



Council of the
European Union

Brussels, 29 October 2015
(OR. en)

9995/15

JAI 468
DAPIX 103
CRIMORG 65
ENFOPOL 160
ENFOCUSTOM 57

"I/A" ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. prev. doc.:	5111/15; 5114/1/15; 10193/15; 9989/15
Subject:	Draft Council Implementing Decision on the launch of automated data exchange with regard to dactyloscopic data in Poland

1. The Working Party on Information Exchange and Data Protection (DAPIX) approved at its meeting on 19 January 2015 the evaluation visit report on dactyloscopic data exchange for Poland (5111/15 JAI 10 DAPIX 5 CRIMORG 5 ENFOPOL 5 ENFOCUSTOM 1), and at its meeting on 8 June 2015 the overall report (5114/1/15 REV 1 JAI 11 DAPIX 6 CRIMORG 6 ENFOPOL 6 ENFOCUSTOM 2) based on the questionnaire, an evaluation visit and a pilot run.
2. At the DAPIX meeting of 8 June 2015, 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, Poland has fully implemented the general provisions on data protection of Chapter 6 of Decision 2008/615/JHA.

3. Consequently, the Council adopted on 13 July 2015 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 Poland with regard to automated exchange of dactyloscopic data (10193/15 JAI 495 DAPIX 111 CRIMORG 73 ENFOPOL 173 ENFOCUSTOM 67).
4. As required by the applicable Treaty provisions, the Council decided on 22 July 2015 to consult the European Parliament on the draft Council Implementing Decision on the launch of automated data exchange with regard to dactyloscopic data in Poland, as finalised by the Legal/Linguistic Experts and set out in 9989/15 JAI 467 DAPIX 102 CRIMORG 64 ENFOPOL 159 ENFOCUSTOM 56.
5. The European Parliament gave its opinion on 27 October 2015.
6. *On this basis, COREPER is requested*
 - *to submit the overall report (5114/1/15 REV 1) 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 Poland(9989/15).*
