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NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing a collaboration platform to support the functioning of Joint Investigation Teams and amending Regulation (EU) 2018/1726 - 4-column table

Delegations will find attached the first draft of the 4-column table concerning the above-mentioned proposal.

ANNEX

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing a collaboration platform to support the functioning of Joint Investigation Teams and amending Regulation (EU) 2018/1726

2021/0391(COD)

DRAFT [JITs - no comparison]

17-02-2023 at 16h32

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Formula				
1	2021/0391 (COD)	2021/0391 (COD)	2021/0391 (COD)	
Proposal Title				
2				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing a collaboration platform to support the functioning of Joint Investigation Teams and amending Regulation (EU) 2018/1726	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing a collaboration platform to support the functioning of Joint Investigation Teams and amending Regulation (EU) 2018/1726	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing a collaboration platform to support the functioning of Joint Investigation Teams and amending Regulation (EU) 2018/1726	
Formula				
3	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	*The European Parliament*	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	
Citation 1				
4	Having regard to the Treaty on the	Having regard to the Treaty on the	Having regard to the Treaty on the	

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	Functioning of the European Union, and in particular Article 82(1), point (d), thereof,	Functioning of the European Union, and in particular Article 82(1), point (d), thereof,	Functioning of the European Union, and in particular Article 82(1), point (d), thereof,	
Citation 2				
5	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	
Citation 3				
6	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	
Citation 4				
7	Acting in accordance with the	Acting in accordance with the	Acting in accordance with the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	ordinary legislative procedure,	ordinary legislative procedure,	ordinary legislative procedure,	
Formula				
8	Whereas:	Whereas:	Whereas:	
Recital 1				
9	(1) The Union has set itself the objective of offering its citizens a common area of freedom, security and justice without internal frontiers, in which the free movement of persons is ensured. At the same time, the Union has to ensure that that common area remains a safe place. That objective can only be achieved by means of appropriate measures to prevent and combat crime, including organised crime and terrorism.	(1) The Union has set itself the objective of offering its citizens a common area of freedom, security and justice without internal frontiers, in which the free movement of persons is ensured. At the same time, the Union has to ensure that, that common area remains a safe place. That objective can only be achieved by a more effective, coordinated cooperation of the international judicial authorities and by means of appropriate measures to prevent and combat crime, including	(1) The Union has set itself the objective of offering its citizens a common area of freedom, security and justice without internal frontiers, in which the free movement of persons is ensured. At the same time, the Union has to ensure that that common area remains a safe place. That objective can only be achieved by means of appropriate measures to prevent and combat crime, including organised crime and terrorism.	

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		organised crime and terrorism.		
Recital 2				
10	(2) That is especially challenging where crime takes a cross-border dimension on the territory of several Member States and/or third countries. In such situations, Member States need to be able to join their forces and operations to allow for effective and efficient cross-border investigations and prosecutions for which the exchange of information and evidence is crucial. One of the most successful tools for such cross-border cooperation are Joint Investigation Teams ('JITs') that allow for direct cooperation and communication between the judicial and law enforcement authorities of several Member States and possibly third countries to organise their actions and investigations in the most efficient way. JITs are set up for a specific purpose and a limited time-period	(2) That is especially challenging where crime takes a cross-border dimension on the territory of several Member States and/or third countries. In such situations, Member States need to be able to join their forces and operations to allow for effective and efficient cross-border investigations and prosecutions for which the exchange of information and evidence is crucial. One of the most successful tools for such cross-border cooperation are Joint Investigation Teams ('JITs') that allow for direct cooperation and communication between the judicial and law enforcement authorities of several Member States and possibly third countries to organise their actions and investigations in the most efficient way. JITs are set up for a specific purpose and a limited time-period	(2) That is especially challenging where crime takes a cross-border dimension on the territory of several Member States and/or third countries. In such situations, Member States need to be able to join their forces and operations to allow for effective and efficient cross-border investigations and prosecutions for which the exchange of information and evidence is crucial. One of the most successful tools for such cross-border cooperation are Joint Investigation Teams ('JITs') that allow for direct cooperation and communication between the judicial and law enforcement authorities of several Member States and possibly third countries to organise their actions and investigations in the most efficient way. JITs are set up for a specific purpose and a limited time-period	

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	by the competent authorities of two or more Member States and possibly third countries, to carry out jointly criminal investigations with a cross-border impact.	by the competent authorities of two or more Member States and possibly third countries, to carry out jointly criminal investigations with a cross-border impact.	by the competent authorities of two or more Member States and possibly third countries, to carry out jointly criminal investigations with a cross-border impact.	
10a		(2a) JITs have proven instrumental in improving international collaboration for the prosecution of cross-border crimes, such as cybercrime, terrorism, and serious and organised crime, by eliminating time-consuming procedures and formalities between JIT members. The increased use of JITs has also enhanced the culture of international cooperation in criminal matters between judicial authorities in the Union.		
Recital 3				
11				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(3) The Union aquis provides for two legal frameworks to set up JITs with the participation of at least two Member States: Council Framework Decision 2002/465/JHA[1] and Article 13 of the Convention established by the Council in accordance with Article 34 of the Treaty on European Union on Mutual Assistance in Criminal Matters between the Member States of the European Union[2]. Third countries can be involved in JITs as parties where there is a legal basis for such involvement, such as Article 20 of the Second Additional Protocol of the 1959 Council of Europe Convention[3] and Article 5 of the Agreement on Mutual Legal Assistance between the European Union and the United States of America[4]. _____ 1. Council Framework Decision 2002/465/JHA of 13 June 2002 on joint investigation teams (OJ L 162, 20.6.2002, p. 1).	(3) The Union aquis provides for two legal frameworks to set up JITs with the participation of at least two Member States: Council Framework Decision 2002/465/JHA[19] and Article 13 of the Convention established by the Council in accordance with Article 34 of the Treaty on European Union on Mutual Assistance in Criminal Matters between the Member States of the European Union[20].The Convention drawn up on the basis of Article K.3 of the Treaty on European Union, on mutual assistance and cooperation between customs administrations[20a] (Naples II Convention) is also covered by this Regulation for cases in which specialised customs JITs are created. Third countries can be involved in JITs as parties where there is a legal basis for such involvement, such as Article 20 of the Second Additional Protocol of the 1959 Council of Europe Convention[21] and Article 5 of the Agreement on Mutual Legal Assistance between the European Union and the United States of America[22].	(3) The Union aquis provides for two legal frameworks to set up JITs with the participation of at least two Member States: Council Framework Decision 2002/465/JHA[1] and Article 13 of the Convention established by the Council in accordance with Article 34 of the Treaty on European Union on Mutual Assistance in Criminal Matters between the Member States of the European Union[2]. Third countries can be involved in JITs as parties where there is a legal basis for such involvement, such as Article 20 of the Second Additional Protocol of the 1959 Council of Europe Convention[3] and Article 5 of the Agreement on Mutual Legal Assistance between the European Union and the United States of America[4]. _____ 1. Council Framework Decision 2002/465/JHA of 13 June 2002 on joint investigation teams (OJ L 162, 20.6.2002, p. 1).	

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	2. OJ C 197, 12.7.2000, p. 3. 3. CET No 182 4. OJ L 181, 19.7.2003, p. 34.		2. OJ C 197, 12.7.2000, p. 3. 3. CET No 182 4. OJ L 181, 19.7.2003, p. 34.	
11a		(3a) In addition, it is necessary that close cooperation with any other court, tribunal or international judicial authority that aims to address crimes affecting international peace and safety, in particular the International Criminal Court (ICC), in JITs is foreseen. This Regulation allows for such entities to participate in the JITs collaboration platform in order to enhance international cooperation towards the prosecution of international crimes.		

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11b		(3b) There is a pressing need for a collaboration platform for JITs to communicate efficiently and exchange information and evidence in a secure manner in order to ensure that those responsible for the gravest crimes can be swiftly held responsible. That need is underlined by the amended mandate of the European Union Agency for Criminal Justice Cooperation (Eurojust) as set out in Regulation (EU) 2022/838 of the European Parliament and of the Council[1a] enabling the agency to preserve, analyse and store evidence relating to genocide, crimes against humanity, war crimes and related criminal offences and enabling the exchange of related evidence with competent national authorities and international judicial authorities, in particular the International Criminal Court (ICC). _____ [1a] Regulation(EU) 2022/838 of the European Parliament and of the		

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		Council of 30 May 2022 amending Regulation (EU) 2018/1727 as regards the preservation, analysis and storage at Eurojust of evidence relating to genocide, crimes against humanity, war crimes and related criminal offences (OJ L 148, 31.5.2022, p. 1.).		
Recital 4				
12	(4) The existing legal frameworks at Union level do not set out how the entities participating in JITs exchange information and communicate. Those entities reach an agreement on such exchange and communication on the basis of the needs and available means. However, there is a lack of dedicated secure and effective channel to which all participants could have recourse and through which they could promptly exchange large volumes of information and evidence or allow for secure and effective communication. Furthermore, there	(4) The existing legal frameworks at Union level do not set out how the entities participating in JITs exchange information and communicate. Those entities reach an agreement on such exchange and communication on the basis of the needs and available means. To fight the increasingly complex and time-sensitive cross-border crime, speed, cooperation and efficiency are crucial. However, there is currently no system to support the daily management of JITs, to allow for more efficient evidence searching and recording, and to secure the data exchanged between	(4) The existing legal frameworks at Union level do not set out how the entities participating in JITs exchange information and communicate. Those entities reach an agreement on such exchange and communication on the basis of the needs and available means. However, there is a lack of dedicated secure and effective channel to which all participants could have recourse and through which they could promptly exchange large volumes of information and evidence or allow for secure and effective communication. Furthermore, there	

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	is no system that would support daily management of JITs, including the traceability of evidence exchanged among the participants.	the participants. There is an evident lack of dedicated secure and effective channel to which all participants could have recourse and through which they could promptly exchange large volumes of information and evidence or allow for secure and effective communication. Furthermore, there is no system that would support daily management of JITs, including the traceability of evidence exchanged among the participants in a manner that is compliant with legal requirements before national courts, as well as the planning and coordination of JIT operations	is no system that would support daily management of JITs, including the traceability of evidence exchanged among the participants.	
Recital 5				
13	(5) In light of the increasing possibilities of crime infiltrating Information Technology (IT) systems, the current state of play could hamper the effectiveness and efficiency of cross-border investigations, as well as	(5) In light of the increasing possibilities of crime infiltrating Information Technology (IT) systems, the current state of play could hamper the effectiveness and efficiency of cross-border investigations, as well as	(5) In light of the increasing possibilities of crime infiltrating Information Technology (IT) systems, the current state of play could hamper the effectiveness and efficiency of cross-border investigations, as well as	

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	jeopardise and slow down such investigations and prosecutions, making them more costly. The judiciary and law enforcement in particular need to ensure that their systems are as safe as possible and that all JIT members can connect and interact easily, independently of their national systems.	jeopardise and slow down such investigations and prosecutions due to the unsecure and non-digital exchange of information and evidence, making them more costly. The judiciary and law enforcement in particular need to ensure that their systems are as modern and as safe as possible and that all JIT members can connect and interact easily, independently of their national systems.	jeopardise and slow down such investigations and prosecutions, making them more costly. The judiciary and law enforcement in particular need to ensure that their systems are as safe as possible and that all JIT members can connect and interact easily, independently of their national systems.	
Recital 6				
14	(6) The speed and efficiency of the exchanges between the entities participating in JITs could be considerably enhanced by creating a dedicated IT platform to support their functioning. Therefore it is necessary to lay down rules establishing a centralised IT platform ('JITs collaboration platform') at Union level to help JITs collaborate, securely communicate and share	(6) It is important for JITs' cooperation to be improved and supported by modern IT tools. The speed and efficiency of the exchanges between the entities participating in JITs could be considerably enhanced by creating a dedicated IT platform to support their functioning. Therefore it is necessary to lay down rules establishing a centralised IT platform ('JITs collaboration platform') at Union level to help	(6) The speed and efficiency of the exchanges between the entities participating in JITs could be considerably enhanced by creating a dedicated IT platform to support their functioning. Therefore it is necessary to lay down rules establishing a centralised IT platform ('JITs collaboration platform') at Union level to help JITs collaborate, securely communicate and share	

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	information and evidence.	JITs collaborate, securely communicate and share information and evidence.	information and evidence.	
Recital 7				
15	(7) The JITs collaboration platform should only be used where one of the Union legal bases is, among others, a legal basis for the JIT. For all JITs based solely on international legal bases, the platform, financed by the Union budget and developed on basis of Union legislation, should not be used. However, where a third country is part of a JIT agreement that lists one of the Union legal bases besides an international one, its competent authorities should be considered JIT members.	(7) The JITs collaboration platform should only be used where one of the Union legal bases is, among others, a legal basis for the JIT. For all JITs based solely on international legal bases, the platform, financed by the Union budget and developed on basis of Union legislation, should not be used. However, where a third country is part of a JIT agreement that lists one of the Union legal bases besides an international one, its competent authorities should be considered JIT members.	(7) The JITs collaboration platform should only be used where one of the Union legal bases is, among others, a legal basis for the JIT. For all JITs based solely on international legal bases, the platform, financed by the Union budget and developed on basis of Union legislation, should not be used. However, where a third country is part of a JIT agreement that lists one of the Union legal bases besides an international one, its competent authorities should be considered JIT members.	
Recital 8				
16				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(8) The use of the JITs collaboration platform should be on a voluntary basis. However, in view of its added value for cross-border investigations its use is strongly encouraged. The use or non-use of the JITs collaboration platform should not prejudice or affect the legality of other forms of communication or exchange of information and should not change the way the JITs are set up, organised or function. The establishment of the JITs collaboration platform should not impact the underlying legal bases for JITs nor the applicable national procedural legislation regarding the collection and use of the obtained evidence. The platform should only provide a secure IT tool to improve the cooperation and the effectiveness of the JITs.	(8) The use of the JITs collaboration platform should be on a voluntary basis. However, in view of its added value for cross-border investigations its use is strongly encouraged. The use or non-use of the JITs collaboration platform should not prejudice or affect the legality of other forms of communication or exchange of information and should not change the way the JITs are set up, organised or function. The establishment of the JITs collaboration platform should not impact the underlying legal bases for JITs nor the applicable national procedural legislation regarding the collection and use of the obtained evidence. The platform should only provide a secure IT tool to improve cooperation, accelerate the flow of information between its users and increase the security of the data exchanged and the effectiveness of the JITs.	(8) The use of the JITs collaboration platform should be on a voluntary basis. However, in view of its added value for cross-border investigations its use is strongly encouraged. The use or non-use of the JITs collaboration platform should not prejudice or affect the legality of other forms of communication or exchange of information and should not change the way the JITs are set up, organised or function. The establishment of the JITs collaboration platform should not impact the underlying legal bases for JITs nor the applicable national procedural legislation regarding the collection and use of the obtained evidence. The platform should only provide a secure IT tool to improve the cooperation and the effectiveness of the JITs.	
Recital 9				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
17	(9) The JITs collaboration platform should cover the operational and post-operational phases of a JIT, starting from the moment the relevant JIT agreement is signed by its members, and finishing once the JIT evaluation is over. Due to the fact that the actors participating in the JIT set-up process are different from the actors who are members of JIT once it is established, the process of setting up a JIT, especially the negotiation of the content and the signature of the JIT agreement, should not be managed by the JITs collaboration platform. However, following a need for an electronic tool to support the process of signing up a JIT, the Commission should consider covering that process by the e-Evidence Digital Exchange System (eEDES).	(9) The JITs collaboration platform should cover the operational and post-operational phases of a JIT, starting from the moment the relevant JIT agreement is signed by its members, and finishing once the JIT evaluation is over. Due to the fact that the actors participating in the JIT set-up process are different from the actors who are members of JIT once it is established, the process of setting up a JIT, especially the negotiation of the content and the signature of the JIT agreement, should not be managed by the JITs collaboration platform. However, following a need for an electronic tool to support the process of signing up a JIT, the Commission should consider covering that process by the e-Evidence Digital Exchange System (eEDES). It is important that the pre-operational exchanges are readily available in the JITs collaboration platform at the beginning of the operational phase.	(9) The JITs collaboration platform should cover the operational and post-operational phases of a JIT, from the moment the relevant JIT agreement is signed by its members, until the JIT evaluation has been completed. Due to the fact that the actors participating in the JIT set-up process are different from the actors who are members of JIT once it is established, the process of setting up a JIT, especially the negotiation of the content and the signature of the JIT agreement, should not be managed by the JITs collaboration platform. However, following a need for an electronic tool to support the process of signing up a JIT, the Commission should consider covering that process by the e- Evidence Digital Exchange System (eEDES).	

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Recital 10				
18	(10) For each JIT making use of the JITs collaboration platform, the JIT members should be encouraged to conduct an evaluation of the JIT, either during the operational phase of the JIT or following its closure, using the tools provided for by the JITs collaboration platform.	(10) For each JIT making use of the JITs collaboration platform, the JIT members should be encouraged to conduct an evaluation of the JIT, either during the operational phase of the JIT or following its closure, using the tools provided for by the JITs collaboration platform.	(10) For each JIT making use of the JITs collaboration platform, the JIT members should be encouraged to conduct an evaluation of the JIT, either during the operational phase of the JIT or following its closure, using the tools provided for by the JITs collaboration platform.	
Recital 11				
19	(11) The JIT agreement should be a prerequisite for the use of the JITs collaboration platform. The content of all future JIT agreements should be adapted to take into account the relevant provisions of this Regulation.	(11) The JIT agreement, including any appendices, should be a prerequisite for the use of the JITs collaboration platform. The content of all future JIT agreements should be adapted to take into account the relevant provisions of this Regulation.	(11) The JIT agreement, which may also include appendices, should be a prerequisite for the use of the JITs collaboration platform. The content of all future JIT agreements should be adapted to take into account the relevant provisions of this Regulation.	

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19a			(11a) The JITs Network developed a model agreement5 which includes appendices, to facilitate the setting up of JITs.6 The content of the model agreement and its appendices should be adapted to take into account the decision to use the JITs collaboration platform and the rules for access to the platform.	
Recital 12				
20	(12) From an operational perspective, the JITs collaboration platform should be composed of isolated JIT collaboration spaces created for each individual JIT hosted by the platform.	(12) From an operational perspective, the JITs collaboration platform should be composed of isolated JIT collaboration spaces created for each individual JIT hosted by the platform.	(12) From an operational perspective, the JITs collaboration platform should be composed of isolated JIT collaboration spaces created for each individual JIT hosted by the platform.	
Recital 13				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
21	(13) From a technical perspective, the JITs collaboration platform should be accessible via a secure connection over the internet and should be composed of a centralised information system, accessible through a web portal, communication software for mobile and desktop devices, and a connection between the centralised information system and relevant IT tools, supporting the functioning of JITs and managed by the JIT Secretariat.	(13) From a technical perspective, the JITs collaboration platform should be accessible via a secure connection over the internet and should be composed of a centralised information system, accessible through a secure web portal, communication software for mobile and desktop devices, including a machine translation functionality for the working languages of the Union, advanced logging, a tracking mechanism and a connection between the centralised information system and relevant IT tools, supporting the functioning of JITs and managed by the JITs Network Secretariat.	(13) From a technical perspective, the JITs collaboration platform should be accessible via a secure connection over the internet and should be composed of a centralised information system, accessible through a web portal, communication software for mobile and desktop devices, and a connection between the centralised information system and relevant IT tools, supporting the functioning of JITs and managed by the JITs Network Secretariat.	
Recital 14				
22	(14) The purpose of the JITs collaboration platform should be to facilitate the daily coordination and management of a JIT, ensure the	(14) The purpose of the JITs collaboration platform should be to facilitate the daily coordination and management of a JIT, ensure the	(14) The purpose of the JITs collaboration platform should be to facilitate the daily coordination and management of a JIT, ensure the	

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	exchange and temporary storage of operational information and evidence, provide secure communication, provide for evidence traceability and support the process of the evaluation of a JIT. All entities participating in JITs should be encouraged to use all functionalities of the JITs collaboration platform and to replace as much as possible the communication and data exchange channels which are currently used.	exchange and temporary storage of operational information and evidence, provide secure communication, provide for evidence traceability and support the process of the evaluation of a JIT. All entities participating in JITs should be encouraged to use all functionalities of the JITs collaboration platform and to replace as much as possible the communication and data exchange channels which are currently used.	exchange and temporary storage of operational information and evidence, provide secure communication, provide for evidence traceability and support the process of the evaluation of a JIT. All entities participating in JITs should be encouraged to use all functionalities of the JITs collaboration platform and to replace as much as possible the communication and data exchange channels which are currently used.	
Recital 15				
23	(15) The JITs collaboration platform complements existing tools allowing for secure exchange of data among judicial authorities and law enforcement, such as the Secure Information Exchange Network Application (SIENA).	(15) The coordination and exchange of data between Justice and Home Affairs agencies and Union bodies active in judicial cooperation and JIT members is key to ensuring a coordinated Union response to criminal activities and providing crucial support to Member States in tackling crime. The JITs collaboration platform complements existing tools	(15) The JITs collaboration platform complements existing tools allowing for secure exchange of data among judicial authorities and law enforcement, such as the Secure Information Exchange Network Application (SIENA).	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		allowing for secure exchange of data among judicial authorities and law enforcement, such as the Secure Information Exchange Network Application (SIENA).		
Recital 16				
24	(16) Communication-related functionalities of the JITs collaboration platform should be provided by a software allowing for non-traceable communication stored locally at the devices of the users.	(16) Communication-related functionalities of the JITs collaboration platform should be provided by state of the art software allowing for non-traceable communication stored locally at the devices of the users.	(16) Communication-related functionalities of the JITs collaboration platform should be provided by a software allowing for non-traceable communication stored locally at the devices of the users.	
Recital 17				
25	(17) A proper functionality allowing to exchange operational information and evidence, including large files, should be ensured through an	(17) A proper functionality allowing to exchange operational information and evidence, including large files, should be ensured through an	(17) A proper functionality allowing to exchange operational information and evidence, including large files, should be ensured through an	

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	upload/download mechanism designed to store the data centrally only for the limited period of time necessary for the technical transfer of the data. As soon as the data is downloaded by all addresses, it should be automatically deleted from the JITs collaboration platform.	upload/download mechanism designed to store the data centrally only for the limited period of time necessary for the technical transfer of the data. As soon as the data is downloaded by all addresses, it should be automatically and permanently deleted from the JITs collaboration platform.	upload/download mechanism designed to store the data centrally only for the limited period of time necessary for the technical transfer of the data. As soon as the data is downloaded by all addresses, it should be automatically deleted from the JITs collaboration platform.	
Recital 18				
26	(18) Given its experience with managing large-scale systems in the area of justice and home affairs, the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA) established by Regulation (EU) 2018/1726 of the European Parliament and of the Council[1] should be entrusted with the task of designing, developing and operating the JITs collaboration platform making use of the existing functionalities of SIENA and other	(18) Given its experience with managing large-scale systems in the area of justice and home affairs, the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA)established by Regulation (EU) 2018/1726 of the European Parliament and of the Council[23] should be entrusted with the task of designing, developing and operating the JITs collaboration platform making use of the existing functionalities of SIENA and other	(18) Given its experience with managing large-scale systems in the area of justice and home affairs, the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA) established by Regulation (EU) 2018/1726 of the European Parliament and of the Council[1] should be entrusted with the task of designing, developing and operating the JITs collaboration platform making use of the existing functionalities of SIENA and other	

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	functionalities at Europol to ensure complementarity and interoperability. Therefore, its mandate should be amended to reflect those new tasks and it should be provided with the appropriate funding and staffing to meet its responsibilities under this Regulation. In that regard, rules should be established on the responsibilities of eu-LISA, as the Agency entrusted with the development, technical operation and maintenance of the JITs collaboration platform. _____ 1. Regulation (EU) 2018/1726 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA), and amending Regulation (EC) No 1987/2006 and Council Decision 2007/533/JHA and repealing Regulation (EU) No 1077/2011	functionalities at Europol to ensure complementarity and, where appropriate, interoperability. Therefore, its mandate should be amended to reflect those new tasks and it should be provided with the appropriate funding and staffing to meet its responsibilities under this Regulation. In that regard, rules should be established on the responsibilities of eu-LISA, as the Agency entrusted with the development, technical operation and maintenance of the JITs collaboration platform. _____ [23] Regulation (EU) 2018/1726 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA), and amending Regulation (EC) No 1987/2006 and Council Decision 2007/533/JHA and repealing Regulation (EU) No 1077/2011 (OJ L 295, 21.11.2018, p. 99).	functionalities at Europol to ensure complementarity and, if appropriate, interoperability. Therefore, its mandate should be amended to reflect those new tasks and it should be provided with the appropriate funding and staffing to meet its responsibilities under this Regulation. In that regard, rules should be established on the responsibilities of eu-LISA, as the Agency entrusted with the development, technical operation and maintenance of the JITs collaboration platform. _____ 1. Regulation (EU) 2018/1726 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA), and amending Regulation (EC) No 1987/2006 and Council Decision 2007/533/JHA and repealing Regulation (EU) No 1077/2011	

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	(OJ L 295, 21.11.2018, p. 99).		(OJ L 295, 21.11.2018, p. 99).	
Recital 19				
27	(19) When designing the JITs collaboration platform, eu-LISA should ensure technical interoperability with SIENA.	(19) In order to ensure the widest possible participation of relevant actors in the Union and to avoid the duplication of the use of data in different systems, eu-LISA should ensure technical interoperability with SIENA when designing the JITs collaboration platform, allowing for established secure channels to interact with the envisaged platform. It is important that the Commission ensures that the legislative financial statement annexed to the proposal for this Regulation reflects the budgetary impact of this requirement.	(19) When designing the JITs collaboration platform, eu-LISA should ensure that data held by law enforcement authorities could, if necessary, be easily transmitted from SIENA to the JITs collaboration platform.	
Recital 20				
28				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(20) Since the establishment of the Network of National Experts on Joint Investigation Teams (the 'JITs Network') in accordance with Council Document 11037/05[1], the JIT Secretariat supports the work of the JITs Network by organising annual meetings, trainings, collecting and analysing the JIT evaluation reports and managing the Eurojust's JIT funding programme. Since 2011, the JIT Secretariat is hosted by Eurojust as a separate unit. To allow the JIT Secretariat to support users in the practical application of the JITs collaboration platform, as well as to provide technical and administrative support to JIT space administrators, Eurojust should be provided with appropriate staff allocated to the JIT Secretariat. _____ 1. Council of the European Union, Outcome of Proceedings of Article Art 36 Committee on 7 and 8 July 2005, Item 7 of the Agenda: Joint Investigation Teams - Proposal for	(20) Since the establishment of the Network of National Experts on Joint Investigation Teams (the 'JITs Network') in accordance with Council Document 11037/05[24], the JITs Network Secretariat supports the work of the JITs Network by organising annual meetings, trainings, collecting and analysing the JIT evaluation reports and managing the Eurojust's JIT funding programme. Since 2011, the JITs Network Secretariat is hosted by Eurojust as a separate unit. To allow the JITs Network Secretariat to support users in the practical application of the JITs collaboration platform, as well as to provide technical and administrative support, training on the use of the platform, outreach activities, and data protection expertise to users of the platform, Eurojust should be provided with additional budget and staff corresponding to the JITs Network Secretariat's new tasks. The Commission should ensure that the legislative financial statement annexed to the proposal for this Regulation reflects the budgetary impact of the additional tasks for	(20) Since the establishment of the Network of National Experts on Joint Investigation Teams (the 'JITs Network') in accordance with Council Document 11037/05[1], the JITs Network Secretariat supports the work of the JITs Network by organising annual meetings, trainings, collecting and analysing the JIT evaluation reports and managing the Eurojust's JIT funding programme. Since 2011, the JITs Network Secretariat is hosted by Eurojust as a separate unit. To allow the JITs Network Secretariat to support users in the practical application of the JITs collaboration platform, as well as to provide technical and administrative support to JIT space administrators, Eurojust should be provided with appropriate staff allocated to the JITs Network Secretariat. _____ 1. Council of the European Union, Outcome of Proceedings of the Coordinating Committee in the area of police and judicial cooperation in criminal matters	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	designation of national experts, 11037/05.	the JITs Network Secretariat, in particular by allocating sufficient staff to Eurojust. _____ [24] Council of the European Union, Outcome of Proceedings of Article Art 36 Committee on 7 and 8 July 2005, Item 7 of the Agenda: Joint Investigation Teams - Proposal for designation of national experts, 11037/05.	on 7 and 8 July 2005, Item 7 of the Agenda: Joint Investigation Teams - Proposal for designation of national experts, 11037/05.	
Recital 21				
29	(21) Given the currently existing IT tools supporting operations of JITs, which are hosted at Eurojust and managed by the JIT Secretariat, it is necessary to connect the JITs collaboration platform with those IT tools, in order to facilitate the management of JITs. To that end, Eurojust should ensure the necessary technical adaptation of its systems in order to establish such	(21) Given the currently existing IT tools supporting operations of JITs, which are hosted at Eurojust and managed by the JITs Network Secretariat, it is necessary to connect the JITs collaboration platform with those IT tools, in order to facilitate the management of JITs. To that end, Eurojust should ensure the necessary technical adaptation of its systems in order to establish such	(21) Given the currently existing IT tools supporting operations of JITs, which are hosted at Eurojust and managed by the JITs Network Secretariat, it is necessary to connect the JITs collaboration platform with those IT tools, in order to facilitate the management of JITs. To that end, Eurojust should ensure the necessary technical adaptation of its systems in order to establish such	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	connection. Eurojust should be provided with the appropriate funding and staffing to meet its responsibilities in that regard.	connection. Eurojust should also be provided with the appropriate funding and staffing to meet its responsibilities in that regard as well.	connection. Eurojust should be provided with the appropriate funding and staffing to meet its responsibilities in that regard.	
29a		(21a) During the operational phase of a JIT, Eurojust and Europol provide valuable support to JIT members by offering a wide range of supporting tools, including mobile offices, cross-match and analytical analyses, coordination and operational centres, the coordination of prosecution, expertise and funding.		
Recital 22				
30	(22) In order to ensure a clear allocation of rights and tasks, rules	(22) In order to ensure a clear allocation of rights and tasks, rules	(22) In order to ensure a clear allocation of rights and tasks, rules	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	should be established on the responsibilities of Member States, Eurojust, Europol, the European Public Prosecutor's Office, the European Anti-Fraud Office (OLAF) and other competent Union bodies, offices and agencies, including the conditions, under which they may use the JITs collaboration platform for operative purposes.	should be established on the responsibilities of Member States, Eurojust, Europol, the European Public Prosecutor's Office, the European Anti-Fraud Office (OLAF) and other competent Union bodies, offices and agencies, including the conditions, under which they may use the JITs collaboration platform for operative purposes.	should be established on the responsibilities of Member States, Eurojust, Europol, the European Public Prosecutor's Office, the European Anti-Fraud Office (OLAF) and other competent Union bodies, offices and agencies, including the conditions, under which they may use the JITs collaboration platform for operative purposes.	
Recital 23				
31	(23) This Regulation sets out the details about the mandate, composition and organisational aspects of a Programme Management Board which should be set up by the Management Board of eu-LISA. The Programme Management Board should ensure the adequate management of the design and development phase of the JITs collaboration platform. It is also necessary to set out the details of the mandate, composition and organisation aspects of an	(23) This Regulation sets out the details about the mandate, composition and organisational aspects of a Programme Management Board which should be set up by the Management Board of eu-LISA. The Programme Management Board should ensure the adequate management of the design and development phase of the JITs collaboration platform. It is also necessary to set out the details of the mandate, composition and organisation aspects of an	(23) This Regulation sets out the details about the mandate, composition and organisational aspects of a Programme Management Board which should be set up by the Management Board of eu-LISA. The Programme Management Board should ensure the adequate management of the design and development phase of the JITs collaboration platform. It is also necessary to set out the details of the mandate, composition and organisation aspects of an	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Advisory Group to be established by eu-LISA in order to obtain expertise related to the JITs collaboration platform, in particular in the context of preparation of its annual work programme and its annual activity report.	Advisory Group to be established by eu-LISA in order to obtain expertise related to the JITs collaboration platform, in particular in the context of preparation of its annual work programme and its annual activity report.	Advisory Group to be established by eu-LISA in order to obtain expertise related to the JITs collaboration platform, in particular in the context of preparation of its annual work programme and its annual activity report.	
Recital 24				
32	(24) This Regulation establishes rules on access to the JITs collaboration platform and the necessary safeguards. The JIT space administrator or administrators should be entrusted with the management of the access rights to the individual JIT collaboration spaces. They should be in charge of granting access, during the operational and post-operational phases of the JIT, to JITs collaboration platform users. JIT space administrators should be able to transfer their role to the JIT secretariat.	(24) This Regulation establishes rules on access to the JITs collaboration platform and the necessary safeguards. The JIT space administrator or administrators should be entrusted with the management of the access rights to the individual JIT collaboration spaces. They should be in charge of granting access, during the operational and post-operational phases of the JIT, to JITs collaboration platform users. JIT space administrators should be able to transfer their role to the JITs Network secretariat.	(24) This Regulation establishes rules on access to the JITs collaboration platform and the necessary safeguards. The JIT space administrator or administrators should be entrusted with the management of the access rights to the individual JIT collaboration spaces. They should be in charge of managing access, during the operational and post-operational phases of the JIT, for JITs collaboration platform users, on the basis of the JIT agreement. JIT space administrators should be able to transfer their technical and administrative tasks to the JIT*s*	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Network Secretariat, except for the verification of the data uploaded by third countries.	
Recital 25				
33	(25) Bearing in mind the sensitivity of the operational data exchanged among the JITs collaboration platform users, the JITs collaboration platform should guarantee a high level of security. eu-LISA should take all necessary technical and organisational measures in order to ensure the security of the exchange of data by using strong end-to-end encryption algorithms to encrypt data in transit or at rest.	(25) Bearing in mind the sensitivity of the operational data exchanged among the JITs collaboration platform users, the JITs collaboration platform should guarantee a high level of security. eu-LISA should take all necessary technical and organisational measures in order to ensure the security of the exchange of data by using strong end-to-end encryption algorithms to encrypt data in transit or at rest.	(25) Bearing in mind the sensitivity of the operational data exchanged among the JITs collaboration platform users, the JITs collaboration platform should guarantee a high level of security. eu-LISA should take all necessary technical and organisational measures in order to ensure the security of the exchange of data by using strong end-to-end encryption algorithms to encrypt data in transit or at rest.	
Recital 26				
34	(26) This Regulation establishes	(26) This Regulation establishes	(26) This Regulation establishes	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	rules on the liability of Member States, eu-LISA, Eurojust, Europol, the European Public Prosecutor's Office, OLAF and other competent Union bodies, offices and agencies, in respect of material or non-material damage occurring as a result of any act incompatible with this Regulation. Concerning third countries, liability clauses in respect of material or non-material damage should be contained in respective JIT agreements.	rules on the liability of Member States, eu-LISA, Eurojust, Europol, the European Public Prosecutor's Office, OLAF and other competent Union bodies, offices and agencies, in respect of material or non-material damage occurring as a result of any act incompatible with this Regulation. Concerning third countries, liability clauses in respect of material or non-material damage should be contained in respective JIT agreements.	rules on the liability of Member States, eu-LISA, Eurojust, Europol, the European Public Prosecutor's Office, OLAF and other competent Union bodies, offices and agencies, in respect of material or non-material damage occurring as a result of any act incompatible with this Regulation. Concerning third countries, liability clauses in respect of material or non-material damage should be contained in respective JIT agreements.	
Recital 27				
35	(27) In addition, this Regulation provides specific data protection provisions, concerning both operational data and non-operational data, needed to supplement the existing data protection arrangements and to provide for an adequate overall level of data protection, data security and protection of the fundamental rights of the persons	(27) In addition, this Regulation provides specific data protection provisions, concerning both operational data and non-operational data, needed to supplement the existing data protection arrangements and to provide for an adequate overall level of data protection, data security and protection of the fundamental rights of the persons	(27) In addition, this Regulation provides specific data protection provisions, concerning both operational data and non-operational data, needed to supplement the existing data protection arrangements and to provide for an adequate overall level of data protection, data security and protection of the fundamental rights of the persons	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	concerned.	concerned.	concerned.	
Recital 28				
36	(28) Directive (EU) 2016/680 of the European Parliament and of the Council[1] applies to the processing of personal data by competent national authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security. As regards the processing by Union institutions, bodies, offices and agencies, Regulation (EU) 2018/1725 of the European Parliament and of the Council[2] should apply in the context of this Regulation. _____ 1. Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on	(28) The processing of personal data under this Regulation should comply with the Union's legal framework on the protection of personal data. Directive (EU) 2016/680 of the European Parliament and of the Council[25] applies to the processing of personal data by competent national authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security. As regards the processing by Union institutions, bodies, offices and agencies, Regulation (EU) 2018/1725 of the European Parliament and of the Council[26] should apply in the context of this Regulation. To that end, appropriate data protection	(28) Directive (EU) 2016/680 of the European Parliament and of the Council[1] applies to the processing of personal data by competent national authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security. As regards the processing by Union institutions, bodies, offices and agencies, Regulation (EU) 2018/1725 of the European Parliament and of the Council[2] should apply in the context of this Regulation. _____ 1. Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA (OJ L 119, 4.5.2016, p. 89). 2. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).	safeguards should be ensured. _____ [25] Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA (OJ L 119, 4.5.2016, p. 89). [26] Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).	the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA (OJ L 119, 4.5.2016, p. 89). 2. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
36a		(28a) Each competent national authority of a Member State, and where appropriate, Eurojust, Europol, the European Public Prosecutor's Office, OLAF or any other competent Union body, office or agency should be individually responsible for the processing of operational personal data when using the collaboration platform established by this Regulation. JITs collaboration platform users should be considered joint controllers for the processing of non-operational personal data.		
Recital 29				
37	(29) Where appropriate, it should be possible for JIT space	(29) In accordance with the JIT agreement, it should be possible for	(29) In accordance with the JIT agreement, it should be possible for	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	administrators to grant access to a JIT collaboration space to third countries which are parties to a JIT agreement. Any transfer of personal data to third countries or international organisations in the context of a JIT agreement is subject to compliance with the provisions set out in Chapter V of Directive (EU) 2016/680. Exchanges of operational data with third countries should be limited to those required to fulfil the purposes of the JIT agreement.	JIT space administrators to grant access to a JIT collaboration space to third countries which are parties to a JIT agreement or to international judicial authorities participating in a JIT. Any transfer of personal data to third countries or international organisations in the context of a JIT agreement is subject to compliance with the provisions set out in Chapter V of Directive (EU) 2016/680. Exchanges of operational data with third countries should be limited to those strictly required to fulfil the purposes of the JIT agreement.	JIT space administrators to grant access to a JIT collaboration space to third countries which are parties to a JIT agreement. Any transfer of personal data to third countries or international organisations in the context of a JIT agreement is subject to compliance with the provisions set out in Chapter V of Directive (EU) 2016/680. Exchanges of operational data with third countries should be limited to those required to fulfil the purposes of the JIT agreement.	
Recital 30				
38	(30) Whenever a third country uploads operational information or evidence to a JIT collaboration space, the JIT space administrator should verify that such information or evidence is provided to fulfil the purposes of the JIT agreement, before it can be downloaded by	(30) Whenever a third country uploads operational information or evidence to a JIT collaboration space, the JIT space administrator should verify that such information or evidence is provided to fulfil the purposes of the JIT agreement, before it can be downloaded by	*deleted*	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	other users of the platform.	other users of the platform.		
Recital 31				
39	*(31)* Where a JIT has multiple JIT space administrators, those JIT space administrators should agree among themselves, as soon as the JIT collaboration space including third countries is established, about one of them to be controller of the data uploaded by those third countries.	(31) Where a JIT has multiple JIT space administrators, those JIT space administrators should agree among themselves upon signing the JIT agreement, before the JIT collaboration space including third countries is established, and nominate one of them to be controller of the data uploaded by those third countries.	(30) Where a JIT has multiple JIT space administrators, those JIT space administrators should agree among themselves, as soon as the JIT collaboration space including third countries is established, about one of them to be controller of the data uploaded by those third countries.	
Recital 32				
40	(32) eu-LISA should ensure that accessing the centralised information system and all data processing operations in the centralised information system are logged for the purposes of	(32) eu-LISA should ensure that accessing the centralised information system and all data processing operations in the centralised information system are logged for the purposes of	(31) eu-LISA should ensure that accessing the centralised information system and all data processing operations in the centralised information system are logged for the purposes of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	monitoring data integrity and security, the lawfulness of the data processing as well as for the purposes of self-monitoring.	monitoring data integrity and security, the lawfulness of the data processing as well as for the purposes of self-monitoring. eu-LISA should not have access to the content of the JIT collaboration space.	monitoring data integrity and security, the lawfulness of the data processing as well as for the purposes of self-monitoring.	
40a		(32a) Where machine translation is provided it should always be hosted internally within the centralised information system.		
Recital 33				
41	(33) This Regulation imposes reporting obligations on eu-LISA regarding the development and functioning of the JITs collaboration platform in light of objectives relating to the planning,	(33) This Regulation imposes reporting obligations on eu-LISA regarding the development and functioning of the JITs collaboration platform in light of objectives relating to the planning,	(32) This Regulation imposes reporting obligations on eu-LISA regarding the development and functioning of the JITs collaboration platform in light of objectives relating to the planning,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	technical output, cost-effectiveness, security and quality of service. Furthermore, the Commission should conduct an overall evaluation of the JITs collaboration platform four years after the start of operations of the JITs collaboration platform and every four years thereafter.	technical output, cost-effectiveness, security and quality of service. Furthermore, the Commission should conduct an overall evaluation of the JITs collaboration platform taking into account also the objectives of this Regulation in terms of scope, efficiency and usability, as well as the aggregated results of the evaluations of the individual JITs, two years after the start of operations of the JITs collaboration platform and every two years thereafter.	technical output, cost-effectiveness, security and quality of service. Furthermore, the Commission should conduct an overall evaluation of the JITs collaboration platform four years after the start of operations of the JITs collaboration platform and every four years thereafter.	
Recital 34				
42	(34) Each Member State as well as Eurojust, Europol, the European Public Prosecutor's Office, OLAF and any other competent Union body, office and agency should bear its own costs arising from their use of the JITs collaboration platform.	(34) While the setting up and maintenance of the JITs collaboration platform and the supporting role of Eurojust after the start of operations should be born by the Union budget, each Member State as well as Eurojust, Europol, the European Public Prosecutor's Office, OLAF and any other competent Union body,	(33) Each Member State as well as Eurojust, Europol, the European Public Prosecutor's Office, OLAF and any other competent Union body, office and agency should bear its own costs arising from their use of the JITs collaboration platform.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		office and agency should bear its own costs arising from their use of the JITs collaboration platform.		
Recital 35				
43	(35) In order to establish conditions for the technical development and implementation of the JITs collaboration platform, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and the Council[1]. _____ 1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of	(35) In order to establish conditions for the technical development and implementation of the JITs collaboration platform, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and the Council[1]. _____ 1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of	(34) In order to establish conditions for the technical development and implementation of the JITs collaboration platform, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and the Council[1]. _____ 1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	implementing powers (OJ L 55, 28.2.2011, p. 13).	implementing powers (OJ L 55, 28.2.2011, p. 13).	implementing powers (OJ L 55, 28.2.2011, p. 13).	
Recital 36				
44	(36) The Commission should determine the date of the start of operations of the JITs collaboration platform once the relevant implementing acts necessary for the technical development of the JITs collaboration platform have been adopted and eu-LISA has carried out a comprehensive test of the JITs collaboration platform, in cooperation with the Member States.	(36) The Commission should determine the date of the start of operations of the JITs collaboration platform once it is satisfied that the technical requirements as adopted in the relevant implementing acts necessary for the technical development of the JITs collaboration platform have been implemented and eu-LISA has carried out a comprehensive test of the JITs collaboration platform, in cooperation with the Member States. Upon the adoption of this Regulation, eu-LISA should immediately start its activities regarding the design and implementation of the JITs collaboration platform with a view to rendering the project operational in time, by 1 January 2025, including by making use of tailored and customised off-the-shelf	(35) The Commission should determine the date of the start of operations of the JITs collaboration platform once the relevant implementing acts necessary for the technical development of the JITs collaboration platform have been adopted and eu-LISA has carried out a comprehensive test of the JITs collaboration platform, in cooperation with the Member States.	

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		products. Acknowledging that this puts a strain on eu-LISA's operations, the Commission should ensure that the budgetary impact related to these requirements are reflected in the legislative financial statement of the proposal for this Regulation, including by allowing eu-LISA to recruit technical staff for the design of this project as soon as possible.		
44a		(36a) Where potential substantial delays are reported to the Commission and the European Parliament, the Commission should provide assistance to eu-LISA in executing its responsibilities for the design and development of the JITs collaboration platform. In that case, eu-LISA and the Commission should assume joint responsibility to meet the deadline laid down in this Regulation.		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 37				
45	(37) Since the objective of this Regulation, namely to enable the effective and efficient cooperation, communication and exchange of information and evidence among JIT members, Eurojust, Europol, OLAF and other competent Union bodies, offices and agencies, cannot be sufficiently achieved by the Member States, but can rather, by setting out common rules, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union (TEU). In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary to achieve that objective.	(37) Since the objective of this Regulation, namely to enable the effective and efficient cooperation, communication and exchange of information and evidence among JIT members, Eurojust, Europol, OLAF and other competent Union bodies, offices and agencies, cannot be sufficiently achieved by the Member States, but can rather, by setting out common rules, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union (TEU). In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary to achieve that objective.	(36) Since the objective of this Regulation, namely to enable the effective and efficient cooperation, communication and exchange of information and evidence among JIT members, Eurojust, Europol, OLAF and other competent Union bodies, offices and agencies, cannot be sufficiently achieved by the Member States, but can rather, by setting out common rules, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union (TEU). In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary to achieve that objective.	
Recital 38				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
46	(38) 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 Regulation and is not bound by it or subject to its application.	(38) 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 Regulation and is not bound by it or subject to its application.	(37) 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 Regulation and is not bound by it or subject to its application.	
46a			(38) In accordance with Article 3 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Ireland has notified, by letter of 7 April 2022, its wish to take part in the adoption and application of this Regulation.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 39				
47	(39) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) No 2018/1725 and delivered an opinion on XXXX,	(39) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) No 2018/1725 and delivered formal comments on 25 January 2022.	(39) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) No 2018/1725 and delivered an opinion on 25 January 2022.	
Formula				
48	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	
CHAPTER I				
49	CHAPTER I General provisions	CHAPTER I General provisions	CHAPTER I General provisions	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1				
50	Article 1 Subject matter	Article 1 Subject matter	Article 1 Subject matter	
Article 1, first paragraph				
51	This Regulation:	This Regulation:	This Regulation:	
Article 1, first paragraph, point (a)				
52	(a) establishes an IT platform (the 'JITs collaboration platform'), to be used on a voluntary basis, to facilitate the cooperation of competent authorities participating in Joint Investigation Teams	(a) establishes an IT platform (the 'JITs collaboration platform'), to be used on a voluntary basis, to facilitate the cooperation of competent authorities participating in Joint Investigation Teams	(a) establishes an IT platform (the 'JITs collaboration platform'), to be used on a voluntary basis, to facilitate the cooperation of competent authorities participating in Joint Investigation Teams	

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	('JITs') set up on the basis of Article 13 of the Convention established by the Council in accordance with Article 34 of the Treaty on European Union, on Mutual Assistance in Criminal Matters between the Member States of the European Union or on Framework Decision 2002/465/JHA;	('JITs') set up on the basis of Article 13 of the Convention established by the Council in accordance with Article 34 of the Treaty on European Union, on Mutual Assistance in Criminal Matters between the Member States of the European Union or on Framework Decision 2002/465/JHA and, for cases in which specialised customs JITs are created, on the basis of Article 24 of Naples II Convention;	('JITs') set up on the basis of Article 13 of the Convention established by the Council in accordance with Article 34 of the Treaty on European Union, on Mutual Assistance in Criminal Matters between the Member States of the European Union or on Framework Decision 2002/465/JHA;	
Article 1, first paragraph, point (b)				
53	(b) lays down rules on the division of responsibilities between the JITs collaboration platform users and the agency responsible for the development and maintenance of the JITs collaboration platform;	(b) lays down rules on the division of responsibilities between the JITs collaboration platform users and the agency responsible for the development and maintenance of the JITs collaboration platform;	(b) lays down rules on the division of responsibilities between the JITs collaboration platform users and the agency responsible for the development and maintenance of the JITs collaboration platform;	
Article 1, first paragraph, point (c)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
54	(c) sets out conditions, under which the JITs collaboration platform users may be granted access to the JITs collaboration platform;	(c) sets out conditions, under which the JITs collaboration platform users may be granted access to the JITs collaboration platform;	(c) sets out conditions, under which the JITs collaboration platform users may be granted access to the JITs collaboration platform;	
Article 1, first paragraph, point (d)				
55	(d) lays down specific data protection provisions needed to supplement the existing data protection arrangements and to provide for an adequate overall level of data protection, data security and protection of the fundamental rights of the persons concerned.	(d) lays down specific data protection provisions needed to supplement the existing data protection arrangements and to provide for an adequate overall level of data protection, data security and protection of the fundamental rights of the persons concerned.	(d) lays down specific data protection provisions needed to supplement the existing data protection arrangements and to provide for an adequate overall level of data protection, data security and protection of the fundamental rights of the persons concerned.	
Article 2				
56				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 2 Scope	Article 2 Scope	Article 2 Scope	
Article 2(1)				
57	1. This Regulation applies to the processing of information, including personal data, within the context of a JIT. That includes the exchange and storage of operational information and evidence as well as non-operational information. This Regulation applies to the operational and post-operational phases of a JIT, starting from the moment the relevant JIT agreement is signed by its members.	1. This Regulation applies to the processing of information, including personal data, within the context of a JIT. That includes the exchange and storage of operational information and evidence as well as non-operational information.	1. This Regulation applies to the processing of information, including personal data, within the context of a JIT. That includes the exchange and storage of operational data as well as non-operational data. This Regulation applies to the operational and post-operational phases of a JIT, starting from the moment the relevant JIT agreement is signed by its members until the JIT evaluation has been completed.	
57a		1a. This Regulation applies to the		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		operational and post-operational phases of a JIT, starting from the moment the relevant JIT agreement is signed by its members until all operational and non-operational data of that JIT has been removed from the central storage of the JITs collaboration platform.		
Article 2(2)				
58	2. This Regulation does not amend or otherwise affect the existing legal provisions on the establishment, conduct or evaluation of JITs.	2. Notwithstanding Article 1(8) of Framework Decision 2002/465/JHA, international judicial authorities may participate in JITs. This Regulation does not otherwise amend or otherwise affect the existing legal provisions on the establishment, conduct or evaluation of JITs.	2. This Regulation does not amend or otherwise affect the existing legal provisions on the establishment, conduct or evaluation of JITs.	
Article 3				
59				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 3 Definitions	Article 3 Definitions	Article 3 Definitions	
Article 3, first paragraph				
60	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:	
Article 3, first paragraph, point (1)				
61	(1) 'centralised information system' means a central IT system where storing and processing of JITs related data takes place;	(1) 'centralised information system' means a central IT system where storing and processing of JITs related data takes place;	(1) 'centralised information system' means a central IT system where storing and processing of JITs related data takes place;	
Article 3, first paragraph, point (2)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
62	(2) 'communication software' means software that facilitates remote access to systems and the exchange of files and messages in text, audio or video formats between JITs collaboration platform users;	(2) 'communication software' means software that facilitates the exchange of files and messages in text, audio or video formats between JITs collaboration platform users;	(2) 'communication software' means software that facilitates remote access to systems and the exchange of files and messages in text, audio or video formats between JITs collaboration platform users;	
Article 3, first paragraph, point (3)				
63	(3) 'competent authorities' means the authorities competent to set up a JIT as referred to in Article 1 of Framework Decision 2002/465/JHA and Article 13 of the Convention established by the Council in accordance with Article 34 of the Treaty on European Union on Mutual Assistance in Criminal Matters between the Member States of the European Union, the European Public Prosecutor's Office when acting pursuant to its competences as provided for by Articles 22, 23 and	(3) competent authorities' means the authorities of the Member States competent to be part of a JIT that was set up in accordance with Article 1 of Framework Decision 2002/465/JHA or Article 13 of the Convention established by the Council in accordance with Article 34 of the Treaty on European Union on Mutual Assistance in Criminal Matters between the Member States of the European Union or Article 24 of the Naples II Convention, the European Public Prosecutor's Office when acting	(3) 'competent authorities' means the Member States' authorities competent to be part of a JIT that was set up in accordance with Article 1 of Framework Decision 2002/465/JHA and Article 13 of the Convention established by the Council in accordance with Article 34 of the Treaty on European Union on Mutual Assistance in Criminal Matters between the Member States of the European Union, the European Public Prosecutor's Office when acting pursuant to its competences as	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	25 of Council Regulation (EU) 2017/1939, as well as the competent authorities of a third country where they are party of a JIT agreement on the basis of an additional legal basis;	pursuant to its competences as provided for by Articles 22, 23 and 25 of Council Regulation (EU) 2017/1939, as well as the competent authorities of a third country where they are party of a JIT agreement on the basis of an additional legal basis;	provided for by Articles 22, 23 and 25 of Council Regulation (EU) 2017/1939, as well as the competent authorities of a third country where they are party of a JIT agreement on the basis of an additional legal basis;	
Article 3, first paragraph, point (4)				
64	(4) 'JIT members' means representatives of the competent authorities referred to in point 3 of this Article;	(4) 'JIT members' means representatives of the competent authorities referred to in point 3 of this Article;	(4) 'JIT members' means representatives of the competent authorities referred to in point 3 of this Article;	
Article 3, first paragraph, point (5)				
65	(5) 'JITs collaboration platform users' means JIT members, Eurojust, Europol, OLAF and other competent Union bodies, offices and agencies;	(5) 'JITs collaboration platform users' means JIT members, Eurojust, Europol, OLAF and other competent Union bodies, offices and agencies, or a participating	(5) 'JITs collaboration platform users' means JIT members, Eurojust, Europol, OLAF and other competent Union bodies, offices and agencies;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		international judicial authority;		
65a		(5a) 'international judicial authority' means an international body, court, tribunal, or mechanism established to investigate and prosecute serious crimes of concern to international community as a whole, namely crimes of genocide, crimes against humanity, war crimes and related criminal offences that affect international peace and security;		
Article 3, first paragraph, point (6)				
66	(6) 'JIT collaboration space' means an individual isolated space for each JIT hosted on the JITs collaboration platform;	(6) 'JIT collaboration space' means an individual isolated space for each JIT hosted on the JITs collaboration platform;	(6) 'JIT collaboration space' means an individual isolated space for each JIT hosted on the JITs collaboration platform;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 3, first paragraph, point (7)				
67	(7) 'JIT space administrator" means a representative of the competent authorities of the Member State in charge of the JIT collaboration space;	(7) 'JIT space administrator" means a representative of the competent authorities of the Member State or of the European Public Prosecutor's Office, that is in charge of the JIT collaboration space as determined by the JIT agreement;	(7) 'JIT space administrator" means Member State's JIT member, or a European Public Prosecutor's Office's JIT member, designated in a JIT agreement, in charge of the JIT collaboration space;	
Article 3, first paragraph, point (8)				
68	(8) 'operational data' means information and evidence processed by the JITs collaboration platform during the operational phase of a JIT to support cross-border investigations and prosecutions;	(8) 'operational data' means information processed by the JITs collaboration platform during the operational phase of a JIT to support cross-border investigations and prosecutions;	(8) 'operational data' means information and evidence processed by the JITs collaboration platform during the operational phase of a JIT to support cross-border investigations and prosecutions;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 3, first paragraph, point (9)				
69	(9) 'non-operational data' means administrative data processed by the JITs collaboration platform, notably to facilitate the management of the JIT and daily cooperation between JITs collaboration platform users.	(9) 'non-operational data' means administrative data processed by the JITs collaboration platform, notably to facilitate the management of the JIT and daily cooperation between JITs collaboration platform users.	(9) 'non-operational data' means administrative data processed by the JITs collaboration platform, notably to facilitate the management of the JIT and daily cooperation between JITs collaboration platform users.	
Article 4				
70	Article 4 Technical architecture of the JITs collaboration platform	Article 4 Technical architecture of the JITs collaboration platform	Article 4 Technical architecture of the JITs collaboration platform	
Article 4, first paragraph				
71	The JITs collaboration platform shall be composed of the	The JITs collaboration platform shall be composed of the	The JITs collaboration platform shall be composed of the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	following:	following:	following:	
Article 4, first paragraph, point (a)				
72	(a) a centralised information system, which allows for temporary central data storage;	(a) a centralised information system, which allows for temporary central data storage;	(a) a centralised information system, which allows for temporary central data storage;	
Article 4, first paragraph, point (b)				
73	(b) a communication software, which allows for local storage of communication data;	(b) a communication software, which allows for secure and confidential local storage of communication data and local instant in-house machine translation in all working languages of the institutions of the Union for communication purposes;	(b) a communication software, which allows for secure storage of communication data on devices of the JITs collaboration platform users;	
Article 4, first paragraph, point (c)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
74	(c) a connection between the centralised information system and relevant IT tools, supporting the functioning of JITs and managed by the JIT Secretariat.	(c) a connection between the centralised information system and relevant IT tools, supporting the functioning of JITs and managed by the JITs Network Secretariat;	(c) a connection between the centralised information system and relevant IT tools, supporting the functioning of JITs and managed by the JITs Network Secretariat.	
74a		(ca) an ability to connect the centralised information system and the Secure Information Exchange Network Application (SIENA).		
Article 4, paragraph 2				
74b		The centralised information system shall be hosted by eu-LISA at its technical sites.		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 5				
75	Article 5 Purpose of the JITs collaboration platform	Article 5 Purpose of the JITs collaboration platform	Article 5 Purpose of the JITs collaboration platform	
Article 5(1)				
76	1. The purpose of the JITs collaboration platform shall be to facilitate:	1. The purpose of the JITs collaboration platform shall be to facilitate:	1. The purpose of the JITs collaboration platform shall be to facilitate:	
Article 5(1), point (a)				
77	(a) the daily coordination and management of a JIT, through a set of functionalities supporting the administrative and financial processes within the JIT;	(a) the coordination and management of a JIT, through a set of functionalities supporting the administrative and financial processes within the JIT;	(a) the daily coordination and management of a JIT, through a set of functionalities supporting the administrative and financial processes within the JIT;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 5(1), point (b)				
78	(b) the exchange and temporary storage of operational information and evidence, including large files, through an upload and download functionality;	(b) the rapid and secure exchange and temporary storage of operational information, including large files, through an upload and download functionality;	(b) the exchange and temporary storage of operational data, including large files, through an upload and download functionality;	
Article 5(1), point (c)				
79	(c) secure communications through a functionality covering instant messaging, chats, audio and video-conferencing;	(c) secure communications through a functionality covering instant messaging, chats, audio and video-conferencing;	(c) secure communications through a functionality covering instant messaging, chats, audio and video-conferencing;	
Article 5(1), point (d)				
80	(d) evidence traceability through a	(d) the traceability of exchanges of	(d) traceability of exchanges of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	business logging mechanism allowing to keep track of all evidence exchanged through the JITs collaboration platform;	evidence through an advanced business logging and tracking mechanism allowing to keep track of all evidence exchanged, including its access and processing, through the JITs collaboration platform;	evidence through a business logging mechanism allowing to keep track of all evidence exchanged through the JITs collaboration platform;	
Article 5(1), point (e)				
81	(e) the evaluation of a JIT through a dedicated collaborative evaluation process.	(e) the evaluation of a JIT through a dedicated collaborative evaluation process.	(e) the evaluation of a JIT through a dedicated collaborative evaluation process.	
Article 5(2)				
82	2. The centralised information system shall be hosted by eu-LISA at its technical sites.	*deleted*	*2.* The centralised information system shall be hosted by eu-LISA at its technical sites.	
CHAPTER II				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
83	CHAPTER II Development and operational management	CHAPTER II Development and operational management	CHAPTER II Development and operational management	
Article 6				
84	Article 6 Adoption of implementing acts by the Commission	Article 6 Adoption of implementing acts by the Commission	Article 6 Adoption of implementing acts by the Commission	
Article 6, first paragraph				
85	The Commission shall adopt the implementing acts necessary for the technical development of the JITs collaboration platform as soon as possible, and in particular acts concerning:	The Commission shall adopt the implementing acts necessary for the technical development of the JITs collaboration platform as soon as possible, and in particular acts concerning:	The Commission shall adopt the implementing acts necessary for the technical development of the JITs collaboration platform as soon as possible, and in particular acts concerning:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 6, first paragraph, point (a)				
86	(a) the list of functionalities required for the daily coordination and management of a JIT;	(a) the list of functionalities required for the coordination and management of a JIT;	(a) the list of functionalities required for the daily coordination and management of a JIT;	
Article 6, first paragraph, point (b)				
87	(b) the list of functionalities required for secure communications;	(b) the list of functionalities required for secure communications;	(b) the list of functionalities required for secure communications;	
Article 6, first paragraph, point (c)				
88	(c) business specifications of the connection referred to in Article 4, point (c);	(c) business specifications of the connection referred to in Article 4, point (c);	(c) business specifications of the connection referred to in Article 4, point (c);	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 6, first paragraph, point (d)				
89	(d) security in accordance with Article 15;	(d) security in accordance with Article 15;	(d) security in accordance with Article 15;	
Article 6, first paragraph, point (e)				
90	(e) technical logs in accordance with Article 21;	(e) technical logs in accordance with Article 21;	(e) technical logs in accordance with Article 21;	
Article 6, first paragraph, point (f)				
91	(f) technical statistics in accordance with Article 22;	(f) technical statistics and additional data in accordance with Article 22;	(f) technical statistics in accordance with Article 22;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 6, first paragraph, point (g)				
92	(g) performance and availability requirements of the JITs collaboration platform.		(g) performance and availability requirements of the JITs collaboration platform.	
Article 6, second paragraph				
93	The implementing acts referred to in the first subparagraph of this Article shall be adopted in accordance with the examination procedure referred to in Article 25.	The implementing acts referred to in the first subparagraph of this Article shall be adopted in accordance with the examination procedure referred to in Article 25. The Commission shall make sure that the first implementing act allowing eu-LISA to initiate its activities shall be adopted not later than 6 months after the entry into force of this Regulation.	The implementing acts referred to in the first subparagraph of this Article shall be adopted in accordance with the examination procedure referred to in Article 25 (2).	
Article 7				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
94	Article 7 Responsibilities of eu-LISA	Article 7 Responsibilities of eu-LISA	Article 7 Responsibilities of eu-LISA	
Article 7(1)				
95	1. The European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice ('eu-LISA') shall establish the design of the physical architecture of the JITs collaboration platform including its technical specifications and evolution. That design shall be approved by its Management Board, subject to a favourable opinion of the Commission.	1. The European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice ('eu-LISA') shall establish the design of the physical architecture of the JITs collaboration platform including its technical specifications and evolution. That design shall be approved by its Management Board, subject to a favourable opinion of the Commission.	1. The European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice ('eu-LISA') shall establish the design of the physical architecture of the JITs collaboration platform including its technical specifications and evolution on the basis of the decisions taken in accordance with Article 6. That design shall be approved by its Management Board, subject to a favourable opinion of the Commission.	
Article 7(2)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
96	2. eu-LISA shall be responsible for the development of the JITs collaboration platform in accordance with the principle of data protection by design and by default. The development shall consist of the elaboration and implementation of the technical specifications, testing and overall project coordination.	2. eu-LISA shall be responsible for the development of the JITs collaboration platform in accordance with the principle of data protection by design and by default. The development shall consist of the elaboration and implementation of the technical specifications, testing and overall project coordination.	2. eu-LISA shall be responsible for the development of the JITs collaboration platform in accordance with the principle of data protection by design and by default. The development shall consist of the elaboration and implementation of the technical specifications, testing and overall project coordination.	
Article 7(3)				
97	3. eu-LISA shall make the communication software available to the JITs collaboration platform users.	3. eu-LISA shall make the communication software available to the JITs collaboration platform users.	3. eu-LISA shall make the communication software available to the JITs collaboration platform users.	
Article 7(4)				
98	4. eu-LISA shall develop and	4. eu-LISA shall develop and	4. eu-LISA shall develop and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	implement the JITs collaboration platform as soon as possible after the entry into force of this Regulation and following the adoption by the Commission of the implementing acts pursuant to Article 6.	implement the JITs collaboration platform as soon as possible after the entry into force of this Regulation and following the adoption by the Commission of the implementing acts pursuant to Article 6.	implement the JITs collaboration platform as soon as possible after the entry into force of this Regulation and following the adoption by the Commission of the implementing acts pursuant to Article 6.	
Article 7(5)				
99	5. eu-LISA shall ensure that the JITs collaboration platform is operated in accordance with this Regulation, with the implementing act referred to in Article 6, as well as in accordance with Regulation (EU) 2018/1725.	5. eu-LISA shall ensure that the JITs collaboration platform is operated in accordance with this Regulation, with the implementing act referred to in Article 6, as well as in accordance with Regulation (EU) 2018/1725.	5. eu-LISA shall ensure that the JITs collaboration platform is operated in accordance with this Regulation, with the implementing act referred to in Article 6, as well as in accordance with Regulation (EU) 2018/1725.	
Article 7(6)				
100	6. eu-LISA shall be responsible for the operational management of the JITs collaboration platform.	6. eu-LISA shall be responsible for the operational management of the JITs collaboration platform.	6. eu-LISA shall be responsible for the operational management of the JITs collaboration platform.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	The operational management of the JITs collaboration platform shall consist of all the tasks necessary to keep the JITs collaboration platform operational in accordance with this Regulation, and in particular the maintenance work and technical developments necessary to ensure that the JITs collaboration platform functions at a satisfactory level in accordance with the technical specifications.	The operational management of the JITs collaboration platform shall consist of all the tasks necessary to keep the JITs collaboration platform operational in accordance with this Regulation, and in particular the maintenance work and technical developments necessary to ensure that the JITs collaboration platform functions at a satisfactory level in accordance with the technical specifications.	The operational management of the JITs collaboration platform shall consist of all the tasks necessary to keep the JITs collaboration platform operational in accordance with this Regulation, and in particular the maintenance work and technical developments necessary to ensure that the JITs collaboration platform functions at a satisfactory level in accordance with the technical specifications.	
Article 7(7)				
101	7. eu-LISA shall ensure the provision of training on the practical use of the JITs collaboration platform.	7. eu-LISA shall ensure the provision of training on the technical use of the JITs collaboration platform to the JITs Network Secretariat, including by providing online training materials.	7. eu-LISA shall ensure the provision of training on the practical use of the JITs collaboration platform.	
Article 7(7a)(new)				
101a				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		7a eu-LISA shall set up a dedicated support service which shall be responsible for mitigating incidents reported to it in a timely manner.		
Article 7(7b)(new)				
101b		7b eu-LISA shall continuously carry out improvements necessary for the good functioning of the JITs collaboration platform, based on the input it receives from the users of the platform and from the JITs Network Secretariat either directly or through its annual report referred to in Article 9a, point (e).		
Article 7(8)				
102	8. eu-LISA shall not have access to the JIT collaboration spaces.	8. eu-LISA shall not have access to the JIT collaboration spaces.	8. eu-LISA shall not have access to the JIT collaboration spaces.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 7(9)				
103	9. Without prejudice to Article 17 of the Staff Regulations of Officials of the European Union, laid down in Council Regulation (EEC, Euratom, ECSC) No 259/68[1], eu-LISA shall apply appropriate rules of professional secrecy or other equivalent duties of confidentiality to its entire staff required to work with data registered in the centralised information system. That obligation shall also apply after such staff leave office or employment or after the termination of their activities. _____ 1. Regulation (EEC, Euratom, ECSC) No 259/68 of the Council of 29 February 1968 laying down the Staff Regulations of Officials and the Conditions of Employment of	9. Without prejudice to Article 17 of the Staff Regulations of Officials of the European Union, laid down in Council Regulation (EEC, Euratom, ECSC) No 259/68[1], eu-LISA shall apply appropriate rules of professional secrecy or other equivalent duties of confidentiality to its entire staff required to work with data registered in the centralised information system. That obligation shall also apply after such staff leave office or employment or after the termination of their activities. _____ 1. Regulation (EEC, Euratom, ECSC) No 259/68 of the Council of 29 February 1968 laying down the Staff Regulations of Officials and the Conditions of Employment of	9. Without prejudice to Article 17 of the Staff Regulations of Officials of the European Union, laid down in Council Regulation (EEC, Euratom, ECSC) No 259/68[1], eu-LISA shall apply appropriate rules of professional secrecy or other equivalent duties of confidentiality to its entire staff required to work with data registered in the centralised information system. That obligation shall also apply after such staff leave office or employment or after the termination of their activities. _____ 1. Regulation (EEC, Euratom, ECSC) No 259/68 of the Council of 29 February 1968 laying down the Staff Regulations of Officials and the Conditions of Employment of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Other Servants of the European Communities and instituting special measures temporarily applicable to officials of the Commission,(OJ L 56, 4.3.1968, p. 1).	Other Servants of the European Communities and instituting special measures temporarily applicable to officials of the Commission,(OJ L 56, 4.3.1968, p. 1).	Other Servants of the European Communities and instituting special measures temporarily applicable to officials of the Commission,(OJ L 56, 4.3.1968, p. 1).	
Article 8				
104	Article 8 Responsibilities of the Member States	Article 8 Responsibilities of the Member States	Article 8 Responsibilities of the Member States	
Article 8, first paragraph				
105	Each Member State shall make the technical arrangements necessary for access of its competent authorities to the JITs collaboration platform in accordance with this Regulation.	Each Member State shall make the technical arrangements necessary for access of its competent authorities to the JITs collaboration platform in accordance with this Regulation. Member States shall ensure that their representatives	Each Member State shall make the technical arrangements necessary for access of its competent authorities to the JITs collaboration platform in accordance with this Regulation.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		follow the training provided by the JITs Network Secretariat pursuant to Article 9a, point (c) and that their representatives are fully aware of data protection requirements under Union law.		
Article 9				
106	Article 9 Responsibilities of competent Union bodies, offices and agencies	Article 9 Responsibilities of competent Union bodies, offices and agencies and international judicial authorities	Article 9 Responsibilities of competent Union bodies, offices and agencies	
Article 9(1)				
107	1. Eurojust, Europol, the European Public Prosecutor's Office, OLAF and other competent Union bodies, offices and agencies shall make the necessary technical arrangements	1. Eurojust, Europol, the European Public Prosecutor's Office, OLAF and other competent Union bodies, offices and agencies shall make the necessary technical arrangements	1. Eurojust, Europol, the European Public Prosecutor's Office, OLAF and other competent Union bodies, offices and agencies shall make the necessary technical arrangements	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	to enable them to access the JITs collaboration platform.	to enable them to access the JITs collaboration platform.	to enable them to access the JITs collaboration platform.	
Article 9(2)				
108	2. Eurojust shall be responsible for the necessary technical adaptation of its systems, required to establish the connection referred to in Article 4, point (c).	2. Eurojust shall be responsible for the necessary technical adaptation of its systems, required to establish the connection referred to in Article 4, point (c).	2. Eurojust shall be responsible for the necessary technical adaptation of its systems, required to establish the connection referred to in Article 4, point (c).	
Article 9(2 b)				
108a		2b. Any international judicial authority with which there is a JIT agreement, voluntarily participating in a JIT, shall make the necessary technical arrangements to enable it to access the JITs collaboration platform.		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
108b		Article 9a Responsibilities of the JITs Network Secretariat The JITs Network Secretariat shall support the functioning of the JITs collaboration platform by: (a) providing, at the request of the JIT space administrator or administrators, administrative, legal, and technical support in the context of the setup and access rights management of individual JIT collaboration spaces, pursuant to Article 12(3a); (b) providing day-to-day guidance, functional support, and assistance to practitioners on the use of the JITs collaboration platform and its functionalities;		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		(c) designing and providing training- and outreach modules for national authorities aiming to promote and facilitate the use of the JITs collaboration platform; (d) enhancing a culture of cooperation within the Union in relation to international cooperation in criminal matters by raising awareness and promoting the use of the JITs collaboration platform among practitioners, and by collecting their feedback on its practical use; (e) keeping, after the start of operations of the JITs collaboration platform, eu-LISA informed of additional technical requirements of the system by drafting an annual report on the potential improvements of the platform based on the feedback it receives from users.		
Article 10				
109				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 10 Programme Management Board	Article 10 Programme Management Board	Article 10 Programme Management Board	
Article 10(1)				
110	1. Prior to the design and development phase of the JITs collaboration platform, the Management Board of eu-LISA shall establish a Programme Management Board.	1. Prior to the design and development phase of the JITs collaboration platform, the Management Board of eu-LISA shall establish a Programme Management Board for the duration of the design and development phase.	1. Prior to the design and development phase of the JITs collaboration platform, the Management Board of eu-LISA shall establish a Programme Management Board.	
Article 10(2)				
111	2. The Programme Management Board shall be composed of ten members as follows:	2. The Programme Management Board shall be composed of ten members as follows:	2. The Programme Management Board shall be composed of ten members as follows:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 10(2), point (a)				
112	(a) eight members appointed by the Management Board;	(a) eight members appointed by the Management Board;	(a) eight members appointed by the Management Board;	
Article 10(2), point (b)				
113	(b) the Chair of the Advisory Group referred to in Article 11;	(b) the Chair of the Advisory Group referred to in Article 11;	(b) the Chair of the Advisory Group referred to in Article 11;	
Article 10(2), point (c)				
114	(c) one member appointed by the Commission.	(c) one member appointed by the Commission.	(c) one member appointed by the Commission.	
Article 10(3)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
115	3. The Management Board of eu-LISA shall ensure that the members it appoints to the Programme Management Board have the necessary experience and expertise in the development and management of IT systems supporting judicial authorities.	3. The Management Board of eu-LISA shall ensure that the members it appoints to the Programme Management Board have the necessary experience and expertise in the development and management of IT systems supporting judicial authorities.	3. The Management Board of eu-LISA shall ensure that the members it appoints to the Programme Management Board have the necessary experience and expertise in the development and management of IT systems supporting judicial authorities.	
Article 10(4)				
116	4. eu-LISA shall participate in the work of the Programme Management Board. To that end, representatives of eu-LISA shall attend the meetings of the Programme Management Board in order to report on work regarding the design and development of the JITs collaboration platform and on any other related work and activities.	4. eu-LISA shall participate in the work of the Programme Management Board. To that end, representatives of eu-LISA shall attend the meetings of the Programme Management Board in order to report on work regarding the design and development of the JITs collaboration platform and on any other related work and activities.	4. eu-LISA shall participate in the work of the Programme Management Board. To that end, representatives of eu-LISA shall attend the meetings of the Programme Management Board in order to report on work regarding the design and development of the JITs collaboration platform and on any other related work and activities.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 10(5)				
117	5. The Programme Management Board shall meet at least once every three months, and more often as necessary. It shall ensure the adequate management of the design and development phase of the JITs collaboration platform. The Programme Management Board shall submit written reports regularly to the Management Board of eu-LISA, and where possible every month, on the progress of the project. The Programme Management Board shall have no decision-making power nor any mandate to represent the members of the eu-LISA Management Board.	5. The Programme Management Board shall meet at least once every three months, and more often as necessary. It shall ensure the adequate management of the design and development phase of the JITs collaboration platform. The Programme Management Board shall submit written reports regularly to the Management Board of eu-LISA, and where possible every month, on the progress of the project. The Programme Management Board shall provide to the Commission and the European Parliament updates on the progress of the project through eu-LISA's annual report. The Programme Management Board shall have no decision-making power nor any mandate to represent the members of the eu-LISA Management Board, which shall remain responsible for the implementation of the project within the required deadline and within the limits of the allocated budget.	5. The Programme Management Board shall meet at least once every three months, and more often as necessary. It shall ensure the adequate management of the design and development phase of the JITs collaboration platform. The Programme Management Board shall submit written reports regularly to the Management Board of eu-LISA, and where possible every month, on the progress of the project. The Programme Management Board shall have no decision-making power nor any mandate to represent the members of the eu-LISA Management Board.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 10(6)				
118	6. The Programme Management Board shall establish its rules of procedure which shall include in particular rules on chairmanship, meeting venues, preparation of meetings, admission of experts to the meetings, communication plans ensuring that non-participating Members of the eu-LISA Management Board are kept fully informed.	6. The Programme Management Board, in consultation with eu-LISA's Management Board, shall establish its rules of procedure which shall include in particular rules on chairmanship, meeting venues, preparation of meetings, admission of experts to the meetings, communication plans ensuring that non-participating Members of the eu-LISA Management Board are kept fully informed. The rules of procedure shall determine when the Programme Management Board will cease to exist.	6. The Programme Management Board shall establish its rules of procedure which shall include in particular rules on chairmanship, meeting venues, preparation of meetings, admission of experts to the meetings, communication plans ensuring that non-participating Members of the eu-LISA Management Board are kept fully informed.	
Article 10(7)				
119	7. The chairmanship of the Programme Management Board	7. The chairmanship of the Programme Management Board	7. The chairmanship of the Programme Management Board	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	shall be held by a Member State.	shall be held by a Member State.	shall be held by a Member State.	
Article 10(8)				
120	8. The Programme Management Board's secretariat shall be ensured by eu-LISA.	8. The Programme Management Board's secretariat shall be ensured provided by eu-LISA.	8. The Programme Management Board's secretariat shall be ensured by eu-LISA.	
Article 11				
121	Article 11 Advisory Group	Article 11 Advisory Group	Article 11 Advisory Group	
Article 11(1)				
122	1. eu-LISA shall establish an Advisory Group in order to obtain	1. eu-LISA shall establish an Advisory Group in order to obtain	1. eu-LISA shall establish an Advisory Group in order to obtain	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	expertise related to the JITs collaboration platform, in particular in the context of preparation of its annual work programme and its annual activity report.	expertise related to the JITs collaboration platform, in particular in the context of the preparation of its annual work programme and its annual activity report, and identify improvements to be made to the JITs collaboration platform.	expertise related to the JITs collaboration platform, in particular in the context of preparation of its annual work programme and its annual activity report.	
Article 11(2)				
123	2. During the design and development phase of the JITs collaboration platform, the Advisory Group shall be composed of the representatives of the Member States, the Commission and the JIT Secretariat. It shall be chaired by eu-LISA. It shall:	2. During the design and development phase of the JITs collaboration platform, the Advisory Group shall be composed of the representatives of the Member States, the Commission and the JITs Network Secretariat. Europol may be invited to the Advisory Group meetings in so far as those meetings concern the connection of the JITs collaboration platform to SIENA. The Advisory Group shall be chaired by eu-LISA. It shall:	2. During the design and development phase of the JITs collaboration platform, the Advisory Group shall be composed of the representatives of the Member States, the Commission and the JITs Network Secretariat. It shall be chaired by eu-LISA. It shall:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 11(2), point (a)				
124	(a) meet regularly, where possible at least once a month, until the start of operations of the JITs collaboration platform;	(a) meet regularly, where possible at least once a month, until the start of operations of the JITs collaboration platform;	(a) meet regularly, where possible at least once a month, until the start of operations of the JITs collaboration platform;	
Article 11(2), point (b)				
125	(b) report after each meeting to the Programme Management Board;	(b) report after each meeting to the Programme Management Board;	(b) report after each meeting to the Programme Management Board;	
Article 11(2), point (c)				
126	(c) provide the technical expertise to support the tasks of the Programme Management Board.	(c) provide the technical expertise to support the tasks of the Programme Management Board.	(c) provide the technical expertise to support the tasks of the Programme Management Board.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 11(3)(new)				
126a		3. Following the start of operations of the JITs collaboration platform, the Advisory Group shall continue its advisory role relating to the operational use of the platform, including the evaluations thereof, possible technical issues, further development of the existing systems. During this time, the Advisory Group shall report directly to eu-LISA's Management Board on a regular basis. Article 11 - Paragraph 3 (New)		
CHAPTER III				
127	CHAPTER III Access to the JITs collaboration	CHAPTER III Access to the JITs collaboration	CHAPTER III Setting up of the JIT collaboration	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	platform	platform	spaces and access to the JITs collaboration platform	
Article 12				
128	Article 12 Access to the JIT collaboration spaces by Member States' competent authorities	Article 12 General access to the JIT collaboration spaces and related rules for the JIT agreement	Article 12a Setting up of the JIT collaboration spaces	
Article 12(1)				
129	1. Following the signature of a JIT agreement, a JIT collaboration space shall be created within the JITs collaboration platform for each JIT.	1. Following the signature of a JIT agreement providing for the use of the JITs collaboration platform in accordance with this Regulation, a JIT collaboration space shall be created within the JITs collaboration platform for the JIT set up on the basis of that JIT agreement.	1. Where a JIT agreement provides for the use of the JITs collaboration platform in accordance with this Regulation, a JIT collaboration space shall be created within the JITs collaboration platform for each JIT.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 12(1a)(new)				
129a		1a The JIT space administrator or administrators shall establish the access rights to the JIT collaboration space for the JITs collaboration platform users in accordance with Articles 12 to 14, unless the JIT agreement determines rules for such access.		
Article 12(1b)(new)				
129b		1b One or more JIT space administrators shall be designated in the JIT agreement among the JIT members. When multiple JIT space administrators are designated, the JIT agreement shall lay down rules for their decision-making and the distribution of their tasks, which shall include rules on the competences of respective JIT		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		space administrators to grant access in accordance with Articles 12a, 13 and 14.		
Article 12(2)				
130	2. The JIT collaboration space shall be opened by the JIT space administrator or administrators, with the technical support of eu-LISA.	2. The JIT collaboration space shall be opened by the JIT space administrator or administrators, with the technical support of eu-LISA.	2. The agreement shall determine the rules for access to competent authorities to the relevant JIT collaboration space and may provide for competent Union bodies, offices and agencies, and, where appropriate, third countries which have signed the agreement, to be granted access to the relevant JIT collaboration space. The JIT agreement shall provide for the rules for such access, in accordance with this Regulation.	
Article 12(3)				
131	3. The JIT space administrator or	3. The JIT space administrator or	3. The JIT collaboration space	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	administrators shall establish the access rights of the JITs collaboration platform users to the JIT collaboration space, on the basis of the JIT agreement.	administrators shall manage the access rights of the JITs collaboration platform users to the JIT collaboration space, in accordance with the JIT agreement.	shall be opened by the JIT space administrator or administrators, with the technical support of eu-LISA.	
Article 12(3 a)(new)				
131a		3a The JIT agreement may provide for the JITs Network Secretariat to have access to a JIT collaboration space for the purpose of technical and administrative support, including for the management of access rights.		
Article 12(4)(new)				
131b			4. If the JIT members decided not to use the JITs collaboration platform when they signed the JIT agreement but agree to start using the JITs collaboration platform	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			over the course of a JIT, the JIT agreement, when it did not already provide for this possibility, shall be amended and paragraphs 1 to 3 of this Article shall apply. In case the JIT members agree to stop using the JITs collaboration platform over the course of the JIT, the JIT agreement shall be amended if this possibility was not already included in the agreement.	
131c		Article 12a Access to the JIT collaboration spaces by Member States' competent authorities and the European Public Prosecutor's Office In accordance with the JIT agreement, the JIT space		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		administrator or administrators shall grant access to a JIT collaboration space to the competent authorities designated in that JIT agreement.		
Article 12b(new)				
131d			Article 12b Designation and role of the JIT space administrator	
Article 12b(1)(new)				
131e			1. If the use of the JITs collaboration platform is provided for in the JIT agreement, one or several JIT space administrators shall be designated in the JIT agreement, among the Member States' JIT members or European Public Prosecutor's Office's JIT	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			member.	
Article 12b(2)(new)				
131f			2. The JIT space administrator or administrators shall manage the access rights of the JITs collaboration platform users to the JIT collaboration space, in accordance with the JIT agreement.	
Article 12b(3)(new)				
131g			3. The JIT agreement may provide for the JITs Network Secretariat to have access to a JIT collaboration space for the purpose of technical and administrative support, including for the management of access rights. In such situations, as agreed by the JIT members, the JIT space administrator shall grant the JITs	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Network Secretariat access to the JIT collaboration space.	
Article 12c(new)				
131h			Article 12c Access to the JIT collaboration spaces by Member States' competent authorities and the European Public Prosecutor's Office	
131i			In accordance with the relevant JIT agreement, the JIT space administrator or administrators shall grant access to a JIT collaboration space to the competent authorities designated in that JIT agreement.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 13				
132	Article 13 Access to the JIT collaboration spaces by competent Union bodies, offices and agencies	Article 13 Access to the JIT collaboration spaces by competent Union bodies, offices and agencies and by international judicial authorities participating in a JIT	Article 13 Access to the JIT collaboration spaces by competent Union bodies, offices and agencies	
Article 13(1)				
133	1. The JIT space administrator or administrators may decide to grant Eurojust, including the JIT Secretariat, access to a JIT collaboration space for the purpose of fulfilling its tasks set out in Regulation (EU) 2018/1727 of the European Parliament and of the Council[1]. In particular, the JIT space administrator or administrators may decide to grant	1. The JIT space administrator or administrators may grant Eurojust, including the JITs Network Secretariat, access to a JIT collaboration space for the purpose of fulfilling its tasks set out in Regulation (EU) 2018/1727 of the European Parliament and of the Council[29]. In particular, the JIT space administrator or administrators may decide to grant	In accordance with the relevant JIT agreement, the JIT space administrator or administrators shall grant access, to the extent necessary, to a JIT collaboration space to: a) Eurojust, for the purpose of fulfilling its tasks set out in Regulation (EU) 2018/1727 of the European Parliament and of the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the JIT Secretariat access to a JIT collaboration space for the purpose of technical and administrative support, including access rights management. _____ 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) (OJ L 295, 21.11.2018, p. 138).	the JITs Network Secretariat access to a JIT collaboration space for the purpose of technical and administrative support, including access rights management. _____ [29] 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).	Council[1]; _____ 1. [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) (OJ L 295, 21.11.2018, p. 138).	
Article 13(2)				
134	2. The JIT space administrator or administrators may decide to grant Europol access to a JIT collaboration space for the purpose of fulfilling its tasks set out in Regulation (EU) 2016/794 of the European Parliament and of the	2. The JIT space administrator or administrators may grant Europol access to a JIT collaboration space for the purpose of fulfilling its tasks set out in Regulation (EU) 2016/794 of the European Parliament and of the Council[30].	b) Europol for the purpose of fulfilling its tasks set out in Regulation (EU) 2016/794 of the European Parliament and of the Council[1]; _____	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Council[1]. _____ 1. Regulation (EU) 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol) (OJ L 135, 24.5.2016, p. 53)	_____ [30] Regulation (EU) 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol) (OJ L 135, 24.5.2016, p. 53).	1. [1] Regulation (EU) 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol) (OJ L 135, 24.5.2016, p. 53)	
Article 13(3)				
135	3. The JIT space administrator or administrators may decide to grant OLAF access to a JIT collaboration space for the purpose of fulfilling its tasks set out in Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council[1]. _____ 1. Regulation (EU, Euratom) No 883/2013 of the European	3. The JIT space administrator or administrators may grant OLAF access to a JIT collaboration space for the purpose of fulfilling its tasks set out in Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council[31]. _____ [31] Regulation (EU, Euratom) No 883/2013 of the European	c) OLAF for the purpose of fulfilling its tasks set out in Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council[1] and _____ 1. [1] Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999 (OJ L 248, 18.9.2013, p. 1).	Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999 (OJ L 248, 18.9.2013, p. 1).	conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999 (OJ L 248, 18.9.2013, p. 1).	
Article 13(4)				
136	4. The JIT space administrator or administrators may decide to grant the European Public Prosecutor's Office access to a JIT collaboration space for the purpose of fulfilling its tasks set out in Council Regulation (EU) 2017/1939.	4. The JIT space administrator or administrators may grant the European Public Prosecutor's Office access to a JIT collaboration space for the purpose of fulfilling its tasks set out in Council Regulation (EU) 2017/1939.	*deleted*	
Article 13(5)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
137	*5.* The JIT space administrator or administrators may decide to grant other competent Union bodies, offices and agencies access to a JIT collaboration space for the purpose of fulfilling tasks set out in their basic acts.	5. The JIT space administrator or administrators may grant other competent Union bodies, offices and agencies access to a JIT collaboration space for the purpose of fulfilling tasks set out in their basic acts.	d) other competent Union bodies, offices and agencies for the purpose of fulfilling tasks set out in their basic acts.	
Article 13(5a)(new)				
137a		5a The JIT space administrator or administrators may grant international judicial authorities access to a JIT collaboration space for the purpose of fulfilling cooperation objectives included in the relevant JIT agreement.		
Article 14				
138				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 14 Access to the JIT collaboration spaces by third countries' competent authorities	Article 14 Access to the JIT collaboration spaces by third countries' competent authorities	Article 14 Access to the JIT collaboration spaces by the competent authorities of third countries	
Article 14(1)				
139	1. For the purposes listed in Article 5, the JIT space administrator or administrators may decide to grant access to a JIT collaboration space to the competent authorities of third countries which have signed a particular JITs agreement.	1. For the purposes listed in Article 5, the JIT space administrator or administrators shall, where provided for in the JIT agreement, grant access to a JIT collaboration space to the competent authorities of third countries which have signed a particular JITs agreement.	1. In accordance with the relevant JIT agreement, and for the purposes listed in Article 5, the JIT space administrator or administrators shall grant access to a JIT collaboration space to the competent authorities of third countries which have signed that JIT agreement.	
Article 14(2)				
140	2. The JIT space administrator or administrators shall ensure that the exchanges of operational data with	2. The JIT space administrator or administrators shall verify and ensure that the exchanges of		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the competent authorities of third countries that have been granted access to a JIT collaboration space are limited to what is required for the purposes of the JIT agreement and subject to the conditions laid therein.	operational data with the competent authorities of third countries that have been granted access to a JIT collaboration space are limited to what is required for the purposes of the JIT agreement and subject to the conditions laid therein.	*deleted*	
140a			*2.* Whenever Member States' JIT members and, when it participates, the European Public Prosecutor's Office JIT member upload operational data to a JIT collaboration space for the download by a third country, the relevant Member States' JIT member or the European Public Prosecutor's Office JIT member shall verify that the data they have respectively uploaded is limited to what is required for the purposes of the relevant JIT agreement and subject to the conditions laid therein.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
140b			3. Whenever a third country uploads operational data to a JIT collaboration space, the JIT space administrator or administrators shall verify that such data is limited to what is required for the purposes of the JIT agreement and subject to the conditions laid therein, before it can be downloaded by other users of the JITs collaboration platform.	
Article 14(3)				
141	3. Member States shall ensure that their transfers of personal data to third countries that have been granted access to a JIT collaboration space only take place where the conditions laid down in Chapter V of Directive 2016/680	3. Member States shall ensure that their transfers of personal data to third countries that have been granted access to a JIT collaboration space only take place where the conditions laid down in Chapter V of Directive 2016/680	4. Member States' competent authorities shall ensure that their transfers of personal data to third countries that have been granted access to a JIT collaboration space only take place where the conditions laid down in Chapter V	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	are met.	are met.	of Directive 2016/680 are met.	
Article 14(3a)				
141a		3a Union bodies, offices and agencies shall ensure that their transfers of personal data to third countries that have been granted access to a JIT collaboration space take place only where the conditions laid down in Chapter IX of Regulation (EU) 2018/1725 are met.		
141b			5. The European Public Prosecutor's Office, when acting in accordance with its competences as provided for by Articles 22, 23 and 25 of Council Regulation (EU) 2017/1939, shall ensure that its transfers of personal data to third	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			countries that have been granted access to a JIT collaboration space take place only when the conditions laid down in Articles 80-84 of Regulation (EU) 2017/1939 are met.	
CHAPTER IV				
142	CHAPTER IV Security and liability	CHAPTER IV Security and liability	CHAPTER IV Security and liability	
Article 15				
143	Article 15 Security	Article 15 Security	Article 15 Security	
Article 15(1)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
144	1. eu-LISA shall take the necessary technical and organisational measures to ensure a high level of cyber security of the JITs collaboration platform and the information security of data within the JITs collaboration platform, in particular in order to ensure the confidentiality and integrity of operational and non-operational data stored in the centralised information system.	1. eu-LISA shall take the necessary technical and organisational measures to ensure a high level of cyber security of the JITs collaboration platform and the information security of data within the JITs collaboration platform, in particular in order to ensure the confidentiality and integrity of operational and non-operational data stored in the centralised information system.	1. eu-LISA shall take the necessary technical and organisational measures to ensure a high level of cyber security of the JITs collaboration platform and the information security of data within the JITs collaboration platform, in particular in order to ensure the confidentiality and integrity of operational and non-operational data stored in the centralised information system.	
Article 15(2)				
145	2. eu-LISA shall prevent unauthorised access to the JITs collaboration platform and shall ensure that persons authorised to access the JITs collaboration platform have access only to the data covered by their access authorisation.	2. eu-LISA shall prevent unauthorised access to the JITs collaboration platform and shall ensure that persons authorised to access the JITs collaboration platform have access only to the data covered by their access authorisation.	2. eu-LISA shall prevent unauthorised access to the JITs collaboration platform and shall ensure that persons authorised to access the JITs collaboration platform have access only to the data covered by their access authorisation.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 15(3)				
146	3. For the purposes of paragraphs 1 and 2, eu-LISA shall adopt a security plan, a business continuity and disaster recovery plan, to ensure that the centralised information system may, in case of interruption, be restored.	3. For the purposes of paragraphs 1 and 2, eu-LISA shall adopt a security plan, a business continuity and disaster recovery plan, to ensure that the centralised information system may, in case of interruption, be restored. eu-LISA shall provide for a working arrangement with the Computer Emergency Response Team for the Union's institutions, bodies and agencies (CERT-EU) and shall adopt the security plan in consultation with the European Union Agency for Cybersecurity (ENISA).	3. For the purposes of paragraphs 1 and 2, eu-LISA shall adopt a security plan, a business continuity and disaster recovery plan, to ensure that the centralised information system may, in case of interruption, be restored.	
Article 15(4)				
147	4. eu-LISA shall monitor the effectiveness of the security measures referred to in this Article and shall take the necessary	4. eu-LISA shall monitor the effectiveness of the security measures referred to in this Article and shall take the necessary	4. eu-LISA shall monitor the effectiveness of the security measures referred to in this Article and shall take the necessary	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	organisational measures related to self-monitoring and supervision to ensure compliance with this Regulation.	organisational measures related to self-monitoring and supervision to ensure compliance with this Regulation.	organisational measures related to self-monitoring and supervision to ensure compliance with this Regulation.	
Article 16				
148	Article 16 Liability	Article 16 Liability	Article 16 Liability	
Article 16(1)				
149	1. Where a Member State, Eurojust, Europol, the European Public Prosecutor's Office, OLAF or any other competent Union body, office or agency, as a consequence of a failure on their part to comply with their obligations under this Regulation, cause damage to the JITs collaboration platform, that	1. Where a Member State, Eurojust, Europol, the European Public Prosecutor's Office, OLAF or any other competent Union body, office or agency, as a consequence of a failure on their part to comply with their obligations under this Regulation, cause damage to the JITs collaboration platform, that	1. Where a Member State, Eurojust, Europol, the European Public Prosecutor's Office, OLAF or any other competent Union body, office or agency, as a consequence of a failure on their part to comply with their obligations under this Regulation, cause damage to the JITs collaboration platform, that	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Member State, Eurojust, Europol, the European Public Prosecutor's Office, OLAF or other competent Union body, office or agency respectively, shall be held liable for such damage, insofar as eu-LISA fails to take reasonable measures to prevent the damage from occurring or to minimise its impact.	Member State, Eurojust, Europol, the European Public Prosecutor's Office, OLAF or other competent Union body, office or agency respectively, shall be held liable for such damage, insofar as eu-LISA fails to take reasonable measures to prevent the damage from occurring or to minimise its impact.	Member State, Eurojust, Europol, the European Public Prosecutor's Office, OLAF or other competent Union body, office or agency respectively, shall be held liable for such damage, unless and insofar as eu-LISA fails to take reasonable measures to prevent the damage from occurring or to minimise its impact.	
Article 16(2)				
150	2. Claims for compensation against a Member State for the damage referred to in paragraph 1 shall be governed by the law of the defendant Member State. Claims for compensation against Eurojust, Europol, the European Public Prosecutor's Office, OLAF or any other competent Union body, office or agency for the damage referred to in paragraph 1 shall be governed by their respective founding acts.	2. Claims for compensation against a Member State for the damage referred to in paragraph 1 shall be governed by the law of the defendant Member State. Claims for compensation against Eurojust, Europol, the European Public Prosecutor's Office, OLAF or any other competent Union body, office or agency for the damage referred to in paragraph 1 shall be governed by their respective founding acts.	2. Claims for compensation against a Member State for the damage referred to in paragraph 1 shall be governed by the law of the defendant Member State. Claims for compensation against Eurojust, Europol, the European Public Prosecutor's Office, OLAF or any other competent Union body, office or agency for the damage referred to in paragraph 1 shall be governed by their respective founding acts.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
CHAPTER V				
151	CHAPTER V Data protection	CHAPTER V Data protection	CHAPTER V Data protection	
Article 17				
152	Article 17 Retention period for storage of operational data	Article 17 Retention period for storage of operational data	Article 17 Retention period for storage of operational data	
Article 17(1)				
153	1. Operational data pertaining to each JIT collaboration space shall be stored in the centralised	1. Operational data pertaining to each JIT collaboration space shall be stored in the centralised	1. Operational data pertaining to each JIT collaboration space shall be stored in the centralised	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	information system for as long as needed for all concerned JITs collaboration platform users to complete the process of its downloading. The retention period shall not exceed four weeks.	information system for as long as needed for all concerned JITs collaboration platform users to complete the process of its downloading. The retention period shall not exceed four weeks.	information system for as long as needed for all concerned JITs collaboration platform users to complete the process of its downloading. The retention period shall not exceed four weeks.	
Article 17(2)				
154	2. Upon expiry of the retention period referred to in paragraph 1, the data record shall be automatically erased from the centralised system.	2. As soon as the process of downloading is completed by all intended JITs collaboration platform users or upon expiry of the retention period referred to in paragraph 1, the data shall be automatically and permanently erased from the centralised system.	2. As soon as the process of downloading is completed by all users or, at the latest, upon expiry of the retention period referred to in paragraph 1, the data element shall be automatically erased from the centralised system.	
Article 18				
155	Article 18 Retention period for storage of	Article 18 Retention period for storage of	Article 18 Retention period for storage of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	non-operational data	non-operational data	non-operational data	
Article 18(1)				
156	1. Where an evaluation of the JIT is envisaged, non-operational data pertaining to each JIT collaboration space shall be stored in the centralised information system until the JIT evaluation has been completed. The retention period shall not exceed five years.	1. Where an evaluation of the JIT is envisaged, non-operational data pertaining to each JIT collaboration space shall be stored in the centralised information system until the JIT evaluation has been completed. The retention period shall not exceed five years.	1. Where an evaluation of the JIT is envisaged, non-operational data pertaining to each JIT collaboration space shall be stored in the centralised information system until the JIT evaluation has been completed. The retention period shall not exceed five years.	
Article 18(2)				
157	2. Upon expiry of the retention period referred to in paragraph 1, the data record shall be automatically erased from the centralised system.	2. Upon expiry of the retention period referred to in paragraph 1, the data shall be automatically erased from the centralised system.	2. If it is decided not to conduct evaluation at the closure of the JIT or, at the latest, upon expiry of the retention period referred to in paragraph 1 the data element shall be automatically erased from the centralised system.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 19				
158	Article 19 Data controller and data processor	Article 19 Data controller and data processor	Article 19 Data controller and data processor	
Article 19(1)				
159	1. Each competent national authority of a Member State, and where appropriate, Eurojust, Europol, the European Public Prosecutor's Office, OLAF or any other competent Union body, office or agency shall be considered to be data controllers in accordance with applicable Union data protection rules for the processing of personal data under this Regulation.	1. Each competent national authority of a Member State, and where appropriate, Eurojust, Europol, the European Public Prosecutor's Office, OLAF or any other competent Union body, office or agency shall be considered to be data controllers in accordance with applicable Union data protection rules for the processing of operational personal data under this Regulation.	1. Each competent national authority of a Member State, and where appropriate, Eurojust, Europol, the European Public Prosecutor's Office, OLAF or any other competent Union body, office or agency shall be considered to be data controllers in accordance with applicable Union data protection rules, for the processing of operational personal data under this Regulation.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 19(2)				
160	2. With regard to data uploaded to the JITs collaboration platform by the competent authorities of third countries, one of the JIT space administrators is to be considered data controller as regards the personal data exchanged through, and stored in the JITs collaboration platform.	2. With regard to data uploaded to the JITs collaboration platform by the competent authorities of third countries, one of the JIT space administrators, as designated in the JIT agreement upon signing, is to be nominated data controller as regards the personal data exchanged through, and stored in the JITs collaboration platform.	2. With regard to data uploaded to the JITs collaboration platform by the competent authorities of third countries, one of the JIT space administrators, designated in the relevant JIT agreement, is to be considered data controller as regards the personal data exchanged through, and stored in the JITs collaboration platform.	
Article 19(2a)(new)				
160a		2a Where no single administrator is named as data controller in the JIT agreement, all JIT space administrators shall act as joint controllers in accordance with Regulation (EU) 2018/1725 as regards the personal data exchanged through, and stored in the JITs collaboration platform.		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 19(3)				
161	3. eu-LISA shall be considered to be data processor in accordance with Regulation (EU) 2018/1725 as regards the personal data exchanged through, and stored in the JITs collaboration platform.	3. eu-LISA shall be considered to be data processor in accordance with Regulation (EU) 2018/1725 as regards the personal data exchanged through, and stored in the JITs collaboration platform.	3. eu-LISA shall be considered to be data processor in accordance with Regulation (EU) 2018/1725 as regards the personal data exchanged through, and stored in the JITs collaboration platform.	
Article 19(4)				
162	4. The JITs collaboration platform users shall be jointly responsible for managing non-operational data in the JITs collaboration platform.	4. The JITs collaboration platform users shall be joint controllers for the processing of non-operational personal data in the JITs collaboration platform, the fact of which shall be underlined in the JIT agreement.	4. The JITs collaboration platform users shall be joint controllers for the processing of non- operational personal data in the JITs collaboration platform.	
Article 20				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
163	Article 20 Purpose of the processing of personal data	Article 20 Purpose of the processing of personal data	Article 20 Purpose of the processing of personal data	
Article 20(1)				
164	1. The data entered into the JITs collaboration platform shall only be processed for the purposes of:	1. The data entered into the JITs collaboration platform shall only be processed for the purposes of:	1. The data entered into the JITs collaboration platform shall only be processed for the purposes of:	
Article 20(1), point (a)				
165	(a) the exchange of operational information and evidence between the JITs collaboration platform users;	(a) the exchange of operational information and evidence between the JITs collaboration platform users for the purpose of which the particular JIT has been set up;	(a) the exchange of operational data between the JITs collaboration platform users;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 20(1), point (b)				
166	(b) the exchange of non-operational data between the JITs collaboration platform users, for the purposes of managing the JIT.	(b) the exchange of non-operational data between the JITs collaboration platform users, for the purposes of managing the JIT.	(b) the exchange of non-operational data between the JITs collaboration platform users, for the purposes of managing the JIT and the daily cooperation between JITs collaboration platform users.	
Article 20(2)				
167	2. Access to the JITs collaboration platform shall be limited to duly authorised staff of the competent Member States' and third country authorities, Eurojust, Europol, the European Public Prosecutor's Office, OLAF and other competent Union bodies, offices or agencies, to the extent needed for the performance of their tasks in accordance with the purposes referred to in paragraph 1, and to what is necessary and proportionate to the objectives	2. Access to the JITs collaboration platform shall be limited to duly authorised staff of the competent Member States' and third country authorities, Eurojust, Europol, the European Public Prosecutor's Office, OLAF and other competent Union bodies, offices or agencies, or international judicial authorities to the extent needed for the performance of their tasks in accordance with the purposes referred to in paragraph 1, and to what is strictly necessary and	2. Access to the JITs collaboration platform shall be limited to duly authorised staff of the competent Member States' and third country authorities, Eurojust, Europol, the European Public Prosecutor's Office, OLAF and other competent Union bodies, offices or agencies, to the extent needed for the performance of their tasks in accordance with the purposes referred to in paragraph 1, and to what is necessary and proportionate to the objectives	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	pursued.	proportionate to the objectives pursued.	pursued.	
Article 21				
168	Article 21 Technical logs	Article 21 Technical logs	Article 21 Technical logs	
Article 21(1)				
169	1. eu-LISA shall ensure that a log is kept of all access to the centralised information system and all data processing operations in the centralised information system, in accordance with paragraph 2.	1. eu-LISA shall ensure that a log is kept of all access to the centralised information system and all data processing operations in the centralised information system, in accordance with paragraph 2.	1. eu-LISA shall ensure that a log is kept of all access to the centralised information system and all data processing operations in the centralised information system, in accordance with paragraph 2.	
Article 21(2)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
170	2. The logs shall show:	2. The logs shall show:	2. The logs shall show:	
Article 21(2), point (a)				
171	(a) the date, time zone and exact time of accessing the centralised information system;	(a) the date, time zone and exact time of accessing the centralised information system;	(a) the date, time zone and exact time of accessing the centralised information system;	
Article 21(2), point (b)				
172	(b) the identifying mark of JIT's collaboration platform user who accessed the centralised information system;	(b) the identifying mark of agents of JIT's collaboration platform users who accessed the centralised information system;	(b) the identifying mark of JIT's collaboration platform user who accessed the centralised information system;	
Article 21(2), point (c)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
173	(c) the date, time zone and access time of the operation carried out by the JIT's collaboration platform user;	(c) the date, time zone and access time of each operation carried out by the JITs collaboration platform users;	(c) the date, time zone and access time of the operation carried out by the JIT's collaboration platform user;	
Article 21(2), point (d)				
174	(d) the operation carried out by the JIT's collaboration platform user.	(d) the operation carried out by the JITs collaboration platform users.	(d) the operation carried out by the JIT's collaboration platform user.	
Article 21(3)				
175	3. The logs shall be protected by appropriate technical measures against unauthorised access and shall be kept for three years or for such longer period as required for the termination of ongoing monitoring procedures.	3. The logs shall be protected by appropriate technical measures against modification, unauthorised access and shall be kept for three years or for such longer period as required for the termination of ongoing monitoring procedures.	3. The logs shall be protected by appropriate technical measures against unauthorised access and shall be kept for three years or for such longer period as required for the termination of ongoing monitoring procedures.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 21(4)				
176	4. On request, eu-LISA shall make the logs available to the competent authorities of the Member States without undue delay.	4. On request, eu-LISA shall make the logs available to the competent authorities of the Member States who participated in a particular JIT without undue delay.	4. On request, eu-LISA shall make the logs available to the competent authorities of the Member States without undue delay.	
Article 21(5)				
177	5. Within the limits of their competences and for the purpose of fulfilling their duties, the national supervisory authorities responsible for monitoring the lawfulness of data processing shall have access to logs upon request.	5. Within the limits of their competences and for the purpose of fulfilling their duties, the national supervisory authorities responsible for monitoring the lawfulness of data processing shall have access to logs upon request.	5. Within the limits of their competences and for the purpose of fulfilling their duties, the national supervisory authorities responsible for monitoring the lawfulness of data processing shall have access to logs upon request.	
Article 21(6)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
178	6. Within the limits of its competences and for the purpose of fulfilling its supervisory duties in accordance with Regulation (EU) 2018/1725, the European Data Protection Supervisor shall have access to logs upon request.	6. Within the limits of its competences and for the purpose of fulfilling its supervisory duties in accordance with Regulation (EU) 2018/1725, the European Data Protection Supervisor shall have access to logs upon request.	6. Within the limits of its competences and for the purpose of fulfilling its supervisory duties in accordance with Regulation (EU) 2018/1725, the European Data Protection Supervisor shall have access to logs upon request.	
CHAPTER VI				
179	CHAPTER VI Final provisions	CHAPTER VI Final provisions	CHAPTER VI Final provisions	
Article 22				
180	Article 22 Monitoring and evaluation	Article 22 Monitoring and evaluation	Article 22 Monitoring and evaluation	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 22(1)				
181	1. eu-LISA shall establish procedures to monitor the development of the JITs collaboration platform as regards the objectives relating to planning and costs and to monitor the functioning of the JITs collaboration platform as regards the objectives relating to the technical output, cost-effectiveness, security and quality of service.	1. eu-LISA shall establish procedures to monitor the development of the JITs collaboration platform as regards the objectives relating to planning and costs and to monitor the functioning of the JITs collaboration platform as regards the objectives relating to the technical output, cost-effectiveness, security and quality of service.	1. eu-LISA shall establish procedures to monitor the development of the JITs collaboration platform as regards the objectives relating to planning and costs and to monitor the functioning of the JITs collaboration platform as regards the objectives relating to the technical output, cost-effectiveness, security and quality of service.	
Article 22(1a)(new)				
181a		1a eu-LISA shall also establish procedures to monitor and measure the effectiveness of the JITs collaboration platform as regards the scope, the efficiency, and the		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		usability of the platform.		
Article 22(2)				
182	2. The procedures referred to in paragraph 1 shall provide for the possibility to produce regular technical statistics for monitoring purposes.	2. The procedures referred to in paragraph 1 shall provide for the possibility to produce regular technical statistics for monitoring purposes and shall contribute to the overall evaluation of the JITs collaboration platform.	2. The procedures referred to in paragraph 1 shall provide for the possibility to produce regular technical statistics for monitoring purposes.	
Article 22(3)				
183	3. In the event of substantial delays in the development process, eu-LISA shall inform the European Parliament and the Council as soon as possible of the reasons for the delays and of their impact in terms of timeframes and finances.	3. In the event of potential substantial delays in the development process, eu-LISA shall inform the European Parliament and the Council as soon as possible of the reasons for the delays, their impact in terms of timeframes and finances, and the steps it intends to take to remedy	3. In the event of substantial delays in the development process, eu-LISA shall inform the European Parliament and the Council as soon as possible of the reasons for the delays and of their impact in terms of timeframes and finances.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		the situation.		
Article 22(4)				
184	4. Once the development of the JITs collaboration platform is finalised, eu-LISA shall submit a report to the European Parliament and to the Council explaining how the objectives, in particular relating to planning and costs, were achieved and justifying any divergences.	4. Once the development of the JITs collaboration platform is finalised, eu-LISA shall submit a report to the European Parliament and to the Council explaining how the objectives, in particular relating to planning and costs, were achieved and justifying any divergences.	4. Once the development of the JITs collaboration platform is finalised, eu-LISA shall submit a report to the European Parliament and to the Council explaining how the objectives, in particular relating to planning and costs, were achieved and justifying any divergences.	
Article 22(5)				
185	5. In the event of a technical upgrade of the JITs collaboration platform, which could result in substantial costs, eu-LISA shall inform the European Parliament and the Council before making the upgrade.	5. In the event of a technical upgrade of the JITs collaboration platform, which could result in substantial costs, eu-LISA shall inform the European Parliament and the Council before making the upgrade.	5. In the event of a technical upgrade of the JITs collaboration platform, which could result in substantial costs, eu-LISA shall inform the European Parliament and the Council before making the upgrade.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 22(6)				
186	6. Two years after the start of operations of the JITs collaboration platform and every year thereafter, eu-LISA shall submit to the Commission a report on the technical functioning of the JITs cooperation platform, including its security.	6. Two years after the start of operations of the JITs collaboration platform and every year thereafter, eu-LISA shall submit to the Commission a report on the technical functioning of the JITs cooperation platform, including its security. The report shall be made publicly available.	6. Two years after the start of operations of the JITs collaboration platform and every year thereafter, eu-LISA shall submit to the Commission a report on the technical functioning of the JITs cooperation platform, including its security.	
Article 22(7)				
187	7. Four years after the start of operations of the JITs collaboration platform and every four years thereafter, the Commission shall conduct an overall evaluation of the JITs collaboration platform. The Commission shall transmit the overall evaluation report to the European Parliament and the	7. Two years after the start of operations of the JITs collaboration platform and every two years thereafter, the Commission shall conduct an overall evaluation of the JITs collaboration platform. The Commission shall transmit the overall evaluation report to the European Parliament and the	7. Four years after the start of operations of the JITs collaboration platform and every four years thereafter, the Commission shall conduct an overall evaluation of the JITs collaboration platform. The Commission shall transmit the overall evaluation report to the European Parliament and the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Council.	Council.	Council.	
Article 22(8)				
188	8. The Member States' competent authorities, Eurojust, Europol, the European Public Prosecutor's Office, OLAF and other competent Union bodies, offices and agencies shall provide eu-LISA and the Commission with the information necessary to draft the reports referred to in paragraphs 4 and 7. That information shall not jeopardise working methods or include information that reveals sources, names of staff members or investigations.	8. The Member States' competent authorities, Eurojust, Europol, the European Public Prosecutor's Office, OLAF and other competent Union bodies, offices and agencies shall draft a monitoring and evaluation plan regarding their use of the JITs collaboration platform, including reporting requirements the feedback of which will be collected by the JITs Network Secretariat, in order to provide eu-LISA and the Commission with the information necessary to draft the reports referred to in paragraphs 4 and 7. That information shall not jeopardise working methods or include information that reveals sources, names of staff members or investigations.	8. The Member States' competent authorities, Eurojust, Europol, the European Public Prosecutor's Office, OLAF and other competent Union bodies, offices and agencies shall provide eu-LISA and the Commission with the information necessary to draft the reports referred to in paragraphs 4 and 7. That information shall not jeopardise working methods or include information that reveals sources, names of staff members or investigations.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 22(9)				
189	9. eu-LISA shall provide the Commission with the information necessary to produce the overall evaluation referred to in paragraph 7.	9. eu-LISA shall provide the Commission with the information necessary to produce the overall evaluation referred to in paragraph 7.	9. eu-LISA shall provide the Commission with the information necessary to produce the overall evaluation referred to in paragraph 7.	
Article 23				
190	Article 23 Costs	Article 23 Costs	Article 23 Costs	
Article 23, first paragraph				
191	The costs incurred in connection with the establishment and operation of the JITs collaboration platform shall be borne by the	The costs incurred in connection with the establishment and operation of the JITs collaboration platform shall be borne by the	The costs incurred in connection with the establishment and operation of the JITs collaboration platform shall be borne by the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	general budget of the Union.	general budget of the Union.	general budget of the Union.	
Article 24				
192	Article 24 Start of operations	Article 24 Start of operations	Article 24 Start of operations	
Article 24(1)				
193	1. The Commission shall determine the date of the start of operations of the JITs collaboration platform, once it is satisfied that the following conditions are met:	1. The date of start of operations shall not be later than 1 January 2025. The Commission shall determine the date of the start of operations of the JITs collaboration platform, once it is satisfied that the following conditions are met;	1. The Commission shall determine the date of the start of operations of the JITs collaboration platform, once it is satisfied that the following conditions are met:	
Article 24(1), point (a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
194	(a) the relevant implementing acts referred to in Article 6 have been adopted;	(a) the requirements adopted in the implementing acts referred to in Article 6 have been implemented;	(a) the relevant implementing acts referred to in Article 6 have been adopted;	
Article 24(1), point (b)				
195	(b) eu-LISA has carried out a comprehensive test of the JITs collaboration platform, in cooperation with the Member States, using anonymous test data.	(b) eu-LISA has carried out a comprehensive test of the JITs collaboration platform, during a trial period with involvement of the Member States, using anonymous test data;	(b) eu-LISA has carried out successfully a comprehensive test of the JITs collaboration platform, in cooperation with the Member States, using anonymous test data.	
195a		(ba) the trial period referred to in point (b) has been conducted successfully.		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 24(2)				
196	2. Where the Commission has determined the date of start of operations in accordance with paragraph 1, it shall communicate that date to the Member States, Eurojust, Europol, the European Public Prosecutor's Office and OLAF.	2. Where the Commission has determined the date of start of operations in accordance with paragraph 1, it shall communicate that date to the European Parliament, the Member States, Eurojust, Europol, the European Public Prosecutor's Office and OLAF.	2. Where the Commission has determined the date of start of operations in accordance with paragraph 1, it shall communicate that date to the Member States, Eurojust, Europol, the European Public Prosecutor's Office and OLAF.	
Article 24(3)				
197	3. The decision of the Commission determining the date of the start of operations of the JITs collaboration platform, as referred to in paragraph 1, shall be published in the Official Journal of the European Union.	3. The decision of the Commission determining the date of the start of operations of the JITs collaboration platform, as referred to in paragraph 1, shall be published in the Official Journal of the European Union.	3. The decision of the Commission determining the date of the start of operations of the JITs collaboration platform, as referred to in paragraph 1, shall be published in the Official Journal of the European Union.	
Article 24(4)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
198	4. The JITs collaboration platform users shall start using the JITs collaboration platform from the date determined by the Commission in accordance with paragraph 1.	4. The JITs collaboration platform users shall start using the JITs collaboration platform from the date determined by the Commission in accordance with paragraph 1.	4. The JITs collaboration platform users shall start using the JITs collaboration platform from the date determined by the Commission in accordance with paragraph 1.	
198a		4a. Where potential substantial delays are reported in accordance with Article 22(3) which may jeopardise meeting the deadline for the start of operations, the Commission shall assume, jointly with eu-LISA, the responsibility to remedy that situation and meet the deadline for the start of operations provided for in paragraph 1 through contingency planning and by providing assistance to eu-LISA.		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 25				
199	Article 25 Committee procedure	Article 25 Committee procedure	Article 25 Committee procedure	
Article 25(1)				
200	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	
Article 25(2)				
201	2. Where reference is made to this Article, Article 5 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this Article, Article 5 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this Article, Article 5 of Regulation (EU) No 182/2011 shall apply.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 25(3)				
202	3. Where the committee delivers no opinion, the Commission shall not adopt the draft-implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.	3. Where the committee delivers no opinion, the Commission shall not adopt the draft-implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.	3. Where the committee delivers no opinion, the Commission shall not adopt the draft-implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.	
Article 26				
203	Article 26 Amendments to Regulation (EU) 2018/1726	Article 26 Amendments to Regulation (EU) 2018/1726	Article 26 Amendments to Regulation (EU) 2018/1726	
Article 26, first paragraph				
204				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Regulation (EU) 2018/1726 is amended as follows:	Regulation (EU) 2018/1726 is amended as follows:	Regulation (EU) 2018/1726 is amended as follows:	
Article 26, first paragraph, point (1)				
205	(1) in Article 1, the following paragraph 4a is inserted:	(1) in Article 1, the following paragraph 4a is inserted:	(1) in Article 1, the following paragraph 4a is inserted:	
Article 26, first paragraph, point (1), amending provision, first paragraph				
206	“ 4a. The Agency shall be responsible for the development and operational management, including technical evolutions, of the Joint Investigation Teams (‘JITs’) collaboration platform; ”	“ 4a. The Agency shall be responsible for the development and operational management, including technical evolutions, of the Joint Investigation Teams (‘JITs’) collaboration platform; ”	4a. The Agency shall be responsible for the development and operational management, including technical evolutions, of the Joint Investigation Teams (‘JITs’) collaboration platform;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 26, first paragraph, point (2)				
207	(2) the following Article 8b is inserted:	(2) the following Article 8b is inserted:	(2) the following Article 8b is inserted:	
Article 26, first paragraph, point (2), amending provision, first paragraph				
208	“ Article 8b	“ Article 8b	Article 8b	
Article 26, first paragraph, point (2), amending provision, second paragraph				
209	Tasks related to the JITs collaboration platform	Tasks related to the JITs collaboration platform	Tasks related to the JITs collaboration platform	
Article 26, first paragraph, point (2), amending provision, third paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
210	In relation to the JITs collaboration platform, the Agency shall perform:	In relation to the JITs collaboration platform, the Agency shall perform:	In relation to the JITs collaboration platform, the Agency shall perform:	
Article 26, first paragraph, point (2), amending provision, third paragraph, point (a)				
211	(a) the tasks conferred on it by Regulation (EU) No XXX/20XX of the European Parliament and of the Council*;	(a) the tasks conferred on it by Regulation (EU) No XXX/20XX of the European Parliament and of the Council*;	(a) the tasks conferred on it by Regulation (EU) No XXX/20XX of the European Parliament and of the Council*;	
Article 26, first paragraph, point (2), amending provision, third paragraph, point (b)				
212	(b) tasks relating to training on the technical use of the JITs collaboration platform, including provision of online training materials.	(b) tasks relating to training on the technical use of the JITs collaboration platform provided to the JITs Network Secretariat, including provision of online training materials.	(b) tasks relating to training on the technical use of the JITs collaboration platform, including provision of online training materials.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 26, first paragraph, point (2), amending provision, fourth paragraph				
213	_____	_____	_____	
Article 26, first paragraph, point (2), amending provision, fifth paragraph				
214	* Regulation (EU) No XXX/20XX of the European Parliament and of the Council establishing a centralised collaboration platform to support the functioning of Joint Investigation Teams and amending Regulation (EU) 2018/1726 (OJ L …).; ”	* Regulation (EU) No XXX/20XX of the European Parliament and of the Council establishing a centralised collaboration platform to support the functioning of Joint Investigation Teams and amending Regulation (EU) 2018/1726 (OJ L …).; ”	* Regulation (EU) No XXX/20XX of the European Parliament and of the Council establishing a centralised collaboration platform to support the functioning of Joint Investigation Teams and amending Regulation (EU) 2018/1726 (OJ L …).;	
Article 26, first paragraph, point (3)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
215	(3) in Article 14, paragraph 1 is replaced by the following:	(3) in Article 14, paragraph 1 is replaced by the following:	(3) in Article 14, paragraph 1 is replaced by the following:	
Article 26, first paragraph, point (3), amending provision, numbered paragraph (1)				
216	“ 1. The Agency shall monitor developments in research relevant for the operational management of SIS II, VIS, Eurodac, the EES, ETIAS, DubliNet, ECRIS-TCN, e-CODEX, the JITs collaboration platform and other large-scale IT systems as referred to in Article 1(5).; ”	“ 1. The Agency shall monitor developments in research relevant for the operational management of SIS II, VIS, Eurodac, the EES, ETIAS, DubliNet, ECRIS-TCN, e-CODEX, the JITs collaboration platform and other large-scale IT systems as referred to in Article 1(5).; ”	1. The Agency shall monitor developments in research relevant for the operational management of SIS II, VIS, Eurodac, the EES, ETIAS, DubliNet, ECRIS-TCN, e-CODEX, the JITs collaboration platform and other large-scale IT systems as referred to in Article 1(5).;	
Article 26, first paragraph, point (4)				
217				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(4) in Article 19(1), point (ff) is replaced by the following:	(4) in Article 19(1), point (ff) is replaced by the following:	(4) in Article 19(1), point (ff) is replaced by the following:	
Article 26, first paragraph, point (4), amending provision, first paragraph				
218	“ (ff) adopt reports on the technical functioning of the following:	“ (ff) adopt reports on the technical functioning of the following:	(ff) adopt reports on the technical functioning of the following:	
Article 26, first paragraph, point (4), amending provision, first paragraph(i)				
219	(i) SIS pursuant to Article 60(7) of Regulation (EU) 2018/1861 of the European Parliament and of the Council* and Article 74(8) of Regulation (EU) 2018/1862 of the European Parliament and of the Council**;	(i) SIS pursuant to Article 60(7) of Regulation (EU) 2018/1861 of the European Parliament and of the Council* and Article 74(8) of Regulation (EU) 2018/1862 of the European Parliament and of the Council**;	(i) SIS pursuant to Article 60(7) of Regulation (EU) 2018/1861 of the European Parliament and of the Council* and Article 74(8) of Regulation (EU) 2018/1862 of the European Parliament and of the Council**;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 26, first paragraph, point (4), amending provision, first paragraph(ii)				
220	(ii) VIS pursuant to Article 50(3) of Regulation (EC) No 767/2008 and Article 17(3) of Decision 2008/633/JHA;	(ii) VIS pursuant to Article 50(3) of Regulation (EC) No 767/2008 and Article 17(3) of Decision 2008/633/JHA;	(ii) VIS pursuant to Article 50(3) of Regulation (EC) No 767/2008 and Article 17(3) of Decision 2008/633/JHA;	
Article 26, first paragraph, point (4), amending provision, first paragraph(iii)				
221	(iii) EES pursuant to Article 72(4) of Regulation (EU) 2017/2226;	(iii) EES pursuant to Article 72(4) of Regulation (EU) 2017/2226;	(iii) EES pursuant to Article 72(4) of Regulation (EU) 2017/2226;	
Article 26, first paragraph, point (4), amending provision, first paragraph(iv)				
222	(iv) ETIAS pursuant to Article 92(4) of Regulation (EU) 2018/1240;	(iv) ETIAS pursuant to Article 92(4) of Regulation (EU) 2018/1240;	(iv) ETIAS pursuant to Article 92(4) of Regulation (EU) 2018/1240;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 26, first paragraph, point (4), amending provision, first paragraph(v)				
223	(v) ECRIS-TCN and of the ECRIS reference implementation pursuant to Article 36(8) of Regulation (EU) 2019/816 of the European Parliament and of the Council***;	(v) ECRIS-TCN and of the ECRIS reference implementation pursuant to Article 36(8) of Regulation (EU) 2019/816 of the European Parliament and of the Council***;	(v) ECRIS-TCN and of the ECRIS reference implementation pursuant to Article 36(8) of Regulation (EU) 2019/816 of the European Parliament and of the Council***;	
Article 26, first paragraph, point (4), amending provision, first paragraph(vi)				
224	(vi) the interoperability components pursuant to Article 78(3) of Regulation (EU) 2019/817 and Article 74(3) of Regulation (EU) 2019/818;	(vi) the interoperability components pursuant to Article 78(3) of Regulation (EU) 2019/817 and Article 74(3) of Regulation (EU) 2019/818;	(vi) the interoperability components pursuant to Article 78(3) of Regulation (EU) 2019/817 and Article 74(3) of Regulation (EU) 2019/818;	
Article 26, first paragraph, point (4), amending provision, first paragraph(vii)				
225	(vii) the e- CODEX system pursuant to Article 14(1) of	(vii) the e- CODEX system pursuant to Article 14(1) of	(vii) the e- CODEX system pursuant to Article 14(1) of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Regulation (EU) XXX****;	Regulation (EU) XXX****;	Regulation (EU) XXX****;	
Article 26, first paragraph, point (4), amending provision, first paragraph(viii)				
226	(viii) the JITs collaboration platform pursuant to Article xx of Regulation (EU) XXX***** [this Regulation];	(viii) the JITs collaboration platform pursuant to Article xx of Regulation (EU) XXX***** [this Regulation];	(viii) the JITs collaboration platform pursuant to Article xx of Regulation (EU) XXX***** [this Regulation];	
Article 26, first paragraph, point (4), amending provision, first paragraph, first paragraph				
227	_____	_____	_____	
Article 26, first paragraph, point (4), amending provision, first paragraph, second paragraph				
228	* Regulation (EU) 2018/1861 of the European Parliament and of the Council of 28 November 2018 on	* Regulation (EU) 2018/1861 of the European Parliament and of the Council of 28 November 2018 on	* Regulation (EU) 2018/1861 of the European Parliament and of the Council of 28 November 2018 on	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the establishment, operation and use of the Schengen Information System (SIS) in the field of border checks, and amending the Convention implementing the Schengen Agreement, and amending and repealing Regulation (EC) No 1987/2006 (OJ L 312, 7.12.2018, p. 14).	the establishment, operation and use of the Schengen Information System (SIS) in the field of border checks, and amending the Convention implementing the Schengen Agreement, and amending and repealing Regulation (EC) No 1987/2006 (OJ L 312, 7.12.2018, p. 14).	the establishment, operation and use of the Schengen Information System (SIS) in the field of border checks, and amending the Convention implementing the Schengen Agreement, and amending and repealing Regulation (EC) No 1987/2006 (OJ L 312, 7.12.2018, p. 14).	
Article 26, first paragraph, point (4), amending provision, first paragraph, third paragraph				
229	** Regulation (EU) 2018/1862 of the European Parliament and of the Council of 28 November 2018 on the establishment, operation and use of the Schengen Information System (SIS) in the field of police cooperation and judicial cooperation in criminal matters, amending and repealing Council Decision 2007/533/JHA, and repealing Regulation (EC) No 1986/2006 of the European Parliament and of the Council and Commission Decision 2010/261/EU (OJ L 312,	** Regulation (EU) 2018/1862 of the European Parliament and of the Council of 28 November 2018 on the establishment, operation and use of the Schengen Information System (SIS) in the field of police cooperation and judicial cooperation in criminal matters, amending and repealing Council Decision 2007/533/JHA, and repealing Regulation (EC) No 1986/2006 of the European Parliament and of the Council and Commission Decision 2010/261/EU (OJ L 312,	** Regulation (EU) 2018/1862 of the European Parliament and of the Council of 28 November 2018 on the establishment, operation and use of the Schengen Information System (SIS) in the field of police cooperation and judicial cooperation in criminal matters, amending and repealing Council Decision 2007/533/JHA, and repealing Regulation (EC) No 1986/2006 of the European Parliament and of the Council and Commission Decision 2010/261/EU (OJ L 312,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	7.12.2018, p. 56).	7.12.2018, p. 56).	7.12.2018, p. 56).	
Article 26, first paragraph, point (4), amending provision, first paragraph, fourth paragraph				
230	*** Regulation (EU) 2019/816 of the European Parliament and of the Council of 17 April 2019 establishing a centralised system for the identification of Member States holding conviction information on third-country nationals and stateless persons (ECRIS-TCN) to supplement the European Criminal Records Information System and amending Regulation (EU) 2018/1726 (OJ L 135, 22.5.2019, p. 1).	*** Regulation (EU) 2019/816 of the European Parliament and of the Council of 17 April 2019 establishing a centralised system for the identification of Member States holding conviction information on third-country nationals and stateless persons (ECRIS-TCN) to supplement the European Criminal Records Information System and amending Regulation (EU) 2018/1726 (OJ L 135, 22.5.2019, p. 1).	*** Regulation (EU) 2019/816 of the European Parliament and of the Council of 17 April 2019 establishing a centralised system for the identification of Member States holding conviction information on third-country nationals and stateless persons (ECRIS-TCN) to supplement the European Criminal Records Information System and amending Regulation (EU) 2018/1726 (OJ L 135, 22.5.2019, p. 1).	
Article 26, first paragraph, point (4), amending provision, first paragraph, fifth paragraph				
231	**** Regulation (EU) XXX of … (OJ L …).	**** Regulation (EU) XXX of … (OJ L …).		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 26, first paragraph, point (4), amending provision, first paragraph, sixth paragraph				
232	***** Regulation (EU) XXX of … (OJ L …).; ”	***** Regulation (EU) XXX of … (OJ L …).; ”		
Article 26, first paragraph, point (5)				
233	(5) in Article 27(1), the following point (dc) is inserted:	(5) in Article 27(1), the following point (dc) is inserted:	(5) in Article 27(1), the following point (dc) is inserted:	
Article 26, first paragraph, point (5), amending provision, first paragraph				
234	“ (dc) the JITs collaboration	“ (dc) the JITs collaboration	(dc) the JITs collaboration platform Advisory Group;.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	platform Advisory Group;. ”	platform Advisory Group;. ”		
Article 27				
235	Article 27 Entry into force	Article 27 Entry into force	Article 27 Entry into force	
Article 27, first paragraph				
236	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	
Article 27, second paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
237	This Regulation shall be binding in its entirety and directly applicable in all Member States in accordance with the Treaties.	This Regulation shall be binding in its entirety and directly applicable in all Member States in accordance with the Treaties.	This Regulation shall be binding in its entirety and directly applicable in all Member States in accordance with the Treaties.	
Formula				
238	Done at Brussels,	Done at Brussels,	Done at Brussels,	
Formula				
239	For the European Parliament	For the European Parliament	For the European Parliament	
Formula				
240				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	The President	The President	The President	
Formula				
241	For the Council	For the Council	For the Council	
Formula				
242	The President	The President	The President	