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CRIMORG 126  
ENFOPOL 472  
ENFOCUSTOM 191  
JAI 922

#### 'I/A' ITEM NOTE

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From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. prev. doc.:	11545/18; 11869/18 + REV 1; 11923/18 + REV 1; 11915/18 + REV 1
Subject:	Draft Council Conclusions on the implementation of the general provisions on data protection of Chapter 6 of Council Decision 2008/615/JHA - Evaluation of the United Kingdom with regard to automated exchange of DNA data

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1. Prior to the adoption of a Council Implementing Decision on the launch of automated data exchange after having consulted the European Parliament, the Council adopts Conclusions acknowledging that the conditions for the launch of automated data exchange have been fulfilled.
2. The Working Party on Information Exchange and Data Protection (DAPIX) discussed at its meeting on **17 September 2018** the report on the supplementary evaluation visit regarding **DNA data** exchange for the **United Kingdom** (11545/18 JAI 827 DAPIX 257 CRIMORG 110 ENFOPOL 418 ENFOCUSTOM 172) and subsequently revised the overall evaluation report (11869/18 DAPIX 263 CRIMORG 115 CT 141 ENFOPOL 432 ENFOCUSTOM 175 JAI 849) based on the questionnaire, the supplementary evaluation visit and a pilot run.

3. At the DAPIX meeting of **17 September 2018**, 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 **DNA data**, the **United Kingdom** has fully implemented the general provisions on data protection of Chapter 6 of Decision 2008/615/JHA.
4. DAPIX revised furthermore the text of the draft Council Conclusions set out in 11915/18 DAPIX 266 CRIMORG 117 ENFOPOL 435 ENFOCUSTOM 177 JAI 856. The draft was brought in line with the revised overall evaluation report, in particular as to Member States' request that the **United Kingdom** review its policy on the exchange of DNA data files regarding suspects with a view to reaching full legal compliance.
5. The Presidency invited delegations to submit any observation on the revised draft version of the overall evaluation report and the Council Conclusions respectively by Friday, **21 September 2018**.
6. Since no objection was notified by that date, the revised versions were deemed approved.
7. *Coreper is invited to submit the draft Council Conclusions as set out in the Annex to 11915/1/18 REV 1 DAPIX 266 CRIMORG 117 ENFOPOL 435 ENFOCUSTOM 177 JAI 856 to the Council and to suggest that it adopts these draft Conclusions as an "A" item on its agenda.*

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