



2025/2399

5.12.2025

COUNCIL DECISION (EU) 2025/2399

of 20 November 2025

**on the conclusion of the Amending Protocol to the Agreement between the European Union and the
Principality of Andorra on the automatic exchange of financial account information to improve
international tax compliance**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 115, in conjunction with Article 218(6) second subparagraph, point (b), and Article 218(8), second subparagraph, thereof,

Having regard to the proposal from the European Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Whereas:

- (1) The Agreement between the European Union and the Principality of Andorra on the automatic exchange of financial account information to improve international tax compliance ⁽²⁾ ('the Agreement') has enhanced mutual assistance in tax matters between the Contracting Parties and improved international tax compliance.
- (2) Important changes to the Common Reporting Standard (CRS) of the Organisation for Economic Cooperation and Development were approved at international level on 26 August 2022 and were incorporated into Union law by means of Council Directive (EU) 2023/2226 ⁽³⁾, which amended Council Directive 2011/16/EU ⁽⁴⁾.
- (3) Therefore, the Agreement needs to be amended to ensure that the automatic exchange of financial account information between Member States and the Principality of Andorra ('Andorra') is aligned with, and continues to take place in accordance with, the updated CRS from 1 January 2026.
- (4) The text of the Amending Protocol to the Agreement between the European Union and the Principality of Andorra on the automatic exchange of financial account information to improve international tax compliance ('the Amending Protocol'), which is the result of the negotiations, duly reflects the negotiating directives issued by the Council.
- (5) In accordance with Council Decision (EU) 2025/2120 ⁽⁵⁾, the Amending Protocol was signed on 13 October 2025, subject to its conclusion at a later date.
- (6) The Amending Protocol and the Joint Declarations attached thereto should be approved on behalf of the Union.
- (7) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council ⁽⁶⁾.

⁽¹⁾ Opinion of 13 November 2025 (not yet published in the Official Journal).

⁽²⁾ OJ L 359, 4.12.2004, p. 33, ELI: http://data.europa.eu/eli/agree_internation/2004/828/oj.

⁽³⁾ Council Directive (EU) 2023/2226 of 17 October 2023 amending Directive 2011/16/EU on administrative cooperation in the field of taxation (OJ L, 2023/2226, 24.10.2023, ELI: <http://data.europa.eu/eli/dir/2023/2226/oj>).

⁽⁴⁾ Council Directive 2011/16/EU of 15 February 2011 on administrative cooperation in the field of taxation and repealing Directive 77/799/EEC (OJ L 64, 11.3.2011, p. 1, ELI: <http://data.europa.eu/eli/dir/2011/16/oj>).

⁽⁵⁾ Council Decision (EU) 2025/2120 of 10 October 2025 on the signing, on behalf of the Union, of the Amending Protocol to the Agreement between the European Union and the Principality of Andorra on the automatic exchange of financial account information to improve international tax compliance (OJ L, 2025/2120, 17.10.2025, ELI: <http://data.europa.eu/eli/dec/2025/2120/oj>).

⁽⁶⁾ 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>).

- (8) Commission Decision 2010/625/EU ⁽⁷⁾ stated that, for all the activities falling within the scope of Directive 95/46/EC of the European Parliament and of the Council ⁽⁸⁾, Andorra is considered as providing an adequate level of protection of personal data transferred from the Union. The Commission report of 15 January 2024 to the European Parliament and the Council on the first review of the functioning of the adequacy decisions adopted pursuant to Article 25(6) of Directive 95/46/EC confirms that Andorra continues to provide an adequate level of protection for personal data transferred from the Union,

HAS ADOPTED THIS DECISION:

Article 1

The Amending Protocol to the Agreement between the European Union and the Principality of Andorra on the automatic exchange of financial account information to improve international tax compliance ⁽⁹⁾ is hereby approved on behalf of the Union.

Article 2

The Joint Declaration of the Contracting Parties on the entry into force of the Amending Protocol, the Joint Declaration of the Contracting Parties on the Agreement and the Annexes and the Joint Declaration of the Contracting Parties on Article 5 of the Agreement are hereby approved on behalf of the Union.

Article 3

This Decision shall enter into force on the date of its adoption ⁽¹⁰⁾.

Done at Brussels, 20 November 2025.

For the Council

The President

K. KALLAS

⁽⁷⁾ Commission Decision 2010/625/EU of 19 October 2010 pursuant to Directive 95/46/EC of the European Parliament and of the Council on the adequate protection of personal data in Andorra (OJ L 277, 21.10.2010, p. 27, ELI: <http://data.europa.eu/eli/dec/2010/625/oj>).

⁽⁸⁾ Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (OJ L 281, 23.11.1995, p. 31, ELI: <http://data.europa.eu/eli/dir/1995/46/oj>).

⁽⁹⁾ The text of the Amending Protocol is published in OJ L, 2025/2400, 5.12.2025, ELI: <http://data.europa.eu/eli/agree/2025/2400/oj>.

⁽¹⁰⁾ The date of entry into force of the Amending Protocol will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.