

Background Information on the Prüm Treaty

Purpose

and

background

The Prüm Treaty is a multinational Treaty on cross border police cooperation between Belgium, Germany, Spain, France, Luxembourg, The Netherlands and Austria that was concluded on 27 May 2005.

The objective of the Prüm Treaty is to enhance cross border cooperation to fight terrorism, cross-border crime and illegal migration. The treaty aims at improving the exchange of information for the purpose of preventing and prosecuting crime between the participating Member States.

Under the rules established by the **Prüm Treaty** Member States' law enforcement services will have direct access to Databases in all other Member States.

Information exchange

- Police services may launch a query in the data system of a contracting partner to find out whether it contains data concerning a specific DNA or fingerprint profile, and are automatically informed of the results within a matter of minutes. If a match is found, this information may be obtained by means of a request for mutual legal assistance.
- Under the treaty authorities can identify the owner and access his data and the vehicle data from the vehicle registration databases of the contracting partners.
- Furthermore, the exchange of data concerning potential terrorist perpetrators and hooligans is regulated.
- The Treaty also allows the authorities to exchange information on travelling violent offenders in the course of major events (for example football matches, European Council meetings or other international summits) in order to prevent criminal acts.

Website

http://www.eu2007.de/en/News/Press_Releases/February/0215BMIPruem.html

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Operational co-operation beyond information exchange

- Various forms of joint police operations, such as joint patrols, are made possible. These may include the transfer of operational powers upon police officers from one Member State while operating in another.
- Provided that the host state does not stipulate otherwise, seconded officers may carry their national uniform and carry weapons as provided for by the law of the host state.
- Seconded officers may use these weapons in self defence or to protect others. The host state may also permit a use beyond these limits.
- Accountability for the actions of seconded officers rests with the host state.
- In cases of an immediate danger for life or health of persons, police officers from one Member State are allowed to cross the border and to take preliminary measures to contain the danger even without prior consent of the Member State, on whose territory the danger occurs.
- With respect to large scale events and catastrophes the Member States may support each other by seconding personnel and equipment.

Further provisions in the Prüm Treaty concern cooperation for the purpose of joint return operations and the use of so called Air Marshalls.

State of play

At its informal meeting on 15 January 2007 the EU Council Justice and Home Affairs reached a political agreement to incorporate large parts of the Prüm Treaty into the Schengen acquis.

The political agreement reached in the Council in February does not fully cover further provisions of the Prüm Treaty relating to operational cross border police cooperation as well as enhanced cooperation with respect to the use of so called Air Marshalls and joint return operations.

Background to the initiative was the implementation of the so called 'principle of availability' established by the Hague Programme with regards to the exchange of law enforcement information. Under the principle of availability data that is accessible to a law enforcement service in one EU Member State should as a general rule also be available to the corresponding law enforcement services in all other EU Member States.