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REV 5**

**JAI 5
DAPIX 3
ENFOPOL 5
CRIMORG 3**

NOTE

from: Presidency
to: Working Group on Information Exchange and Data Protection (DAPIX)

No. prev. doc.: 6077/10/11 REV 10 JAI 72 DAPIX 5 ENFOPOL 19 CRIMORG 6

Subject: Implementation of the provisions on information exchange of the "Prüm Decisions"
- overview of documents and procedures
- overview of declarations
- state of play of implementation of automated data exchange

1. Introduction and content of the document

The provisions of the "Prüm Decisions"¹ relating to information exchange concern:

- supply of information relating to major events and in order to prevent terrorist offences;
- automated searching of DNA profiles, dactyloscopic data and vehicle registration data (VRD);
- data protection.

¹ Council Decision 2008/615/JHA and 2008/616/JHA, published in OJ L 210 of 6.8.2008, p. 1 and 12.

Member States had to comply with the first and last categories of provisions by 26 August 2009 and with the automated searching provisions by 26 August 2011 at the latest. Member States have to fulfill a number of formal requirements, next to the technical implementation.

The current document aims to provide:

- a brief overview of the formalities to be complied with, the related documents and procedures;
- an overview of the declarations made by Member States pursuant to the relevant provisions of the Prüm Decisions;
- the state of play of implementation of the automated data exchange of DNA, fingerprint and vehicle registration data (VRD).

2. Documents and procedures

2.1 Declarations / notifications

Delegations have to provide a number of declarations and notifications to the General Secretariat of the Council.

Contact points:

- for the automated searching of DNA profiles (Article 6(1) of Council Decision 2008/615/JHA)
- for the automated searching of dactyloscopic data (Article 11(1) of Council Decision 2008/615/JHA)
- for the automated searching of VRD (Article 12(2) of Council Decision 2008/615/JHA)
- for exchange of information on major events (Article 15 of Council Decision 2008/615/JHA)
- for exchange of information to prevent terrorist offences (Article 16(3) of Council Decision 2008/615/JHA)
- of data protection authorities (Article 19 of Council Decision 2008/616/JHA)

This information should be provided to the General Secretariat of the Council by mail to prum@consilium.europa.eu. Annex 1 indicates which Member States have already provided this information.

List of national DNA analysis files

Pursuant to Article 2(3) of Council Decision 2008/615/JHA, each Member State must inform the General Secretariat of the Council of the national DNA analysis files to which Articles 2 and 6 apply and the conditions for automated searching as referred to in Article 3(1).

The information must be sent to the General Secretariat of the Council by an official letter of the Permanent Representation.

Annex 1 indicates which Member States have submitted this declaration and in which official Council documents these are issued. As they are public documents, they can be obtained from the Council website.

Maximum search capacities for dactyloscopic data

Pursuant to Article 13 of Council Decision 2008/616/JHA, each Member State must inform the General Secretariat of the Council by mail (prum@consilium.europa.eu) of the maximum search capacities per day for dactyloscopic data of identified persons and for dactyloscopic data of persons not yet identified.

Document 5860/5/10 REV 5 JAI 92 CRIMORG 16 ENFOPOL 29 compiles this information and is the basis on which Member States' experts decide on the mutually agreed capacities. As it is a public document, it can be obtained from the Council website.

Readiness to apply

According to Article 36(2) of Council Decision 2008/615/JHA, Member States shall notify to the General Secretariat of the Council and the Commission the legal implementation of the Prüm Decisions and to apply the Decision immediately in its relations with Member States which have given the same notification.

This notification must be sent to the General Secretariat of the Council by an official letter of the Permanent Representation.

Annex 1 indicates which Member States have submitted this declaration and in which official Council documents these are issued. As they are public documents, they can be obtained from the Council website.

Data protection requirements

Prior to any processing of personal data and to evaluating the implementation of chapter 2 provisions, Member States have to guarantee the level of data protection and comply with all standards and procedures required by Chapter 6 of Council Decision 2008/615/JHA.

To this end, they have to fill in the questionnaire set out in document 6661/1/09 REV 1 ADD 1 REV 1 CRIMORG 25 ENFOPOL 39 and send it to prum@consilium.europa.eu.

Annex 2 indicates which Member States have replied to the data protection questionnaire and in which official Council documents these are issued.

2.2 Implementation of the automated data exchanges

Member States should regularly report on the national state of play of the implementation (legal and technical) of the automated data exchanges.

To that end, they should update the tables set out in annex 3 regarding DNA, annex 4 regarding fingerprints and annex 5 regarding VRD by sending a mail to prum@consilium.europa.eu.

Member States shall make sure that they implement the technical specifications as set out in Council Decision 2008/616/JHA (OJ L OJ L 210 of 6.8.2008, p. 12), notably by

- ensuring that the relevant national databases are made available
- using TESTA II as the network for the data exchange
- for the VRD exchange, using a version of the Eucaris software.

Member States that are already operational should act as “supporting partners” to Member States that are not yet operational with a view to:

- organising the technical support,
- helping the respective MS to meet the technical requirements,
- carrying out the pilot run,
- providing at least one expert to lead and/or participate in evaluation visits.

The choice of a supporting partner is done on the basis of bilateral contacts. Member States requiring the contact details from relevant experts in the other Member States can consult the contact lists issued by the General Secretariat of the Council.

Advice can also be sought from the respective lead experts:

- DNA: Dr. C.P. van der Beek MBA, k.v.d.beek@nfi.minvenj.nl
- Fingerprints: it05@bka.bund.de
- VRD: dsoops@skynet.be

For VRD, in case of technical problems, IT management, etc., contact with Eucaris can be made via secretariat@eucaris.net.

2.3 Evaluation procedure

Before a Member State can start the operational automated searching of any of the categories, it should pass an evaluation procedure², the details of which are set out in document 6661/2/09 REV 2 CRIMORG 25 ENFOPOL 39³ as amended by doc. 10149/10 JAI 463 CRIMORG 103 ENFOPOL 145 ENFOCUSTOM 43.

Detailed descriptions of the evaluation procedures are set out for

- DNA data in doc. 11899/2/10 REV 2 DAPIX 8 CRIMORG 141 ENFOPOL 203 + COR1
- dactyloscopic data in doc. 11898/2/10 REV 2 DAPIX 7 CRIMORG 140 ENFOPOL 202 + COR 1
- VRD in document 6661/1/09 REV 1 ADD 5.

In summary, the procedure consists of a questionnaire, a pilot run and an evaluation visit.

The data protection questionnaire should be filled in before any evaluation procedure starts (cf. annex 2).

² Article 20 of Council Decision 2008/616/JHA

³ This evaluation procedure applies as from 13 October 2009 to any Member State wishing to start a data exchange pursuant to the Prüm Decisions (cf. doc. 13919/1/09 REV 1 CRIMORG 136 ENFOPOL 233) without prejudice to Article 25(3) of Council Decision 2008/615/JHA. Until then, Member States implemented the Prüm exchange of DNA, dactyloscopic and VRD pursuant to the Prüm Treaty. The latest decision in this regard ("7th Decision of the Committee of Ministers") is of 9 October 2009.

The evaluation procedure is started when the Member State fills in the **questionnaire** related to the data category for which it wishes to start the implementation and sends this to the General Secretariat of the Council (prum@consilium.europa.eu).

The questionnaires are set out in the following documents:

- DNA: 6661/1/09 REV 1 ADD 2
- dactyloscopic data: 6661/09 ADD 3
- VRD: 6661/1/09 REV 1 ADD 4 REV 1

Annexes 3 to 5 will reflect which Member States have replied to which questionnaires and in which official Council documents these replies are issued.

By this time, all the relevant declarations and notifications must also have been sent (cf. point 2.1 and annex 1 of current document).

The **pilot run** and **evaluation visit** must be organised in close cooperation with the supporting Member State and the lead expert. Information thereon must be sent regularly to the General Secretariat of the Council (prum@consilium.europa.eu) with a view to updating annexes 3 to 5 to the current document so that a general planning and overview can be kept.

Once the pilot run and evaluation visit have been done, the **evaluation report** shall be submitted to the Council so that the **Council** can take a **decision** that the Member State can start the operational data exchange. This will be indicated in the annexes 3 to 5, including the reference of the relevant Council document(s).

3. Obligations for operational Member States

As soon as Member States become operational, they should participate in the work as supporting partner for non-operational Member States. In this context, they should send the name of (an) expert(s) who can participate in the evaluation visits to the General Secretariat of the Council (prum@consilium.europa.eu).

Member States shall compile statistics on the results of the automated data exchange in accordance with the agreed models for DNA (doc. 14103/1/11 REV 1 JAI 619 DAPIX 114 CRIMORG 145 ENFOPOL 300), dactyloscopic data (doc. 16891/11 JAI 830 DAPIX 147 CRIMORG 202 ENFOPOL 400) and VRD (doc. 13837/10 JAI 755 DAPIX 18 CRIMORG 159 ENFOPOL 251 ENFOCUSTOM 77). Member States shall forward the statistics and further information on the administrative, technical and financial implementation (prum@consilium.europa.eu).

Declarations and notifications by Member States

| MS | Art. 6(1) (DNA) ncp DS 1037/12 | Art. 11(1) Fingerprints ncp DS 1039/12 | Art. 12(2) VRD ncp DS 1009/12 | Art. 15 Major events ncp DS 1148/12 | Art. 16 CT ncp DS 1010/12 | Art. 19/616 DPA DS 1111/12 | Art. 2(3) DNA files ST DOC | Art. 36(2) implementation ST DOC |
|----|---|---|--|---|------------------------------------|----------------------------------|----------------------------------|--|
| BE | X | X | X | X | X | X | 7655/12 | |
| BG | X | X | X | X | X | X | 6643/12 | |
| CZ | X | X | | X | X | X | 13903/11 | |
| DK | X | X | X | X | X | X | | |
| DE | X | X | X | X | X | X | 10271/11 | 10271/11 |
| EE | X | X | X | X | X | X | 8745/12 | |
| IE | X | X | X | | | X | | |
| EL | X | X | | X | X | | | |
| ES | X | X | X | X | X | X | 6946/10 | 5537/11 |
| FR | X | X | X | X | X | X | 18714/11 | |
| IT | X | X | X | X | X | | | |
| CY | X | X | X | X | X | X | 16029/11 | |
| LV | X | X | X | X | X | X | 10849/11 | |
| LT | X | X | X | X | X | X | 13246/11 | |
| LU | X | X | X | X | X | X | 13449/10 | 13449/10 |
| HU | X | X | X | X | X | X | 11355/12 | |
| MT | X | X | X | X | X | X | | |
| NL | X | X | X | X | X | X | | |

| | | | | | | | | | | | |
|-----------|---|---|---|---|---|---|---|---|---|---------------|---------|
| AT | X | X | X | X | X | X | X | X | X | 5864/10 ADD 1 | 5864/10 |
| PL | X | X | X | X | X | X | X | X | X | 11184/12 | |
| PT | X | X | X | X | X | X | X | X | X | 8095/11 | |
| RO | X | X | X | X | X | X | X | X | X | 7043/12 | |
| SI | X | X | X | X | X | X | X | X | X | 8511/11 | 8511/11 |
| SK | X | X | X | X | X | X | X | X | X | 14459/10 | |
| FI | X | X | X | X | X | X | X | X | X | 6753/12 | |
| SE | X | X | X | X | X | X | X | X | X | | |
| UK | X | X | X | X | X | X | X | X | X | | |

Replies to the data protection questionnaire (doc. 6661/1/09 REV 1 ADD 1 REV 1)

| MS | Document | date |
|-----------|---|------------------|
| BE | 5078/12 | 9 January 2012 |
| BG | 9021/10 | 10 May 2010 |
| CZ | 8670/11 | 14 April 2011 |
| DK | | |
| DE | not applicable (cf. 2008/615/JHA, Art. 25(3)) | |
| EE | 13822/11 | 13 September |
| EL | | |
| ES | not applicable (cf. 2008/615/JHA, Art. 25(3)) | |
| FR | 7997/11 | 22 March 2011 |
| IE | | |
| IT | | |
| CY | 7263/10 | 26 March 2010 |
| LV | 6406/10 | 17 February 2010 |
| LT | 12458/11 | 6 July 2011 |
| LU | not applicable (cf. 2008/615/JHA, Art. 25(3)) | |
| HU | 11288/1/11 REV 1 | 8 May 2012 |
| MT | | |
| NL | 12992/11 + COR1 | 2 August 2011 |
| AT | not applicable (cf. 2008/615/JHA, Art. 25(3)) | |
| PL | 6675/2/10 REV 2 | 24 January 2012 |
| PT | 7940/11 | 21 March 2011 |
| RO | 11714/10 + REV 1 + ADD 1 | 06 July 2010 |
| SI | 11712/1/10 REV 1 | 11 May 2011 |
| SK | 7549/10 | 31 March 2010 |
| FI | 6671/10 | 26 February 2010 |
| SE | 16489/11 | 16 November 2011 |
| UK | <i>reply to provisional version in 2010</i> | |

STATE OF PLAY: DNA -

Operational Member States are indicated in italic.

Regular updates of the table should be sent to prum@consilium.europa.eu

| MS | Implementation | | Evaluation | | | | | | | |
|----|--|--|---------------|---------------|-----------|-------|-------------------|-------------------|--------------------------|---------------------------------------|
| | legal | technical | supporting MS | Questionnaire | Pilot run | Visit | Evaluation report | Team ¹ | Council Decision | Observation |
| BE | | Test runs with NL, AT and LU technically almost operational CODIS 7.0 installed | | 7664/12 | | | | NL LU ... | | Evaluation visit planned for May 2012 |
| BG | | <i>Operational with SI, AT, NL, FR</i> | | | | | | | | <i>Prüm Treaty</i> |
| CZ | | <i>CODIS 7.0 installed</i> | SK | 13795/11 | x | x | 16487/11 | SK | 2012/58/EU OJ L 30/12 | |
| DK | Legislation passed in June 2008 | Preparations ongoing CODIS 7.0 installed tests with DE, FI | | | | | | DE ... | | Ready mid 2012 |
| DE | <i>completed in June 2009 on federal level</i> | <i>Operational with AT, SI, LU, ES, NL, FR, LV, SK; testing with RO, CZ</i> | | | | | | | | <i>Prüm Treaty</i> |

¹ Lead MS in bold

| MS | Implementation | | Evaluation | | | | | | Observation | |
|----|--|---|---------------|---------------|-----------|-------|-------------------|-------------------|----------------------------|--|
| | legal | technical | supporting MS | Questionnaire | Pilot run | Visit | Evaluation report | Team ¹ | | Council Decision |
| EE | | CODIS 7.0 installed | NL FI | 5079/12 | X | X | 7671/12 | | 2012/299/EU OJ L 151/31 | |
| EL | completed | CODIS 5.7.4 since March 2011 | | | | | | | | |
| ES | | Operational with DE, AT, LU, SI, FR, NL, SK / CODIS 7.0 installed | | | | | | | | Prüm Treaty |
| FR | | Operational with DE, ES, NL, AT, LU, SI, SK, BG, RO | | | | | | | | Prüm Treaty |
| IE | Legislation underpinning the establishment of the DNA database has been drafted and is awaiting parliamentary review. Separate legislation governing data protection aspects is currently being drafted. Legislation is expected to be in place by end 2011. | Ireland does not yet have a fully operational DNA database, preparations for its introduction are being made including - <ul style="list-style-type: none"> the procurement of a new Laboratory Information Management System upgrading of data analysis software procurement and testing of instrumentation for automated sample handling and signing of letter of agreement with FBI for version 7.0 of CODIS | | | | | | | | |
| IT | Accomplished | Technical groups start working on workflow, waiting for CODIS | | | | | | | | |
| CY | Legislation was adopted by Ministerial Council on 6 June 2012 | Technical implementation ready in April 2011, tests successful with AT, evaluation visit successful in November 2011 | AT | 15036/11 | X | X | 17652/11 | AT | | Awaiting Council Decision after completion of legal implementation |

| MS | Implementation | | Evaluation | | | | | | Observation |
|----|---------------------|---|---------------|---------------|-----------|-------|-------------------|-------------------|----------------------------|
| | legal | technical | supporting MS | Questionnaire | Pilot run | Visit | Evaluation report | Team ¹ | |
| LV | | Operational with AT, NL, DE, LT, FI, SK, testing with ES | DE | 8066/11 | X | X | 13860/11 | DE | 2011/715/EU OJ L 285/24 |
| LT | | Operational with AT, LV, FI, NL. Soon testing with RO, EE, DE | | 12995/11 | X | X | 13838/11 | AT | 2011/887/EU OJ L 344/36 |
| LU | | Operational with AT, DE, ES, NL, SI, FR, SK; testing with PT | | | | | | | Prüm Treaty |
| HU | | | AT | 15627/11 | X | X | 11353/12 | AT | 2012/445/EU OJ L 202/22 |
| MT | discussions ongoing | CODIS 7.0 installed, subsequently technical problems to be solved by CODIS helpdesk | | | | | | | |
| NL | | Operational with AT, DE, SI, LU, FI, FR, ES, BG, SK, RO; CODIS 7.0 installed | | | | | | | Prüm Treaty |
| AT | | Operational with DE, ES, LU, SI, NL, FR, RO, BG, FI, SK, LT, LV | | | | | | | Prüm Treaty |

| MS | Implementation | | Evaluation | | | | | | Observation | |
|----|---|---|---------------|----------------|-----------|-------|-------------------|-------------------|-------------------------|---|
| | legal | technical | supporting MS | Questionnaire | Pilot run | Visit | Evaluation report | Team ¹ | | Decision |
| PL | Legislation passed Parliament on 16 September 2011 | Connected to sTESTA CODIS 7.0 installed | SK | 11185/12 | | | | | | |
| PT | | CODIS 7.0 installed | DE | 7655/11 +ADD 1 | X | X | 11377/11 | DE | 2011/472/EU OJ L 195/71 | Waiting for political decision to start <i>Prüm Treaty</i> |
| RO | | <i>Operational with AT, NL, SI, FR, SK; Testing with DE and LU / CODIS 7.0 installed</i> | | | | | | | | <i>Prüm Treaty</i> |
| SI | | <i>Operational with BG, DE, AT, NL, ES, LU, SK, FR, RO</i> | | | | | | | | <i>Prüm Treaty</i> |
| SK | | <i>Operational with AT, ES, NL, SI, LU, LV, DE, RO; FR, PT, CZ testing finished, PL testing scheduled for August 2012</i> | AT | 9023/10 | X | X | 13487/1/10 | AT NL | 2010/689/EU OJ L 294/14 | |
| FI | | <i>Operational with NL, AT, LV, LT / ready to expand in near future, CODIS 7.0 installed</i> | | | | | | | | <i>Prüm Treaty</i> |
| SE | Into force 1 August 2011 | Implementation summer 2011 CODIS 7.0 installed | | | | | | | | Evaluation planned for October 2012 |
| UK | Domestic legislation has been tabled in the Protection of Freedoms Bill (tabled February 2011). This may come into force Spring 2012. | Currently evaluating a range of options for the changes necessary to deliver the significant business and technical changes required to meet the obligations arising from the Prüm Decision. Strategic planning and mapping of the way forward is continuing. | | | | | | | | |

DNA operational data exchange

| | BE | BG | CZ | DK | DE | EE | EL | ES | FR | IE | IT | CY | LV | LT | LU | HU | MT | NL | AT | PL | PT | RO | SI | SK | FI | SE | UK | |
|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|---|
| BE | x | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| BG | | x | | | | | | | | | | | | | | | | | | | | | | | | | | |
| CZ | | | x | | | | | | | | | | | | | | | | | | | | | | | | | |
| DK | | | | x | | | | | | | | | | | | | | | | | | | | | | | | |
| DE | | | | | x | | | | | | | | | | | | | | | | | | | | | | | |
| EE | | | | | | x | | | | | | | | | | | | | | | | | | | | | | |
| EL | | | | | | | x | | | | | | | | | | | | | | | | | | | | | |
| ES | | | | | | | | x | | | | | | | | | | | | | | | | | | | | |
| FR | | | | | | | | | x | | | | | | | | | | | | | | | | | | | |
| IE | | | | | | | | | | x | | | | | | | | | | | | | | | | | | |
| IT | | | | | | | | | | | x | | | | | | | | | | | | | | | | | |
| CY | | | | | | | | | | | | x | | | | | | | | | | | | | | | | |
| LV | | | | | | | | | | | | | x | | | | | | | | | | | | | | | |
| LT | | | | | | | | | | | | | | x | | | | | | | | | | | | | | |
| LU | | | | | | | | | | | | | | | x | | | | | | | | | | | | | |
| HU | | | | | | | | | | | | | | | | x | | | | | | | | | | | | |
| MT | | | | | | | | | | | | | | | | | x | | | | | | | | | | | |
| NL | | | | | | | | | | | | | | | | | | x | | | | | | | | | | |
| AT | | | | | | | | | | | | | | | | | | | x | | | | | | | | | |
| PL | | | | | | | | | | | | | | | | | | | | x | | | | | | | | |
| PT | | | | | | | | | | | | | | | | | | | | | | x | | | | | | |
| RO | | | | | | | | | | | | | | | | | | | | | | | x | | | | | |
| SI | | | | | | | | | | | | | | | | | | | | | | | | x | | | | |
| SK | | | | | | | | | | | | | | | | | | | | | | | | | x | | | |
| FI | | | | | | | | | | | | | | | | | | | | | | | | | | x | | |
| SE | | | | | | | | | | | | | | | | | | | | | | | | | | | x | |
| UK | | | | | | | | | | | | | | | | | | | | | | | | | | | | x |

STATE OF PLAY: DACTYLOSCOPIC DATA -

Operational Member States are indicated in italic.

Regular updates of the table should be sent to prum@consilium.europa.eu

| MS | Implementation | | Evaluation | | | | | | | | |
|----|--|---|---------------|---------------|-----------|-------|-------------------|-------------------|----------------------------|--------------|---------------------------|
| | legal | technical | supporting MS | Questionnaire | Pilot run | Visit | Evaluation report | team ¹ | Decision Council | Observations | |
| BE | | AFIS put in place in 2010, connection through sTesta network tested | ES BG | | | | | | | | |
| BG | | <i>Operational with AT, DE, ES, SK, LU, SI, CZ, FR, NL</i> | AT | 6944/10 | X | X | 16014/10 | AT ES | 2010/758/EU OJ L322/43 | | |
| CZ | | <i>Operational with BG, AT, SK</i> | SK AT | 9804/11 | X | X | 12063/11 | SK AT | 2011/472/EU OJ L 190/72 | | |
| DK | Legislation passed in June 2008 | Ongoing preparations Tender for new AFIS solution expected | AT SK | | | | | | | | Financial solution needed |
| DE | <i>Completed on federal level in June 2009</i> | <i>Operational with AT, ES, LU, SI, SK, BG, FR</i> | | | | | | | | | <i>Prüm Treaty</i> |
| EE | Expected to be completed by 1.1.2012 | AFIS software upgrade and hardware installation planned for autumn 2011 | SK LT | 11856/12 | | | | | | | |

¹ Lead MS in bold

| MS | Implementation | | | Evaluation | | | | | | |
|----|--|--|----------------|---------------|-----------|-------|-------------------|-------------------|----------------------------|--|
| | legal | technical | supporting MS | Questionnaire | Pilot run | Visit | Evaluation report | team ¹ | Council Decision | Observations |
| EL | | AFIS motorola exists. Competition for second AFIS under progress (till the end of 2010) | | | | | | | | |
| ES | | <i>Operational with DE, AT, BG; SK, SI, LU, FR soon / testing with BE</i> | | | | | | | | <i>Prüm Treaty</i> |
| FR | | <i>Operational with DE, ES, LU; AT, SK, BG; tests planned with CY, SI, CZ</i> | DE ES | 7999/11 | X | X | 9959/11 | DE ES LU | 2011/355/EU OJ L 161/23 | |
| IE | Legislation allowing for searching and exchange of data is in place. Separate legislation governing data protection aspects is currently being drafted. Legislation is expected to be in force by end of 2011. | AFIS system exists. Signing of contract to provide the software upgrade and ancillary works required has been delayed pending budgetary clearance. | ES LU | | | | | | | |
| IT | June 2009 | Technical planning for modernisation of national system and implementation ready; contracts with the suppliers need to be finalised | | | | | | | | |
| CY | Legislation was adopted by Ministerial Council on 6 June 2012 | AFIS system exists Technical cooperation with AT Evaluation visit successful in November 2011 | AT DE SI | 15035/11 | X | X | 17659/11 | AT DE | | Awaiting Council Decision after completion of legal implementation |

| MS | Implementation | | Evaluation | | | | | | | |
|----|---|--|----------------------|---------------|-----------|-------|-------------------|-------------------|----------------------------|--------------------|
| | legal | technical | supporting MS | Questionnaire | Pilot run | Visit | Evaluation report | team ¹ | Council Decision | Observations |
| LV | On 21 May 2019, the current Law on Biometric Data Processing System (BDPS) came into force, which provides the legal base for the exchange of fingerprint data between EU MS. BDPS currently is under development and it will be a modern, centralised and unique system in Latvia, which will gather all biometric information from all national institutions responsible for collecting of such data. BDPS will provide the necessary fingerprint data for exchange under the Prüm Decision requirements. | | | | | | | | | |
| LT | | <i>Operational with AT, BG, DE, SK, NL; soon testing with EE, FR, CY</i> | | 12994/11 | | X | 13839/11 | AT | 2011/888/EU OJ L 344/38 | |
| LU | | <i>operational with SI, AT, DE, FR, BG, ES; testing with NL</i> | | | | | | | | <i>Prüm Treaty</i> |
| HU | | | AT DE NL SK | 13796/11 | X | X | 11358/12 | AT (DE) SK | 2012/446/EU OJ L 202/23 | |

| MS | Implementation | | | Evaluation | | | | | | Observations | |
|----|--|---|---------------|---------------|-----------|-------|-------------------|-------------------|-----------------------------|--------------------------|-------------------------------|
| | legal | technical | supporting MS | Questionnaire | Pilot run | Visit | Evaluation report | team ¹ | Council Decision | | |
| MT | Legislation in Parliament | Contracts following tenders for hardware and software to be signed soon | AT | | | | | | | | |
| NL | | <i>operational with AT, BG, LT</i> | DE | 12993/11 | X | X | 15713/11 | | | 2012/46/EU OJ L 26/32 | |
| AT | <i>Accomplished end of 2009</i> | <i>Operational with DE, LU, SI, ES, SK, BG, CZ, LT, FR, NL</i> | | | | | | | | | <i>Prüm Treaty</i> |
| PL | Legislation passed Parliament on 16 September 2011 | Implementation started, upgraded 4.0 system AFIS, purchase Prüm interface and NCP organization still ongoing. | | | | | | | | | |
| PT | ongoing | Re-evaluation of the situation | | | | | | | | | |
| RO | ongoing | To date, the interface ANSI/NIST-ITL 1-200 version 4.22b is not yet acquired. However, the interface is a precondition of making AFIS operational. This is supposed to take place 6 months after the acquisition of the interface which is dependent on funding not yet approved. | AT | | | | | | | | Evaluation before end of 2012 |
| SI | | <i>Operational with AT, DE, LU, BG, SK; testing with CY, NL, CZ, FR</i> | | | | | | | | | <i>Prüm Treaty</i> |
| SK | | <i>Operational with AT, BG, FR, DE, CZ, SI testing with HU</i> | AT | 9024/10 | X | X | 14178/1/10 | AT DE | 2010/682/EU, OJ L 293/58 | | |

| MS | Implementation | | | Evaluation | | | | | | |
|----|---|---|---------------|---------------|-----------|-------|-------------------|-------------------|------------------|--|
| | legal | technical | supporting MS | Questionnaire | Pilot run | Visit | Evaluation report | team ¹ | Council Decision | Observations |
| FI | | Contract with AFIS provider to be signed in autumn, reading for testing in summer 2012 | | | | | | | | Tests and evaluation summer to autumn 2012 |
| SE | Into force 1 August 2011 | Implementation project ongoing, procurement period finished Production spring 2013 | | | | | | | | Evaluation planned for March 2013 |
| UK | Domestic legislation has been tabled in the Protection of Freedoms Bill (tabled February 2011). This may come into force Spring 2012. | Currently evaluating a range of options for the changes necessary to deliver the significant business and technical changes required to meet the obligations arising from the Prüm Decision. Strategic planning and mapping of the way forward is continuing. | | | | | | | | |

| FP operational data exchange | | BE | BG | CZ | DK | DE | EE | EL | ES | FR | IE | IT | CY | LV | LT | LU | HU | MT | NL | AT | PL | PT | RO | SI | SK | FI | SE | UK |
|------------------------------|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| BE | x | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| BG | | x | | | | | | | | | | | | | | | | | | | | | | | | | | |
| CZ | | | x | | | | | | | | | | | | | | | | | | | | | | | | | |
| DK | | | | x | | | | | | | | | | | | | | | | | | | | | | | | |
| DE | | | | | x | | | | | | | | | | | | | | | | | | | | | | | |
| EE | | | | | | x | | | | | | | | | | | | | | | | | | | | | | |
| EL | | | | | | | x | | | | | | | | | | | | | | | | | | | | | |
| ES | | | | | | | | x | | | | | | | | | | | | | | | | | | | | |
| FR | | | | | | | | | x | | | | | | | | | | | | | | | | | | | |
| IE | | | | | | | | | | x | | | | | | | | | | | | | | | | | | |
| IT | | | | | | | | | | | x | | | | | | | | | | | | | | | | | |
| CY | | | | | | | | | | | | x | | | | | | | | | | | | | | | | |
| LV | | | | | | | | | | | | | x | | | | | | | | | | | | | | | |
| LT | | | | | | | | | | | | x | | | | | | | | | | | | | | | | |
| LU | | | | | | | | | | | | | x | | | | | | | | | | | | | | | |
| HU | | | | | | | | | | | | | | | | x | | | | | | | | | | | | |
| MT | | | | | | | | | | | | | | | | | x | | | | | | | | | | | |
| NL | | | | | | | | | | | | x | | | | | | | | | | | | | | | | |
| AT | | | | | | | | | | | | | | | | | | | x | | | | | | | | | |
| PL | | | | | | | | | | | | | | | | | | | | | x | | | | | | | |
| PT | | | | | | | | | | | | | | | | | | | | | | x | | | | | | |
| RO | | | | | | | | | | | | | | | | | | | | | | | x | | | | | |
| SI | | | | | | | | | | | | | | | | | | | | | | | | x | | | | |
| SK | | | | | | | | | | | | | | | | | | | | | | | | | x | | | |
| FI | | | | | | | | | | | | | | | | | | | | | | | | | | x | | |
| SE | | | | | | | | | | | | | | | | | | | | | | | | | | | x | |
| UK | | | | | | | | | | | | | | | | | | | | | | | | | | | | x |

STATE OF PLAY: VRD

Operational Member States are indicated in italic.

Regular updates of the table should be sent to prum@consilium.europa.eu

| MS | Implementation | | Evaluation | | | | | | | | |
|-----------|-----------------------------------|--|---------------|---------------|-----------|-------|-------------------|------|------------------|--------------|--------------------|
| | legal | technical | supporting MS | Questionnaire | Pilot run | Visit | Evaluation report | Team | Council Decision | Observations | |
| <i>BE</i> | | <i>Operational (incoming requests with DE, ES, AT, LU, NL, RO, SI, FI outgoing requests with DE, ES, AT, LU, NL, RO, SI, FI)</i> | | | | | | | | | <i>Prüm Treaty</i> |
| BG | | EUCARIS – Prüm application installed | | 10152/12 | | | | | | | |
| CZ | Discussions ongoing | Internal discussions ongoing | | | | | | | | | |
| DK | Legislation passed in June 2008 | Preparations ongoing | | | | | | | | | |
| <i>DE</i> | <i>Completed on federal level</i> | <i>Operational for incoming requests with ES, AT, LU, NL, BE, FR on regional level for outgoing requests with ES, AT, LU, NL, BE, FR- for HH, BW, HE, SN, BR, NI, RP, SL, BY, SH</i> | | | | | | | | | <i>Prüm Treaty</i> |
| EE | | Technically ready, awaiting solution of administrative problems | | 13342/11 | | | | | | | |
| EL | | | | | | | | | | | |

| MS | Implementation | | Evaluation | | | | | | Observations | |
|----|--|--|---|---------------|-----------|-------|-------------------|------|--------------|--|
| | legal | technical | supporting MS | Questionnaire | Pilot run | Visit | Evaluation report | Team | | Council Decision |
| ES | | | Operational for incoming requests with FR, DE, AT, LU, NL, BE, FI, SI, RO outgoing requests with FR, DE, AT, LU, NL, BE, FI, SI, RO | | | | | | | <i>Prüm Treaty</i> |
| FR | | | Operational for incoming requests with DE, ES, AT, LU, NL, BE, FI, SI, RO AT, LU, NL, BE, FI, SI, RO | | | | | | | <i>Prüm Treaty</i> |
| IE | Legislative provisions for physical searching and exchange of VR data in place. Additional data protection legislation is being drafted and is expected to be in place by the end of 2012. | Technical implementation for incoming requests is complete and has been successfully tested. Installation of additional EUCARIS access points in the Garda Síochána (Irish Police) to generate outgoing requests is ongoing. | NL | | | | | | | Evaluation not expected until Q1 2013 at the earliest. |
| IT | | EUCARIS installed, testing phase concluded | | | | | | | | |

| MS | Implementation | | | Evaluation | | | | | | |
|----|--|--|---------------|---------------|-----------|-------|-------------------|------|------------------|-----------------------------------|
| | legal | technical | supporting MS | Questionnaire | Pilot run | Visit | Evaluation report | Team | Council Decision | Observations |
| CY | Discussions ongoing, | EUCARIS II application in both, production and test server, installed; software upgraded to the latest version as indicated by the NL team; connection with the sTESTA network and assigned secured IP addresses according to the guidelines of the sTESTA established; EUCARIS configuration update successful | NL | | | | | | | |
| LV | Full member of the EUCARIS Treaty since July 2010. | Preparatory work ongoing. Looking for supporting MS. | | 13247/11 | | | | | | |
| LT | Came into force on 18-11-2011 | Technical development finalized June 2012 | | 6100/12 | X | X | | | | |
| LU | | <i>Operational BE, DE, ES, FR, NL, AT, RO, SI, FI</i> | | | | | | | | <i>Prim Treaty</i> |
| HU | Council Decisions implemented | Pilot run in preparation | | 13902/11 | | | | | | Evaluation visit planned for 2012 |
| MT | ongoing | Preparatory work ongoing. Tender Document finalised and will be issued by end April 2011. | | | | | | | | |
| NL | | <i>Operational for incoming requests with DE, AT, LU, FR, ES, BE, NL, LU, RO, SI, FI for outgoing requests with DE, AT, LU, FR, ES, BE, RO, SI, FI</i> | | | | | | | | <i>Prim Treaty</i> |
| AT | <i>Accomplished end 2009</i> | <i>Operational for incoming requests with DE, FR, ES, BE, NL, LU, RO, SI, FI</i> | | | | | | | | <i>Prim Treaty</i> |
| PL | <i>cf. 5864/10</i> | <i>for outgoing requests DE, FR, ES, BE, NL, LU, RO, SI, FI</i> | NL | 7728/11 | X | X | 7270/12 | | 2012/236/EU | |

| MS | Implementation | | | Evaluation | | | | | | Observations | |
|----|--|--|---------------|---------------|-----------|-------|--------------------|----------|------------------|---------------------------|-----------------------------|
| | legal | technical | supporting MS | Questionnaire | Pilot run | Visit | Evaluation report | Team | Council Decision | | |
| PT | Draft legislation is under evaluation. | | | + COR I | | | | | | OJL 118/8 | |
| RO | | The implementation of the new car register information system – SIRAUTO – which will be implemented in 2012 needs to take place before accession to EUCARIS. | | 14007/10 | X | X | 8738/11 + ADD I | | | 2011/547/EU OJL 242/8 | |
| SI | | Operational with AT, BE, DE, ES, FI, FR, LU, NL, SI | | 11806/10 | X | X | 8740/11 | NL BE | | 2011/387/EU OJL 173/9 | |
| SK | | preparations ongoing EUCARIS not yet operational | | | | | | | | | |
| FI | | Operational with BE, ES, FR, DE, LU, NL, AT, RO, SI, FI | | 6677/10 | X | X | 9032/10 | | | 2010/559/EU OJL 245/34 | |
| SE | Into force 1 August 2011 | Technical development finalised March 2011 | | 16490/11 | X | X | 11349/12 | | | | evaluation in December 2011 |

| MS | Implementation | | Evaluation | | | | | | | |
|----|---|---|---------------|---------------|-----------|-------|-------------------|------|------------------|--------------|
| | legal | technical | supporting MS | Questionnaire | Pilot run | Visit | Evaluation report | Team | Council Decision | Observations |
| UK | Secondary legislation is needed to ensure personal data can be exchanged. | Currently evaluating a range of options for the changes necessary to deliver the significant business and technical changes required to meet the obligations arising from the Prüm Decision. Strategic planning was completed in April 2010 and a business case is being prepared, which needs funding. | | | | | | | | |

VRD operational data exchange (27/10/2011)

| | BE | BG | CZ | DK | DE | EE | EL | ES | FR | IE | IT | CY | LV | LT | LU | HU | MT | NL | AT | PL | PT | RO | SI | SK | FI | SE | UK | |
|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--|
| BE | x | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| BG | | x | | | | | | | | | | | | | | | | | | | | | | | | | | |
| CZ | | | x | | | | | | | | | | | | | | | | | | | | | | | | | |
| DK | | | | x | | | | | | | | | | | | | | | | | | | | | | | | |
| DE | | | | | x | | | | | | | | | | | | | | | | | | | | | | | |
| EE | | | | | | x | | | | | | | | | | | | | | | | | | | | | | |
| EL | | | | | | | x | | | | | | | | | | | | | | | | | | | | | |
| ES | | | | | | | | x | | | | | | | | | | | | | | | | | | | | |
| FR | | | | | | | | | x | | | | | | | | | | | | | | | | | | | |
| IE | | | | | | | | | | x | | | | | | | | | | | | | | | | | | |
| IT | | | | | | | | | | | x | | | | | | | | | | | | | | | | | |
| CY | | | | | | | | | | | | x | | | | | | | | | | | | | | | | |
| LV | | | | | | | | | | | | | x | | | | | | | | | | | | | | | |
| LT | | | | | | | | | | | | x | | | | | | | | | | | | | | | | |
| LU | | | | | | | | | | | | | | x | | | | | | | | | | | | | | |
| HU | | | | | | | | | | | | | | | x | | | | | | | | | | | | | |
| MT | | | | | | | | | | | | | | | | | x | | | | | | | | | | | |
| NL | | | | | | | | | | | | | | | | x | | | | | | | | | | | | |
| AT | | | | | | | | | | | | | | | | | | | x | | | | | | | | | |
| PL | | | | | | | | | | | | | | | | | | | | x | | | | | | | | |
| PT | | | | | | | | | | | | | | | | | | | | | x | | | | | | | |
| RO | | | | | | | | | | | | | | | | | | | | | | x | | | | | | |
| SI | | | | | | | | | | | | | | | | | | | | | | | x | | | | | |
| SK | | | | | | | | | | | | | | | | | | | | | | | | x | | | | |
| FI | | | | | | | | | | | | | | | | | | | | | | | | | x | | | |
| SE | | | | | | | | | | | | | | | | | | | | | | | | | | x | | |
| UK | | | | | | | | | | | | | | | | | | | | | | | | | | | x | |