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**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 13 October 2000 (13.10)

12311/00

LIMITE

JAI 119

"A" ITEM NOTE

From : General Secretariat

To : Council

No. prev. doc. : 12291/00 JAI 115

Subject : Council Decision establishing a Secretariat for the Joint Supervisory Data Protection Bodies set up by the Convention on the Establishment of a European Police Office (Europol Convention), the Convention on the Use of Information Technology for Customs Purposes and the Convention implementing the Schengen Agreement on the gradual abolition of checks at the common borders (Schengen Convention)

1. The Portuguese Republic introduced during its Presidency of the Council of the European Union an initiative with the view of adopting a Council Decision establishing a Secretariat for the Joint Supervisory Data Protection Bodies set up by the Convention on the Establishment of a European Police Office (Europol Convention), the Convention on the Use of Information Technology for Customs Purposes and the Convention implementing the Schengen Agreement on the gradual abolition of checks at the common borders (Schengen Convention).¹
2. The Information Systems and Data Protection Working Party has discussed the draft Council Decision in depth.

¹ OJ C 141, 19.5.2000, p. 20.

3. The draft Council Decision was transmitted to the European Parliament, which has delivered a positive opinion on 21 September 2000. Subsequently the Article 36 Committee addressed the draft Council Decision and the opinion of the European Parliament at its meeting of 28 September 2000.
4. Following observations made by the Deputy Secretary-General of the Council, COREPER at its meeting of 11 October 2000 finalized the text and took note of a declaration to be issued by the Deputy Secretary-General at the moment of the adoption by Council of the draft Council Decision.
5. Shortly after the meeting of COREPER the last outstanding reservations were lifted by the delegations concerned.
6. The text of the draft Council Decision and the declaration by the Deputy Secretary-General as presented to COREPER and agreed to by delegations is contained in document 12291/00 JAI 115 and has undergone the appropriate jurist-linguist screening.
7. On this basis the Council is requested to:
 - a) Formally adopt the Council Decision establishing a Secretariat for the Joint Supervisory Data Protection Bodies set up by the Convention on the Establishment of a European Police Office (Europol Convention), the Convention on the Use of Information Technology for Customs Purposes and the Convention implementing the Schengen Agreement on the gradual abolition of checks at the common borders (Schengen Convention) as contained in document 12291/00 JAI 115.
 - b) Order the publication of the aforementioned Council Decision in the Official Journal of the European Communities.
 - c) Inscribe in the minutes of the meeting of Council at which the aforementioned Council Decision is adopted the declaration of the Deputy Secretary-General of the Council as attached to document 12291/00 JAI 115.