



Commissioner Cecilia Malmström
European Commission
B-1049 BRUSSELS

6. June 2011 No. 2.1-3/1032

Opinion on the future scrutiny of Europol's activities – COM (2010) 776

Dear Ms Malmström,

The European Union Affairs Committee of the Riigikogu has examined the Communication on the procedures for the scrutiny of Europol's activities by the European Parliament, together with national Parliaments [COM(2010)776].

Taking into account the opinions of the Constitutional Committee, the Legal Affairs Committee and the Ministry of Internal Affairs, and having heard the Estonian representative in the Management Board of Europol, the European Union Affairs Committee adopted the following position:

1. We consider it important to exercise substantial parliamentary scrutiny of Europol's activities in order to ensure the protection of the fundamental rights and freedoms of citizens and to avoid misuse of the information at the disposal of Europol.
2. The Riigikogu exercises regular supervision over Europol through the European Union Affairs Committee. The European Union Affairs Committee conducts the legislative proceeding of the relevant European Union initiatives and discusses the issues under discussion in the Justice and Home Affairs Council. The European Union Affairs Committee presents its binding positions to the Government of the Republic. Therefore, the European Union Affairs Committee considers it the most efficient to exercise supervision over Europol's activities through Estonian representatives in the Council of the European Union (the Minister of Internal Affairs) and in the Management Board of Europol.
3. On the basis of the above, we consider it important to strengthen the role of the Management Board in the management of Europol by a regulation on Europol which in its turn will strengthen the influence of member states and will enable the parliaments of member states to exercise effective supervision. On submission of the draft Regulation on Europol, we definitely wish to conduct the legislative proceeding of it in the European Union Affairs Committee.
4. We support the European Commission's proposal to avoid politisation of Europol. Appointment of members of the Management Board must remain within the competence of



- each member state and appointment of the Director of Europol must be within the competence of the Management Board.
5. For hearing the annual report, work programme and strategy of Europol and the review of the activities of the national unit of Europol, regular joint sittings of the EU Affairs Committee, the Constitutional Committee and the Legal Affairs Committee will be organised, with participation by the Minister of Internal Affairs and the Estonian representative in Europol Management Board.
 6. For the exercise of supervision, the same documents should be forwarded to national parliaments as are forwarded to the European Parliament and, in addition, documents drawn up by the Joint Supervisory Body and other documents which would enable to enhance supervision. At the same time, we consider it important to follow the principle of optimality upon sending documents.
 7. Information exchange of the European Parliament and national parliaments in monitoring Europol's activities should be improved but cooperation should be effected within the framework of the existing forms of cooperation and structures, avoiding additional expenses and creation of new bodies.
 8. Cooperation might be effected between the European Parliament's Committee on Civil Liberties, Justice and Home Affairs (LIBE) and relevant committees of national parliaments, as well as in the form of a joint sitting of specialised committees of the European Parliament and of the national parliaments and within the framework of meetings of EU Affairs Committees of national parliaments.

Yours sincerely,

Taavi Rõivas
Chairman

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