

Opinion of the Joint Supervisory Body of Eurojust on the draft agreement between Eurojust and Switzerland

On the 31st of March 2008, the President of the College of Eurojust, Mr Jose Luis Lopes da Mota, submitted the draft agreement between Eurojust and Switzerland 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.

At its meeting on the 24th of April 2008 the Joint Supervisory Body had a useful exchange of views with a representative of the College team dealing with external relations and the Data Protection Officer concerning this draft agreement and was informed of all its relevant aspects.

The Joint Supervisory Body appreciates the fact that Eurojust has provided it with extensive information and is pleased to observe that the level of protection in Switzerland has been checked by the Data Protection Officer.

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

Considering that Switzerland has ratified Convention 108 of the Council of Europe in 1997 as well as its Additional Protocol in 2007,

Considering the fact that the data protection legislation applicable in Switzerland is adequate, as it was officially declared by the European Commission by decision 2000/518/EC of 26.7.2000 (O. J. L 215/1 of 25.8.2000),

Considering that the Federal Office of Justice of the Federal Department of Justice and Police, competent authority in the sense of article 4 of the draft agreement, is subject to the supervision of the Swiss Data Protection Authorities in place concerning data protection matters,

Considering that the draft agreement contains all relevant data protection provisions in line with previously adopted agreements,

The Joint Supervisory Body considers the provisions on the exchange of personal data contained in the draft agreement between Eurojust and Switzerland adequate and gives therefore a positive opinion on the draft agreement as contained in the letter of Mr Jose Luis Lopes da Mota of 31st of March 2008.

Done at The Hague,
24 April 2008

Rajko Pirnat
Chairman of the Joint Supervisory Body