

Committee on Civil Liberties, Justice and Home Affairs

Contribution on the UK withdrawal from the EU (Brexit)

Policy Area: Justice and Home Affairs, Fundamental Rights

Introduction:

The UK has a special status as regards the Schengen *acquis* and in the Area of Freedom, Security and Justice (AFSJ).

In accordance with the provisions of Protocol No 19 on the Schengen *acquis* integrated into the framework of the EU the UK does not participate in Schengen area (Article 1) but may request to take part in some or in all of the provisions of the Schengen *acquis* (Article 4). The UK has requested to participate in certain parts of the Schengen *acquis* relating to the police and judicial cooperation and SIS II¹.

Protocol No 21 to the Treaties on the position of the United Kingdom and Ireland in respect of the AFSJ provides for a possibility for the UK to choose the measures in this area (Title V of Part III TFEU) in which it wishes to participate (opt-in system). The measures referred to in the Protocol encompass any measure adopted in the AFSJ after the entry into force of the Lisbon Treaty, including international agreements and financial instruments.

A special procedure relating to the UK right to opt-in is envisaged for the adoption of acts amending an existing measure by which the UK is bound (Article 4a of Protocol No 21).

In accordance with Article 10 of Protocol No 36 on transitional provisions the UK was entitled to withdraw from all legal instruments adopted before the entry into force of the Lisbon Treaty in the field of police and judicial cooperation in criminal matters (block opt-out). In 2014, after a transitional period of 5 years, the UK exercised this right and then opted back in 35 legal acts (see Annex I, part I). In 2016 the UK requested participation also in the Prüm decisions².

The UK has already expressed its willingness to limit the application of the EU Charter (see Protocol No 30 to the Treaties), although the Court of Justice of the EU (CJEU) has determined that Protocol No 30 does not carry the legal effect of opting the UK out of its obligations (*N.S., Case C-411/10*) and the Charter is applicable to the UK.

The UK Government has already made it clear that strong security cooperation with the European Union will be one of its four overarching objectives in forthcoming negotiations³. In that respect, the

¹ See Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen *acquis*, OJ L 131 of 1 June 2000, p. 43.

² Council decisions 2008/615/JHA and 2008/616/JHA.

area of Justice, Home Affairs and Fundamental Rights will be a key component of both the withdrawal agreement and the future EU-UK relationship agreement.

I. Impact on any pending or imminent legislative procedure

In view of the special status of the UK in the AFSJ and Justice, the impact of the UK withdrawal on the legislative files under discussion may be limited. The Brexit will have no impact on the legislative proposals developing Schengen acquis in which the UK cannot participate.

There are approximately 32 legislative proposals currently under discussion or to be presented by the Commission in near future in the LIBE area of competence.

The UK currently participates in the discussions in the Council and may opt in before their adoption in accordance with Article 3 of Protocol No 21, or even after the adoption of the legislative measure in accordance with Article 4 of that Protocol.

	Legislative proposal	Comment ^{4*}
1.	International protection: EU common list of safe countries of origin 2015/0211(COD) Regulation	In accordance with Article 3 of Protocol No 21 TFEU the UK may notify its wish to take part in the Regulation either before its adoption or after the act is adopted. Currently, the UK has not opted in because it has its own list of safe countries and opting in would also require the UK to opt in to the underlying 2013 Asylum Procedures Directive in the adoption and application of which the UK does not participate.
2.	Schengen Borders Code: reinforcement of checks against relevant databases at external borders 2015/0307(COD) Regulation	The UK does not take part.
3.	Amending Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (revision of the suspension mechanism) 2016/0142(COD) Regulation	The UK does not take part
4.	Third countries whose nationals are subject to or exempt from a visa requirement: Georgia 2016/0075(COD) Regulation	The UK does not take part
5.	Third countries whose nationals must be in possession of	The UK does not take part

³ See, for example, the House of Lords Paper 77 on “Brexit: future UK-EU security and police cooperation” published on 16 December 2016.

* State of play on the basis of publicly available information on 12 January 2017.

	visas when crossing the external borders and those whose nationals are exempt from that requirement (Ukraine) 2016/0125(COD) Regulation	
6.	Amending Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (Kosovo) 2016/0139(COD) Regulation	The UK does not take part
7.	Amending Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (Turkey) 2016/0141(COD) Regulation	The UK does not take part
8.	Regulation on the Union Code on Visas (Visa Code) (recast) 2014/0094(COD) Regulation	The UK does not take part
9.	Regulation establishing a touring visa 2014/0095(COD) Regulation	The UK does not take part
10.	Uniform format for visas: security 2015/0134(COD) Regulation	The UK does not take part
11.	European Criminal Records Information System (ECRIS): exchange of information on third country nationals 2016/0002(COD) Directive	Awaiting a new proposal from the Commission on a Regulation establishing a centralised system for the exchange of fingerprints of third-country nationals. The UK opted back into the amended Council Framework Decision and may opt into the amending proposal once the new Commission proposal is published (possibly in the spring of 2017).
12.	Use of the Entry/Exit System, amending Regulation (EU) 2016/399. 2016/0105(COD)	The UK does not take part
13.	Entry/Exit System (EES) to register entry and exit data and refusal of entry data of third country nationals crossing the external borders 2016/0106(COD)	The UK does not take part
14.	Establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a	The UK will probably opt in as an associated state like Switzerland, Lichtenstein, Norway and Iceland.

	stateless person (recast) 2016/0133(COD) Regulation	It is part of the existing Dublin III regulation.
15.	European Union Agency for Asylum (EASO) and repealing Regulation (EU) No 439/2010 2016/0131(COD) Regulation	The UK opted into the Regulation (EU) No 439/2010 and is probable that will opt in this measure too.
16.	Establishment of 'Eurodac' for the comparison of fingerprints for the effective application of Regulation (EU) No 604/2013 (recast) 2016/0132(COD) Regulation	The UK will opt in.
17.	Common procedure for international protection in the Union 2016/0224(COD) Regulation	The UK does not take part in the existing Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (recast)
18.	Qualification of third-country nationals or stateless persons as beneficiaries of international protection, uniform status for refugees or for persons eligible for subsidiary protection and content of the protection granted 2016/0223(COD) Regulation	The UK is bound by the initial 2004 Directive and did not opt into to the 2011 recast of the Directive.
19.	Union resettlement framework 2016/0225(COD) Regulation	The UK has been the MS receiving most refugees through resettlement within the EU. According to the 8th report on resettlement and relocation, the UK has pledged to resettle 2,200 Persons from Jordan, Lebanon, Turkey, Egypt, Iraq and others. The report clarifies that by June 2016, 3,439 people were resettled to the UK under the existing UK national resettlement schemes.
20.	Reception of applicants for international protection. Recast 2016/0222(COD) Directive	The UK is bound by the initial 2004 Directive and did not opt into the 2011 recast of the Directive. It currently enjoys an opt-in for the second recast of the Directive.
21.	Conditions of entry and residence of third-country nationals for the purpose of highly skilled employment (revision of blue card Directive) 2016/0176(COD) Directive	The UK does not take part

22.	Uniform format for residence permits for third-country nationals 2016/0198(COD) Regulation	Measure amending Council Regulation (EC) No 1030/2002 by which the UK is bound. The UK has the right to opt-in. The position of the UK is not clear yet.
23.	Prevention of the use of the financial system for the purposes of money laundering or terrorist financing: transparency of financial transactions and of corporate entities (4 AMLD) 2016/0208(COD) Directive	The proposal is based on Articles 50 and 114, i.e. outside the AFSJ. The UK participates.
24.	European Union Agency for Criminal Justice Cooperation (Eurojust) 2013/0256(COD) Regulation	The UK is bound by Council Decision 2002/187/JHA. Currently the UK did opt out of this proposal but may to opt in after its adoption.
25.	New psychoactive substances: information exchange, early warning system and risk assessment procedure 2016/0261(COD) Regulation	The legal basis is Art. 168 TFEU, i.e. outside the AFSJ - the UK participates.
26.	Minimum provisions on the constituent elements of criminal acts and penalties in the field of illicit drug trafficking 2013/0304(COD) Directive	Amending proposal. In 2014 the UK decided to opt out from this proposal.
27.	Fight against fraud to the Union's financial interests by means of criminal law (PIF) 2012/0193(COD) Directive	The UK has opted out.
28.	Combating terrorism and replacing Council Framework Decision 2002/475/JHA on combating terrorism 2015/0281(COD) Directive	The UK has opted out.
29.	Proposal for a Regulation establishing a European Travel Information and Authorisation System (ETIAS) 2016/0357 (COD)	The proposal is a development of the Schengen acquis in which the UK does not take part.
30.	Proposal for the revision of Regulation (EC) N° 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data	Future proposal. The UK participates since it is not covered by the Protocol 21 and opt-out is not allowed
31.	Revision of Directive 2002/58/EC (e-privacy Directive)	Future proposal. The UK participates since the proposal is not covered by Protocol 21 - legal act based on Articles 16 and 114 TFEU.
32.	Proposal for a Council Regulation on the establishment of the European Public Prosecutor's Office (<i>special legislative procedure- consent by the Parliament</i>)	The UK has opted out.

II. Provisions to be included in the Withdrawal Agreement (“Exit agreement”) and/or transitional measures

1. Technical issues to be addressed in relation to the “Withdrawal Agreement”

Following the entry into force of the Withdrawal Agreement, a number of EU legal instruments in AFSJ will need to be modified in order to delete specific references to the UK (usually references to Protocols 20 and 21 on the opt-in or opt-out clauses).

2. Transitional provisions and measures

These measures should regulate matters arising from the withdrawal and should have:

- a time limitation
- a specific phasing-out objective (or a phasing-in, as well, if the future relationship is known or expected at the time of the withdrawal agreement).

They should, as a minimum, include provisions in the following areas:

Freedom of movement

The right to move and reside freely within the EU is set out in Article 20(1) TFEU and further developed in Directive 2004/38/EU on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States. The Directive provides for the right of exit, of entry, of residence for up to three months unconditionally and of residence for more than three months under specific conditions, right to permanent residence, right to equal treatment. Directive 2004/38/EU currently applies to the UK.

The Withdrawal Agreement should include provisions on the status of EU citizens residing in the UK and UK citizens residing in the EU Member States (transitional measures to avoid legal uncertainty post-Brexit and provisions on the retention (or not) of the rights stemming from freedom of movement.

Fundamental Rights

If the UK leaves the EU, it has no longer to comply with the EU Charter on Fundamental Rights. However, the withdrawal agreement should foresee a solution for the pending cases against or relating to the UK, in application of the Charter of Fundamental Rights.

Data protection

When the UK leaves the EU, it will become a third country in terms of EU data protection laws. The Withdrawal Agreement should include provisions on:

- the compatibility of the data protection requirements in the EU and the requirements in the UK,
- the status of the UK for the purposes of Directive (EU) 2016/680 on the protection of natural persons with regard to the processing of personal data for law enforcement purposes (Police Directive)⁵ and Regulation (EU) 2016/679 (General Data Protection Regulation)⁶, assuming

that Brexit negotiations have not been concluded by May 2018 when the two legal acts become applicable. Transitional arrangements for the period between the UK's exit from the EU and the entry into force of a future agreement between the UK and the EU will be required,

- the pending cases against or relating to the UK, in application of the Charter of Fundamental Rights,
- furthermore, in view of the ongoing work at EU level on the interoperability of EU systems and data bases, it should be pointed out that in case of UK participation in some of the systems and databases after leaving the Union, technical arrangement should be put in place ensuring that the UK has access only to the ones for which an agreement with the EU was reached.

Asylum

A transitional regime is necessary for the pending issues of requests and transfers made under Regulation 604/2013 (Dublin III). This regime might include a time limit after the entry into force of the "Withdrawal Agreement".

Transitional arrangements will be necessary for the application of Regulation No 603/2013 (Eurodac Regulation): they should include a clear timeline for the UK's right to enter and consult data, provisions on the responsibilities of UK designated and validation authorities, future mutual information on advance erasure of data and marking of data and the budgetary contribution of the UK in the operation of Eurodac system. The transitional arrangements should respect EU data protection legislation in its entirety.

The UK should surrender its post in the Management Board of EASO (transitional arrangement might be needed which should include the budgetary contribution of the UK in the operation of EASO during the transitional period).

Judicial cooperation in criminal matters and police cooperation

In technical terms, transitional provisions will be needed for all EU instruments based on the principle of mutual recognition as regards all pending procedures. For example, a transitional provision will be needed on the continuation of the European Arrest Warrant (EAW) procedures which have been already undertaken. A transitional regime is necessary for the pending European Investigation Orders in criminal matters (Directive 2014/41/EU on EIO), once the act becomes fully operational in May 2017.

A transitional regime is necessary for the duration of the continuation of an already issued European protection order.

⁵ 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.

⁶ Regulation (EU) 2016/679 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 and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).

Transitional provisions will be needed as regards the pending criminal proceedings started before the exit of the UK since the EU legislation provides for extensive procedural rights of the suspected and accused and of the victims which rights should be respected until the relevant proceedings come to an end.

The UK has recently opted in the new Regulation on Europol. Transitional arrangements would be needed after the UK's withdrawal on the UK's post in the Management Board and (possibly) whether the UK can continue having access to the database of Europol.

Transitional provisions will be necessary as regards the access of the UK to the Union information exchange systems for law enforcement purposes (such as SIS II, ECRIS, PNR). Access to the Union's databases will, furthermore, require appropriate provisions on how the UK should be subject to oversight and adjudication by the EU institutions. The transitional arrangements should respect EU data protection legislation in its entirety.

Financial instruments and programs in the AFSJ

The UK participates in the Asylum, Migration and Integration Fund (AMIF)⁷. Transitional provisions will be needed to arrange the phasing-out of the participation of the UK in AMIF and the UK financial contribution given that the Fund will be operative until 2020.

The UK has opted out from Internal Security Fund both parts - Border and Police, and from Regulation (EU) No 1382/2013 of the European Parliament and of the Council of 17 December 2013 establishing a Justice Programme for the period 2014 to 2020. However, the UK participates in Rights, Equality and Citizenship Programme for the period 2014 to 2020 since the legal basis for the programme is outside Chapter V of Part III TFEU. Transitional provisions will be needed for the UK's participation in this programme will be necessary too.

III. Content of the future EU-UK relations agreement

Since already the UK has the possibility to choose in which EU legislative measures to participate, the list of major legal instruments in AFSJ in which the UK currently participates (see Annex) gives an idea which EU legislative instruments the UK might want to keep after the withdrawal from the EU.

1. Freedom of movement

The freedom of movement together with the issues of rights related to it will be among the key issues in the negotiations on the future EU-UK relations agreement. A long term non-discriminatory solution on the residence and the rights related to it of EU citizens in the UK and the UK citizens in the EU Member States should be negotiated.

2. Visa and border policy

Currently the UK does not participate in visa and border policy as set out in Article 77 of TFEU, as these are parts of the Schengen acquis in which the UK does not take part (see also Protocol No 20 to the Treaties on the application of certain aspects of Article 26). The UK is therefore not bound by key pieces of legislation such as the Visa Code, the Regulation 539/01 on third countries whose nationals require a visa to enter the EU, the Visa Information System, the Schengen Borders Code, the

⁷ Regulation (EU) No 516/2014 establishing the Asylum, Migration and Integration Fund.

European Border and Coast Guard (EBCG) etc. Many instruments, however, foresee a kind of cooperation with the UK. The EBCG Regulation for instance has an article on the cooperation with Ireland and the UK (Article 51).

When the UK exits the EU, it will be considered, if no other form of association is found, as a third country and its citizens as third-country nationals as regards the visa and borders acquis. On a practical level this would include, for example, the need to respect the provisions on authorised stay in the Schengen area (90 days in any 180 days period), a thorough check at the external border, the registration in the future Entry/Exit system and European Travel Information System.

Both the UK and Ireland are not members of the Schengen area but the two countries have between them a Common Travel Area. One particularly problematic consequence of Brexit in this policy area therefore relates to the land border in Ireland, which will become an external border of the EU, and the future arrangements for this Common Travel Area between the UK and Ireland. The management of the border, including security and free movement aspects, will need to be discussed to find specific arrangements for the local population on both sides of the border and to ensure the respect of EU citizens' rights.

3. Data Protection

With regard to the EU data protection legislation, assuming that Brexit negotiations are not complete by 25 May 2018, the UK will be bound by Regulation 2016/679/EU as of 25 May 2018 (applicable to the European Economic Area) and, when applicable, by Directive (EU) 2016/680 as of 6 May 2018.

A Brexit will not mean that the UK companies will be able to avoid entirely the application of the General Data Protection Regulation (GDPR). The territorial scope of the GDPR⁸ will imply that the UK organisations that process the personal data of data subjects in the Union will need to comply with the rules of the GDPR in respect of that data, even if they do not have establishments in the Union in the cases where the processing activities are related to the offering of goods or services to data subjects in the Union or the monitoring of their behaviour as far as their behaviour takes place within the Union⁸. Moreover, the GDPR requires organisations that process the personal data of data subjects in the Union but that do not have an establishment in the Union to appoint a representative in a Member State. The UK companies will, therefore, need to appoint a representative in the Union.

After the withdrawal from the EU, 'data transfers' from the EU to the UK will have to comply with data protection rules on third country transfers, unless a specific arrangement is found in the future EU-UK relations agreement. To ensure the flow of data between the two, the following solutions could be considered: a) standard Contractual Clauses between the UK and the Union on data controllers and processors; b) a UK adequacy assessment by the Commission⁹, or c) a self-certification scheme such as a UK "Privacy Shield" declared adequate by the Commission

One possible arrangement relating to the UK law adequacy could be to consider that the UK provides an adequate level of protection, assuming that it applies national data protection law which is equivalent to EU data protection law. This would allow for data transfers between the EU and the UK. In case of modifications of EU law, however, it will be necessary to arrange for adequate modifications in the UK law and practice.

⁸ Alike any other commercial organisation of a third country processing personal data of EU individuals under these circumstances.

⁹ On the basis of the CJEU's ruling in Case C-362/14.

The General Data Protection Regulation (GDPR) also applies to processing of personal data by public authorities in matters other than law enforcement (for example financial supervision, environment etc.). After the Brexit, the situation referred to above shall also apply to cooperation and exchanges of information between the UK's and the Member States' public authorities. Unless the UK data protection law post-Brexit is fully in line with the GDPR and an adequacy decision is adopted, this cooperation would require the adoption of specific legally binding enforceable instruments between the UK and the EU (or the MS) setting out appropriate safeguards.

As regards the processing of personal data for law enforcement purposes, at the end of 2014 the UK opted back into Council Framework Decision 2008/977/JHA on the protection of personal data processed in the framework of police and judicial cooperation in criminal matters. As regards Directive (EU) 2016/680 (Police Directive), which replaces and repeals the Framework Decision as of 25 May 2018, the UK is bound by the provisions of the Police Directive only when the processing of personal data relates to activities which fall within the scope of Chapter IV and V of Title V, Part Three TFEU in which the UK participates.

Another area where data protection may raise issues is the access to databases for law enforcement purposes (police and judicial cooperation in criminal matters or asylum or borders where the UK participates (Eurodac, SIS II, and PNR). Since these instruments are based on data processing and the EU data protection rules apply to them, the participation in the systems will not be possible without applying simultaneously the same data protection general regime as that provided for by the EU data protection instruments. Furthermore, arrangements need to be found regarding the financial contribution of the UK to the running of the databases in which it continues to participate.

4. Fundamental rights

The UK is bound to apply the Charter on Fundamental Rights at present.

A UK withdrawal from the Union means that, in principle, the UK will no longer have to comply with the human rights obligations imposed under the EU Treaties. The Charter of Fundamental Rights would not apply, and the Court of Justice would not have jurisdiction over the UK. However, there may be transitional cases which maintain the jurisdiction of the CJEU in certain proceedings. A clear provision on the jurisdiction of CJEU, if any, should be included in the future EU-UK relations agreement.

5. Immigration policy

The United Kingdom did not opt into any of the legal migration instruments adopted in the last 15 years (for example, Directive 2009/50/EC (Blue Card Directive), Directive 2003/86 (Family reunification Directive), Directive 2003/109/EC on the status of third-country nationals who are long-term resident, Directive 2011/98/EU (Single Permit Directive), Directive 2014/36/EU (Seasonal Workers Directive), Directive 2014/66/EU (Intra-Corporate Transferees Directive), Directive (EU) 2016/801 (Students and Researchers Directive) and is therefore not bound by any of them. The UK does not participate in the application of Directive 2008/115/EU (Return Directive) but acceded to some EU readmission agreements (for example with Pakistan).

6. Asylum policy

The UK has opted in the EU legal instruments of the first phase of Common European asylum system. In the next phase the UK took part only in Dublin III Regulation (Regulation (EU) 604/2013), Eurodac Regulation (Regulation (EU) 603/2013) and EASO Regulation (Regulation (EU) 439/2010).

It does not participate in the Asylum Procedure Directive (Directive 2013/32/EU), Qualifications Directive (Directive 2011/95 (EU), Relocation Decisions 2015/1601 and 2015/1523. However, the possibility to cooperation with the UK on resettlement programmes should be explored.

It appears likely that the UK will no longer participate in any of the instruments of the Common European Asylum System once it has left the European Union.

The relations with EASO after the Brexit could also be made part of the future EU-UK agreement.

7. Police cooperation and judicial cooperation in criminal matters

The UK has opted back in 29 former third pillar acts (see Annex, part I).

The UK currently participates in several EU legal acts adopted after the Lisbon Treaty in this area (see Annex, part IV).

The UK also participates in some acts related to police cooperation based on provisions of the TFEU other than Title V which excludes any opt outs (for example Regulation (EU) 2015/847 on information accompanying transfers of funds, Directive 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing).

In 2002 the UK decided to adopt some parts of the Schengen acquis relating to police and judicial cooperation in criminal matters, in particular provisions on police cooperation, judicial assistance in criminal matters, transfer and execution of criminal judgements, narcotic drugs, data protection and the Schengen Information System (SIS).

With regard to the judicial cooperation in criminal matters the EU legislation to which the UK has opted in is likely to be subject to the negotiations on the future EU-UK relations. In particular, it is highly likely that the UK and the EU will have interest to negotiate a future relationship as regards the EAW, ECRIS, participation in Eurojust and use of joint investigations teams¹⁰. The access to ECRIS, however, is currently restricted only to Member States and there is no precedent for providing access to a third country.

The UK has recently opted in Regulation (EU) 2016/794 of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol) which will enter into force in May 2017 and in the Prüm Council decisions 2008/615/JHA and 2008/616/JHA¹¹.

¹⁰ See House of Lords 7th report 'Brexit: future UK-EU security and police cooperation', published on 16 December 2016.

¹¹ Commission Decision (EU) 2016/809 of 20 May 2016 on the notification by the United Kingdom of Great Britain and Northern Ireland of its wish to participate in certain acts of the Union in the field of police cooperation adopted before the entry into force of the Treaty of Lisbon and which are not part of the Schengen acquis) OJ L 132/2016 p.105.

As regards the police cooperation, one of the central issues in the negotiations of the future relations agreement will be the future relations between the UK national law enforcement authorities and Europol and the police information exchange between the UK and the EU (access to PNR, Prüm , SIS II).

The access to the SIS after the withdrawal will be an issue for discussion in the Brexit negotiations since there is no precedent for providing such access to a country which is neither a Member State, nor a Schengen country. Any future agreement on the access of the UK to those systems should ensure that the UK continues to apply the EU data protection legislation and that it has access only to the specific systems covered by the agreement and not to the other interlinked systems.

IV. Other

In terms of institutional matters in the AFSJ, the UK withdrawal from the EU will have as a consequence the loss of representatives and positions in the agencies in which the UK participates such as in Europol (Director) or Eurojust (UK national member) and networks for example European Judicial Network as well as seats on the management boards of Europol, EASO, FRA, EMCDDA, eu-LISA, etc. The UK does not participate in European Union Agency for Law Enforcement Training (CEPOL), and in Frontex (new European Border and Coast Guard).

Annex

I. List of the former third pillar acquis, to which the UK has already opted back in relation to Article of 10 of Protocol 36¹²

Non-Schengen acts

1. Joint Action 97/827/JHA of 5 December 1997 establishing a mechanism for evaluating the application and implementation at national level of international undertakings in the fight against organized crime (OJ L 344, 15.12.1997, p. 7).
2. Council Act of 18 December 1997 drawing up, on the basis of Article K.3 of the Treaty on European Union, the Convention on mutual assistance and cooperation between customs administrations (OJ C 24, 23.1.1998, p. 1).
3. Joint Action 98/700/JHA of 3 December 1998 adopted by the Council on the basis of Article K.3 of the Treaty on European Union concerning the setting up of a European Image Archiving System (FADO) (OJ L 333, 9.12.1998, p. 4).
4. Council Decision 2000/375/JHA of 29 May 2000 to combat child pornography on the internet (OJ L 138, 9.6.2000, p. 1).
5. Council Decision 2000/641/JHA of 17 October 2000 establishing a secretariat for the joint supervisory data-protection bodies set up by the Convention on the establishment of a European Police Office (Europol Convention), the Convention on the Use of Information Technology for Customs Purposes and the Convention implementing the Schengen Agreement on the gradual abolition of checks at the common borders (Schengen Convention) (OJ L 271, 24.10.2000, p. 1).
6. Council Decision 2000/642/JHA of 17 October 2000 concerning arrangements between financial intelligence units of the Member States in respect of exchanging information (OJ L 271, 24.10.2000, p. 4).
7. Council Decision 2002/187/JHA of 28 February 2002 setting up Eurojust with a view to reinforcing the fight against serious crime (OJ L 63, 6.3.2002, p. 1).
8. Council Decision 2002/348/JHA of 25 April 2002 concerning security in connection with football matches with an international dimension (OJ L 121, 8.5.2002, p. 1).
9. Council Framework Decision 2002/465/JHA of 13 June 2002 on joint investigation teams (OJ L 162, 20.6.2002, p. 1).
10. Council Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States (OJ L 190, 18.7.2002, p. 1).

¹² Commission Decision 2014/858/EU of 1 December 2014 on the notification by the United Kingdom of Great Britain and Northern Ireland of its wish to participate in acts of the Union in the field of police cooperation and judicial cooperation in criminal matters adopted before the entry into force of the Treaty of Lisbon and which are not part of the Schengen acquis (OJ L 345, 1.12.2014, p. 6).

11. Council Decision 2003/659/JHA of 18 June 2003 amending Council Decision 2002/187/JHA setting up Eurojust with a view to reinforcing the fight against serious crime (OJ L 245, 29.9.2003, p. 44).
12. Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties (OJ L 76, 22.3.2005, p. 16).
13. Council Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognitions to confiscation orders (OJ L 328, 24.11.2006, p. 59).
14. Council Framework Decision 2006/960/JHA of 18 December 2006 on simplifying the exchange of information and intelligence between law enforcement authorities of the Member States of the European Union (OJ L 386, 29.12.2006, p. 89).
15. Council Decision 2007/412/JHA of 12 June 2007 amending Decision 2002/348/JHA concerning security in connection with football matches with an international dimension (OJ L 155, 15.6.2007, p. 76).
16. Council Decision 2007/845/JHA of 6 December 2007 concerning cooperation between Asset Recovery Offices of the Member States in the field of tracing and identification of proceeds from, or property related to, crime (OJ L 332, 18.12.2007, p. 103).
17. Council Framework Decision 2008/675/JHA of 24 July 2008 on taking account of convictions in the Member States of the European Union in the course of new criminal proceedings (OJ L 220, 15.8.2008, p. 32).
18. Council Framework Decision 2008/909/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union (OJ L 327, 5.12.2008, p. 27).
19. Council Decision 2008/976/JHA of 16 December 2008 on the European Judicial Network (OJ L 348, 24.12.2008, p. 130).
20. Council Decision 2009/426/JHA of 16 December 2008 on the strengthening of Eurojust and amending Decision 2002/187/JHA setting up Eurojust with a view to reinforcing the fight against serious crime (OJ L 138, 4.6.2009, p. 14).
21. Council Framework Decision 2009/299/JHA of 26 February 2009 amending Framework Decisions 2002/584/JHA, 2005/214/JHA, 2006/783/JHA, 2008/909/JHA and 2008/947/JHA, thereby enhancing the procedural rights of persons and fostering the application of the principle of mutual recognition to decisions rendered in the absence of the person concerned at the trial (OJ L 81, 27.3.2009, p. 24).
22. Council Framework Decision 2009/315/JHA of 26 February 2009 on the organisation and content of the exchange of information extracted from the criminal record between Member States (OJ L 93, 7.4.2009, p. 23).
23. Council Decision 2009/316/JHA of 6 April 2009 on the establishment of the European Criminal Records Information System (ECRIS) in application of Article 11 of Framework Decision 2009/315/JHA (OJ L 93, 7.4.2009, p. 33).
24. Council Decision 2009/371/JHA of 6 April 2009 establishing the European Police Office (Europol) (OJ L 121, 15.5.2009, p. 37).

25. Council Framework Decision 2009/829/JHA of 23 October 2009 on the application, between Member States of the European Union, of the principle of mutual recognition to decisions of supervision measures as an alternative to provisional detention (OJ L 294, 11.11.2009, p. 20).

26. Council Decision 2009/917/JHA of 30 November 2009 on the use of information technology for customs purposes (OJ L 323, 10.12.2009, p. 20).

27. Council Decision 2009/934/JHA of 30 November 2009 adopting the implementing rules governing Europol's relations with partners, including the exchange of personal data and classified information (OJ L 325, 11.12.2009, p. 6).

28. Council Decision 2009/936/JHA of 30 November 2009 adopting the implementing rules for Europol analysis work files (OJ L 325, 11.12.2009, p. 14).

29. Council Decision 2009/968/JHA of 30 November 2009 adopting the rules on the confidentiality of Europol information (OJ L 332, 17.12.2009, p. 17).

II. List of the Schengen acquis, in which the UK participates¹³:

1. In respect of the provisions of the 1990 Convention implementing the Schengen Agreement of 14 June 1985, its related Final Act and Joint Statements:

(i) Articles 26 and

Articles 39 and 40;

Articles 42 and 43 to the extent that they relate to Article 40;

Article 44;

Articles 46 and 47, except for Article 47(2)(c) and (4);

Articles 48 to 51;

Articles 52 and 53;

Articles 54 to 58;

Article 59;

Articles 61 to 66;

¹³ Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen acquis (OJ L 131, 1.6.2000, p. 43), Council Decision 2004/926/EC of 22 December 2004 on the putting into effect of parts of the Schengen acquis by the United Kingdom of Great Britain and Northern Ireland (OJ L 395, 31.12.2004, p. 70), Council Decision 2014/857/EU of 1 December 2014 concerning the notification of the United Kingdom of Great Britain and Northern Ireland of its wish to take part in some of the provisions of the Schengen acquis which are contained in acts of the Union in the field of police cooperation and judicial cooperation in criminal matters and amending Decisions 2000/365/EC and 2004/926/EC (OJ L 345, 1.12.2014, p. 1).

Articles 67 to 69;

Articles 71 to 73;

Articles 75 and 76;

Articles 126 to 130 to the extent that they relate to the provisions in which the United Kingdom participates by virtue of this subparagraph;

Declaration 3 to the Final Act concerning Article 71(2);

(ii) the following provisions concerning the Schengen Information System:

— Council Decision 2007/533/JHA of 12 June 2007 on the establishment, operation and use of the second generation Schengen Information System (SIS II);

— Commission Decision 2007/171/EC of 16 March 2007 laying down the network requirements for the Schengen Information System II (3rd pillar);

2. In respect of the provisions of the Agreements of Accession to the 1990 Convention implementing the Schengen Agreement of 14 June 1985, their Final Acts and Common Declarations:

(i) the Agreement signed on 19 December 1996 on Accession of the Kingdom of Denmark: Article 6;

(ii) the Agreement signed on 19 December 1996 on Accession of the Republic of Finland: Article 5;

(iii) the Agreement signed on 19 December 1996 on Accession of the Kingdom of Sweden: Article 5;

3. In respect of the provisions of the following Decisions of the Executive Committee established by the 1990 Convention implementing the Schengen Agreement of 14 June 1985 to the extent that they relate to the provisions in which the United Kingdom participates by virtue of subparagraph (a) above:

SCH/Com-ex (94) 28 rev (certificate provided for in Article 75 for transport of drugs and/or psychotropic substances);

SCH/Com-ex (98) 26 def (setting up the Schengen implementing Convention Standing Committee), subject to an internal arrangement specifying the modalities of participation of United Kingdom experts in missions carried out under the auspices of the relevant Council Working Party.

III. List of developments of the Schengen acquis, which are applicable to the United Kingdom, as amended at the end of the transitional period under Protocol 36, Article 10

1. Council Act of 29 May 2000 establishing the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union (provisions referred to in Article 2(1) of the Convention) (OJ C 197, 12.7.2000, p. 1).

2. Council Directive 2001/51/EC of 28 June 2001 supplementing the provisions of Article 26 of the Convention implementing the Schengen Agreement of 14 June 1985 (OJ L 187, 10.7.2001, p. 45).

3. Council Act of 16 October 2001 establishing the Protocol to the Convention on Mutual Assistance in Criminal Matters between the Members States of the European Union (provisions referred to in Article 15 of the Protocol) (OJ C 326, 21.11.2001, p. 1).
4. Council Directive 2002/90/EC of 28 November 2002 defining the facilitation of unauthorised entry, transit and residence (OJ L 328, 5.12.2002, p. 17).
5. Council Regulation (EC) No 377/2004 of 19 February 2004 on the creation of an immigration liaison officers' network (OJ L 64, 2.3.2004, p. 1).
7. Council Directive 2004/82/EC of 29 April 2004 on the obligation of carriers to communicate passenger data (OJ L 261, 6.8.2004, p. 24).
8. Council Framework Decision 2008/977/JHA of 27 November 2008 on the protection of personal data processed in the framework of police and judicial cooperation in criminal matters (OJ L 350, 30.12.2008, p. 60).
9. Council Decision 2008/149/JHA of 28 January 2008 on the conclusion on behalf of the European Union of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis (OJ L 53, 27.2.2008, p. 50).
10. Council Decision 2011/349/EU of 7 March 2011 on the conclusion on behalf of the European Union of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis, relating in particular to judicial cooperation in criminal matters and police cooperation (OJ L 160, 18.6.2011, p. 1).
11. Council Decision 2000/586/JHA of 28 September 2000 establishing a procedure for amending Articles 40(4) and (5), 41(7) and 65(2) of the Convention implementing the Schengen Agreement of 14 June 1985 on the gradual abolition of checks at common borders (OJ L 248, 3.10.2000, p. 1).
12. Council Decision 2003/725/JHA of 2 October 2003 amending the provisions of Article 40(1) and (7) of the Convention implementing the Schengen Agreement of 14 June 1985 on the gradual abolition of checks at common borders (OJ L 260, 11.10.2003, p. 37).

IV. EU legislation adopted or amended after the entry into force of Lisbon Treaty to which the UK did opt in

1. Directive 2010/64/EU of the European Parliament and of the Council of 20 October 2010 on the right to interpretation and translation in criminal proceedings
2. Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters
3. Directive 2012/13/ EU of the European Parliament and of the Council of 22 May 2012 on the right to information in criminal proceedings

4. Directive 2011/99/ EU of the European Parliament and of the Council of 13 December 2011 on the European protection order
5. Directive 2013/40/ EU of the European Parliament and of the Council of 12 August 2013 on attacks against information systems and replacing Council Framework Decision 2005/222/JHA
6. Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA
7. Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA
8. Directive 2011/36/ EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA
9. Directive (EU) 2016/681 of the European Parliament and of the Council of 27 April 2016 on the use of passenger name record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime EU PNR Directive
10. Directive 2014/42/EU of the European Parliament and of the Council of 3 April 2014 on the freezing and confiscation of instrumentalities and proceeds of crime in the European Union - partial application the UK is bound only to the offences covered by the instruments by which it is bound.

V. Non-exhaustive list of international agreements in the AFSJ in which the UK participates

Judicial cooperation in criminal matters

1. Agreement between the European Union and the Republic of Iceland and the Kingdom of Norway on the application of certain provisions of the Convention of 29 May 2000 on Mutual Assistance in Criminal Matters between the Member States of the European Union and the 2001 Protocol thereto (OJ L 26 of 29 January 2004, p. 3)¹⁴;
2. Information concerning the date of entry into force of the Agreement between the European Union and the Republic of Iceland and the Kingdom of Norway on the application of certain provisions of the Convention of 29 May 2000 on Mutual Assistance in Criminal Matters between the Member States of the European Union and the 2001 Protocol thereto (OJ L 322 of 21 November 2012, p. 1)¹⁵;

¹⁴ Council Decision 2004/79/EC of 17 December 2003 on the signing of the Agreement between the European Union and the Republic of Iceland and the Kingdom of Norway on the application of certain provisions of the Convention of 29 May 2000 on Mutual Assistance in Criminal Matters between the Member States of the European Union and the 2001 Protocol thereto (OJ L 26 of 29 January 2004, p. 1);

¹⁵ Council Decision 2012/305/EU of 7 June 2012 on the conclusion of the Agreement between the European Union and the Republic of Iceland and the Kingdom of Norway on the application of certain provisions of the Convention of 29 May 2000 on Mutual Assistance in Criminal Matters between the Member States of the European Union and the 2001 Protocol thereto (OJ L 153 of 14 June 2012, p. 1);

3. Agreement between the European Union and the Republic of Iceland and the Kingdom of Norway on the surrender procedure between the Member States of the European Union and Iceland and Norway (OJ L 292 of 21 October 2006, p. 2)¹⁶;

4. Council Decision 2009/933/CFSP of 30 November 2009 on the extension, on behalf of the European Union, of the territorial scope of the Agreement on extradition between the European Union and the United States of America (OJ L 325 of 11 December 2009, p. 4);

5. Agreement between the European Union and Japan on mutual legal assistance in criminal matters (OJ L 39 of 12 February 2010, p. 20)¹⁷;

6. Information concerning the date of entry into force of the Agreement between the European Union and Japan on mutual legal assistance in criminal matters (OJ L 242 of 29 December 2010, p.1)¹⁸ ;

7. Council Decision 2012/305/EU of 7 June 2012 on the conclusion of the Agreement between the European Union and the Republic of Iceland and the Kingdom of Norway on the application of certain provisions of the Convention of 29 May 2000 on Mutual Assistance in Criminal Matters between the Member States of the European Union and the 2001 Protocol thereto (OJ L 153 of 14 June 2012, p. 1).

8. Council's Decision of 2nd of December 2016 on the conclusion, on behalf of the European Union, of the Agreement between the United States of America and the European Union on the protection of personal information relating to the prevention, investigation, detection, and prosecution of criminal offenses (not yet in force)

The UK is bound in accordance with Article 6a of Protocol No 21 to the Lisbon Treaty, but on the occasion of the adoption of the above-mentioned decision to conclude, the UK included a statement¹⁹.

9. Agreement between the European Union and the United States of America on the processing and transfer of Financial Messaging Data from the European Union to the United States for the purposes of the Terrorist Finance Tracking Program (OJ L 195, 27.7.2010)²⁰

¹⁶ Council Decision 2006/697/EC of 27 June 2006 on the signing of the Agreement between the European Union and the Republic of Iceland and the Kingdom of Norway on the surrender procedure between the Member States of the European Union and Iceland and Norway (OJ L 153 of 14 June 2012, p. 1)

¹⁷ Council Decision 2010/88/CFSP/JHA of 30 November 2009 on the signing, on behalf of the European Union, of the Agreement between the European Union and Japan on mutual legal assistance in criminal matters (OJ L 39 of 12 February 2010, p. 19);

¹⁸ Council Decision of 7 October 2010 (2010/616/EU) on the conclusion of the Agreement between the European Union and Japan on mutual legal assistance in criminal matters (OJ L 271 of 15 October 2010, p. 3);

¹⁹ The United Kingdom welcomes this Agreement. It notes recital (4) of this Council Decision records the application of Article 6a of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, as annexed to the TEU and TFEU.

The United Kingdom notes that Article 6a of Protocol 21 means that the rules in the Agreement do not bind the United Kingdom in respect of any bilateral agreement the United Kingdom has concluded or concludes in its own right.

The United Kingdom reserves its position in relation to the existence of Union competence in the area of data protection to conclude any other agreement with a third country which includes, within its scope, agreements concluded between individual Member States and third countries." -

²⁰ Council Decision 2010/412/EU of 13 July 2010 on the conclusion of the Agreement between the European Union and the United States of America on the processing and transfer of Financial Messaging Data from the European Union to the United States for the purposes of the Terrorist Finance Tracking Program.

Eurojust cooperation agreements and memorandums of understanding

The UK participates in Eurojust and consequently participates in the cooperation agreements and memorandums of understanding concluded between Eurojust and third countries/international organisations.

Police cooperation, asylum, immigration

Title	Date of Signature or conclusion	Date of Entry into Force
PNR		
Agreement between the European Community and the Government of Canada on the processing of Advance Passenger Information and Passenger Name Record data <i>OJ L 82, 21.3.2006, p. 14–19</i> http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1416845007372&uri=OJ:L:2006_082_R_0014_01	Signed on 3 October 2005	22 March 2006
Agreement between the United States of America and the European Union on the use and transfer of passenger name records to the United States Department of Homeland Security <i>OJ L 215, 11.8.2012</i> http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32012D0472&from=EN	Signed on 14 December 2011	1/07/2012
Agreement between the European Union and Australia on the processing and transfer of Passenger Name Record (PNR) data by air carriers to the Australian Customs and Border Protection Service <i>OJ L 186, 14.7.2012</i> http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2012.186.01.0003.01.ENG&toc=OJ:L:2012:186:TOC	Signed on 29 September 2011	1/06/2012
Prüm		
Agreement between the European Union and Iceland and Norway on the application of certain provisions of Council Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime and Council Decision 2008/616/JHA on the implementation of Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime, and the Annex thereto (OJ L 353, 31.12.2009)		

http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2009.353.01.00.01.01.ENG&toc=OJ:L:2009:353:TOC		
Return and Readmission		
Agreement between the European Community and the Government of the Hong Kong Special Administrative Region of the People's Republic of China on the readmission of persons residing without authorisation. <i>OJ L 17 of 24.01.2004, p. 25</i> http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2004.017.01.00.23.01.ENG&toc=OJ:L:2004:017:TOC	27 November 2002	1 March 2004
Agreement between the European Community and the Macao Special Administrative Region of the People's Republic of China on the readmission of persons residing without authorisation. <i>OJ L 143 of 30 April 2004, p. 99</i> http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2004.143.01.00.99.01.ENG&toc=OJ:L:2004:143:TOC	13 October 2003	1 June 2004
Agreement between the European Community and the Democratic Socialist Republic of Sri Lanka on the readmission of persons residing without authorisation. <i>OJ L 124 of 17.5.2005, p.43</i> http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2005.124.01.00.41.01.ENG&toc=OJ:L:2005:124:TOC#L_2005124EN.01004301	4 June 2004	1 May 2005
Agreement between the European Community and the Republic of Albania on the readmission of persons residing without authorisation. <i>OJ L 124 of 17.5.2005, p.22</i> http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2007.129.01.00.38.01.ENG&toc=OJ:L:2007:129:TOC#L_2007129EN.01004001	14 April 2005	1 May 2006
Agreement between the European Community and the Russian Federation on readmission <i>OJ L 129 of 17 May 2007, p. 38;</i> http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2007.129.01.00.38.01.ENG&toc=OJ:L:2007:129:TOC#L_2007129EN.01004001	25 May 2006	1 June 2007
Agreement between the European Community and	18 June 2007	1 January 2008

Ukraine on readmission of persons <i>OJ L 332 of 18 December 2007, p. 46</i> http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2007.332.01.0046.01.ENG&toc=OJ:L:2007:332:TOC#L_2007332EN.01004801		
Agreement between the European Community and the former Yugoslav Republic of Macedonia on the readmission of persons residing without authorisation <i>OJ L 334 of 19 December 2007, p. 1</i> http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2007.334.01.0001.01.ENG&toc=OJ:L:2007:334:TOC#L_2007334EN.01000701	18 September 2007	1 January 2008
Agreement between the European Community and Bosnia and Herzegovina on the readmission of persons residing without authorisation <i>OJ L 334 of 19 December 2007, p. 65</i> http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2007.334.01.0065.01.ENG&toc=OJ:L:2007:334:TOC#L_2007334EN.01006601	18 September 2007	1 January 2008
Agreement between the European Community and the Republic of Montenegro on the readmission of persons residing without authorisation. <i>OJ L 334 of 19 December 2007, p. 25</i> http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2007.334.01.0025.01.ENG&toc=OJ:L:2007:334:TOC#L_2007334EN.01002601	18 September 2007	1 January 2008
Agreement between the European Community and the Republic of Serbia on the readmission of persons residing without authorisation. <i>OJ L 334 of 19 December 2007, p. 45</i> http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2007.334.01.0045.01.ENG&toc=OJ:L:2007:334:TOC#L_2007334EN.01004601	18 September 2007	1 January 2008
Agreement between the European Community and the Republic of Moldova on the readmission of persons residing without authorisation. <i>OJ 2007 L334 p. 148 of 19/12/2007</i> http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2007.334.01.0048.01.ENG&toc=OJ:L:2007:334:TOC#L_2007334EN.01004801	10 October 2007	1 January 2008

content/EN/TXT/?uri=uriserv:OJ.L_.2007.334.01.01.48.01.ENG&toc=OJ:L:2007:334:TOC#L_2007334EN.01014901		
Agreement between the European Community and the Islamic Republic of Pakistan on the readmission of persons residing without authorisation. <i>OJ 2010 L 287 p. 52 of 4/11/2010</i> http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2010.287.01.00.50.01.ENG&toc=OJ:L:2010:287:TOC#L_2010287EN.01005201	26 October 2009	1 December 2010
Agreement between the European Union and Georgia on the readmission of persons residing without authorisation. <i>OJ 2011 L 52 p. 45 of 25/2/2011</i> http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2011.052.01.00.33.01.ENG&toc=OJ:L:2011:052:TOC	22 November 2010	1 March 2011
Agreement between the European Union and the Republic of Turkey on the readmission of persons residing without authorisation <i>OJ L 134, 7.5.2014, p. 3–27</i> http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2014.134.01.00.01.01.ENG&toc=OJ:L:2014:134:TOC	16 December 2013	1 October 2014
Agreements on Asylum (Dublin Eurodac)		
Agreement between the European Community and the Republic of Iceland and the Kingdom of Norway concerning the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or in Iceland or Norway (OJ L 93, 3.4.2001, p. 40). http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L:2001:093:TOC	Concluded in 2001	
(Protocol linking NO and IS to DK) Protocol to the Agreement between the Community, Republic of Iceland and the Kingdom of Norway concerning the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State, Iceland and Norway (OJ L 57, 28.2.2006, p.16). http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L:2006:057:TOC		
Agreement between the European Community and the Kingdom of Denmark on the criteria and mechanisms for establishing the State responsible	Concluded on 8 March 2006	

for examining a request for asylum lodged in Denmark or any other Member State of the European Union and “Eurodac” for the comparison of fingerprints for the effective application of the Dublin Convention (OJ L 66, 8.3.2006).		
http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L:2006:066:TOC		
<i>Agreement between the European Community and the Swiss Confederation concerning the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or in Switzerland (OJ L 53, 27.2.2008, p. 5).</i>	Concluded on 28 February 2008	
http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L:2008:053:TOC		
Protocol between the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Community and the Swiss Confederation concerning the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or in Switzerland (OJ L 160 18.6.2011 p. 39)	Concluded on 18 June 2011	
http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L:2011:160:TOC		
(Protocol linking CH & LI to DK)		
Protocol between the European Community, the Swiss Confederation and the Principality of Liechtenstein to the Agreement between the European Community and the Swiss Confederation concerning the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or in Switzerland (OJ L 161 24.6.2009, p.6)		
http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2009.161.01.0006.01.ENG&toc=OJ:L:2009:161:TOC#L_2009161EN.01000801		
Agreements on EASO		
Arrangement between the European Union and the Swiss Confederation on the modalities of its participation in the European Asylum Support Office OJ L 65, 11.3.2016, p. 22–37	Signed on 10 June 2014	1 March 2016
http://eur-lex.europa.eu/legal-		

http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1483959145805&uri=CELEX:22014A0412(01) 2014/204/EU: Council Decision of 11 February 2014 on the signing, on behalf of the Union, and provisional application of the Arrangement between the European Union and the Kingdom of Norway on the modalities of its participation in the European Asylum Support Office OJ L 109, 12/04/2014, p. 1–2 http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2014.109.01.0001.01.ENG&toc=OJ:L:2014:109:TOC	Concluded on 19 May 2014	
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