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**Interinstitutional File:
2021/0806(CNS)**

**IXIM 61
CRIMORG 35
ENFOPOL 150
ENFOCUSTOM 45
JAI 386**

'I/A' ITEM NOTE

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| From: | General Secretariat of the Council |
| To: | Permanent Representatives Committee/Council |
| No. prev. doc.: | 13919/21; 14836/21 |
| Subject: | Prüm Decisions: Council Implementing Decision on automated DNA data exchange in Italy – Adoption |

1. On **2 December 2021**, in the informal video conference of the members of the Working Party on JHA Information Exchange (IXIM), the evaluation visit report on **DNA data** exchange for **Italy** (13918/21 IXIM 233 CRIMORG 128 ENFOPOL 432 ENFOCUSTOM 158 JAI 1230), as well as the overall report (13919/21 IXIM 234 CRIMORG 129 ENFOPOL 433 ENFOCUSTOM 159 JAI 1231) based on the questionnaire, an evaluation visit and a pilot run were approved.
2. At the conference of **2 December 2021**, it was acknowledged that each Member State bound by Decision 2008/615/JHA agrees that the conditions are fulfilled for the Council to conclude that for the purposes of automated data exchange with regard to **DNA data**, **Italy** has fully implemented the general provisions on data protection of Chapter 6 of Decision 2008/615/JHA.

3. Consequently, the Council adopted on **9 December 2021** the draft Council Conclusions on the implementation of the general provisions on data protection of Chapter 6 of Council Decision 2008/615/JHA concerning the evaluation of **Italy** with regard to the automated exchange of **DNA data**, as set out in 14745/21 IXIM 275 CRIMORG 152 ENFOPOL 488 ENFOCUSTOM 180 JAI 1361.
4. As required by the applicable treaty provisions, the Council decided on **22 December 2021** to consult the European Parliament on the draft Council Implementing Decision on the launch of automated data exchange with regard to **DNA data** in **Italy**, as finalised by the legal/linguistic experts and set out in 14836/21 IXIM 282 CRIMORG 156 ENFOPOL 494 ENFOCUSTOM 187 JAI 1380.
5. The European Parliament gave its opinion on **24 March 2022**.
6. *On this basis, Coreper is requested:*
 - *to submit the overall report (13919/21 IXIM 234 CRIMORG 129 ENFOPOL 433 ENFOCUSTOM 159 JAI 1231) to the Council; and*
 - *to invite the Council to adopt as an ‘A’ item on its agenda the draft Council Implementing Decision on the launch of automated data exchange with regard to **DNA data** in **Italy** (14836/21 IXIM 282 CRIMORG 156 ENFOPOL 494 ENFOCUSTOM 187 JAI 1380).*
