



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 20 April 2012**

**8852/12**

**JAI 261  
DAPIX 60  
CRIMORG 47  
ENFOPOL 105**

#### **OUTCOME OF PROCEEDINGS**

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of :	Meeting of the Working Group on Information Exchange and Data Protection (DAPIX - Information Exchange / experts DNA / FP)
on :	28 March 2012
Subject :	Summary of discussions

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#### **1. Adoption of the agenda**

The agenda was adopted as set out in doc. CM 1995/12.

#### **2. Information from the Presidency**

No issue was raised under this point.

#### **3. Implementation of the "Prüm Decisions"**

##### **3.1 *State of play in the Member States***

Delegations took note of the overview set out in doc. 5086/2/12 REV 2 JAI 5 DAPIX 3 ENFOPOL 5 CRIMORG 3 and were invited to regularly update the document by submitting new information to [prum@consilium.europa.eu](mailto:prum@consilium.europa.eu).

##### **3.2 *List of National Contact Points (NCP)***

Delegations took note of doc. DS 1037/12 and doc. DS 1039/1/12 REV 1.

### **3.3 Follow-up to recommendations made in DNA/FP evaluation visit reports**

Referring to the recommendations outlined in doc. DS 1175/12

- CY informed that the notification of the GSC about the legal implementation at national level was still pending,
- CZ explained that the start of operational FP data exchange was subject to the imminent conclusion of internal legislative issues,
- FR informed about soon complying with all recommendations concerning the FP data exchange system,
- SK stated to have introduced the priority level functionality and the log file database as recommended.

No comments were made by further delegations mentioned in doc. DS 1175/12.

### **3.4 Implementation of CODIS 7.0**

The leading expert presented the state of play explaining that all countries technically ready to receive CODIS 7.0 before the Prüm implementation deadline of August 2011 had received the software from the FBI. To date 14 Member States as well as Norway and Switzerland had installed CODIS 7.0 and four Member States signed the Letter of Agreement.

During the discussion of significant problems experienced by some Member States, the leading expert stated that in some countries CODIS 7.0 functioned more slowly compared to earlier versions and that this issue was being explored. Delegations were asked to inform him about technical problems in order to present them at the CODIS-Prüm Interoperability Working Group (CPIWG) meeting, established to specify the requirements and to conduct the test of the new version, on 23 April 2012 in Linköping, Sweden.

## **4. Evaluation procedure**

### **4.1 Evaluation visits**

#### *- Estimated time schedule for non operational MS to finish the implementation*

Updating the estimated calendar (see doc. DS 1007/2/12 REV 2) of evaluation visits

- the LV delegation cancelled the FP evaluation visit foreseen for May,
- the BE delegation declared being ready for the DNA evaluation in May 2012.

#### *- List of experts participating in evaluation visits*

Delegations took note of doc. DS 1013/3/12 REV 3 and doc. DS 1038/1/12 REV 1.

#### **4.2 Declaration pursuant to Council Decision 2008/615/JHA, Art. 2(3)**

Delegations took note of the Declarations on the national DNA analysis files of *France* (doc. 18714/11 DAPIX 169 CRIMORG 247 ENFOPOL 473), *Bulgaria* (doc. 6643/12 DAPIX 17 CRIMORG 13 ENFOPOL 36), *Romania* (doc. 7043/12 DAPIX 21 CRIMORG 16 ENFOPOL 48), *Finland* (doc. 6753/12 DAPIX 18 CRIMORG 14 ENFOPOL 41), *Belgium* (doc. 7655/12 DAPIX 33 CRIMORG 27 ENFOPOL 68).

#### **4.3 Ongoing evaluation**

- ***Estonia: Evaluation visit report DNA***

Delegations took note of the evaluation visit report set out in doc. 7671/12 JAI 184 DAPIX 35 CRIMORG 29 ENFOPOL 70 ENFOCUSTOM 22. The Presidency reminded EE to submit the outstanding Declaration on national DNA analysis files to the GSC in order to allow for the conclusion of the evaluation procedure.

- ***Belgium: reply to DNA questionnaire***

Upon examination of doc. 7664/12 DAPIX 34 CRIMORG 28 ENFOPOL 69, BE replied that it would not provide for a central NCP for the 2nd step consultation procedure.

### **5. Prüm DNA / FP statistics**

The Presidency presented the draft DNA and FP statistics required by point 2.1 of Chapter 4 of the Annex to Council Decision 2008/616/JHA and set out according to the models agreed in doc. DS 1171/12 and DS 1172/12 respectively.

As to the question of future "filtered" statistics informing about results of criminal proceedings subsequent to a Prüm data exchange, two delegations informed about studying the feasibility of such statistics and about difficulties encountered to get reliable information at national level. The leading expert noted that many Member States might come across similar problems.

The question was raised whether it would be meaningful to split up figures on person-to-stain matches into two subtypes of matches, namely, on the one hand, stain-person matches indicating that the reporting country has sent the stain-profile to another country and, on the other hand, person-stain matches indicating that the country has sent the person profile to another country.

Upon conclusion that this subdivision provide useful information the leading expert suggested to complement the model for statistic with a "person-stain" column for the next round of reporting.

The Chair invited the delegations to examine the draft statistics and to send their comments to [prum@consilium.europa.eu](mailto:prum@consilium.europa.eu).

## **6. MCT / Europol helpdesk - state of play**

The MCT, tasked with assisting MS in technically implementing the "Prüm Decisions", outlined the current work on issues such as the consolidation of the fingerprint ICD or the provision of a test platform for fingerprints. Conceding that more requests had been expected from MS, the MCT representative encouraged MS to contact in case of need for help or guidance either the MCT or any member of the DE delegation the more so because an answer could be expected within 24 hours on working days. Furthermore, the MCT contributed to the preparation of the Commission Prüm Implementation Report and supported DE for the further development of the DE DNA communication centre.

The Europol representative informed about Europol being authorised to recruit three specialists for the helpdesk and about taking over the first line support for DNA and FP as of 1 April 2012 without, however, interfering in the realm of the sTESTA and CODIS helpdesks. He explained that a knowledge database would progressively be built and that the Europol platform for experts had been established.

## **7. Any other business**

The ES delegation suggested that a list of DNA laboratories accredited according to the relevant ISO standards be drawn up.

The DE delegation envisaged to further elaborate the DNA implementation guide