

EDPS Opinions on International Agreements between Europol and Latin American Countries



News

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The European Commission recommended opening negotiations for international agreements on the exchange of personal data to fight serious crime and terrorism between Europol and the competent authorities of five Latin American countries (Ecuador, Brazil, Peru, Bolivia, Mexico). At the beginning of May 2023, the EDPS issued a series of [opinions](#) in order to provide advice on further developing data protection safeguards in these agreements.

Among the suggestions, the EDPS recommends that the future international agreements explicitly list the criminal offenses and purposes for which individuals' personal data may be exchanged. They should also provide for periodic review throughout the time period in which transferred personal data is stored; appropriate measures should be put in place to ensure that these time periods are respected. The agreements should explicitly exclude transfers of personal data obtained in violation of human rights. Lastly, in order to facilitate the enforcement of appropriate data protection measures, the parties involved in these international agreements shall exchange information on the following:

- The exercise of individuals' fundamental rights on a regular basis;
- The application of the relevant supervision and redress mechanisms.

When presenting the opinions, Wojciech Wiewiórowski, EDPS, added that "[p]articular circumstances of each foreign jurisdiction, such as existence of an independent data protection authority, or the accession to Convention 108 of the Council of Europe, should always be duly taken into account."

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