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**COPEN 255
EUROJUST 31
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NOTE

From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	9977/26 + ADD 1
Subject:	Proposal for a Council Decision on the signing 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 - Revised text

At the COPEN (General Matters) meeting on 29 June 2026, the Commission presented the above-mentioned proposal, as set out in 9977/26 + 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 signing 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(5), thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) **On 1 March 2021, the Council authorised the Commission to open negotiations with Algeria for an Agreement on cooperation between the European Union Agency for Criminal Justice Cooperation (Eurojust) and the authorities of Algeria competent for judicial cooperation in criminal matters.**
- (2) **The Commission has negotiated this 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 (the “Agreement”).**
- (3) Articles 47(1) and 52(1) of Regulation (EU) 2018/1727 of the European Parliament and of the Council¹ provide that Eurojust may establish and maintain cooperation with authorities of third countries based on a cooperation strategy.
- (4~~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 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) — On 1 March 2021, the Council authorised the Commission to open negotiations with Algeria for an Agreement on cooperation between the European Union Agency for Criminal Justice Cooperation (Eurojust) and the authorities of Algeria competent for judicial cooperation in criminal matters.~~

¹ 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).

- ~~(4) The negotiations on the Agreement between the European Union and Algeria were successfully finalised, at the level of the negotiation teams, in August 2025. The Member States approved the text on technical level on 9 March 2026. Algeria had given its final agreement on 3 February 2026.~~
- (5) 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.
- (6) The Agreement ensures full respect of the Charter of Fundamental Rights of the European Union², 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.
- (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) Therefore, the Agreement should be signed, ~~subject to its conclusion at a later date,~~

HAS ADOPTED THIS DECISION:

² OJ C 326, 26.10.2012, p. 391.

Article 1

The signing of the Agreement between the European Union and Algeria on 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 **authorised** ~~approved on behalf of the Union~~, subject to the conclusion of ~~that~~ **the** said Agreement (*).

Article 2

~~The Council Secretariat General shall establish the instrument of full powers to sign the Agreement, subject to its conclusion, for the person(s) indicated by the Commission.~~

Article 23

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

Done at Brussels,

For the Council

The President

(*). Reference to be inserted.