

Consultation on Europol's draft Multiannual Programming 2021-2023

Written contribution by the Cyprus delegation to the IPSG.

Our general view is that the draft Multiannual Programming is a well-structured document, in line with relevant EU policies and Member States's needs. We wish however to bring up a few points.

Regarding the possible impact of Covid-19, restrictions and various measures taken are projected to be prolonged. The reports published by Europol concerning the exploitation of the pandemic for criminal purposes, have alerted us concerning the increased dangers on children online safety, namely counterfeiting, disinformation etc. How will these challenges impact the Multiannual Programming? Are the necessary expertise and resources to face these new challenges available?

Regarding "Strategic priority 2: Deliver agile operational support", it is specifically mentioned that the current security threats and ever-changing criminal environment require *a complex multidisciplinary approach of law enforcement*. This is reflected in the community of liaison officers hosted by Europol, which consists of police forces, customs representatives, members of the intelligence services and other law enforcement authorities. We are pleased to see that Europol will further invest to expand this multidisciplinary environment by continuing to develop the community of liaison officers in order to ensure an effective connection with Member States and third parties.

Concerning the same Priority, "for further growth of new interested external parties" it is noted that Europol will explore possibilities to cooperate with EU bodies such as agencies, CSDP missions and operations. Some more detail into whether the necessary resources are already available.

Regarding "Strategic Priority 3", the Multiannual Programming Document indicates that Europol aims to be "A platform for complex EU policing solutions such as decryption and cryptocurrency". How does Europol view the increase of cryptocurrencies' use as a result of Covid-19 restrictive measures, which has increased their potential of becoming misused by criminals through cryptocurrency-related fraud schemes? Developments in cryptocurrency technology and an increasing number of businesses accepting it as payment have also driven the growing popularity and accessibility of cryptocurrencies. Many traditional financial crimes and money laundering schemes are now orchestrated via cryptocurrencies. How could that impact the Multiannual Programming of Europol? For this scope, an explication of the objectives and expected outcomes of this priority and any comments regarding the possibility

for training of national law enforcement members in this field, would be welcome.

Concerning the same priority, we are very pleased to have seen that Europol sets as a priority the development of innovation and research to establish well-functioning external partnerships according to the operational needs. Due to the rapid increase of cybercrime during the Covid-19 pandemic and the development of various new online methods by criminals, the Europol Innovation Lab, could be considered as a measure in the right direction highlighting new technologies to combat this phenomenon. However, taking into account that Europol did not receive additional funding for this Lab how effective its operation could be. It is also mentioned that cooperation with private parties will be further explored, keeping in mind current limitations in Europol's mandate. Some more detail on how could this objective/goal be achieved would be welcome.

As regards to human and financial resource outlook for the years 2021-2023, it is important to stress once more that in order to be able to perform the new tasks assigned to it, Europol needs to be reinforced with an appropriate level of human and financial resources. Taking into account that, as it is mentioned, Europol in order to be able to perform a number of entirely new functions has so far depended heavily on the internal re-allocation of operational staff and on the shifting of posts from support functions. As Europol's role for the Security Union remains important, we urge the European Commission to allocate additional funds for the years 2021-2023.

Regarding Europol's External Strategy 2021-2024

- In the Programming document, it is mentioned that an EU-Interpol cooperation agreement is being planned. Perhaps some more information on this subject could be included in the document regarding the different aspects and added value of this agreement.

-We reiterate our disagreement with regard to the inclusion of Turkey in the countries, with which an agreement for the exchange of personal data must be finalised. The country has a particularly low record of data protection and 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. The purpose of exchanging personal data regarding organized crime and terrorism before the amendment by Turkey of 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, particularly given this country's abusive record concerning Interpol Red Notices. Furthermore, abuses of the right to a fair trial in Turkey 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. Further broadening this country's cooperation with Europol will also increase violations of EU law and principles at the expense of Cyprus.

Furthermore, Turkey's recent provocations in the Eastern Mediterranean are one more example of its unwillingness to comply to conventional obligations, which it has freely assumed, such as the development of good neighborly relations, as provided in the EU-Turkey Negotiating Framework.

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

September 4, 2020