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'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	'Prüm Agreement' with Norway – Council Implementing Decision determining the date from which personal data relating to DNA profiles, dactyloscopic data and vehicle registration data may be supplied by Member States to Norway

1. In accordance with Article 8(9) of the 'Prüm Agreement'¹ with Norway, the supply by Member States of personal data provided for under that Agreement may not take place until Norway has implemented in its national law the provisions of Chapter 6 of Council Decision 2008/615/JHA².

¹ Agreement between the European Union and Iceland and Norway on the application of certain provisions of Council Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime and Council Decision 2008/616/JHA on the implementation of Decision 2008/615/JHA on the stepping up of cross border cooperation, particularly in combating terrorism and cross border crime, and the Annex thereto (OJ L 238, 9.9.2010, p. 1).

² Council Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime (OJ L 210, 6.8.2008, p. 1).

2. In order to verify whether this is the case, evaluations and pilot runs, similar to those concluded in respect of Member States pursuant to Chapter 4 of the Annex to Council Decision 2008/616/JHA³, have been carried out in respect of Norway.
3. On 9 to 10 March 2023, Norway underwent an evaluation with regard to searching and comparing DNA data⁴ and dactyloscopic data⁵, and on 27 to 28 April 2023, it underwent an evaluation with regard to searching and comparing vehicle registration data⁶.
4. At its meeting on 15 May 2023, the Working Party on JHA Information Exchange (IXIM) endorsed an overall evaluation report presented to it, summarising the results of the evaluation visits and pilot runs.
5. Since Norway has fulfilled the conditions set out in Article 8(9) of the Agreement, Norway should be entitled to receive personal data pursuant to the Agreement.
6. The second subparagraph of Article 8(10) of the Agreement confers implementing powers upon the Council to determine the date from which personal data may be supplied by Member States to Norway pursuant to the Agreement.
7. On this basis, Coreper is requested to:
 - invite the Council to adopt as an "A" item on its agenda the draft *Council Implementing Decision on the determination of the date from which personal data relating to DNA data, dactyloscopic data and vehicle registration data may be supplied by Member States to Norway*, as set out in 15210/23.

³ Council Decision 2008/616/JHA of 23 June 2008 on the implementation of Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime (OJ L 210, 6.8.2008, p. 12).

⁴ 8796/23

⁵ 8798/23

⁶ 8912/23