



Council of the
European Union

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DAPIX 87
CRIMORG 57
ENFOPOL 118
ENFOCUSTOM 67
JAI 230

NOTE

From: Presidency
To: Working Party on Information Exchange and Data Protection (DAPIX)
Subject: "Prüm Decisions" - overall evaluation report on vehicle registration data (VRD) exchange for the Czech Republic

The Presidency hereby submits the draft overall evaluation report on the Prüm vehicle registration data (VRD) exchange for the **Czech Republic** for approval by the Working Party on Information Exchange and Data Protection (DAPIX) and subsequent transmission to the Council.

1. Introduction

Chapter 2 of 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. However, pursuant to Article 25(2) of that Decision, the supply of personal data for a specific Member State is subject to a decision of the Council.

Article 20 and chapter 4 of the Annex of Council Decision 2008/616/JHA set out the evaluation procedure for the preparation of such decisions, and in particular point 1.4 specifies that "an overall evaluation report, summarising the results of the questionnaires concerning each of the automated data exchanges, the evaluation visit and the pilot run will be presented to the Council for its decision pursuant Article 25(2) of Decision 2008/615/JHA".

The current document is the overall report regarding **VRD** exchange with the **Czech Republic**. It is without prejudice to other data categories provided for by the above-mentioned Council Decisions.

2. Evaluation procedure according to Article 20 of Council Decision 2008/616/JHA (preparation of decisions according to Article 25(2) of Council Decision 2008/615/JHA)

The **Czech Republic** has satisfactorily replied to the questionnaire on data protection (8670/11 DAPIX 31 CRIMORG 44 ENFOPOL 97; 11777/16 DAPIX 127 ENFOPOL 253 CRIMORG 8) and on VRD exchange (11766/16 DAPIX 126 CRIMORG 87 ENFOPOL 252). With a view to evaluating the results of the questionnaire on VRD exchange,

- an evaluation visit was carried out by experts from the Netherlands and Slovakia from 31 October to 1 November 2016. The evaluation team submitted its report to the Working Party on Information Exchange and Data Protection (DAPIX);
- a pilot run was successfully carried out, as specified in the evaluation report.

The **VRD evaluation visit report** concluded that the implementation of the Prüm VRD information flow, both on a legal and on a technical level, has been satisfactorily concluded in the **Czech Republic** (6899/17 DAPIX 69 CRIMORG 47 ENFOPOL 99 ENFOCUSTOM 57 JAI 185).

3. Conclusions

On this basis, it was acknowledged at the Working Party on Information Exchange and Data Protection (DAPIX) that each Member State bound by Decision 2008/615/JHA agrees that all conditions are met for the **Czech Republic** to start the exchange of VRD pursuant to Council Decision 2008/615/JHA.

Therefore, the Working Party on Information Exchange and Data Protection (DAPIX) suggests to the Council

- to conclude that the **Czech Republic** has fully implemented the general provisions on data protection of Chapter 6 of Decision 2008/615/JHA, and
- to adopt the Council Implementing Decision on the launch of automated data exchange with regard to VRD in the **Czech Republic**, pursuant to Article 33 of Council Decision 2008/615/JHA and after consultation of the European Parliament.
