



Council of the
European Union

Brussels, 11 May 2016
(OR. en)

8685/16

Interinstitutional File:
2013/0091 (COD)

CODEC 599
ENFOPOL 127
CSC 131
PE 57

INFORMATION NOTE

From: General Secretariat of the Council

To: Permanent Representatives Committee/Council

Subject: **ADOPTION OF LEGISLATIVE ACTS FOLLOWING THE EUROPEAN
PARLIAMENT'S SECOND READING**

Proposal for a Regulation of the European Parliament and of the Council
on the European Union Agency for Law Enforcement Cooperation
(Europol) and replacing and repealing Council Decisions 2009/371/JHA,
2009/934/JHA, 2009/935/JHA, 2009/936/JHA and 2009/968/JHA

- Outcome of the European Parliament's second reading
(Strasbourg, 9 to 12 May 2016)

I. VOTE

On 11 May 2016, since no amendment had been adopted, the President of the European Parliament declared the Council's position at first reading approved.

The text of the European Parliament's legislative resolution is annexed to this note.

II. ADOPTION OF LEGISLATIVE ACTS FOLLOWING THE EUROPEAN PARLIAMENT'S SECOND READING

Since the European Parliament has approved the Council's position at first reading, the act in question is deemed to have been adopted in the wording which corresponds to the Council's position at first reading, as provided for in Article 294 (7)(a) of the TFEU.

After signature by the President of the European Parliament, the President of the Council and the Secretaries-General of the two Institutions, the act in question will be published in the *Official Journal* of the European Union.

EU Agency for Law Enforcement Cooperation (Europol) *II**

European Parliament legislative resolution of 11 May 2016 on the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council on the European Union Agency for Law Enforcement Cooperation (Europol) and replacing and repealing Council Decisions 2009/371/JHA, 2009/934/JHA, 2009/935/JHA, 2009/936/JHA and 2009/968/JHA (14957/2/2015 – C8-0130/2016 – 2013/0091(COD))

(Ordinary legislative procedure: second reading)

The European Parliament,

- having regard to the Council position at first reading (14957/2/2015 – C8-0130/2016),
 - having regard to its position at first reading¹ on the Commission proposal to Parliament and the Council (COM(2013)0173),
 - having regard to Article 294(7) of the Treaty on the Functioning of the European Union,
 - having regard to Rule 76 of its Rules of Procedure,
 - having regard to the recommendation for second reading of the Committee on Civil Liberties, Justice and Home Affairs (A8-0164/2016),
1. Approves the Council position at first reading;
 2. Approves the joint statement by Parliament and the Council annexed to this resolution;
 3. Notes that the act is adopted in accordance with the Council position;
 4. Instructs its President to sign the act with the President of the Council, in accordance with Article 297(1) of the Treaty on the Functioning of the European Union;
 5. Instructs its Secretary-General to sign the act, once it has been verified that all the procedures have been duly completed, and, in agreement with the Secretary-General of the Council, to arrange for its publication in the *Official Journal of the European Union*;
 6. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ Texts adopted of 25.2.2014, P7_TA(2014)0121.

Joint Statement by the Council and the European Parliament on Article 44

Creating a harmonised, high level of data protection covering police and judicial activities in the Union is crucial as a means of respecting and safeguarding the fundamental rights of Union citizens. Given the shared responsibilities of the Union and Member States in the area of freedom, security and justice, it is essential that there be close and effective cooperation among supervisory authorities at national and Union level. The European Parliament and the Council consider that, following the adoption of the proposed General Data Protection Regulation and Data Protection Directive for data processing in the police and justice sector, including the new, soon to be created European Data Protection Board, and in light of the announced review of Regulation (EC) No 45/2001, the different mechanisms for cooperation between the European Data Protection Supervisor and the national supervisory authorities in this field, including the Cooperation Board set up in this Regulation, should in the future be reorganised in such a way as to ensure effectiveness and consistency and avoid unnecessary duplication, without prejudice to the Commission's right of initiative.
