

Procedure file

Basic information			
COD - Ordinary legislative procedure (ex-codecision procedure) Directive	2021/0008(COD)	Procedure completed	
Joint investigation teams: alignment with Union rules on the protection of personal data			
Amending JHA act 2002/465 2001/0821(CNS)			
Subject 7.30 Police, judicial and customs cooperation in general 7.30.20 Action to combat terrorism 7.30.30 Action to combat crime			
Key players			
European Parliament	Committee responsible  Civil Liberties, Justice and Home Affairs	Rapporteur  LENAERS Jeroen Shadow rapporteur  BARLEY Katarina  IN 'T VELD Sophia  BRICMONT Saskia  BRUDZIŃSKI Joachim Stanisław  PELLETIER Anne-Sophie	Appointed 22/03/2021
	Committee for opinion  Legal Affairs	Rapporteur for opinion The committee decided not to give an opinion.	Appointed The committee decided not to give an opinion.
Council of the European Union European Commission	Commission DG Justice and Consumers	Commissioner REYNDERS Didier	
Key events			
20/01/2021	Legislative proposal published	COM(2021)0020	Summary
08/02/2021	Committee referral announced in		

	Parliament, 1st reading		
14/07/2021	Vote in committee, 1st reading		
16/07/2021	Committee report tabled for plenary, 1st reading	A9-0236/2021	Summary
16/09/2021	Decision by Parliament, 1st reading	T9-0379/2021	Summary
16/09/2021	Matter referred back to the committee responsible		
18/11/2021	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	PE702.965 GEDA/A/(2021)005524	
14/12/2021	Results of vote in Parliament		
14/12/2021	Decision by Parliament, 1st reading	T9-0487/2021	Summary
25/01/2022	Act adopted by Council after Parliament's 1st reading		
16/02/2022	Final act signed		
18/02/2022	Final act published in Official Journal		

Technical information

Procedure reference	2021/0008(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
	Amending JHA act 2002/465 2001/0821(CNS)
Legal basis	Treaty on the Functioning of the EU TFEU 016-p2
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/9/05196

Documentation gateway

Legislative proposal	COM(2021)0020	20/01/2021	EC	Summary
Committee report tabled for plenary, 1st reading/single reading	A9-0236/2021	16/07/2021	EP	Summary
Text adopted by Parliament, partial vote at 1st reading/single reading	T9-0379/2021	16/09/2021	EP	Summary
Coreper letter confirming interinstitutional agreement	GEDA/A/(2021)005524	17/11/2021	CSL	
Text agreed during interinstitutional negotiations	PE702.965	17/11/2021	EP	
Text adopted by Parliament, 1st reading/single reading	T9-0487/2021	14/12/2021	EP	Summary
Draft final act	00077/2021/LEX	16/02/2022	CSL	
Commission response to text adopted in plenary	SP(2022)38	18/02/2022	EC	

Joint investigation teams: alignment with Union rules on the protection of personal data

PURPOSE: to align the data protection rules in Decision 2002/465/JHA with the principles and rules of the Data Protection Law Enforcement Directive in order to establish a strong and coherent data protection framework in the EU.

PROPOSED ACT: Directive of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: [Directive \(EU\) 2016/680](#) (data protection law enforcement Directive) required the Commission to review, by 6 May 2019 at the latest, other legal acts adopted by the EU which regulate the processing of personal data by competent authorities for law enforcement purposes, in order to assess the need to bring them into line with the Directive and to make, if appropriate, the necessary proposals to amend those acts to ensure a consistent approach to the protection of personal data under the Directive.

The Commission set out the results of its review in a [Communication](#) of 24 June 2020 which identifies ten legal acts that should be aligned with the Directive and sets out a timetable for doing so. The list includes Council [Framework Decision 2002/465/JHA](#) on joint investigation teams.

The Commission has indicated that it will present targeted amendments to this Decision in the last quarter of 2020; this is the purpose of this proposal.

CONTENT: in the interests of consistency and effective protection of personal data, the Commission proposes that the processing of personal data carried out under Framework Decision 2002/465/JHA should comply with the rules set out in Directive (EU) 2016/680.

In particular, the proposal for a Directive amends the Framework Decision by aligning the cases of use of personal data collected by joint investigation teams with the purpose limitation principle as regulated by the Data Protection Directive in the field of law enforcement.

Joint investigation teams: alignment with Union rules on the protection of personal data

The Committee on Civil Liberties, Justice and Home Affairs adopted a report by Jeroen LENIERS (EPP, NL) on the proposal for a directive of the European Parliament and of the Council amending Council Framework Decision 2002/465/JHA, as regards its alignment with EU rules on the protection of personal data.

The committee responsible recommended that European Parliament adopt its position at first reading, taking over the Commission proposal.

As a reminder, in the interests of consistency and effective protection of personal data, the proposal for a directive seeks to amend the Framework Decision 2002/465/JHA on joint investigation teams by aligning the cases of use of personal data collected by joint investigation teams with the purpose limitation principle as regulated by Directive (EU) 2016/680 (Data Protection Directive in the field of law enforcement).

Joint investigation teams: alignment with Union rules on the protection of personal data

The European Parliament decided, by 638 votes to 29 with 21 abstentions, to refer the matter back to the committee responsible for inter-institutional negotiations on the basis of the unamended proposal for a Directive of the European Parliament and of the Council amending Council Framework Decision 2002/465/JHA as regards its alignment with EU rules on the protection of personal data.

Joint investigation teams: alignment with Union rules on the protection of personal data

The European Parliament adopted by 669 votes to 22, with 6 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council amending Council Framework Decision 2002/465/JHA as regards its alignment with EU rules on the protection of personal data.

The European Parliament adopted its position at first reading under the ordinary legislative procedure.

In the interests of consistency and effective protection of personal data, the proposed directive amends [Framework Decision 2002/465/JHA](#) on joint investigation teams to ensure that the processing of personal data under that Framework Decision complies with Directive (EU) 2016/680 on data protection in the field of law enforcement.

The amended text clarifies that personal data contained in information lawfully obtained by a joint investigation team may only be processed for purposes other than those for which the team was set up, such as subsequent criminal proceedings or related administrative or civil proceedings or parliamentary scrutiny, in accordance with the conditions laid down in Directive (EU) 2016/680.

Such processing of personal data should only be carried out in accordance with the conditions set out in Directive (EU) 2016/680, including that it be carried out in accordance with Union law or the law of the Member States and be necessary and proportionate to its purpose.

Member States should transpose the Directive at the latest one year after the date of entry into force of the amending Directive.

