



EUROPEAN COMMISSION

*Brussels, 27.03.2014  
C(2014) 1962 final*

*Dear President,*

*The Commission would like to thank the Bundesrat for its Opinion concerning the proposal for a regulation of the European Parliament and the Council on the European Union Agency for Criminal Justice Cooperation (Eurojust) {COM(2013) 535 final}.*

*The Commission would like to thank the Bundesrat for its general support for this proposal, as expressed in the Opinion.*

*With respect to the comments raised under point 2 of the Opinion, the Commission can assure the Bundesrat that this is an issue which has its full attention, and which will be taken into consideration during the negotiations. Concerning the issue raised under point 3 the Commission would like to stress that its proposal does not foresee an extension of notification and information obligations.*

*Under point 4 of the Opinion, the Bundesrat raises issues related to the Commission's participation in Eurojust's governing structure. On this point, the Commission would like to stress that such participation is fully in line with the Common Approach to agencies agreed between the European Parliament, the Council and the Commission. The Commission would also stress that it will only participate in the administrative tasks of the College, and will thus not influence operational issues. With respect to relations with the European Public Prosecutor's Office, the Commission can only agree that in case not all Member States participate in its establishment, then provisions should be made for cooperation between the participating and the non-participating Member States, where Eurojust could in fact play a coordinating role.*

*Finally, with respect to point 5 of the Opinion, the Commission has taken note of the Bundesrat's concerns with respect to Eurojust coordinating requests from third countries if these have to be handled by at least two Member States. However, in the Commission's view it seems only logical that Eurojust would coordinate the response to these requests in such cases, as already foreseen under the current Eurojust Decision.*

*Mr Stephan WEIL  
President of the Bundesrat  
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*As regards the second issue raised under that point the Commission would like to point out that it would continue to be necessary for Eurojust to seek the consent of the concerned Member State before transmitting personal data to a third State. This is regulated in Article 38(4) of the Commission's proposal.*

*The Commission hopes that these clarifications address the issues raised by the Bundesrat and looks forward to continuing our political dialogue in the future.*

*Yours faithfully,*

*Maroš Šefčovič  
Vice-President*