

**Question for written answer E-003535/2023
to the Commission**

Rule 138

Vincenzo Sofo (ECR)

Subject: Cooperation between European Union agencies in the field of internal security, counter-terrorism, organised crime and management of the external borders

The European Data Protection Supervisor (EDPS) has launched an official investigation into Frontex which could lead to measures being taken against the Agency over the exchange of data with Europol. While personal data protection should certainly be of prime importance in the EU's legal framework, a different level of personal data protection is being applied when it comes to internal security, combating terrorism and organised crime and management of the external borders. In September 2022, the EDPS went so far as to bring an action against Europol, which the Court of Justice of the European Union (CJEU) itself declared inadmissible on the grounds that the EDPS did not have the privileged legal standing required to do this.

Given the above:

1. What measures are being taken to ensure that the EDPS keeps strictly to his mandate and does not unduly interfere with the competences and responsibilities of Europol and Frontex, particularly following the dismissal of the action before the CJEU, which declared that the EDPS was unable to bring such proceedings owing to his not having the required legal standing?
2. What practical implications has the action brought by the EDPS had on the possibility of the two agencies hopefully continuing to exchange data in the performance of their respective duties?

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