

# Agreement on strategic cooperation between the Ministry of Public Security of the People's Republic of China and Europol

2016/0808(CNS) - 20/05/2016 - Legislative proposal

**PURPOSE:** to approve the conclusion by the European Police Office (Europol) of the Agreement on Strategic Cooperation between the Ministry of Public Security of the People's Republic of China and Europol.

**PROPOSED ACT:** Council implementing decision.

**ROLE OF THE EUROPEAN PARLIAMENT:** the Council adopts the act after consulting the European Parliament but without being obliged to follow its opinion.

**BACKGROUND:** pursuant to [Decision 2009/371/JHA](#) and [Decision 2009/934/JHA](#), Europol is to conclude agreements with the third States which have been put on the list determined by [Decision 2009/935/JHA](#). Such agreements have the objective of supporting and strengthening action by the competent authorities of the Member States and their mutual cooperation in preventing and combating organised crime, terrorism and other forms of serious crime affecting two or more Member States, and may concern the exchange of operational, strategic or technical information, including personal data and classified information.

Strategic agreements involve **the exchange of information excluding personal data**, whereas operational agreements involve the exchange of information including personal data.

Strategic agreements may be concluded by Europol only after **approval by the Council**, the latter having previously consulted the Management Board of Europol ('Management Board'). Operational agreements require, in addition, that the Council obtain, via the Management Board, the opinion of the Joint Supervisory Body of Europol, as far as the agreement concerns the exchange of personal data.

China is included in the list determined by Decision 2009/935/JHA.

In order to increase effectiveness in preventing and combating serious forms of crime, Europol has initiated, in accordance with Decision 2009/934/JHA, the procedure for the conclusion of an Agreement on Strategic Cooperation between the Ministry of Public Security of the People's Republic of China and Europol ('Strategic Agreement').

The terms of the cooperation governed by the Strategic Agreement provide for: the exchange of information, which may, in accordance with the tasks of Europol as outlined in Decision 2009/371/JHA, include:

- specialist knowledge,
- general situation reports,
- results of strategic analysis,
- information on criminal investigation procedures and information on crime-prevention methods,
- participation in training activities,
- the provision of advice and support in individual criminal investigations.

**The Strategic Agreement contains no provision relating to the exchange of personal data.**

The Management Board approved the Strategic Agreement on 8 April 2016.

The conditions for triggering the exercise of implementing powers by the Council pursuant to Decisions 2009/371/JHA, 2009/934/JHA and 2009/935/JHA have been met and an **implementing decision should therefore be adopted** in order to approve the conclusion of the Strategic Agreement.

This is the aim of this proposal.

**CONTENT:** under this proposal, it is provided that the Council adopt an implementing decision by which Europol is authorised to approve the Agreement on Strategic Cooperation between the Ministry of Public Security of the People's Republic of China and Europol.

**Territorial provisions:** Denmark is bound by Decision 2009/371/JHA and is therefore taking part in the adoption and application of this Decision which implements Decision 2009/371/JHA.

The United Kingdom and Ireland are bound by Decision 2009/371/JHA and are therefore taking part in the adoption and application of this Decision which implements Decision 2009/371/JHA.