

(English version)

**Question for written answer E-002718/24
to the Commission
Saskia Bricmont (Verts/ALE), Mounir Satouri (Verts/ALE)
(2 December 2024)**

Subject: Europol-Egypt working arrangement

In September 2024, Commissioner Ylva Johansson said that the Commission was close to signing a working agreement between Egypt and Europol. She also reportedly ‘praised Egypt for its treatment of migrants and refugees, particularly those fleeing civil war in Sudan’ ⁽¹⁾.

Human rights groups have documented the Egyptian authorities’ systematic arrest of Sudanese refugees, their arbitrary detention of these refugees in inhumane conditions, unfair trials, forced returns and political repression, in violation of international obligations ⁽²⁾. The UN has reported torture and ill treatment by police officers, prison guards and the military ⁽³⁾. It has also warned that the definition of terrorism in Egypt’s legislation does not align with international standards and has been used to silence government critics.

1. Has the Commission assessed the necessity and proportionality of law enforcement cooperation with Egypt, as requested by Parliament in 2018 ⁽⁴⁾, and, if so, what are its conclusions, given the state of fundamental rights, discrimination and freedoms in Egypt?
2. How does the Commission assess the impacts of a working agreement with Europol, including transfers of intelligence, on the systematic human rights violations in Egypt?
3. What is the status of negotiations for an Egypt-Europol operational agreement, including as regards the exchange of personal data?

Submitted: 2.12.2024

**Answer given by Mr Brunner on behalf of the European Commission
(25 February 2025)**

In 2018, further to the Commission’s Recommendation ⁽¹⁾, the Council authorised ⁽²⁾ the opening of negotiations with Egypt for an international agreement on the exchange of personal data between Europol and the Egyptian competent authorities for fighting serious crime and terrorism.

The European Parliament Resolution ⁽³⁾ referring to an assessment of necessity and proportionality referred to that Commission Recommendation.

Law enforcement cooperation with Egypt is needed for the effective fight against terrorism, organised crime and migration-related challenges such as the facilitation of irregular migration and trafficking in human beings ⁽⁴⁾.

The envisaged international agreement with Egypt on the exchange of personal data with Europol will aim to strike a balance between, on one hand, the need to fight serious crimes and terrorism and, on the other hand, the protection of personal data and other fundamental rights, by spelling out the necessary safeguards.

No formal negotiations for such international agreement and the particular safeguards have been held so far between the EU and Egypt.

In 2024, Europol finalised negotiations with Egypt for a working arrangement, namely a non-binding instrument whose conclusion falls under the Agency’s competence.

¹ <https://archive.md/09YKY#selection-165.0-165.76>.

² <https://rpegy.org/en/editions/from-sudan-to-egypt-egyptian-decisions-spark-high-risk-irregular-migration-movement/>.

³ <https://www.ohchr.org/en/press-releases/2023/11/un-committee-against-torture-publishes-findings-burundi-costa-rica-denmark>.

⁴ European Parliament resolution of 4 July 2018 on the Commission recommendation for a Council decision authorising the opening of negotiations for an agreement between the European Union and the Arab Republic of Egypt on the exchange of personal data between the European Union Agency for Law Enforcement Cooperation (Europol) and the Egyptian competent authorities for fighting serious crime and terrorism, OJ C 118, 8.4.2020, p. 99.

⁽¹⁾ Recommendation for a Council Decision authorising the opening of negotiations for an agreement between the EU and the Arab Republic of Egypt on the exchange of personal data between Europol and the Egyptian competent authorities for fighting serious crime and terrorism (COM(2017)809 final), hereinafter referred to as the ‘Commission Recommendation COM(2017)809 final’.

⁽²⁾ Council Decision 9334/18 of 4 June 2018 authorising the opening of negotiations with the Arab Republic of Egypt for an agreement between the EU and the Arab Republic of Egypt on the exchange of personal data between Europol and the Egyptian competent authorities for fighting serious crime and terrorism; on the same day, the Council also authorised the opening of the same negotiations for Algeria, Jordan, Lebanon, Morocco, Israel, Türkiye and Tunisia.

⁽³⁾ European Parliament resolution of 4 July 2018 on the Commission recommendation for a Council decision authorising the opening of negotiations for an agreement between the European Union and the Arab Republic of Egypt on the exchange of personal data between the European Union Agency for Law Enforcement Cooperation (Europol) and the Egyptian competent authorities for fighting serious crime and terrorism (OJ C 118, 8.4.2020, p. 99).

⁽⁴⁾ See also Commission Recommendation COM(2017)809 final, and in particular, the explanatory memorandum.

This working arrangement was endorsed in December 2024 by its Management Board ⁽⁵⁾ and its signature is forthcoming. Such working arrangement only allows the exchange of strategic information and cannot provide the legal basis to exchange personal data.

Furthermore, '[a]ny information which has clearly been obtained in obvious violation of human rights shall not be processed' ⁽⁶⁾.

⁽⁵⁾ In line with Article 10(1) and 15(2) of Regulation (EU) 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol) and replacing and repealing Council Decisions 2009/371/JHA, 2009/934/JHA, 2009/935/JHA, 2009/936/JHA and 2009/968/JHA (OJ L 135, 24.5.2016, p. 53), the Management Board consists of one representative from each Member State and one representative of the Commission, each representative having one vote.

⁽⁶⁾ Article 23(9) of Regulation (EU) 2016/794 of the European Parliament and of the Council.