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OUTCOME OF PROCEEDINGS

From:	General Secretariat of the Council
On:	28 November 2018
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 5136/18 with the addition of an information point on the IMS/ATHENA project under AOB.

2. Information from the Presidency

The Presidency informed that a number of issues remained open after the third political trilogue on the interoperability proposals and that negotiations would continue in 2019.

3. "Prüm Decisions"

Implementation - state of play (5077/5/18 REV 5)

Progress on implementation was reported, in particular that the Council had adopted on 19 November 2018 the Implementing Decisions on the launch of automated DNA and FP data exchange for Ireland and Croatia respectively.

Organisation of evaluation visits (5226/5/18 REV 5)

Pilot tests had been carried out by IT for all data categories so that evaluation visits could take place as soon as possible.

The VRD evaluation visit took place in Ireland on 28 November 2018.

UK reminded that a scrutiny reservation was still pending on the reply to the questionnaire on data protection with particular regard to VRD (14950/2/16 REV 2 ADD 1).

Problems of setting up testa.eu mail connections

Presenting the circumstances of the migration to the testa.eu domain (14458/18), the Commission promised to draft a detailed information paper and invited Member States to contact the Commission services in case of technical problems. The Presidency envisaged to set out guidelines for the migration in view of the mandatory legal provisions of Decision 2008/616/JHA.

4.   **Next Generation Prüm (prüm.ng)**

The Presidency resumed the outcome of the previous meeting (14370/18) and, before opening the floor for further discussion on the next steps towards prüm.ng within DAPIX structures, justified its approach to set up preparatory technical focus groups.

Member States highlighted again the need to update Prüm, but were divided as to the methodology. They either supported the idea of setting up focus groups on the four data types to be considered (DNA, fingerprint, VRD, facial recognition) and some of them were ready to chair such groups; others, however, expressed concerns that this approach shaped on the blueprint of developing Prüm in 2005 might be outdated against the background of a legally and technically re-shaped EU information exchange landscape, and might fail without sufficient steering to grasp the full picture of a future Prüm.

Some Member States supported the idea of setting up a fifth focus group focussing on 'other forms of cooperation' provided for by chapter 5 of Decision 2008/615/JHA.

Member States welcomed the information from the Commission on the feasibility study on improving Prüm, which had recently been launched and should be concluded in September 2019. In order to advise the study group, the Commission suggested to set up thematic groups of max 5-10 volunteering experts per Member State. Furthermore, two workshops open to all Member States would be organised in March and in June 2019. Both delegations and Commission voiced concerns about how to coordinate the envisaged working groups on both sides.

As a conclusion, the Presidency invited Member States that have not yet done so to contribute to the discussion in writing by 15 December 2018.

5.   **Implementation of Directive (EU) 2016/681 ("PNR Directive")**

The meeting took note of the explanation from the Commission on the use of PNR data by customs authorities (13798/18).

6.   **UMF 3 + / Interoperability proposals**

As a follow-up to the opening conference on UMF 3 + (Berlin, 24-25 October 2018), the German delegation set out the technical features of the Universal Message Format (UMF). With regard to article 38 of the interoperability proposals, which establishes UMF as a standard for certain elements of cross-border information exchange in the field of JHA, the delegate explained that the use of UMF remains optional, because UMF as developed by now was at too early a stage to be considered as mandatory and could, furthermore, not be deployed beyond police requirements yet. It was underlined that UMF had exclusively been developed as an output/input format for cross-border information exchange, meaning that intra-national communication structures would not be affected and their conversion or rebuilding would not be necessary.

7.   **Updated Strategy for the future customs - law enforcement co-operation**

The meeting welcomed the initiative to get involved in the implementation of the updated strategy as far as effective information management and interoperability for the purpose of law enforcement are concerned (13708/18 + COR 1).

8. **Priorities of the Romanian Presidency**

The incoming Presidency presented its work programme focussing on the further automation of information exchange, Prüm.ng, the application of the PNR Directive and a discussion on the future of the information management strategy (IMS). Meetings were scheduled for 21 February, 8 May and 4 June 2019.

9. **AOB**

The Italian representative reported progress on IMS action No 1 (ATHENA SPOC training) subsequent to the recent meetings of Heads of SPOCs in Ghent, Malta, Paestum and Budapest (14527/18).

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