

Updated rules for Europol

In May, the European Parliament is due to vote on the compromise text for a revised regulation on the EU Agency for Law Enforcement Cooperation – Europol, aimed at boosting the agency's powers to fight terrorism and serious and organised crime, while increasing its accountability towards the European Parliament and national parliaments and formulating clear rules for data exchange and protection.

Background

Originally established on the basis of a [Convention](#) signed by EU Member States in 1995, Europol gained the status of an EU agency funded by the EU budget in January 2010, under [Council Decision 2009/371/JHA](#). Headquartered in The Hague, with more than 900 staff (including 185 liaison officers), its main task is to support national law enforcement services and facilitate their mutual cooperation in the prevention of and fight against international crime and terrorism, by providing a forum for information exchange, intelligence analysis, law enforcement expertise, and training.

Over the years Europol's operational powers have gradually grown. Recently, specialised units and centres have been established to enhance its analytical and counter-terrorism capabilities. These include the European Cybercrime Centre, established in 2013, and the Internet Referral Unit set up to combat online terrorist propaganda and other extremist activities (operational since July 2015). The latest offshoot is the European Counter Terrorism Centre which started work on 1 January 2016.

Commission proposal

To enhance Europol's mandate as the EU's central law enforcement agency and enable it to respond more rapidly to emerging international terrorist threats and serious and organised crime, the European Commission submitted on 27 March 2013 a [proposal for a regulation on Europol](#). In line with the [Lisbon Treaty](#), the [Stockholm Programme](#), the [EU Internal Security Strategy](#) and the [Common Approach on EU decentralised agencies](#), the proposal aimed to place the agency under a new legislative framework, decided by the European Parliament and Council, and enhance its role as central hub for information exchange. The new regulation seeks to make it easier for Europol to set up specialised units to combat certain types of crime or terrorism. It also defines clearer rules for the existing centres and contains new rules for strengthening the agency's data management and protection regime, introducing, amongst others, a mechanism for scrutiny of its activities by the EP, together with national parliaments, and a complaints procedure for citizens. A key element of the proposal was the integration of the European law enforcement training agency (Cepol) into Europol, but both the Council and the EP rejected such a merger.

European Parliament

The compromise text reached in trilogue negotiations on 26 November 2015, and taken up in [the Council's position at first reading](#) of March 2016, increased data-protection safeguards and added detailed rules for parliamentary scrutiny (insisted upon by the EP in its [position at first reading](#) of February 2014). The European Data Protection Supervisor will work together with national supervisory authorities in a 'Cooperation Board', while a Joint Parliamentary Scrutiny Group, with members of national parliaments and the EP, will be created. Information-exchange agreements with third countries will come under the scope of the regulation, while Europol will be able, in some cases, to exchange data with private parties. Last but not least, governance provisions will be adapted, limiting the number of Commission representatives in the Management Board to one. The Civil Liberties Committee adopted its [recommendation for second reading by Parliament](#) (rapporteur: Agustín Díaz de Mera García Consuegra, EPP, Spain) on 28 April 2016; the text needs now to be formally approved in the plenary, to complete the legislative procedure.

