



*Brussels, 29.4.2019  
C(2019) 3098 final*

*Dear President,*

*The Commission would like to thank the Senát for its Opinion on the Commission's Brexit Preparedness Communication on a Contingency Action Plan {COM(2018) 890}.*

*The Commission welcomes the Senát's support for the measures announced in the action plan, which address the call on European citizens, businesses and Member States to prepare for the United Kingdom's withdrawal from the Union in a possible no-deal scenario, identifying key areas and key actions to be taken.*

*The Commission has taken note of the Senát's suggestion that the Commission should present appropriate proposals to ensure that the United Kingdom can continue to participate in key systems in the area of freedom, security and justice, in particular the Schengen Information System (SIS), the European Criminal Records Information System (ECRIS) and Eurodac.*

*I would like to underline that the Commission takes security very seriously and is committed to doing its utmost to guarantee a high level of security for all citizens of the European Union. That commitment has been at the forefront of the Commission's contingency planning for a possible no-deal scenario.*

*The Commission agrees with the Senát that the Withdrawal Agreement negotiated between the United Kingdom and the Union is the best solution. The Withdrawal Agreement allows exchange of law enforcement information and operational cooperation to continue during the transition period and the Political Declaration accompanying the Agreement refers to a broad, comprehensive and balanced security partnership as an important component of the future relationship. Our primary objective therefore remains to have an orderly withdrawal of the United Kingdom from the Union.*

*At the same time, European institutions and Member States have been stepping up their preparations for a no-deal scenario since last autumn. On the issue of security –*

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*including law enforcement cooperation – the Commission has had extensive discussions with Member States. At a high-level seminar on security on 25 February 2019, the Commission and Member States agreed on the relevant fall-backs for all current EU law enforcement cooperation and information exchange systems, including SIS, ECRIS and Eurodac. The conclusion of the seminar was that those fall-backs are sufficient to mitigate the most important security consequences of a no-deal scenario.*

*In light of the above, the Commission considers that no contingency measure at Union level is necessary in this field. This is in line with the general principle according to which contingency measures are to be taken only in areas in which no valid fall-backs have been identified. While the Member States can count on the assistance of the Commission, the Commission counts on Member States, including their national Parliaments, to ensure that national procedures, structures, tools, staffing and other resources are adapted in good time to facilitate ongoing security cooperation with the United Kingdom.*

*The Commission would like to stress that in the future the European Union will continue to maintain a close relationship with the United Kingdom in the field of security. Brexit means a paradigm shift in the way that the EU27 Member States currently cooperate with the United Kingdom, but it does not mean that the Union will not establish a comprehensive and close cooperation on law enforcement and information exchange with the United Kingdom in the future. This cooperation is one of the key elements to be discussed with the United Kingdom in the context of the negotiations on the future relationship.*

*The Commission believes that the political dialogue with national Parliaments is essential for linking the Institutions and the citizens of the European Union, and looks forward to continuing it with the Sénat in the future.*

*Yours faithfully,*

*Frans Timmermans  
First Vice-President*