Agreement on operational and strategic cooperation between Georgia and European Police Office (Europol)

2016/0810(CNS) - 04/07/2016 - Legislative proposal

PURPOSE: to approve the conclusion by the European Police Office (Europol) of the Agreement on Operational and Strategic Cooperation between Georgia 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.

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

In order to increase effectiveness in preventing and combating serious forms of crime and, in particular, given that Georgia is a potential candidate State and a close neighbour of the Union, Europol has initiated the procedure for the conclusion of an Agreement on Operational and Strategic Cooperation between Georgia and Europol.

Strategic agreements involve the exchange of information excluding personal data. They may be concluded by Europol only after approval by the Council, the latter having previously consulted the Management Board of Europol.

Operational agreements require, in addition, that the Council obtain, via the Management Board, the opinion of the Joint Supervisory Body of Europol, in so far as the agreement concerns the exchange of personal data.

The Management Board approved the Operational and Strategic Agreement on 11-12 May 2016.

The conditions for triggering the exercise of the implementing powers by the Council pursuant to Decisions 2009/371/JHA, 2009/934/JHA and 2009/935/JHA have been met to approve the conclusion of the Operational and Strategic Agreement.

CONTENT: pursuant to the draft implementing decision, Europol is authorised to **conclude the Agreement** on Operational and Strategic Cooperation between Georgia and Europol in preventing and combating organised crime and terrorism between these countries.

The terms of the cooperation governed by the Operational and Strategic Agreement provide for: the **exchange of information**, which may, 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; and the provision of advice and support in individual criminal investigations.

Moreover, the Operational and Strategic Agreement contains provisions relating to the **exchange of personal data**.

Denmark, the United Kingdom and Ireland are taking part in the adoption and application of this implementing Decision.