Automated data exchange with regard to DNA data in Denmark

2016/0813(CNS) - 29/07/2016 - Legislative proposal

PURPOSE: to launch the automated data exchange with regard to DNA data in Denmark.

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 set out in that Decision.

Council Decision 2008/616/JHA on the implementation of Decision 2008/615/JHA provides that the verification that the above condition has been met with respect to automated data exchange 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.

Denmark completed the questionnaire on data protection and the questionnaire on DNA data exchange. A successful pilot run was carried out by Denmark with the Netherlands.

An evaluation visit took place in Denmark.

An overall evaluation report was presented in which the Council concluded, on 12 July 2016, that Denmark had fully implemented the general provisions on data protection set out in Chapter 6 of Decision 2008/615/JHA.

CONTENT: this draft Council implementing Decision **aims, for the purposes of automated searching and comparison of DNA data, to authorise Denmark to receive and supply personal data** pursuant to Decision 2008/615/JHA as from the date of the entry into force of this Decision.

The United Kingdom and Ireland shall take part in the adoption of the proposed Decision.