

Automated data exchange with regard to dactyloscopic data in Poland

2015/0806(CNS) - 15/07/2015 - Legislative proposal

PURPOSE: to launch of automated data exchange with regard to dactyloscopic data (fingerprints) in Poland.

PROPOSED ACT: Council implementing Decision.

ROLE OF THE EUROPEAN PARLIAMENT: the Council adopts the act after consulting the European Parliament but without being obliged to follow its opinion.

BACKGROUND: according to [Decision 2008/615/JHA](#) on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime, the supply of personal data provided for under that Decision may not take place until the general provisions on data protection have been implemented in the national law of the territories of the Member States involved in such supply.

[Council Decision 2008/616/JHA](#) provides that the verification that the above condition has been met with respect to automated data exchange in accordance with Decision 2008/615/JHA is to be done on the basis of: (i) an **evaluation report** based on a questionnaire, (ii) an evaluation visit and (iii) a pilot run.

Poland has completed the questionnaire on data protection and the questionnaire on dactyloscopic data exchange. A successful pilot run has been carried out by Poland with Austria.

An evaluation visit has taken place in Poland.

On the basis of an overall evaluation report presented to it, **the Council concluded, on 13 July 2015, that Poland had fully implemented the general provisions on data protection** set out in Chapter 6 of Decision 2008/615/JHA.

CONTENT: the proposed Council implementing Decision seeks to **authorise Poland to receive and supply personal data** pursuant to Decision 2008/615/JHA as from the date of entry into force of the Decision.

Denmark and Ireland shall participate in the adoption of the proposed Decision whereas the United Kingdom shall not take part.