



PARLEU2019.FI

IPOL-COM-LIBE D (2019) 46424

Mr Matti VANHANEN
Speaker of the Parliament of Finland
Conference of Speakers of the EU Parliaments
Eduskunta, Parliament of Finland
00102 Eduskunta
Finland

D 202320 16.12.2019

Dear Speaker,

The Joint Parliamentary Scrutiny Group on Europol (JPSG) was set up on the basis of Article 88 TFEU, Article 51 of the Regulation (EU) 2016/794 and following Conclusions of the Presidency from the Conference of Speakers of the EU Parliaments meeting in Bratislava of 23-24 April 2017. The JPSG held its constituent meeting on 9 - 10 October 2017 in Brussels and adopted its Rules of Procedure on 19 March 2018 in Sofia, Bulgaria.

Pursuant to Article 6.2 of the JPSG Rules of Procedure and in line with the recommendations of the above mentioned Conclusions of the Presidency of the Conference of Speakers of the EU Parliaments meeting in Bratislava, the JPSG was to 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.

Therefore, in the fourth JPSG meeting in Bucharest, Romania on February 2019, a deadline for amendments to the Rules of Procedure of the JPSG was opened - 4 September 2019.

Within the set deadline, thirteen amendments to the Rules of Procedure were received and seven delegations submitted written contributions related to the revision of the Rules of Procedure. Most amendments and written contributions were related to Article 5 of the JPSG Rules of Procedure on the JPSG representative to attend as non-voting observer the meetings of the Europol Management Board. Other amendments concerned decision-making in the JPSG, the JPSG Secretariat, preparation of the JPSG agenda, written questions and modalities of the revision of the JPSG Rules of Procedure.

In addition to these amendments, a set of amendments was tabled by the Co-Chairs on the participation of the Danish Parliament in the JPSG.

The set of amendments on the participation of Danish Parliament in the JPSG was the result of the work of the Working Group on the participation of Denmark in the JPSG meetings, which was set up in March 2018, following a consensus-based decision of the JPSG. The Working Group was composed by the Presidential Troika (Austrian, Romanian and Finish) and the Danish members. Its mandate was to develop in due course recommendations for the revision of the Rules of September 2019. These were to reflect the best possible modalities of participation of Danish Parliament in the JPSG, with regard to the Agreement between Europol and the Kingdom of Denmark on Operational and Strategic Cooperation.

As an outcome of its work, the Working Group proposed a set of amendments to the Rules of Procedure, together with a Protocol on the Participation by the Danish Parliament in the JPSG which were tabled to the JPSG by the Co-Chairs.

The review of the Rules of Procedure took place during the Fifth JPSG meeting of 23-24 September 2019 in the European Parliament in Brussels. The meeting was Co-Chaired by Mr Juan Fernando LÓPEZ AGUILAR, Chair of the Committee on Civil Liberties, Justice and Home Affairs of the European Parliament and Ms Mari-Leena TALVITIE, Head of the delegation of the Finnish Parliament to the JPSG.

According to Article 4.1 (e) of the JPSG Rules of Procedure the JPSG shall adopt its decisions, in principle, by consensus. In their meeting on 23 September 2019, ahead of the JPSG plenary meeting, the Presidential Troika of the JPSG (Romanian, Finish and Croatian) established that in case any amendment to the Rules of Procedure was adopted by consensus, this would entail a change in the Rules of Procedure effective immediately. In case there was no consensus on an amendment, the amendment would not be endorsed and the Rules of Procedure currently in force would continue to apply. Consequently, the JPSG plenary debate would mark the end of the procedure for the revision of the rules. The Co-Chairs duly informed the JPSG delegates of this working method and followed its structure and principles for the organisation of the debate.

The debate on the revision of the JPSG Rules of Procedure started on 23 September 2019 with the presentation of the set of amendments on the participation of the Danish Parliament in the JPSG. The amendments were subsequently adopted by consensus and pursuant to Article 6.1 of the JPSG Rules of Procedure, according to which the Rules of Procedure shall enter into force on the date of their adoption, the Chairs announced that the adopted amendments took effect immediately.

Subsequently, the remaining tabled amendments and submitted written contributions were presented by the tabling delegations. On 24 September 2019, the debate continued and the Co-Chairs examined whether there was consensus for any of the proposed amendments or compromise amendments, following the order of articles of the Rules of Procedure concerned. After the exchange of views that showed a wide array of diverging positions across delegations, the Co-Chairs had to conclude that no consensus existed on any of the amendments tabled by delegations, as one or more delegations objected to each proposal made.

In line with the announced working method, the Co-Chairs declared the revision procedure closed and informed delegates that they would report to the EU Speakers' Conference pursuant to Article 6.2 of the JPSG Rules of Procedure. That commitment was fulfilled by means of this letter.

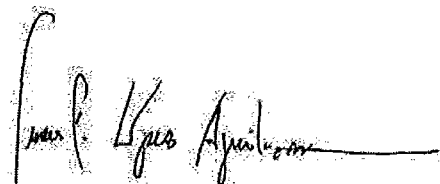
The JPSG Rules of Procedure were amended with the set of amendments on the participation of the Danish Parliament in the JPSG, which were adopted in the form in which they were tabled. Please find attached the revised JPSG Rules of Procedure. The process of the revision of the JPSG Rules of Procedure started in the Bucharest JPSG meeting has therefore been formally concluded.

The unresolved issue of the appointment of the JPSG representative to attend as non-voting observer the meetings of the Europol Management Board, could benefit of further efforts to establish consensus across all delegations, given that the effective scrutiny of Europol depends on a sound and positive working relationship between all national parliaments and European Parliament. Hence, the Co-Chairs will propose to the JPSG Presidential Troika (Finish, Croatian and German) to set up a Working Group on the appointment of the JPSG Representative to the meetings of the Europol Management Board, which would be entrusted to find a consensual solution. The Working Group could also elaborate on how to update article 6.2. regarding a future revision mechanism of the Rules of Procedure.

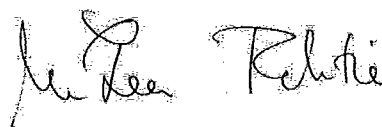
It is the opinion of the JPSG Co-Chairs that this approach would enable JPSG members to focus on the scrutiny tasks while guaranteeing progress is made on the remaining procedural issue in an adequate and dedicated forum.

We trust that with this letter and the enclosed revised Rules of Procedure, we have complied with the recommendation made in the 2017 Conclusions of the Presidency from the Conference of Speakers of the EU Parliaments meeting in Bratislava.

Yours sincerely,



Mr Juan Fernando LÓPEZ AGUILAR
Co-Chair of the JPSG
Chair of the Committee on Civil Liberties,
Justice and Home Affairs
European Parliament



Ms Mari-Leena TALVITIE
Co-Chair of the JPSG
Head of delegation of the Finnish
Parliament to the JPSG
Finnish Parliament

Annex 1: Revised JPSG Rules of Procedure