



Brussels, 8 December 2016  
(OR. en)

15162/16

JAI 1034  
DAPIX 225  
CRIMORG 161  
ENFOPOL 450

## OUTCOME OF PROCEEDINGS

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From: General Secretariat of the Council  
On: 1 December 2016  
To: Working Party on Information Exchange and Data Protection (DAPIX)  
Subject: Summary of discussions

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### 1. Adoption of the agenda

The agenda was adopted as set out in CM 4509/16 with the addition under point 3 of the presentation of the Norwegian Prüm implementation project and the presentation of the UK reply to the Prüm data protection questionnaire.

### 2. Information from the Presidency

Delegations were informed about the state of play of the Roadmap on Information Exchange (13554/1/16 REV 1), the Eurodac proposal (14858/16), and the implementation of the Passenger Name Record (PNR) Directive (13836/1/16 REV1).

### 3. Prüm Council Decision<sup>1</sup>

#### 3.1 Implementation – state of play

Delegations took note of the overview (5017/7/16 REV7 JAI 2 DAPIX 1 ENFOPOL 3 CRIMORG 1) and were invited to check the implementation tables on each data category by 9 December 2016 in order to ensure a reliable overview on 2016 at the end of this year.

Furthermore, they were informed that both the draft Council Implementing Decision on VRD/DK and on DNA/GR were submitted to the European Parliament for consultation on 22 November 2016.

The BE delegate informed about compliance issues regarding automated data exchange due to organisational problems at national level.

#### 3.2 Ongoing evaluation

##### *Croatia / VRD*

Delegations approved the:

- Evaluation visit report (14620/16 JAI 961 DAPIX 204 CRIMORG 149 ENFOPOL 414 ENFOCUSTOM 192),
- Overall evaluation report (14621/16 JAI 962 DAPIX 205 CRIMORG 150 ENFOPOL 415 ENFOCUSTOM 193),
- Draft Council Conclusions (14622/16 JAI 963 DAPIX 206 CRIMORG 151 ENFOPOL 416 ENFOCUSTOM 194),
- Draft Council Implementing Decision (14624/16 JAI 964 DAPIX 207 CRIMORG 152 ENFOPOL 417 ENFOCUSTOM 195),

with a view to launching, once the draft Conclusions have been adopted, the consultation of the European Parliament, and adopting the draft Implementing Decision upon receipt of the opinion of the EP.

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<sup>1</sup> Exceptionally in the presence of Norway

### *Greece / VRD*

Delegations took note of the reply to the questionnaire (13431/16 DAPIX 176 CRIMORG 130 ENFOPOL 355).

### *Portugal / Fingerprints*

Delegations took note of the reply to the questionnaire (13697/16 DAPIX 186 CRIMORG 139 ENFOPOL 372).

### *United Kingdom / Data protection*

Delegations took note of the reply to the questionnaire (14950/16 DAPIX 214 ENFOPOL 437 CRIMORG 154). The UK delegation was advised to provide the requested details as to question 3.8 and to proceed with the evaluation procedure set out in Council Decision 2008/616/JHA.

## **3.3 Prüm workshop**

The Commission set out organisational details regarding the workshop it is organising in Brussels on 19 January 2017. The agenda focussing on general implementation issues, lessons learnt, or day-to-day problems would be submitted as soon as possible. The Belgian delegate, supported by ES, asked for relaunching the debate on a default channel for post-hit information exchange. The Commission reminded delegations' disagreement on a single channel in this respect.

## **3.4 Norway**

Norway informed about having notified to the GSC the National Contact Points (NCPs) and the National Data Protection Authority.

Delegations welcomed Norway's outlining the national Prüm implementation project and showed particular interest (BE, MT, DK) in the solution for the case management system or the mobile application (CZ).

#### 4. Manual on Law Enforcement Information Exchange

The update 2016 (11794/1/16 REV 1 JAI 710 DAPIX 133 ENFOPOL 259 COMIX 574 ENFOCUSTOM 120 CRIMORG 93 SCHENGEN 15 VISA 276 SIRIS 118 COPEN 247 ASIM 113 FRONT 329) was presented to delegations which subsequently were invited to check by 9 December 2016 their national contact details as set out in the manual (11800/16 JAI 74 DAPIX 134 ENFOPOL 261 COMIX 576 ENFOCUSTOM 121 CRIMORG 94 SCHENGEN 16 VISA 278 SIRIS 119 COPEN 248 ASIM 114 FRONT 331).

#### 5. Renewed Information Management Strategy (IMS) –5th action list

Action leaders reported on the state of play on the action list (10824/16 JAI 637 CATS 52 DAPIX 113 ASIM 101 JURINFO 43), such as:

- action 1: **A.T.H.E.N.A. - SPOC training**: The IT delegate announced the kick off meeting in Rome in February 2017 and a roadmap at the next DAPIX meeting;
- action 2: **ADEP**: The FR delegate asked whether the Commission could speed up internal procedures to decide on the funding;
- action 3: **PNRDEP**: In order to provide for a better understanding of the project, the HU delegate summarised the outcome of the comparative study on Passenger Name Record (PNR) data exchange which was finalised in last October;
- action 4: **Enhance Information Quality**: Presenting the revised action plan (13301/1/16 REV 1 DAPIX 171 ENFOPOL 345 CRIMORG 126 ENFOCUSTOM 161 SIRIS 146), the eu-LISA representative underlined its relevance to discussions on-going in other fora than DAPIX. The action plan should be understood as a living document. Delegations welcomed new plan the and underlined its high ambition. They asked for scrutiny of the document until 16 December 2016;
- action 5: **UMF 3**: The DE representative informed, in particular, about the focus group meeting in Wiesbaden on 26/27 October 2017 resulting in an agreement on the firearms module. The Europol representative said that the pilot implementation of QUEST would be postponed to the first trimester 2017 because of necessary technical adjustments;

- action 6: **Prüm post-hit procedures**: The FI explained to which extent comments submitted by Member States on the draft final report (14310/16 DAPIX 201 ENFOPOL 403 ENFOCUSTOM 185 CRIMORG 145) had been taken into account for drafting the revised version. Underlining the need for a thorough discussion on the post-hit follow-up, delegations touched, in particular, the issue of establishing a default information channel and problems with SIENA in this respect. Europol showed interest in getting information on difficulties with the use of SIENA. Delegations were invited to submit comments on the revised document (14310/1/16) to the GSC by 16 December 2016.

## **6. Implementation of Directive (EU) 2016/681 on the use of PNR data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime**

A representative of the informal working group on the implementation of the PNR Directive (IWG PNR) outlined structure and topics being dealt with in specific subgroups lead by different national experts. Feedback from delegations asking for detailed explanation on the issues showed the need for enhanced transparency.

The Presidency informed that DAPIX had been mandated to monitor ongoing projects with a view to facilitating a coherent implementation of the PNR directive and to regularly reporting on the state of play to the Council. Delegations expressed the wish that the incoming Presidency arrive at a proposal to handle the file in a way that avoid competing roles of the stakeholders involved.

The Commission briefly presented the Commission plan (15087/16 JAI 1026 COSI 200 DAPIX 222 ENFOCUSTOM 210 ENFOPOL 447 AVIATION 242 GENVAL 126) on fostering the implementation. The third dedicated meeting with Member States and Europol was scheduled for 12 December 2016.

## **7. Survey on information exchange on weapons**

Delegations took note of a brief presentation of the outcome of the survey (12513/2/16 REV 2 DAPIX 156 CRIMORG 110 ENFOPOL 298 ENFOCUSTOM 136 GENVAL 97). Delegations were invited to submit possible comments to the GSC by 16 December 2016.

## **8. Priorities of the Maltese Presidency**

The incoming Presidency presented its work program. Meetings are scheduled for 6 February 2017, 4 April 2017, and 29 May 2017. With regard to technical Prüm issues or to the monitoring of the implementation of the PNR Directive, the MT delegate stated his readiness to adapt the schedule if need be.

## **9. AOB**

No issue was raised under this point.

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