Automated data exchange with regard to DNA data in Ireland

2018/0809(CNS) - 30/07/2018 - Legislative proposal

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

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: Council Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime, confers implementing powers upon the Council with a view to adopting measures necessary to implement that Decision, in particular as regards the receiving and supply of personal data provided for under that Decision. 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 have been implemented in the national law of the territories of the Member States involved in such supply.

Pursuant to Decision 2008/616/JHA, Ireland replied to a **questionnaire** on data protection and a questionnaire on DNA data exchange. It conducted a successful **pilot test** with Austria. An **evaluation visit** took place in Ireland and the Austrian evaluation team prepared a report on this visit.

On the basis of the **evaluation report** submitted to the Council, the Council concluded on 16 July 2018 that Ireland has fully implemented the general provisions on data protection set out in Decision 2008/615 /JHA.

CONTENT: the purpose of the draft implementing Council Decision is to **entitle Ireland, for the purposes of automated searching and comparison of DNA data, to receive and supply personal data** pursuant to Decision 2008/615/JHA.

The United Kingdom, Ireland and Denmark are participating in the adoption of the proposed Decision.