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ENFOCUSTOM 207

'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. prev. doc.:	7309/17; 9898/17
Subject:	"Prüm Decisions" - Draft Council Implementing Decision on the launch of automated data exchange with regard to dactyloscopic data in Portugal

1. The Working Party on Information Exchange and Data Protection (DAPIX) discussed at its meeting on 4 April 2017 the evaluation visit report on dactyloscopic data exchange for Portugal (7308/17 DAPIX 91 CRIMORG 61 ENFOPOL 124 ENFOCUSTOM 71 JAI 244) as well as the overall report (7309/17 DAPIX 92 CRIMORG 62 ENFOPOL 125 ENFOCUSTOM 72 JAI 245) based on the questionnaire, an evaluation visit and a pilot run.
2. At the DAPIX meeting of 4 April 2017, it was acknowledged that each Member State bound by Decision 2008/615/JHA agrees that the conditions are fulfilled for the Council to conclude that for the purposes of automated data exchange with regard to dactyloscopic data, Portugal has fully implemented the general provisions on data protection of Chapter 6 of Decision 2008/615/JHA, unless written observations on the documents submitted were notified to the General Secretariat of the Council by 14 April 2017 at the latest. No observations were made by that date, so that the documents were deemed approved by the Working Party

3. Consequently, the Council adopted on 18 May 2017 the draft Council Conclusions on the implementation of the general provisions on data protection of Chapter 6 of Council Decision 2008/615/JHA ("Prüm Decisions") concerning Portugal with regard to automated exchange of dactyloscopic data (9470/17 DAPIX 200 CRIMORG 109 ENFOPOL 252 ENFOCUSTOM 136 JAI 516).
4. As required by the applicable Treaty provisions, the Council decided on 26 June 2017 to consult the European Parliament on the draft Council Implementing Decision on the launch of automated data exchange with regard to dactyloscopic data in Portugal, as finalised by the Legal/Linguistic Experts and set out in 9898/17 DAPIX 223 CRIMORG 116 ENFOPOL 286 ENFOCUSTOM 146 JAI 566.
5. The European Parliament gave its opinion on 4 October 2017.
6. *On this basis, COREPER is requested*
 - *to submit the overall report (7309/17 DAPIX 92 CRIMORG 62 ENFOPOL 125 ENFOCUSTOM 72 JAI 245) to the Council, and*
 - *to invite the Council to adopt as an "A" item on its agenda the draft Council Implementing Decision on the launch of automated data exchange with regard to dactyloscopic data in Portugal (9898/17 DAPIX 223 CRIMORG 116 ENFOPOL 286 ENFOCUSTOM 146 JAI 566).*
