

**Question for oral answer O-000150/2016
to the Council**

Rule 128

Gérard Deprez, Sophia in 't Veld, Cecilia Wikström, Nathalie Griesbeck, Louis Michel, Petr Ježek, Maite Pagazaurtundúa Ruiz, Angelika Mlinar

on behalf of the ALDE Group

Subject: EU law enforcement information exchange and the replacement of pre-Lisbon instruments

The European Council has on several occasions reiterated its commitment to improving the exchange of information with a view to addressing the current security challenges facing the EU. In the light of this political impetus, on 9 June 2016 the Justice and Home Affairs Council adopted its roadmap to enhance information exchange and information management. However, the current legal framework at Union level for the exchange of information and intelligence between law enforcement authorities, including the exchange of information on terrorist offences, is still mostly subject to 'pre-Lisbon' instruments, and in particular to Council Decision 2005/671/JHA and Council Framework Decision 2006/960/JHA.

The transitional period for the measures in the fields of police and judicial cooperation in criminal matters, as set out in Protocol (No) 36 to the EU Treaties, expired on 1 December 2014, and Declaration 50 attached to the EU Treaties invites the European Parliament, the Council and the Commission to seek to adopt legal acts amending or replacing the acts of the Union in the field of police cooperation and judicial cooperation in criminal matters which have been adopted before the entry into force of the Treaty of Lisbon. Given the need and commitment to strengthen the Union legal framework in order to improve and ensure an optimal exchange of law enforcement and intelligence information, could the Council answer the following:

- Could the Council report on Member States' compliance with the obligation imposed by Council Decision 2005/671/JHA and Council Framework Decision 2006/960/JHA, as well as on the reasons for withholding information or intelligence?
- In light of recent deficiencies in the sharing of law enforcement and intelligence information between Member State authorities, which measures has the Council taken to ensure better compliance with the obligations imposed by Council Decision 2005/671/JHA and Council Framework Decision 2006/960/JHA?
- In line with Declaration 50 attached to the EU Treaties, would the Council support repealing and replacing Council Decision 2005/671/JHA and Council Framework Decision 2006/960/JHA with a proposal for a Directive ensuring a compliant and more stringent legal framework for the exchange of law enforcement and intelligence information at Union level?

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