

3 September 2019

**To: the JPSG Co-Chairs and the delegations of the National Parliaments
and the European Parliament to the JPSG on Europol**

The matter: Proposed amendments to the Rules of Procedure of the Joint Parliamentary Scrutiny Group on Europol.

Prior to the fifth meeting of the Joint Parliamentary Scrutiny Group on Europol (JPSG) and the scheduled discussion on the review of the Rules of Procedure and the designation of the JPSG representative to the meetings of the Europol Management Board, the Riksdag delegation to the JPSG would like to propose amendments to the Rules of Procedure's provisions on the appointment of the JPSG's representative to the Management Board of Europol (Article 5) and the final provisions on entry into force and revision of the Rules of Procedure (Article 6).

Regarding **Article 5** on the appointment of the JPSG's representative to the Europol Management Board, the Riksdag delegation considers that there is reason to establish an automatic order for who is to represent the JPSG as an observer at the meetings of the Europol Management Board. It seems unreasonable that the JPSG delegations should devote time and energy before every meeting to prepare their positions on various candidates. An automatic order would also separate the appointment from the issue of the JPSG's decision-making rule (consensus rule). The proposal would mean that the assignment as observer would become an integrated part of the responsibilities as rotating Co-Chair. The assignment as observer would thus rotate in a way that gives the delegations of the national Parliaments an equal opportunity to form their own opinion of what the task involves and to get an insight into how the Europol Management Board works. These reasons carry greater weight than the argument that insight into the Management Board's work would benefit from the assignment as observer being held by one and the same person for a longer period.

Regarding **Article 6** on the final provisions on entry into force and revision of the Rules of Procedure, the Riksdag delegation to the JPSG considers that the entry into force provision (Article 6.1) should be changed so that amendments to the Rules of Procedure only enter into force a while after they have been adopted.


This is to avoid the risk that amendments affect the procedures for consideration of any items on the agenda after their adoption.

Political scrutiny of Europol through the JPSG is a new phenomenon. It is natural that the JPSG needs to explore and test the procedures for its activities, and that all situations cannot be predicted. It may therefore be necessary to take an evolutionary approach to the Rules of Procedure, where tested, functioning routines are successively added and less well-functioning provisions are removed or amended. For this reason, a special procedure should be introduced in Article 6.2 regarding proposals for amendments to the Rules of Procedure and consideration of such proposals, in addition to the opportunity given to delegations to send documents to the Co-Chairs relating to items on the agenda pursuant to Article 4.6.2 of the Rules of Procedure.

Furthermore, the revision clause should be replaced as it will become obsolete in view of the time frame it sets out.

Please find enclosed our proposed amendments to the said articles.

I look forward to continued positive cooperation.


PETTER LÖBERG

Petter Löberg

Head of the Delegation of the Swedish Parliament – the Riksdag – to the JPSG on Europol.

Proposed amendments to the JPSG Rules of Procedure from the Riksdag delegation to the JPSG

JPSG Rules of Procedure	Proposal for amendment
<p>ARTICLE 5: REPRESENTATIVE TO THE MANAGEMENT BOARD OF EUROPOL</p> <p>The JPSG shall appoint, from its full Members, a representative who will be entitled to attend, in accordance with Article 14 of the Europol Regulation and for a duration determined by the JPSG, meetings of the Management Board of Europol as a non-voting observer. The representative shall report back to the JPSG after each meeting of the Management Board on his/her main findings in writing.</p>	<p>ARTICLE 5: REPRESENTATIVE TO THE MANAGEMENT BOARD OF EUROPOL</p> <p>A member of the JPSG delegation holding the rotating co-presidency shall act as representative of the JPSG entitled to attend meetings of the Management Board of Europol as a non-voting observer, in accordance with Article 14 of the Europol Regulation.</p> <p>The representative shall report in writing to the JPSG after each attended meeting of the Management Board on his or her main findings.</p>

JPSG Rules of Procedure	Proposal for amendment
<p>ARTICLE 6: FINAL PROVISIONS</p> <p><i>6.1 Entry into force of the Rules of Procedure</i></p> <p>These Rules of Procedure are drawn up in a single original in English and French, each of these texts being equally authentic. Translations into the other official languages of the European Union shall be the responsibility of the relevant Parliaments. The Rules of Procedure shall enter into force on the <i>date of</i> their adoption.</p> <p><i>6.2. Revision</i></p> <p><i>In line with the recommendations of the EU Speakers Conference of 23-24 April 2017 in Bratislava, the JPSG shall make a review of its Rules of</i></p>	<p>ARTICLE 6: FINAL PROVISIONS</p> <p><i>6.1 Entry into force of the Rules of Procedure</i></p> <p>These Rules of Procedure are drawn up in a single original in English and French, each of these texts being equally authentic. Translations into the other official languages of the European Union shall be the responsibility of the relevant Parliaments. The Rules of Procedure shall enter into force on the <i>first day of the first month following</i> their adoption.</p> <p><i>6.2. Revision</i></p> <p><i>a) JPSG delegations may submit proposals for a revision of the Rules of Procedure. These proposals and a</i></p>

<p><i>Procedure, two years after its constituent meeting, and submit the conclusions from such a review to the Presidency of the Conference of Speakers of the European Union Parliaments.</i></p>	<p><i>statement of reason shall be submitted in writing to the JPSG co-chairs, in English or French, and forwarded to all JPSG delegations, at least one month before JPSG meetings.</i></p> <p><i>b) A proposal for a revision of the Rules of Procedure should be put on the agenda of the first JPSG meeting following the submission of the proposal.</i></p>
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