

# Proposal to open negotiations on the Commission recommendation for a Council decision authorising the opening of negotiations for an agreement between the EU and Jordan on the exchange of personal data between Europol and the Jordanian competent authorities for fighting serious crime and terrorism

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**PURPOSE:** to open negotiations for an agreement between the European Union and Jordan on the exchange of personal data between the European Union Agency for Law Enforcement Cooperation (Europol) and the Jordanian competent authorities for fighting serious crime and terrorism.

**BACKGROUND:** in a globalised world where serious crime and terrorism are increasingly transnational and polyvalent, Europol should therefore be able to exchange personal data with law enforcement authorities of third countries to the extent necessary for the accomplishment of its tasks.

[Regulation \(EU\) 2016/794](#) establishes a legal framework for Europol. It sets out the rules for the **transfer of personal data from Europol to third countries** and international organisations. Since the entry into application of the Regulation (1 May 2017), and pursuant to the Treaty on the Functioning of the European Union (TFEU), the Commission is responsible, on behalf of the Union, for negotiating international agreements with third countries for the exchange of personal data with Europol.

Taking into account the political strategy as outlined in the [European agenda on security](#) and the potential benefits of closer cooperation in this area, the Commission considers it necessary to start negotiations in the short-term with **eight countries**, as identified in the [11th progress report](#) towards a genuine and effective Security Union.

The 2016-2020 Europol strategy identifies the Mediterranean region as priority for enhanced partnerships. The 2017-2020 Europol external strategy also stresses the need for closer cooperation between Europol and the **Middle East/North Africa (MENA)** due to the current terrorist threat and migration-related challenges.

**Jordan** is a key partner for the EU in particular for its role in promoting stability, moderation and inter-faith tolerance in the Middle East. The EU and Jordan have a strong partnership across many sectors and have been linked by an Association Agreement since 2002 (advanced status since 2010). Jordan is facing difficult economic, social and security challenges. In particular, Jordan is hosting more than 650 000 registered Syrian refugees (around 10% of the Jordanian population before the Syria crisis), as well as other refugee populations.

Based on data available as well as Europol's in-house expert knowledge, cooperation with Jordan is needed in particular to counter the following crime phenomena:

- **terrorism:** the destabilisation of Syria and Iraq, the spread of Da'esh and other terrorist groups pose a direct security threat to Jordan and the EU;

- **migration-related challenges:** there are a number of migration-related challenges related to the ongoing conflict in Syria. Areas surrounding refugee camps and close to the Syrian border are susceptible to weapons, human and sex trafficking;
- **firearms trafficking:** bordering Syria, Jordan can play a major role in preventing the entry of firearms into theatres of armed conflict, and making sure illicit shipments are intercepted, in particular on their way back to the EU;
- **drug trafficking:** the Middle East and North Africa (MENA) is a major source, transit point, and consumer of illicit drugs.

CONTENT: the purpose of this **Recommendation for a Council Decision** is to obtain from the Council an authorisation from the Council for the Commission to negotiate, on behalf of the European Union, **an agreement between the European Union and Jordan** on the exchange of personal data between the European Union Agency for Law Enforcement Cooperation (Europol) and the Jordanian competent authorities for fighting serious crime and terrorism.

In order to respect the principle of **purpose limitation**, cooperation under the agreement shall only cover forms of crime and related criminal offences for which Europol is competent. In particular, cooperation should aim to combat terrorism and prevent radicalisation, disrupt organised crime, including trafficking of migrants, firearms and drugs, and combat cybercrime.

The agreement should respect **fundamental rights** and observe the principles recognised by the Charter of Fundamental Rights of the European Union, in particular the right to private and family life, the right to the protection of personal data, and the right to effective remedy and fair trial.