

Prüm Treaty: stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime. Initiative Belgium, Bulgaria, Germany, Spain, France, Luxembourg, the Netherlands, Austria, Slovenia, Slovakia, Italy, Finland, Portugal, Romania and Sweden

2007/0804(CNS) - 23/06/2008 - Final act

PURPOSE: to step up cross-border cooperation in combating terrorism and cross-border crime within the context of the "Prüm Treaty".

LEGISLATIVE ACT: Council Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime.

CONTENT: following the entry into force of the Treaty between Belgium, Germany, Spain, France, Luxembourg, the Netherlands and Austria on the stepping up of cross-border cooperation, particularly in combating terrorism, cross-border crime and illegal migration, the EU deemed it necessary to incorporate the substance of the provisions of the Prüm Treaty into its legal framework.

The Prüm decision takes account in particular of the Hague Programme for strengthening freedom, security and justice which recommended that full use should be made of new technology and that there should also be reciprocal access to national databases, as well as Council Framework Decision 2006/960/JHA on simplifying the exchange of information and intelligence between law enforcement authorities of the member states of the EU which already allowed the Member States' law enforcement authorities to exchange existing information and intelligence expeditiously and effectively for the purpose of carrying out criminal investigations or criminal intelligence operations ([CNS/2004/0812](#)).

In this context, the decision contains inter alia provisions on the conditions and procedure for:

- the automated transfer of DNA profiles, dactyloscopic data and certain national vehicle registration data;
- the supply of data in connection with major events with a cross-border dimension;
- the supply of information in order to prevent terrorist offences;
- stepping up cross-border police cooperation.

For the purposes of the supply of data, each Member State shall designate a national contact point. The powers of the national contact points shall be governed by the applicable national law.

In order to step up police cooperation, the competent authorities designated by the Member States may, in maintaining public order and security and preventing criminal offences, introduce joint patrols and other joint operations in which designated officers or other officials (officers) from other Member States participate in operations within a Member State's territory. Officers from a seconding Member State who are involved in a joint operation within another Member State's territory may wear their own national uniforms there.

Member States' competent authorities shall provide one another with mutual assistance, in compliance with national law, in connection with mass gatherings and similar major events, disasters and serious accidents, by seeking to prevent criminal offences and maintain public order and security.

As regards the data protection provisions contained in this Decision, Member States shall ensure that the level of data protection is not lower than the protection laid down in the Council of Europe Convention for the Protection of Individuals with regard to automatic Processing of Personal Data of 28 January 1981 and its additional Protocol of 8 November 2001 and takes account of Recommendation No R (87) 15 of 17 September 1987 of the Committee of Ministers to Member States regulating the use of personal data in the police sector, also where data are not processed automatically.

The Council also adopted a decision on the implementation of the Prüm decision (see [CNS/2007/0804](#)). This implementing decision lays down administrative and technical provisions as regards in particular the automated exchange of DNA data, dactyloscopic data and vehicle registration data, and other forms of cooperation.

APPLICATION: 26/08/2008.

Implementation: Member States shall take the necessary measures to comply with the provisions of this Decision within one year of this Decision taking effect, with the exception of the provisions of Chapter 2 (on-line access and follow-up requests) with respect to which the necessary measures shall be taken within three years of this Decision and the Council Decision on the implementation of this Decision taking effect.