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From:	Presidency
To:	Delegations
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Subject:	Implementation of the Action Plan on the way forward in view of the creation of an European Forensic Science Area

The Council Conclusions and the related Action Plan on the way forward in view of the creation of an European Forensic Science Area are set in 8770/16 and were adopted by the Council on 9 June 2016.

On 7 November 2016, the LEWP first discussed progress in the implementation of the Action Plan, based on document 13636/16.

On 15 June 2017, the initial version of this document was discussed in the LEWP, providing an update to some of the information contained in 13636/16, based on relevant developments in Actions 4 and 6.

This revised version completes the overview of progress achieved in the implementation of the Action Plan, providing information on activities carried out for the remaining Actions (1, 2, 3, 5 and 6). Information provided by the Action leaders is included in the main text, while the contributions by the Member States and by CEPOL on the respective activities relevant to them are taken over in Annexes 1-4 of this document.

This document will then serve as a basis for the mid-term report to be discussed at the LEWP meeting in November 2017.

Implementation - state of play:

ACTION 1: 'BEST PRACTICE MANUALS FOR FORENSIC DISCIPLINES'

Objective: *Improving mutual trust by encouraging continuous quality improvement of forensic procedures and processes through the development and use of Best Practice Manuals for forensic analyses*

Coordinator: *ENFSI*

Stock taking exercise on the available Best Practice Manuals (BPM)

The results of the survey carried out by the end of 2016 have shown the ENFSI community is using the BPM provided by the ENFSI Expert Working Groups (EWGs) to different extend, depending on the area of expertise. Further BPM or BPM-like documentation from other organisations - from a national or regional origin - are used to a significant extend. The survey disclosed the need to develop further BPM in some forensic areas and indicated the importance of raising the awareness as well as the continuous further development of existing BPM. 11 out of 17 ENFSI Expert Working Groups have already published BPM or BPM-like guidelines on the ENFSI website (www.enfsi.eu).

Implementation of the Council Conclusions of 2011

To date, 11 BPM from 9 forensic areas of expertise (ENFSI Expert Working Groups) **are published** on www.enfsi.eu/documents/best-practice-manuals. Further forensic guidelines **are publicly available** on www.enfsi.eu/documents/forensic-guidelines. More already existing BPM and forensic guidelines will be published the ENFSI website after necessary revisions.

Several ENFSI Expert Working Groups are currently working on the **revision of existing and/or producing new BPM**. The above-mentioned survey indicated the need to review 30 field specific existing BPM or BPM-like guidelines and to draft about 12 new BPM. Therefore, a continuous increase in the number of BPM published on www.enfsi.eu is expected in the coming years. The annual planning of all 17 ENFSI Expert Working Groups for 2018 will include the revision of existing and production of new BPM as one of their main objectives. Moreover, ENFSI's grant application STEFA includes three projects with the aim of producing new BPMs, namely in the areas of forensic handwriting, fingerprints and soil analysis.

BPMs generally describe commonly accepted methods and procedures of forensic examinations. They are in general used as supporting documents rather than replacing existing quality management documents. With this in mind, BPMs are widely used by forensic service providers in Europe and ENFSI is **stimulating the use of BPMs** by publishing them on www.enfsi.eu as well as in ENFSI forensic conferences.

As far as **translation of BPMs** is concerned, ENFSI suggests that they only be carried out on a case by case basis for Member States specifically needing them in a given area, although a number of Member States would consider systematic translation highly beneficial. The ENFSI considers that as the official language of the network, English should retain its pivotal role in order to avoid problems regarding consistency and versioning of BPM containing extremely technical terminology.

That said, the Commission indicates that it has offered its services to translate the BPM developed under its 2012, 2013 and 2016 grants in all EU languages, if necessary. In the light of the above, no formal request has been formulated so far.

Concerning this Action, **Member States** were requested to report on the use of BPM by the national accreditation bodies when carrying out accreditation of processes of forensic service providers (**activity 4**). Their contributions are listed in **Annex 1** to this document.

ACTION 2: 'STIMULATING EXCHANGE OF FORENSIC INFORMATION FROM DATABASES, FOR EXAMPLE IN THE AREAS OF WEAPONS AND AMMUNITION, EXPLOSIVES AND DRUGS'

Objective: *Stimulate the exchange of forensic information from databases similar to the methodology used under the Prüm Decisions 2008/615/JHA and 2008/616/JHA, focussing on the areas of weapons and ammunition, explosives and drugs*

Coordinator: *ENFSI*

ENFSI has concentrated on executing the ISF funded project *'Towards the Development of Pan-European Databases in Forensic Science'* and on exploring the possibilities to host the forensic databases with Europol.

The project consists of 5 work packages, including a feasibility study and a proof of concept for an overarching forensic data model, as well as forensic databases on weapons, security inks, explosives and documents. The mid-term progress report has been sent in the beginning of 2017 and the project's end is scheduled for May 2018. Although ENFSI experts are also involved in *EFFECT, ODYSSEY* and *RESPONSE*, a systematic evaluation of the four projects has not yet been carried out.

Discussions with Europol started with an invitation for Europol to take part in the project *'Towards the Development of Pan-European Databases in Forensic* Science'. A meeting between the ENFSI Board and the Europol management took place on 19 October 2016. A fact finding visit of Europol to the Bundeskriminalamt in Wiesbaden (Germany) took place on 21 and 22 August 2017. Europol's support to ENFSI is on the agenda of the Heads of Europol National Units Meeting on 26 October 2017 in The Hague (The Netherlands).

Information regarding the *Identification of optimal and shared ways to create, update and use forensic databases* gathered by means of the questionnaire sent out during the Dutch Presidency in 2016, as well as the questionnaire sent out via the LEWP at the end of 2016, has shown divergent results. Additional information is needed concerning the type of database used and its final goal (investigative/forensic purposes). While some Member States consider the exchange of forensic data with other Member States as very important, others don't. Most of the Member States already exchange biometric data (Prüm), whereas only some Member States also exchange non-biometric forensic data.

Concerning non-biometric databases, many replies mentioned the areas of documents, weapons and ammunition, drugs and explosives. In general, forensic databases are widely used and there is an increasing need in sharing them. In setting up central databases at Europol, forensic experts would avoid double work in processing these data and would strongly benefit from a faster access to necessary information.

Concerning this Action, **Member States** were requested to report on the review and use of possibilities and strategic opportunities for expanding the exchange of information (**activities 1 and 2**), as well as on the common alignment and standardisation of data description and on possibilities of forensic facial databases similar to DNA and fingerprints (**activities 8 and 9**). Their contributions are listed in **Annex 2** to this document.

ACTION 3: 'PROFICIENCY TESTS AND COLLABORATIVE EXERCISES FOR FORENSIC DISCIPLINES'

Objective: *Improving mutual trust by increased use of proficiency tests and collaborative exercises by forensic service providers*

Coordinator: *ENFSI*

ENFSI instructs all its Expert Working Groups to develop proficiency tests in their respective area of expertise. In order to provide examples for possible tests in the future, ENFSI has gathered information about past proficiency tests issued by ENFSI Expert Working Groups. This information will be made available on the ENFSI website (www.enfsi.eu) by the end of October 2017. Upcoming tests to be issued are selected by the Expert Working Groups on a yearly basis according to the needs of their members. Proficiency tests developed by the ENFSI Expert Working Groups are also open to non-ENFSI members. Further, some Expert Working Groups have already outsourced proficiency tests to commercial forensic test providers.

ENFSI has also gathered information as to whether commercial proficiency test providers are accredited according to ISO 17043 (Conformity assessment – general requirements for proficiency testing) or not. Due to risk of infringement with competition law, ENFSI will not give further recommendations. This information will also be made available on the ENFSI website by the end of October 2017.

The **Commission** indicates that it has financed a project led by the Bundeskriminalamt in Germany to develop, prepare and perform an International Proficiency Test on Shot Range Estimation. The project was concluded in 2017 and results have been disseminated via ENFSI to the forensics community.

Concerning this Action, **Member States** were requested to indicate to what extent they were able to stimulate their forensic service providers to engage in the proficiency tests operated or recommended by ENFSI (**activity 6**). Their contributions are listed in **Annex 3** to this document.

ACTION 4: 'FORENSIC AWARENESS AND TRAINING FOR LAW ENFORCEMENT AND JUSTICE COMMUNITIES'

Objective: *Improving forensic awareness among law enforcement and justice communities*

Coordinator: *CEPOL and EJTN*

The Maltese Presidency and CEPOL conducted a joint mid-term **Forensic training needs assessment (TNA)** in order to identify priority areas for training in the area of forensics for the next 3 years. The results of the assessment (8225/17) shall contribute to the CEPOL programming for 2018.

Furthermore the Presidency hosted an initial coordination meeting between the Commission, ENFSI, EJTN, EUROPOL, OLAF and CEPOL.[1] The meeting served to initiate a **mapping exercise on the existing training materials on forensics**, identify priority areas for cooperation among stakeholders, exchange views on the best ways to promote forensic cooperation and enhance forensic quality for judicial and law enforcement training at the EU level, **particularly the implementation of forensic training for judges and prosecutors.**

Regarding the **training in new technologies/methods used during crime scene investigation**, CEPOL had delivered in 2016 two webinars specifically addressing crime scene investigators on "*ID analysis - document protection features*" and "*Forensic work on the crime scene*". These activities were recorded and are available for registered users on CEPOL's website for repetitive individual use. In addition, CEPOL has delivered a course on *Forensic Science and Policing Challenges* (37/2016) aiming at increasing awareness of modern forensic techniques, their deliverance and impact on policing, as well as of developments and initiatives taken at the European Union level in harmonising approaches. In 2017 a course 80/2017, *Detect false documents /digital printing - "His Master`s eye"*, is planned, which aims at enhancing the knowledge and competences of officers facing the recognition and classification of digital printing techniques used in forged, altered or manipulated identity documents in order to cross borders and/or abuse identities.

[1] WK 4816/17

Regarding the **forensic awareness for members of emergency services and other first responders**, in 2016 CEPOL has delivered a course for first responders and cyber forensics (16/2016) and a webinar *ECTEG & Free tools for first responders* aimed to introduce different initiatives supporting capacity building by addressing training, network of experts and forensic tool. Similarly, in 2017 it is planned to deliver a course (23/2017) *First Responders and Cyber Forensics for law enforcement officials – IT crime first responders*.

With respect to **development and implementation of training programmes on forensic awareness, for example by e-learning**, CEPOL is ready to take the lead and, with the support of Member States and relevant experts, develop an awareness building e-learning module on forensics in 2017. This initiative and the way forward was also supported by the incoming Presidency.

Regarding the **organisation of training seminars on forensic collection of evidence,** in 2017 a course (79/2017) is planned on *Quality control and assurance of the Crime Scene Investigation/Examination* to harmonise approaches and achieve comparable level of quality of CSI/E. One of the outcomes of the activity is the development of the ability to apply best practice manuals on crime scene investigation and other guidelines as working documents into everyday practice or use them as templates. In addition, two activities are planned in the framework of the EU Policy Cycle: (15/2017) *Illicit laboratory dismantling – advanced* and (16/2017) *Illicit laboratory dismantling – follow-up*, where one of the outcomes is the ability to apply all procedures concerning crime scene management of dismantling of illicit drug laboratory more independently (including raid planning, execution, collection of evidence, dismantling, removal and storage, etc.).

The EJTN will be involved in CEPOL's actions and CEPOL has recently formalised cooperation with EJTN through a Memorandum of Understanding.

ACTION 5: 'STIMULATE ACCREDITATION OF FORENSIC SERVICE PROVIDERS AND COMPETENCE OF FORENSIC PERSONNEL ON A VOLUNTARY BASIS'

Objective: *Stimulate accreditation of forensic procedures and competence of forensic personnel by forensic service providers on a voluntary basis*

Coordinator: *Commission*

The Commission held a number of preliminary discussions with external stakeholders to find out what may be the best possible way to stimulate the accreditation of forensic service providers on a voluntary basis. A number of ideas were suggested, notably the organisation of a dedicated workshop together with ENFSI on the topic of accreditation of forensics laboratories. These preliminary discussions are ongoing. In addition, the Commission is in the process of monitoring Member States' compliance with Council Framework Decision 2009/905/JHA of 30 November 2009 on the accreditation of forensic service providers carrying out laboratory activities.

ACTION 6: 'STIMULATING EXCHANGE OF FORENSIC DATA VIA PRÜM AND IMPROVING ITS QUALITY'

Objective: *Stimulating full implementation of the Prüm Decisions 2008/615/JHA and 2008/616/JHA to exchange DNA profiles and fingerprints. In addition, improving the quality of forensic data exchanged between all Member States under the Prüm Decisions*

Coordinator: *DAPIX*

It is the role of DAPIX to facilitate and monitor the basic technical implementation of the automated data exchange, and to enhance the interconnectivity of operational Member States in order to build up a complete data exchange network. In view of this, DAPIX has been **regularly monitoring the implementation** in the Member States since 2009 (…). (Activity 1).

Related to Activity 2, Member States underscored the need for additional human resources in order to expedite full implementation without affecting the day-to-day work. By the end of (…) 2017, 24 Member States can exchange DNA data, 24 will be able to exchange fingerprints whilst 23 can exchange vehicle registration details.

With respect to Activity 3 on the **analysis of possibilities to reduce the number of false positive matches with DNA-profiles** the Presidency suggested a number of options as presented in doc. 5177/17, which called upon Member States to use the option most appropriate for their national workflow.

As regards Activity 4, the **Exchange of Experiences in the implementation and ongoing operation of communication** between Member States', a catalogue of good practices and recommendations was proposed (9088/17). This catalogue should be designed to address good practices and difficulties. It should also provide practitioners with practical support to maximise and optimise the mechanism governing this exchange of information. It was agreed that an informal expert group shall be set up to take forward the development of the catalogue. This format should facilitate a common process whereby Member States could provide their input and expertise for the drafting of a comprehensive catalogue. Nine Member States have so far volunteered to participate in this group.

On activity 5, concerning the development of mechanisms of the mutual prompt notification in the event of unavailability of the application (9058/17) such as during technical failure and routine updates in the system, it was agreed within DAPIX that Member States will communicate information in writing, in electronic form without the need to use a specific template. This would establish a standard way as to how end-users could know whether the system of another Member State was available.

Finally, with regard to activity 7, MT supported by BE, SE, LV, AT, PL and UK, continued work on the implementation of Action 8 of the Renewed Information Management Strategy for the EU Internal Security (IMS) aimed at identifying measures to strengthen Single Points of Contact.[2]
A mapping exercise (CM 2882/17) on SPOC structures, case management and workflow solutions with a view to streamlining workflows within SPOCs has been carried out and presented to DAPIX. The follow-up to the exercise will presented to DAPIX by the end of 2017. The strengthening of SPOCs is essential for **improving the Prum follow-up exchange of information and for addressing any obstacles**, which might be encountered in the application of the Prum Decision (Activity 2).

[2] 9410/17

Further to the work carried out on all the activities under Action 6, the Presidency also took the initiative to carry out a quantitative assessment on possible training schemes to raise awareness among law enforcement officers on the impact of the Prüm Decisions (6807/1/17 REV 1) with the support of CEPOL. Member States agreed that more expert workshops should be organised. CEPOL took note of the outcomes of the discussion which will be taken into consideration during the planning of its programmes from 2018 onwards.

Concerning Action 1, **Member States** were requested to report on the use of BPM by the national accreditation bodies when carrying out accreditation of processes of forensic service providers (**activity 4**):

AT	The last audit by the Austrian Accreditation Service took place in late Spring 2017 in the area of drug analysis. The auditor made no specific reference to the "Drug Sampling Guide" auf ENFSI (some kind of BPM for sampling) but checked the sample size in drug analysis anyway and accepted it as suitable. (The sample size was in the range proposed by the "Drug Sampling Guide"). We think that most of the auditors and the accreditation services are still unaware of the ENFSI BPMs.
BE	Belgium's National Accreditation Body (BELAC) decides whether Belgian forensic service providers (FSP) will be accredited according to ISO17025 or ISO17020. BELAC will send experts in management and technical experts as auditors in order to verify if the laboratory meets the above mentioned standard. This standard mentions, inter alia, that methods published as international, national or regional specific standards shall preferably be used by the laboratories (in this case: forensic service providers). The Best Practice Manuals are Guidelines that are considered to be of a high level when it comes to documentary hierarchy in this field. Auditors/experts will most likely verify if use is made, by the FSP's, of those Best Practice Manuals (BPM's). It is up to the individual technical auditor to use or not use the BPM's. The NICC is considering setting up guidance documents for these technical auditors making explicit reference to the BPM's. Use of BPM's by Belgian FSP's: **Belgian federal police laboratories (laboratories for technical and scientific police):** Our federal police laboratories are seeking and are working towards an accreditation for ISO standard 17025. Use is indeed made of some BPM's: - The ENFSI Best Practice Manuals are being used as a guidance for accreditation of fingermark/print activities. - The BPM for dactyloscopy is partially based on the Fingermark Visualisation Manual of the UK Home Office, which is also being used as a guideline. - They are also using BPM to train forensic investigators in Crime scene management and associated works (outside the scope for accreditation). - The BPM "shoeprinting" serves as a guideline for Belgian police experts (outside the scope for accreditation). Validation of techniques needs to be done in the labs seeking accreditation, even if this has been done in labs in other countries.

	NICC (Nationaal Instituut voor Criminalistiek en Criminologie): The NICC is a Belgian forensic service provider accredited ISO 17025 since years. In case that the forensic domains, for which the ENFSI BPM's are produced, are provided for by the NICC, they (the BPM's) are known and applied; it forms part of the construction of the ISO 17025 quality system. **Other FSP's (academic laboratories, private experts,…):** It is unknown to us whether those FSP's know and/or use the NFSI Best Practice Manuals.
CZ	The national Czech Accreditation Institute carries out regular inspections of accredited forensic laboratories in the Czech Republic, taking in consideration whether the Best Practice Manuals (BPM) were used to create standard operation procedures. CZ has no information concerning any wider use of the BPM by the accreditation agency.
DE	The vast majority of forensic examinations carried out in the context of investigating and solving crimes is performed by the forensic science institutes of the police forces of the Federation and the German Länder. They are accredited in accordance with ISO 17025 (and some additionally in accordance with ISO 17020). When preparing documents, the forensic science institutes consider and take into account the ENFSI Best Practice Manuals or similar documents (e.g. in the form of so-called further applicable documents) in the context of the individual quality management systems. The national accreditation body for the Federal Republic of Germany regularly checks the documentation of the forensic service providers accredited in Germany and thus also the application of any further applicable documents.
EE	Estonian Forensic Science Institute (www.ekei.ee/en) is united, monopoly forensic service provider in Estonian Republic. EFSI's legal responsibilities are fixed by Forensic Examination Act All, more than 40 different types of forensic policing type examinations, legal medical examinations and forensic psychiatric examinations are treated in different ways. Beginning of the Chain of custody, the process, related to Scene of Crime (collection of the evidence, packing and delivering to the Lab) Activities is coordinated by the Estonian Police and Boarder Guard Board and led by the responsible prosecutor. EFSI is accredited by ISO 17025-2005 certificate No L127 20.04.2015 and by ISO 17020-2012 certificate No I072 12.06.2014. • For policing examination types (equivalent to ENFSI publicly released 10 BPM's) – Estonia has reviewed the complete package and disclosed Animal, Plant and Soil examinations together with Fire scenes examination BPM, as this is not a responsibility area of EFSI • For legal medical examinations – Estonia has implemented the ECLM approved guideline – Harmonization of the performance of the Medico-Legal Autopsy instructions. • For the forensic psychiatric examinations BPM's are not available.

	In fact, there is a need for centralised notification towards to the EA Network in EU about recommended BPM's. At the moment EFSI is just indicating during the national accreditation body assessment visits to the available BPM's or guidelines, but we strongly believe that the top-down communication would bring more attention to the full implementation to this action. Estonia is also in a position, that EU, COM shall support the harmonisation process with funding the next steps: • Firstly, by funding translations of already existing BPM's into all EU official languages, together with distributing them among national EA bodies in a territory of EU. • Secondly, by funding and asking ENFSI to coordinate the release of new, still missing BPMs. • Thirdly, by funding and asking ENFSI to keep up-to-date all already EU funded BPM's.
FI	Accreditation body in Finland does not yet require the implementation of BPMs. The national forensic laboratory has informed the accreditation body about this action plan and that implementation of BPM's should be explored in the next assessment.
HU	All of accredited expert fields of Hungarian Institute for Forensic Sciences use BPMs as guideline (if there is) and referring to that in internal quality assurance documents.
LU	Luxembourg doesn't have an accredited laboratory and we do not use the BPMs established by ENFSI.
PL	Accreditation of testing laboratories is taking place exclusively in line with the requirements of EN ISO 17025:2015 standard "General requirements for the competence of testing and calibration laboratories". Information deriving from Best Practice Manuals (such as the description how testing is conducted) can be taken into account in examination procedures which are submitted for accreditation by national accreditation bodies however, in such case, they (BPMs) should be referred to as related documents. In our opinion, Best Practice Manuals could have a wider use across Member States, if they are released in national languages. It could be also helpful, if such information on BPM is disseminated by the European cooperation for Accreditation to national accreditation bodies.
RO	Best practice manuals are part of the initial and ongoing training of criminal investigators in the Romanian Police, but they have not replaced general and specific work procedures, these documents being made according to the provisions of national legislation in criminal matters. As these procedures meet standardization requirements, they are used by the national body in the accreditation process.

SE	The forensic provider Swedish National Forensic Centre (NFC) is aware of the Best Practice Manuals (BPMs) that exist within ENFSI. Some of the BPMs are used in defining the standard operational procedures for different areas of expertise. However, the BPMs are not at present used by the Swedish accreditation body, Swedac, when assessing the processes at the laboratory.
SI	Slovenian accreditation has been informed about the BPM.

ANNEX 2

Concerning Action 2, **Member States** were requested to report on the review and use of possibilities and strategic opportunities for expanding the exchange of information (**activities 1 and 2**), as well as on the common alignment and standardisation of data description and on possibilities of forensic facial databases similar to DNA and fingerprints (**activities 8 and 9**):

AT	A2 – 1: By the end of 2016 an automated ballistic identification system was purchased. There was already a data exchange/search with Bavaria, the rules for a data exchange with Hungary and Slovakia will be set by the end of Oct 2017. A2 – 2: A forensic facial recognition system is currently being built up and work is in progress to implement it. Of course we take into account the compatibility with systems of other States.
BE	As far as the Belgian federal police laboratories are concerned, the fingerprint exchange (Prüm) is mentioned. As far as NICC is concerned (weapons and ammunition and drugs, but NICC does not carry out analyses of explosives). In the domain of DRUGS, mention was made by NICC of the participation of NICC in a EDPS project that was financed by the COM. The database is not operational anymore due to the lack of financing after the project came to an end. The project allowed the NICC to define and update the research methodology so that comparisons between objects from different judicial files were able to take place, when an explicit case-by-case request for comparison was made. A case-by-case comparison is still possible. An automatic exchange of the data is no longer being carried out. When expanding the exchange of information is envisaged, the NICC points out the substantial additional workload that this would bring along. Attention has to be made to a good definition of the scope of the exchange. When it comes to the WEAPONS/AMMUNITION domain, NICC sees an opportunity in enabling such an exchange of information. In contrast to DNA-data, however, a systematic comparison of data in the domain of weapons/ammunition would not be appropriate due to the fact that the comparison algorithms are less performant than the algorithms that are used for the comparison of DNA-profiles extracted from DNA-traces, for example. For the moment, an exchange of ballistic signature of firearms has to be carried out after a case-by-case request. NICC creates a duplicate of the original pieces of evidence, and sends this duplicate to international colleagues. This is experienced by NICC as a very time consuming process having as a consequence that comparisons are rarely carried out. Precision was made by NICC that, in the general ballistic domain, Belgium makes use of international databases developed by the BKA (DE).

BG	The National Forensic Institute to the Ministry of Interior is accredited in the exchange of information and use of AFIS (Automated Fingerprint Identification System), Automated ballistic identification system (ABIS) and the National DNA databases. Currently Bulgarian AFIS system is connected with 20 EU Member States under the Prum Decisions. The ABIS system is in process of upgrading and till the end of 2017 will become part of Interpol Ballistic Information Network (IBIN). The National DNA database exchanges information with 8 EU Member States under the Prum Decisions and is at a final stage of transforming in CODIS platform which aims unification and facilitation the exchange with the EU and US systems.
CZ	A2 – 1: At this time, preparation is under way for a public procurement to upgrade the AFIS to meet the current requirements for an international data exchange database system. A2 – 2: The Institute of Criminalistics Prague is active in two groups working on databases within the Monopoly project (fields of post-blast residues and forensic document examination). The use of “forensic facial recognition databases” is planned, as well as the upgrade of the AFIS system, by the year 2020 when this system shall be equipped with functionality for the work with a facial recognition database. This problematics will be handled by the Foreign Police. Forensic workplaces are expected to carry out further examinations of disputable identifications.
DE	Action 2, activities 1, 2 and 8: DEU supports the measures aimed at expanding the exchange of forensic data among MS and takes an active part in the ENFSI project "Towards the Development of Pan-European Databases in Forensic Sciences" with the objective of developing a comprehensive generic data model to facilitate the exchange of forensic data. DEU continues to support the efforts of ENFSI aimed at finding, together with Europol, a sustainable technical solution to operate and provide forensic databases. Such a solution is considered to be a necessary prerequisite in order to make further suggestions as to the exchange of additional forensic data beyond the forensic data already dealt with in the above-mentioned project. Action 2, activity 9: DEU operates a central police database of (face) photographs at the Bundeskriminalamt and continuously checks the performance capability of current automated facial recognition systems. In contrast to the performance capability of automated processes to compare fingerprint or DNA data, its performance capability is reduced, not least due to the fact that the circumstances of how such photographs of faces are taken inevitably differ. For this reason and in comparison, it requires immense effort to competently verify potential matches (technical hits). The practical benefit of forensic photograph databases to complement fingerprint and DNA databases must be weighed against this increased verification effort.

EE	A2 – 1: • Estonia is operational with automated exchange of Fingerprint and DNA databases since 2012. Today, in DNA-data Exchange we have reached the successful results with 23 EU MSs (79%) and in Fingerprint data Exchange with 20 EU MS (69%). In legal questions Estonia is very open to explore the needs and work towards to expansion the scope of forensically shared non-personalised databases. • EFSI has readiness to share the ballistic and drugs information with all MSs. A2 – 2: • Estonia is strongly supporting the aim to expand the list of biometrics used for Law Enforcement purposes, such as Face, Voice or Iris. Estonia has started the development of new multi-modal biometric information system where all earlier mentioned modalities are involved. Face as a biometric measure can be the next parameter, which could be implemented on top of existing PRÜM biometric modalities. • In order to run the standardisation of Face recognition as one of the next EU wide modalities, there is a definite need to agree firstly the common technical standard as it is done for the fingerprints – NIST standard.
FI	Data descriptions have been standardized only partly in Europe and thus utilized in Finland only partly. There are national projects about utilization of forensic facial information. Finland supports pan-European databases on facial information, but the technical solution being different that in the DNA and fingerprint areas. Finland supports decentralized data collection but centralized databases.
HU	A2 – 1: From the year 2017, as the responsible organisation for biometric data exchange in Hungary, Hungarian Institute for Forensic Sciences mainly finished total implementation of technical requirements of Prüm decision. HIFS has more than 16 operative data connections both fields (Dactyloscopy, DNA). We have started to expand automatic biometric data (fingerprint, DNA profile, facial recognition data) exchange via Interpol gateway. We are planning an expert meeting with Interpol officials in this year in order to be able to start technical implementation in the first half of next year. HIFS is a participant of PCC project which is working for establishing “prüm like” biometric data exchange with non EU member states in the south of Europe. A2 – 2: After a large scale reorganisation from the firs of January 2017 Hungarian Institute for Forensic Sciences is responsible for facial recognition database and analysis in Hungary. We have started to expand automatic biometric data (fingerprint, DNA profile, facial recognition data) exchange via Interpol gateway. We are planning an expert meeting with Interpol officials in this year in order to be able to start technical implementation in the first half of next year. Standardisation of data description can start with the knowledge of the exact technology.
LU	Luxembourg does not have forensic facial databases.

PL	A2 – 1: The exchange of forensic information from databases in the area of weapons and ammunition can take place in two ways, namely through iARMS system in relation to the international movement of illicit firearms, lost firearms and the firearms utilized at various crime scenes, and through IBIN (Interpol Ballistic Information Network) – as regards ballistic cross-comparison. In Poland, the exchange of criminal information in the area of weapons and ammunition on EU and Interpol level is dealt by the National Contact Point located in the Police National Headquarters. The Central Forensic Laboratory of the Police is planning to acquire new ballistics identification system – IBIS; when it becomes functional, then the international exchange of forensic data in that field is feasible. The exchange of forensic data in the area of drugs is done in several ways, namely through NPS (new psychoactive substances) database maintained by EMCDDA, which gathers information on drugs from various European countries, including Poland; RESPONSE EU project, as well as SwgDrug database containing the libraries of analytical data for GC/MS and FTIR. In our opinion, these mechanisms are sufficient. In case of exchange of explosives, there is no information available on any forensic database in that field, however the development of pan-European platform for exchange of data on new and the most popular explosives is recommended. A2 – 2: - as regards the common alignment and standardisation of data description: Due to differences in format, the exchange of identification data concerning the type, model, caliber, number of firearms for search purposes is not possible at the moment, however the matter is dealt with by on the European level. The exchange of forensic data, such as indexed/coded mark images on cartridge cases and bullets for comparison purpose is possible in IBIN network. - as regards the possibilities of forensic facial databases similar to DNA and Fingerprints: At the moment, some attempts have been made to develop biometric capabilities of various systems. AFIS solution is rendered available in the context of Schengen Information Systems, whereas new biometric functionalities and facial identification have appeared in the proposal for Eurodac Regulation as the obligation to take fingerprints and facial images. With consideration to operational AFIS, the Central Forensic Laboratory of the Police evaluated the functionality of Morpho system, which introduces new solutions in new generation AFIS in form of new fingerprint coding and searching algorithms, improvement of effectiveness, as well as implementation of biometric modules for facial recognition. When assessing the systems for comparison of facial data, it is important to determine the parameters of image allowing for verification of biometric data (e.g. the parameter concerning the distance between eye pupils given in pixels). The set up a facial image database entails the amendments to national legislation and requires agreements on national and EU level as regards the parameters of images submitted for search purposes and the choice of one system. The relevant discussion on this matter is held on eu-LISA group meetings.

RO	A2 – 1 – It is important to mention that the creation of new operational flows and, implicitly, forensic databases implies important initial and operational costs, possible legislative initiatives / changes, as well as investments in logistics and human resources. These issues also apply in the event of the development of data exchange mechanisms using existing databases. In this sense, we consider the financial support from the European Commission necessary for the development and practical implementation of the objectives of this Action. A2 – 2 –At the level of the Romanian Police a facial recognition database is being developed. It should be stressed that such a replicated initiative at European level that interconnects all national facial recognition systems will involve both new MS costs and human resources that will operationalize the new functionalities. Another aspect will be legislative changes and harmonization in the field of European police cooperation in order to enable exchange of forensic data on facial recognition.
SE	A2 – 1: Sweden has through the ENFSI survey on databases taken part in the stocktaking exercise to get an overview of existing databases in Europe. With regard to possible expansion of the exchange of forensic information, the Swedish Police is currently assessing the needs internally. A2 – 2: This area is considered to be of outmost importance and we are looking at the possibility to have national forensic databases for forensic purposes.
SI	A2 – 1: Slovenia supports possibility offered by Europol to host databases and will use first two databases that will be hosted by Europol. Slovenia is prepared to share its Response database on new psychoactive substances with other MS. A2 – 2: Slovenia supports and follows common standards on DNA and fingerprint Exchange. Forensic facial images exchange is not possible in Slovenia due to legislation.

ANNEX 3

Concerning Action 3, **Member States** were requested to indicate to what extent they were able to stimulate their forensic service providers to engage in the proficiency tests operated or recommended by ENFSI (**activity 6**):

AT	In 2017 the Forensic Science Service of the Criminal Intelligence Service participated in 15 different proficiency tests comprising all areas of expertise. All 9 provincial forensic labs participated in a proficiency test for enhancement of finger prints, 7 in a proficiency test for gun identification.
BE	Belgian federal judicial police (laboratories for technical and scientific police) mentions their participation in proficiency testing, organised by ENFSI working groups. In the field of Fingermark comparison, an internal proficiency test is being set up to meet accreditation expectations. NICC confirms making use of proficiency tests, created by ENFSI, in those forensic domains in which NICC is active. More precisely, several ENFSI tests (gunshot residue, firearms, accelerants, fibers) are being used in the laboratories in order to verify the correct functioning of the laboratory. In a recent past, NICC was tasked with the distribution of the proficiency tests and the processing of the data, in the area of ENFSI EWG Fibers. The use of PT is obligatory for the DNA laboratories. The DNA evaluation commission has set up a list of three providers, out of which the DNA laboratories have to select two sets of proficiency tests to be performed. This list has been transmitted to the technical assessors for the national accreditation body (BELAC) in a guidance document, BELAC 2-405 -DNA JUST Rev 0- 2016. Apart from this, it is unknown to us whether other Belgian forensic service providers (eg academic laboratoria or private experts) make use of proficiency tests.
BG	The National Forensic Institute experts have participated in the following interlaboratory and joint tests organized by the different working groups within ENFSI: • International interlaboratory test (Collaborative Exercise 16) on the examination of three signatures on three invoices organized by the European Network of Forensic Handwriting Experts to ENFSI; • QA Trial 2017 on examination of questioned documents and inks organized by the European Document Experts Working Group to ENFSI; • Interlaboratory test on drugs (Proficiency test 2016) organized by the Drugs Working Party to ENFSI; • Glass elemental analyses 2016/2017 collaborative exercise organized by the Expert Working Group Paint and Glass to ENFSI
CZ	The Institute of Criminalistics Prague is engaged in the proficiency testing administration and also prepares, within the frameworks of ENFSI working groups, this testing for other examinees. But it is not an accredited provider of proficiency testing. However, it prepares proficiency testing and participates in administration and assessment of this testing in the Czech Republic within an approved forensic police laboratories circular tests plan.

DE	As already mentioned with regard to action 1, the forensic science institutes of the police of the Federation and the Länder are accredited in accordance with ISO 17025 (and some additionally in accordance with ISO 17020). For accredited processes, the national accreditation body for the Federal Republic of Germany requires proof of the regular participation in appropriate proficiency tests. The forensic science institutes in DEU make extensive use of the proficiency tests that are offered by ENFSI itself or promulgated through the network.
EE	• Estonia – EFSI is attending in most of the available PT/CEs – 2015 (36), 2016 (37), 2017 (36), out of them ENFSI shared PT/CEs 2015 (20), 2016 (19), 2017 (20). • Estonia would like to ask COM to support ENFSI to fund the production of PTs in very sensitive fields – like explosives or CBRN or in a very rapidly developing areas, such as smart technologies (self-driving, drones, artificial intellect and etc.), mobile devices, IoT products
FI	In Finland the national forensic laboratory fully utilizes the proficiency tests recommended by ENFSI.
HU	All of accredited expert field of Hungarian Institute for Forensic Sciences use proficiency tests as the certification of accredited examination and referring to that in internal quality assurance documents too.
LU	As of now, we do not use Proficiency tests. As soon as our laboratory is accredited we would like to use Proficiency tests run by ENFSI on a regular basis.
PL	The Central Forensic Laboratory of the Police (CFLP) is actively involved in the activity of ENFSI by being an active Member and therefore we are entitled to be engaged in ENFSI operated proficiency tests (PT). The PT in specific areas of forensic expertise are also disseminated and discussed during various ENFSI Working Group meetings. CFLP participates in the Proficiency Tests/Collaborative Exercises conducted by ENFSI in the following areas: chemical analysis, fingerprint examination, questioned documents examination, footwear examinations.
RO	Efficiency tests and common exercises are a very useful tool in evaluating technical and staff capabilities. It is desirable that these tests benefit from the COM financial support given that the major objective is the development of MS capacity to provide judicial evidence using forensic science methods and techniques.
SE	All the forensic providers (within the Swedish Police) that develop finger-prints in Sweden (27) are accredited to ISO/IEC 17025 and are taking part in PT-schemes to cover the scope of accreditation. The National Forensic Centre has a broad scope of accreditation and partici-pates in the available PT-schemes provided by ENFSI or other PT-providers that are available.
SI	National forensic laboratory is the only Slovenian forensic laboratory and fully utilises PT and CE that are recommended or prepared by ENFSI.

ANNEX 4

Contribution by CEPOL on all the Actions and Activities relevant to the Agency:

1. To liaise with various law enforcement and justice system entities in order to identify priority areas for forensic awareness training (MS, CEPOL, EJTN).
The overview of answers provided by the MS will be disseminated to the CEPOL National Units to feed the contributions to the CEPOL operational Training Needs Analysis, which forms the basis for the portfolio programming.

2. Create a mapping of existing training materials on forensics aimed for the use of law enforcement stakeholders and the judiciary (CEPOL and Member States in cooperation with the Commission and/or the European Cybercrime Education and Training Group (ECTEG)).
CEPOL has reminded the agencies (through the JHA network chaired by the EMCDDA this year) to include forensics training activities to the JHA Training Matrix. In addition, CEPOL has upgraded the Matrix to a more user friendly version allowing the bulk uploads.

5. Develop appropriate training in new technologies/methods used during crime scene investigation (MS in cooperation with CEPOL);
In 2017 the following has been implemented: 25/2017 “Cybercrime - conducting forensic searches in various IT devices”, aiming to acquire knowledge and practical skills at computer forensics concerning chip-off data recovery of broken flash storage devices. 26/2017 “Cybercrime - advanced Windows file systems forensics”. The overall aim of the course was to improve detailed knowledge on how investigation items can be recovered from file systems. To allow practitioners to explain forensic tools reports and conduct searches beyond usual reported traces in order to establish trace history, potential use of anti-forensic. In October 2017, course 80/2017, *Detect false documents /digital printing - “His Master`s eye”* will be implemented, aiming at enhancing the knowledge and competences of officers facing the recognition and classification of digital printing techniques used in forged, altered or manipulated identity documents in order to cross borders and/or abuse identities;

6. Develop a short course on forensic awareness for members of emergency services and other first responders, for example by e-learning (CEPOL and Member States in cooperation with ENFSI);
Similarly to 2016, in 2017 a course (23/2017) *First Responders and Cyber Forensics for law enforcement officials – IT crime first responders* has been delivered, aiming to enhance the knowledge and methods and develop practical skills in the area of digital forensics by identifying electronic evidence at the scene and responding accordingly to cases related to cybercrime. CEPOL has developed and launched the online module 'Forensic awareness for police first responders'. The online module has been used by 83 e-Net registered users (data until 2 October 2017). (previously this action has been planned under the action point 4.7.)

7. **Development and implementation of training programmes on forensic awareness, for example by e-learning (CEPOL and Member States in cooperation with Commission);**
CEPOL implements in 2017 the following webinars: • Fundamentals of forensic science (68/2017); • Forensic work on a crime scene (69/2017); • 3D scanning at crime scenes (70/2017); • Collecting biological evidence from a crime scene (62/2017), scheduled for Nov 2017 • ISO/IEC 17025 implementation in Forensic Sciences DNA analysis Laboratories (65/2017), scheduled for Nov 2017.

8. CEPOL to organise training seminars on forensic collection of evidence (CEPOL);

Regarding the **organisation of training seminars on forensic collection of evidence,** in 2017 a course (79/2017) has been delivered on *Quality control and assurance of the Crime Scene Investigation/Examination* to harmonise approaches and achieve comparable level of quality of CSI/E. One of the outcomes of the activity was the development of the ability to apply best practice manuals on crime scene investigation and other guidelines as working documents into everyday practice or use them as templates.

Two activities have been implemented in the framework of the EU Policy Cycle: (15/2017) *Illicit laboratory dismantling – advanced* and (16/2017) *Illicit laboratory dismantling – follow-up*, where one of the outcomes is the ability to apply all procedures concerning crime scene management of dismantling of illicit drug laboratory more independently (including raid planning, execution, collection of evidence, dismantling, removal and storage, etc.).

In addition, in 2017 CEPOL has implemented a number of activities under specific categories, where part of the content was related to forensic methods or/and evidence collection, i.e.:

- 19/2017 "Combating Card Fraud". One of the objectives - to synthesise forensic methods and how to collect and preserve electronic evidences from on-line investigations and from physical devices which contain relevant data related to credit cards (e.g.: skimming devices);
- 89/2017 "Disaster Victim Identification (DVI)". All pre-course materials based on Interpol's DVI Guide (2014) which has a lot of reference to Forensic Science International (will take place in October).
- 17/2017 "Cocaine smuggling". One of the objectives - to explore elements enhancing drug investigations, especially forensic methods and the "follow the money" approach (scheduled for December).
- 18/2017 "Heroin smuggling". One of the objectives - to explore various elements enhancing drug investigation, especially forensic methods of heroin profiling and the "Follow the money" approach.
- 13/2017 "Synthetic drugs". One of the objectives - to deploy the relevant forensic service providers and understand the possibilities and limitations of forensic science.