or are people who have been educated and skilled as analysts. Even in these specialised units, let us say, SA5(?) for terrorism, we always look from two viewpoints in the crime analysis – from the pure analytical viewpoint and from the expert viewpoint. In addition we link these viewpoints with the investigators in the various Member States who participate in this Analysis Work File. We establish meetings, we invite people to meetings and the people from the Member States come here. This is one of the reasons why we need meeting rooms. We sit together round a table and very often it requires some time to open the

mind and introduce the relevant knowledge on the ongoing crime situation and then to understand what could be introduced into the database from country A, B or C, and what would be expected to be retrieved from the database from the same countries or from other countries. This would be the platform for the next step, and in regular repeated actions meanwhile the participating countries and the participating Analysis Work File members come here and exchange best practice experience but also give a feedback to us on whether our products fit their expectations or if we have to adjust the products to the expectations. This happens either by meetings, when we invite people from the Member States who come here, or they are represented by their people from the liaison desk. It depends on the nature of the meeting, on the availability of people, on the availability of money to provide people with funds to travel to Europol, et cetera.

Q175 Lord Marlesford: I can see it is a hugely valuable asset. What I am not clear about, and you can, I am sure, reassure me, is this. If you have 18 presumably all police forces in Member States have a list of the subjects so they are aware of the Analysis Work Files you maintain, just in outline, just the headings maybe, which may merely say “Money Laundering”. If you take a country like the United Kingdom, where there are over 40 separate police forces, would each of those police forces have such a list so that they know that if, for example, the Suffolk police (from the part of England I come from) are looking at people trafficking through Felixstowe, which is our biggest port, would they immediately be coming and talking to you or discussing the contents of your people trafficking Analysis Work File?

Mr Ratzel: There are various elements in your question which lead me to the conclusion that I should give you a clear indication that we have a very structured system of co-operation. The system foresees that our contact points are the Europol National Units. On purpose Europol has been established with, until now, 27 antennas in the Member States, so for the

time being we are not entitled to directly contact people in the field and people in the field are not entitled to directly contact us. This has been done on purpose and there are also some good reasons for that, to be honest, as we could not survive being contacted by, let us say, a thousand different police organisations throughout the Continent, but, as always, if you have a certain advantage you have also a disadvantage in that it is always via the Europol National Unit. By the way, we recently established a third protocol on Europol amending our Convention which will allow us to have direct contact with the field officers in the Member States in particular cases when the Europol National Units allow us to do so, but even here some Europol National Units are rather reluctant. They would like to have control of the traffic of information. The second point in your question was, is it known all over the Continent what the Europol platform is offering to all of you? Here also I would have different viewpoints. I raised the question some time ago in a meeting and the representative of one Member State immediately said, "Yes, in my country everybody knows exactly about Europol and all the offers you have available". I contested that but he was very firm in his assessment. Another representative at the same level from another Member State said, "No, you are right. In my Member State the awareness is not yet that far developed". My experience tells me the second one was right. I see a lot of colleagues when I go to the national meetings who afterwards contact me and say, "That was very interesting. Where can we learn more about Europol?", so the question of awareness is an ongoing issue. I see a lot of reports from my staff members coming back from meetings in the field and even they experience that a lot of the opportunities and offers by Europol are not really known to everybody. My point is that very often, when we have here ministers to visit us or police chiefs or people from the training institutions, I advocate establishing Europol modules even in basic training. Young police officers should nowadays learn about Europol from the very beginning. They do not necessarily have to be experts in Europol co-operation but they should

know about it. They should know about the differences and the complementary ways of using Europol, Interpol, bilateral relations, Schengen Information System, the Prüm Treaty, whatever is on the market, but there is still a long way to go and therefore I would strongly advocate starting with the training. It is much easier to put it in the training sessions for young police officers or customs officers to make them aware of Europol and all the opportunities we offer for them as we are established to support the Member States. Our single task is to support Member States' investigations.

Q176 Lord Marlesford: Going on from that, the Analysis Work Files, which are really an agenda for your work, are based on the Organised Crime Threat Assessments, and you are attempting to align these very closely. Is that a satisfactory way of doing it or are you limited in your Work Programme by what another organisation, the EU Council, lays down in the form of the Organised Crime Threat Assessments?

Mr Ratzel: To answer the question I would like to go back in history a little bit. As I said before, the Council took a decision at the Hague Council in November 2004 to introduce intelligence-led law enforcement as a concept in Europe and at the same they tasked Europol to draft the first Organised Crime Threat Assessment for the year 2006. Prior to that there was no Organised Crime Threat Assessment; there was only an organised crime report. There is a huge difference between these two products as the Organised Crime Report was looking backwards, was mainly based on historical statistical data, was not looking forward and was not based on qualitative data. As a logical consequence, until the year 2007 all our work plans could not have been based on an OCTA as the OCTA as such did not exist. Following that Council decision we did our utmost – and we were very much supported by the British Presidency in the second semester of 2005 – to draft the Organised Crime Threat Assessment by the end of the year 2005 and to make it ready for the Council to be endorsed in the first semester of 2006. This was quite a complicated and heavy exercise as we had overcome a lot

of difficulties in the Member States. For many Member States it was the first time that they had been tasked and entitled at the same time together to collect data centrally. Some of them did not even have any central data collection plan, so we provided them with a data collection plan. We provided them with a questionnaire and we got feedback which was quite different from Member State to Member State. To give you a short overview, the smallest feedback was one page; the largest more than 300 pages, and everything in between. About ten different languages were offered, so we had to translate them, with all the complications that brings, and it was quite complicated to draft at the end the first Organised Crime Threat Assessment. Based on the Organised Crime Threat Assessment in 2006 and later on in 2007, the Council took conclusions on the priorities to be followed at the European level but (and this is sometimes forgotten) to be followed also at the national level, so for each minister who is part of the Council and at the same time is a minister back home to introduce the priorities in the police and the judiciary. On the other hand, the European institutions are also tasked to follow the priorities – Europol, Eurojust, Frontex, OLAF, SITSSEN(?), whoever is on board. In the year 2007 we made a comparison between the Analysis Work Files, which had been established until then, and the priorities set by the Council and we found out that our setting of priorities by the Analysis Work Files was to a very high level in cohesion with the priorities set by the Council, and since then we have seen that whenever we have to establish a new Analysis Work File there must be a link to the Organised Crime Threat Assessment; otherwise it would not be a priority for the Member States, so there is a natural cohesion between the two instruments and for the time being all of our 18 Analysis Work Files fit into these priorities. I would not exclude the possibility of opening new Analysis Work Files if there was an urgent need which had not been foreseen in the last Organised Crime Threat Assessment, but I am quite confident that that would lead to a new priority for the next Organised Crime Threat Assessment, so there should be a rather close link between the two

instruments and, for example, last time the Organised Crime Threat Assessment 2007 led to the conclusion that we had to establish a new Analysis Work File on antique fraud which has recently been opened.

Q177 Baroness Garden of Frognal: Director, could I turn to Europol's operational role? When you spoke to the European Parliament in October 2006 you called for a more operational role for Europol. Does the new Council Decision on Europol fulfil your wish?

Mr Ratzel: "Operational" is one of the really complicated words in police terminology. Many people have a completely different understanding of what is meant by "operational". When I use the word "operational" I mean that there should be more linked operations in the Member States rather than be linked too much to the administrative burden, the governance burden, so I accept governance but I am still of the opinion that the major task for Europol should be to be more operational, to support the investigations in Member States. Some of these expectations have been fulfilled by the new Council Decision. For others there is still room for improvement, and let me try to give you some indications of that. One of the points where we clearly see progress is that our mandate was slightly amended. Until now we have been in charge of supporting Member States in fighting terrorism and organised crime. That requires that we have clear indications and evidence almost that there is an organised crime structure behind the crime in order to be in charge of that. With the new Council Decision our mandate is slightly amended to terrorism and serious international crime. That sounds very close to organised crime but it is quite different. For the time being there are three case examples where we cannot really support the Member States. One of them is a serial killer. The serial killer is not part of an organised crime structure, so for the time being it is not part of the Europol mandate. If child pornographic material is distributed in a loose network which cannot be considered to be an organised crime structure we cannot support the Member States. That is the second case example, and the third case example is if we have travelling

violent perpetrators, for example, determined to disturb sports events, political events or economic events. For the time being we cannot support Member States with that. As these case examples will be included in our future task this is clearly a way in which we can be more involved in operational matters. Also, on the administrative side, we see some progress. For the time being, the Management Board, for example, is guided by the Presidency, so every six months we have a new person as the chairperson of the Management Board. That leads to different behaviour of the Board, it leads to a different governing situation, it leads to limitations in operational issues. I have been here now for nearly three and a half years. If I am not mistaken I have now had eight or nine different heads of the Management Board. Half of them came new to the function with the Presidency so they had no background in the Management Board; they had no background in Europol. You can imagine that this is not to the advantage of the organisation and it is not to the advantage of the operational branch, and we have had to learn lessons every time from scratch, both of us, the Chairman of the Management Board and myself and the directorate members. This is now a new situation. In future there will be the Management Board Chairman for 18 months, which will give us certainly streamlining without neglecting the responsibility of the Board as such, but if we have a chairperson for 18 months that will give us some more streamlining and some more operational opportunities.

Q178 Baroness Garden of Frognal: Yes, it has gone from six months to 18 months, has it not?

Mr Ratzel: Yes.

Q179 Baroness Garden of Frognal: The Decision also puts responsibility on the Heads of National Units to discuss proposals that will improve Europol's operational effectiveness,

encourage commitment from Member States and evaluate the reports and analyses drafted by Europol. Are they well-placed for this operational oversight?

Mr Ratzel: It is quite complicated and difficult to give that answer. As far as I can see some of the heads of the Europol National Units are well placed. Some others I would have question marks about, but, of course, I do not know in detail the national structures of all security agencies in the national environment. What I can see is that some Heads of Europol National Units have influence on what is to be done operationally back home. Some others do not have a strong influence. This depends on their rank, it depends on the operational structure and it also depends on the national security structure. Let me give you two different examples. If you go to a state like Germany there will be the CID police, the federal police, on the federal level the customs and on the state level 16 police forces. That is quite a complicated structure, and the Head of the Europol National Unit who is sitting in the federal CID structure can only ask the others; he cannot task somebody. If you go to a state like France everything is centralised but you have the Police Nationale, the gendarmerie and the customs, which are quite independent from each other, and also there it is difficult to find a common approach. In addition we have to say that the Heads of the Europol National Units are our major link to the operational branches in the Member States, so they are decisive for us. They have to advise us what we should do but at the same time we expect them to commit themselves to do what has been agreed next door to here. Once they go back home and they have committed themselves that we should insert more data into that Analysis Work File, we should insert more data in the information system, we should go for that approach, we should have that priority, I would expect them to do so back home. But some of the Heads of the Europol National Units are not even represented here at the meetings. They have no time, there is no money available, and they send the liaison officers here and then it becomes complicated as in reality the liaison officers are part of the Europol National Units, so then I

am not 100 per cent sure if all the commitment is then transferred back home and if it is shared back home and if it is distributed into the Member States. This is one of the complicated issues I face every day. When we confront the Member States, for example, with the situation that for the time being we do not have the relevant data and information system, that we do not enough data in the information system, nobody is really receiving the message and putting it into action back home. If I confront the Management Board with that the answer is, “We are the Management Board. We are guiding the organisation but we are not guiding our people back home”. If I tell it to the Heads of Europol National Units they share my concerns but they tell me, “I do not have the resources back home. I cannot task an IT department to do something so I cannot do something to insert data”. If I talk to the police chiefs, where I am only one of the observers in the group; I am not part of the Police Chief Task Force, their advice is, “We are the Police Chief Task Force. Go to the other people and try to convince them to insert data in the system”. This system is a very good example that we are still in progress but we have to speed up. The system was established some years ago. It was decided on 14 December 2004 to go for a specific system after a long debate where there were two solutions, one more sophisticated and one less sophisticated, and the decision was to go for the less sophisticated system. That decision was taken on 14 December 2004 and the task for Europol was to establish the system by 10 October 2005. We were ready and I informed the British Presidency by phone on 7 October, “The system is ready and it works”, and still until now the insertion of data and the contribution of data is not as it could be and as it should be. For example, only a minority of Member States have developed data loaders and in these cases, of course, we have a lot of data in the system, but the majority of the Member States did not develop data loaders and from these Member States, of course, we do not have as many data in the system as we should have. That goes back to your question, “Who is then in charge?”. The Head of a Europol National Unit should be entitled at least to start the

process to put pressure on an IT department, if it is outside his area of competence, to develop an automated data loader. The argument which was raised recently, “We did not know the technical details”, I would contest as the first data loader was developed by the end of 2005, so in parallel to the system, and it worked from the beginning. That shows that the Heads of the Europol National Units are placed to a certain extent at the right level but it is a question of whether they have the right power to really enforce and enhance things back home.

Q180 Baroness Garden of Frognal: You mentioned in one or two previous answers the matter of language or differences of interpretation and I wondered what the impact was on operational effectiveness, the fact that different Member States may interpret terminology in different ways.

Mr Ratzel: “Operational effectiveness” – then you have two words which can be interpreted quite differently. It makes it even more difficult. I try to understand words in the first instance literally. If I look at the word “effectiveness” I look at how strong the outcome is. I do not first look at the money I have to pay for that. Then I would speak about efficiency. If I looked at the operational effectiveness I would look at in how many cases did we, for example, support Member States in arresting people, in leading them to track seizures, in bringing them into a position to prosecute people, et cetera. That would be for me one element by which to assess operational effectiveness. To look into that we have a lot of good case examples and I would like to provide you with one as it comes from your country, but nevertheless I will tell it in an anonymous way. The specific situation was that the police organisation got information that a person might be financing terrorism. All the investigations which could take place back home did not lead to convincing results, to real evidence, so they could not prosecute the person, but they found out that there were a lot of suspicious elements around the person. That regional police force contacted the Europol National Unit and their national desk here. They came to Europol. We had one of these

meetings. They opened their file and we provided them with some expertise and we offered them, “If you present your data to us and we put it into an Analysis Work File, although we cannot guarantee a result we can guarantee there will be some outcome that will be helpful for you”. At the end, by comparing these data which had been inserted into the Analysis Work File up to three years ago we were able to link that specific case to two other ongoing cases in a second Member State and to a fourth ongoing case in a third Member State. These cases could not have been linked together without the bridge of Europol. As a consequence we invited the two other Member States in addition. We brought all of them together here, we set up a team with analysts, linguists, experts in terrorism and in that case experts in financing, and at the end the person was able to be prosecuted and sentenced to more than ten years in prison. This is a clear operational effective measure. Only by amalgamating the data and linking them to each other by finding out the cross-checks could these investigations be successful and this is from my viewpoint a very clear example that we can be very operational without having any coercive powers.

Q181 Lord Young of Norwood Green: Director, Article 9(3)(d) of the Council Decision establishing Europol allows bilateral exchanges to cover crimes outside the competence of Europol. What will be the impact of this change in your opinion?

Mr Ratzel: As the Council Decision is not yet established I can only assume what will be the impact. Our expectation is that this will provide Member States with an additional opportunity to use the Europol building and the Europol environment for something else which is not part of Europol’s internal work but will introduce the use of Europol in the community. If we limit it, as is the case now, to a very narrow focus, was which done in the start-up phase of the organisation on purpose and to a certain extent justifiably from my viewpoint, we cannot survive in the long run as Member States also expect Europol, at least via the liaison officers, to give them more support. What we have seen in the past is that

whenever we told the Member States, “We cannot support here, we cannot support there”, many people have been disappointed by that, but by offering them at least the opportunity to use the channel via the liaison officers at Europol we can raise the interest in Europol and we can also guide them, “In that particular case you can only go via the liaison officers but if you have a case which is within our mandate then you should also involve Europol as an organisation”. This is also another issue which is of interest to us. For the time being 75-80 per cent of the information flow is mainly between the Member States and the Member States and third partners, and only 20-25 per cent involves Europol. From our viewpoint there should be the involvement of Europol in the system more often in order to give feedback to the Member States but also in order to give us more data in order to find out more cross-matches in the database, which is based on the contributions from the Member States. You will see in our work plan, in our benchmarking, that this is one of the points where we would like an increase in the participation of Europol in the information transfer from Member State to Member State and from Member States to third partners.

Q182 Lord Dear: Director, you are being very helpful; I am grateful to you. Can I move you on to organised crime? The Organised Crime Threat Assessment of last year picked up a point which was really to do with putting Europol into a position of knowing what had happened to actions that had been taken and it was recommending specifically that actions should wherever possible concentrate on the upper end of organised crime and that the results of operations amongst organised crime outside in the Member States and the difficulties they experience should be fed back to you so that you understood what was happening to the product of your work. I wonder if you can tell us how many notifications like that, of that outcome, so to speak, you have received.

Mr Ratzel: We have made quite interesting progress in the last year and I would like to describe it from two sides to make clear where we have more problems and where we have

fewer problems. We have had fewer problems in the last years in the area of terrorism. In terrorism people realised after 9/11, especially after the Madrid bombings but especially after the first and second London bombings, that we had to do a lot to prevent crime and that meant we had to exchange information much more spontaneously instead of waiting too long, but that was guided by the principle of preventing attacks or stopping ongoing planning. That was a good experience so we got more and more information, the information was more relevant and the information was more fresh. It is a little bit similar in the field of organised crime. In organised crime many investigators are still guided by the principle of camouflaging the investigation, trying not to jeopardise the investigation and so not all of them have built up a multilateral basis of trust. They do not have confidence in all the other people who could share the information. It is not necessarily the organisation; it is the possible access by others to the database. They had to learn, and they have learned meanwhile, that this information can be very well protected in Europol Analysis Work Files. We have drafted the first documents for the Organised Crime Threat Assessment. We have clearly indicated that instead of a collection plan we will go across Member States once a year to collect data on a certain date for a certain purpose but nevertheless we invited Member States to provide us with data spontaneously, so in the early stages of investigations after certain steps have been achieved, after people have been arrested. This has been learned quite well also in the field of organised crime. People have felt that organised crime networks especially cannot be dismantled and disrupted if you are not co-operating internationally. Just yesterday we were able to take in another group in illegal immigration with a lot of arrests and a lot of seizures, which was based on a very recent, ongoing exchange of information, so people are now reporting to us much earlier than they did in the past and we try to find out if this information can only be taken for an Analysis Work File, so for a very limited purpose, or as soon as possible if the data can be transferred from the Analysis Work File to the

information system which has then a wider use so everybody can retrieve the data from the information system in the Member States, or if we can take the data also for the Organised Crime Threat Assessment for the next year. In the first instance people were very careful not to give too many data from Analysis Work Files to the information system and that readiness has now been developed, and especially by the codes in the Analysis Work Files people could see that we do not jeopardise investigations. Instead, we clearly support the straight guidance, let us say, of the Member States to safeguard their sources.

Q183 Lord Dear: One of the thrusts of my question was whether you are put in a position of knowing what has happened once the work file has been completed, the product is given to a Member State and they carry out an operation, and whether the work that you were doing was useful or not and whether it was used or not. It is feedback really. Feedback is important; otherwise you are working completely in the dark or in a vacuum, and I wondered whether you were getting that feedback when the operation was completed.

Mr Ratzel: We get the feedback in various ways. We get it back directly as many of the people give feedback in writing, in meetings. We get very good feedback via the liaison officers and when we make internal assessments on the Analysis Work Files, for example, there is a special column to ask for and evaluate the feedback from the Member States, how is the feedback with the liaison officers and how is the co-operation with the liaison officers on that particular issue, and we even have another column on how is the participation and the involvement of Eurojust. It is not enough to have good co-operation with the police. Good co-operation with justice is also needed. In addition, we get a second level of feedback by letters of appreciation which are sent to us. Quite regularly I get letters of appreciation from ministers, chiefs of police, local chiefs of police, expressing in that particular case, "Europol supported us with this issue and that issue and we really would like to express our gratitude". I get letters of appreciation from judges, from prosecutors, and I really appreciate that as it

gives us the feedback which we need. We get feedback by having common press conferences. I was invited to go to Paris today to a press conference. Of course I could not go, but it entitled one of my staff members to be present to represent Europol in the press conference. We are invited to make common press releases where Europol and Eurojust, for example, are mentioned, and the last level is that we get feedback at the end of the year and we have clear indicators that the level of satisfaction is increasing from year to year and this is also expressing that the products are very well appreciated and meet the expectations of the Member States.

Q184 Lord Dear: You are obviously well satisfied with the way things are going at the moment.

Mr Ratzel: I would say I am not perfectly satisfied but we are on the right track. It is a long way to get the highest level of satisfaction but we are on the right track.

Q185 Lord Dear: Could I move you on but stay with the Organised Crime Threat Assessment, which again last year made a recommendation that there should be a new intelligence-led control strategy to cover the entire national territory? I wonder if you have any vision at all of whether those control strategies are being put into place by a Member State. I know it is early days yet but your view on what the progress has been would be helpful to us.

Mr Ratzel: That is quite a challenging issue. I am not aware whether all Member States have national crime control strategies. I have asked at various times. I never saw them in the whole bunch of documents.

Q186 Lord Dear: You do not think there are any of them?

Mr Ratzel: No; I know definitely that there are in some Member States quite robust ones but there are, let us say, also some question marks on my side on control strategies. Even the broad control strategy is contested. It indicates that you can control something where other people say you cannot control it at all, and we had an interesting debate in the Management Board some time ago where we had a debate on the strategy. The outcome was that the strategy was established and endorsed and the logical point would have been to endorse some priorities. That was a long debate, what should be the priorities, and then at the end one delegate on the Management Board said, “All of us know that the priorities are set by the criminal so it is not up to us to set priorities”. I was wondering if the Management Board could follow that proposal and afterwards I contacted some of them bilaterally and told them, “To be honest, I am a little disappointed. I would have expected that we at least try to set priorities. Even if we fail in the first year and the second year, in the third or fourth year let us come to the point”, but this is a cultural issue. Crime control, counteracting crime, war on criminals, war on drugs, different words mean different approaches and the culture in crime fighting is quite different all over the Continent, between Ireland and Cyprus, between Portugal and Finland and everything in between, so crime control strategies are far from being unified, but we are on the right track again. With the OCTA we have now an instrument in hand and therefore I was really grateful when I saw that the Council had defined the OCTA to be Europol owned. It is a very decisive element as the Member States in the end do not decide what is in the OCTA. At the end it is the organisation. Even that was heavily contested the first time we published the OCTA. Some Member States wanted to take it in at the very last moment and that showed that they did not really support strongly that an independent institution was drafting the Organised Crime Threat Assessment. Even there we have improved in the last few years but there are still more steps to be achieved in the next few years.

Q187 Chairman: If I could just interrupt, I think it would be helpful if you could give us some broad indication as to the extent this has been taken up by Member States. Lord Dear got the impression and so did I that there were not any Member States who had taken it up and you said, “Oh, no, some have”. Could you give us in broad terms – is it less than five, less than ten?

Mr Ratzel: I would say it is at least ten Member States that have control strategies. What I can see now is that those who perhaps do not have an overall strategy develop sub-strategies, for example, for fighting drugs, for fighting illegal immigration, for fighting counterfeiting of currency, and at the end you can always have a top-down or bottom-up approach. It does not matter that much from my viewpoint as long as you start at least to have control strategies.

Q188 Lord Dear: You said around ten, so roughly half of the Member States have a policy and half have not?

Mr Ratzel: Yes.

Q189 Lord Dear: Could I move quickly on to terrorism? As we all know, Europol spends more than €2 million on being the support centre in counter-terrorism, supporting the Member States’ preparedness and their ability to carry out investigations. I wondered whether you had an overall view of how well that is going, in other words how well is Europol being able to support the pan-European thrust against international terrorism.

Mr Ratzel: I am really confident in saying that the area of counter-terrorism has developed best in the last years.

Q190 Lord Dear: Better than against organised crime?

Mr Ratzel: Yes, better than organised crime, as obviously there was a higher pressure and there was a higher readiness of Member States and the relevant persons in the Member States

to open their boxes and share information . We have made a lot of progress and what I would like to introduce – and it is quite complicated to understand – is the whole concept of Europol in the European Union. One can be very focused on the advantage which you have back home with Europol but you can also look in a much wider perspective and the terrorism area is one of the areas. If people look at the threat by terrorism they may be misled that small Member States or new Member States would or could not be affected by terrorism at all. I would say it is a very risky enterprise to make that assessment. We saw it just recently and I would like to give you that example. After the cartoon cases in Denmark you could see immediately all Danish institutions throughout the world were endangered, but then something happened which was not really understood in the first instance, that the Austrian Embassy in Lebanon was attacked. The first assessment was that the terrorists mixed up the different flags, as by coincidence both countries have red and white in their flags. But that was not the point. The Austrian Embassy was attacked on purpose as Austria was the EU Presidency, so I advised now the Slovenians, after the recent threats, “Please be aware that Slovenia is now representing the European Union. Even if you are a small country you may be attacked”, and they were very satisfied with that and so Slovenia raised its readiness. But also, when I have been to the Baltic States, they told me, “We are not really in the focus”. I said, “Maybe, but are you aware how many people you have in your country who may be a shelter for others who may support financing, who may be involved in radicalising?”. “Oh, we never thought about that”. By raising their awareness you profit in the end also in the UK but it is complicated to measure this. That was a clear increase. For example, after the first and second London attacks in 2007 we had extremely good co-operation from the Metropolitan Police, supported and guided by SOCA and by the British desk, and we had access to their data. We analysed the data and it was much more important from my viewpoint that at the end of the investigations, by the autumn of that year, the team of the

Metropolitan Police, higher level, medium level and working level, offered to make best practice exercises and we used our main conference hall. We invited only vetted people. The same exercise was done in the afternoon in Eurojust and the people from the Metropolitan Police opened their experience box and told the others what had been challenged by them prior to the event, during the event and after the event, and that was a very strong influence on all these experts from the Member States and they took a lot of profit from that, and they have since done this exercise after all the relevant events. By that we increased the capacity of those Member States who had not got the experience and they were much more alerted, and step by step we also get relevant information and we can counter-check the information against the information from your country, for example, so in the terrorism case we recently increased the co-operation.

Q191 Lord Dear: And you would be the only organisation that does that debriefing, as we would call it?

Mr Ratzel: I am not sure we are the only one but this is a very good way to do it, debriefing and trusting other people to learn from that. We did it, as I said, at Europol and at Eurojust so it is necessary to do it with police officers and with judiciary people and also to understand how these things are interlinked with each other. We also invited, for example, people from the press offices in the police to learn how to handle any crisis like this. The press and the media work is not that easy. If you are not prepared at all you may have difficulties afterwards. There is an increase in abilities all over Europe, but of course a stronger Member State, a more advanced Member State, is always more on the giving side than on the receiving side, but this is well established and money well spent from my viewpoint as you raise the level of awareness and expertise all over the Continent.

Chairman: I just have a comment before I call Lord Harrison. You mentioned smaller states and you mentioned the Baltic States, but was it not Latvia which had a major cyber attack which nearly crippled the whole country? They are very vulnerable.

Q192 Lord Marlesford: Mr Ratzel, can we pass on to co-operation with EU agencies and other partners? You have already mentioned Eurojust and Interpol and it is also a question about the optimum frequency of meetings. Could you tell us a little bit about the relationship with Interpol? I understand, according to the 2009 Work Programme, that you are going to meet on an annual basis at head of organisation, head of department and working level. Is that sufficient or do you need to meet more often, and in the case of Eurojust I think it is envisaged that you meet every three months. Again, is that the best frequency? Are you able to get work done or would you like to stretch it or shorten it?

Mr Ratzel: First, if I may give you the feedback, it was Estonia which was attacked but that was a specific situation. It was attacked by its big brother east of it but it demonstrates the vulnerability as the attack could have been done by criminals or by terrorism-motivated people; you are completely right, and they learned that lesson too at the time. Coming back to your question, let me first look at the co-operation with Interpol. It is a little bit confusing for some people as the word sounds similar and people think Europol is a daughter enterprise of Interpol or Interpol is our father. This is not the case. The institutions are quite different from each other and I can say this as I have worked for and with Interpol as well as for Europol for a long time. I have worked my whole career internationally and I see the advantages and the limitations of both systems at the same time. When I started here one of my first steps was to pick up the phone and call the Secretary-General at Interpol and liaise with him to find out what could be done in order to find a suitable solution so that you, as Member States of Europol and of Interpol, should not pay twice for the same service. Our approach sounds very simple, but in reality it is a little complicated. We are following an approach to complement

each other. Europol has the advantage to have been created within the European Union with a strong mandate on organised crime, or in future serious international crime and terrorism, mainly focusing on the European Union and on some specifically vetted third partners. Interpol has a network of 186 (in future 187) Member States, mainly looking backwards after a crime has happened, exchanging information on this particular crime, not looking forward as much as we do, not doing this kind of crime analysis and threat assessment but being a very good platform for exchanging very fast information which can be easily handled, but also having 186 partners who have also some partners where you can doubt how far you can fully trust them, which is different in the European Union. We have had an agreement to complement each other. Whenever something is under the authority of Europol we are supported by Interpol and vice versa. This is guaranteed by a lot of various mechanisms. You mentioned that we have to meet other at least once; we have to say “at least”. It means once per year we have at least a formal meeting, so once a year I go to Interpol or Mr Noble comes here, but in addition we meet on various occasions. We pick up the phone, inform each other, we consult each other whenever necessary, as do the heads of departments, so Mr Simancas goes twice a year to meet his counterpart at Interpol. In addition, the heads of unit meet whenever necessary, bilaterally, multilaterally, in meetings, in congresses, in international events. Also, do not forget we have established liaison officers from both organisations. When I started here Europol had a liaison officer in Lyon but there was no liaison officer from Interpol at Europol and I convinced Mr Noble also to put a liaison officer here. To make the picture complete, we visit each other at international conferences, so I go to the Interpol General Assembly once year, Mr Simancas goes to the Interpol European Regional Conference, and we invite Mr Noble if we have important conferences here at Europol and it is up to him to come on his own or send one of his delegates. The last issue is that we send people to each other’s organisations for a two-week internship to learn in their

own field of experience what can be done by Europol, what can be done by Interpol, how can we complement each other. The situation with Eurojust is rather different from the situation with Interpol as we have no overlapping with Eurojust and even no risk of overlapping. Eurojust is co-ordinating judicial work in Europe by national representatives to Eurojust and we are supporting the Member States. Very often people do not understand the very different concepts of Eurojust and Europol, so when you compare the co-operation between police and judiciary in the Member States it is different from the co-operation between Europol and Eurojust. When, for example, I contact the UK desk at Eurojust it is not Eurojust; it is the UK desk at Eurojust, and for Mr Brian Donald, the head of the UK desk, to contact the UK desk it is not a Europol/Eurojust contact; it is an internal UK contact. That is not understood by everybody correctly. When we go and meet Eurojust we try to find out where we can bridge the organisational link and where can we make that as close as possible. That is done in a regular meeting. We have a specific group of people dedicated to that work. It is under the guidance of the Deputy Director, Corporate Governance, and they meet also at least once a quarter, if necessary more often. In addition they meet at the level of experts from the Legal Service, for example, to find out what can be done to close the link to each other, or we meet people from the IT department to establish a secure link technically between the two organisations and also describe the procedures which are necessary to be established to guarantee this secure link to be used. Independent from that we have ongoing visits of prosecutors of Eurojust at Europol who are involved in crime analysis, who are involved in investigations, and of analysts at Europol who are involved in investigations which are co-ordinated with Eurojust prosecutors, so this is on the working level an everyday experience. Therefore, we advocated strongly that Eurojust and Europol should be co-located as closely as possible, if possible under one roof with separate areas of competence, but now we will be posted in two separate buildings but walking distance from each other, so we do everything to

meet each other as often as possible, and, of course, I also meet the President of Eurojust as often as possible and when we go to international meetings we always take the opportunity to have a bilateral meeting in the margins. Yesterday, for example, I met the Vice-President of Eurojust in Brussels and, of course, besides the official meeting we had two or three issues to be discussed and debated and we did that in the margins, so it is really very close and very open and trustful co-operation.

Chairman: Now we move to the various more technical issues of performance objectives and indicators. We will try and make it reasonably brief because we would like to try and fit in a visit to the liaison office before we move on to Eurojust if we could. Perhaps Lord Young would like to put two questions together.

Q193 Lord Young of Norwood Green: To enhance trust and confidence of Europol's stakeholders and partners the key performance indicator of the 2009 Work Programme is to maintain at least an 80 per cent level of organisational compliance with the Europol Security Policy and Data Protection Principles and Requirements. Why only 80 per cent? That sounds to me quite a challenging target. My second question is that there is a business performance objective which is an overall improvement in customer satisfaction as reported in the results of the annual Corporate Client Survey. Are these results heading in the right direction? It sounds to me from your previous contribution as though they are but I await your comments.

Mr Ratzel: The first question is quite interesting to be understood in the right way. What we want to express is that we would like to deal with these issues in our reports and we would appreciate it if 80 per cent of the issues could be part of the report with the result very positively achieved. That does not mean that in the other 20 per cent the result was negative but it was not as positive as in the other 80 per cent, so we would like to deal with all these issues in our yearly reports and our key performance indicator is that we should have 80 per cent of them in the report mentioned in a positive way, that we have achieved the goals set so

far. In the past we have only had a very limited number of security incidents and if I compare this very limited number to the everyday workload and everyday business, as I said prior to your question, I am really very satisfied that within the last few years we have achieved a quite robust system and understanding and implementation of security measures in general terms. The second question was answered in principle, I think, in one of my previous comments. The client survey gives you an indication that the results achieved are improving from year to year in a very constant way upwards. We are still on that way and I am very confident that also in the future we will move in the same direction. The feedback from the Member States is that we are on the right track, but that we still have to improve. We are still quite a young organisation, not even nine years old. By the way, we have also had a certain difficulty in getting a streamlined management. Until now we have had, if I am not mistaken, ten directors and deputy directors, which is of course quite complicated. We have had, including myself, three directors and I guess ten deputy directors, so 13 people at the top level. Only one person, Mr Simancas, who was with us at lunch, had a prolongation of his contract. That gives also a certain view of how complex the issue is. We have had directors and deputy directors from Germany, the UK, France, Luxembourg, Belgium, Spain, Italy at least, so seven or eight different nationalities, different personal backgrounds, which also indicates that we are on our way now to streamlining the organisation.

Q194 Lord Young of Norwood Green: If I could pursue something on the first question, it was interesting the way you put the 80 per cent/20 per cent in context. That is against a background of the variability of 27 Member States, shall we say, or the conditions that apply in 27 Member States?

Mr Ratzel: You are perfectly right. As I said, when we talk about Europol we must always be aware whether we are talking about the organisation, the headquarters, or whether we are talking about the organisation in the wider understanding. Until now I have had no clear

figure but I guess, and we have made some estimations, that if we speak about Europol in the wider understanding there may be two million people. To ensure that two million people are following a very strict, very rigid, very complex security regime is quite a challenge. Just recently we became aware when we had a security incident that people mix up things and that was exactly the case I mentioned. When we are in a meeting and we transfer a document it is not even understood that after the transfer of the document, sorry to say so, it is the UK responsibility; it is no longer Europol's responsibility. When we go to Eurojust, for example, we are not entitled to transfer a document to Eurojust but we are entitled to transfer a document to a liaison officer of a Member State and if this liaison officer then transfers the document to his prosecutor that is then an intra-national transfer of information following the national way. This is quite complicated and if somebody loses the document on the way back home it is no longer our responsibility. It is quite complicated to make everybody aware of the various steps and so far it is a real challenge and I cannot ensure everything for 27 Member States and two million people but we are really trying to do our utmost. What we also try to do is take on board in the Security Committee those people from the Member States, not only to guide us and give us the rules, so to speak, but also to introduce the same rules to be applied back home at the same time and in the same way. For example, people have to report if a security incident occurs, but they think once it occurs back home they should not inform me. Of course they should inform me as it is a Europol document. Just recently I saw in the newspapers that in two cases security incidents happened in the UK when documents were lost, on the train in one case. If this happened to a Europol document nobody would complain about the UK authorities. Everybody would complain about Europol although it was not under my control any more. This is the natural situation, that if somebody has lost a document he should inform me, not as a person but as a post-holder, and then I can take appropriate steps.

Chairman: Director, it sounds a bit more than two out of ten to me.

Q195 Lord Marlesford: A quick question on the Strategic Threat Assessments. I am not absolutely clear of the difference between them and the Organised Crime Threat Assessments. You give them after nine months. Why nine months? How many of these do you give each year and how many countries can have them?

Mr Ratzel: This was a rule and a proposal which was endorsed by the Management Board but also here I would like to stress that this is the minimum, so we have to deliver it in nine months at the latest. In reality the situation is quite different. We provide the Member States with regular threat assessments, not only Organised Crime Threat Assessments but also sectoral threat assessments, so we provide them on a regular basis with threat assessments on illegal immigration, trafficking human beings, child pornography, counterfeiting of euro currency, motorcycle gangs, and until now it was exceptionally the case that the Member States asked us to provide them with another threat assessment from our expertise and from our analysis background. We feel there may come a need to provide a threat assessment so we are mainly proactively providing Member States with threat assessments then waiting for them to ask us to provide them. This is more a theoretical exercise. In reality there is never a waiting period of nine months for one of these threat assessments.

Q196 Lord Harrison: Mr Ratzel, we come to the wonderful acronym of OASIS now. According to the 2009 Work Programme one of your objectives is to establish the Overall Analysis System for Intelligence and Support (OASIS) as a best practice standard for Member States. Can you explain how you have validated this claim of best practice? Did you consult and chat about it? How do you intend to establish it?

Mr Ratzel: For quite some time we have been able to see that we need a lot of energy and a lot of resources to insert data in the Analysis Work Files as the data have been delivered to us

very often in ways which were not very structured and we needed to invest a lot of staff members and a lot of energy to prepare the data for insertion. As our staff are limited we try to find out how we could overcome the system. In the end the proposal was to develop OASIS as a toolbox in order to prepare the data and make it easier to transfer them automatically into the system. During the development of the system we also liaised with a lot of experts in the Member States and we tried to find out if in any other Member States a similar system existed which could be for us a kind of template or blueprint for co-operation. My people informed me that a blueprint for that could not be found as the problem was quite different in the Member States than it was in Europol. Over time we have gained a lot of experience and a lot of expertise in that field and we were able to identify that no other system is available which would be more fit for practice, and therefore we are quite confident that this is the best practice experience and the best practice example. For the time being at least no other system could have been identified by us. The second point is how do we intend to establish it? The question is a little bit outdated now as we have started to establish it since last winter. The system has been accepted by the Management Board and we have established it step-by-step so the system was put from the development platform to the practical platform. By doing so we have transferred one Analysis Work File after another into the system and we have carefully considered how not to have any data corruption, how not to have any data loss, and a guarantee that the full functionality of the Analysis Work File will also be available after the transfer to OASIS. During that process we realised that there was a need for some fine-tuning and the fine-tuning was done in order to guarantee the smooth running not only in the development environment but also in the real environment.

Q197 Lord Harrison: It is good news to hear that it is up and running, but did you meet any resistance because so often Member States can be reluctant to be forced into a straitjacket, as they might see it, in terms of the presentation of material?

Mr Ratzel: In that respect I did not see resistance. It took a long time to achieve the results so it was long hard work, and to some extent we also had to ask for prolongation of deadlines as it was more complicated and more sophisticated than expected but once it was established there was no reluctance at all by the Member States to introduce it after the security clarification for the network was given, et cetera.

Q198 Chairman: Director, as we come towards the end, returning to the evidence that you kindly sent us, you discussed in that evidence the Comprehensive Operational Strategy Plan. We were somewhat puzzled to see that there was no reference to that plan in the 2009 Work Programme. Could you explain to us why that was and are you rather setting aside that plan, and why, if that is the case?

Mr Ratzel: Certainly I can do so. The COSPOL approach, as it is called, is an approach which has been developed by the Police Chief Task Force. As I said, the Police Chief Task Force is an independent body which is not directly linked to Europol. As Director I have an observer and supporter role at the Police Chief Task Force, but nevertheless we could convince the Police Chief Task Force and our governing bodies that everything which is done under the umbrella of the Police Chief Task Force should be in line with Europol approaches and should be supported by Europol tools. One of the reasons to develop the COSPOL approach was to find a parallel development supportive element from Europol to the Police Chief Task Force. Under the Dutch Presidency in the second semester of 2004 this COSPOL approach was developed in order to define the work of the Police Chief Task Force to be concentrated in various projects under the COSPOL umbrella. For each of these projects there should be a supportive element from Europol, and we have so far the COSPOL approach not as part of the Europol environment but as part of the Police Chief Task Force environment. What we have assured is that for all COSPOL projects we will have relevant Analysis Work Files to support the COSPOL approach under the pre-condition, and that from

these COSPOL participants we get data delivered to the Analysis Work Files. Once again I have to go back to the Organised Crime Threat Assessment. After the first Organised Crime Threat Assessment was drafted and endorsed, and after the second one was endorsed, we also advised the Police Chief Task Force via the Council to clearly identify if the COSPOL projects were in line with the OCTA as otherwise we could not support them any more as our Analysis Work Files should be in line with the priorities of the OCTA, and as a logical consequence one or two of the COSPOL projects were closed as they were no longer in line with these priorities or they had come to an end. Each time a new COSPOL project is identified there must be either a link to an existing Analysis Work File or to a priority OCTA and then as a logical consequence it will establish an Analysis Work File, so although it is not mentioned they are linked to each other horizontally.

Chairman: Thank you. Director, you have been extremely interesting and direct and clear and we are very grateful. You have also been very generous with your time and you have been most hospitable, which I think I said three times earlier because you surprised us particularly with that. Thank you very much indeed.