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JAI 942
DAPIX 180
CRIMORG 127
ENFOPOL 410

OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council
On: 19 November 2014
To: Working Party on Information Exchange and Data Protection (DAPIX)
Subject: Summary of discussions

1. Adoption of the agenda

The agenda was adopted as set out in doc. CM 4848/14 with the following amendments

- under point 3, the addition of an information point on the state of play of the EIXM follow-up study,
- under point 7, the addition of information points on the issue of the exchange of police information for administrative use, and on ongoing UK activities concerning the application of Protocol (No 36) TFEU, Title VII, Art. 10(5), on transitional provisions.

2. Information from the Presidency

The Presidency briefed on the Police and Customs Cooperation (PCCC) Conference to be held in the Hague from 10 to 12 December.

3. Information Management Strategy (IMS)

3.1. Draft Council Conclusions on an updated Information Management Strategy (IMS) for EU internal security

The Presidency presented doc. 11153/1/14 REV 1 JAI 548 DAPIX 91 CRIMORG 63 ENFOPOL 186. Delegations welcomed the quality of the draft, in particular with regard to the level of abstraction appropriate for a strategic document. Discussions focussed on how to deal in the Conclusions with the specific issue of automation as a means to cope with increasing cross-border information exchange.

The meeting slightly amended the draft and agreed, subject to a UK scrutiny reservation¹, on the changes set out in doc. 11153/2/14 REV 2 with a view to submitting the draft Conclusions to COREPER/Council for approval.

3.2. IMS action III/1/ Manual on information exchange

The Presidency briefed on progress the drafting group had achieved at its meeting the day before. He outlined the three-partite structure of the manual (operative checklists, general information on legislation, national factsheets), stressed that in view of SPOC operators as the target group the manual would be kept as user-friendly as possible, and envisaged to submit the draft national factsheets to delegations in the near future.

3.3 IMS action III/3 / Infopolex Coordination Initiative

The HU delegate presented the state of play of the initiative following the 2nd Infopolex Conference (Budapest, 18-19 September) and handed out a leaflet and a Guide with a CD attachment containing i.a. the offline demo version of the "Infopolex Tool" and the document on the training concept.

¹ The UK scrutiny reservation was lifted on 24 November (see doc. 15701/1/14 REV 1 JAI 887 DAPIX 175 CRIMORG 109 ENFOPOL 372)

3.4. UMF 3 Interoperability coordination program

Both the Europol and Interpol delegate informed about the UMF 3 coordination meeting at the Europol headquarters on 7 November outlining details of the three layer programme (1. development of UMF standard, 2. pilot projects on search applications involving MS as well as Europol and Interpol, 3. UMF governance). Stakeholders would gather at the Interpol Headquarters in Lyon on 25 November in order to further define the architecture of the possible pilot projects and the application for Commission funding to be submitted by 14 January 2015 at the latest. The Chair invited MS to participate in the pilot projects.

3.5 EIXM follow-up

The Commission informed about the expert panel discussion organised by DG Home on 10 October with a view to providing feedback on the contractor's preliminary conclusions of the study on the implementation of the EIXM. The meeting focussed on the findings regarding the implementation of Council Decision 2006/960/JHA (SFD), of the Prüm Decisions and of the concept of a Single Point of Contact (SPOC), the choice of channels, in particular SIENA, for information exchange, the further development of the Universal Message Format (UMF) and training measures. The Commission promised to present the study at the DAPIX meeting in January 2015.

4. "Prüm Council Decisions"

4.1 Implementation - *State of play*

The Presidency invited delegations to check the information set out in doc. 5124/6/14 REV 6 JAI 7 DAPIX 1 ENFOPOL 1 CRIMORG 2, and to notify any further modifications to the Secretariat in order to enable the regular update of the overview.

4.2 The Presidency invited delegations to take note and check the information set out in the

- List of experts concerning DNA, FP and VRD information exchange

doc. DS 1130/4/14 REV 4

- List of national experts participating in Prüm evaluation visits / DNA, FP, VRD

doc. DS 1310/1/14 REV 1, DS 1311/1/14 REV 1

- List of NCPs for DNA, FP, VRD

doc. DS 1055/5/14 REV 5, DS 1129/5/14 REV 5, DS 1023/5/14 REV 5

- List of NCPs for Counter-terrorism

doc. DS 1524/14

4.3 Organisation of evaluation visits

The meeting took note of the indicative calendar (see doc. DS 1043/6/14 REV 6).

4.4 Implementation of the "Prüm Decisions" regarding fingerprint search capacities

The meeting took note of doc. 12195/2/14 REV 2 JAI 620 DAPIX 106 CRIMORG 73 ENFOPOL 230 setting out the tables on national fingerprint search capacities. The Presidency invited delegations that have not yet done so to fill in the column regarding the respective number of requests Croatia should comply with. Furthermore, the Chair reminded that Member States should bilaterally agree on figures modified with regard to other Member States than Croatia.

4.5 On-going evaluation

Latvia / fingerprints

The meeting took note of

- the ***evaluation visit report*** (doc. 15022/14 JAI 832 DAPIX 158 CRIMORG 101 ENFOPOL 346 ENFOCUSTOM 118)

and endorsed

- the ***overall evaluation report*** (doc. 15024/14 JAI 833 DAPIX 159 CRIMORG 102 ENFOPOL 347 ENFOCUSTOM 119) as well as
- the corresponding ***draft Council Decision*** (doc. 15025/14 JAI 834 DAPIX 160 CRIMORG 103 ENFOPOL 348 ENFOCUSTOM 120)

with a view to submitting the latter documents to COREPER / Council.

4.6 ***Finland*** / Declaration in accordance with Art. 36(2)

Delegations took note of doc. 15088/14 DAPIX 161 CRIMORG 104 ENFOPOL 349.

5. **Implementation of fingerprint functionalities in SIS II**

Upon presentation of the discussion paper (doc. 14219/14 DAPIX 141 SIRIS 71) by the Presidency, the Commission explained the historical and legal background of extending the fingerprint functionality and, informing about the initial steps taken, deemed premature a discussion on the issue because of a lack of concrete details. Furthermore, the Commission recommended to stick to the SIS governance and not to involve other groups than the SIS/VIS committee in the implementation of the new functionality. One delegation urged the Commission to proceed in the spirit of the IMS when describing the technical problems to be solved and establishing the cost/benefit analysis for the new fingerprint functionality.

6. Presentation of the incoming Latvian Presidency programme

The incoming Presidency outlined the programme with a focus on Prüm issues and the further implementation of the IMS. Plenary meetings were provisionally scheduled for 19 January, 20 February, 27 April and 8 June. Expert subgroups meetings would be organised in case of a substantial agenda on 19 February for DNA/FP and on 18 March for VRD.

7. AOB

The UK delegate asked to what extent the issue of the exchange of police information for administrative use (see doc. 15617/14 JAI 887 CATS 187 GENVAL 74 ENFOPOL 268 DROIPEN 138 MI 894) might concern DAPIX. The President promised to inform about the subject at a forthcoming meeting.

The UK delegate briefed about on-going UK activities related to the application of Protocol (No 36) TFEU with particular regard to the Prüm Decisions. He referred to the complementary Statement to the Minutes of the Council² setting out the how the UK would give reciprocal treatment to other Member States as part of its Prüm Business and Implementation case.

² doc 15594/14 PROAPP 35 JAI 881 CATS 186 SCHENGEN 52 COMIX 613