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European Union

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From:	Permanent Representation of Portugal to the European Union - Ms Inacio
date of receipt:	4 May 2017
To:	Director General, DGD (Justice and Home Affairs) of the Council of the European Union

No. prev. doc.:	8095/11
Subject:	"Prüm Decisions" - Declaration by the Portuguese Republic regarding Article 2(3) of Council Decision 2008/615/JHA

Delegations will find attached the amended declaration on national DNA analysis files in accordance with Article 2(3) of Council Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime.

Encl.:



REPRESENTAÇÃO PERMANENTE
DE PORTUGAL
JUNTO DA UNIÃO EUROPEIA
BRUXELAS

Bruxelas, 4 de maio de 2017

Proc.

0556

IM 05169 2017

16.05.2017

Senhora Diretora-Geral

Em conformidade com o n.º 3 do artigo 2.º da Decisão 2008/615/JAI do Conselho relativa ao aprofundamento da cooperação transfronteiriça, nomeadamente no domínio da luta contra o terrorismo e a criminalidade transfronteiriça, junto envio em anexo uma alteração à declaração apresentada pela República Portuguesa em 2011, com a lista de dados de nacionais de ADN compartilhados e condições que regem a troca e comparação de perfis.

Queira aceitar, Senhora Diretora-Geral, os protestos da minha alta consideração.

Pe'l' O Representante Permanente e p.s.o.,
Silvia Tráco

Exma. Senhora
CHRISTINE ROGER
Direção-Geral da DGH -
Justiça e Assuntos Internos
Secretariado-Geral do
Conselho da União Europeia
Bruxelas

PJF/fmp

"The DNA profiles database to be shared with other European countries, draws on the national CODIS database. It extracts the following types of profiles:

- **Forensic unknown:** genetic profile obtained from a unidentified sample, usually coming from a crime scene;*
- **Convicted offender:** genetic profile obtained from a sample undoubted of a person convicted of a crime with more than three years of imprisonment."*

Instead of:

"The DNA profiles database to be shared with other European countries, draws on the national CODIS database. It extracts the following types of profiles:

- **Volunteers:** genetic profile obtained from any person who desires to be at the database with no need of justification;*
- **Forensic unknown:** genetic profile obtained from a unidentified sample, usually coming from a crime scene;*
- **Convicted offender:** genetic profile obtained from a sample undoubted of a person convicted of a crime with more than three years of imprisonment;*
- **Deceased:** genetic profile obtained from a sample of a body (or their remains) not identified and not associated in principle with any crime;*
- **Missing person:** genetic profile obtained from a reference sample of a missing person. (Sample preserved, toothbrush, shaving machine, etc);*
- **Missing relative person:** genetic profile obtained from a reference sample of a missing relative person."*