


# Procedure file

Basic information	
CNS - Consultation procedure Decision	2016/0814(CNS) Procedure completed
Automated data exchange with regard to dactyloscopic data in Denmark See also Decision 2008/615/JHA <a href="#">2007/0804(CNS)</a>	
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
	<b>LIBE</b> Civil Liberties, Justice and Home Affairs		26/09/2016
Council of the European Union	Council configuration	S&D <a href="#">MORAES Claude</a>	
	<a href="#">Justice and Home Affairs (JHA)</a>	Meeting	Date
European Commission	Commission DG	<a href="#">3501</a>	18/11/2016
	<a href="#">Migration and Home Affairs</a>	Commissioner	
		AVRAMOPOULOS Dimitris	

Key events			
29/07/2016	Legislative proposal published	<a href="#">11220/2016</a>	Summary
12/09/2016	Committee referral announced in Parliament, 1st reading/single reading		
12/10/2016	Vote in committee, 1st reading/single reading		
14/10/2016	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A8-0288/2016</a>	Summary
25/10/2016	Results of vote in Parliament		
25/10/2016	Decision by Parliament, 1st reading/single reading	<a href="#">T8-0392/2016</a>	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	2016/0814(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation

Legislative instrument	Decision
	See also Decision 2008/615/JHA <a href="#">2007/0804(CNS)</a>
Legal basis	Treaty on the European Union (after Amsterdam) M 039-p1
Modified legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/8/07608

### Documentation gateway

Legislative proposal	<a href="#">11220/2016</a>	29/07/2016	CSL	Summary
Committee draft report	<a href="#">PE589.396</a>	26/09/2016	EP	
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A8-0288/2016</a>	14/10/2016	EP	Summary
Text adopted by Parliament, 1st reading/single reading	<a href="#">T8-0392/2016</a>	25/10/2016	EP	Summary

### Final act

[Decision 2016/2048](#)  
[OJ L 318 24.11.2016, p. 0010](#) Summary

## 2016/0814(CNS) - 29/07/2016 Legislative proposal

**PURPOSE:** to launch the automated data exchange with regard to dactyloscopic 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 dactyloscopic data exchange. A successful pilot run has been carried out by Denmark with Germany. An evaluation visit also 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 of dactyloscopic 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.

## 2016/0814(CNS) - 14/10/2016 Committee report tabled for plenary, 1st reading/single reading

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 dactyloscopic data in Denmark.

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

The draft Council implementing Decision aims, for the purposes of automated searching of dactyloscopic 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

## 2016/0814(CNS) - 25/10/2016 Text adopted by Parliament, 1st reading/single reading

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The European Parliament adopted by 589 votes to 75, with 24 abstentions, a legislative resolution on the draft Council implementing decision on the launch of automated data exchange with regard to dactyloscopic 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.

The draft Council implementing Decision aims, for the purposes of automated searching of dactyloscopic 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.

## 2016/0814(CNS) - 18/11/2016 Final act

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**PURPOSE:** to authorise Denmark to receive and supply personal data in respect of fingerprint data (dactyloscopic data).

**NON-LEGISLATIVE ACT:** Council Implementing Decision (EU) 2016/2048 on the launch of automated data exchange with regard to dactyloscopic data in Denmark.

**CONTENT:** this Council Implementing Decision authorises Denmark to receive and supply transmit personal data in accordance with Decision 2008/615/JHA for the purpose of automated searching of dactyloscopic 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 Germany was presented to the Council.

On 12 June 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.