



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 23 July 2013

12016/13

**JAI 596
DAPIX 96
CRIMORG 93
ENFOPOL 222
ENFOCUSTOM 113
TRANS 372
COMIX 443**

OUTCOME OF PROCEEDINGS

of :	Meeting of the Working Group on Information Exchange and Data Protection (DAPIX)
on :	4 July 2013
Subject :	Summary of discussions

1. Adoption of the agenda

The agenda was adopted as set out in doc. CM 3222/13 with the addition under AOB of the following points

- information on the PIES (Prüm Implementation, Evaluation, and Strengthening of Forensic DNA Data Exchange) project, and
- the use of "XX.sirenemail2.eu" for SIRENE police cooperation.

2. Information from the Presidency

The Presidency briefed on

- work on-going in the data protection part of DAPIX on the draft Data Protection Regulation,
- the PCCC conference to be held in Brussels from 21 to 22 October 2013.

3. Information Management Strategy / 3rd IMS action list

Doc. DS 1024/3/13 REV 3 had been updated on request of the FR delegation.

Action 1: Manual on information exchange

The IE delegate briefed on the state of play subsequent to the meeting of the drafting group on 3 July which focussed on the structure and presentation of the manual. The current task would be to assemble the content under each heading. In addition, MS would be invited to fill in or update in the course of this autumn the specific national fact sheets to be attached to the manual.

Action 2: ADEP: Automation of the data exchange process

The FR delegate briefed on the state of play and asked delegations which had not yet done so to reply to the questionnaire on ADEP by 31 July in order to proceed to a thorough analysis and to report on the outcome at the DAPIX meeting in October.

4. Prüm Council Decisions

4.1 Implementation - *State of play*

Delegations updated doc. 5074/4/13 REV 4 JAI 6 DAPIX 1 ENFOPOL 1 CRIMORG 1 and were invited by the Presidency to regularly check the overview on the implementation and to inform the GSC on possible changes.

Furthermore, delegations took note of the declaration from *Lithuania* pursuant to Council Decision 2008/615/JHA, Art. 36 (2), set out in doc. 11743/13 DAPIX 92 CRIMORG 89 ENFOPOL 204.

4.2 Ongoing evaluation

The meeting took note of the

- reply to the **VRD** questionnaire from *Slovakia* (doc. 11261/13 DAPIX 89 CRIMORG 86 ENFOPOL 190) and from *Malta* (doc. 11765/13 DAPIX 94 CRIMORG 91 ENFOPOL 208) with a SI scrutiny reservation¹ on the latter,
- reply to the questionnaire on *dactyloscopic data* exchange (doc. 11764/13 DAPIX 93 CRIMORG 90 ENFOPOL 207) from *Latvia*. The evaluation visit was provisionally envisaged for October/November.

¹ Note from the Secretariat: SI lifted the scrutiny reservation on 10 July 2013.

4.3 Organisation of evaluation visits

Delegations updated the calendar for evaluation visits set out in doc. DS 1022/4/13 REV 4.

4.4 Report on MCT / Europol Prüm helpdesk activities

The MCT project was extended up to the end of June 2014. A Prüm user conference was going to be prepared on which detailed information was promised for the next meeting.

The Europol Prüm helpdesk informed on

- the UMF II follow-up form, recently launched and currently used by one Member State. The form should be integrated in national workflows after the summer break. Furthermore, a pilot was launched with PL to automate the import/export of national data. MS interested in the pilot were invited to participate;
- the CEPOL webinar "Prüm Decision Online Learning Module" scheduled for 12 August,
- the European CODIS user platform on the Europol platform for experts, managed by the FBI and restricted to CODIS Member States.

4.5 Statistics and reports on automated data exchange for 2012

Delegations took note of doc. 7146/1/13 REV 1 JAI 188 DAPIX 52 CRIMORG 38 ENFOPOL 69 and were informed that last outstanding contributions had been submitted. The revised version of the document would be discussed by the DNA/FP expert group in October. The SE delegation suggested that experts should deal with the still open issue of meaningful DNA statistics.

5. SIENA

5.1 Belgian SIENA concept

The BE delegation presented the Belgian Police Information Exchange Model and the use of SIENA within this model with special regard to PCCCs. Delegations welcomed the presentations, in particular the lessons learnt at national level when developing the model.

In addition, the FR delegation informed about the broad survey currently undertaken among national police officers on the use of SIENA and promised to present the outcome of the study at one of the forthcoming DAPIX meetings.

5.2 SIENA III

Delegations took of the presentation from Europol on the current state of play of SIENA and features to be developed and deployed. With regard to the fine tuning of these features, Europol promised a questionnaire on constraints encountered at national level when using SIENA.

6. Directive 2011/82/EU facilitating the cross-border exchange of information on road safety related traffic offences (CBE)

6.1 Draft specifications for the implementation

Against the backdrop of the specifications set out in doc. 5416/3/13 REV 3 DAPIX 4 CRIMORG 4 ENFOPOL 11 TRANS 12, the DE delegation presented its position concerning a disclaimer (see doc. 11901/13 DAPIX 95) on which the CLS stated its opinion. While endorsing the technical feature of a disclaimer as such, the meeting agreed that the issue of the content of such a disclaimer was of political and not of technical nature and therefore not to be solved by DAPIX. In order to reach a pragmatic solution, the meeting agreed to amend, subject to scrutiny reservations from DE, SI and PL², the document by deleting the disclaimer issue (see 5416/4/13 REV 4) it being understood that discussions of a possible disclaimer with regard to Art 4 (2) would be continued at the appropriate level.

6.2 Implementation table

The Presidency invited delegations to update doc. DS 1321/1/13 REV 1.

6.3 CBE "Step 2 proceedings"

Delegations welcomed the SE initiative to tackle CBE follow-up steps. It was suggested that the VRD subgroup deal with the specific issues set out in doc. DS 1577/13.

7. Any other business

Delegations were divided over the PT suggestion to use the "XX.sirenemail2.eu" domain for information exchange in the framework of SIRENE police cooperation after the cessation of SISnet mail (doc. DS 1573/13). Since the Commission contested the existence of a legal basis for the proposal, the meeting asked the CLS for an opinion. The chair reminded DAPIX to come to a decision on a channel to be used for police information exchange after SISnet mail. It was suggested to prepare a comparative analysis of the SIENA, CZ (doc. DS 1464/13) and PT options in this respect.

On request of the SE delegation, the Commission informed about the PIES project and its stakeholders. BE as the project leader was invited to deliver more information on the project.

² Note from the Secretariat: PL and SI lifted the scrutiny reservation by 8 July.