



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 17 October 2008**

**14075/08**

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CRIMORG 164  
ENFOPOL 189  
ENFOCUSTOM 91  
COMIX 732**

**OUTCOME OF PROCEEDINGS**

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Of : Ad Hoc Group on Information Exchange (Mixed Committee EU-Iceland/  
Liechtenstein/Norway/Switzerland)

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On : 8 October 2008

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Subject : Summary of discussions

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**AD HOC GROUP**

**1. Adoption of the agenda**

The meeting adopted the agenda as set out in document CM 3398/08.

**2. Automated searching of dactyloscopic data under Council Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime**

**2.a Presentation of the work of the Prüm technical group with regard to dactyloscopic data and technical specifications**

**2. b Technical experiences**

The lead experts of the Prüm TWG (technical working group) on dactyloscopic data provided explanations mainly aimed at informing delegations from Member States not parties to the Prüm Treaty about the basic principles regarding this kind of data exchange, including the usage of international standards, logging and data protection and the impact on national AFIS.

It was highlighted that a change of the current SMTP based communication was being considered because of does not provide for acknowledgements and because mail tracking and error handling is complicated. A possible solution would be to use HTTPs as communication protocol, which is used for the exchange of vehicle registration data. If it is decided to change this, there will be a period in which both protocols could be used so that Member States have time to make the transition. The impact on the system should, however, be relatively small.

## **2. c Dactyloscopic experiences and exchange of additional information following a hit**

The functional point of view of the fingerprint experts was also explained and in particular the question of how many searches could be sent to the other Member States (throughput). It is necessary for the experts to discuss the latter issue in depth as experience so far has shown that the maximum throughput figures set in the Council Decision seem to be too high. Moreover, it would be useful if the requested Member State's system issued an error message when its daily capacity was reached and the daily throughput figures have to be defined.

Finally, it was stressed that the concerned authorities dealing with the second step, i.e. the follow-up of a hit through the usual cooperation channels, need to be aware of, prepared and resourced for the additional workload created by hits following the "Prüm exchange". If this is not done properly, the Prüm data exchange will not be exploited fully because users will not benefit from the added value for lack of quick replies.

The Presidency suggested that best practices might be gathered and issued about how to use the Prüm data exchange, based on the local law enforcement practices.

The Finnish delegation referred to its document regarding the technical and financial implications of interconnecting 27 national AFIS and the consequent need to examine the possibility of setting up a centralised system instead.

The Chair agreed that there is indeed a concern about capacity but proposed to discuss this at a later meeting, in connection with a broader strategic debate on data exchange.

The Chairman invited Member States that had not yet done so to designate relevant technical experts for the Prüm data exchange fields and informed the meeting that a technical meeting of the fingerprint experts would be organised at the end of November.

### **3. Types of information necessary for the law enforcement authorities**

The Swedish delegation presented the list of 49 types of information (see doc. 5815/3/05 CRIMORG 7 COMIX 69 REV 3), which was drawn up during the negotiations on Council Framework Decision 2006/960/JHA as a non exhaustive list of types of information or information sources that law enforcement bodies need access to in order to successfully detect, prevent and investigate criminal offences. This list is still useful as a starting point for a possible EU information model for information exchange.

Furthermore, the Swedish delegation reminded the meeting of the work done over the last years regarding different information types but also proposed ways of taking the work forward, notably by mapping the existing data flows and identifying law enforcement business needs to prioritise among the different information types.

The UK delegation supported the need for a mapping exercise as a basis for evaluating what is currently functioning well or not, identifying gaps and remedies, setting priorities and then examining how the IT can be developed to facilitate the business needs. At the same time a data protection strategy should be developed in consultation with all concerned parties such as the European and national parliaments.

The Commission drew the attention to the report of the meeting it organised on 16-17 July 2008 regarding business needs, which sets out a first prioritisation among information types.

### **4. Exchange of criminal records ("CRIS")**

The German delegation presented the preliminary considerations for a feasibility regarding its "CRIS" proposal to exchange police criminal records, including the legal and technical aspects thereof. A proper feasibility study should be carried out but no timetable is set for this work. It was proposed that the project should be called EPRIS for "European Police Record Index System" to avoid confusion with the ECRIS project regarding judicial criminal records.

## **5. Any Other Business**

No issues were raised under this item.

### **MIXED COMMITTEE**

#### **1. Adoption of the agenda**

The meeting adopted the agenda as set out in document CM 3398/08.

#### **2. Implementation of Council Framework Decision 2006/960/JHA on simplifying the exchange of information and intelligence between law enforcement authorities of the Member States of the European Union**

##### **2. a Manual**

An oral presentation was given about the proposed amendments to the explanatory part of the manual, which include the comments made at the last meeting. The manual would be sent to delegations in the following days and proposals for amendments to this part, if any, were expected by 18 October with a view to its approval at the meeting of 3 November.

Delegations that had not yet provided their contribution to the national fact sheets and/or any of the annexes with Member States' information were invited to do so urgently.

##### **2. b Multilateral "road test"**

The UK delegation informed the meeting on the results of the multilateral road test that took place on 24 September between 9 Member States. It should be examined on a bilateral basis why only 35 of the 50 sent messages were received. In their evaluation, Member States provided useful comments to improve the user-friendliness of the forms.

Given the result of the test, it was decided that a second multilateral road test should be held in which as many Member States as possible should participate. The test would run from 18 till 20 November and the German delegation was invited, where possible, to provide a new version of the electronic form taking into account the comments following the first test.

The evaluation forms for this second test would be more specific, including more detailed statistics on messages sent and received so as to be able to identify any lost messages easily, information on the channels used and the types of crime concerned in the requests.

The Presidency would coordinate the test and provide the necessary information to that end.

### **3. Any Other Business**

No issues were discussed under this point.

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At the meeting the following working document was made available:

- Draft guidelines on the implementation of the Swedish Framework Decision
- International Road Test 24 September 2008- Evaluation report
- Notes on the DNA Profile and Dactyloscopic Data Exchange Processes