

1. GENERAL COMMENTS

AUSTRIA

Austria may present some remarks concerning the Articles 26, 26a and 33a of the draft:

Art. 26 and 26a:

We always supported the enhancement of information exchange between Europol and private parties and we acknowledge that Europol will have the possibility to process data obtained from private parties on the substance, we also welcome that the “resubmission problem” is solved with the new Article 26. We regret that Europol will not be allowed to request personal data directly from private parties. If a procedure of consent from the Member States would be foreseen in the regulation this should be feasible.

We propose to mention Article 26 in Article 18 Purpose of information processing activities.

Art. 33a:

Generally we support this article, regulating the data processing for innovation and research purpose, but we would like to ask you about the deletion of the “old” Article 33 in the Europol Regulation? Will there be a new Article 33? We are of the opinion, that this article, containing regulations concerning developments of technical tools and procedures for lawful data processing still remains very useful.

Two additional remarks:

Austria would strongly prefer if Europol attends the (virtual) meetings.

Europol can support delegations with its know how directly in the discussions if needed.