





Procedure file

Basic information	
CNS - Consultation procedure Decision	2016/0811(CNS) Awaiting final decision
Agreement on operational and strategic cooperation between Ukraine and European Police Office (Europol)	
Subject 7.30.05 Police cooperation 7.30.05.01 Europol, CEPOL	
Geographical area Ukraine	
Legislative priorities EU support to Ukraine	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Civil Liberties, Justice and Home Affairs	 GABRIEL Mariya	26/09/2016
		Shadow rapporteur	
		 CHINNICI Caterina	
Council of the European Union			

Key events			
03/07/2016	Legislative proposal published	10345/2016	Summary
12/09/2016	Committee referral announced in Parliament		
17/11/2016	Vote in committee		
17/11/2016	Committee report tabled for plenary, 1st reading/single reading	A8-0342/2016	Summary
22/11/2016	Results of vote in Parliament		
22/11/2016	Decision by Parliament	T8-0428/2016	Summary

Technical information	
Procedure reference	2016/0811(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Decision
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Awaiting final decision

Documentation gateway

Document attached to the procedure		08958/2016	20/05/2016	CSL	
Legislative proposal		10345/2016	04/07/2016	CSL	Summary
Committee draft report		PE589.423	30/09/2016	EP	
Amendments tabled in committee		PE592.403	25/10/2016	EP	
Committee report tabled for plenary, 1st reading/single reading		A8-0342/2016	17/11/2016	EP	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0428/2016	22/11/2016	EP	Summary

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

PURPOSE: to approve the conclusion by the European Police Office (Europol) of the Agreement on Operational and Strategic Cooperation between Ukraine 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](#) determining the list of third States and organisations with which Europol shall conclude agreements.

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.

Ukraine 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 Ukraine is a potential candidate State and a close neighbour of the Union, Europol has initiated the procedure for the conclusion of an Agreement on Operational and Strategic Cooperation between Ukraine and Europol.

Strategic agreements involve the exchange of information excluding personal data. They 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, in so far as the agreement concerns the exchange of personal data.

The Management Board approved the Operational and Strategic Agreement on 11-12 May 2016.

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 to approve the conclusion of the Operational and Strategic Agreement.

CONTENT: pursuant to the draft implementing decision, Europol is authorised to conclude the Agreement on Operational and Strategic Cooperation between Ukraine and Europol in preventing and combating organised crime and terrorism between these countries.

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.

Moreover, the Operational and Strategic Agreement contains provisions relating to the exchange of personal data.

Denmark, the United Kingdom and Ireland are taking part in the adoption and application of this implementing Decision.

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

The Committee on Civil Liberties, Justice and Home Affairs adopted, following the Parliaments consultation procedure, the report by Mariya GABRIEL (EPP, BG) on the draft Council implementing decision approving the conclusion by the European Police Office (Europol) of the

Agreement on Operational and Strategic Cooperation between Ukraine and Europol.

The committee approved the Council draft.

As a reminder, the proposal concerns the proposed approval of an operational and strategic agreement between Europol and Ukraine, providing for the exchange of information, including personal data. Such information could be in the field of specialist knowledge, general situation reports, results of strategic analysis, information on criminal investigation procedures, information on crime-prevention methods, participation in training activities as well as providing advice and support in individual criminal investigations.

The explanatory statement of the report stated that according to Europol, Ukraine is increasingly relevant in the fight against organized crime, and more specific drug-related and economic crimes, trafficking in human beings and smuggling, as well as mobile (itinerant) organised crime groups. Exchange of information will enable the EU, Member States and Ukraine to prevent and combat organised crime, terrorism and other forms of international crime more effectively. The conclusion of this strategic and operational cooperation agreement with Ukraine is important as it would aid and reinforce the fight against organized crime.

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

The European Parliament adopted by 442 votes to 80, with 72 abstentions (following the consultation procedure) 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 Ukraine and Europol.

In line with its Civil Liberties, Justice and Home Affairs Committee, Parliament approved the Council draft without amendments.