

Police Cooperation in the European Union under the Treaty of Lisbon

Opportunities and Limitations

von
Prof. Dr. Hartmut Aden

1. Auflage

Nomos 2015

Verlag C.H. Beck im Internet:
www.beck.de
ISBN 978 3 8487 0843 7

Hartmut Aden [ed.]

Police Cooperation in the European Union under the Treaty of Lisbon

Opportunities and Limitations



Nomos



Lifelong
Learning
Programme



Hochschule für
Wirtschaft und Recht Berlin
Berlin School of Economics and Law



Schriftenreihe des Arbeitskreises
Europäische Integration e.V.

Band 83

Hartmut Aden [ed.]

Police Cooperation in the European Union under the Treaty of Lisbon

Opportunities and Limitations



Nomos

This project has been funded with support from the European Commission. This publication reflects the views only of the authors, and the Commission cannot be held responsible for any use which may be made of the information contained therein.

Die Deutsche Nationalbibliothek lists this publication in the Deutsche Nationalbibliografie; detailed bibliographic data is available in the Internet at <http://dnb.d-nb.de>

ISBN 978-3-8487-0843-7 (Print)
978-3-8452-5028-1 (ePDF)

British Library Cataloguing-in-Publication Data

A catalogue record for this book is available from the British Library.

ISBN 978-3-8487-0843-7 (Print)
978-3-8452-5028-1 (ePDF)

Library of Congress Cataloging-in-Publication Data

Aden, Hartmut [ed.]

Police Cooperation in the European Union under the Treaty of Lisbon

Opportunities and Limitations

Hartmut Aden

266 p.

Includes bibliographic references.

ISBN 978-3-8487-0843-7 (Print)
978-3-8452-5028-1 (ePDF)

1. Edition 2015

© Nomos Verlagsgesellschaft, Baden-Baden, Germany 2015. Printed and bound in Germany.

This work is subject to copyright. All rights reserved. No part of this publication may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or any information storage or retrieval system, without prior permission in writing from the publishers. Under § 54 of the German Copyright Law where copies are made for other than private use a fee is payable to "Verwertungsgesellschaft Wort", Munich.

No responsibility for loss caused to any individual or organization acting on or refraining from action as a result of the material in this publication can be accepted by Nomos or the editor.

Contents

List of abbreviations	11
<i>Hartmut Aden</i> Police cooperation in the EU before and after the Treaty of Lisbon – continuity and innovation	15
Part 1: Police cooperation in the European Union before and after the Treaty of Lisbon: historical, political and legal framework	23
<i>Cyrille Fijnaut</i> Revolution or evolution through the Treaty of Lisbon: police cooperation in Europe in a broader historical context	25
<i>Daniela Kietz</i> Policy making in policing and criminal justice under Lisbon rules: more democratic, more complex, and more conflict-prone	49
<i>Daniela A. Heid</i> Before and after the Treaty of Lisbon: the legal framework of police cooperation in the EU compared	65
<i>Funda Tekin</i> Differentiated integration: ever more relevant for police cooperation after the Treaty of Lisbon?	81
Part 2: Police cooperation, police professionalism and police training	99
<i>Monica den Boer</i> Police professionalism in the European Union	101

Contents

Hans-Gerd Jaschke

Police training and police studies in the EU Member States:
towards higher standards by coordination? 119

Part 3: Police cooperation in practice: empirical insights 133

Wilhelm Knelangen

Imbalances in an expanding research area: the widely neglected
practical dimension of EU internal security policy 135

Ludo Block

Do Council instruments matter? The effect of Council
instruments on practical police cooperation in the EU 147

Bettina Rauch-Schulz

European and international cooperation in practice: the case of the
Berlin Police 165

Mario Gruschinske, Nathalie Hirschmann & Laura Füger

Effective cross-border knowledge sharing between police forces
– the German-Polish Police and Customs Cooperation Centre (PCCC) 177

Olivier Cahn

Contributions of Member States to EU police external operations 189

**Part 4: Information sharing among police agencies under
the Treaty of Lisbon** 207

Hartmut Aden

Police information sharing and data protection in the European Union
before and after the Treaty of Lisbon 209

Peter Schaar & Karsten Behn

Conflicts between data protection harmonisation and a high
level of protection: shortcomings of the European Commission's
proposal for a Police and Justice Directive 217

Jan Philipp Albrecht

EU police cooperation and information sharing: more influence
for the European Parliament? 223

Michael Niemeier

The exchange of information between police organisations in the EU
under the Treaty of Lisbon – routine and difficulties from a
practical perspective 235

Gertjan Boulet & Paul De Hert

Cooperation between the private sector and law enforcement agencies:
an area in between legal regulations 245

Contributors 259

European treaties and laws relevant for police cooperation (selection) 265