



Delegation of Germany

Committee: European Parliament

Topic: Amending Council Decision 2009/917/JHA, as regards its alignment with Union rules on the protection of personal data

Germany is of the view that personal information must be protected as a core principle of the EU as well as an essential element of public institutions being able to generate confidence within their citizen communities. The EU lays down stringent privacy guidelines after the GDPR came into force. These guidelines, though, do not match completely with the Council Decision 2009/917/JHA, relating to the handling of personal data within criminal matters.

Germany emphasizes the need for the law to be modernized so it is harmonized with the Law Enforcement Directive (LED) as well as with the GDPR. For criminal purposes, cross-border sharing of data must be transparent, secure, as well as strictly limited to only what is necessary and appropriate. Germany is further supportive of developing transparent procedure for supervision as well as legal action for whoever's data is processed.

In addition, Germany is calling for the inclusion of robust encryption methods as well as anonymization techniques, the reduction of data retentions, as well as transparency between EU member states. These are critical for upholding both public safety as well as basic rights within the EU.

Germany is dedicated to cooperating with other member states for the modernization of this decision so that security is harmonised with privacy within European law enforcement cooperation.