**Follow-up to the European Parliament non-legislative resolution on the Negotiations for a cooperation agreement between the EU and Interpol**

**1. Rapporteur:** WIŚNIEWSKA Jadwiga (ECR / PL)

**2. Reference number:** 2022/2025 (INI) / A9-0200/2022 / P9\_TA(2022)0275

**3. Date of adoption of the resolution:** 5 July 2022

**4. Competent Parliamentary Committee:** Committee on Civil liberties, Justice and Home Affairs (LIBE)

**5. Brief analysis/assessment of the resolution and requests made in it:**

The resolution outlines the position of the European Parliament on a new co-operation agreement between the EU and the International Criminal Police Organization (Interpol). It stresses that the agreement should grant the relevant EU agencies access to Interpol’s databases, given that currently, only EU member states have access to Interpol’s 19 databases.

The resolution calls on the Commission to guarantee, as part of the agreement, that European data protection rules are respected when transferring data between the EU and Interpol, stating the purposes for which data can be transferred and block the retention of data for longer than what is necessary.

The European Parliament notes that Interpol’s Red Notices have been used in politically motivated ways, and that Interpol’s current processing of Red Notices is not transparent enough. The resolution calls for the data on these notices to be published annually and broken down by country, in order to create risk profiles for abusive notices and their diffusion as authoritarian regimes may try to abuse the Interpol tools.

In addition, the European Parliament shows concern about Russia’s continued access to Interpol data as it endangers EU cooperation with the police organisation. Therefore, the Parliament supports removing access rights to Interpol data from Russia and Belarus, and eventually suspend them from Interpol altogether.

**6. Response to requests and overview of action taken, or intended to be taken, by the Commission:**

The Commission welcomes the non-legislative resolution of the European Parliament on the Negotiations for a cooperation agreement between the EU and Interpol.

In April 2021, the Commission recommended to the Council the opening of negotiations with Interpol for the conclusion of a cooperation agreement and shortly thereafter, in July 2021, the Council gave the Commission a mandate to negotiate with Interpol the EU-Interpol cooperation agreement. Since December 2021, negotiations are ongoing in a constructive atmosphere, with regular meetings between the Commission and Interpol and a first draft of parts of the envisaged agreement being discussed jointly. At this stage, the Commission is tentatively endeavouring to conclude the agreement by the General Assembly of Interpol in October 2023.

During the negotiations with Interpol, the Commission will explore ways to incorporate the recommendations of the European Parliament and will endeavour to meet the Parliament’s expectations and address its concerns, while following the negotiation mandate given by the Council and finding solutions that will work for both parties to the agreement.

The Commission provides below its preliminary views on a selected number of recommendations made by the European Parliament, regrouping them in clusters.

***Objectives to be achieved by the cooperation agreement***

The EU-Interpol cooperation agreement envisages to provide access to Interpol’s databases based on operational needs and according to the scope of competences laid down in the respective mandates of the different EU bodies and agencies covered by the agreement and under the conditions, safeguards and guarantees of relevant EU law **(paragraph 5)**.

***Data protection, processing and storage of personal data, judicial redress***

The EU-Interpol cooperation agreement is envisaged to provide the necessary safeguards and guarantees to authorise the access to the Stolen and Lost Travel Document (SLTD) and Travel Document Associated With Notices (TDAWN) databases via the European Search Portal for the purposes of the European Travel Information and Authorisation System (ETIAS) and the Visa Information System (VIS), fully respecting the related EU legislation **(paragraph 9)**.

The European Commission intends to negotiate with Interpol an agreement that will comply with the EU data protection requirements and protect individuals’ fundamental rights and freedoms **(paragraph 11)**.

***Red notices and diffusions***

The Commission takes note of the recommendations and will endeavour to meet the Parliament’s expectations, while following the negotiation mandate given by the Council and finding solutions that will work for both parties to the agreement **(paragraphs 29, 30 and 31)**.

On 8 June 2022, the Commission adopted the Guidelines on extradition to third States[[1]](#footnote-1). The Guidelines briefly explain the existing Interpol mechanism to avoid the misuse of its Red Notices. Moreover, to allow for swift information exchange on potential unlawful extradition requests, in particular politically-motivated extradition requests, the Guidelines recommends to establish a network of focal points in all EU Member States.

The Commission considers that supporting and reinforcing the mechanisms established at Interpol - such as for instance its independent Commission on the Control of Interpol’s Files or its dedicated Task Force to screen every Red Notice or diffusion before publication - would guarantee that Interpol’s systems would be used only to achieve its aim, which is to support and facilitate international law enforcement cooperation. In this context, the Commission takes note of the recommendation and will consider how best to meet the Parliament’s expectations, either as part of the negotiations or outside of it, while following the negotiation mandate given by the Council and finding solutions that will work for both parties to the agreement **(paragraphs 36, 37 and 38)**.

***Russia***

The Commission takes note of the recommendation. As has been made public by Interpol, in order to prevent any potential misuse of Interpol’s channels in relation to the targeting of individuals within or beyond the conflict in Ukraine, heightened supervision and monitoring measures in relation to Russia have been implemented by Interpol’s Secretary General, a decision that was endorsed by the Executive Committee of Interpol on 10 March 2022 **(paragraph 40)**.

***Final remarks***

The Commission stands ready to inform the European Parliament, as with other international agreements **(Paragraph 45)**.

1. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52022XC0608(01)> [↑](#footnote-ref-1)