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COUNCIL DECISION (EU) 2026/2484

of 29 October 2026

authorising the opening of negotiations for agreements between the European Union and Bolivia, Canada, Chile, Costa Rica, Ecuador, Panama, Peru and the United Arab Emirates on cooperation between the European Union Agency for Criminal Justice Cooperation (Eurojust) and the competent authorities for judicial cooperation in criminal matters of those third States

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 16(2) and Article 85, in conjunction with Article 218(3) and (4) thereof,

Having regard to the recommendation from the European Commission,

Whereas:

(1) Regulation (EU) 2018/1727 of the European Parliament and of the Council [1] was adopted on 14 November 2018 and has applied since 12 December 2019.

(2) Pursuant to Article 52 of Regulation (EU) 2018/1727, the European Union Agency for Criminal Justice (Eurojust) may establish and maintain cooperation with authorities of third countries and international organisations. To that end, Eurojust is to prepare a cooperation strategy every four years in consultation with the Commission, which specifies the third countries and international organisations with which there is an operational need for cooperation. Accordingly, in consultation with the Commission, Eurojust, in March 2024, adopted the Eurojust Strategy on Cooperation with International Partners 2024-2027 ('the Eurojust Strategy for the period 2024-2027').

(3) Regulation (EU) 2018/1727, in particular Article 56 thereof, sets out the general principles for the transfer of personal data from Eurojust to third countries and international organisations. Eurojust may transfer personal data to a third country on the basis of an international agreement, concluded between the Union and that third country pursuant to Article 218 of the Treaty on the Functioning of the European Union (TFEU), which provides for adequate safeguards with respect to the protection of privacy and the fundamental rights and freedoms of individuals.

(4) Negotiations should be opened with a view to concluding agreements between the European Union and Bolivia, Canada, Chile, Costa Rica, Ecuador, Panama, Peru and the United Arab Emirates on cooperation between the European Union Agency for Criminal Justice Cooperation (Eurojust) and the competent authorities for judicial cooperation in criminal matters of those third States ('the Agreements'). Those countries have been selected on the basis of an assessment of operational needs identified in the Eurojust Strategy for the period 2024-2027, the need to ensure consistency in the relations of Justice and Home Affaires agencies and bodies of the Union with those countries, and the strategic interests related to the Union's security, particularly in the fields of organised crime and drug trafficking.

(5) The Agreements should provide legal bases for the systematic exchange of personal data with, and the secondment to Eurojust of liaison prosecutors from, the third countries concerned, as such tools are not available through the Eurojust's own working arrangements.

(6) The Commission should, where necessary, consult the European Data Protection Supervisor (EDPS), including during the negotiation of the Agreements, and, in any event, it should consult the EDPS before the Agreements are concluded.

[1] Regulation (EU) 2018/1727 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust), and replacing and repealing Council Decision 2002/187/JHA (OJ L 295, 21.11.2018, p. 138, ELI: http://data.europa.eu/eli/reg/2018/1727/oj).

(7) The Agreements should respect the fundamental rights and freedoms and observe the principles recognised by the Charter of Fundamental Rights of the European Union, in particular the right to respect for private and family life, recognised in Article 7 thereof, the right to the protection of personal data, recognised in Article 8 thereof, and the right to an effective remedy and to a fair trial, recognised in Article 47 thereof. Furthermore, any exchange of information which leads to inhuman or degrading treatment or punishment, or which is related to the imposition of the death penalty, is prohibited. The Agreements should apply in accordance with those rights and principles.

(8) The Agreements should not affect, and should be without prejudice to, the transfer of personal data or other forms of cooperation between the authorities responsible for safeguarding national security.

(9) Ireland is bound by Regulation (EU) 2018/1727 and is therefore taking part in the adoption of this Decision.

(10) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the TFEU, Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application.

(11) The EDPS has been consulted on this Decision and the addendum thereto and issued an opinion on 20 October 2026,

HAS ADOPTED THIS DECISION:

Article 1

The opening of negotiations for agreements between the European Union and Bolivia, Canada, Chile, Costa Rica, Ecuador, Panama, Peru and the United Arab Emirates on cooperation between the European Union Agency for Criminal Justice Cooperation (Eurojust) and the competent authorities for judicial cooperation in criminal matters of those third States is hereby authorised.

Article 2

The Commission is hereby nominated as the Union negotiator.

Article 3

The negotiating directives set out in the addendum to this Decision are hereby addressed to the Commission.

Article 4

The negotiations shall be conducted in consultation with the Council Working Party on Judicial Cooperation in Criminal Matters (COPEN), which is hereby designated as the special committee provided for in Article 218(4) TFEU.

Article 5

This Decision is addressed to the Commission.

Done at Luxembourg, 29 October 2026.

For the Council

The President

D. O'BRIEN