



Brussels, 24 June 2016
(OR. en)

9236/16

DAPIX 79
JAI 463
CRIMORG 39
ENFOPOL 156
COMIX 383

OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council
On: 18 May 2016
To: Working Party on Information Exchange and Data Protection (DAPIX)
Subject: Summary of discussions

DAPIX (DNA/FP EXPERTS)

1. Adoption of the agenda

The agenda was adopted as set out in CM 2328/16.

2. Prüm statistics and reports on automated data exchange 2015 - determining possible technical obstacles for the application of Prüm

Following a preliminary discussion of the statistics (5129/16 JAI 9 DAPIX 2 CRIMORG 3 ENFOPOL 5) at the previous DAPIX meeting, experts re-examined the national tables based on 7912/1/16 REV 1 JAI 286 DAPIX 56 CRIMORG 29 ENFOPOL 106.

A number of issues concerning specific figures in national DNA and FP statistics could have been clarified and the delegations concerned promised to update figures for 2015 as soon as possible. Furthermore, with a view to establishing as simply as possible comparable statistics, delegations agreed to amend the statistical model so that:

- the number of "unique DNA-profiles *received* from other countries" would be deleted from the annual database statistics. The reasons for that were, on the one hand, the technical difficulties encountered particularly by Member States using CODIS 7.0 (BE, CZ, EE, ES, LV, LT, MT, NL PL, PT, RO, SK, FI, SE) when establishing these figures and, on the other hand, the poor significance of these figures;
- the number of "unique profiles *sent* to other countries" should present the quantity of unique profiles sent and not the quantity of sending the same profiles.

As to the technicalities of the Prüm exchange mechanism, BG informed delegations that, for the time being, no further bilateral DNA data exchange connections would be established due to difficulties encountered at national level. A targeted project had been launched in order to remedy the situation by 2018.¹

With a view to sharing best practices concerning FP data exchange, delegations discussed the efficiency of specific search types. Norway, in particular, was interested to learn about the most efficient verification methods applied by Member States. To that end, the Presidency invited NO to discuss specific issues on a bilateral basis.

Finally, delegations started a debate on how to report to the Council on the administrative, technical and financial implementation of automated data exchange as needed to analyse and improve the Prüm process. In this context, Member States emphasized the performance of the initial data and follow-up information exchange and suggested to include in such a report exemplary cross-border investigations. In order to further enhance the investigative efficiency of the Prüm process, Europol suggested to get involved in the post-hit information exchange so as to complement biographic data where possible.

¹ see 10091/16 DAPIX 100 ENFOPOL 175 CRIMORG 50

3. Any other business

DE suggested:

- to align the Member State code number table as set out in Chapter 1, pt. 2 of 2008/616/JHA with the correct ISO 3166-1 alpha -2 codes for GR and UK respectively, that is GR instead of EL and GB instead of UK, before both become operational. The idea was met with reluctance;
- to intensify the role of the Europol Prüm helpdesk. Europol's delegate promised to point out the idea to Europol's management although the helpdesk was hardly called on;
- to harmonise the daily operation between CODIS and non-CODIS countries, in particular by reviewing the CODIS Prüm requirements;

Furthermore, delegations were informed by DE that the assessment of the "DNA fEUision"-project, briefly discussed by DAPIX on 26 October 2015, was still ongoing within the Commission.

DAPIX PLENARY MEETING

1. Adoption of the agenda

The agenda was adopted as set out in CM 2328/16

2. Information from the Presidency

The Presidency informed about the outcome of the JHA Council of 21 April 2016, as well as on progress made on DAPIX relevant files dealt with by other working parties, such as the draft Council Conclusions on a European Forensic Science Area (6078/1/16), which refer in action 6 of the Annex thereto to stimulating the exchange of forensic data via Prüm and to improving their quality.

3. Prüm Council Decision

Implementation - *state of play*

Delegations took note of 5017/3/16 REV 3 JAI 2 DAPIX 1 ENFOPOL 3 CRIMORG 1 and were invited to submit possible changes in due time so as to enable the GSC to continue to draft a reliable overview on the state of play.

The Commission briefly informed about the monitoring of Member States which still not have implemented the Prüm Decisions or Council Framework Decision (2006/960/JHA).

Declarations in accordance with Council Decision 2008/615/JHA, Art. 36(2)

Latvia

Delegations took note of 6953/16 DAPIX 38 CRIMORG 20 ENFOPOL 75.

Organisation of evaluation visits - indicative calendar (DS 1002/2/16 REV 2)

DK and CZ scheduled VRD evaluation visits for June and September respectively.

4. Stronger and Smarter Information Systems for Borders and Security

Delegations took note of the presentation of the Commission (7644/16 JAI 257 COSI 51 FRONT 159 ASIM 49 DAPIX 49 ENFOPOL 86 SIRIS 61 DATAPROTECT 23 VISA 90 FAUXDOC 9 COPEN 96).

5. Roadmap to enhance information exchange and information management including interoperability solutions in the Justice and Home Affairs area: exchange of views on the implication of DAPIX

The Presidency presented the roadmap (8437/16) which was intended to be a living document and susceptible to further streamlining. While welcoming the roadmap as such, delegations called into question how DAPIX would cope with the important tasks assigned to it and recommended to take account of DAPIX resources.

Concerns were, in particular, voiced as to the risk that roadmap and IMS actions might overlap. This should be avoided by a coordinated implementation of both lists. Delegations asked, furthermore, for a realistic timing for the implementation of the roadmap especially with regard to the establishment of a single search facility.

Specific remarks were made on the asymmetric information exchange between Schengen and non-Schengen countries. The suggestion to establish SIENA as the preferred information exchange channel was met with doubts as long as it is not monitored 24/7 by all Member States.

As to the "High Level Expert Group", delegations asked for more details on its composition, mandate and legitimacy, on the status its report would have and how its work would relate to COSI activities. Given the ongoing discussions on that issue, the Commission could not give any details.

The Presidency took note of the interventions and promised to take them into account for the redrafting of the roadmap which was expected to be endorsed by the Council at its meeting of 9/10 June 2016.

6. Renewed Information Management Strategy (IMS) - Draft 5th action list

Delegations took note of 5175/1/16 REV 1 JAI 18 CATS 1 DAPIX 4 ASIM 3 JURINFO 1, which was expected to be complemented by actions of the roadmap (see above).

Action 2: ADEP (Automation of data exchange processes) - state of play

FR informed orally on the state of play of the action and promised a detailed explanation on technical details at the incoming DAPIX meeting. As to the link between the Europol Information System (EIS) and ADEP, Europol pointed at the overlaps and differences as to data and the level of details between both, with the former being smaller and going much deeper into details and offering a gateway to third countries. Upon request, FR explained that the purpose of EPRIS (European Police Record Index System) ADEP is identical.

7. Any other business

The AT delegation:

- raised difficulties in the bilateral information exchange with LU due to the non-implementation of Council Framework Decision 2006/960/JHA ("Swedish Framework Decision") by LU. LU explained that a provisional solution had been found and that the SFD was expected to be implemented by the end of 2016.
- presented a questionnaire concerning information exchange between Police and Customs Cooperation Centres (PCCCs)(8749/16 ADD 1) and invited delegation to reply by 12 June 2016.