



EUROPEAN COMMISSION

*Brussels, 7.7.2022
C(2022) 4896 final*

Dear President,

The Commission would like to thank the Senat for its Opinions on the Commission proposal for a Regulation of the European Parliament and of the Council on automated data exchange for police cooperation ('Prüm II'), amending Council Decisions 2008/615/JHA and 2008/616/JHA and Regulations (EU) 2018/1726, 2019/817 and 2019/818 of the European Parliament and of the Council {COM(2021) 784 final} and the proposal for a Directive of the European Parliament and of the Council on information exchange between law enforcement authorities of Member States, repealing Council Framework Decision 2006/960/JHA {COM(2021) 782 final}.

The Commission welcomes the Senat's view that the two proposals respect the principles of subsidiarity and proportionality.

The Senat recommends that the current flexibility in choosing the channel through which information should be exchanged be maintained, to grant Member States the opportunity to choose the best solutions for a complete exchange of information. The Commission would like to clarify that under the Prüm II proposal, the data is to be exchanged via the router (for DNA, dactyloscopic data and facial images), EPRIS (for police records) or Eucaris (for vehicle registration data). Any exchange which is not regulated under the Prüm II proposal, including the channel, nor by any other acts of Union law, should comply with the proposal for a Directive of the European Parliament and of the Council on information exchange between law enforcement authorities of Member States.

In addition, the Senat draws attention to the major impact of the draft Regulation from a financial point of view. The Commission would like to point out that Member States can benefit from financial assistance from the Internal Security Fund to implement EU legislation in the area of EU internal security.

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The Commission agrees with the Senat that synergistic coordination of the negotiation process remains important, so that the Prüm II proposal generates increased efficiency and effectiveness for all measures and actions.

Concerning the proposal for a Directive on information exchange, the Commission takes note of the points raised by the Senat. Those points will be discussed in the context of the legislative process involving both the European Parliament and the Council.

The Commission hopes that the clarifications provided in this reply address the issues raised by the Senat and it looks forward to continuing the political dialogue in the future.

Yours faithfully,

*Maroš Šefčovič
First Vice-President*

*Ylva Johansson
Member of the Commission*