

Zdravko Vukić, director of the Personal Data Protection Agency, participated in the plenary session of the European Data Protection Board held on September 12 and 13, 2022 in Brussels.

At the plenary session, the European Data Protection Board (hereinafter: EDPB) adopted a statement on the European Commission's proposal for the EU Police Cooperation Code. The aim of this proposal is to improve cooperation in the field of implementing legislation among member states, especially the exchange of information between competent authorities. The code consists of three main measures: the proposal for the Prüm II directive, the proposal for the Directive on the exchange of police information and the proposal for a Council Recommendation on operational police cooperation.

EDPB President Andrea Jelinek stated: "Although we recognize that police cooperation is a key factor for the establishment of a well-functioning area of freedom, security and justice, there are serious risks related to the processing of personal data of individuals in criminal matters, especially when it comes to special categories of personal data. data such as biometrics. The proposals should establish some key safeguards to ensure that the proposed measures are necessary and proportionate to the objective or contribution to the internal security of the EU."

Among other things, the EDPB proposes to determine the types and seriousness of criminal offenses that could justify an automated search in the databases of other Member States and to clearly distinguish the personal data of different categories of subjects, such as convicted criminals, suspects, victims or witnesses in accordance with Article 6 of the Directive on the protection of individuals in connection with the processing of personal data by the competent authorities for the purposes of preventing, investigating, detecting or prosecuting criminal offenses or executing criminal sanctions and on the free movement of such data on the repeal of Council Framework Decision 2008/977/PUP.

Furthermore, the EDPB has decided that the topic of the second coordinated enforcement action will relate to the appointment and position of data protection officers. In coordinated action, the EDPB prioritizes a specific topic on which data protection authorities can work at national level. The results of these national actions are then consolidated and analyzed, which provides a deeper insight into the topic and enables targeted monitoring at the national and EU level. Last year, the EDPB chose the use of cloud-based services in the public sector as the topic of its first coordinated action. The report on the results of coordinated action from 2022 will be published by the end of the year.

The EDPB expressed its concern about the envisaged automated search and exchange of police records with the introduction of the European Police Record Index System (EPRIS) and the default exchange of personal data with Europol through the

Secure Exchange of Information (SIENA) application.

On the second day of the plenary session, members of the EDPB met with representatives of civil society organizations and together discussed the challenges associated with different procedural approaches in national law. It is the next step towards the EDPB's aim to develop an overview of such challenges, as stated in the Vienna Declaration.