Basic information

2018/0806(CNS) CNS - Consultation procedure Decision	Procedure completed
Automated data exchange with regard to DNA data in Croatia **Subject** 1.20.09 Protection of privacy and data protection 7.30 Police, judicial and customs cooperation in general **Geographical area** Croatia	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	ŠTĚTINA Jaromír (PPE)	20/06/2018
	Shadow rapporteur GRAPINI Maria (S&D) ŠKRIPEK Branislav (ECR)	

Council of the European Union

Council configuration	Meetings	Date
Agriculture and Fisheries	3632	2018-07-16

European Commission

Commission DG	Commissioner
Migration and Home Affairs	AVRAMOPOULOS Dimitris

Key events

Date	Event	Reference	Summary
28/03/2018	Legislative proposal published	06986/2018	Summary
02/05/2018	Committee referral announced in Parliament		
20/06/2018	Vote in committee		
26/06/2018	Committee report tabled for plenary, 1st reading/single reading	A8-0225/2018	Summary
05/07/2018	Decision by Parliament	T8-0306/2018	Summary
05/07/2018	Results of vote in Parliament		

16/07/2018	Act adopted by Council after consultation of Parliament		
16/07/2018	End of procedure in Parliament		
23/07/2018	Final act published in Official Journal		

Technical information

Procedure reference	2018/0806(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Decision
Legal basis	Treaty on European Union (after Amsterdam) M 039-p1
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/8/12947

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE623.720	13/06/2018	
Committee report tabled for plenary, 1st reading/single reading		A8-0225/2018	26/06/2018	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0306/2018	05/07/2018	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	06986/2018	28/03/2018	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Decision 2018/1035
OJ L 185 23.07.2018, p. 0027 Summary

Automated data exchange with regard to DNA data in Croatia

2018/0806(CNS) - 26/06/2018 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted, following the consultation procedure, the report by Jaromír ŠTĚTINA (EPP, CZ) on the draft Council implementing decision on the launch of automated data exchange with regard to DNA data in Croatia.

The committee recommended that the European Parliament **approve** the Council draft without amendments.

The purpose of the draft Council implementing Decision is, for the purposes of automated searching and comparison of DNA data, to entitle Croatia to receive and supply personal data in accordance with Decision 2008/615/JHA as from the date of entry into force of the Decision.

Automated data exchange with regard to DNA data in Croatia

2018/0806(CNS) - 16/07/2018 - Final act

PURPOSE: to entitle Croatia to receive and supply personal data in respect of DNA data.

NON-LEGISLATIVE ACT: Council Implementing Decision (EU) 2018/1035 of 16 July 2018 on the launch of automated data exchange with regard to DNA data in Croatia.

CONTENT: this Council Implementing Decision entitles Croatia to receive and supply personal data in accordance with Decision 2008/615/JHA for the purpose of automated consultation and comparison of **DNA data**, as from 24 July 2018.

As a reminder, Council Decision 2008/615/JHA on the stepping up of cross-border cooperation, in particular in combating terrorism and cross-border crime, provides that the supply of personal data may only take place if the Member States concerned by such supply have implemented in national law the general data protection provisions set out in that Decision.

A general evaluation report, including a summary of the results of the data protection questionnaire sent to Croatia, the evaluation visit to Croatia and the pilot test on DNA data exchange, was presented to the Council.

On 8 March 2018, the Council concluded that Croatia had fully implemented the general data protection provisions set out in Decision 2008/615/JHA.

ENTRY INTO FORCE: 24.7.2018.

Automated data exchange with regard to DNA data in Croatia

2018/0806(CNS) - 05/07/2018 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted, by 547 votes to 73, with 17 abstentions, following the consultation procedure, a legislative resolution on the draft Council implementing decision on the launching of automated data exchange as regards DNA data in Croatia.

The European Parliament **approved** the Council draft without amendments.

Automated data exchange with regard to DNA data in Croatia

2018/0806(CNS) - 28/03/2018 - Legislative proposal

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

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 have been implemented in the national law of the territories of the Member States involved in such supply.

Council Decision 2008/616/JHA on the implementation of Decision 2008/615/JHA provides that the verification that the condition has been met with respect to automated data exchange is to be done on the basis of an evaluation report based on: (i) a questionnaire drawn up by the relevant Council Working Group concerns each of the automated data exchanges; (ii) an evaluation visit and (iii) a pilot run.

Croatia has completed the questionnaire on data protection and the questionnaire on DNA data exchange. It conducted a successful pilot run with Lithuania and Poland.

On 8 March 2018, the Council having noted the agreement of all Member States bound by Decision 2008/615/JHA, concluded that Croatia had fully implemented the general provisions on data protection set out in Chapter 6 of Decision 2008/615/JHA.

CONTENT: the purpose of the draft Council implementing Decision is, for the purposes of automated searching and comparison of DNA data, to **entitle Croatia to receive and supply personal data** in accordance with Decision 2008/615/JHA as from the date of entry into force of the Decision.

As the conditions for triggering the exercise of such implementing powers have been met and the procedure in this regard has been followed, an Implementing Decision on the launch of automated data exchange with regard to DNA data in Croatia should be adopted in order to allow that Member State to receive and supply personal data pursuant to Articles 3 and 4 of Decision 2008/615/JHA.

Denmark, Ireland and the United Kingdom shall participate in the adoption of the proposed Decision.