




Procedure file

Basic information	
CNS - Consultation procedure Decision	2016/0813(CNS) Procedure completed
Automated data exchange with regard to DNA data in Denmark See also Decision 2008/615/JHA 2007/0804(CNS)	
Subject 1.20.09 Protection of privacy and data protection 7.30 Police, judicial and customs cooperation in general	
Geographical area Denmark	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Civil Liberties, Justice and Home Affairs	 MORAES Claude	26/09/2016
Council of the European Union	Council configuration	Meeting	Date
	Justice and Home Affairs (JHA)	3501	18/11/2016
European Commission	Commission DG Migration and Home Affairs	Commissioner AVRAMOPOULOS Dimitris	

Key events			
29/07/2016	Legislative proposal published	11219/2016	Summary
12/09/2016	Committee referral announced in Parliament		
12/10/2016	Vote in committee		
14/10/2016	Committee report tabled for plenary, 1st reading/single reading	A8-0289/2016	Summary
25/10/2016	Results of vote in Parliament		
25/10/2016	Decision by Parliament	T8-0391/2016	Summary
18/11/2016	Act adopted by Council after consultation of Parliament		
18/11/2016	End of procedure in Parliament		
24/11/2016	Final act published in Official Journal		

Technical information	
Procedure reference	2016/0813(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Decision
	See also Decision 2008/615/JHA 2007/0804(CNS)
Legal basis	Treaty on the European Union (after Amsterdam) M 039-p1
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/8/07607

Documentation gateway					
Legislative proposal		11219/2016	29/07/2016	CSL	Summary
Committee draft report		PE589.397	26/09/2016	EP	
Committee report tabled for plenary, 1st reading/single reading		A8-0289/2016	14/10/2016	EP	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0391/2016	25/10/2016	EP	Summary

Final act
Decision 2016/2047 OJ L 318 24.11.2016, p. 0008 Summary

Automated data exchange with regard to DNA data in Denmark

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.

Automated data exchange with regard to DNA data in Denmark

The Committee on Civil Liberties, Justice and Home Affairs adopted, in accordance with the Parliaments consultation procedure, the report by

Claude MORAES (S&D, UK) on the draft Council implementing decision on the launch of automated data exchange with regard to DNA data in Denmark.

The committee recommended the Parliament to approve the Council proposal without amendment.

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.

In the draft legislative resolution, the committee responsible referred to the [resolution of 10 October 2013](#) on strengthening cross-border law enforcement cooperation in the EU: the implementation of the Prüm Decision and the European Information Exchange Mode and to the [resolution of 9 July 2015](#) on the European Agenda on Security.

Automated data exchange with regard to DNA data in Denmark

The European Parliament adopted by 574 votes to, 73 with 23 abstentions, a legislative resolution on the draft Council implementing decision on the launch of automated data exchange with regard to DNA data in Denmark.

In line with the recommendation made by the Committee on Civil Liberties, Justice and Home Affairs, Parliament approved the draft Council proposal without amendment.

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](#) on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime.

Automated data exchange with regard to DNA data in Denmark

PURPOSE: to authorise Denmark to receive and supply personal data with regard to DNA data in Denmark.

NON-LEGISLATIVE ACT: Council Implementing Decision (EU) 2016/2047 on the launch of automated data exchange with regard to DNA data in Denmark.

CONTENT: this Council Implementing Decision authorises Denmark to receive and supply personal data in accordance with Decision 2008/615/JHA for the purpose of automated searching and comparison of DNA data, as from 25 November 2016.

As a reminder, [Council Decision 2008/615/JHA](#) on the stepping up of cross-border cooperation, in particular with a view to combating terrorism and cross-border crime, provides that the supply of personal data 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.

An overall evaluation report, including a summary of the results of the data protection questionnaire sent to Denmark, the evaluation visit to this country and the pilot test with the Netherlands was presented to the Council.

On 12 July 2016, the Council concluded that Denmark had fully implemented the general provisions on data protection set out in Decision 2008/615/JHA.

ENTRY INTO FORCE: 25.11.2016.