



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 20 March 2014
(OR. en)**

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**ENFOPOL 75
CODEC 758**

OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council
On: 19 and 20 November 2013
To: Law Enforcement Working Party
Subject: Summary of discussions

1. Adoption of the agenda

The meeting adopted the agenda as set out in doc. **CM 4874/13** with the addition of a presentation on the ordinary legislative procedure under AOB.

2. Proposal for a Regulation on the European Union Agency for Law Enforcement Cooperation and Training (Europol) and repealing Decisions 2009/371/JHA and 2005/681/JHA

Upon the request of delegations voiced at the previous LEWP meeting, the Council Legal Service provided an oral contribution in relation to the future of Europol's international agreements in the light of the Treaties post-Lisbon and in relation to ensuring the independent data protection supervision of Europol.

As a general comment the FR delegation referred to its contribution to the CATS meeting of 12 November 2013 (doc. DS 1933/13) about the need to coordinate the proceedings on the draft Europol and Eurojust Regulations, in particular in relation to the forms of crime that both agencies would be competent to deal with as set out in Annex 1 of both draft Regulations and in relation to the rules governing access by each agency to the other's files.

- Revised Chapters I-II and Annex 1 - Article-by-Article discussion

The meeting examined the Presidency compromise text of Chapters I-II relating to the objectives and tasks of Europol as well as Annex 1 listing the forms of crime that Europol would be competent to deal with (doc. 14805/13 ENFOPOL 318 CODEC 2277), based on the outcome of discussions on these Chapters by the LEWP on 11 July 2013 and 4 September 2013 as well as written drafting suggestions provided by delegations.

The discussions mainly focused on the definitions contained in Article 2, on the need to include a reference to organised crime in Article 3, the tasks of Europol in Article 4, the requests by Europol for the initiation of criminal investigations under Article 6, the provisions on direct cooperation of competent authorities with Europol and on the supply of information to Europol under Article 7.

The Chair took note of delegations' comments and informed them that on that basis a second compromise text would be prepared.

3. Proposal for a Regulation on the European Union Agency for Law Enforcement Cooperation and Training (Europol) and repealing Decisions 2009/371/JHA and 2005/681/JHA

- Chapters XI-XIV - Article-by-Article discussion

The meeting examined Chapters XI-XIV of the draft Europol Regulation (doc. 8229/13 ENFOPOL 98 CODEC 746). The examination was based on a brief presentation of each Chapter and Article by the Commission followed by comments and drafting suggestions from delegations. Europol provided their drafting suggestions in relation to some Articles in writing (doc. DS 1955/13).

The Chair took note of delegations' comments and invited them to provide their written drafting proposals on these Chapters by 15 December 2013. On the basis of delegations' suggestions a revised version of these Chapters would be prepared.

4. Europol Work Programme 2014

A representative of Europol briefly presented the Europol Work Programme 2014 as set out in doc. 15202/13 ENFOPOL 330 focusing on Europol's priorities in line with the multi-annual strategy. The meeting agreed to submit this document to Coreper and Council for adoption.

Based on Europol's intervention relating to the invitation to attend LEWP meetings when the draft Europol Regulation is discussed, 26 Member States expressed their wish for Europol's presence during such discussions.

5. Any other business

A representative of the Co-decision Unit of the GSC gave an overview of various procedural steps and the roles of different institutions under the ordinary legislative procedure.