COUNCIL OF (OR. fr)

LEGISLATIVE ACTS AND OTHER INSTRUMENTS **LIMITE**

Subject:	Initiative of the Kingdom of the Netherlands with a view to the adoption of a Council Decision on strengthening cross-border police cooperation with regard to meetings attended by large numbers of people from more than one Member State, at which policing is primarily aimed at maintaining law and order and security and preventing and combating criminal offences

COUNCIL DECISION 2005/…/JHA

of

on strengthening cross-border police cooperation with regard to meetings attended by large numbers of people from more than one Member State, at which policing is primarily aimed at maintaining law and order and security and preventing and combating criminal offences

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 29 and 30 thereof,

Having regard to the initiative of the Kingdom of the Netherlands,

Having regard to the Opinion of the European Parliament[1],

[1] OJ

Whereas:

(1) One of the European Union's objectives is to provide citizens with a high level of safety within an area of freedom, security and justice.

(2) One means of attaining that objective is to introduce closer cooperation between police forces.

(3) When maintaining law and order and security and preventing and combating criminal offences at meetings attended by large numbers of people, police forces in the Member States of the Union are increasingly confronted with participants coming from another Member State.

(4) In the light of that trend, and following on from earlier initiatives[2], it is necessary to step up international police cooperation in this area.

(5) The possibilities afforded by the Schengen acquis are insufficient to ensure effective cross-border assistance,

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[2] Council Resolution of 29 April 2004 on security at European Council meetings and other comparable events (OJ C 116, 30.4.2004, p. 18).

HAS DECIDED AS FOLLOWS:

Article 1

Definitions

For the purposes of this Decision the following definitions shall apply:

1. "international events" means meetings attended by large numbers of people from more than one Member State, at which policing is primarily aimed at maintaining law and order and security and preventing and combating criminal offences;

2. "cross-border assistance" means assistance provided at the request of a Member State by police officers from another Member State regarding international events, or the supply of equipment by a Member State for use on the territory of another Member State.

Article 2

Objective

The objective of this Decision is, wherever possible, to plan cross-border assistance and make it more effective.

Article 3

Planning

1. In the last quarter of each calendar year the Presidency of the Council shall present an overview of the international assistance expected to be required in the following calendar year.

2. The overview shall comprise:

   (a) calendar of international events scheduled for the following calendar year;

   (b) an overview of the international assistance requested by the Member States on whose territory these events are to take place. Those Member States from which assistance is to be requested shall also be indicated.

3. The overview shall be prepared by the central bodies for law and order and security referred to in Joint Action 97/339/JHA of 26 May 1997 adopted by the Council on the basis of Article K.3 of the Treaty on European Union with regard to cooperation on law and order and security[3].

4. Member States shall submit the information referred to in paragraph 2 to the Presidency of the Council by 30 October each year.

5. The Presidency shall send the overview referred to in paragraph 1 to the Council for confidential perusal.

[3] OJ L 147, 5.6.1997, p. 1.

Article 4

Review

1. Every year, before 31 January, the Presidency of the Council shall make a review of international assistance provided during the past year.

2. The review referred to in paragraph 1 shall comprise:

   (a) an overview of the international events that have taken place;

   (b) an overview of the international assistance provided and received in the year in question;

   (c) an overview of the main difficulties observed by the Member States regarding international events;

   (d) recommendations as to how the difficulties referred to in (c) could be resolved.

3. The review shall be prepared by the central bodies for law and order and security.

4. Member States shall submit the information referred to in paragraph 2, together with any recommendation they may wish to make in that connection, no later than 1 December each year.

5. The Presidency shall send the review referred to in paragraph 1 to the Council for confidential perusal.

Article 5

Background research

1. The General Secretariat of the Council shall assist the Member States by researching existing agreements on cross-border assistance.

2. Member States shall forward the texts of such agreements to the General Secretariat of the Council no later than six months after the entry into force of this Decision.

3. Within one year at the latest, the Council shall discuss, on the basis of the results of the research referred to in the first paragraph, whether the main difficulties observed can be resolved by adapting the relevant European legislation, and in particular the Schengen Convention.

Article 6

Publication

This Decision shall enter into force on the day of its publication in the Official Journal of the European Union.

Done at

For the Council

The President