



**COUNCIL OF
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COVER NOTE

from: Permanent Representation of Sweden to the EU
date of receipt: 16 January 2013
to: Rafael FERNANDEZ-PITA
Director General, DG D - Justice and Home Affairs

Subject: Declaration by Sweden in accordance with Art. 2 (3) of Council Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime

Dear Director-General,

In accordance with Article 2(3) of Council Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime, please find attached the declaration of Sweden with regard to national DNA analysis files.

Yours faithfully,

Dag HARTELIUS
Ambassador

Encl.: Declaration DNA analysis files

Declaration of the Kingdom of Sweden
in accordance with Article 2(3) of Council Decision 2008/615/JHA

List of shared national DNA files

The national DNA databases is based on CODIS (Combined DNA Index System) installed at the National Laboratory of Forensic Science.

The DNA profiles database, which is shared with other European countries, is provided by the CODIS database. From this database, the following types of profiles are extracted:

- **Forensic, Unknown:** DNA profiles from crime scenes.
- **Suspect, Known:** DNA profile from a person suspected of a criminal offence.
- **Convicted Offender:** DNA profile from a person convicted of a criminal offence.

Conditions governing the exchange and comparison of profiles

A country that wants to carry out the exchange and comparison of profiles with Sweden must comply with the legal, organisational and technical requirements laid down in Council Decisions 2008/615/JHA and 2008/616/JHA of 23 June 2008, in particular:

- Technical requirements. The country must:
 - have an automated national DNA database;
 - have an automated means of exchanging profiles;
 - be connected to the TESTA network;
 - have confirmation from a country that is already operational, that its exchange system is adequate.

- Legal requirements. The country must:
 - be able to share information under its domestic legislation;
 - comply with European rules on the processing of personal data;
 - have the Council's prior authorisation to exchange data.

- Organisational requirements: the country must:
 - have a national contact point to which Sweden may apply for additional information further to a DNA profiles match.