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**Interinstitutional File:**  
**2026/0155 (NLE)**

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**COPEN 256**  
**EUROJUST 32**  
**JAI 927**

**NOTE**

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| From:           | General Secretariat of the Council                                                                                                                                                                                                                                                                                                                                                    |
| To:             | Delegations                                                                                                                                                                                                                                                                                                                                                                           |
| No. prev. doc.: | 9980/26 + ADD 1                                                                                                                                                                                                                                                                                                                                                                       |
| Subject:        | Proposal for a Council Decision on the conclusion of an Agreement between the European Union and the People's Democratic Republic of Algeria on cooperation between the European Union Agency for Criminal Justice Cooperation (Eurojust) and the authorities of the People's Democratic Republic of Algeria competent for judicial cooperation in criminal matters<br>- Revised text |

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At the COPEN (General Matters) meeting on 29 June 2026, the Commission presented the above-mentioned proposal, as set out in 9980/26 + ADD 1.

Some Member States and the Council Legal Service made comments and posed questions. In light hereof, the Presidency, in liaison with the Commission, has revised the text, see attached.

At the COPEN (General Matters) meeting on 8 July 2026, the Presidency intends examining this revised text.

*(revised draft)*

**COUNCIL DECISION**

**on the conclusion of an Agreement between the European Union and the People's Democratic Republic of Algeria on cooperation between the European Union Agency for Criminal Justice Cooperation (Eurojust) and the authorities of the People's Democratic Republic of Algeria competent for judicial cooperation in criminal matters**

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(6), second subparagraph, point (a)(v), and Article 218(7),<sup>2</sup> thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament<sup>1</sup>,

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<sup>1</sup> Consent of [XXX] (not yet published in the Official Journal).

Whereas:

- (1) **In accordance with Council Decision (EU) of [XXXX]<sup>2</sup>, the Agreement between the European Union and Algeria on the cooperation between the European Union Agency for Criminal Justice Cooperation (Eurojust) and the authorities of Algeria competent for judicial cooperation in criminal matters ('the Agreement') was signed on [XX.XX.XXXX], subject to its conclusion at a later date.**
- (2) Articles 47 and 52 of Regulation (EU) 2018/1727 of the European Parliament and of the Council<sup>3</sup> provide that Eurojust may establish and maintain cooperation with authorities of third countries based on a cooperation strategy.
- (3~~2~~) Pursuant to Article 56(2)(c) of Regulation (EU) 2018/1727, Eurojust may transfer personal data to an authority of a third country, *inter alia* based on an international agreement between the Union and that third country pursuant to Article 218 of the Treaty on the Functioning of the European Union (TFEU), that provides for adequate safeguards with respect to the protection of privacy and fundamental rights and freedoms of individuals.
- (3) ~~In accordance with Council Decision (EU) [XXXX]<sup>4</sup>, the Agreement between the European Union and Algeria on the cooperation between the European Union Agency for Criminal Justice Cooperation (Eurojust) and the authorities of Algeria competent for judicial cooperation in criminal matters ('the Agreement') was signed on [XX.XX.XXXX], subject to its conclusion.~~

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<sup>2</sup> **Council Decision (EU) [XXXX] of XX.XX.XXXX on the signing of an agreement between the European Union, and the People's Democratic Republic of Algeria, on the cooperation between the European Union Agency for Criminal Justice Cooperation (Eurojust) and the authorities of the People's Democratic Republic of Algeria competent for judicial cooperation in criminal matters.**

<sup>3</sup> 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, p. 138, 21.11.2018).

<sup>4</sup> ~~Council Decision (EU) [XXXX] of XX.XX.XXXX on the signing of an agreement between the European Union, and the People's Democratic Republic of Algeria, on the cooperation between the European Union Agency for Criminal Justice Cooperation (Eurojust) and the authorities of the People's Democratic Republic of Algeria competent for judicial cooperation in criminal matters.~~

- (4) The Agreement enables the transfer of personal data between Eurojust and the competent authorities of Algeria, with a view to fighting serious crime and terrorism and protecting the security of the Union and its citizens.
- (5) The Agreement ensures full respect of the Charter of Fundamental Rights of the European Union<sup>5</sup>, in particular the right to respect for private and family life, recognised in Article 7, the right to the protection of personal data, recognised in Article 8, and the right to an effective remedy and a fair trial, recognised by Article 47 of the Charter. In particular, the Agreement includes adequate safeguards for the protection of personal data transferred by Eurojust under the Agreement.
- (6) Pursuant to Article 218(7) TFEU, it is appropriate for the Council to authorise the Commission to approve on the Union's behalf the modifications of Annexes I, II and III, to the Agreement, to authorise the Commission to agree modalities for the continued use and storage of the information that has already been communicated between the Parties pursuant to the Agreement and to authorise the Commission to update the information about the addressee of notifications.
- (7) Ireland is bound by Regulation (EU) 2018/1727 and is therefore taking part in the adoption of this Decision.
- (8) 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 Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (9) The European Data Protection Supervisor delivered its Opinion [xxx] on [xx.xx.xxxx].
- (10) The Agreement should be approved~~2~~.

HAS ADOPTED THIS DECISION:

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<sup>5</sup> OJ C 326, 26.10.2012, p. 391.

## *Article 1*

The Agreement between the European Union and Algeria on the cooperation between the European Union Agency for Criminal Justice Cooperation (Eurojust) and the authorities of Algeria competent for judicial cooperation in criminal matters ('the Agreement') is hereby approved.

## *Article 2*

1. For the purposes of Article 32(2) of the Agreement, the position to be taken on behalf of the Union on the modifications of Annexes I, II and III to the Agreement shall be approved by the Commission after consultation with the Council.
2. For the purpose of Article 35(3) of the Agreement, the Commission shall, **after consultation with the Council**, be authorised to agree modalities for the continued use and storage of the information that has already been communicated between the Parties pursuant to the Agreement.
3. For the purpose of Article 36(2) of the Agreement, the Commission shall be authorised to update the information about the addressee of notifications after consultation with the Council.

## *Article ~~23~~*

This Decision shall enter into force on the date of its adoption.

Done at Brussels,

*For the Council*

*The President*

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