

## **BULGARIA**

### **Bulgarian contribution to the draft**

#### **Regulation amending Regulation (EU) 2016/794, as regards Europol's cooperation with private parties, the processing of personal data by Europol in support of criminal investigations, and Europol's role on research and innovation**

Bulgaria would like to thank to the Portuguese Presidency for continuing the detailed discussion on the draft Regulation text by text and for considering our proposals.

Bulgaria would like to support the concerns raised by some delegations whether the participation of **Europol** in the **LEWP** meetings will be effective and of full value for so short time (1 hour). We believe that the full time participation of Europol in the meetings will contribute to the better understanding of some specific aspects related to the practice and daily activity of the Agency.

#### **Comments on thematic block 1 - Enabling Europol to cooperate effectively with private parties:**

We would like to resubmit our comments on **Article 26 Exchange of personal data with private parties** with request for additional clarifications in case the wording proposed by the Commission remains unchanged:

We would like to kindly ask Portuguese Presidency Europol to be consulted if the text of the art. 26 will in any way affect the agreements for operational cooperation/working arrangements with third countries currently in force, especially the provisions for the information exchange.

We would also like to kindly ask Europol to examine if the proposed wordings of art. 26 do not exclude any hypothesis of receiving and processing personal data from private parties and its subsequent transmission or transfer to the stakeholders concerned.

Denmark, Norway, Switzerland, Iceland, USA, Canada, Western Balkans countries and other countries are considered by the Member States as strategic operational partners and they should be on an equal footing when it comes to exchange of information, including personal data, which concerns them and which could be essential for their security or for prevention, investigation and prosecution of crime.

#### **Comments on thematic block 5 - Cooperation with third countries:**

We would like clarification of the provision of Art. 25, para 8, which introduces a new term "operational personal data". This term is used in the Eurojust Regulation, but not in the Europol Regulation which requires including the necessary definition.

A possible option to regulate this issue is to adapt the legal framework for personal data exchange with third countries on the model of Eurojust, which will provide more flexibility. This approach should be thoroughly discussed. In case there is a consensus in this regard, it should be reflected in the whole text of the draft Regulation.

**Comments on thematic block 7: Clarifying that Europol may request the initiation of an investigation of a crime affecting a common interest covered by a Union policy**

Bulgaria prefers the current wording of art 6 of Europol Regulation (EU) 2016/794 and sees no need for its amendment.