



2024/2738

31.10.2024

COUNCIL DECISION (EU) 2024/2738

of 10 October 2024

on the conclusion of the Agreement between the European Union and the Republic of Armenia on the cooperation between the European Union Agency for Criminal Justice Cooperation (Eurojust) and the authorities of the Republic of Armenia 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) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament ⁽¹⁾,

Whereas:

- (1) Articles 47(1) and 52(1) of Regulation (EU) 2018/1727 of the European Parliament and of the Council ⁽²⁾ provide that Eurojust may establish and maintain cooperation with authorities of third countries on the basis of a cooperation strategy.
- (2) Pursuant to Article 56(2)(c) of Regulation (EU) 2018/1727 Eurojust may transfer personal data to an authority of a third country provided that, inter alia, an international agreement has been concluded 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) 2024/447 ⁽³⁾, the Agreement between the European Union and the Republic of Armenia on the cooperation between the European Union Agency for Criminal Justice Cooperation (Eurojust) and the authorities of the Republic of Armenia competent for judicial cooperation in criminal matters ('the Agreement') was signed on 5 April 2024, subject to its conclusion at a later date.
- (4) The Agreement enables the transfer of personal data between Eurojust and the competent authorities of the Republic of Armenia, 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 fundamental rights of the Union, in particular the right to respect for private and family life, the right to the protection of personal data, and the right to an effective remedy and a fair trial, laid down in Articles 7, 8 and 47 of the Charter of Fundamental Rights of the European Union, respectively. 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 that the Council authorise the Commission to approve on the Union's behalf the modifications of Annexes I, II and III to the Agreement, 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 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 TFEU, Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application.

⁽¹⁾ Consent of 10 April 2024 (not yet published in the Official Journal).

⁽²⁾ 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).

⁽³⁾ Council Decision (EU) 2024/447 of 29 January 2024 on the signing, on behalf of the Union, of the Agreement between the European Union and Armenia on the cooperation between the European Union Agency for Criminal Justice Cooperation (Eurojust) and the authorities of the Republic of Armenia competent for judicial cooperation in criminal matters (OJ L, 2024/447, 1.2.2024, ELI: <http://data.europa.eu/eli/dec/2024/447/oj>).

(9) The European Data Protection Supervisor delivered its opinion 52/2023 on 11 December 2023.

(10) The Agreement should be approved on behalf of the Union,

HAS ADOPTED THIS DECISION:

Article 1

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

Article 2

The President of the Council shall, on behalf of the Union, give the notification provided for in Article 29(2) of the Agreement ⁽⁴⁾.

Article 3

1. For the purposes of Article 30(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 33(3) of the Agreement, the Commission shall be authorised, after consultation with the Council, to agree modalities for the continued use and storage of the information that has already been communicated before the termination of the Agreement between the Parties pursuant to the Agreement.

3. For the purpose of Article 34(2) of the Agreement, the Commission shall be authorised to update the information about the addressee of notifications made in accordance with the Agreement after consultation with the Council.

Article 4

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

Done at Luxembourg, 10 October 2024.

For the Council

The President

PINTÉR S.

⁽⁴⁾ The date of entry into force of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.