

The Hague, 29 January 2021

Joint Parliamentary Scrutiny Group Secretariat

To the attention of the JPSG Co-Chairs

By email only:

jpsg.libesecretariat@europarl.europa.eu

Europol reply to written questions from the Swedish Parliament to the Joint Parliamentary Scrutiny Group (JPSG)

Dear Co-Chairs,

In accordance with Article 4.2 of the JPSG Rules of Procedure and Article 51 of the Europol Regulation, Europol would like to respond to the question raised by JPSG delegation of the Swedish Parliament, received by Europol on 16 December 2020 as follows:

Written question by the JPSG delegation of the Swedish Parliament to Europol – ahead of the JPSG meeting on 1-2 February 2021

A well-functioning, swift and secure exchange of relevant information between the member states' law enforcement authorities and Europol is crucial in order to solve crime of a cross-border nature. Recent statistics suggest that the level of information sharing still varies considerably between the member states.

- *What is Europol's assessment of the current situation regarding the extent to which the member states share information as well as the quality of the information shared?*
- *What are the explanations for the degree to which the sharing of information differs between different countries?*
- *What measures could further improve the situation? For example, increasing the level of knowledge/awareness among the member states' law enforcement authorities about existing tools and instruments, sharing of best practices, introducing new measures at EU level, additional support from Europol etc.*
- *Are there any crime areas where the situation should be particularly improved?*
- *Are there any examples of "good practice" within the member states when it comes to information sharing that could be highlighted?*

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Europol's answer:

In line with the Europol Strategy 2020+, it is the strategic priority of Europol to be *the* EU criminal information hub, making full use of data from Member States and an extensive network of operational partners. This has also been highlighted in the 10 Points on the Future of Europol which the EU Home Affairs Ministers agreed at the end of October 2020¹ and Council Conclusions on Internal Security and European police cooperation as adopted by the Council of the European Union in December 2020.² Accordingly, this aspect has also been reflected in the December 2020 proposal of the European Commission for amending the Europol Regulation, in particular with respect to the exchange of information with third and private parties.³ Europol would welcome support by all Member States for the proposals in the forthcoming trilogue negotiations.

Europol considers the overall quality of the information exchange as high, given that Member States have invested in the past years to ensure that Europol is involved at an early stage in investigations, with a view to sharing the full spectrum of the concerned criminal intelligence.

Every year, Europol is publishing a report on the information exchange with Member States and partners. As per Article 7(11) of the Europol Regulation, Europol is requested to produce an annual report on the information provided by the EU Member States. In May 2018, Europol Management Board (MB) defined which quantitative and qualitative criteria and related indicators should be part of the annual report. As an annex to this letter, I enclose the report for 2019 which was sent to the European Parliament, the Council, the European Commission and national parliaments (the report for 2020 will be issued in due course).

The difference in statistics of sharing of information is challenging to assess. Not every Member State has a similar situation regarding crime and terrorism and some Member States are more affected by certain crimes than others. Therefore, a comparison of quantitative contributions amongst Member States is not conducive to arriving at qualitative conclusions. This is supported by the joint operational actions which Europol also reports on its website.⁴

Europol is continuously improving its systems for information exchange. In 2020, SIENA, Europol's secure information exchange tool, was further updated. This was highly welcomed by Europol's operational partners. Regarding the good practises, there are several examples that facilitate the info exchange. Some Member States, in particular the larger ones, roll out SIENA at the local/regional level and they also have automated data loaders into the Europol Information System (EIS). Europol organises awareness campaigns, in partnership with Member States, on the role of Europol and the tools for information exchange which includes efforts to send data to Europol

¹ <https://www.eu2020.de/eu2020-en/news/pressemitteilungen/10-point-plan-on-the-future-of-europol-agreed/2408888>

² <https://www.consilium.europa.eu/en/press/press-releases/2020/12/14/internal-security-council-adopts-conclusions-to-strengthen-cooperation>

³ <https://eur-lex.europa.eu/legal-content/EN/TEXT/?uri=CELEX%3A52020PC0796&qid=1611860164265>

⁴ <https://www.europol.europa.eu/newsroom>

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in a structured format, for speeding up the processing and analysis of information in support of investigations.

In general, information is exchanged in all crime areas more extensively on those that have a dedicated Analytical Project (AP)⁵ at Europol. Those crime areas concerning which Member States are most affected, such as drugs trafficking, frauds and migrant smuggling, have a higher information exchange than others, such as, for example, e.g. environmental crimes (as reported in the attached report for 2019).

I hope that these answers are satisfactory. Europol remains available for further clarifications.

Yours sincerely,



Jürgen Ebner
Deputy Executive Director of Governance

⁵ <https://www.europol.europa.eu/crime-areas-trends/europol-analysis-projects>