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

2017/0803(CNS) - 19/04/2017 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted, following the consultation procedure, the report by Agustín DÍAZ DE MERA GARCÍA CONSUEGRA (EPP, ES) on the draft Council implementing decision approving the conclusion by the European Police Office (Europol) of the Agreement on Operational and Strategic Cooperation between the Kingdom of Denmark and Europol.

The committee called on the European Parliament to **approve the Council draft**.

Members called for the Parliament to be **kept regularly informed and consulted**, pursuant to Article 25 of the Agreement on Operational and Strategic Cooperation between the Kingdom of Denmark and Europol, in particular through the Europol Joint Parliamentary Scrutiny Group to be established pursuant to the Europol Regulation (Regulation (EU) 2016/794);

Moreover, they called on all parties involved to exhaust all possibilities under primary and secondary law in order to once again offer Denmark full membership of Europol.

To recap, Denmark did not take part in the adoption of this new Europol Regulation and is not subject to its application. The new Europol Regulation will start to apply on 1 May 2017, on which date the existing Europol Council Decision will automatically be repealed.

This means that by 1 May 2017, Denmark will not be part of Europol and will not be able to participate in its activities, consult its databases or exchange data with it.

In order to minimise the negative effects of the Danish departure from Europol, it is proposed in a joint statement by the European Council, the President of the European Commission and the Prime Minister of Denmark (15 December 2016), that Denmark be associated to Europol in the form of an operational cooperation agreement.

On 14 February 2017, the European Parliament adopted with an overwhelming majority the recommendation to amend Decision 2009/935/JHA in order to place Denmark on the list of third States and organisations with which Europol shall conclude international cooperation agreements.

This report concerns Parliament’s consultation on the draft operational cooperation agreement between Europol and Denmark,

The rapporteur recommends to approve the Council draft proposed agreement. The reason being that a sudden departure of Denmark from Europol without a smooth transition regime into some form of an association between Denmark and Europol, could lead to operational gaps and reduce the EU’s capacity to effectively fight organised crime and terrorism.