



## **DRAFT RULES OF PROCEDURE OF THE JOINT PARLIAMENTARY SCRUTINY GROUP ON EUROPOL (version 6 September 2017)**

### **PREAMBLE**

#### **The Joint Parliamentary Scrutiny Group on Europol,**

having regard to :

- Article 88 of the Treaty on the Functioning of the European Union,
- Protocol No 1 to the Treaties on the Role of National Parliaments in the European Union,
- Regulation (EU) 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol), hereinafter referred to as the “Europol Regulation”, applicable as of 1 May 2017,

and in accordance with the Conclusions of the Conference of Speakers of the European Union Parliaments at its meetings of 22-24 May 2016 in Luxembourg and of 23-24 April 2017 in Bratislava,

adopted these Rules of Procedure on ..... in .....

### **ARTICLE 1 TASKS AND COMPETENCE**

The tasks and competence of the Joint Parliamentary Scrutiny Group are enshrined in the Europol Regulation, in particular in article 51.

### **ARTICLE 2 COMPOSITION**

#### **2.1 Members**

(a) Each national Parliament of a Member State applying the Europol Regulation shall be represented by a maximum of four members in the JPSG, in the case of bicameral parliaments each Chamber shall have the right to nominate up to two members to the JPSG. The European Parliament shall be represented by maximum of 16 members in the JPSG. <sup>1</sup>

The number of members nominated by each Parliament/Chamber shall not affect the equality of Parliaments/Chambers. Each Parliament/Chamber may nominate substitute members to replace full members in case of absence.

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<sup>1</sup> This shall be without prejudice to the transferability of seats between chambers of a parliament, when agreed.

b) Members of the JPSG shall be selected individually by each Parliament/Chamber, bearing in mind the necessity to ensure substance matter expertise as well as long-term continuity. Where possible, members of the JPSG shall be nominated for the duration of their parliamentary mandate;

## *2.2 Observers*

The JPSG can invite non-voting observers from the list of third countries and international organisations with which Europol has concluded agreements or from EU Member States that have concluded an Agreement on Operational and Strategic Cooperation with Europol.

## *2.3 Representatives of Europol, guests and experts*

Pursuant to the Europol Regulation, and in particular article 51, the Chairperson of the Management Board, the Executive Director or their Deputies, and the EDPS shall appear before the JPSG at its request. The JPSG may decide, where appropriate, to invite to its meetings guests and experts with experience relevant to its competence and tasks.

# **ARTICLE 3 PRESIDENCY AND MEETINGS**

## *3.1 Presidency*

The JPSG shall be presided jointly by the Parliament of the Member State holding the rotating presidency of the Council of the European Union and European Parliament, the latter represented by the Chair of the competent committee. When the Parliament of the Member State holding the rotating presidency of the Council of the European Union is not taking part in the JPSG, the JPSG shall be presided jointly by the Parliament of the Member State previously holding the rotating presidency of the Council of the European Union and the European Parliament.

## *3.2 Frequency and place of meetings*

The JPSG shall meet twice a year. In the first half of the year, the JPSG shall meet in the Parliament of the Member State holding the rotating presidency of the Council of the European Union. In the second half of the year, the JPSG shall meet in the European Parliament in Brussels.

## *3.3 Extraordinary meetings*

If necessary, extraordinary meetings can be convened upon agreement of the Parliament of the Member State holding the rotating presidency of the Council of the European Union and the European Parliament, or upon agreement by at least one third of the Parliaments/Chambers, to address matters of urgency or matters that cannot be reasonably included in the agenda of the ordinary meetings. The dates of the extraordinary meetings shall be decided jointly by the JPSG Co-chairs of the Parliament of the Member State holding the rotating presidency of the Council of the European Union and of the European Parliament. By derogation to article 3.2., extraordinary meetings taking place in the first half of the year may be hosted by the European Parliament in Brussels.

**ARTICLE 4**  
**PROCEEDINGS AND LANGUAGES**

*4.1 Conduct of meetings*

(a) At the beginning of each meeting, the Co-chairs of the Parliament of the Member State holding the rotating presidency of the Council of the European Union and of the European Parliament shall present the draft agenda and submit it for adoption by the JPSG, they shall also determine the order and the length of interventions; interventions by Members can never exceed 3 minutes.

(b) As a general rule, the meetings of the JPSG are public and shall be conducted in full transparency.

(c) Notwithstanding point b), the JPSG may decide to hold in camera meetings when the nature of the information to be discussed so requires.

(d) A presence register of the Members and participants shall be established during each meeting.

(e) The JPSG shall adopt its decisions by consensus.

*4.2 Working languages*

The working languages of the JPSG shall be English and French. Documents published by the JPSG shall be communicated to the national Parliaments and the European Parliament in English and French.

*4.3 Interpretation*

(a) Meetings at the Parliament of the Member State holding the presidency of the Council of the European Union (1st semester):

Simultaneous interpretation from and into English and French, as well as from and into the language(s) of the Member State of the EU Council Presidency shall be provided by the Presidency Parliament. Simultaneous interpretation into additional languages may be provided if requested; its costs shall be borne by the relevant national delegation or the European Parliament. The host Parliament shall make available the appropriate technical facilities.

(b) Meetings at the European Parliament (2nd semester):

Simultaneous interpretation from and into all EU languages shall be provided.

*4.4 Documents*

Documents originating from Europol that are relevant to or requested by the JPSG pursuant to article 51§4 of the Europol regulation, are to be addressed to each national parliament and the European Parliament. The respective parliaments will bear the responsibility to forward the received documents to the appointed JPSG Members.

#### 4.5 *Documentation of the meetings*

##### 4.5.1. Agenda of the meeting

A draft agenda shall be communicated, by the co-chairs, to all participating parliaments no later than eight (8) weeks prior to each meeting. The agenda shall only include matters relating to the scrutiny of Europol, in line with the tasks and competence of the JPSG as set out in the Europol Regulation.

##### 4.5.2. Other documents

Prior to each meeting, delegations may send any documents relating to items of the agenda to the Co-Chairs. Each delegation shall be responsible for translating any document which it submits to the JPSG into English and/or French. The Co-Chairs may also draw up discussion documents for the JPSG.

##### 4.5.3. Requests to Europol for providing documents

In accordance with Article 51 (4) of the Europol Regulation, the Co-Chairs of the JPSG may request other relevant documents necessary for the fulfilment of its tasks relating to the political monitoring of Europol's activities. Any JPSG parliamentary delegation may submit such a written request to the Co-Chairs. Documents shall be provided in accordance with article 64 of the Europol Regulation.

#### 4.6. *Conclusions*

In accordance with article 51 §5 of the Europol regulation, the JPSG may draw up summary conclusions on the outcome of the JPSG meetings relating to the political monitoring of Europol's activities. The Co-Chairs shall draft an initial proposal which is submitted to the JPSG for approval. The European Parliament shall forward the adopted conclusions, for information purposes, to the Council, the Commission and Europol.

### **ARTICLE 5 REPRESENTATIVE TO THE MANAGEMENT BOARD OF EUROPOL**

The JPSG shall appoint, from its full Members, a representative who will be entitled to attend, in accordance with Article 14 of the Europol Regulation and for a duration determined by the JPSG, meetings of the Management Board of Europol as a non-voting observer. The representative will regularly report back to the JPSG on his/her main findings.

### **ARTICLE 6 FINAL PROVISIONS**

#### 6.1 *Entry into force of the Rules of Procedure*

These Rules of Procedure are drawn up in a single original in English and French, each of these texts being equally authentic. Translations into the other official languages of the European Union shall be the responsibility of the relevant Parliaments. The Rules of Procedure shall enter into force on the date of their adoption.

## 6.2. *Revision*

In line with the recommendations of the EU Speakers Conference of 23-24 April 2017 in Bratislava, the JPSG shall make a review of its Rules of Procedure, two years after its constituent meeting, and submit the conclusions from such a review to the Presidency of the Conference of Speakers of the European Union Parliaments.