

Prüm Treaty: stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime. Initiative Belgium, Bulgaria, Germany, Spain, France, Luxembourg, the Netherlands, Austria, Slovenia, Slovakia, Italy, Finland, Portugal, Romania and Sweden

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The purpose of this report is to take stock of the situation more than four years after the adoption of Council Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime (the “Prüm Decision”) and more than one year after the deadline of 26 August 2011 for its full implementation. Originally, this report was meant not only to assess implementation but also to reflect on recommendations for further development of the instrument but, **since implementation is lagging behind considerably, the Commission decided not to consider further developments before full implementation.**

Although the experiences of “operational” Member States (that can exchange certain types of data in automated form, in accordance with a Council Decision) have proven the added value of the instrument, some problems of a technical and funding nature have emerged. The Commission emphasises the need for **political will and appropriate prioritisation to overcome barriers at national level.**

State of implementation:

(a) DNA data: four Member States (EL, IE, IT and UK) still need to step up their efforts significantly.

(b) Fingerprints: the area of fingerprint data has the highest number of Member States seriously lagging behind. For six Member States (EL, IE, IT, PL, PT and UK), it remains unclear when they will go operational according to the information available to the Commission.

(c) Vehicle Registration Data (VRD): only 13 Member States were operational in the area of VRD. However, fast progress can be expected for a number of additional Member States. Another 4 have passed or are ready for Council evaluation, and for 7 serious efforts can be observed. Only 3 Member States (EL, PT, UK) either have not undertaken any noteworthy activities or are encountering lasting difficulties.

(d) Police cooperation and information exchange (Chapters 3 to 5): all Member States except one have designated national contact points under Chapters 3 (major events) and 4 (measures to prevent terrorist offences). Therefore it can be assumed that they have functionally implemented these chapters. As regards Chapter 5, five Member States replied to the questionnaire that legal or administrative provisions were not yet in place.

(e) Data protection provisions: as at 31 October 2012, four Member States (DK, EL, IE and IT) had not yet submitted the reply to this questionnaire. At the same time, only IT and EL had not yet complied with the requirement to indicate the independent data protection authority responsible for the Prüm data exchange.