Council of the European Union

Brussels, 3 June 2022
(OR. en)

7789/22

Interinstitutional File: 2021/0224(NLE)

SCH-EVAL 41
DATAPROTECT 91
COMIX 169

'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 2)/Council
No. prev. doc.:	7788/22
Subject:	Draft Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2020 evaluation of **Austria** on the application of the Schengen acquis in the field of **data protection**

1. Following the Council's adoption of Regulation (EU) No 1053/2013 establishing an evaluation and monitoring mechanism to verify the application of the Schengen acquis, a team of experts from the Member States and the Commission carried out an evaluation of Austria on the application of the Schengen acquis in the field of data protection in 2020.

2. In accordance with that Regulation, the Commission submitted to the Council a proposal for a Council Implementing Decision setting out a Recommendation designed to address the deficiencies identified in the course of the evaluation and ensure that Austria applies all Schengen rules related to data protection correctly and effectively.

3. The Working Party for Schengen Matters, including the Mixed Committee partners Norway, Iceland, Switzerland and Liechtenstein, approved the proposal for the Council Implementing Decision setting out a Recommendation on 1 June 2022.

4. The Permanent Representatives Committee is therefore asked to recommend that the Council adopt the draft Council Implementing Decision, as set out in 7788/22, as an 'A' item at a forthcoming meeting.