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From:	Mission of Switzerland to the European Union
date of receipt:	2 September 2016
To:	General Secretariat of the Council
No. prev. doc.:	5418/1/16 REV 1
Subject:	Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA

Delegations will find attached the notification from Switzerland regarding the abovementioned Directive.



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Mission of Switzerland to the European Union



796.0-00-SD-181/2016

The Mission of Switzerland to the European Union presents its compliments to the General Secretariat of the Council of the European Union and herewith confirms receipt of the notification of the Council dated August 1st, 2016 issued in accordance with Article 7, paragraph 2 a, first sentence of the agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis (hereinafter referred to as « association agreement ») signed in Luxembourg on 26 October 2004. The content of the notification is as follows:

« In accordance with the first sentence of Article 7(2)(a) in conjunction with Article 14(1) of the Agreement associating Switzerland to the Schengen acquis, Switzerland is herewith notified of the adoption of the following act:

Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of the natural persons with regard to the processing of personal data by competent authorities for the purposes of prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA

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Date of adoption: 8 April 2016 »

In accordance with Article 7, paragraphs 2 a and 2 b of the association agreement, the Mission of Switzerland herewith notifies the General Secretariat of the Council that Switzerland accepts, subject to the fulfilment of its constitutional requirements, the content of the enclosed appendix to the notification of the Council, which forms an integral part of this reply, and will implement it in its internal legal order.

In accordance with Article 7, paragraph 2 b of the association agreement, Switzerland shall inform the General Secretariat of the Council without delay about the fulfilment of its constitutional requirements.


General Secretariat of the Council of the European Union
Directorate general D
Justice and Home Affairs
Brussels

In accordance with Article 7, paragraph 3 of the association agreement, the notification of the Council dated August 1st, 2016 and this reply give rise to rights and obligations between Switzerland and the European Union and thus constitute an agreement between Switzerland and the European Union.

This agreement shall enter into force on the date of notification by Switzerland about the fulfilment of its constitutional requirements. It may be denounced in accordance with the provisions of Articles 7 and 17 of the association agreement.

As from the date of the entry into force of this agreement, the exchange of notes of 14 January 2009 between Switzerland and the European Union regarding the acceptance of the Framework Decision 2008/977/JHA on the protection of personal data processed in the framework of police and judicial cooperation in criminal matters shall be terminated.

A copy of the present note is addressed to the European Commission, General Secretariat, SG.A.3, Brussels.

The Mission of Switzerland to the European Union avails itself of this opportunity to renew to the General Secretariat of the Council of the European Union the assurances of its highest consideration. 

Brussels, 1st September 2016

