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'I/A' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee (Part 2)/Council
No. Cion doc.: 7323/24 + ADD 1

Subject: Council Decision on the conclusion, on behalf of the European Union, of an agreement between Canada and the European Union on the transfer and processing of Passenger Name Record (PNR) data
– Adoption

1. On 19 October 2017, the Commission submitted a recommendation for a Council Decision authorising the opening of negotiations on an Agreement between the European Union and Canada for the transfer and use of Passenger Name Record (PNR) data to prevent and combat terrorism and other serious transnational crime.
2. On 7 December 2017, the Council adopted a Decision authorising the opening of negotiations for an Agreement and gave the Commission the necessary negotiating directives. The European Parliament (EP) was informed in line with Art 218 (10) TFEU on 11 December 2017.

4. On 4 March 2024, following completion of the negotiations, the Commission submitted to the Council a proposal for a Council Decision on the signing, on behalf of the European Union, of an agreement between Canada and the European Union on the transfer and processing of Passenger Name Record (PNR) data¹, and a proposal for a Council Decision on the conclusion, on behalf of the European Union, of an agreement between Canada and the European Union on the transfer and processing of Passenger Name Record (PNR)².
5. On 25 April 2024, Ireland notified the General Secretariat of the Council that it wishes to take part in the adoption and application of the proposed Council Decisions.³
6. On 13 June 2024, in the light of the above, the Council:
 - adopted the Council Decision on the signing, on behalf of the Union, of the agreement as set out in 8895/24, as well as the text of the Agreement as set out in 8896/24 (texts finalised by the legal-linguistic experts);
 - decided to inform the European Parliament of the Council Decision on the signing of the agreement;
 - decided to forward the draft Council Decision on the conclusion of the agreement, as set out in 8897/24, finalised by the legal linguistic experts, to the European Parliament for its consent.
7. On 12 March 2025, the European Parliament gave its consent to the conclusion of the Agreement.

¹ 7315/24 + ADD 1

² 7323/24 + ADD 1.

³ 9352/24

8. In view of the above, and subject to confirmation by the Permanent Representatives' Committee, the Council is invited to:

- adopt, as an "A" item on the agenda of one of its forthcoming meetings, the Council Decision on the conclusion of the agreement as finalised by the legal-linguistic experts and set out in document 8897/24;
- note that the European Parliament will be informed in accordance with Article 218(10) TFEU, and that the Council Decision will be transmitted to the European Parliament.
