



Jose Luis Lopes da Mota  
President of the College of Eurojust

Dear Mr Lopes da Mota,

I am pleased to send you the opinion of the Joint Supervisory Body concerning the draft revised agreement on cooperation between Eurojust and Europol.

Sincerely yours,

Didier Gasse  
Chairman of the Joint Supervisory Body

## **Opinion of the Joint Supervisory Body of Eurojust on the revised agreement between Eurojust and Europol**

On the 3<sup>rd</sup> of November 2008, the President of Eurojust, Mr Jose Luis Lopes da Mota, submitted the draft revised agreement between Eurojust and Europol to the Joint Supervisory Body for consideration.

In accordance to article 27.3 of the Eurojust Decision, the Joint Supervisory Body will be consulted by Eurojust when concluding agreements with third parties which contain provisions on the exchange of personal data.

The Joint Supervisory Body was pleased to receive the revised agreement and welcomes this development, given the importance of Europol as cooperation partner.

At its meeting on the 25<sup>th</sup> of November 2008 the Joint Supervisory Body had a useful exchange of views with the chairman of the College team dealing with Europol matters, the Data Protection Service and a representative of the Eurojust Legal Service concerning this draft agreement and was informed of all its relevant aspects.

After careful deliberation and discussion, the Joint Supervisory Body concluded as follows:

Considering the importance of Europol as cooperation partner for Eurojust,

Considering the fact that the Europol Convention, and in the future the Council decision on Europol, contains extensive data protection provisions,

Considering that Europol is subject to the supervision of its Joint Supervisory Body concerning data protection matters,

The Joint Supervisory Body considers the provisions of the revised agreement regarding processing of personal data adequate and **gives therefore a positive opinion on the draft revised agreement as contained in the letter of Mr Lopes da Mota of 3 November 2008 subject to one condition:**

The wording of the second paragraph of article 8, dealing with the communication of information from Eurojust needs to be amended in order to reflect the fact that Eurojust has only one information system, its case management system, where case-related information may be legally processed. This correction is especially important in the light of article 16.4 of the draft revised Eurojust Decision which establishes the following: *For the processing of case related personal data, Eurojust may not establish any automated data file other than the Case Management System.*

Done at The Hague,  
25 November 2008

Didier Gasse  
Chairman of the Joint Supervisory Body