

**Declaration adopted by the
European Data Protection Authorities
in London on 2 November 2006**

Expanding the crossborder exchange of information, and sharing data stored in national files, subject to the principle of availability, as part of the co-operation between police and judicial authorities at EU level has become the focus of discussions within Europe. In this context, the European Data Protection Authorities already stressed repeatedly that given the Union's obligation to respect human rights and fundamental freedoms, initiatives to improve law enforcement in the EU, such as the availability principle, should only be introduced on the basis of an adequate system of data protection arrangements guaranteeing a high and equivalent standard of data protection, which is consistent with First Pillar standards.

The European Data Protection Authorities call on the Member States to respect and strengthen the civil liberties of the citizens living in the EU to establish an adequate system of data protection arrangements guaranteeing a high and equivalent standard of data protection applicable to all data processing for law enforcement purposes.

There is no alternative to creating a high and harmonized data protection standard in the EU Third Pillar. This is a logical consequence of the Hague Programme, according to which the safeguarding of freedom, security and justice are indivisible elements of the task of the EU as a whole. Relevant data protection provisions should be adopted and applied as soon as possible in the field of law enforcement, providing for an adequate and harmonised system of data protection arrangements not only applying to data exchange between member states but applying to all personal data processed for law enforcement purposes. A high standard of protection should also apply to the transfer of data to third countries and international bodies, subject to an adequacy finding based on common European standards.

Any other, more limited approach will not be workable in practice and will not create the trust needed for effective cooperation in law enforcement.

London, 2 November 2006