

| #  | Parliament      | Amendment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Original Troika Working Group Draft Text                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Presidency Compromise                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Explanation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| 1. | DE<br>Bundestag | Rights of hearing and questioning: one third of the members of the JPSG should be able to require the Chairperson of the Management Board, the Executive Director or their Deputies and the European Data Protection Supervisor to appear at meetings of the JPSG, to discuss matters relating to the activities of Europol; the right of the JPSG to hold such hearings should be accompanied By a right vested in each individual member of the Group to obtain oral answers to his or her questions; so that well-founded answers can be given to these questions, the questions should be submitted to the chair of the JPSG two weeks before the meeting; the chair would then forward the questions to the competent Europol departments so that an answer can be formulated in preparation for the meeting; besides the right to obtain oral answers to questions in connection with the right to hold hearings, each member and substitute member of the JPSG should be permitted, outside the framework of the Group's meetings, to address an appropriate number of written questions to the Management Board and the Executive Director. | <p>The Conference of Speakers of Parliaments of the European Union pursuant to:</p> <p>a) Article 88 of the Treaty on the Functioning of the European Union,</p> <p>b) Protocol Number 1 on the Role of National Parliaments in the European Union to the Treaty on the European Union,</p> <p>c) Regulation 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol),</p> <p>d) The tasks of the Joint Parliamentary Scrutiny Group set out in Regulation 2016/794,</p> <p>And in accordance with the Conclusions of the Conference of Speakers of the EU Parliaments of 22-24 May 2016 in Luxembourg,</p> <p>Agrees that as concerns the Joint Parliamentary Scrutiny Group (JPSG) to carry out scrutiny of Europol's activities:</p> | <p>The Conference of Speakers of Parliaments of the European Union pursuant to:</p> <p>a) Article 88 of the Treaty on the Functioning of the European Union,</p> <p>b) Protocol Number 1 on the Role of National Parliaments in the European Union to the Treaty on the European Union,</p> <p>c) Regulation 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol),</p> <p><del>d) The tasks of the Joint Parliamentary Scrutiny Group set out in Regulation 2016/794,</del></p> <p>And in accordance with the Conclusions of the Conference of Speakers of the EU Parliaments of 22-24 May 2016 in Luxembourg,</p> <p><b>Recognizing that:</b></p> <p><b>I) the Joint Parliamentary Scrutiny Group (JPSG) is meant to be a scrutiny and monitoring body, as opposed to an inter-parliamentary conference;</b></p> <p><b>II) that the JPSG shall politically monitor Europol's activities in fulfilling its mission, including as regards the impact of those activities on the fundamental rights and freedoms of natural persons;</b></p> <p><b>III) that the tasks and responsibilities of the JPSG are set out in Article 51 of the Regulation 2016/794, inter alia including the right to question the Chairperson of the Management Board of Europol, the Executive Director of Europol or their deputies as well as the European Data Protection Supervisor and including the right to be consulted in relation to Europol's multiannual programming and including the right to request relevant documents necessary to the fulfillment of its tasks and including the right to draw up summary conclusions on the political monitoring of Europol's activities;</b></p> | <p>The rights, responsibilities and tasks of the JPSG are already set out in Article 51 of the respective regulation. Particularly the right to question the leadership of Europol is already enshrined in the regulation, but is nonetheless herewith restated. The exact manner of operations of this procedure may be decided by the JPSG itself, within the rules of procedure, if necessary. It also seemed advisable to re-emphasize the nature of the JPSG as a permanent inter-parliamentary scrutiny body.</p> |

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|    |              |                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                         | Agrees that as concerns the Joint Parliamentary Scrutiny Group (JPSG) to carry out scrutiny of Europol's activities:                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 2. | DE Bundestag | The Bundestag welcomes the reference in the present draft to long-term continuity in the composition of the JPSG. The members selected by parliaments should be appointed for the duration of the electoral term of the parliament in question.                                                                                       | 1) Members of the JPSG shall be selected individually by each Parliament/Chamber, bearing in mind the necessity to ensure substance matter expertise as well as long-term continuity and recommending to draw from the responsible committee/committees in Parliaments/Chambers.;                                       | 1) Members of the JPSG shall be selected individually by each Parliament/Chamber, bearing in mind the necessity to ensure substance matter expertise as well as long-term continuity and recommending to draw from the responsible committee/committees in Parliaments/Chambers.<br><b>Where possible, members of the JPSG should be nominated for the duration of their parliamentary mandate;</b>                                                                                                       | A more explicit reference to appointment for the duration of the mandate was included.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 3. | DE Bundestag | In the view of the Bundestag, the JPSG should have at least four members.                                                                                                                                                                                                                                                             | 2) Each Parliament shall have the right to nominate 2 members of the JPSG, in the case of bicameral parliaments each Chamber shall have the right to nominate 1 member of the JPSG (unless otherwise agreed between the two Chambers). The European Parliament shall have the right to nominate 10 members of the JPSG; | 2) Each Parliament shall have the right to nominate <b>up to four</b> members of the JPSG, in the case of bicameral parliaments each Chamber shall have the right to nominate <b>up to two</b> members of the JPSG ( <del>unless otherwise agreed between the two Chambers</del> ). The European Parliament shall have the right to nominate <b>up to 16</b> members of the JPSG. <b>The number of members nominated by each Parliament/Chamber does not affect the equality of Parliaments/Chambers.</b> | The arrangement allows Parliaments/Chambers to send an increased number of representatives to the JPSG where necessary in order to reflect political diversity. At the same time, it makes it possible for Parliaments/Chambers wishing to send a small number of members to do so as well, and subsequently to thus keep the overall size of the JPSG as small and manageable as possible. In proportion to this change, the number of members to be nominated by the EP was also increased. Additionally the equality between Parliaments/Chambers independent of the number of members |
| 4. | DE Bundestag | The Bundestag welcomes the fact that the second draft from the Troika Working Group gives Member States with bicameral systems sufficient flexibility to determine themselves how their national representation is to be divided between the two chambers of Parliament.                                                              |                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 5. | DE Bundesrat | Each Parliament shall have the right to nominate 4 members of the JPSG, in case of bicameral Parliaments each Chamber shall have the right to nominate 2 members of the JPSG ( <del>unless otherwise agreed between the two Chambers</del> ). The European Parliament shall have the right to nominate 10 members of the JPSG.        |                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 6. | PL Sejm      | Each Parliament shall have the right to nominate <b>6</b> members of the JPSG, in case of bicameral Parliaments each Chamber shall have the right to nominate <b>3</b> members of the JPSG (unless otherwise agreed between the two Chambers). The European Parliament shall have the right to nominate <b>6</b> members of the JPSG. |                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

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| 7.  | DE<br>Bundestag | The Bundestag proposes that the national Parliaments or their chambers appoint substitute members of the JPSG who can represent the full members of the JPSG in their absence.                                                                                                                                                                                                                                                                                                                                                                                    | -                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Additionally and where appropriate, each Parliament/Chamber may nominate substitute members to replace full members in case of absence.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | The stipulation for the option to nominate substitute members for replacement purposes was added.                                                                                                               |
| 8.  | CY              | 2) Each Parliament shall have the right to nominate 2 members of the JPSG ( <i>and 2 substitutes</i> ), in the case of bicameral parliaments each Chamber shall have the right to nominate 1 member ( <b>and 1 substitute</b> ) of the JPSG (unless otherwise agreed between the two Chambers). The European Parliament shall have the right to nominate 10 ( <b>and 10 substitutes</b> ) members of the JPSG. Substitutes will be able to participate only when titular members are absent.                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                 |
|     |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 3) The JPSG shall be presided jointly by the Parliament of the country holding the rotating presidency of the Council of the European Union and the European Parliament;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                 |
| 9.  | DE<br>Bundestag | The Bundestag welcome the fact that the number of ordinary meetings of the JPSG has been increased to two in the new draft and that an extraordinary meeting may also be held. In this context, the Bundestag deems ti desirable not to limit the number of extraordinary meetings. In the view of the Bundestag, besides the European Parliament and the national Parliament of the Member State holding the rotating presidency of the Council, one third of the members of the JPSG, should also be able to require the convening of an extraordinary meeting. | 4) The JPSG shall meet twice a year. In the first half of the year, the JPSG shall meet in the Parliament of the country holding the rotating presidency of the Council of the European Union. In the second half of the year, the JPSG shall meet in the European Parliament. If necessary, an extraordinary meeting can be convened upon agreement of the Parliament of the country holding the rotating presidency of the Council of the European Union and the European Parliament, to address matters of urgency or matters that cannot be reasonably included in the agenda of the ordinary meetings. Time and place of the extraordinary meeting shall be decided by the Parliament of the country holding the rotating presidency of the Council of the European Union and the European Parliament; | The JPSG shall meet twice a year. In the first half of the year, the JPSG shall meet in the Parliament of the country holding the rotating presidency of the Council of the European Union. In the second half of the year, the JPSG shall meet in the European Parliament. If necessary, <del>an</del> extraordinary meetings can be convened upon agreement of the Parliament of the country holding the rotating presidency of the Council of the European Union and the European Parliament, <b>or upon agreement by at least one third of the Parliaments/Chambers</b> , to address matters of urgency or matters that cannot be reasonably included in the agenda of the ordinary meetings. Time and place of the extraordinary meetings shall be decided by the Parliament of the country holding the rotating presidency of the Council of the European Union and the European Parliament; | A stipulation for the possibility for several extraordinary meetings in one year was added. It was also added that an extraordinary meeting can be convened by one third of participating Parliaments/Chambers. |
| 10. | CY              | 4) The JPSG shall meet twice a year. In the first half of the year, the JPSG shall meet in the Parliament of the country holding the rotating presidency of the Council of the European Union. In the second half of the year, the JPSG shall meet in the European Parliament. If necessary, an extraordinary meeting can be convened upon agreement of the Parliament of the country holding the rotating presidency of                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                 |

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|     |              | the Council of the European Union and the European Parliament, <b>or by at least one third of the member National Parliaments</b> , to address matters of urgency or matters that cannot be reasonably included in the agenda of the ordinary meetings. Time and place of the extraordinary meeting shall be decided by the Parliament of the country holding the rotating presidency of the Council of the European Union and the European Parliament;                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                      |                                                                                                                                                                                                      |                                                                                                                                                                                            |
| 11. | DE Bundestag | Quorum and decision-making: the summary conclusions prescribed by Article 51(5) of the new Europol Regulation should be adopted by a majority of the members.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | And recommends that a constituent meeting of the JPSG should be held as soon as possible in order to adopt its rules of procedure so as to enable full work to begin in the second semester of 2017. | And recommends that a constituent meeting of the JPSG should be held as soon as possible in order to adopt its rules of procedure so as to enable full work to begin in the second semester of 2017. | Questions of detailed provisions for specific operations of the JPSG should be dealt with within the rules of procedure, decided upon by the members of the JPSG itself, once constituted. |
| 12. | DE Bundestag | Appointment of subgroups: So that oversight duties can be performed effectively, the JPSG should be able to appoint subgroups – a steering committee and two to three other subgroups – or, where necessary, ad hoc bodies. A steering committee should draft the political and strategic objectives of the JPSG. Potential thematic focal points for the other subgroups are Europol's cooperation with EU agencies such as Frontex or with non-EU countries and international organisations, protection of personal data in the context of Europol activities and budgetary matters. The subgroups should make recommendations to the full JPSG relating to particular points in the conclusions referred to in Article 51(5) of the Europol Regulation, these recommendations having been adopted by a majority of the subgroup members. The subgroups themselves should determine how frequently they meet. |                                                                                                                                                                                                      |                                                                                                                                                                                                      |                                                                                                                                                                                            |
| 13. | DE Bundestag | The JPSG and its subgroups should be assisted by a secretariat. Among the tasks of the latter would be to draw up the meeting agendas jointly with the European Parliament and the Parliament of the Member State holding the presidency of the Council after consulting the steering committee, to organise meetings, to send meeting documents and preparatory documentation to Group members and to draw up the minutes of meetings.                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                      |                                                                                                                                                                                                      |                                                                                                                                                                                            |

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|  |  |  |  | And further recommends conducting a review of these arrangements for the JPSG after two years from its first meeting, and submitting conclusions from such a review by the relevant Presidency of the Conference of Speakers of the European Union Parliaments. | In light of all of the above changes, it seemed advisable to include a possible review clause, as has been the case for the Article 13 and the CFSP/CSDP conferences. |
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