Basic information

2002/0815(CNS) CNS - Consultation procedure Decision	Procedure completed
Police cooperation: common use of liaison officers posted abroad by member States. Initiative Denmark Amended by 2005/0808(CNS) **Subject** 7.30.05 Police cooperation 7.30.30 Action to combat crime 7.40.04 Judicial cooperation in criminal matters	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Citizens' Freedoms and Rights, Justice and Home Affairs	RIBEIRO E CASTRO José (UEN)	11/09/2002

Council of the European Union

Council configuration	Meetings	Date
Justice and Home Affairs (JHA)	2489	2003-02-27
Justice and Home Affairs (JHA)	2469	2002-11-28
Justice and Home Affairs (JHA)	2477	2002-12-19

Key events

Date	Event	Reference	Summary
09/07/2002	Legislative proposal published	10507/2002	Summary
02/09/2002	Committee referral announced in Parliament		
05/11/2002	Vote in committee		Summary
05/11/2002	Committee report tabled for plenary, 1st reading/single reading	A5-0374/2002	
20/11/2002	Decision by Parliament	T5-0542/2002	Summary
28/11/2002	Resolution/conclusions adopted by Council		Summary
27/02/2003	Act adopted by Council after consultation of Parliament		
27/02/2003	End of procedure in Parliament		
12/03/2003	Final act published in Official Journal		

Technical information

Procedure reference	2002/0815(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Decision
Amendments and repeals	Amended by 2005/0808(CNS)
Legal basis	Treaty on European Union (after Amsterdam) M 039-p1
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/5/16618

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0374/2002	05/11/2002	
Text adopted by Parliament, 1st reading/single reading		T5-0542/2002 OJ C 025 29.01.2004, p. 0024-0162 E	20/11/2002	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	10480/2002	02/07/2002	
Legislative proposal	10507/2002 OJ C 176 24.07.2002, p. 0008	09/07/2002	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Decision 2003/0170
OJ L 067 12.03.2003, p. 0027-0030 Summary

Police cooperation: common use of liaison officers posted abroad by member States. Initiative Denmark

2002/0815(CNS) - 27/02/2003 - Final act

PURPOSE : to regulate questions relating to the fight against serious cross-border crime through the common use of liaison officers. COMMUNITY MEASURE : Council Decision 2003/170/JHA on the common use of liaison officers posted abroad by the law enforcement agencies of the Member States. CONTENT : this Decision follows Joint Action 96/602/JHA providing for a common framework for the initiatives of the Member States concerning liaison officers. In the light of experience in applying the Joint Action and in the light of the provisions of the Treaty of Amsterdam on combating cross-border crime, cooperation amongst Member States on the tasks assigned to, and the posting of liaison officers to third countries and international organisations needed to be strengthened. The main provisions of the Decision are as follows: - each Member State must ensure that its liaison officers maintain direct contacts with competent authorities in the host State or the international organisation, in order to facilitate the collection and exchange of information; - each Member State's liaison officer must also contribute to the collection and exchange of information which may be used to combat serious cross-border crime, including information providing a readier knowledge of the legal systems and operational methods available in the States concerned; - Member States must inform one another of their intentions as regards the secondment of liaison officers to third States and the General Secretariat of the Council each year of the posting of liaison officers, their duties and any cooperative agreements between the Member States on the posting of liaison officers. The General Secretariat sends an annual summary of this information to Member States and to Europol; - liaison officers posted to the same third country or international organisation must meet regularly to exchange relevant information. The Member State holding the Presidency of the Council, or the incoming Presidency, ensures that its liaison officers take the initiative to hold such meetings; - liaison officers posted to the same third country or international organisation must provide one another with assistance in contacts with the authorities of the host State. Where relevant, Member States may agree that their liaison officers will share tasks; - liaison officers in third countries and international organisations must provide their respective national authorities with information relating to serious criminal threats to other Member States not represented by their own liaison officers. National authorities have the task of assessing whether the Member States concerned should be informed; - there are provisions for joint seminars for liaison officers and for Member States to designate contact points within their competent authorities; - Member States must facilitate the processing of Europol's requests to obtain information from liaison officers in third countries or international organisations where Europol is not represented. Europol's requests are to be addressed to the Member States' National Units, which will take a decision on the request. ENTRY INTO FORCE : 26/03/03.

Police cooperation: common use of liaison officers posted abroad by member States. Initiative Denmark

2002/0815(CNS) - 09/07/2002 - Legislative proposal

PURPOSE : to present a draft Council Decision regarding joint use of Member States' liaison officers in third countries. CONTENT : the Joint Action of October 1996 adopted by the Council on the basis of Article K.3 of the Treaty on European Union providing for a common framework for the initiatives of the Member States concerning liaison officers (96/602/JHA created a first basis for co-operation through liaison officers in third states. In light of the experience in applying the Joint Action and of the provisions of the Treaty of Amsterdam on combating cross-border crimes, co-operation on the posting of liaison officers to third states and international organisations needs to be strengthened and developed. Furthermore, there is a strong need to strengthen parts of the co-operation between Member States' liaison officers in third states and international organisations in order to make the best possible use Member States' resources. This is the aim of this draft Decision. In addition to this, Europol has established and will continue to establish and maintain co-operative relations with a wide range of third states and external organisations. In that connection, Europol needs to be given the necessary support and means to function effectively as the focal point of European police co-operation. The European Council has stressed that Europol plays a central role in co-operation between the authorities of the Member States in investigating cross-border crime by supporting the prevention, analysis and investigation of crime at EU level. At the same time, co-operation between the Member States in this area needs to be strengthened so as to facilitate the exchange of information with a view to the national police authorities. The purpose of the Danish initiative is to further enhance co-operation between Member States' liaison officers and to create the legal basis for Europol and Member States to make use of Member States' liaison officers posted to third states and international organisations. The draft Decision suggests that the Member States shall provide for liaison officers posted to states and international organisations to exchange, as required and on a regular basis, the information obtained on significant general issues or issues of common interest and to taken common initiatives if the Member States concerned deem this necessary. Furthermore, the proposal will create the legal basis for Europol to make use of Member States' liaison officers in third states and external organisations. However, it is not the purpose of the initiative to create a legal basis for Member States' liaison officers to act on behalf of Europol in third states or external organisations. When relevant, Europol should be able to ask a Europol National Unit in a Member State for relevant information from that states' liaison officer posted to a third state or external organisations where Europol is not present. The information will only communicated to Europol in accordance with the Europol Convention and national law. Lastly, it should be made clear that Joint Action 96/602/JHA shall be repealed as soon as the present Decision enters into force.

Police cooperation: common use of liaison officers posted abroad by member States. Initiative Denmark

2002/0815(CNS) - 28/11/2002

The Council takes note of the report from the presidency on the creation of an ILO-network. It shows that a network of liaison officers is in place at this point in most of the countries surveyed in the report. The Council, however, also noted that there is a general need to further strengthen this network. The Presidency report concludes that Member States' liaison officers carry out their tasks with skill and dedication. However, it is also noted that more can be done to further improve the benefits that member States already derive from then deployment of liaison officers. Against this background there is a need to implement progressive initiatives leading to the improvement of the ILO network. On the basis of the survey the Council urges that the following steps be taken : - implementation of the Belgian-led Western Balkan ILO network project, which will present valuable experience to further the improvement of the ILO network (start December 2002-final report end December 2003); - Member States should immediately direct their liaison officers to share operational information to a wider extent, having due regard for national legislation; - Member States should immediately encourage

an improvement of the co-operation between their liaison officers and the consular services from other Member States; - Seminars and workshops with participation of ILOs should be held with a view to establish best practices, a first meeting should be held as soon as possible and not later than within four months; - Building on the experiences from the ILO workshops and seminars as well on the experiences gained in the framework of the implementation of the Belgian-led Western Balkan ILO project and the UK-led projects in the Western Balkans, bearing in mind the work carried out on liaison officers within Title VI of the TEU, more clarity should be created regarding the different roles of liaison officers, immigration liaison officers, airport liaison officers, document advisors, technical advisors and consular services who all deal with immigration related issues. Taking these experiences into account as well as best practices established through seminars and workshops, consideration should be given to drawing a common manual for ILOs. This should be completed before the end 2003. The Council stresses the need for the immigration liaison officers to work as an integrated network and invites the Member States to consider the deployment of more immigration liaison officers. The benefits resulting from the posting of more liaison officers should exceed the expenses involved in the posting. The deployment of immigration liaison officers is clearly cost effective. Lastly, the Council will review the improvements in the ILO network before the end of 2003 taking into consideration the implementation of the recommendations set out in these conclusions.

Police cooperation: common use of liaison officers posted abroad by member States. Initiative Denmark

2002/0815(CNS) - 20/11/2002 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Jose RIBEIRO E CASTRO (UEN, Portugal) amending Denmark's proposal. (Please refer to the document dated 5/11/02.) Parliament added that Member States' liaison officers posted to the same third country or international organisation will assist one another in the performance of their duties and their respective Member States may instruct them to carry out joint initiatives.