Basic information

2015/0808(CNS) CNS - Consultation procedure	Awaiting final decision
Agreement on operational and strategic cooperation between Bosnia and Herzegovina and European Police Office (Europol) **Subject** 7.30.05 Police cooperation 7.30.05.01 Europol, CEPOL **Geographical area** Bosnia and Herzegovina	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	FONTANA Lorenzo (ENF)	10/11/2015
	Shadow rapporteur DÍAZ DE MERA GARCÍA CONSUEGRA Agustín (PPE) KAUFMANN Sylvia-Yvonne (S&D)	

Committee for opinion	Rapporteur for opinion	Appointed
AFET Foreign Affairs	The committee decided not to give an opinion.	

Council of the European Union

European Commission

Commission DG	Commissioner
Migration and Home Affairs	AVRAMOPOULOS Dimitris

Key events

Date	Event	Reference	Summary
24/08/2015	Legislative proposal published	10509/2015	Summary
05/10/2015	Committee referral announced in Parliament		
30/11/2015	Vote in committee		

03/12/2015	Committee report tabled for plenary, 1st reading/single reading	A8-0352/2015	Summary
16/12/2015	Decision by Parliament	T8-0453/2015	Summary
16/12/2015	Results of vote in Parliament		

Technical information	
Procedure reference	2015/0808(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Stage reached in procedure	Awaiting final decision
Committee dossier	LIBE/8/04525

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE569.858	05/11/2015	
Amendments tabled in committee		PE572.834	25/11/2015	
Committee report tabled for plenary, 1st reading/single reading		A8-0352/2015	03/12/2015	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0453/2015	16/12/2015	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	09384/2015	17/06/2015	
Legislative proposal	10509/2015	24/08/2015	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

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

2015/0808(CNS) - 03/12/2015 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted, in the framework of a special legislative procedure (Parliament's consultation), the report by Lorenzo FONTANA (ENF, IT) on the draft Council implementing decision approving the conclusion by the European Police Office (Europol) of the Agreement on Operational and Strategic Cooperation between Bosnia and Herzegovina and Europol.

The Committee recommended the European Parliament to **approve the Council draft**.

To recall, with regard to Council Decision 2009/371/JHA establishing the European Police Office (Europol) and Council Decision 2009/934/JHA adopting the implementing rules governing Europol's relations with partners, Europol must conclude the agreements with the third States which are laid down in the list established by Council 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.

Bosnia and Herzegovina is included in the list determined by Decision 2009/935/JHA.

Members called on the Commission to:

- assess, after the entry into force of the new Europol Regulation, the provisions contained in the cooperation agreement, in particular on data protection;
- inform the Parliament and the Council of the outcome of this assessment and, if appropriate, to submit a recommendation for an authorisation to open international renegotiation of the agreement.

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

2015/0808(CNS) - 16/12/2015 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 314 votes to 181, with 68 abstentions, a legislative resolution on the draft Council implementing decision approving the conclusion by the European Police Office (Europol) of the Agreement on Operational and Strategic Cooperation between Bosnia and Herzegovina and Europol.

Parliament **approved the Council draft** under the Parliament's consultation procedure. It called on the Commission to:

- assess, after the entry into force of the new Europol Regulation, the provisions contained in the cooperation agreement, in particular on **data protection**;
- inform the Parliament and the Council of the outcome of this assessment and, if appropriate, to submit a recommendation for an authorisation to open international renegotiation of the agreement.

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

2015/0808(CNS) - 24/08/2015 - Legislative proposal

PURPOSE: to approve the conclusion, by the European Police Office (Europol), of the Agreement on Operational and Strategic Cooperation between Bosnia and Herzegovina 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 establishing the European Police Office (Europol) and Decision 2009/934/JHA adopting the implementing rules governing Europol's relations with partners, including the exchange of personal data and classified information, 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.

Bosnia and Herzegovina 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 Bosnia and Herzegovina is a potential candidate State and a close neighbour of the Union, with which Bosnia and Herzegovina has many links and exchanges, Europol has initiated the procedure for the conclusion of an Agreement on Operational and Strategic Cooperation between Bosnia and Herzegovina and Europol ('Operational and Strategic Agreement').

Strategic agreements 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, as far as the agreement concerns the exchange of personal data.

The Operational and Strategic Agreement received a positive opinion from the Joint Supervisory Body with regard to those provisions. **The Management Board approved the Operational and Strategic Agreement on 13 May 2015**.

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 and an implementing decision should therefore be adopted in order to approve the conclusion of the Operational and Strategic Agreement.

CONTENT: in accordance with the draft implementing decision, Europol shall be authorised to **conclude the Agreement on Operational and Strategic Cooperation** between Bosnia and Herzegovina and Europol.

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.

In addition, the Agreement contains provisions relating to the **exchange of personal data**.

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