

Memorandum of Understanding between the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice and Eurojust

2017/0804(CNS) - 04/04/2017 - Legislative proposal

PURPOSE: to authorise EUROJUST to approve a Memorandum of Understanding between the eu-LISA Agency and Eurojust.

PROPOSED ACT: Council Implementing Decision.

ROLE OF THE EUROPEAN PARLIAMENT: the Council adopts the act after consulting the European Parliament but without being obliged to follow its opinion.

BACKGROUND: in accordance with Council Decision 2002/187/JHA, Eurojust may conclude agreements or working arrangements with the institutions, bodies and agencies set up by, or on the basis of, the Treaties. These agreements may, in particular, concern the **exchange of information, including personal data**, and the secondment of liaison officers to Eurojust.

In order to strengthen its capacity to work with the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice ('eu-LISA'), Eurojust has negotiated a Memorandum of Understanding between eu-LISA and Eurojust.

It is now necessary to approve the conclusion by Eurojust of the Memorandum.

CONTENT: the draft Council Implementing Decision seeks to authorise Eurojust to conclude the Memorandum of Understanding between the eu-LISA Agency and Eurojust.

Purpose of the agreement: the purpose of this Memorandum of Understanding is to establish a cooperation framework between the Parties by identifying the areas of cooperation based on common interest.

Areas of cooperation: the Parties agree to cooperate by exchanging expertise and best practices in the following areas:

- exchange of information;
- ICT related matters;
- cooperation with regard to the right of Eurojust to access SIS II;
- strategic and administrative matters;
- other areas identified as mutually important.

Personal data: it is provided that the exchange of information shall not include the transmission of operational information including **data relating to an identified or identifiable person**.

The Memorandum of Understanding sets out the content (non-exhaustive) of the information that may be exchanged.

Each Party shall ensure that information, including EU classified information (EUCI) and non-classified sensitive information provided or exchanged under this Memorandum of Understanding is protected according to their respective security rules and principles as referred to in their respective establishing acts. Confidentiality rules are thus provided for this purpose.