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'I' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 2)
Subject:	Draft Council Decision on the appointment of a Deputy Executive Director of Europol – Decision to use the written procedure for the adoption

1. The mandate of one of the Deputy Executive Directors of Europol expired on 31 December 2020. It is therefore necessary to select and appoint a new Deputy Executive Director, as foreseen by 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) and replacing and repealing Council Decisions 2009/371/JHA, 2009/934/JHA, 2009/935/JHA, 2009/936/JHA and 2009/968/JHA ("Europol Regulation").
2. According to Article 54(2) of the Europol Regulation, the Executive Director shall be appointed by the Council from a shortlist of candidates proposed by the Management Board, following an open and transparent selection procedure. According to Article 55(2) of the Europol Regulation, the same procedure applies to Deputy Executive Directors.

3. According to Article 54(2) of the Europol Regulation, before appointment, the candidate selected by the Council may be invited to appear before the competent committee of the European Parliament, which shall subsequently give a non-binding opinion. It is therefore necessary to organise a selection procedure on the basis of which the Council will inform the European Parliament of the candidate selected.
4. On 25 January 2021, the Council selected Mr Jean-Philippe Lecouffe as the next Deputy Executive Director of Europol, based on a vacancy notice published in the Official Journal of the EU on 4 September 2020 and the subsequent selection procedure, which led to the establishment of a reasoned opinion on the appointment of a Europol Deputy Executive Director, adopted by the Management Board of Europol at its meeting on 9 and 10 December 2020.
5. The Council informed the competent committee of the European Parliament about the selection of Mr. Jean-Philippe Lecouffe for the purposes of the hearing according to the fourth subparagraph of Article 54(2) of the Europol Regulation.
6. On 24 February 2021, the selected candidate appeared before the Civil Liberties, Justice and Home Affairs Committee of the European Parliament ('LIBE Committee') and subsequently, by a letter dated 23 March 2021, the Council was informed of the opinion adopted by the LIBE Committee in accordance with the fourth subparagraph of Article 54(2) of the Europol Regulation.
7. Based on the above, the Permanent Representatives Committee is invited to:
 - a) confirm its agreement on the text of the draft Council Decision on the appointment of a Deputy Executive Director of Europol, as set out, after finalisation by the legal/linguistic experts, in 6341/21;
 - b) decide, in accordance with the first subparagraph of Article 12(1) of the Council's Rules of Procedure and Article 1 of Council Decision (EU) 2020/430, as extended by Council Decision (EU) 2021/26¹, that the Council uses the written procedure for its adoption;

¹ *OJL 11, 14.1.2021, p. 19.*