



Council of the
European Union

Brussels, 4 April 2017
(OR. en)

7536/17

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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL IMPLEMENTING DECISION approving the conclusion by Eurojust of the 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

COUNCIL IMPLEMENTING DECISION (EU) 2017/...

of ...

**approving the conclusion by Eurojust of the 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**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Decision 2002/187/JHA of 28 February 2002 setting up Eurojust with a view to reinforcing the fight against serious crime¹, and in particular Article 26(2) thereof,

Having regard to the opinion of the European Parliament²,

¹ OJ L 63, 6.3.2002, p. 1.

² Opinion of ... 2017 [(OJ ...)/(not yet published in the Official Journal)].

Whereas:

- (1) 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. Such agreements or working arrangements may, in particular, concern the exchange of information, including personal data, and the secondment of liaison officers to Eurojust. Such agreements or working arrangements may only be concluded after consultation by Eurojust with the Joint Supervisory Body concerning the provisions on data protection and after the approval by the Council.
- (2) 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 (the 'Memorandum').
- (3) After consultation by Eurojust with its Joint Supervisory Body, which gave a positive opinion, the Memorandum was approved by the College of Eurojust on 4 October 2016.
- (4) The conclusion by Eurojust of the Memorandum should therefore be approved.

- (5) Denmark is bound by Decision 2002/187/JHA and is therefore taking part in the adoption and application of this Decision which implements Decision 2002/187/JHA.
- (6) The United Kingdom and Ireland are bound by Decision 2002/187/JHA and are therefore taking part in the adoption and application of this Decision which implements Decision 2002/187/JHA,

HAS ADOPTED THIS DECISION:

Article 1

The conclusion by Eurojust of the 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 is hereby approved.

Article 2

This Decision shall take effect on the date of its notification.

Article 3

This Decision is addressed to Eurojust.

Done at ...,

For the Council

The President
