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**NOTE**

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from: General Secretariat of the Council  
to: Delegations

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Subject: Summary of the meeting of the European Parliament Committee on Civil Liberties, Justice and Home Affairs, held in Brussels on 20 November 2014

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**First exchange of views on the EPPO and Eurojust. The Rapporteur on Eurojust, Mr VOSS (EPP, DE), supported by the shadows, would prefer to first wait for the outcome of EPPO negotiations and only then proceed with the discussions on Eurojust.**

**4. European Union Agency for Law Enforcement Cooperation and Training (Europol) and repeal of Decisions 2009/371/JHA and 2005/681/JHA**

**\*\*\*I 2013/0091(COD)**

**Rapporteur: Agustín Díaz de Mera García Consuegra (EPP)**

In the absence of the Rapporteur the Chair read out a short summary of issues discussed during trilogues.

## **5. EU Agency for Criminal Justice Cooperation (Eurojust)**

**\*\*\*I 2013/0256(COD)**

**Rapporteur: Axel Voss (EPP)**

**Responsible: LIBE –**

**Opinions: BUDG – Decision: no opinion**

**CONT –**

**JURI – António Marinho e Pinto (ALDE)**

The Rapporteur explained that the Eurojust and EPPO files were closely linked, although they followed two different legislative procedures. In fact EPPO was not a co-decision file and the procedure was based directly on Article 86 of the Treaty. He stressed that in his view there needed to be more clarity regarding the respective roles of Eurojust and the EPPO and he agreed with the shadow rapporteurs to wait until more was known regarding the EPPO. He also announced a hearing on the subject in January.

The Commission representative confirmed that work in the Council was progressing at a steady pace, although the Commission had some concerns regarding the current Presidency proposals for a partial general approach.

The Italian Presidency confirmed its aim of reaching a partial general approach in December and was confident the proposal would further improve the functioning of Eurojust, its governance and operational capacities. Moving forward on the file would constitute clear added value in the Presidency's view.

During the discussion the MEPs raised the following issues: request for the Commission to provide an evaluation of the functioning of Eurojust; decision on headquarters and joint teams.

The discussion was concluded by the Rapporteur, who acknowledged that quite some time might pass before trilogues could actually begin.

## **6. European Public Prosecutor's Office**

**2013/0255(APP) COM(2013)0534**

**Rapporteur: Monica Macovei (EPP)**

**Responsible: LIBE –**

**Opinions: BUDG –**

**CONT – Ingeborg Gräßle (EPP)**

**JURI – Decision: no opinion**

**PETI –**

The Commission representative explained that the Commission was hoping the EPPO would be established by 2016. It supported further advances in the Council although it had some misgivings about the proposed decision-making structures in the EPPO. The EPPO would have to guarantee a high level of procedural safeguards, judicial review in Member States as well as the possibility to ask the ECJ for preliminary rulings.

On behalf of the Presidency, Mr Salazar explained that the EP had been constantly kept informed of the discussions ongoing in the Council. The EPPO would again be discussed by the ministers in the December JHA Council. At this stage the proposal had advanced on all main points, including support for a collegiate structure with enriched jurisdictional control. The issues of the appointment of the head prosecutor and the status of national members were still under discussion.

The Rapporteur stressed that she was in favour of a strong EPPO that would go beyond current judicial cooperation. Anything less would be a disappointment to tax payers. She expressed doubts about the current Council draft in particular in relation to the collegiate structure and transparency of appointments. She called for effective remedies before national courts and the possibility to access the ECJ. She emphasised the need to have a continuous and structured exchange of information with the Council in order to enable the EP to give its consent at the end of the process.

During the discussion the MEPs raised the following issues: request for more detailed information from the Council on the current state of negotiations, preferably in writing; the costs of the EPPO; the need for stronger guarantees for fundamental rights and procedural rights; the division of competence between OLAF, Eurojust, Europol and EPPO; scepticism regarding exclusive competence for prosecution and the need to use national resources; the need to improve existing cooperation between national law enforcement bodies; the need to address issues of subsidiarity.

In his replies, Mr Salazar confirmed that the discussion on appointment procedures and several other issues was ongoing. The text agreed upon in December would be publicly available.

## **7. Annual Report 2013 on the Protection of the EU's Financial Interests - Fight against fraud 2014/2155(INI) COM(2014)0474**

**Rapporteur for the opinion: Monica Macovei (EPP)**

**Responsible: CONT – Georgi Pirinski (S&D) PR – PE539.821v02-00**

The Rapporteur briefly presented the opinion, with recommendations regarding the future PFI and EPPO.

Mr AGUILAR (S&D, ES, Rapporteur for PFI) explained that it was necessary to provide clear definitions of PFI offences, minimum and maximum imprisonment penalties and minimum rules on the statute of limitations. Consistency was necessary on cooperation between EPPO, Eurojust and OLAF.

## **9. Next LIBE meetings**

- 2 December 2014, 11.00 – 12.30 (Brussels): Joint meeting FEMM/LIBE with the EU Anti-Trafficking Coordinator Myria Vassiliadou on the Commission's Mid-term report on the 2012-2016 EU Strategy towards the eradication of trafficking in human beings
- 3 December 2014, 9.00 – 12.30 and 15.00 – 18.30 (Brussels)
- 4 December 2014, 9.00 – 12.30 and 15.00 – 18.30 (Brussels)