

Operational Support

Dear [REDACTED],

Following up on your conversation with [REDACTED] yesterday as well as the communication with [REDACTED] from the end of November, please find inserted to the present message the reference to the draft DPIA on the post-live phase of [REDACTED].

[Attachment: Draft DPIA EDOC#1127278 and supporting documentation]

Drawing similarities between the [REDACTED] operational support and the shortly upcoming operation [REDACTED] we would like to draw your attention to a couple of considerations as per below raised by our operational colleagues:

- The information on the forthcoming operation is in itself confidential and its disclosure would jeopardize the investigation of the Member States and would pose an imminent threat to life for the persons subject to investigations and others;
- This operation is developed within the framework of a joint investigation team (JIT) agreement to which Europol is formally associated. The access to, and receipt of information by Europol is covered and foreseen by this JIT. The purpose of this access is to help detecting criminal activities, including threats to lives, and to conduct analysis on the data;
- The access by Europol to the data is foreseen to be done through machine learning functions transmission of the dataset to Europol as well as by accessing visualisation applications available at national level in order to identify events that pose an imminent threat to life or might constitute criminal activities. This visualisation tool includes a function that facilitate the detection of possible threats to life. The reporting and dissemination of related personal data is solely based on assessment of the concrete case and decisions made by law enforcement and judicial authorities that take place in two different phases. The processing of data and related decision-making are therefore not automated.

A DPIA regarding Operation [REDACTED] has already been initiated and will be shared with the EDPS as soon as all relevant facts are known.

It goes without saying that we are available to discuss further if needed. If more information is required, we could always reach out to the data controller as well. Due to the sensitivity of the matters at stake, separate bilateral meetings (not in the context of the usual bi-monthly meetings) will be more appropriate in this case.

Thank you for keeping us informed regarding the way forward.

Best regards,

[REDACTED]