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IXIM 105
JAI 513
ENFOPOL 152
CRIMORG 101
JAIEX 26
AVIATION 65
DATAPROTECT 141
ISL 8

'I/A' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council
Subject: Council Decision on the conclusion, on behalf of the Union, of the Agreement between the European Union and Iceland on the transfer of passenger name record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime
- Adoption

1. On 6 September 2023, the Commission submitted to the Council the “Recommendation for a Council Decision authorising the opening of negotiations for an agreement between the European Union and Iceland on the transfer of Passenger Name Record data from the EU to Iceland for the prevention, detection, investigation and prosecution of terrorist offences and serious crime”.
2. On 4 March 2024, the Council adopted a Decision authorising the opening of negotiations for the Agreement and gave the Commission the necessary negotiating directives. The European Parliament was informed in accordance with Article 218 (10) TFEU on 6 March 2024.

3. The negotiations started on 21 March 2024 and were successfully concluded with the initialling of the draft agreement on 9 April 2025. Before initialling, the Commission discussed the draft Agreement to the Working Party on JHA Information Exchange (IXIM) on 24 February 2025 and 18 March 2025. Member States received clarifications from the Commission, and small changes were made to the draft Agreement.
4. On 12 June 2025, the Commission submitted to the Council a proposal for a Council Decision on the signing, on behalf of the European Union, of the Agreement between the European Union and Iceland on the transfer of Passenger Name Record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime, and a proposal for a Council Decision on the conclusion, on behalf of the European Union, of the Agreement.
5. On 24 July 2025, the European Data Protection Supervisor (EDPS) issued its opinion on the signing and conclusion of the Agreement. It concluded that the draft Agreement contains the necessary safeguards required in order for it to be compatible with the EU legal framework on data protection.
6. On 29 July 2025, Ireland notified the General Secretariat of the Council that it wishes to take part in the adoption and application of the proposed Council Decisions.
7. On 22 September 2025, in light of the above, the Council:
 - adopted the Council Decision on the signing, on behalf of the Union, of an Agreement between the European Union and Iceland on the transfer of Passenger Name Record (PNR) data, to which the Agreement is attached, as finalised by legal-linguistic experts (11282/25 and 11284/25);
 - decided to inform the European Parliament of the Council Decision on the signing of the agreement;
 - decided to forward the draft Council Decision on the conclusion of the agreement, as set out in 11283/25, finalised by the legal-linguistic experts, to the European Parliament for its consent.

8. On 29 April 2026, the European Parliament gave its consent to the conclusion of the agreement.
 9. In view of the above, and subject to confirmation by the Permanent Representatives' Committee, the Council is invited to:
 - adopt, as an “A” item the draft Council Decision on the conclusion of the agreement as finalised by the legal-linguistic experts and set out in 11283/25;
 - agree that the text of the Council Decision on the conclusion of the agreement, together with the text of the Agreement, will be published in the Official Journal;
 - note that the European Parliament will be informed in accordance with Article 218(10) TFEU, and that the Council Decision will be transmitted to the European Parliament.
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