



EUROPEAN COMMISSION

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Dear President,

The Commission would like to thank the Vouli ton Antiprosopon for its Opinion on the proposal for a Regulation of the European Parliament and of the Council on the European Union Agency for Law Enforcement Cooperation and Training (Europol) and repealing Decisions 2009/371/JHA and 2005/681/JHA {COM(2013) 173 final}.

The proposal, which was presented by the Commission in March 2013, has now reached the final stage of the negotiations with the co-legislators. The final text has been voted on in the European Parliament's LIBE Committee on 30 November 2015. A political agreement was reached in the Justice and Home Affairs Council of 4 December 2015. The text now has to be formally adopted by the co-legislators.

One of the main novelties of this Regulation is to ensure increased accountability of Europol, through procedures for parliamentary scrutiny by the European Parliament, together with national Parliaments.

The Commission has taken due note of the views expressed by the Vouli ton Antiprosopon in its Opinion in relation to the role of national Parliaments in this scrutiny. However, the Commission believes that the compromise reached between the co-legislators on the functioning of the Joint Parliamentary Scrutiny Group (JPSG) is balanced.

The co-legislators agreed that detailed rules on the functioning and composition of the JPSG should be left for the European Parliament and national Parliaments to decide. The Treaties on the EU do not confer the possibility to impose legally binding obligations on national Parliaments in EU legislation. The co-legislators agreed therefore that the Regulation on the one hand defines the general rules on the functioning of the JPSG, while on the other hand it does not impinge on the prerogatives of national Parliaments.

However, in order to guarantee an effective participation of national Parliaments in the JPSG, the compromise provides for additional safeguards, as stated in recital (48): "The procedures for scrutiny of Europol activities should be established taking into due account the need to ensure that the European Parliament and the national parliaments stand on an equal footing [...]."

*Mr Yiannakis OMIROU
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In accordance with the abovementioned and with Article 9 of Protocol No 1 to the Treaty on the Functioning of the European Union, the Commission trusts that the European Parliament and national Parliaments will be able to establish adequate procedural rules for the specific functioning of the JPSG.

The Commission hopes that the clarifications provided in this reply address the issues raised by the Vouli ton Antiprosopon and looks forward to continuing the political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Dimitris Avramopoulos
Member of the Commission*