



Brussels, 8 November 2017

Summary conclusions

On 9 and 10 October 2017, the European Parliament (EP) and the Estonian Parliament jointly organised the constituent meeting of the Joint Parliamentary Scrutiny Group (JPSG) in the EP premises in Brussels. The meeting was co-chaired by Claude MORAES, Chair of the Committee on Civil Liberties, Justice and Home Affairs of the European Parliament and head of the EP delegation to the JPSG and Raivo AEG, Head of the Estonian delegation to the JPSG.

In line with the JPSG's tasks and responsibilities as set out in the Europol Regulation ((EU)2016/794), the agenda included a discussion on the implementation of Article 51 of the Regulation, exchanges of views on the 2014-2017 EU policy cycle, on the Europol's multiannual programming, as well as two sessions on the draft rules of procedures of the scrutiny group.

The exchange of views on the draft rules of procedure took place on the basis of a preliminary draft prepared by the Co-Chair's ahead of the meeting and circulated for written amendments by national Parliaments. A total of seven national Parliaments had tabled amendments to the proposed text: German Bundestag, French Senate and Parliaments of Ireland, Spain, Croatia, Cyprus and Hungary.

The main issues addressed during the exchange included the concept of a Presidential Troika and JPSG Secretariat, the decision-making procedure within JPSG; the JPSG working languages (both for documents and for interpretation), the possibility of introducing subgroups as part of the JPSG structure as well as the future status of the Danish Parliament in the JPSG.

In view of the fact that Denmark has not taken part in the adoption of the Europol regulation, the Danish Parliament had been invited to join the constituent meeting as observer. The European Affairs Committee of the Danish Parliament had addressed the Co-Chairs ahead of the constituent meeting to re-iterate their wish to join JPSG as full member. This request was also presented at the meeting.

During the first session dedicated to the rules of procedure, broad agreement was found on the principle of a Presidential Troika and of the JPSG Secretariat-like structure similar to the one known in other interparliamentary cooperation formats. With regard to the decision-making, several delegations were in favour of a more flexible decision making process. No other approach than consensus in principle is in line with the conclusions of the Conference of EU Speakers of April 2017. The question of the working languages of the JPSG was one of great concern to a number of Parliaments (currently foreseen are EN/FR for documents, a full language regime at meetings at EP, restricted regime for meetings in Presidency Parliaments with additional languages upon request by and at the expense of the individual delegation). Several delegations called for a full language regime both for translation of written documents and interpretation of JPSG for all meetings (regardless of where they are hosted). This request was not considered feasible. Finally, the question regarding the introduction of subgroups was considered to be an idea requiring further clarification and thus to be followed up at a later stage.

A number of other issues were raised by individual Parliaments, the right to ask questions to Europol (oral/written questions for an oral/written response), additional elements to the conduct of the meetings



(speaking time and venue) and the JPSG representative to the Europol Management Board being among them.

In an attempt to strike a balance between the different positions presented and to facilitate the possible adoption of the rules of procedure, the Co-Chairs revised the draft rules of procedure in line with the majority opinions expressed at the meeting. The new draft thus included: the Presidential Troika, the Secretariat, a more flexible approach to the venue of extraordinary meetings and the length of interventions during the meetings, the inclusion of “in principle” with reference to the decision making process as per the conclusions by the EU Speakers’ Conference, the right to ask questions, a clarification with regard to the language regime and the mandate of the JPSG representative to the Europol Management Board. The revised draft rules of procedure was distributed to all delegations on the morning of the second day.

During the opening of the second session on the rules of procedures, the Co-Chairs called on all delegations to agree in principle on the revised draft (version of 10 October) and compromise suggested therein. At the same time, they identified two issues, which in their understanding required further clarification and should thus be brought forward to the next meeting: the participation of the Danish Parliament and the subgroups. Despite the fact that the majority of Parliaments were open towards the compromise proposed, no consensus was found on the revised version of the text. A number of points (outside the ones already mentioned above) were re-tabled by individual Parliaments. As a result, the Co-Chairs concluded that the adoption of the rules of procedure of the JPSG had to be postponed to the next meeting on 18 and 19 March 2018 in Sofia. The draft rules of procedure will be re-opened for amendments early next year. This process will be led by the next Co-Chairs, the National Assembly of the Bulgarian Republic and the European Parliament.

Claude MORAES
Chair of the Committee on Civil Liberties, Justice and
Home Affairs

Raivo AEG
Head of Estonian Delegation to the Joint
Parliamentary Scrutiny Group