



Council of the
European Union

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'I' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee (Part 2)

Subject: COUNCIL DECISION on the position to be taken on behalf of the European Union in the Specialised Committee on Law Enforcement and Judicial Cooperation established by the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, regarding the extension of the period referred to in Article 540(3) of that Agreement (Prüm) during which DNA profiles and fingerprints can be exchanged with the United Kingdom
- Decision to use the written procedure for the adoption

1. On 27 August 2021, the Commission submitted to the Council a proposal for a Council Decision on the position to be taken on behalf of the European Union in the Specialised Committee on Law Enforcement and Judicial Cooperation established by the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, regarding the extension of the period referred to in Article 540(3) of the EU-UK Trade and Cooperation Agreement (Prüm) during which DNA-profiles and fingerprints can be exchanged with the United Kingdom, set out in document ST 11441/21.

2. On 3, 14 and 17 September 2021, the Working Party on the United Kingdom examined the above proposal and all delegations but one agreed with the text of the Council Decision. It was agreed to introduce changes to the text of the Council Decision to correct a factual error and to align it with standard practice, while also addressing in particular the concerns raised by the Irish and Danish delegations.
3. In light of the above, the Permanent Representatives Committee is invited to:
 - confirm its agreement on the text of the above-mentioned Council Decision, as finalised by the legal-linguists and set out in document ST 11697/21;
 - decide, in accordance with the first subparagraph of Article 12(1) of Council's Rules of Procedure and Article 1 of Council Decision (EU) 2020/430, that the Council uses the written procedure for the approval of the text of the Council Decision as set out in document ST 11697/21.
