

EUROPOL: establishing the European Police Office

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The Council reached an agreement on Chapter 1 ("Establishment and tasks") of a proposal for a Council Decision establishing Europol. It also adopted conclusions on replacing the Europol Convention by a Council Decision. This will constitute a clear improvement of the operational and administrative functioning of Europol. At that meeting, the Council also decided that a full assessment of the implications of financing Europol from the general budget of the EU and the application of the Protocol on the Privileges and Immunities of the European Communities should be made, guided by the principle of budget neutrality and taking into account the specific requirements resulting from Europol's mandate and tasks.

The Council agrees to the following:

- the Europol Convention will be replaced with a Council Decision pursuant to Article 34(2)(c) of the TEU and the necessary Council Decision will be finalised by 30 June 2008, at the latest.

- in accordance with Art. 41(3) TEU and other applicable provisions, Europol will be funded from the Community budget as from 1 January 2010, provided that satisfactory solutions on the following aspects have been found:

- the lifting of immunity for Europol officials when participating in operational activities, especially Joint Investigation Teams;
- the principle of staff rotation and the possibility for Europol staff participating in JIT to receive instructions from the team leader;
- clarification of the budgetary consequences, guided by budget neutrality.

- Europol and the Commission will ensure that all preparatory work is carried out in order to enable the introduction of Community financing as from 1 January 2010. To this end, Europol and the Commission will draw up an implementation plan (roadmap) which sets out the milestones which have to be reached before that date. The Council will endorse the implementation plan (roadmap) as soon as possible and, at the latest, in December 2007.