

**Opinion of the Joint Supervisory Body of Eurojust on the draft agreement on cooperation
between Eurojust and Georgia**

At its meeting on 19 April 2018, in accordance with Article 26a(2) of the Eurojust Decision, the Joint Supervisory Body of Eurojust (JSB) considered the draft agreement on cooperation between Eurojust and Georgia, drawn up in line with the model agreement evaluated positively by the JSB in previous occasions.

The JSB appreciates the fact that Eurojust, through its External Relations Team and the Data Protection Service, has provided it with extensive information during the process of discussions in preparation of a possible start of negotiations for a cooperation agreement.

After careful deliberation and discussion, the JSB concludes as follows:

Considering that Georgia has ratified the Convention 108 of the Council of Europe on 14 December 2005;

Considering that Georgia has ratified the Additional Protocol to the Council of Europe Convention 108 on 10 January 2014;

Considering that the Data Protection Officer has been closely involved in the negotiation process and that the level of data protection has been assessed as satisfactory by the Data Protection Officer, the JSB welcomes the draft cooperation agreement between Eurojust and Georgia and is generally satisfied with its content but would like to make the following observation:

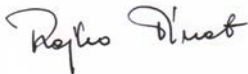
Article 17 (Data Security) of the draft agreement does not foresee the communication of personal data breaches between the parties. Therefore, the JSB recommends Eurojust to consider this element in the framework of the regular consultation meetings with Georgian counterparts as foreseen by Article 20 of the draft agreement, especially taking into account the relevant provisions in the Police Directive¹. Furthermore,

¹ Article 30(6) of the 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

the JSB invites Eurojust to include such provision in future cooperation agreements with third parties and states.

The JSB trusts that this observation will be taken on board by Eurojust and, provided this is the case, issues a positive opinion regarding this draft cooperation agreement.

Done at The Hague
19 April 2018

A handwritten signature in black ink, appearing to read 'Rajko Pirnat'.

Rajko Pirnat
Chair
Joint Supervisory Body of Eurojust