EUROPOL
the European Union Agency for Law Enforcement Cooperation

Disclaimer: These slides accompany the explanation of the acquis to Albania and North Macedonia and can only be used for that purpose. Their content is subject to further development of the acquis and interpretation by the Court of Justice of the European Union

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Europol’s legal framework

Article 88 TFEU

*"Europol's mission shall be to **support and strengthen action** by the Member States' police authorities and other law enforcement services and their **mutual cooperation** in preventing and combating serious crime affecting **two or more Member States, terrorism** and forms of crime which affect a **common interest** covered by a Union policy".*

Europol Regulation:

https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0794&from=EN

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Art. 4 - Europol's main tasks

- **Collecting, analysing and disseminating criminal intelligence**
- Facilitating the **exchange of information among Member States**
- Coordinating, organising and implementing **investigative and operational actions** to support and strengthen actions by Member States
- Providing **threat assessments, strategic and operational analyses** in support of Member States' operations

NB: Europol does not have any coercive powers!

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What can Europol offer?

- Fast and secure information exchange
- Analytical support (operational & strategic)
- Investigative support (operational & technical)
- Competent partners in one network
- Coordination and overview
- Expertise & training

Obligations on Member States:

- Art. 7 -> Establish a Europol National Unit

- Art. 8 -> Second a Liaison Officer at Europol

- Art. 10-11 -> Appoint a representative at the Management Board

Art. 7 - Europol National Units

- Each Member State designates a Europol National Unit (ENU)
- ENU = Liaison body between Europol and national competent authorities
- Set up and functioning in accordance with national law
- The costs incurred by ENU in communications with Europol are borne by Member States, except connection costs
- The Heads of ENUs (HENUs) meet quarterly at Europol

Art. 7 – Europol National Unit tasks

- Supply Europol with the information necessary to fulfil its objectives
- Ensure the effective cooperation between national competent authorities, Member States and Europol
- Raise awareness of Europol's activities
- Ensure compliance with national law when supplying information

Art. 8 - Liaison Officers' network

- Each Member State seconds at least one liaison officer (LO) to Europol
- LOs are subject to national law and represent (the interests of) their National Units
- LOs assist in info exchange (similarly to ENUs) with Europol and among Member States
- Europol ensures that LOs are informed of / associated with all activities
- Europol covers the costs of premises in Europol building and support
- All other costs, including equipment, are borne by Member States

Art. 10-11 - Management Board

- One representative and alternate member per Member State. Reference to gender balance.

The Management Board

- Is **responsible** for the overall administration of the agency, including programming documents
- **Takes decisions** on the strategic objectives of the agency
- **Is informed** on the operational issues

Art. 20 – Member State access to information stored by Europol

- **Direct** access to all information processed for cross-checking purposes and thematic and strategic analyses

- **Indirect** access (hit/no hit) to all information processed for operational analyses

In case of a hit, Europol initiates the procedure to share, **in line with the "owner principle" –the information provider decides who the information may be shared with**

Art. 51 - Joint Parliamentary Scrutiny Group (JPSG)

- Established together by the national parliaments and the European Parliament
- **Politically monitors** Europol's activities, including impact on fundamental rights and freedoms
- Can invite Europol for discussion
- The EDPS appears at JPSG once a year
- Receives strategic analyses, reports and programming documents from Europol

Art. 58 – Europol Budget

- Management Board adopts a provisional draft estimate for the following year
- Commission proposes draft Europol budget as part of the EU Draft Budget
- European Parliament and Council agree on final level of appropriations and staff ("conciliation")
- Management Board adopts Europol budget

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THE END

Thank you!

DG HOME, Europol Team