



Procedure file

Basic information		
CNS - Consultation procedure Decision	2009/0809(CNS)	Procedure completed
Europol: list of third states and organisations for conclusion of agreements Repealed by 2013/0091(COD) Amended by 2013/0801(CNS) Amended by 2016/0823(CNS)		
Subject 1.20.09 Protection of privacy and data protection 7.30.05.01 Europol, CEPOL		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	LIBE Civil Liberties, Justice and Home Affairs		15/10/2009
		Verts/ALE ALBRECHT Jan Philipp Shadow rapporteur PPE DÍAZ DE MERA GARCÍA CONSUEGRA Agustín	
Council of the European Union	Council configuration	Meeting	Date
	Justice and Home Affairs (JHA)	2979	30/11/2009
European Commission	Commission DG	Commissioner	
	Justice and Consumers	BARROT Jacques	

Key events			
24/07/2009	Legislative proposal published	11946/2009	Summary
14/09/2009	Committee referral announced in Parliament, 1st reading/single reading		
12/11/2009	Vote in committee, 1st reading/single reading		Summary
16/11/2009	Committee report tabled for plenary, 1st reading/single reading	A7-0069/2009	
23/11/2009	Debate in Parliament		
24/11/2009	Results of vote in Parliament		
24/11/2009	Decision by Parliament, 1st reading/single reading		Summary
30/11/2009	Act adopted by Council after consultation of Parliament		
30/11/2009	End of procedure in Parliament		
11/12/2009	Final act published in Official Journal		

Technical information

Procedure reference	2009/0809(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Decision
	Repealed by 2013/0091(COD) Amended by 2013/0801(CNS) Amended by 2016/0823(CNS)
Legal basis	Rules of Procedure EP 198
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/7/00535

Documentation gateway

Legislative proposal		11946/2009	24/07/2009	CSL	Summary
Committee draft report		PE430.336	05/11/2009	EP	
Committee report tabled for plenary, 1st reading/single reading		A7-0069/2009	16/11/2009	EP	

Final act

Justice and Home Affairs act 2009/935
[OJ L 325 11.12.2009, p. 0012](#) Summary

2009/0809(CNS) - 24/07/2009 Legislative proposal

PURPOSE: to establish a list of third States and organisations with which Europol shall conclude cooperation agreements.

PROPOSED ACT: Council Decision.

BACKGROUND: in accordance with [Council Decision 2009/371/JHA](#) establishing Europol as a Community Agency, it is for the Council, acting by qualified majority after consulting the European Parliament, to determine, in a list, the third States and organisations with which Europol shall conclude agreements.

The purpose of this proposal is to establish that list.

CONTENT: in accordance with Article 23(2) of the Europol Decision, Europol shall conclude agreements with the third States and organisations placed on the list in the Annex to this Decision. This list is in addition to the organisations with which Europol already cooperates (for example, Eurojust, OLAF, FRONTEX, CEPOL, etc.).

Procedure for concluding a cooperation agreement: Europol may initiate the procedure for the conclusion of an agreement as soon as the third State or organisation has been placed on that list. Europol shall strive for the conclusion of a cooperation agreement with those third States and organisations which allow for the exchange of personal data, unless decided otherwise by the Management Board.

Europol shall prioritise the conclusion of cooperation agreements, taking account of its operational needs and the human and financial resources available. The Management Board may provide the Director with any further instructions concerning the negotiation of a specific agreement as it considers necessary.

Adding a new third State or organisation to the list: a Member of the Management Board or Europol may propose to add a new third State or organisation to the list. In doing so, they shall outline the operational need to conclude a cooperation agreement with that third State or organisation. The Management Board shall decide whether or not to propose to the Council the addition of that third State or organisation to the list. The Council shall decide on the addition of the third State or organisation to the list by amending the Annex to this Decision.

List of third States and organisations with which Europol shall conclude agreements: the Annex to the proposal lists the third States and organisations concerned. The following States and organisations are included:

(1) Third States:

- Albania;
- Australia;
- Bolivia;

- Bosnia and Herzegovina;
- Canada;
- China;
- Colombia;
- Croatia;
- Former Yugoslav Republic of Macedonia (FYROM);
- Iceland;
- India;
- Israel;
- Liechtenstein;
- Moldova;
- Monaco;
- Montenegro;
- Morocco;
- Norway;
- Peru;
- Russian Federation;
- Serbia;
- Switzerland;
- Turkey;
- Ukraine;
- United States of America.

(2) Organisations:

- ICPO-Interpol;
- United Nations Office on Drugs and Crime (UNODC);
- World Customs Organisation.

2009/0809(CNS) - 12/11/2009 Vote in committee, 1st reading/single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted the report, drawn up by Jan Philipp ALBRECHT (Greens/EFA, DE), on the draft Council decision determining the list of third States and organisations with which Europol shall conclude agreements, calling on the European Parliament to reject the Council's text.

Members consider that, taking into account the imminent entry into force of the Treaty of Lisbon and its effects on police cooperation, there should be no amendments to the measures implementing the Europol Decision until such measures can be adopted under the new legal framework provided for in the Treaty of Lisbon.

They call on the Commission or the Council to make a declaration in plenary on a proposal for a new Europol decision which shall be submitted six months following the date of entry into force of the Treaty of Lisbon.

Lastly, they call on the Council to withdraw its proposal.

2009/0809(CNS) - 24/11/2009 Decision by Parliament, 1st reading/single reading

The European Parliament rejected (633 votes against, 17 in favour, 7 abstentions), under the consultation procedure, the draft Council decision determining the list of third States and organisations with which Europol shall conclude agreements.

2009/0809(CNS) - 30/11/2009 Final act

PURPOSE: to establish a list of third States and organisations with which Europol shall conclude cooperation agreements.

LEGISLATIVE ACT: Council Decision 2009/935/JHA determining the list of third States and organizations with which Europol shall conclude agreements.

BACKGROUND: in accordance with [Council Decision 2009/371/JHA](#) establishing Europol as a Community Agency, it is for the Council, acting by qualified majority after consulting the European Parliament, to determine, in a list, the third States and organisations with which Europol shall conclude agreements. This decision establishes that list.

CONTENT: in accordance with Article 23(2) of the Europol Decision, Europol shall conclude agreements with the third States and organisations placed on the list in the Annex to this Decision. This list is in addition to the organisations with which Europol already cooperates (for example, Eurojust, OLAF, FRONTEX, CEPOL, etc.).

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organisation to the list. In doing so, they shall outline the operational need to conclude a cooperation agreement with that third State or organisation. The Management Board shall decide whether or not to propose to the Council the addition of that third State or organisation to the list. The Council shall decide on the addition of the third State or organisation to the list by amending the Annex to this Decision.

List of third States and organisations with which Europol shall conclude agreements: the Annex to this Decision lists the third States and organisations concerned. The following States and organisations are included:

1) third States:

- Albania;
- Australia;
- Bolivia;
- Bosnia and Herzegovina;
- Canada;
- China;
- Colombia;
- Croatia;
- Former Yugoslav Republic of Macedonia (FYROM);
- Iceland;
- India;
- Israel;
- Liechtenstein;
- Moldova;
- Monaco;
- Montenegro;
- Morocco;
- Norway;
- Peru;
- Russian Federation;
- Serbia;
- Switzerland;
- Turkey;
- Ukraine;
- United States of America.

2) Organisations:

- ICPO-Interpol;
- United Nations Office on Drugs and Crime (UNODC);
- World Customs Organisation.

ENTRY INTO FORCE: 1 January 2010.