

**Strengthening cross-border law-enforcement cooperation in the EU**

**European Parliament resolution of 10 October 2013 on strengthening cross-border law-enforcement cooperation in the EU: the implementation of the ‘Prüm Decision’ and the European Information Exchange Model (2013/2586(RSP))**

*The European Parliament,*

- having regard to the Commission Communication of 7 December 2012 on strengthening law enforcement cooperation in the EU: the European Information Exchange Model (EIXM) (COM(2012)0735),
  - having regard to the Commission report of 7 December 2012 on the implementation of Council Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime (the ‘Prüm Decision’) (COM(2012)0732),
  - having regard to the Stockholm Programme, the Internal Security Strategy and the Information Management Strategy for EU internal security,
  - having regard to its resolution of 22 May 2012 on the European Union’s Internal Security Strategy<sup>1</sup>,
  - having regard to the Treaty on the Functioning of the European Union, and in particular Article 87 thereof,
  - having regard to the question to the Commission on strengthening cross-border law-enforcement cooperation in the EU: the implementation of the ‘Prüm Decision’ and the European Information Exchange Model (EIXM) (O-000067/2013 – B7-0501/2013),
  - having regard to Rules 115(5) and 110(2) of its Rules of Procedure,
- A. whereas the Stockholm Programme acknowledged the need for more coherence and consolidation in the extensive toolbox for collecting, processing and sharing information between law-enforcement authorities in the EU in order to enhance the security of EU citizens;
- B. whereas the Internal Security Strategy called for the development of a comprehensive model for information exchange;
- C. whereas the exchange of information on criminal activities across borders is the basis for law enforcement cooperation in the EU and is particularly relevant in an area without internal border controls; whereas cross-border crime is on the increase in the EU, thus placing ever more emphasis on the need for an efficient and secure exchange of law enforcement information that respects data protection and fundamental rights;
1. Notes that the Communications take stock of the different existing cross-border law

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<sup>1</sup> OJ C 264 E, 13.9.2013, p. 1.

enforcement information exchange instruments, channels and tools in the EU; believes that the current 'landscape' of the different instruments, channels and tools is complicated and scattered, leading to an inefficient use of the instruments and inadequate democratic oversight at EU level, as well as in some cases to 'function and access creep';

2. Calls on the Commission to perform a mapping exercise of EU and national legislation, including (bilateral) international agreements, regulating the cross-border exchange of law enforcement information; agrees with the Commission that more meaningful statistics are necessary to measure the real value of instruments and calls for an independent, external evaluation of the existing instruments for EU law enforcement information exchange in order to assess their measurable impact;
3. Supports the Commission's recommendations to streamline the use of existing instruments and channels (such as the default use of the Europol channel and the creation of national integrated Single Point of Contacts) and to improve training and awareness on cross-border information exchange; is disappointed, however, that the Commission did not provide for a more ambitious, future-oriented vision, as was called for in the Stockholm Programme and the Internal Security Strategy, that could be a starting point for a political debate on how to shape and to optimise law enforcement data sharing in the EU, while guaranteeing a robust level of data protection and privacy; strongly encourages the Commission to come forward with this vision, setting a well-tailored framework for EU law enforcement information exchange based on principles such as necessity, quality, proportionality, efficiency and accountability and including a proper assessment of the availability principle and the concept of cross-matching;
4. Calls on the Commission to explore the possibility of automating the manual procedures for implementing the existing instruments in order to ensure greater effectiveness along the lines set out in the DAPIX study conducted by a number of Member States, and to consider establishing a universal information exchange format so as to speed up the processing of approved requests;
5. Points out that the different instruments of cross-border law enforcement information exchange, including providing cross-border access to national databases, lead to a scattered and unclear data protection regime which is often based on the lowest common denominator and follows a piecemeal approach; in this respect, reiterates its position that the proposed Data Protection Directive should be adopted as soon as possible;
6. Calls on the Commission, with a view to consolidating and improving the information exchange system, to take measures aimed at underpinning an effective system serving also to guarantee data protection, as described in the opinion of the European Data Protection Supervisor (EDPS), using the reference framework provided by the proposal for a regulation of the European Parliament and of the Council on Europol repealing Decision 2009/371/JHA;
7. Takes note that, for a growing group of Member States, Prüm has become a routine tool in cross-border police cooperation and crime investigation; regrets the considerable delays in the implementation of the Prüm Decision in several Member States; agrees with the Commission that further development of the instrument should not be considered before full implementation has been achieved; calls on the Member States concerned to implement the Prüm Decision fully and properly so that it can be used to its maximum extent;

8. Points out that the Prüm Decision was adopted under the former third pillar and that its implementation is lacking proper democratic oversight and control by Parliament; calls on the Commission to speedily bring forward proposals to bring the existing cross-border police cooperation instruments adopted under the former third pillar – such as the Prüm Decision and the Swedish Initiative – within the legal framework of the Lisbon Treaty;
9. Points out that European police training helps to strengthen mutual trust between police forces, thereby making for better information exchange and cross-border cooperation, and therefore needs to be preserved and expanded;
10. Instructs its President to forward this resolution to the Council, the Commission and the parliaments of the Member States.