



PRESS RELEASE

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EDPS: Making the Treaty of Prüm applicable to the whole EU requires a proper general data protection framework

Today, the EDPS presented his opinion on the initiative to make the Treaty of Prüm applicable throughout the EU. Stepping up cross-border cooperation, particularly the combat of terrorism and cross-border crime, the initiative is a significant step in the implementation of the principle of availability. The EDPS supports its cautious and gradual approach, but regrets that it does not harmonise essential elements of the collection and exchange of data.

Peter Hustinx, EDPS, says: *"Data protection plays an important role in the 'Prüm Treaty' and the provisions have been carefully drafted. But they are meant as specific ones, on top of a general framework for data protection, which unfortunately has still not been adopted. That framework is needed to give the citizen enough protection, since this decision will make it much easier to exchange DNA and fingerprint data"*.

The opinion reflects that the initiative is of a unique nature within European cooperation: 15 Member States propose to extend the application of the Treaty of Prüm, concluded between seven of them, to the whole EU without allowing for any major revision. Therefore, the EDPS' suggestions mainly serve to improve the text without modifying the system of information exchange itself. Clarifications will ensure a harmonised implementation into national law and guarantee citizens' rights as much as possible.

In his opinion, the EDPS notes that:

- the approach relating to the different kinds of personal data is good: the more sensitive the data, the more limited the purposes for which they can be used and the more limited the access is;
- the initiative is taken without any impact assessment. EDPS calls on the Council to include one in the procedure of adoption. He also asks for an evaluation clause;
- the initiative does not specify the categories of persons that will be included in the DNA databases and it does not limit the retention period.

The **Opinion** is available on our website.

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EDPS - the European guardian of personal data protection

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