



**COUNCIL OF
THE EUROPEAN UNION**

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“I/A” ITEM NOTE

from:	General Secretariat
to:	Coreper/Council
No. prev. doc.:	18157/11 COPEN 352 EJUSTICE 95 JURINFO 77
Subject:	European Criminal Records Information System (ECRIS) - State of play

1. The Council Framework Decision of 26 February 2009, 2009/315/JHA *on the organisation and content of the exchange of information extracted from the criminal record between Member States* and Council Decision of 6 April 2009/316/JHA *on the establishment of the European Criminal Records Information System (ECRIS), in application of Article 11 of Framework Decision 2009/315/JHA* establish rules for exchanging of information on convictions and data extracted from criminal records.

Framework Decision 2009/315/JHA lays down the rules for the transmission between the Member States of notifications on convictions, requests for information about persons and replies to requests. The 2009/316/JHA Council Decision provides for the establishment of a electronic system of exchange of such information between Member States in a standardized way. It also includes a categorization of criminal offenses and sanctions designed to allow partial, automatic translations of transmitted information.

2. In accordance with Article 6 of the Council decision 2009/316/JHA the Working Party on cooperation in criminal matters worked on the development and operation of ECRIS in particular by establishing of logging systems and procedures , adopting technical specification of the exchange, including security requirement and common set of protocols, as well as establishing procedures verifying conformity of the national software applications with the technical specifications. In addition the non-binding manual for practitioner set out the procedure for the exchange of information through ECRIS was developed.
3. In the course of Presidency the technical specifications were approved by the Working party on cooperation in criminal matters as set out in the documents "Business Analysis" (11273/1/11 REV 1 COPEN 149 EJUSTICE 50 JURINFO 40) and "Detailed Technical Specifications" (11275/1/11 REV 1 COPEN 151 EJUSTICE 52 JURINFO 42).
4. The non-binding Manual for practitioners, set out in doc. 17879/11 COPEN 350 JURINFO 76 EJUSTICE 94, and the conclusions regarding the structure of the Manual, its common parts, and types of country specific information have been accepted in a silent procedure at the beginning of December.
5. In view of the above Coreper is requested to invite the Council to take note of the Presidency report set out in 18357/11 COPEN 359 EJUSTICE 96 JURINFO 78 and of the non-binding Manual for practitioners set out in 17879/11 COPEN 350 JURINFO 76 EJUSTICE 94.
