

## AMENDMENT FORM

### Suggestion for amendment of Article 22 (Title Area of freedom, security and justice, Part II of the Treaty)

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Status :      **Tiilikainen, Kiljunen, Vanhanen - Members**  
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#### Article 22: [Europol]

1. Europol's mission is to support and strengthen action by the Member States' ~~police authorities~~ **competent law enforcement authorities** and their mutual cooperation in preventing and combating serious crime affecting two or more Member States, terrorism and forms of crime which affect a common interest covered by a Union policy.
2. The European Parliament and the Council, in accordance with the legislative procedure, shall determine Europol's structure, operation, field of action and tasks. These tasks may include:
  - the collection, storage, processing, analysis and exchange of information forwarded by the authorities of the Member States or third countries or bodies;
  - **the facilitating and supporting the preparation and encouraging the coordination and carrying out of specific investigative actions by the competent authorities of the Member States, including operational actions of joint teams comprising representatives of Europol** ~~coordination, organisation and implementation of investigative and operational actions carried out jointly with the Member States' services or in the context of joint investigative teams.~~

The law referred to in the previous paragraph also lays down the procedures for scrutiny of Europol's activities by the European Parliament, together with the national parliaments.

3. Any ~~operational~~ **investigative** action by Europol must be carried out in liaison with and in agreement with the services of the Member State(s) whose territory is concerned. The application of coercive measures is the exclusive responsibility of the competent national authorities.

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#### **Explanation:**

It is not sufficient just to mention police authorities as other law enforcement authorities (e.g. customs) are involved as well.

Europol's role is to act as Europe's criminal intelligence agency whose mission is to support and strengthen action by the Member States' police authorities and their mutual cooperation. Europol should not have independent operational tasks. As the tasks of Europol do not include operational activities, no special provisions on the political monitoring by the European Parliament or national parliaments, or supervision by Eurojust (see our comments on Article 19), are needed.