



2026/643

17.3.2026

COUNCIL DECISION (EU) 2026/643

of 23 February 2026

on the signing of the Agreement between the European Union and the Swiss Confederation on the transfer of Passenger Name Record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 16(2) and Article 87(2), point (a), in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 4 March 2024, the Council authorised the Commission to open negotiations with the Swiss Confederation for an agreement between the European Union and the Swiss Confederation on the transfer of Passenger Name Record (PNR) data to prevent, detect, investigate and prosecute terrorist offences and serious crime (the 'Agreement'). The negotiations were successfully concluded by the initialling of the Agreement on 7 October 2025.
- (2) The Agreement enables the transfer of PNR data by air carriers from the Union to the Swiss Confederation in full respect of the rights provided in the Charter of Fundamental Rights of the European Union, in particular the right to private and family life recognised in Article 7 of the Charter and the right to the protection of personal data recognised in Article 8 of the Charter. In particular, the Agreement includes appropriate safeguards for the protection of personal data transferred under the Agreement.
- (3) The Agreement fosters police and judicial cooperation between the competent authorities of the Swiss Confederation and those of the Member States as well as Europol and Eurojust, with the aim to effectively ensure internal security in the absence of internal border controls within the Schengen area.
- (4) In accordance with Article 3 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Ireland has notified, by letter of 9 February 2026, its wish to take part in the adoption and application of this Decision.
- (5) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (6) The European Data Protection Supervisor was consulted in accordance with Article 42 of Regulation (EU) 2018/1725 of the European Parliament and of the Council⁽¹⁾ and delivered its Opinion on 19 December 2025⁽²⁾.
- (7) Therefore, the Agreement should be signed,

HAS ADOPTED THIS DECISION:

Article 1

The signing of the Agreement between the European Union and the Swiss Confederation on the transfer of Passenger Name Record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime is hereby authorised, subject to the conclusion of that Agreement⁽³⁾.

⁽¹⁾ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: <http://data.europa.eu/eli/reg/2018/1725/oj>).

⁽²⁾ Not yet published in the Official Journal.

⁽³⁾ The text of the Agreement will be published together with the decision on its conclusion.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 23 February 2026.

For the Council

The President

M. PANAYIOTOU
