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**NOTE**

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| From:           | Presidency   |
| To:             | Delegations  |
| No. prev. doc.: | 5826/17  |
| Subject:        | Draft Council Conclusions on the creation of an informal network of experts competent in the field of Disaster Victim Identification |

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Following the presentation of the proposal by the Maltese Presidency on the creation of an informal network of experts on Disaster Victim Identification (DVI) at the LEWP meeting of 13 February 2017, and taking into account the comments of Member States as regards this proposal, voiced during that meeting and subsequently submitted in writing, delegations will find attached the draft Council Conclusions on this subject. The Presidency would like to have these discussed and agreed at the LEWP meeting of 21 April 2017.

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**COUNCIL CONCLUSIONS**

**of ... 2017**

**on the creation of an informal network of experts competent in the field of Disaster Victim Identification**

THE COUNCIL OF THE EUROPEAN UNION,

AWARE

- That serious incidents, whether or not caused by human intervention, often lead to large numbers of casualties and fatalities; and
- That the overall ease of travel has facilitated mass displacement of people leading to a high probability that should a major incident take place both within and outside of the EU, victims will most likely have diverse nationalities,

TAKING INTO CONSIDERATION that following such incidents, the identification of victims as part of the process of consequence management should take place as swiftly and smoothly as possible to alleviate the suffering of surviving relatives and allow for the repatriation of the victim's remains,

TAKING INTO ACCOUNT the Charter of Fundamental Rights and the right of the person to be treated with dignity,

BEARING IN MIND that Title V TFEU on the area of freedom, security and justice, and especially Article 87 thereof, provides for the establishment of police cooperation involving all the Member States' competent authorities, including the police, customs and other specialised law enforcement services in relation to the prevention, detection and investigation of criminal offences; whereby the process of victim identification may assist in investigations of serious and organised crime and terrorism,

## KEEPING IN MIND

- The work at EU level on the management of the consequences following terrorist attacks, particularly the meeting of Directors-General for Civil Protection which focused on strengthening preparedness and response and improving cooperation in line with specific challenges for emergency medical services, Disaster Victim Identification (DVI) and raising public awareness;
- The Ministerial discussion at the Council Justice and Home Affairs meeting of 9 December 2016 on the management of the consequences following terrorist attacks;
- The possibility that the scale of the disaster may overwhelm a country's infrastructure, resulting in the need for outside assistance;
- That a coordinated effort by Member States working together can significantly speed up the recovery of victims and the identification process;
- The relevance of this subject to the creation of a European Forensic Science area by the year 2020.

## RECOGNISING

- The individual efforts and actions taken by Member States in the field of DVI;
- The work that is already being done by leading intergovernmental organisations active in DVI such as INTERPOL;
- The many challenges that still remain and the scope for further efforts to streamline practices, particularly within the EU, and;
- The need for a rapid and secure exchange of information, the sharing of good practices and guidelines between the Member States to effectively carry out the process of DVI.

CONCLUDES that it is necessary to take further measures that will increase the effectiveness and swiftness of the DVI process, whilst bringing together European experts in this field so as to allow for the sharing of information and experiences, facilitate contact and enhance training opportunities in this area and therefore,

WELCOMES the creation of an informal network of DVI experts, for the purpose of strengthening coordination between DVI teams at national and EU levels,

UNDERLINES that the network should cooperate with the relevant national authorities, as well as with relevant EU and international organisations such as INTERPOL, in the field of DVI, and complement ongoing activities in the area of the management of consequences following terrorist attacks. The network should not duplicate the work of existing groups and should seek to support already existing processes,

NOTES that law enforcement, judicial and other cooperation between entities of Member States is governed by the existing relevant instruments and that the creation of an informal network is without prejudice to such provisions.

SUGGESTS that the network fulfil the following objectives:

- 1) Ensure that relevant stakeholders, including but not only law enforcement, civil protection, judicial communities, health authorities and NGOs, within Member States are made aware of the DVI process at the strategic level,
- 2) Compile a list of national contact points from each Member State or participating Associated Country,
- 3) Carry out the mapping of existent DVI resources and capabilities and seeking the means to create and maintain a pool of such resources at European level,
- 4) Coordinate the strategy of deploying Member State DVI teams according to need,
- 5) Review current training opportunities related to DVI and exploring possibilities for future training in the field of DVI,

- 6) Organise and manage regular exercises for DVI practitioners with the aim of maintaining a uniform high level of ability and expertise in the area of DVI across Member States,
- 7) Explore the need to establish a uniform and secure method for sharing information relating to the DVI process (e.g. the sharing of ante-mortem and post-mortem data),
- 8) Explore relations, and work closely with international forensic institutes such as ENFSI, DVI networks such as the Nordic DVI group and INTERPOL, and judicial authorities such as EJTN,
- 9) Seek possible avenues of cooperation with other networks of the Law Enforcement Working Party such as EMPEN and Kynopol,
- 10) Encourage the setting up of national DVI units in all Member States and strengthen cooperation between these units,
- 11) Stress the importance of using the guidelines as established by INTERPOL to conduct the DVI Process,
- 12) Promote the use of INTERPOL's Quality Management Guidelines by national DVI Units,
- 13) Consider the possibility of obtaining access to relevant databases that may be utilized(used) to facilitate the DVI process (e.g. DNA, fingerprints, dental and medical databases).

SUGGESTS that the activities of the network be organised in the following way:

- 1) All Member States and Associated Countries, as well as the Commission, Europol and INTERPOL, are invited to take part in the network,
- 2) Cooperation may be sought with other relevant organisations and entities such as the International Commission on Missing Persons (ICMP), Eurojust, CEPOL, ENFSI, EJTN and the United Nations Disaster Relief Organisation,
- 3) The possibility of cooperating with third countries on the DVI Process is considered,

- 4) The network should favour a multidisciplinary approach in order to reflect the composition of the DVI team and be able to draw upon specialisations within specific areas of expertise related to the DVI process,
- 5) The meetings of the network should be needs-driven. The network should meet at least twice yearly to ensure progression of work streams and completion of goals,
- 6) The network should regularly inform competent structures within the Council about its activities,
- 7) The network should seek to explore different avenues of funding its endeavours,
- 8) After two years of activity the competent Council bodies will evaluate the network's activities and objectives, and assess whether such a network is still needed.

#### INVITES THE COMMISSION

To recognise the EU network on DVI as the main focal point for DVI-related activities at the EU level,

To consider the provision of financial support for specific activities such as the hosting and delivery of specific table-top and field exercises for DVI practitioners,

To consider developing a DVI module (definition) to be included in the Union Civil Protection Mechanism (UCPM) to be made available to the Emergency Response Coordination Centre (EERC). This will ensure that capacities and components of DVI (DVI module) may be deployed rapidly and in a consistent manner to areas struck by disaster.

INVITES EUROPOL to provide practical support to the network, for example by making use of the Europol Platform for Experts (EPE) and promoting the secure information exchange channel SIENA.

INVITES CEPOL to cooperate with the EU network on DVI to continue organizing training activities and to consider the development of other training tools in the field of DVI, with particular regard to multilateral exchange programmes, common curricula, e-learning modules and online seminars, keeping in mind the multidisciplinary nature of the DVI process.

INVITES EJTN to work jointly with the network to set up and deliver training programmes to the judicial community to enhance its awareness of the DVI process, outsourcing the appropriate experts to assist the DVI team in its investigative methods and to be able to interpret the evidence presented.

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