**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 12 September 2013
(OR. en)

13514/13

JAI 757
DAPIX 108
CRIMORG 113
ENFOPOL 288
ENFOCUSTOM 135

OUTCOME OF PROCEEDINGS

From:	General Secretariat of the Council
To:	Delegations
Subject:	Summary of discussions of DAPIX VRD of 9 September 2013

1.   Adoption of the agenda

The agenda was adopted as set out in CM 3434/13.

2.   Information from the Presidency

The meeting was briefed on

- the still pending DE disclaimer issue regarding CBE, on which discussions were expected to be concluded at the DAPIX plenary meeting on 3 October,

- the meeting on 29 April of the expert group established by the Commission to support the enforcement of road safety related traffic offences,

- the EUCARIS user conference on 13 June in Schiphol/Amsterdam.

3. **Implementation of the EUCARIS / Prüm functionalities**

3.1   State of play in the Member States

The meeting took note of doc. 5074/5/13 REV 5 JAI 6 DAPIX 1 ENFOPOL 1 CRIMORG 1.

Delegations were invited to submit possible updates to the GSC.

3.2   Estimated time schedule for non operational MS to finish the implementation
       doc. DS 1022/5/13 REV 5

CY is prepared to be evaluated in October, HU and CZ postponed the scheduled visit.

3.3   List of NCPs for VRD exchange

The meeting took note of doc. DS 1121/1/13 REV 1.

List of experts participating in evaluation visits.

The meeting took note of doc. DS 1025/1/13 REV 1.

3.4   On-going evaluation

Estonia

The meeting took note of the reply to the questionnaire (doc. 12603/13 DAPIX 99 CRIMORG 103
ENFOPOL 248).

The evaluation visit report for Slovakia and correspondent documents were expected to be
submitted to DAPIX on 3 October.

3.5   Follow-up to recommendations made in VRD evaluation visit reports

No delegation took the floor to report on recommendations set out in doc. DS 1600/13.

4. **Implementation of Directive 2011/82/EU facilitating the cross-border exchange of information on road safety related traffic offences ("CBE" Directive)**

4.1   EUCARIS CBE functionalities

The EUCARIS representative explained the CBE functionalities and asked each MS to inform
about the languages to be used. It was confirmed that statistics drawn up by EUCARIS would be
sent to MS which, in line with the reporting provisions of the Directive, directly report to the
Commission. EUCARIS suggested to draft a best practice guide.

4.2   XML Message Specification Cross-Border Exchange

The meeting took note of doc. 13117/13.

In view of the CBE deadline, it was discussed whether it was possible to comply with the CBE Directive without having successfully implemented the Prüm Decisions. The Presidency indicated that, according to Art. 7 of the CBE Directive, all relevant provisions on data protection set out in the Prüm Decisions also apply to personal data processed under the CBE Directive. Since MS' compliance with the Prüm data protection regime was to be evaluated in the Prüm legal framework and the regime was identical for both legal frameworks, a further evaluation apart from the technical EUCARIS acceptance was not necessary for CBE. It was agreed that DAPIX deal with the details of the linkage between the CBE Directive and the Prüm Decisions at its plenary meeting on 3 October.

4.3   Implementation table

Some delegations orally complemented the state of play set out in doc. DS 1321/1/13 REV 1. Delegations were invited to submit possible updates to the GSC.

4.4   Post CBE Art. 4 : Mutual assistance to identify the driver

Possibilities for a cross-border exchange of owner/ holder photos

The SE delegate presented a questionnaire (doc. CM 4154/13) aiming at collecting supplementary information from MS on the cross-border investigation of traffic fines. It was explained that SE did not ask for an automated procedure of exchanging ID photos but only whether such exchange is possible at all. Some delegations expressed doubts on being able to comply with the suggested approach. Delegations were invited to reply by 30 September.

4.5   Post CBE Art. 5 - Procedures / Salzburg Forum

The HU delegate set out the main aspects of automated procedures agreed upon by HU, AT, HR and BG within the Salzburg Forum in order to enforce traffic fines across borders. The technicalities to be developed by EUCARIS and financed by the participating countries should be operational by the end of 2014. The Presidency informed about discussions on-going in the Baltic States on possibilities to join the initiative.

5.   Feasibility study on RVNP (Registration Vehicle Number Plates)

Delegations discussed the report from EUCARIS (doc. 13127/13 DAPIX 106) on the main features of a system which facilitates automated cross-border inquiries on vehicle number plates. The majority of delegations supported option 2 which consisted of developing a decentralised information system where the information is stored in a 'source' database and from there distributed to MS. However, one delegation stressed the point that there should be no obligation to implement RVNP.

Since the system should facilitate Prüm and CBE searches, the open issue of how to deal with non-EU countries was considered as a minor issue. BE requested that commercial contacts regarding the system with camera software suppliers should be subject to certain conditions. Introducing a general reservation on the report, the FR delegation asked to clarify the mission of the EUCARIS organisation and preferred EU-LISA instead of EUCARIS as the nominated party for operations. The majority of delegations stated that they were currently not in a position to decide on the RVNP proposal and asked for more time to scrutinise the report. The Presidency invited delegations to submit comments to the GSC and EUCARIS by 23 September in order to deal with the issue at the DAPIX plenary on 3 October.

6.   **EUCARIS**

–   Prüm availability reports

The meeting took note of the monthly Prüm availability reports for January to June 2013 as set out in doc. DS 1654/13

–   Financial affairs

–   The meeting took note of information (doc. DS 1657/13) from EUCARIS concerning the Accounts 2012, the Implementation budget 2013 as well as the Financial impact on budget 2014. The meeting agreed with regard to the Budget proposition 2014 on the general contribution and the contribution for the Prüm and CBE user group to prepare discussions and decisions on the issues at the EUCARIS Participants' Board in Orebro/Sweden on 19/20 September.

–   Update Vehicle Status

On request of BE and DE at the EUCARIS Users' Conference in Schiphol on 13 June, EUCARIS presented how to add a status 'Vehicle document stolen' and a status 'Licence plate stolen' in the Prüm Vehicle Inquiry next to the existing status 'Documents/plates stolen'. Due to divergent opinions on the proposal, delegations were invited to submit comments by 17 September so that the addition could be discussed at the EUCARIS Participants' Board.

7.   Any other business

No issue was raised under this point.

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