

Criminal judicial cooperation: exchange of information extracted from the criminal record

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The committee adopted the report by Antonio DI PIETRO (ALDE, IT) amending the proposal under the consultation procedure. The amendments aimed to tighten up the proposal so as to make it more effective while also improving safeguards for personal data protection:

- the process of exchanging information should be speeded up: whereas the proposal set a deadline of five working days by which the central authority of a Member State must deal with a request for information from the judicial authorities of another Member State, the committee said that the reply should be sent within "48 hours in urgent cases and otherwise within a period not exceeding ten working days". MEPs argued that, in emergencies, 48 hours is the minimum amount of time required in many Member States for confirmation to be provided as to whether or not an individual is being held in custody;
- where personal data are forwarded for purposes other than criminal proceedings, both the requesting Member State and the one receiving the request must be aware of, and must have mutually agreed, the limits within which such information may be gathered;
- a new paragraph should be introduced making it clear that the decision must comply with existing conventions on personal data protection;
- lastly, although the proposal set a specific deadline (30 June 2005) for the decision's entry into force, the committee felt that no dates should be set in advance. It accordingly proposed to reword the text so that the decision would come into force within six months of its publication.