



Brussels, 12 March 2019
(OR. en)

6298/19

Interinstitutional File:
2018/0812(CNS)

DAPIX 52
CRIMORG 22
ENFOPOL 61
ENFOCUSTOM 28
JAI 120

'I/A' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

No. prev. doc.: 11869/1/18 REV 1; 13123/18

Subject: Prüm Decisions - IMPLEMENTING DECISION on the launch of automated data exchange with regard to DNA data in the United Kingdom

1. 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 (11869/1/18 REV 1 DAPIX 263 CRIMORG 115 CT 141 ENFOPOL 432 ENFOCUSTOM 175 JAI 849) based on the questionnaire, the supplementary evaluation visit and a pilot run.
2. 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.

3. Consequently, the Council adopted on **11 October 2018** the draft Council Conclusions on the implementation of the general provisions on data protection of Chapter 6 of Council Decision 2008/615/JHA concerning the **United Kingdom** with regard to automated exchange of DNA data (13079/18 DAPIX 309 CRIMORG 129 ENFOPOL 494 ENFOCUSTOM 198 JAI 995).
4. As required by the applicable Treaty provisions, the Council decided on **9 November 2018** to consult the European Parliament on the draft Council Implementing Decision on the launch of automated data exchange with regard to DNA data in the **United Kingdom**, as finalised by the Legal/Linguistic Experts and set out in 13123/18 (DAPIX 313 CRIMORG 133 ENFOPOL 499 ENFOCUSTOM 200 JAI 1002).
5. By letter of 8 February 2019 from the Chairman of the Committee on Civil Liberties, Justice and Home Affairs, the European Parliament asked the Council to extend this time limit.
6. Further to the European Parliament's request, the Council agreed to extend the time limit for the European Parliament to deliver its opinion until 12 March 2019, it being understood that in the absence of an opinion within that time limit, the Council would act.
7. The European Parliament gave its opinion on **12 March 2019**.
8. *On this basis, COREPER is requested:*
 - *to submit the overall report (11869/1/18 REV 1 DAPIX 263 CRIMORG 115 CT 141 ENFOPOL 432 ENFOCUSTOM 175 JAI 849) 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 DNA data in the **United Kingdom** (13123/18 DAPIX 313 CRIMORG 133 ENFOPOL 499 ENFOCUSTOM 200 JAI 1002).*