



**PARLIAMENT OF ROMANIA**  
**EUROPEAN AFFAIRS COMMITTEE**



Bucharest, 23 March 2011  
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**Opinion**  
**of the European Affairs Committee of the Romanian Parliament**  
**on the Communication from the Commission to the European**  
**Parliament and the Council on the procedures for the scrutiny of Europol's activities by**  
**the European Parliament, together with National Parliaments - COM (776) 2010**

Noting the extension of Europol's mandate from "organised crime" to "serious crime" and the new possibility of scrutiny of Europol's structure and tasks by the European Parliament, together with National Parliaments,

Taking into account the display by the Swedish Presidency of the EU Council, of means to exercise the parliamentary scrutiny, including an increase in the European Parliament's role in fields connected to Europol,

Analysing the proposal to establish institutional and administrative mechanisms ensuring an efficient parliamentary scrutiny over Europol's activities by the European Parliament, together with National Parliaments, after the Lisbon Treaty's enactment and the change in Europol's status from intergovernmental organisation into European Agency,

Based on a Report approved in the European Affairs Committee's meeting of March 8, 2011,

Acting in line with art. 12 of the Treaty on European Union, and art. 4(1) and 5 of the Decision n° 52 of 20 December 2006, of the Parliament of Romania, empowering the European Affairs Committee of the Parliament of Romania to state the Parliament's standpoint, and enabling the Committee to directly relate with the European Union's Institutions, the Committee adopts the following:

**Opinion**

1. We deem useful the establishment of a permanent Interparliamentary Forum to enhance scrutiny by the National Parliaments, despite the fact it is a supplementary institutional link. To reduce the risk of excessive complexity and ensure the efficient enforcing of

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Article 37(10) b of the Council Decision establishing Europol<sup>1</sup>, we recommend to the European Commission to present a clear procedure enabling the Interparliamentary Forum to function in this context.

2. We commend the procedures targeting an increase in transparency, as instrumental in improving Europol's accountability. We think a simple and functional procedure should be put in place to take in opinions of National Parliaments.

3. National Parliaments, themselves accountable to citizens, should have effective means of informing citizens on the matter. We recommend to the European Commission to consider producing a special document meant to disseminate information to the public ("Layman Report"), in such a way as to ensure both the transparency in the relation to the European Union's citizens and the confidentiality requested by Europol's rules of procedure.

4. Having in mind the same quest for transparency we consider that Europol should incorporate its relationship with the National Parliaments into its Communication Strategy and the External Cooperation Strategy.

5. At the European level have been expressed independent opinions, according to which reporting and establishing Europol's priorities, strategies and work programmes are not always coherent and do not entirely match the European citizens' information needs. Consequently, we consider necessary to assign the above mentioned Interparliamentary Forum with a right of hearing the members of the Europol Management Board or the organisation's executives, to examine and supervise the annual and multi-annual work programmes and ensure the overview of the current activity.

6. To achieve a specific and concrete parliamentary scrutiny, the periodically or on request reporting activity of the Europol should be extended to:

- Analysis of the degree of correlation of the organisation's specific objectives, with the financial market supervision and banking activity objectives as set by relevant EU documents;
- Analysis of the efficiency of the protection measures of the data basis and of the personal data;
- Analysis followed by recommendations on cooperation with Member States efficiency, including the efficiency of the assistance in joint actions on Members States territory;
- Analysis of the efficiency in using the human and financial resources, compared with the obtained results.

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<sup>1</sup> Stating that Europol's working programme (both annual and multi-annual) have to be adopted by the Management Board of Europol, after considering the opinion of the European Commission, and be sent to the Council for approval.

7. The "white collar" criminality with its multiple facets: bank fraud, corporate tax dodging, illegal financial arrangements, European Institutions civil servants' corruption is undoubtedly a "serious crime" zone, where the Europol, OLAF and other European institutions' responsibilities merge.

However, the extension of Europol's mandate from "organised crime" to "serious crime" is still absent from either mechanisms of specific cooperation with Member States and relevant European Union structures, or a coordinated approach, from the European Union's policies perspective. Moreover, ensuring the transparency in this area seems to be neglected, even if imperatively necessary.

We deem necessary to improve the Europol coordination with other relevant European Union policies, especially on prevention and combating the "white collar" criminality.

8. To achieve the aforementioned objective of cooperation and improve coordination of the relevant EU policies, we believe it is necessary to inform the National Parliaments as regards:

- The Europol's opinion on the suitability of harmonizing within the EU, certain pieces of legislation from Member States, such as: witness protection, use of informants, covert surveillance, etc.
- The Europol's opinion on the suitability of setting up a special unit to promote common procedures and intervention teams to act in all Member States in relation to VAT, smuggling, intellectual property.

*Adopted in the European Affairs Committee's meeting of March 22, 2011.*

Chairman,

**Viorel HREBENCIUC**

Rapporteur,

**Tudor Alexandru CHIUARIU**