



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 27 June 2011

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LIMITE

**COPEN 164
EJUSTICE 58
JURINFO 53**

OUTCOME OF PROCEEDINGS

of: Working Party on Cooperation in Criminal Matters (COPEN)

on : 24 June 2011

Subject : Summary of discussions

1. Adoption of the agenda.

The agenda as set out in CM 3510/11 was adopted.

2. Exchange of information extracted from criminal records (ECRIS)

Implementation of the Council Decision 2009/316/JHA on the establishment of the European Criminal Records Information System (ECRIS) and the Council Framework Decision 2009/315/JHA on the exchange of information extracted from criminal records.

- Information on the state of play on the implementation, in particular regarding the finalisation and written procedure for the Business Analysis and Detailed Technical Specifications:

The Business Analysis, Detailed Technical Specifications and Logging, Monitoring and Statistics Analysis were adopted as set out in documents 11273/11 COPEN 149 EJUSTICE 50 JURINFO 40, 11274/11 COPEN 150 EJUSTICE 51 JURINFO 41 and 11275/11 COPEN 151 EJUSTICE 52 JURINFO 42 respectively. It is understood that the ongoing preparatory work for the setting up of ECRIS will require further adjustments in the Business Analysis, Detailed Technical Specifications and Logging, Monitoring and Statistics Analysis. Accordingly, by the end of the year, the documents will be reviewed to see whether further modifications are necessary.

The Commission informed the delegations about the state of play about the Reference Implementation. The work is ongoing. The definition phase is now being finalised and the process is entering the development phase. The technical experts group which met on 15 June is pursuing this work. The test robot will be delivered shortly by the Commission, so that the Member States could already work on it. The prototype version of the Reference Implementation should be available by October.

- Discussion on the draft non-binding Manual for Practitioners.

The revised draft non-binding manual for practitioners, document 9300/1/11 COPEN 84 JURINFO 21 EJUSTICE 34, was discussed. In view of the short review period prior to the meeting, only two delegations had provided written comments. Some of these comments were presented during the meeting and briefly discussed. It was, inter alia, noted that the manual must be clear; it must not introduce ambiguity. The comments will be further analysed and worked upon during the review period before the next COPEN meeting. The question of a helpdesk was also raised. Amongst other things, it was stated that the helpdesk should outline permanent procedures for how to be in contact with one another. The helpdesk issue was further touched upon at the end of the meeting during the UK presentation of their ECRIS Support Programme project.

To allow the Member States more time to study the revised draft non-binding manual for practitioners, delegations were invited to provide written comments on the document by 1 September in preparation of the 20 September COPEN meeting; the first COPEN meeting on ECRIS under the incoming Polish Presidency.

The delegations were reminded that they should provide their national contributions to the country-specific part of the non-binding manual for practitioners. The deadline for the contributions was also set to 1 September.

The Polish delegation stated that they will focus on the non-binding manual for practitioners during their presidency, with a view to finalise it by the end of the year.

3. Any other business.

The UK delegation gave a presentation about their ECRIS Support Programme project. France – among others - gave the project its fullest support. As ECRIS is an ambitious and innovative project, it needs to work well. The UK project will help here. Referring specifically to the issue of a helpdesk, France also noted that a helpdesk is also about practical questions, not only legal or technical issues.

The Presidency gave a presentation about the European Judicial Network's meeting in Budapest on 20-21 June, focusing on participation of practitioners from local and central authorities. ECRIS, the Framework Decision and the non-binding manual for practitioners were discussed in a workshop during the meeting