The Role of the Joint Supervisory Body of Eurojust

Eurojust is a European Union (hereinafter EU) body established in 2002 to enhance the effectiveness of the competent authorities within the Member States of the EU when they are dealing with the investigation and prosecution of serious cross-border and organised crime. In order to achieve its tasks, Eurojust processes significant amounts of information, often of a personal nature, relating to suspects, convicted persons, witnesses and victims of crime.

The Joint Supervisory Body (hereinafter JSB) is an independent supervisor, established by Article 23 of the Eurojust Decision, which collectively monitors Eurojust’s activities involving the processing of personal data and ensures that they are carried out in accordance with the Eurojust Decision. The members of the JSB are judges or persons with an equal level of independence (in practice data protection commissioners) and therefore have substantial expertise both in the fields of data protection and judicial co-operation.

In order to fulfil these tasks, the JSB has full access to all files where such personal data are processed. Eurojust shall provide the JSB with all information from such files that the JSB requests and shall assist that body in its tasks by every other means. Compliance with the rules is the cornerstone of the activities of the JSB. Therefore, the JSB carries out regular on-the-spot inspections and the follow-up to all recommendations issued in the inspection reports is continuously monitored. The JSB also discusses with the Eurojust Data Protection Officer (hereinafter DPO) the results of her annual survey on the level of compliance and takes note of any matter which requires its attention to ensure that a good overview of the level of compliance within the organisation is kept at all times.

The JSB is a redress instance for Eurojust’s DPO in cases where non-compliance has been found and the College of Eurojust has not resolved the non-compliance of the processing within a reasonable time.

The JSB examines appeals submitted to it in accordance with Articles 19(8) and 20(2) of the Eurojust Decision and carries out controls. If the JSB considers that a decision taken by Eurojust or the processing of data by it is not compatible with the Eurojust Decision, the matter shall be referred to Eurojust, which shall accept the decision of the JSB. Decisions of the JSB shall be final and binding on Eurojust.

The JSB also provides its obligatory opinion concerning the provisions on data protection in agreements or working arrangements with EU bodies or co-operation agreements with third States.

The JSB received accreditation as an independent supervisory authority member of the International Conference of Data Protection and Privacy Commissioners at their 32nd conference held in Israel on 27-29 October 2010. To raise public awareness about its work and inform individuals about their rights, the JSB has its own webpage: www.eurojust.europa.eu/jsb.htm.