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European Union

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JAI 629
DAPIX 141
CRIMORG 85
ENFOPOL 233

OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council
On: 2 September 2015
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 CM 3351/15 with the addition of an information point under item 5.

2. Information from the Presidency

On 26 July 2015, the European Parliament received for consultation the draft Council Decisions on the launch of dactyloscopic data exchange regarding BE, PL and SE. The EP was invited to deliver its opinion within three months from the date of reception.

Discussions on the Data Protection Directive were progressing in a way that the Presidency was confident to present a general orientation to the JHA Council on 8/9 October 2015.

3. "Prüm Council Decision"

3.1 Implementation - *State of play*

Delegations took note of 5010/5/15 REV 5 JAI 1 DAPIX 1 ENFOPOL 1 CRIMORG 1 and modifications to be set out in the next revised version of the overview.

Norway informed the Working Party of the ongoing implementation activities and was confident that it would be operational for VRD before summer 2016 and for DNA and FP by the end of 2016.

UK informed about results of the pilot on DNA data exchange with NL, ES, DE and FR carried out in the framework of the Prüm business and implementation case. The next step would be to finalise the report by the end of this month in order to prepare the UK parliamentary debate in December on whether to join the Prüm Decisions or not.

3.2 Organisation of evaluation visits

The indicative calendar for evaluation visits was kept as set out in DS 1017/4/15 REV 4.

3.3 On-going evaluation

Latvia / VRD

Delegations took note of the

- evaluation visit report (10967/15 JAI 570 DAPIX 128 CRIMORG 79 ENFOPOL 210 ENFOCUSTOM 75),
- overall evaluation report (10968/15 JAI 571 DAPIX 129 CRIMORG 80 ENFOPOL 211 ENFOCUSTOM 76), and
- draft Council Conclusions (10969/15 JAI 572 DAPIX 130 CRIMORG 81 ENFOPOL 212 ENFOCUSTOM 77),
- the draft Council Decision (10970/15 JAI 573 DAPIX 131 CRIMORG 82 ENFOPOL 213 ENFOCUSTOM 78) with a view to launching, once the Conclusions have been adopted, the consultation of the European Parliament, and adopting the Implementing Decision upon receipt of the opinion of the EP.

Delegations took note of the reply to the questionnaire (10601/15 DAPIX 119 CRIMORG 77 ENFOPOL 196).

3.4 Future of DAPIX subgroups

On the basis of 10798/15 DAPIX 124, delegations had an exchange of views on whether and how to organise future subgroup meetings. Delegations generally favoured the structure of a two layer working party with subgroups dealing with technical and the plenary with strategic issues. They strongly stressed the need to maintain the Prüm technical expert groups whose frequency was to be defined contingent on an agenda focused on operational issues.

However, in view of the nearly completed technical Prüm implementation, the main idea put forward was to discuss Prüm post-hit workflow issues and to reach a coordinated approach across borders. It was even suggested to widen the scope of technical subgroups beyond Prüm topics in order to prepare strategic discussions on the impact of increasing information exchange on the organisation of police investigation both at cross-border and domestic level.

The proposal of the Presidency to convoke the next DAPIX meeting (26 October 2015) as a SPOC (Single Point of Contact) meeting in order to gather people directly affected by operational issues on the ground met with unanimous support by delegations. The Presidency intended to prepare a tailor-made agenda.

Linked in with the issue of a SPOC meeting, the Commission informed about a call for proposals to be published mid-September and covering i.a. training projects for SPOC personnel in respect of information exchange. The proposals for projects eligible for funding would need to be finalised by the end of November 2015. The Commission therefore suggested that a core group of interested MS design a first project proposal and submit it to the October DAPIX meeting for further discussion.

4. EUCARIS

Delegations took note of a brief presentation by the EUCARIS Secretariat of the financial affairs, i.e. the accounts 2014, the implementation budget 2015 and the budget proposal 2016 (11036/15 DAPIX 132), as well as of the main topics on the agenda of the EUCARIS General Assembly in Paris on 8/9 October 2015.

5. Information Management Strategy (IMS)

5.1. Draft IMS action list No 4

The meeting agreed on the Presidency suggestion to focus on the six actions of the draft list (DS 1383/15) understood as a living document which could be adapted if further actions would be proposed.

5.2 ADEP - state of play

The FR delegate outlined progress made subsequent to the workshop in Berlin on 16/17 June 2015 aiming at further defining technical functionalities. Work on the prototype was exactly ongoing as planned. It was envisaged to complete the action in December 2015.

5.3 UMF 3 Interoperability coordination program - state of play

The DE delegate informed that the funding application were evaluated by the Commission in a positive light. The three phased project possibly starting in October 2015 met with great interest of MS and would run over 30 months with a pilot being carried out by Europol, EE, GR, PL and ES.

5.4 DNA follow-up procedures - state of play

The FI delegate set out that the action would build on the outcome of a similar ISEC funded project having been completed in May 2015. It would focus on national legislation and practices regarding follow-up procedures to both DNA and FP hits. The survey of national legislation was envisaged to be carried out as a desk based project.

5.5 PCCC - European Dimension - state of play

The BE delegate informed about the upcoming PCCC conference in The Hague on 7/8 September 2015 and underlined, in particular, the panel on "PCCCs and migration". A report on the outcome of the conference would be submitted to DAPIX.

5.6 Infopolex

The HU delegate informed about preparations for carrying on the infopolex action in 2016 provided the necessary funding was available.

6. Any other business

The NL delegation outlined an initiative of the incoming Presidency regarding cross-border information exchange to better locate missing persons. DAPIX, as well as SIS-SIRENE and the SIS-VIS-Committee, would be invited to monitor actions aiming at a platform for the exchange of NCP expertise, and improving the use of social media and of Interpol notices and databases. To that end, delegations would be invited in the upcoming months to reply to questionnaires and informed about further details.

The AT delegate complained about obstacles concerning the Prüm post-hit information exchange with LU due to the request of formal legal assistance procedures by LU judicial authorities. LU promised a pragmatic solution and suggested that delegations discuss at the next meeting whether the AT issue was a bilateral or a general problem.
