# Joint Investigation Teams collaboration platform

2021/0391(COD) - 13/10/2022 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted the report by Malik AZMANI (Renew Europe, NL) on the proposal for a regulation of the European Parliament and of the Council establishing a collaboration platform to support the functioning of Joint Investigation Teams and amending Regulation (EU) 2018/1726.

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

***Subject matter***

With a view to enhancing international cooperation and information exchange on crimes affecting international peace and safety, Members proposed that the draft Regulation should include the possibility to allow for participation of **specialised** customs Joint Investigation Teams (JITs) created under the Naples II convention, provided that they function in the context of a criminal investigation while under the supervision of a judicial authority.

***Scope***

According to Members, the proposed Regulation should apply to the operational and post-operational phases of a JIT, starting from the moment the relevant JIT agreement is signed by its members until all operational and non-operational data of that JIT has been removed from the central storage of the JITs collaboration platform.

***Responsibilities of the JITs Network Secretariat***

New responsibilities of the JITs Network Secretariat should support the functioning of the JITs collaboration platform by:

- providing, at the request of the JIT space administrator or administrators, administrative, legal, and technical support in the context of the setup and access rights management of individual JIT collaboration spaces;

- providing day-to-day guidance, functional support, and assistance to practitioners on the use of the JITs collaboration platform and its functionalities;

- designing and providing training- and outreach modules for national authorities aiming to promote and facilitate the use of the JITs collaboration platform;

- enhancing a culture of cooperation within the Union in relation to international cooperation in criminal matters by raising awareness and promoting the use of the JITs collaboration platform among practitioners, and by collecting their feedback on its practical use;

- keeping, after the start of operations of the JITs collaboration platform, eu-LISA informed of additional technical requirements of the system by drafting an annual report on the potential improvements of the platform based on the feedback it receives from users.

***Access to the JIT collaboration spaces by competent Union bodies, offices and agencies and by international judicial authorities participating in a JIT***

Again, new provisions have been included which allow for the participation of international judicial authorities access to a JIT collaboration space for the purpose of fulfilling cooperation objectives included in the relevant JIT agreement.

***Security***

The amended text stipulated that eu-LISA should adopt a security plan, a business continuity and disaster recovery plan, to ensure that the centralised information system may, in case of interruption, be restored. eu-LISA should provide for a working arrangement with the Computer Emergency Response Team for the Union's institutions, bodies and agencies (CERT-EU) and shall adopt the security plan in consultation with the European Union Agency for Cybersecurity (ENISA).

***Data protection***

As soon as the process of downloading is completed by all intended JITs collaboration platform users or upon expiry of the retention period, the data should be automatically and permanently erased from the centralised system.

Regarding data uploaded to the JITs collaboration platform by the competent authorities of third countries, it is proposed that one of the JIT space administrators, as designated in the JIT agreement upon signing, is to be nominated data controller as regards the personal data exchanged through and stored in the JITs collaboration platform.

Where no single administrator is named as data controller in the JIT agreement, all JIT space administrators should act as **joint controllers** as regards the personal data exchanged through and stored in the JITs collaboration platform.

The JITs collaboration platform users should be joint controllers for the processing of non-operational personal data in the JITs collaboration platform, the fact of which should be underlined in the JIT agreement.

***Monitoring and evaluation plans***

It is proposed that eu-LISA should also establish procedures to monitor and measure the effectiveness of the JITs collaboration platform as regards the scope, the efficiency, and the usability of the platform.

For the sake of **transparency**, the report submitted to the Commission by eu-LISA on the technical functioning of the JITs cooperation platform, including its security should be made publicly available according to Members. **Two years** (as opposed to the Commission's four years) after the start of operations of the JITs collaboration platform and every two years thereafter, the Commission should conduct an overall evaluation of the JITs collaboration platform.

The amended text proposed that the Member States' competent authorities, Eurojust, Europol, the European Public Prosecutor's Office, OLAF and other competent Union bodies, offices and agencies should **draft a monitoring and evaluation plan** regarding their use of the JITs collaboration platform, including reporting requirements the feedback of which will be collected by the JITs Network Secretariat, in order to provide eu-LISA and the Commission with the information necessary to draft their reports.

***State of operation***

Lastly, Members proposed **advancing the start of operations** of the JITs collaboration platform to 1 January 2025 at the latest.