

Cross-border cooperation to combat terrorism and cross-border crime, implementation of the Prüm Treaty. Initiative Germany

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In November 2007, the Council agreed on a general approach concerning the main part of the draft Council Decision on the implementation of the JHA Decision on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime. Subsequently, a Friends of the Presidency group was convened to discuss the Annex to this draft Decision and proceeded with a detailed examination of the annex based, among other things, on comments sent in by delegations. These discussions resulted in a revised proposal.

Minor drafting amendments have been made in **Chapter 1 (DNA data)** to clarify and/or correct a number of issues. The UK delegation has a reservation on this chapter pending further discussions between experts on specific points.

Among the outstanding points raised by the UK delegation, the main issue concerns the kind and number of loci necessary to do a comparison according to the Prüm Decision. It is evident that the accuracy of matches is enhanced by using a higher number of loci and comparisons should therefore be based on as many loci as possible. At the same time, it should be avoided that some older databases are excluded from comparisons by defining the comparison rules at too high a level.

The aim is to ensure that the comparison is made on the basis of the highest number of loci that is technically possible between the concerned databases but to allow for a lower set of criteria where this is necessary to make comparisons with some older databases.

In reaction to comments of delegations and/or to clarify some drafting, minor amendments and clarifications have been made in **Chapters 2 (Dactyloscopic Data)** and **3 (Vehicle registration data)**, which have been agreed upon subject to a UK scrutiny reservation.

The UK delegation is invited to lift its reservation on these chapters.

Chapter 4 (Evaluation) has been redrafted so that, while maintaining the original evaluation mechanism (questionnaire, pilot run and evaluation visit), the whole process is less bureaucratic and resource-intensive. Also, the part on expert meetings has been moved to a separate paragraph to allow these meetings to deal with other subjects relating to the implementation of the Prüm Decision than the evaluations. Notably, the model for statistics will be defined by these experts. This chapter has been agreed.

In several instances, reference is made to "the relevant Council Working Group". It is neither necessary nor useful to define in this Annex which Working Group is concerned. This is a matter to be decided upon at a later stage.

Subject to a solution for the issue being found and the lifting of the different reservations, the Article 36 Committee is invited to confirm the agreement on the revised version of the Annex.