



# Cabinet External Relations and Security Committee

## Minute of Decision

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### International Agreement with the European Union: Negotiating Mandate

Portfolio

Police

On 28 July 2020, the Cabinet External Relations and Security Committee:

- 1 **noted** that the European Council has authorised the opening of negotiations with New Zealand for an international agreement on personal data sharing for law enforcement purposes (the International Agreement);
- 2 **noted** that the European Commission has identified the following objectives for the negotiation of the International Agreement:
  - 2.1 to provide the legal basis for the transfer of personal data between Europol and New Zealand authorities;
  - 2.2 to guarantee that the cooperation and exchange of data under the International Agreement should be aimed at preventing and combating terrorism and other serious crime;
  - 2.3 to set out the necessary safeguards and controls for the protection of personal data and fundamental rights and freedoms of individuals;
- 3 **approved** a New Zealand negotiating mandate that mirrors the objectives identified by the European Commission (paragraph 2 above) and optimises the coverage of the data sharing arrangement to meet New Zealand's enforcement priorities;
- 4 **noted** that the final nature of the International Agreement will need to be negotiated, and that a final Agreement is likely to take the form of an international treaty;
- 5 **invited** the Minister of Police to report back to Cabinet following the negotiations for approval of the final text of the International Agreement.

Janine Harvey  
Committee Secretary

Present: (see over)

**Present:**

Rt Hon Jacinda Ardern  
Rt Hon Winston Peters (Chair)  
Hon Andrew Little  
Hon David Parker  
Hon Stuart Nash  
Hon Ron Mark

**Officials present from:**

Office of the Prime Minister  
Office of the Chair  
Officials Committee for ERS

Proactive release