



**COUNCIL OF  
THE EUROPEAN UNION**

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

**7592/14**

**ENFOPOL 77  
CODEC 760**

## **OUTCOME OF PROCEEDINGS**

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From: General Secretariat of the Council  
On: 16 and 17 January 2014  
To: Law Enforcement Working Party  
Subject: Summary of discussions

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### **1. Adoption of the agenda**

The meeting adopted the agenda as set out in doc. CM 5778/13.

### **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**

#### **2.1. Revised Chapter VI - Article-by-Article discussion**

The meeting examined the Presidency compromise text of Chapter VI on relations with partners (doc. 16940/13 ENFOPOL 393 CODEC 2742), based on the outcome of discussions on this Chapter by the LEWP on 9-10 October 2013 as well as the written drafting suggestions provided by delegations.

The discussions mainly focused on the common provisions of this Chapter contained in Article 29, on Article 31 relating to the transfer of personal data to third countries and on Article 32 relating to the receipt of personal data from private parties.

The Chair took note of delegations' reservations and comments and informed them that on that basis a second compromise text would be prepared in view of the next LEWP meeting scheduled for 11-12 February 2014.

## **2.2. Discussion on the choice of data protection supervisory bodies for Europol**

The Chair presented the contribution to the discussion on the choice of data protection supervisory bodies for Europol as set out in doc. DS 2084/13 and referred to the opinion of the Legal Service on this issue contained in doc. 17615/13 JUR 643 JAI 1137 ENFOPOL 413 CATS 101 DAPIX 156 DATAPROTECT 198 CODEC 2915 + COR 1. The Commission representative provided further information on the financial aspects relating to the choice of the data protection supervisor.

A large number of delegations intervened stating their preference in relation to the choice of the data protection supervisory body for Europol, in particular underlining the need to ensure the close cooperation between the EDPS and national supervisory authorities should EDPS be chosen as Europol's data protection supervisor. Based on MS contributions the Chair concluded that a compromise text would be prepared for the next LEWP meeting maintaining the EDPS as Europol's data protection supervisor as proposed by the Commission while at the same time strengthening the provisions on the cooperation of the EDPS with national supervisory authorities set out in Article 47 of the draft Europol Regulation.

## **2.3. Revised Chapters I-II and Annex 1 (second revision) - Article-by-Article discussion**

The meeting examined the second compromise text of Chapters I-II containing the objectives and tasks of Europol as well as the related Annex 1 listing the forms of crime that Europol would be competent to deal with (doc. 17961/13 ENFOPOL 421 CODEC 3016), prepared by the Presidency based on the outcome of discussions on these Chapters by the LEWP on 19-20 November 2013.

The Chair took note of delegations' reservations and comments, in particular relating to the structure of these Chapters, the inclusion of a reference to organised crime in Article 3 and the provisions relating to Financial Intelligence Units (FIUs) in Article 7, and informed them that on that basis a third compromise text would be prepared. Delegations were also informed that no further Article-by-Article discussion on these Chapters was foreseen to be held at the LEWP.

#### **2.4. Revised Chapters IV and X - Article-by-Article discussion**

The meeting examined the Presidency compromise text of Chapters IV and X on the organisation of Europol and its staff (doc. 17962/13 ENFOPOL 422 CODEC 3017), based on the outcome of discussions on these Chapters by the LEWP on 9-10 October 2013 as well as written drafting suggestions provided by delegations.

The Chair took note of delegations' reservations and comments, in particular relating to the establishment of the Executive Board and the appointment of the Executive Director and Deputy Directors of Europol, and informed them that on that basis a second compromise text would be prepared in view of the next LEWP meeting scheduled for 11-12 February 2014.

#### **3. Any other business**

No items were raised under AOB.

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