Europol: list of third states and organisations for conclusion of agreements

2009/0809(CNS) - 30/11/2009 - Final act

PURPOSE: to establish a list of third States and organisations with which Europol shall conclude cooperation agreements.

LEGISLATIVE ACT: Council Decision 2009/935/JHA determining the list of third States and organizations with which Europol shall conclude agreements.

BACKGROUND: in accordance with Council Decision 2009/371/JHA establishing Europol as a Community Agency, it is for the Council, acting by qualified majority after consulting the European Parliament, to determine, in a list, the third States and organisations with which Europol shall conclude agreements. This decision establishes that list.

CONTENT: in accordance with Article 23(2) of the Europol Decision, Europol shall conclude agreements with the third States and organisations placed on the list in the Annex to this Decision. This list is in addition to the organisations with which Europol already cooperates (for example, Eurojust, OLAF, FRONTEX, CEPOL, etc.).

Procedure for concluding a cooperation agreement: Europol may initiate the procedure for the conclusion of an agreement as soon as the third State or organisation has been placed on that list. Europol shall strive for the conclusion of a cooperation agreement with those third States and organisations which allow for the **exchange of personal data**, unless decided otherwise by the Management Board.

Europol shall prioritise the conclusion of cooperation agreements, taking account of its operational needs and the human and financial resources available. The Management Board may provide the Director with any further instructions concerning the negotiation of a specific agreement as it considers necessary.

Adding a new third State or organisation to the list: a Member of the Management Board or Europol may propose to add a new third State or organisation to the list. In doing so, they shall outline the operational need to conclude a cooperation agreement with that third State or organisation. The Management Board shall decide whether or not to propose to the Council the addition of that third State or organisation to the list. The Council shall decide on the addition of the third State or organisation to the list by amending the Annex to this Decision.

List of third States and organisations with which Europol shall conclude agreements: the Annex to this Decision lists the third States and organisations concerned. The following States and organisations are included:

1) third States:

- Albania;
- Australia;
- Bolivia;
- Bosnia and Herzegovina;
- Canada;
- China;
- Colombia;

- Croatia;
- Former Yugoslav Republic of Macedonia (FYROM);
- Iceland;
- India;
- Israel;
- Liechtenstein;
- Moldova;
- Monaco;
- Montenegro;
- Morocco;
- Norway;
- Peru;
- Russian Federation;
- Serbia;
- Switzerland;
- Turkey;
- Ukraine;
- United States of America.

2) Organisations:

- ICPO-Interpol;
- United Nations Office on Drugs and Crime (UNODC);
- World Customs Organisation.

ENTRY INTO FORCE: 1 January 2010.