



EUROPEAN PARLIAMENT

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Session document

A7-0068/2009

16.11.2009

REPORT

on the draft Council decision adopting the implementing rules for Europol
analysis work files
(11947/2009 – C7-0108/2009 – 2009/0810(CNS))

Committee on Civil Liberties, Justice and Home Affairs

Rapporteur: Agustín Díaz de Mera García Consuegra

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission.)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. In the case of amending acts, passages in an existing provision that the Commission has left unchanged, but that Parliament wishes to amend, are highlighted in **bold**. Any deletions that Parliament wishes to make in passages of this kind are indicated thus: [...]. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). Suggested corrections of this kind are subject to the agreement of the departments concerned.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the draft Council decision adopting the implementing rules for Europol analysis work files
(11947/2009 – C7-0108/2009 – 2009/0810(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the text of the Council (11947/2009),
 - having regard to Council Decision 2009/371/JHA of 6 April 2009 establishing the European Police Office (Europol)¹ (the 'Europol Decision'), and in particular Article 14(1) and Article 59(1)(b) thereof,
 - having regard to Article 39(1) and Article 34(2)(c) of the EU Treaty, pursuant to which the Council consulted Parliament (C7-0108/2009),
 - having regard to Rules 100 and 55 of its Rules of Procedure,
 - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs (A7-0068/2009),
1. Rejects the Council text;
 2. Considers that, without prejudice to the overall support for the European Police Office (Europol) and taking into account the imminent entry into force of the Treaty of Lisbon and its effects on police cooperation, there should be no amendments to the measures implementing the Europol Decision until such measures can be adopted under the new legal framework provided for in the Treaty of Lisbon;
 3. Calls on the Council to withdraw its proposal;
 4. Calls on the Commission or the Council to make a declaration in Plenary on a proposal for a new Europol decision which shall be submitted six months following the date of entry into force of the Treaty of Lisbon;
 5. Instructs its President to forward its position to the Council and the Commission.

¹ OJ L 121, 15.5.2009, p. 37.

PROCEDURE

Title	Implementing rules for Europol analysis work files
References	11947/2009 – C7-0108/2009 – 2009/0810(CNS)
Date of consulting Parliament	24.7.2009
Committee responsible Date announced in plenary	LIBE 14.9.2009
Rapporteur(s) Date appointed	Agustín Díaz de Mera García Consuegra 6.10.2009
Discussed in committee	5.11.2009 12.11.2009
Date adopted	12.11.2009
Result of final vote	+: 39 -: 2 0: 0
Members present for the final vote	Jan Philipp Albrecht, Sonia Alfano, Vilija Blinkevičiūtė, Louis Bontes, Emine Bozkurt, Simon Busuttil, Carlos Coelho, Cornelis de Jong, Agustín Díaz de Mera García Consuegra, Cornelia Ernst, Kinga Gál, Kinga Göncz, Jeanine Hennis-Plasschaert, Salvatore Iacolino, Livia Járóka, Teresa Jiménez-Becerril Barrio, Timothy Kirkhope, Juan Fernando López Aguilar, Monica Luisa Macovei, Louis Michel, Claude Moraes, Georgios Papanikolaou, Jacek Protasiewicz, Carmen Romero López, Judith Sargentini, Csaba Sógor, Renate Sommer, Rui Tavares, Axel Voss, Manfred Weber, Tatjana Ždanoka
Substitute(s) present for the final vote	Alexander Alvaro, Andrew Henry William Brons, Ioan Enciu, Ana Gomes, Nadja Hirsch, Monika Hohlmeier, Ramón Jáuregui Atondo, Franziska Keller, Petru Constantin Luhan, Cecilia Wikström
Substitute(s) under Rule 187(2) present for the final vote	Algirdas Saudargas
Date tabled	16.11.2009