

Prüm Cooperation: Agreements with Switzerland and Liechtenstein

Thomas Wahl

News

On 27 June 2019, the EU signed agreements with Switzerland and Liechtenstein allowing the two countries to participate in the police cooperation scheme established by the so-called Prüm decisions. The agreement with Switzerland was published in the [Official Journal L 187 of 12 July 2019](#), p. 3; the agreement with Liechtenstein was published in the [Official Journal L 184 of 10 July 2019](#), p. 3.

The core of the Prüm legal framework is the speedy and efficient exchange of police information, especially as regards DNA profiles, dactyloscopic data (fingerprints), and data on vehicles and their owners. Police authorities from the participating countries are able to swiftly check whether data on any person or item is already stored in the database of another Prüm state. The Prüm legal framework consists of the following:

- [Council Decision 2008/615/JHA](#) (“the Prüm Decision”), which was adopted in order to incorporate into the EU legal framework the substance of the provisions of the previous Prüm Treaty on the stepping up of cross-border cooperation, particularly on combating terrorism, cross-border crime and illegal migration (the Treaty had been agreed upon by seven European countries in 2005);
- [Council Decision 2008/616/JHA](#) (“the Prüm Implementing Decision”) laying down the necessary technical provisions for the implementation of Decision 2008/615/JHA;
- [Council Framework Decision 2009/905/JHA](#) laying down requirements for the exchange of DNA and fingerprint data in order to ensure that the results of laboratory activities carried out by accredited forensic service providers in one Member State are recognised by the relevant authorities as being equally reliable as the results of laboratory activities carried out by forensic service providers accredited in any other Member State.

The agreements with Switzerland and Liechtenstein specifically regulate which provisions of the above-mentioned decisions are applicable in bilateral relations between the Swiss Confederation/the Principality of Liechtenstein and each of the EU Member States. The agreements also provide for rules on the uniform application and interpretation of the referred provisions, dispute settlement, consequences of amendments to the Prüm legal framework, and the relationship with other cross-border cooperation agreements. Before the agreements enter into force, the EU, on the one hand, and Switzerland and Liechtenstein respectively, on the other, must notify each other of completion of the procedures required to express their consent to be bound by the agreements.

Although often called “Schengen III,” the “Prüm cooperation” is not part of the Schengen Acquis, which is why Schengen-associated countries can only join on the basis of separate agreements with the EU. The Schen-

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gen states Norway and Iceland already concluded similar agreements in 2009 (not ratified yet) that would allow them to participate in data exchange under Prüm.

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