

EU/Brazil Agreement: cooperation with and through Europol and the Federal Police of Brazil

2024/0321(NLE) - 10/03/2025 - Legislative proposal

PURPOSE: to conclude the Agreement between the European Union and the Federative Republic of Brazil on cooperation with and through the European Union Agency for Law Enforcement Cooperation (Europol) and the Federal Police of Brazil.

PROPOSED ACT: Decision of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: Regulation (EU) 2016/794 of the European Parliament and of the Council provides that it is possible for the European Union Agency for Law Enforcement Cooperation (Europol) to transfer personal data to an authority of a third country on the basis of, *inter alia*, an international agreement concluded between the Union and that third country, adducing adequate safeguards with respect to the protection of privacy and fundamental rights and freedoms of individuals.

The Agreement between the European Union and the Federative Republic of Brazil on cooperation with and through the European Union Agency for Law Enforcement Cooperation (Europol) and the Federal Police of Brazil was signed on, subject to its conclusion at a later date.

The Agreement should be approved on behalf of the Union.

CONTENT: the draft Council decision concerns the approval, on behalf of the Union, of the Agreement between the European Union and Brazil on cooperation with and through the European Union Agency for Law Enforcement Cooperation (Europol) and the Brazilian Federal Police.

The Agreement establishes **cooperative relations between Europol and the competent authorities of Brazil** and allows for the transfer of personal and non-personal data between them, with a view to combating serious crime and terrorism and protecting the security of the Union and its citizens.

The Agreement ensures full respect for the Charter of Fundamental Rights of the European Union, including the right to respect for private and family life, the right to the protection of personal data, and the right to an effective remedy and to a fair trial. In particular, the Agreement provides for adequate safeguards for the protection of personal data transferred by Europol under the Agreement.

The Agreement does not affect, and is without prejudice to, the transfer of personal data or other forms of cooperation between authorities responsible for safeguarding national security.

Ireland is taking part in the adoption of this decision, while Denmark is not taking part and is not bound by it or subject to its application.