



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 15 April 2009

6752/09

**JAI 103
CRIMORG 27
ENFOPOL 42**

OUTCOME OF PROCEEDINGS

Of :	Ad Hoc Group on Information Exchange (vehicle registration data experts)
On :	12 February 2009
Subject :	Summary of discussions

1. Adoption of the agenda

The meeting adopted the agenda set out in document CM 479/09, with the addition of a point under AOB proposed by the UK regarding character sets.

2. Implementation EUCARIS/Prüm-functionalities: state of play in the Member states

A tour de table was held concerning the national implementation of the VRD exchange. Several Member States (DE, AT, LU, ES, FR, NL) are operational albeit not always for outgoing requests (DE, NL) and in different degrees regarding the local deployment. SI and SK are running some preliminary tests.

AT is the more advanced in the process, it is fully operational and developed a far-reaching local integration: the police can ask data via phone and the end of the year each police station will be able to access the VRD.

The DE delegation reported 3300 incoming requests in 2008 and 900 since Jan 2009; NL reported to have received 650 incoming requests since 15 November 2008.

Several delegations informed that national legal issues are being examined and settled but that technical matters are dealt with in parallel, in particular where the concerned Member States have already a connection to EUCARIS. In a number of Member States the national contact point has already been appointed.

In general, good progress is being made in many Member States, with HU, LV, LT, PL, SI, SK, FI all expecting to be operational in 2009, and this momentum should be maintained. An overview would be drawn up of the different implementation times.

3. VRD made available by Member States

The lead experts reported on the replies to questionnaire CM 4570/08 on the license plates/vehicle types for which Member States will make VRD available.

Some doubts remain regarding the interpretation of "temporary licence plates" and the opportunity to include military plates. Delegations were invited to send in further contributions and changes so that these can be included as soon as possible. This document would later on become part of the manual on information exchange.

Iceland and Norway will be invited to submit the relevant information as soon as the necessary legal and formal conditions for their association are fulfilled.

4. Further development of the EUCARIS/Prüm functionalities

(a) Interaction with the RAKK-application (vehicles' country of origin): state of play and way forward

The lead expert reported about the visit made to the German vehicle registration authority (KBA) and the Bavarian LKA (Landeskriminalamt), developers of the RAKK application, where the following technical options were discussed for making the RAKK-application and/or data available to Prüm users:

- The incorporation of data of the RAKK application in EUCARIS system. The KBA administration, the Munich police or a different source should then administer the flows of data from RAKK to the MSs
- The transfer of the RAKK application in the MSs, installing the application together with the EUCARIS one; this would mean that officers would have to switch from one system to the other (cost of about 1 000 EUR/MS).

At the meeting, a third option was proposed, which would consist of a combination of the two above-mentioned options.

Opinions diverged on this matter, with some delegations supporting the idea of starting with the third option to render the RAKK application available without incorporating it to EUCARIS, using either S-TESTA or Internet (in the latter case it should be decided how to administer the users), while others expressed reservations about the performance of the server if Internet was used.

The meeting agreed on a letter to be sent to the concerned German authorities with a view to making the RAKK application and/or data available to the Prüm users and examining in detail the technical options to do so. The German delegation would submit a written proposal concerning the third option.

(b) Users management System: state of play

Delegations were informed that the presentation of the ES delegation on its user management system was available but since it arrived late, it would be discussed in a future meeting.

(c) Development of a monitoring application: proposal

EUCARIS proposed to set up a monitoring tool whereby an automatic message would be sent each 10 minutes to all MSs. It was explained that this would not lead to a possible overload of the system but that it might create an additional cost for certain authorities if they were charged per message. Subject to a study reservation of FR, the meeting agreed that this monitoring tool be implemented¹.

(d) Collation of statistics: proposal

With a view to a regular evaluation of the use and usefulness of the Prüm Decision, the meeting agreed that statistics be compiled on the VRD exchange between Member States. EUCARIS submitted a proposal for the collation of statistics and requested that a small group be established to determine the exact content of the statistics. AT agreed to lend its support to this work as it already collates statistics at national level.

¹ Note from the Secretariat: FR informed shortly after the meeting that it had lifted its study reservation.

(e) Implementation of Article 15(5) of Council Decision 2008/616/JHA

The UK suggested that the requests should include an indication whether or not it concerned serious crime in order to help the requested MS to set up priorities in processing the requests.

It was underlined that the automatic VRD exchange between Member States is based on trust and the assumption that the other Member States will not use the system for purposes that are not allowed by the Prüm Decision. It would in any case be difficult to agree on a definition of "serious crime". Furthermore, it was specified that the Prüm Decisions do not allow for mass comparisons but only for checks in individual cases. Moreover, unlike mass checks against databases of stolen vehicles, mass queries against vehicle registration databases do not have an operational value. As there is, therefore, no risk of a technical overload of the systems, also demonstrated by the reports on the numbers of queries currently sent and received (see under point 2), the UK delegation could withdraw its proposal.

5. Evaluation procedure pursuant to Article 20 of Council Decision 2008/616/JHA

The draft evaluation procedure as it would be submitted to the Ad Hoc Group on Information Exchange the following week was presented and explained. According to the Prüm Decisions, it shall consist of a notification by the concerned Member State, a questionnaire, a pilot run and an evaluation visit. It is suggested to proceed as pragmatically as possible and that in the framework of VRD exchange, the acceptance procedure of EUCARIS will constitute an important part of the evaluation procedure.

For an efficient and smooth operation of the evaluations, it is very important that MS are accurate in programming the timing for the pilot runs and the evaluation visits.

The EUCARIS delegation confirmed that the 2009 budget includes provisions for support of several evaluation procedures but asked for indications on the evaluations to be carried out in 2010 with a view to drawing up the 2010 budget. It underlined the difficulties that may arise from the fact that in several Member States the incoming and the outgoing requests are managed by different organisations.

Delegations were invited to submit their comments and suggestions regarding the evaluation procedures, such as the creation of a specific data set for the tests, the qualifications of the experts participating in the evaluation visits, as well as the content of the questionnaires.

The Presidency reminded that the present questionnaire is just a draft, which was created on the basis of the Prüm Treaty evaluation. It would be examined whether a data protection questionnaire would be developed, that could be valid for all kinds of data exchange pursuant to the Prüm Decisions. This should, however, not exclude the possibility of having more detailed data protection questions in the data-specific questionnaires.

6. Any other business

The UK delegation inquired about the conversion of certain diacritical character sets (Bulgarian, Greek) into alphanumerical ones. It was agreed that the concerned delegations would be consulted bilaterally to see whether such a transliteration problem exists (as in some of these Member States the transliteration might be provided for at national level) and how it could be solved. It was pointed out that any specificities of national databases are to be notified before or during the EUCARIS acceptance procedure and are included in the help-pages of the EUCARIS application.

The meeting was informed about a EUCARIS conference, to be held in Prague on 4-5 June 2009, gathering different groups of EUCARIS users to discuss the performance of EUCARIS.

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At the meeting the following working document was made available:

- Draft of the letter to be submitted to the German authorities on RAKK
- Discussion paper on the integration of RAKK in the EUCARIS/Prüm services
- Proposal on the collation of statistics from the EUCARIS/Prüm services
- Outcome of the Questionnaire on available VRD per Member State
- Discussion Paper from the United Kingdom
- Proposal on the monitoring of the EUCARIS/Prüm Services
- Installation and user manual of the EUCARIS user management application