



Ms Věra JOUROVÁ
Commissioner for Justice,
Consumers and Gender Equality

Mr Dimitris AVRAMOPOULOS
Commissioner for Migration,
Home Affairs and Citizenship

Commission
B-1049 Brussels

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FP/LS C2017-0145
Please use europol-cooperation-board@edps.europa.eu for all
correspondence

**Subject: Review of cooperation agreements with third countries under Article 25(4) of the
Europol Regulation**

Dear Ms Jourová,

Dear Mr Avramopoulos,

Pursuant to Article 25(1) of the Europol Regulation¹, Europol can transfer personal data to an authority of a third country on the basis of either an adequacy decision of the European Commission, an international agreement concluded by the Union pursuant to Article 218 TFEU or a cooperation agreement allowing for the exchange of personal data concluded between Europol and the third country in question before the entry into force of the Europol Regulation. Article 25(4) of the Europol Regulation provides that the European Commission should review all cooperation agreements concluded in the past with third countries by 2021. This work should be carried out in the light of Directive (EU) 2016/680².

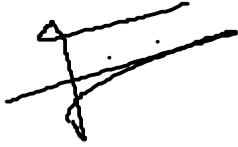
Therefore, we would like to encourage the Commission to carry out the aforementioned review at the earliest opportunity, in order to permit the exchange of personal data with third countries to be continued after the aforesaid deadline in full compliance with the EU data protection legal framework. We would like to assure you that the Europol Cooperation Board will carefully follow the review process and is fully available to cooperate in this important activity.

¹ Regulation (EU) 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol) and replacing and repealing Council Decisions 2009/371/JHA, 2009/934/JHA, 2009/935/JHA, 2009/936/JHA and 2009/968/JHA, OJ L 135, 24.5.2016, p. 53.

² Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA, OJ L 119, 4.5.2016, p. 89.

Yours sincerely,

François Pellegrini
Chair



Gabriele Löwnau
Vice-Chair



Cc: Ms Tiina ASTOLA, Director General, DG JUST
Ms Paraskevi MICHOU, Director-General, DG HOME
Mr Olivier MICOL, Head of Unit - Data Protection, DG JUST
Mr Martin KROEGER, EC Data Protection Officer