

Annual report 2023

NTTC



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1. Foreword

Dear reader,

To say that our society is strongly based on the dynamics of information in almost every field is to state the obvious. We are surrounded by information and data that can be used by everyone: individuals, telecommunications, retailers, the medical, banks, shops, etc., for a variety of purposes, whether regulated or not. It's a reality and an evolution in society that can neither be denied nor stopped. To manage this 'infobesity', we are now witnessing an exponential increase in the intelligent processing of this data in order to maintain usable information flows. Our 'target audience', criminal organisations and terrorist networks, also use all kinds of data and information sources to their ends, without limit.

It is important to note that the use of information flows by public authorities is strictly regulated by a legal framework. This is also the case for the use of travel data in the fight against terrorism and serious crime. Numerous safeguards have been and are in place to ensure that this information can only be used in a targeted manner. This was also recognised by the ruling (June 2022) of the Court of Justice of the European Union, which upheld the EU PNR Directive in its entirety, although it also imposed certain operational restrictions. This implies several steps backwards in Belgian and European information-based security policy. The recent ruling by the Constitutional Court in October 2023, which brought to a close the proceedings that began in 2017, also made very clear the added value that the processing of passenger data brings to the security of society. On almost all points, the Constitutional Court confirmed the operation of the NTTC/BelPIU, with the exception of those where the CJEU left no margin. The geopolitical reality, the particular context of Brussels as the capital of European and international institutions and the specific challenges in the fight against organised crime are obviously not unrelated to this.

This reinforces our view that we must continue to work forward on the targeted integration of available sources of information, including data protection and privacy as fundamental pillars from the outset. The creation of an ETIAS unit within the National Travel Targeting Center, alongside the BelPIU, is an example of this. However, this will not be the end of the story. As security, intelligence and border control services, we must continue to work on functional synergies within and with all relevant sources of information. On the one hand, because a passenger rightly expects a seamless travel experience, from booking to arrival, free from all possible silos, stages, IT systems, skills and phases of this continuum and on the other hand, because criminal organisations take every opportunity to stay under the radar including existing regulatory, operational and IT silos. This has been the NTTC/BelPIU since 2018: "A network is necessary to defeat a network".

This report is the numerical translation of the work of many committed employees, not forgetting the much-appreciated collaboration with colleagues from all the departments that carried out the actual checks at our Belgian airports. This report, as required by the law of 25 December 2016, is therefore the result of a very well-honed model of day-to-day cooperation and information sharing. A sincere thank you to everyone for their efforts.

Gunter CEUPPENS

Director of the National Travel Targeting Center

2. Introduction

Since its creation and as required by the law of 25 December 2016, the BelPIU (Belgian Passengers Information Unit) has published a report describing its operational activities as well as its other activities not directly related to the operational analysis of passenger data. Last year saw the first annual report of the National Travel Targeting Center (NTTC), which also included a progress report on the ETIAS unit (European Travel Information and Authorisation System). In this report and the NTTC's second annual report, you will learn more about the creation of the ETIAS unit, the functioning of the BelPIU unit, the operational results and the functioning of the NTTC's organisation.

This report begins with the Constitutional Court ruling published on 12 October 2023. In the previous report, it was already stated that the CJEU (Court of Justice of the European Union) had ruled on 21 June 2022 on the validity of the 2016 PNR Directive provided that a strict interpretation was applied. The 12 October ruling entails a number of changes to the PNR law and the operational functioning of the BelPIU.

The next chapter looks at progress on the NTTC's next major challenge: setting up the ETIAS unit by early 2025.

Then, as in previous years, the reader will find an overview of the number of passenger data processed. An important point we make every year is that "single trip movement" should not be translated as "single person". A person may make several journeys a year to, from or via Belgium. Currently, the NTTC has 99% coverage and the last (small) airlines will be connected in the coming period.

As in previous years, the core of this annual report remains BelPIU's operational results, following analysis of passenger data by the Integrated Police, Customs and Excise, State Security (VSSE) and the General Intelligence and Security Service (SGRS), with the help of BelPIU analysts and NTTC support services.

In the final chapter of this annual report, we provide an overview of the NTTC's international activities. Belgium remains a global point of reference and a much sought-after partner for international organisations such as the United Nations Counter-Terrorism Committee Executive Directorate (CTED), the United Nations Office of Counter Terrorism (UNOCT), the European Commission, the World Customs Organisation (WCO) and others to share our expertise. Belgium also continues to chair the operational sub-group of the informal working group on PNR data.

3. The Constitutional Court ruling on the PNR law

On 12 October 2023, the Constitutional Court (CC) handed down its final ruling on the action for annulment brought in 2017 by the League for Human Rights against the Act of 25 December 2016 on the processing of passenger data (the PNR Act).

As a reminder, in an initial ruling in 2019, the Constitutional Court had referred 10 preliminary questions to the Court of Justice of the European Union (CJEU) on the interpretation of various provisions of the EU PNR Directive. The CJEU handed down its ruling on 21 June 2022, in which it validates all the provisions and confirms that the EU PNR system is suitable for achieving its objectives of combating terrorism and serious crime while respecting fundamental rights, provided that it is interpreted strictly and that the protection of passengers personal data is ensured.

In its ruling No 131/2023, the Constitutional Court then partially annulled certain articles of the PNR Act on the grounds that they were contrary to the strict interpretation given by the CJEU to the EU PNR Directive. The articles in question are :

- Articles relating to the transposition of the API (Advanced Passenger Information) Directive of 29 April 2004 ;
- The article on access to passenger data in the PIU passenger database insofar as no independent and impartial authority gives its approval ;
- The purpose of the processing mentioned in Article 8(1)(4) of the PNR Act, which concerns a number of intelligence competences, is formulated too broadly. However, the judgment very explicitly confirms the added value of the intelligence services within the BelPIU in the context of the EU PNR Directive.

As regards the other contested provisions of the PNR Act, the Constitutional Court is of the opinion that they can be interpreted in accordance with the interpretation of the Court of Justice of the European Union (CJEU) and instructs the Belgian Passenger Information Unit (BelPIU) and the legislator to ensure that the PNR Act is implemented in such a way that it is fully complied with.

On the whole, this shutdown can be considered very favourable for the current operation of BelPIU, which has been able to ensure the continuity of most operational activities.

As the chapter relating to the transposition of the API Directive has not yet been implemented, its cancellation has had no direct impact. Moreover, this point will be absorbed in the near future by the recent agreement on new European regulations on API data. Secondly, the purpose of the processing relating to the tasks of the intelligence services was annulled because it was formulated too broadly, but the Constitutional Court recognises the competence of these services in the fight against terrorism and serious crime and validates the presence of staff seconded from these services within the BelPIU. The main operational consequences stem from the partial annulment of the provisions relating to access to historical data, which did not provide for prior verification of access requests from the competent services by an independent and impartial authority. These processing operations therefore had to be largely suspended. This requirement for prior checking also applies to requests for access from other PIUs in the Member States and from third countries, and the procedures should therefore also be adapted for this purpose.

With regard to the implementation of the CJEU's strict interpretation, the Passenger Information Unit (PIU) had already begun updating various internal procedures from 2023.

It is also worth mentioning that in its judgment, the CJEU considered that at the time of the adoption of the PNR law in 2016, the legislature considered that the terrorist threat was real and present to base the decision to require all carriers (air, land and sea) to transmit PNR data collected from all flights within the EU. The Constitutional Court considers that this threat is still present today, given

the number of alerts linked to terrorism and extremism in 2022 and the overall threat level set by OCAM and in force at the date of its ruling, i.e. level 2, given Belgium's particular situation (a small country in the centre of Europe, at the crossroads of several transport routes that could be used by terrorist and criminal organisations and the headquarters of numerous European and international institutions).

In order to remedy the consequences of the Constitutional Court ruling as quickly as possible, a draft law limited to the strict operational requirements has already been drawn up and will be submitted to Parliament for approval in early 2024. The next review of the PNR Act, scheduled for the next parliamentary term and within a maximum of three years, will propose a more comprehensive revision of the PNR Act.

4. ETIAS

The European Travel Information and Authorisation System (ETIAS) project is one of the European initiatives aimed at realising the European *Smart Borders* project. Since its adoption at the end of 2018, the NTTC has worked tirelessly on its implementation. This also makes Belgium one of the most active Member States in the European working groups.

In technical and organisational terms, the activities for ETIAS in 2023 were largely an extension of the 2022 activities. Significant progress has been made in several areas of the project. For example, the draft ETIAS law was discussed by the Council of Ministers and submitted to the various data protection authorities and the Council of State for their opinions. The opinions received have been incorporated into a new, adapted draft law.

At European level, Belgium contributed, together with other Member States and the European Border and Coast Guard Agency (FRONTEX), to the drafting of the rules of procedure of the future ETIAS examination committee. In addition, Belgium made a major contribution to the adaptation of the standard operating procedures for assistance to carriers and gave presentations in several working groups on the national interpretation and application of the European regulation. With a view to the cross-checking that will take place in ETIAS with the Interpol and Europol databases, the ETIAS project team also worked intensively with these institutions (as well as with the Member States and other European institutions) to develop the procedures for consulting and exchanging information. Finally, an analysis has been launched of the impact of the MID on the future ETIAS national unit. MID (Multiple Identity Detector) is an automated comparison system that compares specific identity data from different databases at European level in order to detect falsifications. As far as ETIAS is concerned, MID is due to come into force in mid-2027.

According to current EU planning, ETIAS should be operational in the first half of 2025. Despite this recent change in the EU's timetable, the NTTC is still managing to meet its deadlines.

5. Passenger data collection: a few figures

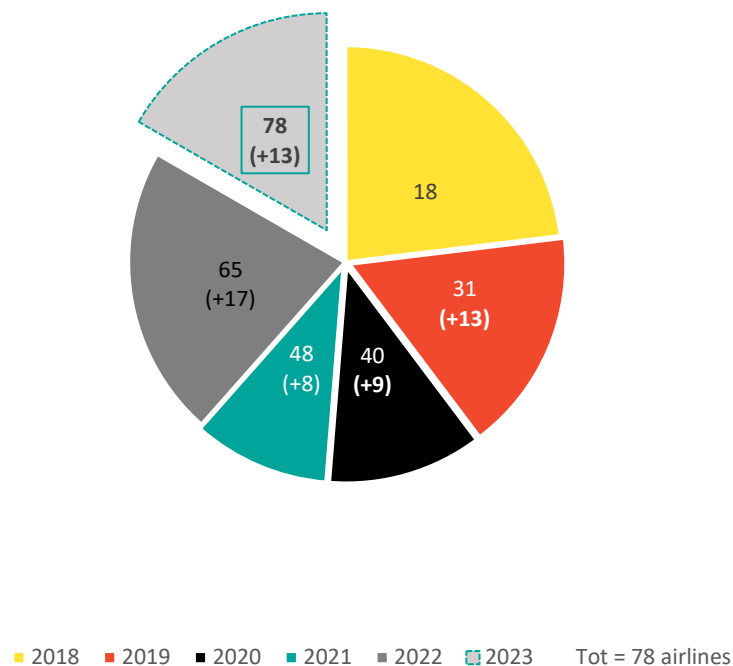
A. Airline companies

2023 was another productive year in terms of new air connections. By the end of 2022, we had already achieved 99% coverage and all the major players in the airline sector were already transmitting their data to BelPIU. But to obtain a complete global picture of airline movements, we still needed to connect a limited number of airlines operating scheduled flights. We achieved 100% coverage of scheduled commercial flights in the second half of 2023, in addition to new connections for charter flights.

Meanwhile, the sector has been booming since the post-Covid era, with new airlines announcing direct flights to and from Belgium almost every month. So it's a cyclical phenomenon, with new contacts and connections made throughout the year.

Since 2018, we have connected a total of 78 airlines. Connecting an airline is a process that can take several months.

Graph 1: Number of airlines connected by the PIU



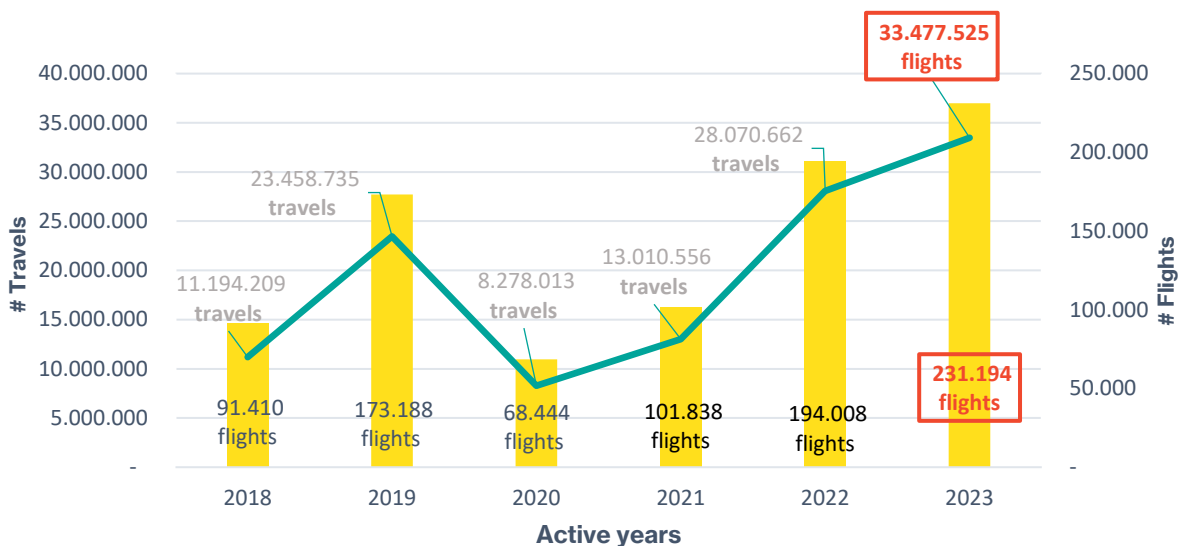
B. Flights and passengers

BelPIU has never analysed as much flight and travel data as in 2023. This is due to an almost complete recovery of activity in the aviation sector after Covid, combined with almost complete coverage of the various airlines operating flights in Belgium.

With 33,477,525 trips registered out of a total of 231,194 flights, the figures exceed those for 2022, which was already a record year. Air traffic has returned to pre-covid levels. Thanks to a large number of new connections made during this turbulent period, we have been able to increase the number of controlled travel movements by 10 million compared with 2019. The efforts of the last four years have made this significant development possible.

It is important to point out that we are talking about the number of journeys and not the number of different passengers. For example, if a passenger makes a return journey, the system will count this as two journeys. In addition, the data is transmitted a first time 48 hours before the scheduled departure and a second time at the time of departure.

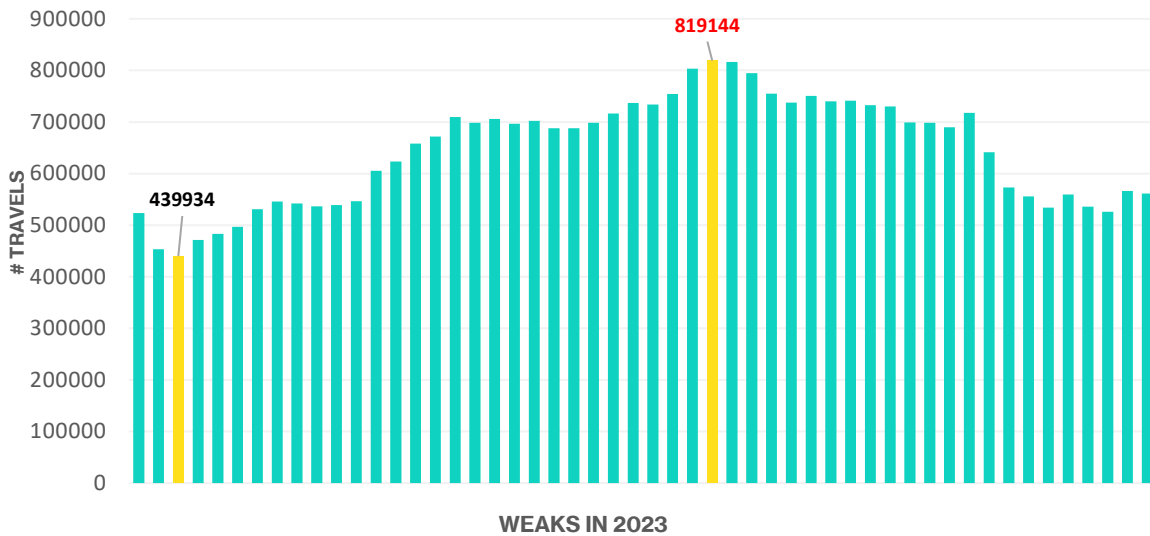
Graph 2: Evolution of passenger data processing since the launch of BelPIU in terms of number of travel movements and number of flights



A more detailed analysis of the number of trips per week in 2023 (see graph 3) shows that the growth curve is returning to its normal pre-pandemic cycle. Last year, there was an increase from the beginning of the year until the summer holidays, when we had the busiest week in terms of traffic since the start of the BelPIU, with 820,000 passengers over 7 days at the end of July. The curve then falls in the autumn to stabilise in winter at around 500,000 passengers per week.

Since the beginning of 2023, in accordance with the legislation, the oldest travel data has been permanently deleted, taking into account the maximum retention period of five years for passenger data.

Graph 3 : Number of passenger movements handled in 2023



6. Fight against crime and terrorism: operational results by service

BelPIU as part of NTTC, processed 33,447,525 passenger data during 2023. BelPIU operational staff do not have unrestricted access to all passenger data. All incoming PNR data is compared against specific criteria and only these comparisons are visible to BelPIU operational members. BelPIU operational members only have access to passenger data on the basis of :

- Targeted research into the past (taking into account the formal requirements in this area) ;
- A match with an extraction from a database managed by one of the four competent departments;
- A cross-check against a set of criteria indicating suspicious movements in the context of terrorism and serious crime; also known as "Rules Based Targeting".

Passenger data that does not comply with one of these three processes is not accessible and cannot be consulted by BelPIU staff.

The Court of Justice of the European Union recognised in its 2022 ruling that false positives can never be completely avoided. Thanks to the expertise accumulated over the last few years and on the basis of a systematic feedback mechanism after a possible check at airports, sets of suspicion criteria, targeted searches in the past and database extractions can be put in place more effectively in order to reduce false positives to a minimum.

The following pages present the results of the four competent services operating within the BelPIU, as well as common cases. Each competent service has its own areas of expertise, but one of BelPIU's strengths is its multidisciplinary cooperation. One example of this is the joint monitoring of people suspected of different types of crime or monitored by different security and intelligence services. When interpreting the figures below, it should be borne in mind that a person may make several trips and produce several results. The number of positive responses from a service (for a

specific phenomenon) is therefore not equal to the number of passengers who produced a positive response.

A. Police

The BelPIU's integrated police force operates 24 hours a day, 7 days a week, and is able to achieve substantial results in its law enforcement missions every year. The police focus on a number of phenomena, including money laundering, human trafficking, parental kidnapping and drug trafficking. The process of passenger data processing by the police can be divided into several elements, which will be examined in this section of the report.

Firstly, on the basis of a selection from the general national database (ANG) - filtered on phenomena covered by the scope of the PNR law - a continuous comparison is made with incoming passenger data. If there is a positive match between the two, also known as a "hit", a police officer carries out a full analysis and decides what action to take. These agreements are visible and accessible only to seconded members of the integrated police and are processed within 24 hours.

In 2023, the BelPIU police transmitted a total of 3,895 hits (alerts), including 2,479 ANG-based alerts, to international airports in Belgium for further follow-up.

Table 1: Main alerts by criminal phenomenon

Type of crime covered according to the scope of the PNR law	Result after processing by the BelPIU in cooperation with the aviation police (LPA)		
Terrorism	637 alerts transmitted	→	323 resulted in detailed information reports
Parental abduction	232 alerts were transmitted	→	25 resulted in a positive test followed by a fine and 10 resulted in immediate arrests.
Murder	43 past alerts	→	14 positive - including 8 arrests
Human trafficking	223 past alerts	→	41 positive, including 8 arrests
Human trafficking	453 alerts issued	→	81 positive, including 73 arrests (39 abroad and 34 in Belgium)
Robbery	143 past alerts	→	71 positive, including 49 arrests
Organised crime	1128 past alerts	→	415 positive, including 16 arrests
Financial fraud (EcoFin)	216 past alerts	→	13 positive, including 4 arrests
Drugs	584 past alerts	→	160 positive tests including 47 immediate arrests

Similarly, 302 SALDUZ IV custody alerts were sent to Belgian airports in 2023. People flagged as SALDUZ IV are sought by the police for questioning as perpetrators in investigative and judicial enquiries, which means that they are systematically followed up, thanks to more precise targeting and a strong signal to criminal organisations. In addition, 182 people were arrested for a pending measure in the NGA.

When it comes to certain phenomena such as human trafficking and drug dealing, it is not easy for the police to take action. New routes and techniques are discovered every day. The intermediaries used to transport drugs, for example, are often not known to the databases, just as the people who enter our territory are often linked illegally to human trafficking and are therefore not known. On the basis of this information, police forces can define criteria for identifying the suspicious movements of previously unknown persons. These criteria are specifically and deliberately

designed to eliminate as far as possible the risk of a false positive. These criteria are also regularly reviewed.

As a result, 574 suspicious travel movements were identified for the two phenomena mentioned above. There were 418 reports requiring action at the airport, resulting in 241 positive controls. Of these positive checks, 81 resulted in deprivation of liberty and in the other cases an information report and/or a subsequent report was drawn up. This represents an interception of almost half of the cases based on a set of suspicion criteria.

Throughout the year, the data exchanged by the BelPIU police gave rise to 877 information reports. The BelPIU police also support judicial investigations by providing information to investigating judges and magistrates. During the 2023 financial year, the police received 2,272 requests - an average of six per day and an increase of almost 65% compared with 2022 - to search the database for passenger information. This resulted in 9208 positive matches being exported from the PNR database for further analysis. Some of these 2272 requests also concerned checklists or watchlists. The purpose of these watch lists is to send out an alert about the possible movements of a person as part of an ongoing investigation under the supervision of a public prosecutor or investigating judge. This made it possible to identify 764 journeys booked by people prior to their departure or arrival that were under surveillance. Receiving PNR data 48 hours in advance is a very important added value. It allows the police, if the alert is given sufficiently in advance, to prepare the necessary measures.

Here are some concrete examples of results achieved by 2023:

- In January 2023, a person was arrested and transferred to prison while trying to board a flight from Zaventem to Accra. This person was wanted as part of a judicial investigation into computer fraud. The suspect had been actively involved in criminal activities for years and had managed to evade the authorities each time. The information was passed on 48 hours before departure, enabling the necessary preparations to be made in collaboration with the police unit. The same week, in another case, a man was arrested on his way from Warsaw. He was wanted for seven interrogations by four Belgian police forces in connection with drug-related offences.
- In March 2023, an alert was sent by BelPIU customs to the airport for a check on an individual, possibly suspected of organised cigarette smuggling. The individual in question was a traveller of Swedish nationality. Customs at Zaventem discovered that the passenger was in possession of 12 false passports. The case was taken over by the Phenomena Department of the Federal Border Control Police, which contacted BelPIU as a matter of urgency at the request of the magistrate. Further research into the passenger database established a link with a recent human trafficking operation in February 2023 between Brussels and Dublin. Further searches uncovered eight other offences in 2023 and nine in 2022. The suspect appears to have travelled extensively in Europe and the Middle East. His base of operations for smuggling was the United Arab Emirates. The coordinates he used originated in Turkey.
- Cross-checking with the ANG database (filtered for criminal phenomena covered by the PNR scope) also produced monthly results for the following phenomena: drugs, aggravated theft and parental abduction. In August, on the same extra-Schengen flight from Liège airport, two men were arrested with immediate effect, as they were still serving a prison sentence for aggravated theft totalling 48 months. A few days later, in another case, an Antwerp man was arrested in Gosselies, wanted for importing and exporting drugs. He was placed under arrest by the examining magistrate. In October 2023, a target wanted for manslaughter and drugs was arrested in Gosselies, following an alert issued by a local police area in East Flanders. In November 2023, another person had to be taken immediately to prison following an alert for drugs issued by a local police area in Limburg. He was unable to continue his original journey to Morocco. In December 2023, another

passenger involved in drug-related offences was prevented from continuing his journey to Barcelona.

- The passenger database may also contain information on passengers in transit. In October 2023, a man was travelling from Conakry to Paris, with a connection at Zaventem. He was wanted by the local Belgian police for manslaughter and drugs offences. The examining magistrate ordered the passenger's arrest. With the positive agreement available 48 hours in advance, everyone at their level was able to follow the case and make the necessary preparations.

These figures are only possible thanks to the close cooperation between colleagues on the ground, namely the Federal Police DGA / LPA Airport Police, the Federal Police DGA / SPC Railway Police, and the criminal investigation departments of the integrated police at both federal and local level.

B. Customs

The BelPIU's customs and excise administration focuses on a number of phenomena, including drug trafficking and transport, excise fraud, and the illicit trade in diamonds, cultural goods, endangered species and counterfeit goods. Identifying and intercepting guilty passengers is an important task in itself, but it becomes even more so when these activities are found to be financing criminal or terrorist networks.

A total of **813** checks were carried out at domestic and foreign airports in 2023 at the request of BelPIU customs. **322** of these checks resulted in positive findings, corresponding to a positivity rate of **39.6%**.

Table 2: Breakdown of the number of positive findings by department responsible in absolute figures and percentages

Department	2022	2023	Change on previous year
General Administration of Customs and Excise (AGD&A)	275 (90,76%)	293 (91 %)	+6,5 %
Abroad (via the Naples II convention)	28 (9,24%)	29 (9 %)	+3,6 %

In 2023, intercepting criminals involved in drug trafficking remained a priority for BelPIU customs detachments. Regular meetings are held with the various services to identify trends in drug-related crime and adapt controls accordingly. However, cooperation with the teams on the ground and the activities of BelPIU customs are not limited to drug trafficking. BelPIU customs are also involved in other forms of crime in collaboration with customs officers at various Belgian airports. Here are a few concrete examples.

Excise fraud

Over the past year, customs teams have seized a total of 5,637 cigarette binders and 38.75 kg of hookah tobacco at the country's airports. These seizures were made possible by on-site observations and cooperation with customs officers seconded from the BELPIU. In May 2023, for example, customs at Brussels-Zaventem airport were able to intercept a passenger carrying 566 cigarette shreds (photo 2) in four pieces of luggage, weighing a total of 128 kg.

Photos 1 & 2: Interception of cigarette cartons in 2023



On 8 November, the AGD&A organised a day of action against the illegal production of cigarettes. This action led to the dismantling of an illegal cigarette factory in Ghent, the discovery of a cutting and drying workshop in Mol and a storage shed in Mouscron. This action resulted in the interception of 15 million cigarettes and the seizure of 7.42 tonnes of tobacco, with a market value of €8 million. 17 people were arrested as part of this operation.

As Belgium is not necessarily the main destination for these smuggling operations, our territory is often used as a transit point to other European Union countries. The main origin of these illegally imported cigarettes is often Eastern Europe and Africa, and they are destined for the European market.

Endangered species

In the context of CITES, a remarkable case occurred in early 2023. Customs teams at Zaventem airport arrested six people of Malaysian origin for smuggling 200 kg of glass eels (young eels and an endangered species) in February 2023 (photo 3), on the basis of BelPIU analyses. The suspects transported the glass eels in plastic bags containing water in 18 suitcases. The luggage was immediately seized and it was found that the total black market value of the intercepted glass eels was estimated at 400,000 euros. The six passengers were detained pending trial. This is the first time such an interception has taken place in Belgium.

Photo 3: Glass eels packed in bags of water



Counterfeiting

Counterfeiting remains a common phenomenon in France. During the summer, customs teams were able to seize a large quantity of counterfeit goods from an individual at Zaventem airport. She was in possession of 53kg of luggage containing 181 items of counterfeit clothing destined for the Belgian market (photo 4).

Photo 4: Counterfeit goods intercepted from the Middle East in July 2023



Drugs

The total quantity of drugs intercepted by Customs in 2023 in response to BelPIU information was 76.05 kg. Among narcotics, the number of kilograms of khat seized was the highest (photo 5).

Although overall there was a drop in the number of kilograms of drugs seized, Customs did make one notable interception. In July, Zaventem Customs intercepted a passenger attempting to smuggle drugs into Brazil using an electric mobility scooter. Customs discovered that more than 6kg of MDMA was hidden under the seat of the scooter (photo 6). This could indicate that smugglers are becoming increasingly creative in their modus operandi.

BelPIU customs remain determined to intercept mules. In 2023, this led to the interception of a person who had ingested 1.14 kg of heroin.

Photo 5: 38 kg of khat seized



Photo 6: Electric scooter with 6.70 kg of MDMA



Photo 7 : Interception of 1.14 kg of heroin



Arms trafficking

Customs is also responsible for detecting the possession of weapons, illegal arms trafficking and weapons for military use (dual-use). In August 2023, a passenger arriving from Bangkok with 28 percussion knives in his luggage was arrested at Zaventem (photo 8). He did not have the necessary authorisation to do so.

Photo 8: 28 percussion knives



C. VSSE-ADIV

The two Belgian intelligence services have also been given powers under the PNR legislation, and staff have been seconded to the BelPIU. Thus, through the three processing methods, both State Security (VSSE) and the General Intelligence and Security Service (SGRS) have controlled access to the travellers' database to carry out their missions as defined in the law of 30 November 1998 on intelligence and security services. These missions include preventing any activity likely to threaten the integrity of Belgian territory and its inhabitants (a terrorist attack, for example) or protecting Belgium's economic and scientific potential (industrial espionage, for example).

In this way, like the other services operating within the BelPIU, the VSSE and the SGRS can establish sets of suspicion criteria and compare passenger lists with extractions from their databases. All these methods are subject to formal procedures and monitored by Committee R.

In 2023, the closer collaboration between the VSSE and the SGRS within the framework of the BelPIU continued. As a result, it cannot be ruled out that the results of one service will also be included in the statistics of the other service. We note that all the figures are increasing, both in terms of requests from services and the results generated. For example, cross-referencing the data extracted from the databases produced 7,019 results for the SGRS and 7,202 for the VSSE, while the SGRS criteria lists produced 10,007 positive matches and those of the VSSE 8,230.

In addition, the various departments of the SGRS used BelPIU 51 times to carry out historical research; the VSSE used the same method 332 times (between 1 January and 12 October 2023).

Working meetings were also again organised with the various departments. Some of these meetings resulted in the preparation of lists of criteria, cross-referencing with new database extracts and/or requests for targeted database searches. In addition, on several occasions during the year, seconded staff and analysts proactively submitted proposals to the departments for predefined criteria linked to current national and international events.

D. Enhanced cooperation, a BelPIU asset

In some cases, competences and tasks are shared by different competent services. In order to optimise the sharing of information between security and intelligence services - within legal and operational limits - BelPIU has set up cooperation mechanisms. This is an important added value of the multidisciplinary nature of the service. When two or more competent services share the same skills, they can, after consultation, draw up common watch lists or criteria lists and agree on how they will deal with the results obtained. This important tool has been in use since its operational launch in 2018 with the introduction of the use of the Common Database (CDB) managed operationally by OCAM, which draws comparisons between people on this list and incoming travel data. This database acts as a watch list and includes individuals and organisations that should be monitored as a matter of priority with regard to terrorism and extremism, including radicalisation. The presence of the services concerned within the same operational team enables better coordination and monitoring of this data.

In 2023, there were 199 positive correspondences with BDC. The departments concerned collaborated on each of these correspondences and jointly decided on the measures to be taken in respect of these cases.

In addition, a total of 496 multihits were generated for phenomena falling within the scope of the PNR legislation. A multi-hit corresponds to the same travel file being reported to several competent services. The person is therefore of interest to several services, often for different reasons. Cooperation between the services concerned is essential to ensure proper and harmonious follow-up, and the shared secure working environment contributes to this. Of the 496 multihits, 343 were multiple matches, which means that the positive result was validated by at least two of the services and that communication on the follow-up was necessary.

In addition to cooperation between the departments concerned, they can also call on BelPIU's analysis service. Because of their independent position, BelPIU analysts can look for potential synergies between the various services on the basis of information studied individually by each service and, if necessary, passed on. They can also carry out a more in-depth analysis of a phenomenon or look for suspicious criteria, following a specific request from a competent department. The analysts are also experts in the computer application of the PNR system and can train seconded staff and inform them about best practice and the specific features of the application. They have also been actively involved in the development of additional applications for

data analysis and management to optimise the processing of files by seconded staff. Finally, the analysts help the departments concerned to draw up reports on the analysis of PNR data.

7. BelPIU at international level: strategic and operational cooperation

Belgium remains a leading player in the EU and worldwide in the field of passenger control. This is reflected in the high quality of its operational results, but also in the strong demand for support from international organisations and other countries in setting up their PNR systems. BelPIU focuses on activities that bring concrete added value to the service, such as operational cooperation with the PIUs of other EU Member States.

In 2023, the BelPIU stepped up its international cooperation efforts in the field of passenger control. The unit made working visits to other PIUs in Latvia, Lithuania, Sweden, Luxembourg, Hungary and Germany via the CEPOL (European Union Agency for Law Enforcement Training) exchange programme. In addition, the BelPIU received delegations from the units in Portugal and Denmark, as well as delegates from Georgia, Namibia and Togo on visits.

During these exchanges, the NTTC/BelPIU shared its own expertise and gained valuable insights into best practice and the latest developments in passenger control in other countries. In some cases, these meetings have also led to specific operational collaborations. Exchanges between PIUs also build confidence in the sharing of sensitive information and are an essential means of strengthening international cooperation in passenger control.

A. Operational cooperation and data sharing

The European Union has specifically opted for a decentralised system in accordance with the PNR Directive. Each Member State establishes its own Passenger Information Unit (PIU). Effective collaboration with Member States' PIUs remains essential to obtain passenger data where this is not available in the Member State concerned but may be relevant. It is therefore necessary for these PIUs to work together efficiently and securely, in strict compliance with high standards of personal data protection.

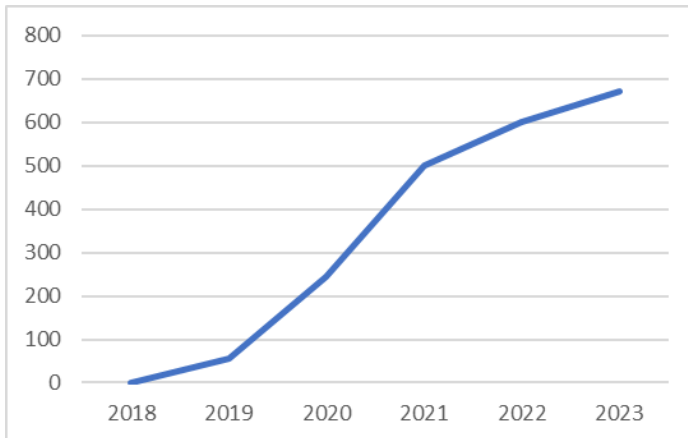
Concrete examples of cooperation with foreign countries include a person wanted in Belgium who chooses to take a flight in a neighbouring country, or information on suspicious movements from other Member States. This data plays an important role in uncovering criminal networks, identifying links between individuals and organisations and, if necessary, making arrests in the fight against these networks.

The data exchange uses the Secure Information Exchange Network (SIENA) application, a Europol tool that facilitates direct and secure communication between the various PIUs. This approach streamlines the exchange of relevant information, while preserving the security of personal data.

Incoming requests

The international exchange began in August 2019 and since then the number of incoming applications has grown significantly. In 2023, BelPIU received 673 foreign requests, again an increase on last year. The "requests for information" came from the following countries, among others: Germany (157), Estonia (14), EUROPOL (70), Finland (11), France (87), Greece (2), Hungary (3), Ireland (10), Iceland (1), Italy (22), Croatia (9), Latvia (5), Lithuania (5), Luxembourg (3), Malta (1), Netherlands (164), Austria (18), Poland (17), Portugal (5), Romania (2), Slovenia (1), Slovakia (13), Spain (19), Czech Republic (3), United Kingdom (13) and Sweden (15).

Graph 4: Number of foreign SIENA applications



In the case of foreign applications, an admissibility test is first carried out. This involves assessing whether the request falls within the BelPIU's legal framework and complies with the principles of proportionality and subsidiarity. For example, there must be a demonstrable link with Belgium or a direct threat (for example, in the context of terrorism).

Of the 673 applications received, 587 were actually executed after the eligibility test, representing a refusal rate of around 13%. Some applications were only accepted after the applicant had provided additional information.

In 251 cases, an admissible request led to positive correspondence and an exchange of information. More than one in three requests resulted in the applicant obtaining PNR data: the correct interrogation of the Belgian Passenger Information Unit is bearing fruit.

Outgoing applications

Of course, the Belgian services also question the PIUs of other EU Member States. The data obtained in this way offers added value for ongoing investigations in Belgium. This also led to a targeted international exchange of passenger data in 2023. The integrated police received 254 requests and after checking whether these requests met the legal requirements, BelPIU sent 164 SIENA requests to partner PIUs.

Other international trade

In the spirit of collaboration between European PIUs, data relating to suspicious travel criteria was also exchanged with other Member States in 2023. This often takes the form of monthly information reports shared with PIUs in other EU Member States. No requests for information are made in these reports, as it is not the passenger data itself that is involved: only relevant operational information is shared that may be useful to other PIUs. These information reports sent by Belgium have once again been well received by the other PIUs and have already led to several arrests abroad.

In addition, BelPIU customs also pass on the travel records of suspect passengers to their international colleagues at the various airports, as part of the agreement on mutual assistance and cooperation between customs administrations (known as the Naples II Convention). In total, these

Naples II controls resulted in 29 positive controls in 2023. These involved the transmission of suspicious travel movements, which resulted in the seizure of illicit cosmetics, tobacco, counterfeit goods or drugs.

There have also been cases of illegal transport and trafficking of glass eels, the quantity of which has fallen considerably in recent years and the price of which has risen dramatically. Glass eels are particularly sought after for their texture in cooking, are traded internationally and are particularly popular in Asian countries. Based on the information received by customs, profiles were created within BelPIU. After processing the potentially interesting results, 200 kg of glass eels worth €400,000 were seized - a first in Belgium. Later, information from Belgium was also used to find a solution in the Netherlands: a clear example of the importance of international cooperation.

The police within BelPIU also maintain qualitative contacts with foreign PIUs. In terms of regular information, on the one hand there is a new exchange project called "UNIK-Didyouknow?" in which the police share new phenomena and trends based on PNR data. Secondly, there is the BelPIU Police Express, a fortnightly newsletter in which the police share their experience with all passenger intelligence units and/or their competent national authorities. More specifically, this year we have focused on sharing our practical experience of feedback and using it to improve our day-to-day operations. Additional efforts were made on how the use of PNR data can help identify criminal organisations involved in human trafficking, among other things.

There are also specific international police cooperation projects, for example on motorcycle gangs or human trafficking. There is also operational information sharing with the Icelandic and German Police Information Units, and close cooperation with the Lithuanian Police Information Unit on risk assessment within the EU. Finally, the HU project has entered its third year. This is a project involving Belgium working with the Hungarian police information unit on criminal organisations.

B. Working group on PNR data

The Informal Working Group on PNR (IWG) is a consultative and collaborative platform for all European Passenger Information Units (PIUs), supplemented on an *ad hoc basis* by PIUs from around the world, and ensures that as many countries as possible are on the same page in implementing the EU PNR Directive. Belgium has handed over the chairmanship of the Informal Working Group (IWG) to Latvia, but continues to manage the IWG's PNR secretariat with European funding.

At the IWG meeting in June, Belgium gave a presentation on feedback from the field and ways of improving this feedback both qualitatively and quantitatively. To this end, BelPIU maintains close contact with the field at regular meetings, and we use a standardised feedback form to facilitate the collection of feedback.

The NTTC is continuing its work as chairman of the operational sub-group. The focus is on developing the exchange of operational information between Passenger Information Units and with other relevant partners such as Europol and Interpol.

C. API/PNR data training

BelPIU staff have also shared their expertise with the UN's 2023 Travel-Based Counter-Terrorism (CT Travel) programme, which in turn reports to the UN Office for Counter-Terrorism (UNOCT). The objective of the CT Travel programme is to help participating countries detect terrorism and serious crime through the analysis of passenger data, in accordance with UN Security Council Resolutions 2178, 2396 and 2482.

In practice, the cooperation takes the form of sessions and presentations during which our national experts answer concrete questions and share best practices, methodologies and common pitfalls with participants. Finally, a memorandum of understanding has been signed with the United Nations to formalise the cooperation.

D. Benelux

Belgium continued to work with the Netherlands and Luxembourg in 2023 to develop the Benelux network of passenger information units. The Benelux countries coordinate regular meetings between themselves to align different discussion points and inform each other about national strategies and organisations. The presidency was transferred from the Netherlands to Belgium in 2024.

In May and November, the three countries met and continued to discuss the implementation of the Court's ruling: recent developments, national positions (in particular the justification for decisions) and legal and political challenges. The transfer of operational information also took place; for example, the Dutch analysis team presented its set of risk criteria.

E. IXIM

Preparations for the Belgian Presidency of the EU have continued until 2023. Through the Information Exchange and Information Management (IXIM) working group, the NTTC is closely involved in European policy development. In this context, it has worked intensively with the Swedish and Spanish EU presidencies to achieve new regulations on "Advance Passenger Information". These preparations in 2023 have enabled the NTTC, under the Belgian EU Presidency, to enter into negotiations with the European Parliament in 2024 so that these legislative initiatives can be finalised as early as possible in 2024.

8. Conclusion

Looking back over the past year, we also see major challenges and milestones for 2024. The Constitutional Court ruling of October 2023 required urgent remedial legislation so that the NTTC/BelPIU legal framework could be brought into line with the European and Belgian rulings. Once this urgent remedial legislation has been published, the necessary procedures and protocols can be adapted. In addition, it is also envisaged that in 2024 the legal framework for the new ETIAS unit can be finalised in Parliament, so that work on concrete development can also begin in 2024. In budgetary terms, additional efforts will also have to be made in 2024 to meet this European obligation by the beginning of 2025. Nor should we forget the necessary relocation of the National Crisis Centre, of which the NTTC is a part. This project has already suffered considerable delays and the challenge for 2024 will be to be able to develop the ETIAS unit on this new site.

There were also many operational successes in 2023. Hundreds of suspects have been questioned and arrested, and dozens of parental abductions have been prevented on the basis of a BelPIU police alert. Detailed intelligence reports were drawn up in the context of terrorism, and more than 100 arrests were made in connection with murder, human trafficking or theft. In the fight against drug trafficking, no fewer than 160 positive tests were carried out and almost 50 arrests made. In addition, the BelPIU police transferred thousands of travel files to examining magistrates or public prosecutors in order to provide them with essential information for their investigations. Customs detachments, with the help of their colleagues on the ground, intercepted large quantities of prohibited substances, including drugs, counterfeit goods, cultural goods and undeclared tobacco. Travel records have also increasingly proved to be an essential tool for intelligence services. By analysing travel patterns, they have been able to identify potential security risks and take proactive measures to reduce or better identify them.

Finally, since its launch, the NTTC/BelPIU has been a leading international authority whose reputation can be maintained by a daily commitment to do even better. It is clear that the NTTC faces an ever-changing strategic and operational landscape.