



Consultation on Europol's draft Multiannual Programming 2020-2022

Written contribution by the Cyprus delegation to the JPSG.

Our general view is that the draft Multiannual Programming is very coherent and well-structured document that builds on Europol Strategy 2020+. We wish however to bring up a few points.

-Regarding "Strategic priority 2: Deliver agile operational support", it is specifically mentioned that Europol will develop an agile operational support model, building on its existing experience of the Joint Cybercrime Action Taskforce (J-CAT), Joint Operational Team (JOT) Mare, Counter Terrorism Joint Liaison Team (CT-JLT), High-Value Targets (HVTs), Operational Taskforces (OTFs) and guest officer deployments.

In the Republic of Cyprus, three Guest Officers have already been deployed as a result of sharply increased migratory and refugee flows, from Turkey, through the occupied areas of Cyprus, into the government controlled areas. Asylum seekers are now able to board aeroplanes in Turkey, land at an illegal airport in the occupied areas and then cross into the Republic of Cyprus through the U.N.-patrolled buffer zone, seeking asylum. This new method of sending asylum seekers by plane clearly signals an institutional kind of smuggling. Turkey, having a Strategic Agreement with Europol, must cease this practice immediately. The input of Guest Officers in Cyprus has been particularly effective. As is the case now, the main duty of the Guest Officers is to identify movements of suspected terrorists. However, support in efforts to disrupt networks involved in smuggling is also of the essence, particularly given the fact that Turkey does not cooperate with Cyprus. Turkey's stance is going to impact on the entire EU asylum system if it continues. We strongly urge the Management Board to consider extending the mandate of Guest Officers, in an effort to deliver operational support, aside analysis. Furthermore, the deployment of a Guest Officer in the EC Representation in Turkey, if there isn't one already could, perhaps, facilitate finding a solution to this issue.

-Concerning the same Priority, "expanding the EU law enforcement toolbox especially in niche technical and forensic capabilities" is also listed as a significant aspect of Europol's work. Some more detail into what capabilities are envisaged to be developed would be welcome.

-Regarding "Strategic priority 3: Be a Platform for European policing Solutions" we are very pleased to have seen that Europol sets as a priority its further development its capabilities in decryption and cryptocurrency. Some more detail into whether the necessary resources are already available for this scope, the objectives and the



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expected outcomes of this priority and the possibility for training of national law enforcement members in this field, would be welcome.

-Furthermore, any references with regard to planning for cooperation with private parties, particularly in the area of cybersecurity, would be appreciated.

-Regarding Europol's External Strategy 2017-2020 we are obliged to once again bring up our disagreement with regard to the inclusion of Turkey in the countries with which an agreement for the exchange of personal data must be concluded. The country has a particularly low record of data protection, needs to revise its legislation and practices on terrorism in line with European standards, notably by better aligning the definition of terrorism in order to narrow its scope. In this light, the purpose of exchanging personal data regarding organized crime and terrorism before the amendment of the relevant legislation, could enable the abuse of information databases, as it brings into question the scope on which data exchanges between Europol and Turkey will occur, specifically given the abusive record of that country concerning Interpol Red Notices. Furthermore, the record of this country concerning abuses of the right to a fair trial is also alarming and providing information that may lead to an arrest and an unfair trial would be in breach of ECHR and EU law and principles.

Additionally, Turkey does not cooperate with Cyprus, inter alia, on issues of serious organized crime and counter-terrorism. Its failure to cooperate with Cypriot authorities in the investigation of a serious criminal offence was considered a violation of the European Convention of Human Rights by the European Court of Human Rights (*Guzelyurtlu vs Cyprus and Turkey*). Turkey is compromising the overall efficiency of Europol's aims in the exact same way and a broadening of its cooperation with Europol will also broaden violations of EU law and principles at the expense of Cyprus.

Under these circumstances, the upgrading and widening of Europol's conventional framework vis-à-vis Turkey, sends the wrong signal with regard to the real importance the EU in general, and Europol in particular, attach to the protection of the personal data of European citizens.

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