

RULES OF PROCEDURE OF THE JOINT PARLIAMENTARY SCRUTINY GROUP ON EUROPOL

PREAMBLE

The Joint Parliamentary Scrutiny Group on Europol, having regard to:

- Article 88 of the Treaty on the Functioning of the European Union,
- Protocol No 1 to the Treaties on the Role of National Parliaments in the European Union,
- Regulation (EU) 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol), hereinafter referred to as the “Europol Regulation”, applicable as of 1 May 2017,

and in accordance with the Conclusions of the Conference of Speakers of the European Union Parliaments at its meetings of 22-24 May 2016 in Luxembourg and of 23-24 April 2017 in Bratislava,

adopted these Rules of Procedure on 19 March 2018 in Sofia, Bulgaria and revised them on 23 September 2019 in Brussels, Belgium.

ARTICLE 1: TASKS AND COMPETENCE

The tasks and competence of the Joint Parliamentary Scrutiny Group are enshrined in the Europol Regulation, in particular in Article 51.

ARTICLE 2: COMPOSITION

2.1 Members

(a) Each national Parliament shall be represented by a maximum of four members in the JPSG.¹ In the case of bicameral parliaments each Chamber shall have the right to nominate up to two members to the JPSG. The European Parliament shall be represented by a maximum of 16 members in the JPSG.²

¹ Please take note of the Protocol on the participation by the Danish Parliament in the JPSG. (Addendum)

² This shall be without prejudice to the transferability of seats between chambers of a parliament, when agreed.

The number of members nominated by each Parliament/Chamber shall not affect the equality of Parliaments/Chambers. Each Parliament/Chamber may nominate substitute members to replace full members in case of absence.

(b) Members of the JPSG shall be selected individually by each Parliament/Chamber, bearing in mind the necessity to ensure substance matter expertise as well as long-term continuity. Where possible, members of the JPSG shall be nominated for the duration of their parliamentary mandate.

2.2 Observers

The JPSG may decide to invite, on an ad hoc basis and for specific points on the agenda, observers from the list of international organisations or third countries with which Europol has concluded agreements.

Observers shall not have the right to take part in the decision-making.

2.3 Representatives of Europol, guests and experts

Pursuant to the Europol Regulation, and in particular Article 51, the Chairperson of the Management Board, the Executive Director or their Deputies, and the European Data Protection Supervisor (EDPS) shall appear before the JPSG at its request. The JPSG may decide, where appropriate, to invite to its meetings guests and experts with experience relevant to its competence and tasks.

ARTICLE 3: PRESIDENCY AND MEETINGS

3.1 Presidency

The JPSG shall be presided jointly by the Parliament of the Member State holding the rotating presidency of the Council of the European Union and the European Parliament, the latter represented by the Chair of the competent committee (Co-Chairs).

When the Parliament of the Member State holding the rotating presidency of the Council of the European Union is not taking part in the Europol Regulation, the JPSG shall be presided jointly by the Parliament of the Member State previously holding the rotating presidency of the Council of the European Union and the European Parliament.

3.2 Presidential Troika

The Presidential Troika of the JPSG shall consist of the heads of delegations of the current, preceding and following Presidency Parliaments and of the European Parliament.

3.3 Secretariat

The JPSG Secretariat shall be provided by the Presidential Troika. The Secretariat shall assist the Co-Chairs and Presidential Troika in their respective tasks and competences. It shall also fulfil administrative tasks i.a. prepare and communicate the documents for each meeting to JPSG members.

3.4 Frequency and place of meetings

The JPSG shall meet twice a year. In the first half of the year, the JPSG shall meet in the Parliament of the Member State holding the rotating presidency of the Council of the European Union. In the second half of the year, the JPSG shall meet in the European Parliament in Brussels.

3.5 Extraordinary meetings

If necessary, extraordinary meetings can be convened upon agreement of the Parliament of the Member State holding the rotating presidency of the Council of the European Union and the European Parliament, or upon agreement by at least one third of the Parliaments/Chambers, to address matters of urgency or matters that cannot be reasonably included in the agenda of the ordinary meetings. The date and venue of extraordinary meetings shall be decided jointly by the JPSG Co-Chairs.

3.6 Subgroups

The JPSG may establish subgroups where necessary to fulfil its tasks. The mandate, role, scope, objectives and working methods of the subgroup shall be set on an ad hoc basis. All JPSG members shall have the right to join such subgroups.

ARTICLE 4: PROCEEDINGS AND LANGUAGES

4.1 Conduct of meetings

(a) At the beginning of each meeting, the Co-Chairs shall present the draft agenda and submit it for adoption by the JPSG. They shall also determine the order and the length of interventions.

(b) As a general rule, the meetings of the JPSG are public and shall be conducted in full transparency.

(c) Notwithstanding point b), the JPSG may hold in camera meetings when the nature of the information to be discussed so requires.

(d) A presence register of the Members and participants shall be established during each meeting.

(e) The JPSG shall adopt its decisions, in principle, by consensus.

4.2. Right to ask questions

Members of the JPSG may address both oral and written questions to Europol. Written questions may also be asked outside the meeting framework and independently of items listed on the agenda and shall be answered within an appropriate timeframe. The questions shall reflect the mandate of the JPSG as defined in Regulation (EU) 2016/794 (Europol Regulation). These questions shall be relayed to Europol after their admissibility has been checked by the Co-Chairs and the question is deemed to be in line with the Europol regulation. A further written reply can be requested in case the answer to an oral question is deemed insufficient.

4.3 Working languages

The working languages of the JPSG shall be English and French. Documents published by the JSPG shall be communicated to the national Parliaments and the European Parliament in English and French.

4.4 Interpretation

(a) Meetings held at the Parliament of the Member State holding the presidency of the Council of the European Union (1st semester): Simultaneous interpretation from and into English and French, as well as from and into the language(s) of the Member State of the EU Council Presidency shall be provided by the Presidency Parliament. Simultaneous interpretation into additional languages may be provided if requested. Parliaments are entitled to bring their own interpreters or request them from the Presidency Parliament at their own expense. The Presidency Parliament shall make available the appropriate technical facilities.

(b) Meetings held at the European Parliament (2nd semester): Simultaneous interpretation from and into all EU languages shall be provided.

4.5 Documents

Documents originating from Europol that are relevant to or requested by the JPSG pursuant to Article 51 (4) of the Europol Regulation, are to be addressed to each national parliament and the European Parliament. The respective parliaments will bear the responsibility to forward the received documents to the appointed JPSG Members.

4.6 Documentation of the meetings

4.6.1. Agenda of the meeting

A draft agenda shall be drawn up by the Presidential Troika and shall be communicated, by the Co-Chairs, to all participating parliaments no later than eight (8) weeks prior to each meeting. The agenda shall only include matters relating to the scrutiny of Europol, in line with the tasks and competence of the JPSG as set out in the Europol Regulation.

4.6.2. Other documents

Prior to each meeting, delegations may send any documents relating to items of the agenda to the Co-Chairs. Each delegation shall be responsible for translating any document, which it submits to the JPSG into English and/or French.

The Presidential Troika may also draw up discussion documents.

4.6.3. Requests to Europol for providing documents

In accordance with Article 51 (4) of the Europol Regulation the JPSG may request other relevant documents necessary for the fulfilment of its tasks relating to the political monitoring of Europol's activities. Any JPSG parliamentary delegation may submit such a written request to the Co-Chairs. Documents shall be provided in accordance with Article 64 of the Europol Regulation.

4.7. Conclusions

In accordance with Article 51 (5) of the Europol Regulation, the JPSG may draw up summary conclusions on the outcome of the JPSG meetings relating to the political monitoring of Europol's activities. The Presidential Troika shall draft an initial proposal. The Co-Chairs shall submit these draft conclusions to the JPSG for approval. Parliaments/Chambers shall have the right to propose amendments. Parliaments/Chambers wishing to put forward a specific point of view, may present observations which shall be annexed to the conclusions. The European Parliament shall forward the adopted conclusions, for information purposes, to the Council, the Commission and Europol.

ARTICLE 5: REPRESENTATIVE TO THE MANAGEMENT BOARD OF EUROPOL

The JPSG shall appoint, from its full Members, a representative who will be entitled to attend, in accordance with Article 14 of the Europol Regulation and for a duration determined by the JPSG, meetings of the Management Board of Europol as a non-voting observer. The representative shall report back to the JPSG after each meeting of the Management Board on his/her main findings in writing.

ARTICLE 6: FINAL PROVISIONS

6.1 Entry into force of the Rules of Procedure

These Rules of Procedure are drawn up in a single original in English and French, each of these texts being equally authentic. Translations into the other official languages of the European Union shall be the responsibility of the relevant Parliaments. The Rules of Procedure shall enter into force on the date of their adoption.

6.2. Revision

In line with the recommendations of the EU Speakers Conference of 23-24 April 2017 in Bratislava, the JPSG shall make a review of its Rules of Procedure, two years after its constituent meeting, and submit the conclusions from such a review to the Presidency of the Conference of Speakers of the European Union Parliaments.

Brussels, 23 September 2019

ADDENDUM

PROTOCOL ON THE PARTICIPATION BY THE DANISH PARLIAMENT IN THE JPSG

Having regard to the Agreement between Europol and the Kingdom of Denmark on Operational and Strategic Cooperation, the Danish Parliament will participate in the work of the JPSG as a member with limited rights. The Danish Parliament shall be represented by a maximum of four members in the JPSG.

The Danish Parliament shall participate in the JPSG with the following derogations:

1. The Danish Parliament will not preside meetings of the JPSG jointly with the European Parliament, when Denmark is holding the rotating Presidency of the Council.

Accordingly, the Danish Parliament will not be represented in the Presidential Troika nor will it contribute to the JPSG Secretariat provided by the Presidential Troika.

2. The JPSG shall meet in the European Parliament in Brussels when Denmark holds the rotating Presidency of the Council of the European Union in the first half of the year.

3. Members of the Danish Parliament will not participate in the decision-making of the JPSG. The position of the Danish Parliament on the matter at hand will be recorded.

4. Members of the Danish Parliament are not eligible for appointment as the JPSG Representative to the meetings of the Management Board of the Europol.

The other provisions of the JPSG Rules of Procedure will apply *mutatis mutandis* to members of the Danish Parliament of the JPSG.

Brussels, 23 September 2019