



# HOUSE OF LORDS

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**Communication from the Commission to the European Parliament and the Council on the procedures for the scrutiny of Europol's activities by the European Parliament, together with national Parliaments (Document 5659/11) (COM(2010)776)**

I am writing to you as Chairman of the European Union Committee of the House of Lords. Our Sub-Committee on Home Affairs considered this Commission Communication on Parliamentary oversight of Europol at a meeting on 2 March 2011. In view of the importance of this matter to our two Parliaments I thought it would be useful to let you know the views of this Committee.

Although the language of article 88 TFEU on the scrutiny of Europol and article 85 on the evaluation of Eurojust is different, this Committee has always taken the view that there is no need in practice for different arrangements to apply for Parliamentary oversight. We therefore think it unfortunate that this Commission Communication deals only with Europol. We wonder whether you would agree that Eurojust and Europol should be covered by one arrangement for Parliamentary oversight.

The Commission favours setting up "a permanent joint or interparliamentary forum" consisting of both the national Parliaments' and European Parliament's committees responsible for police matters. Its powers would include inviting the Chairman of the Europol Management Board to appear before the new body. The Commission would like to be "actively involved" in the work of the new body.

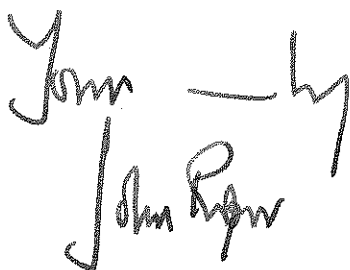
We understand that oversight of Europol's activities by the European Parliament, through the LIBE Committee, has increased considerably with the coming into force of the Europol Decision on 1 January 2010. The House of Lords has always received very full cooperation from Europol when examining its activities; we received evidence from the then Director during our inquiry which led to the report *Europol: coordinating the fight against serious and organised crime* (29th Report, Session 2007-08, HL Paper 183), and the present Director gave evidence to us in December 2010 for our current inquiry into the EU Internal Security Strategy.

We can nevertheless see the advantages of all national Parliaments joining with the European Parliament in scrutinising the structure, management, functions and working of Europol, though not its operational side. We do not however see why this can only be achieved by a new permanent body, as the Commission suggest; in our view a sufficient case has not been

made out for such a body, nor any justification for the resources that would inevitably be involved. We would not support the creation of such a new body.

We would like to explore the possibility of building on existing bodies such as the meetings of the Chairmen of the Justice and Home Affairs Committees of national Parliaments which have already been organised under some Presidencies, or the Joint Parliamentary Meetings sometimes convened by the LIBE Committee. Such meetings could be arranged more regularly in future (possibly once a Presidency). We would be glad to have your views on this suggestion.

I am copying this letter to Mr William Cash MP, Chair of the Commons European Scrutiny Committee, and to Alistair Doherty, Clerk to the Commons Committee, Paul Hardy, Legal Adviser to the Commons Committee, Les Saunders (Cabinet Office), and Deborah Maggs, Departmental Scrutiny Coordinator.

A handwritten signature in dark ink, appearing to read 'John Roper'. The signature is written in a cursive style with a large 'J' and 'R'.

The Rt Hon the Lord Roper  
Chairman of the Select Committee on the European Union