

Police and judicial cooperation: accreditation of forensic laboratory activities (DNA and fingerprints). Framework Decision. Initiative Sweden and Spain

2009/0806(CNS) - 30/11/2009 - Final act

PURPOSE: to ensure that laboratory activities are accredited by an accreditation body in order to combat crime through closer cooperation between law enforcement authorities in the Member States.

LEGISLATIVE ACT: Council Framework Decision 2009/905/JHA on Accreditation of forensic service providers carrying out laboratory activities.

CONTENT: the intensified exchange of information regarding forensic evidence and the increased use of evidence from one Member State in the judicial processes of another, highlights the need to establish common standards for forensic service providers.

In the Council and Commission Action Plan implementing The Hague Programme on strengthening freedom, security and justice in the European Union Member States stressed the need for a definition of the quality standards of forensic laboratories by 2008.

The purpose of this Framework Decision is to ensure that the results of laboratory activities carried out by accredited forensic service providers in one Member State are recognised by the authorities responsible for the prevention, detection and investigation of criminal offences as being equally reliable as the results of laboratory activities carried out by forensic service providers accredited to EN ISO/IEC 17025 within any other Member State. This purpose is achieved by ensuring that forensic service providers carrying out laboratory activities are accredited by a national accreditation body as complying with EN ISO/IEC 17025.

An accreditation standard allows any Member State to require, if it wishes, complementary standards in laboratory activities within its national jurisdiction. Accreditation will help establish mutual trust in the validity of the basic analytic methods used. However, accreditation does not state which method to use, only that the method used has to be suitable for its purpose

This Framework Decision shall apply to laboratory activities resulting in: (a) DNA-profile; and (b) dactyloscopic data.

Member States shall forward to the General Secretariat of the Council and to the Commission the text of the provisions transposing into their national laws the obligations imposed on them under this Framework Decision by 30 May 2016 at the latest.

On the basis of the information provided by the Member States on request, the Commission shall, before 1 July 2018, submit a report to the Council on the implementation and application of this Framework Decision.

The Council shall, by the end of 2018, assess the extent to which Member States have complied with this Framework Decision.

ENTRY INTO FORCE: 29/12/2009.

IMPLEMENTATION: 30/11/2013 (DNA profile) and 30/11/2015 (dactyloscopic data).