



EUROPEAN COMMISSION

Brussels, 11.08.2015

C(2015) 3752 final

Ms Anouchka VAN MILTENBURG

President of the Tweede Kamer

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Dear President,

The Commission would like to thank the Tweede Kamer for its Opinion concerning the Regulation on the European Agency for Law Enforcement Cooperation and Training {COM(2013) 173 final}.

The Commission has on several occasions made its position clear on the modalities according to which the joint scrutiny over Europol's activities by the European Parliament and national Parliaments should take place¹. The Commission considers that it lies within the power of both the European Parliament and the national Parliaments to organise their cooperation, and that they should be encouraged to take that initiative as well as ownership of their own procedures.

The Commission maintains this position and considers that, in order to respect the independence of national Parliaments and of the European Parliament as well as their freedom to organise themselves as set out in Article 9 of Protocol 1 to the Treaties, it is not for the proposed Regulation to set the rules and modes of such joint cooperation.

For these reasons, the Commission agrees with the Tweede Kamer that detailed organisational rules on the joint scrutiny proposed by the European Parliament in the Europol regulation, i.e. the establishment of a Joint Parliamentary Scrutiny Group, do not fully reflect the Treaty.

Also in the recently adopted European Agenda on Security, the Commission has stressed that the specific role of national parliaments in the area of freedom, security and justice² is reflected in the Commission's wider commitment to a renewed political dialogue with national parliaments.

¹ The Commission issued in 2010 a Communication on the procedures for the scrutiny of Europol's activities by the European Parliament, together with national Parliaments, COM (2010) 776.

² Article 69 TFEU.

The Commission hopes that these clarifications address the issues raised by the Tweede Kamer and looks forward to continuing our political dialogue in the future.

Yours faithfully,

*Neven MIMICA
Member of the Commission*