

Council Gives Green Light for UK Exchange of Fingerprint Data via Prüm Network

News

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On 2 December 2019, the JHA Council formally approved the United Kingdom's participation in the Prüm fingerprint exchange system. After having concluded that the UK has fully implemented the general provisions on data protection for the purpose of Prüm automated data exchange with regard to dactyloscopic data, the UK is, in principle, ready to exchange fingerprint data with the other EU Member States that are part of the Prüm network.

Council Decision 2008/615/JHA provides for the automated transfer of DNA profiles, dactyloscopic data and certain national vehicle registration data (VRD) for the purpose of prevention and investigation of criminal offences and subject to certain conditions and procedures. The Council Decision transferred into EU law a former convention concluded outside the EU framework in Prüm, a German village. The convention strived for enhancing police cooperation between some EU Member States. After having opted-out from the Council Decision in 2014, but having rejoined it in 2016, the UK applied for being part of the data exchange system. According to said Council Decision, the supply of personal data for a specific Member State needs prior evaluation and is subject to a decision of the Council.

In its conclusions, the JHA Council stresses, however, that, “by 15 June 2020, the UK review its policy of excluding suspects’ dactyloscopic files. If by then the UK has not notified the Council that it is making these data available, the Council will within three months review the situation with a view to the continuation or termination of Prüm automated dactyloscopic data exchange with the UK.” Despite this warning, a real operational start is still dependent on an implementation decision, which the Council must take after consultation of the European Parliament.

How the EU and the UK will proceed if the UK leaves the EU is not mentioned in the Council conclusions and other EU documents.

In technical terms, both searches of the UK and searches by the UK will require the establishment of a technical interface with every other EU Member State – a process that can take years to complete, as Statewatch reported.

Statewatch also points to the fact that – if operable – the UK will provide fingerprints from nine million convicted individuals to the Prüm network, i.e. 98% of the total number of individuals whose fingerprints are stored in the UK Police National Computer.

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