

Tuesday 14 November 2000

1. Approves the initiative of the French Republic as amended;
2. Calls on the Council to notify Parliament should it intend to depart from the text approved by Parliament;
3. Asks to be consulted again if the Council intends to amend the initiative of the French Republic substantially;
4. Instructs its President to forward its position to the Council and Commission and the Government of the French Republic.

5. Protocol amending Europol Convention *

A5-0312/2000

Initiative from the Portuguese Republic with a view to the adoption of a Council Act on the drawing up on the basis of Article 43(1) of the Convention on the establishment of a European Police Office (Europol Convention) of a Protocol amending Article 2 and the Annex to that Convention (9426/2000 – C5-0359/2000 – 2000/0809(CNS))

The initiative was amended as follows:

TEXT PROPOSED
BY THE PORTUGUESE REPUBLIC ⁽¹⁾

AMENDMENTS
BY PARLIAMENT

(Amendment 1)

Initiative, Title

Initiative from the Portuguese Republic with a view to the adoption of a Council Act on the drawing up on the basis of Article 43(1) of the Convention on the establishment of a European Police Office (Europol Convention) of a Protocol amending Article 2 and the Annex to that Convention

Initiative from the Portuguese Republic with a view to the adoption of a Council Act on the drawing up on the basis of Article 43(1) of the Convention on the establishment of a European Police Office (Europol Convention) of a Protocol amending **Articles 2, 28, 29, 34 and 40** and the Annex to that Convention

(Amendment 9)

Protocol, recital -1 (new)

(-1) The entry into force of the Europol Convention has provided the European Union with an important tool in the field of law enforcement and of organised crime by developing and strengthening the operative exchange of information and intelligence between law enforcement parties in Member States.

(Amendment 7)

Protocol, Article 1(1a) (new), Article 28(2) (Europol Convention)

1a. Article 28(2) shall be replaced by the following:

2. The Management Board shall be composed of one representative of each Member State, two representatives of the Commission and two representatives of the European Parliament. Each member of the Management Board shall have one vote.

⁽¹⁾ OJ C 200, 13.7.2000, p. 1.

Tuesday 14 November 2000

TEXT PROPOSED
BY THE PORTUGUESE REPUBLIC

AMENDMENTS
BY PARLIAMENT

(Amendment 8)

Protocol, Article 1(1b) (new), Article 29 (Europol Convention)

1b. Article 29 is amended as follows:

(a) Paragraph 1 shall be replaced by the following:

1. Europol shall be headed by a Director appointed by the Council, acting by a two-thirds majority, and by the European Parliament, in accordance with the procedure laid down in Title VI of the Treaty on European Union, after obtaining the opinion of the Management Board, for a four-year period renewable once.

(b) Paragraph 6 shall be replaced by the following:

The Director and the Deputy Directors may be dismissed by a decision of the Council, acting by a two-thirds majority of the Member States, and of the European Parliament, after obtaining the opinion of the Management Board.

(Amendment 4)

*Protocol, Article 1(1c) (new)
Article 34(1) (Europol Convention)*

1c. Article 34(1) shall be replaced by the following:

1. The Council Presidency shall each year address a special report to the European Parliament on the work of Europol. The Council Presidency shall present that report to the European Parliament which may request an exchange of views on that basis.

1a. The Director of Europol may, at the request of the European Parliament or on his own initiative, appear before the competent committees of the European Parliament for an exchange of views, when circumstances so require.

(Amendment 5)

*Protocol, Article 1(1d) (new)
Article 40(1) and (2) (Europol Convention)*

1d. Article 40(1) and (2) are replaced by the following text:

The Court of Justice shall have jurisdiction to rule on any dispute or conflict between Member States regarding the interpretation or the application of the Convention, whenever such disputes cannot be settled by the Council within six months of their arising.

Tuesday 14 November 2000

TEXT PROPOSED
BY THE PORTUGUESE REPUBLIC

AMENDMENTS
BY PARLIAMENT

(Amendment 6)
Protocol, Article 2(3)

3. This Protocol shall enter into force 90 days after the notification, referred to in paragraph 2, by the Member State which, being a member of the European Union on the date of adoption by the Council of the act establishing this Protocol, is the *last* to fulfil that formality.

3. This Protocol shall enter into force 90 days after the notification, referred to in paragraph 2, by the Member State which, being a member of the European Union on the date of adoption by the Council of the Act establishing this Protocol, is the **tenth** to fulfil that formality.

European Parliament legislative resolution on the initiative from the Portuguese Republic with a view to the adoption of a Council Act on the drawing up on the basis of Article 43(1) of the Convention on the establishment of a European Police Office (Europol Convention) of a Protocol amending Article 2 and the Annex to that Convention (9426/2000 – C5-0359/2000 – 2000/0809(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the initiative from the Portuguese Republic (9426/2000) ⁽¹⁾,
- having regard to Article 34(2) (b) of the EU Treaty,
- having been consulted by the Council pursuant to Article 39(1) of the EU Treaty (C5-0359/2000),
- having regard to Rules 106 and 67 of its Rules of Procedure,
- having regard to the report of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs and the opinions of the Committee on Economic and Monetary Affairs and the Committee on Legal Affairs and the Internal Market (A5-0312/2000),

1. Approves the initiative from the Portuguese Republic as amended;
2. Calls on the Council to notify Parliament should it intend to depart from the text approved by Parliament;
3. Asks to be consulted again if the Council intends to amend the initiative from the Portuguese Republic substantially;
4. Instructs its President to forward its position to the Council, the Commission and the Government of the Portuguese Republic.

⁽¹⁾ OJ C 200, 13.7.2000, p. 1.