

Basic information	
<b>2015/0811(CNS)</b> CNS - Consultation procedure	Awaiting final decision
Memorandum of Understanding between the Office for Harmonisation in the Internal Market and Eurojust  <b>Subject</b>  7.40.04 Judicial cooperation in criminal matters 8.40.08 Agencies and bodies of the EU	

Key players				
European Parliament	<b>Committee responsible</b>		<b>Rapporteur</b>	<b>Appointed</b>
	<b>JURI</b> Legal Affairs		CHRYSOGONOS Kostas (GUE/NGL)	23/10/2015
			Shadow rapporteur CAVADA Jean-Marie (ALDE)	
	<b>Committee for opinion</b>		<b>Rapporteur for opinion</b>	<b>Appointed</b>
	<b>ITRE</b> Industry, Research and Energy		The committee decided not to give an opinion.	
	<b>IMCO</b> Internal Market and Consumer Protection		The committee decided not to give an opinion.	
	<b>CULT</b> Culture and Education		The committee decided not to give an opinion.	
	<b>LIBE</b> Civil Liberties, Justice and Home Affairs		The committee decided not to give an opinion.	
	Council of the European Union			
	European Commission	<b>Commission DG</b>		<b>Commissioner</b>
Internal Market, Industry, Entrepreneurship and SMEs		BIENKOWSKA Elzbieta		

Key events			

Date	Event	Reference	Summary
01/10/2015	Legislative proposal published	11595/2015	Summary
14/10/2015	Committee referral announced in Parliament		
03/12/2015	Vote in committee		
07/12/2015	Committee report tabled for plenary, 1st reading/single reading	A8-0353/2015	Summary
15/12/2015	Decision by Parliament	T8-0434/2015	Summary
15/12/2015	Results of vote in Parliament		

Technical information	
Procedure reference	2015/0811(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Awaiting final decision
Committee dossier	JURI/8/04716

Documentation gateway				
<b>European Parliament</b>				
Document type	Committee	Reference	Date	Summary
Committee draft report		PE571.415	27/10/2015	
Committee report tabled for plenary, 1st reading/single reading		A8-0353/2015	07/12/2015	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0434/2015	15/12/2015	Summary
<b>Council of the EU</b>				
Document type	Reference	Date	Summary	
Legislative proposal	11595/2015	01/10/2015	Summary	

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

## Memorandum of Understanding between the Office for Harmonisation in the Internal Market and Eurojust

2015/0811(CNS) - 07/12/2015 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Legal Affairs adopted, in the framework of a special legislative procedure (Parliament's consultation), the report by Kostas CHRYSOGONOS (GUE/NGL, EL) on the draft Council implementing decision approving the conclusion by Eurojust of the Memorandum of Understanding between the Office for Harmonisation in the Internal Market and Eurojust.

The Committee on Legal Affairs recommended the European Parliament to approve the Council draft aiming to formalise the conclusion by Eurojust of the Memorandum of Understanding between the Office for Harmonisation in the Internal Market (OHIM), for which the Committee on Legal Affairs is responsible.

The purpose of the Memorandum of Understanding (MoU) is to foster cooperation between Eurojust and OHIM in compliance with their respective mandates.

The explanatory statement accompanying the report highlighted a provision which is particularly worthy of attention is Article 3(5) of the MoU, whereby the exchange of information or experience provided for in this MoU shall not include the transmission of operational information including data relating to an identified or identifiable person. The Rapporteur fully endorsed this approach and called on the Council to be vigilant of the implementation in practice of the data protection guarantee.

Another interesting provision is **Article 6 on settlement of disputes** which: (i) stipulates that disputes related to the interpretation or application of the MoU must be settled by means of consultations and negotiations between representatives of Eurojust and OHIM, thus excluding the arbitration of any third party; (ii) lays down that in the event of serious failing to comply with the provisions of the MoU, or if Eurojust or OHIM is of the view that such failing may occur in the near future, either of them may suspend the application of the MoU temporarily, pending the consultations and negotiations.

## Memorandum of Understanding between the Office for Harmonisation in the Internal Market and Eurojust

2015/0811(CNS) - 01/10/2015 - Legislative proposal

PURPOSE: to approve the conclusion by Eurojust of the Memorandum of Understanding between the Office for Harmonisation in the Internal Market and Eurojust.

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: [Decision 2002/187/JHA](#) provides that Eurojust may conclude agreements or working arrangements with the institutions, bodies and agencies set up by, or on the basis of, the Treaties. Such agreements or working arrangements may, in particular, concern the exchange of information, including personal data, and the secondment of liaison officers to Eurojust. Such agreements or working arrangements may only be concluded after consultation by Eurojust with the Joint Supervisory Body concerning the provisions on data protection and after the approval by the Council.

In order to strengthen its capacity to work with the Office for Harmonisation in the Internal Market established by [Council Regulation \(EC\) No 207/2009](#), Eurojust has negotiated a Memorandum of Understanding between the Office for Harmonisation in the Internal Market and Eurojust.

The Memorandum was approved by the College of Eurojust on 19 May 2015.

CONTENT: in accordance with the draft implementing Decision, Eurojust is authorised to **conclude the Memorandum of Understanding between the Office for Harmonisation in the Internal Market and Eurojust**.

Denmark, the United Kingdom and Ireland shall take part in the adoption and application of this Decision.

## Memorandum of Understanding between the Office for Harmonisation in the Internal Market and Eurojust

2015/0811(CNS) - 15/12/2015 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 571 votes to 59, with 56 abstentions, a legislative resolution on the draft Council implementing decision approving the conclusion by Eurojust of the Memorandum of Understanding between the Office for Harmonisation in the Internal Market and Eurojust.

Parliament **approved the Council draft** under the Parliament's consultation procedure.

To recall, the draft implementing decision in question formalises the conclusion by Eurojust of the Memorandum of Understanding between the Office for Harmonisation in the Internal Market (OHIM). The purpose of the Memorandum of Understanding (MoU) is to foster cooperation between Eurojust and OHIM in compliance with their respective mandates.