

# Procedure file

Basic information	
CNS - Consultation procedure Decision	2019/0807(CNS) Awaiting final decision
Agreement on cooperation between Eurojust and Serbia	
Subject 7.40.04 Judicial cooperation in criminal matters	
Geographical area Serbia, from 06/2006	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>LIBE</b> <a href="#">Civil Liberties, Justice and Home Affairs</a>	 <a href="#">LÓPEZ AGUILAR Juan Fernando</a>	04/09/2019
	Committee for opinion	Rapporteur for opinion	Appointed
Council of the European Union	<b>AFET</b> <a href="#">Foreign Affairs</a>	The committee decided not to give an opinion.	
	<b>JURI</b> <a href="#">Legal Affairs</a>	The committee decided not to give an opinion.	

Key events			
03/07/2019	Legislative proposal published	<a href="#">10334/2019</a>	Summary
18/07/2019	Committee referral announced in Parliament		
12/09/2019	Vote in committee		
24/09/2019	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A9-0009/2019</a>	Summary
10/10/2019	Results of vote in Parliament		
10/10/2019	Decision by Parliament	<a href="#">T9-0023/2019</a>	Summary

Technical information	
Procedure reference	2019/0807(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation

Legislative instrument	Decision
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Awaiting final decision
Committee dossier	LIBE/9/00655

### Documentation gateway

Document attached to the procedure		<a href="#">08129/2019</a>	04/05/2019	CSL	Summary
Legislative proposal		<a href="#">10334/2019</a>	03/07/2019	CSL	Summary
Committee draft report		<a href="#">PE641.119</a>	10/09/2019	EP	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A9-0009/2019</a>	24/09/2019	EP	Summary
Text adopted by Parliament, 1st reading/single reading		<a href="#">T9-0023/2019</a>	10/10/2019	EP	Summary

## Agreement on cooperation between Eurojust and Serbia

This document sets out the draft Agreement on Cooperation between Eurojust and the Republic of Serbia.

As a reminder, on 7 March 2019, the Council (Justice and Home Affairs) took note of Eurojust's plans to start formal negotiations to enter into a cooperation agreement with Serbia.

Subsequently, Eurojust and Serbia entered into such negotiations, which were successfully concluded.

The purpose of this draft Agreement is to enhance the cooperation between Eurojust and Serbia in combating serious crime, particularly organised crime and terrorism.

The draft Agreement sets out provisions as regards inter alia:

- its scope;
- contact points;
- the secondment of liaison officers or liaison magistrates to Eurojust;
- operational and strategic meetings;
- exchange of information and channels of transmission;
- the exchange of personal data.

## Agreement on cooperation between Eurojust and Serbia

**PURPOSE:** to approve the conclusion by Eurojust of the Agreement on cooperation between Eurojust and Serbia.

**PROPOSED ACT:** Council implementing decision.

**ROLE OF THE EUROPEAN PARLIAMENT:** the Council adopts the act after consulting the European Parliament but without being obliged to follow its opinion.

**BACKGROUND:** in accordance with Decision 2002/187/JHA, Eurojust may conclude agreements with third States and organisations. Such agreements may, in particular, concern the exchange of information, including personal data, and the secondment of liaison officers or liaison magistrates to Eurojust. Such agreements may only be concluded after consultation by Eurojust with the Joint Supervisory Body concerning the provisions on data protection and after approval by the Council.

In order to strengthen its capacity to work with Serbia, Eurojust has negotiated an Agreement on cooperation between Eurojust and Serbia.

Serbia has ratified the Convention and the Additional Protocol to the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data regarding supervisory authorities and transborder data flows. The Joint Supervisory Body of Eurojust gave a positive opinion on the provisions of the Agreement concerning data protection.

The Agreement was approved by the College of Eurojust on 26 March 2019.

**CONTENT:** under the draft Council Implementing Decision, Eurojust would be authorised to conclude the Agreement on cooperation between Eurojust and Serbia.

The Agreement includes provisions on the exchange of personal data.

Denmark, the United Kingdom and Ireland are participating in the adoption and implementation of the Decision.

## Agreement on cooperation between Eurojust and Serbia

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The Committee on Civil Liberties, Justice and Home Affairs adopted, following the consultation procedure, the report by Juan Fernando LÓPEZ AGUILAR (S&D, ES) on the draft Council implementing decision approving the conclusion by Eurojust of the Agreement on Cooperation between Eurojust and Serbia.

The committee recommended that the European Parliament approve the Council draft, the aim of which is to foster cooperation in the fight against serious crime, in particular organised crime and terrorism.

Following the model of similar agreements previously concluded by Eurojust (such as Eurojust-FYROM, Eurojust-United States, Eurojust-Norway, Eurojust-Switzerland, Eurojust-Albania and, more recently, Eurojust-Georgia), the draft cooperation agreement between Eurojust and Serbia provides, inter alia, for liaison officers, contact points and information exchange. It is based on Council Decision 2002/187/JHA setting up Eurojust with a view to reinforcing the fight against serious crime.

The explanatory statement accompanying the report highlighted the following points:

In its 2018 [Western Balkans Strategy](#), the Commission stressed that organised crime remains a very serious issue in the Western Balkans and Turkey. Important smuggling routes run through Turkey as well as the Western Balkans. Powerful criminal networks with an international reach continue to operate from and via these countries.

In its [2019 report on Serbia](#), the Commission stated that Serbia should increase its efforts in addressing the shortcomings, and in particular establish a convincing track record of investigation, prosecution, and convictions in organised crime cases. In addition, Serbia is the most requested country in the region, and overall, the second most requested third country in Eurojust's casework. Serbia was involved in 34 cases in 2018.

The European Commission also stated, in its [second visa suspension mechanism report](#), that as regards organised crime, Serbian nationals continue to be reported as one of the most frequently reported nationalities for organised property crimes in the EU, particularly in Belgium, France, Germany and Italy. Serbian nationals have also continued to be one of the most frequently encountered victims of trafficking in human beings originating from the Western Balkans region.

Organised crime groups comprised of Iranian nationals are involved in the trafficking of heroin along this route, as well as the Southern Caucasus route. There remain significant weapon stocks in Serbia, which is a risk in the framework of firearms trafficking.

On 28 March 2019, the Joint Supervisory Body of Eurojust gave a positive opinion on the provisions of the Agreement concerning data protection. It pointed out, in particular, the adoption of new Serbian data protection legislation in 2018.

Based on all of the above considerations, the Rapporteur endorsed the draft Council implementing decision in the area of judicial cooperation, in view of an already existing Europol-Serbia agreement and Cepol-Serbia working arrangement as regards police cooperation.

## Agreement on cooperation between Eurojust and Serbia

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The European Parliament adopted by 583 votes to 18, with 51 abstentions, following the consultation procedure, a legislative resolution on the draft Council implementing decision approving the conclusion by Eurojust of the Agreement on cooperation between Eurojust and Serbia.

The European Parliament approved the Council's draft.

The draft cooperation agreement between Eurojust and Serbia is based on Council Decision 2002/187/JHA setting up Eurojust with a view to reinforcing the fight against serious crime, in particular organised crime and terrorism. It provides, inter alia, for liaison officers, contact points and the exchange of information.