



7th meeting of the Joint Parliamentary Scrutiny Group on Europol

Summary conclusions by the Co-Chairs

On 28 and 29 September 2020, the European Parliament (EP) and the German Bundestag and Bundesrat jointly organised the Seventh Meeting of the Joint Parliamentary Scrutiny Group on Europol (JPSG) at the premises of the European Parliament in Brussels and by remote participation. The meeting was Co-Chaired by Mr Juan Fernando LÓPEZ AGUILAR, Chair of the Committee on Civil Liberties, Justice and Home Affairs of the European Parliament (LIBE) and Ms Susanne MITTAG, Co-Chair of the JPSG and Head of the German Bundestag Delegation to the JPSG; Committee on Internal Affairs and Community, German Bundestag together with Mr Boris PISTORIUS, Co-Chair of the JPSG, Head of the German Bundesrat Delegation to the JPSG and Minister for Internal Affairs and Sport of the German State of Lower Saxony.

72 Members from national parliaments registered for the JPSG meeting, representing 36 EU national parliaments/chambers from 25 EU Member States. The European Parliament is represented in the JPSG by 16 Members or substitute Members.

The JPSG was consulted on the Europol Draft Multiannual Programming Document 2021-2023. The meeting focused on Europol activities March - September 2020 with a special focus on Covid-19 crisis, as well as the thematic priority of fight against right-wing extremism and terrorism. Keynote interventions on future role of Europol and Brexit related challenges were delivered by Mr Horst SEEHOFER, Federal Minister of the Interior, Building and Community of Germany and President-in-Office of the Home Affairs Council and Ms Ylva JOHANSSON, EU Commissioner for Home Affairs.

28 September 2020

Adoption of the agenda and opening remarks

At the opening of the 7th JPSG meeting, Mr LÓPEZ AGUILAR as the Co-Chair underlined that the Joint Parliamentary Scrutiny Group is a unique form of parliamentary oversight of an EU agency. It was set up by the European Parliament together with national parliaments pursuant to Article 88 TFEU and Article 51 of the Europol regulation. He highlighted the upcoming recast of the Europol directive, which should amend the Europol's mandate and is currently being prepared by the European Commission.

The Co-Chair Ms MITTAG welcomed the participants and highlighted that the JPSG is meeting in order to carry out the scrutiny of Europol. She stressed the importance of the cross-border police cooperation. Different types of crime require Europol to be equipped with enough financial resources and staff and its areas of action need to be extended.

The Co-Chair Mr PISTORIUS underlined the need for flexible and rapid reaction when required to respond to internal security threats. Secure framework conditions are important for work in the area of internal security and therefore the JPSG needs to speak about the framework of Europol's work. This includes also the financial side, which is important. The Presidency would like to stress that the fight against right-wing terrorism and extremism, which was on the agenda of the JPSG meeting, is a particular priority for the Presidency.

The Co-Chairs reported to JPSG Members on the results of the meeting of the Presidential Troika, which took place on 28 September 2020 in order to prepare for the JPSG meeting. The Troika decided to establish the Working Group on Pending Matters Subject to possible further Revision in the JPSG Rules of Procedure. The delegations were requested to express their interest in participating in the work of the Working Group until 15 October 2020.

The Chair then gave floor to Mr Nikša VUKAS, Chair of the delegation of the Croatian Parliament to the JPSG, to inform about the exchange of information by electronic means. Mr VUKAS outlined that the 6th JPSG meeting was supposed to be held in Zagreb, Croatia in March 2020. However, first it had to be postponed due to the Covid-19 pandemic and the earthquake that had hit Zagreb and later it was cancelled, in agreement with the Troika. The Croatian Presidency Parliament therefore suggested to organise an exchange of information by electronic means, in order to continue the scrutiny of Europol by the JPSG. Mr Vukas then gave an overview of received documents under the electronic exchange, requests for clarifications and replies. All contributions were distributed and not confidential ones were also published on the JPSG internet website. Mr Vukas thanked all those who took part in the electronic exchange, thus enabling continuity of the work of the JPSG in the unique situation which made it difficult to continue the regular cooperation. He highlighted the need for efficient scrutiny in order to increase level of responsibility and accountability of Europol with respect towards citizens.

Reporting on Europol activities March - September 2020 with a special focus on Covid-19 crisis

Europol Executive Director, Ms Catherine DE BOLLE, gave a presentation on Europol's activities in the period between March - September 2020 with a special focus on Covid-19 crisis. According to her, this crisis is unprecedented, it is evident to Europol that it has important repercussions on internal security. Criminals use the crisis as opportunity to set up new illegal activities. Europol supported Member States' investigations in all areas and produced 19 strategic and thematic reports on how criminals are adapting to the Covid-19 crisis. The new 6-month report on how criminals profit from the COVID-19 pandemic should be published in October. Europol also rolled out a prevention and awareness campaign for citizens on the major crime threats during the pandemic.

Ms DE BOLLE then outlined the main encountered crime types during the pandemic. During lockdown, Europol detected the amount of child sexual exploitation material shared online increasing sharply. Europol continued efforts to support Member States in identifying offenders and victims and also started a prevention campaign to inform parents on the dangers. She suggested that the law enforcement component of the future European Child Protection Centre could be developed on the basis of experience of Europol.

Ms DE BOLLE further explained that drug trafficking continues, despite the introduction of border controls. The recently created Europol Drugs Unit would contribute to the implementation of EU Agenda and Action plan on Drugs 2021 – 2025.

Europol also supported Member States in investigations related to counterfeited sanitary Covid-19 material, also together with Interpol and Member States there was a major operation on non-existent facemasks selling. Europol also managed to set up and launch the European Financial and Economic Crime Centre (EFCEC). It will enhance operational support to Member States and promote systematic use of financial investigations. EPPO will be one of the privileged partners and Europol is negotiating with EPPO a Working Arrangement. Additionally, Europol supports the idea of creating the EU Coordination and Support Mechanism as the central entity in the AML/CFT chain, for which Europol would be the ideal place to host it.

Ms DE BOLLE noted that the announced Action Plan on Migrant Smuggling would focus on work of Europol and other JHA agencies. Europol's European Migrant Smuggling Centre remained focused in the cooperation with third Countries via the Information Clearing House. It is a multi-stakeholder platform developed within the EMSC to facilitate the collection, analysis, development and dissemination to law enforcement authorities of actionable intelligence products focusing on organised crime groups and high value targets facilitating illegal immigration with a geographical focus on third source and transit countries. However, a big challenge to an effective operational cooperation with North African countries remains the direct exchange of personal data with their law enforcement authorities.

Ms DE BOLLE described also Operation EMMA, which was a major operational success during the lockdown and one of the most significant law enforcement operations in Europe ever. In the operation, Europol supported EU Member States in dismantling EncroChat, an encrypted telephone network widely used by criminal networks. The operation has shown added value of Europol supporting the Member States. This work always included processing of large datasets. She also highlighted that the EDPS brought an investigation into Europol's dealing with large datasets and in September provided his interpretation of the rules on dealing with them. Ms DE BOLLE stressed that it would be of utmost importance to provide legal clarity on this matter and avoid limitation of Europol's activities.

On the impact of COVID-19 on Europol business, the crisis shows the need for encrypted and secure video conferencing and instant messaging channels. Concerning the budgetary resources, Europol welcomes the LIBE Committee's position on the future budget.

The European Data Protection Supervisor Mr Wojciech WIEWIÓROWSKI ensured in his speech that despite the pandemic-related constraints, supervisory activities of the EDPS over Europol were not affected in substance. The annual inspection had to be postponed, but there were very frequent contacts during the last months, both at expert level via regular bi-monthly meetings, and at management level.

He explained that one of the priorities for this term for EDPS is to closely monitor how new tools, such as those involving data analytics and artificial intelligence, are used by Europol. Concerning processing of large datasets sent by Member States to Europol or collected by

Europol from publicly available sources (the so-called “open source intelligence”), in April 2019, according to the EDPS, Ms DE BOLLE brought to the attention of the EDPS the challenges that Europol was facing with this phenomenon. After careful analysis, the EDPS concludes that this state of affairs raises several issues of compliance with the Europol Regulation. The EDPS thanked Ms DE BOLLE for her determination in improving the level of compliance in this field and for their cooperation in the past months. According to him, one major concern remains, namely the continuous storage of large datasets by Europol throughout the criminal investigations without assurance that it complies with the restrictions outlined in the Europol Regulation. He explained that the problem is structural - it relates to the core working methods of Europol. This is the first time that the EDPS issues an admonishment with a decision of 17 September 2020. The EDPS invited Europol to provide an action plan within two months and to inform the EDPS on the measures put in place to address the issue within six months. The EDPS also concluded that certain aspects of the structural problems could be tackled by legislative measures with regard to the review of the Europol Regulation.

Other topics the EDPS mentioned was the debate whether operational data could be used for data science purposes and whether the analysts from Member States could be taking part in processing data from the large datasets received from third parties in Europol’s systems. According to the EDPS, Europol Regulation does not provide a clear legal basis that would support such an active role for national investigators at Europol.

Ms DE BOLLE reacted that the operational support provided by Europol to Member States always included processing of large datasets, such as telecommunications data, and the role of Europol is to analyse the data. The result are new lines of investigations, leads, evidence and better understanding of criminal practices. European Cyber Crime Centre and European Counter Terrorism Centre even expanded the role of Europol in assisting Member States in analysing this data. Ms DE BOLLE highlighted that the issue was not raised in the past. She noted that the admonishment means that EDPS believes the processing of large datasets is not in line with the Europol Regulation. This is according to Ms DE BOLLE a new interpretation of the mandate of Europol and its role, which was not there before. She stressed that in order for Europol to keep its operational capacities a solution cannot be to erase the data or to stop processing it. She noted that the legal mandate could be clarified by the regulation recast and Europol would also provide an action plan as requested.

Before opening the debate, Mr LÓPEZ AGUILAR thanked for written contributions received ahead of the meeting from Prof. PELLEGRINI, Chair of the Europol Cooperation Board and Mr RÜß, Chair of the Europol Management Board.

Mr Pistorius noted with interest what EDPS said and stressed that there is need for data protection standards. However, the role of Europol is to support operations of Member States in areas such as cybercrime. He suggested that the JPSG should approach Commission and ask urgently for clarification which interpretation of mandate of Europol is the correct one, in the area of large datasets but also artificial intelligence.

The EDPS replied that he does not dispute the use of state-of-the-art tools, but Europol receives more data than it has the right to process.

Ms MITTAG then chaired the debate.

JPSG delegates from the European Parliament and parliaments of Sweden, Belgium, Greece, Hungary and Italy took the floor. Their questions concerned organised crime groups and

sharing of information, fight against child sexual abuse, cybersecurity, environmental crime, issue of racism, importance of work of Europol during the Covid-19 pandemic, access to Europol's database during pandemic, funding of Europol and data protection.

The Co-Chairs concluded that reliable and adequate funding is required for Europol. The statements by Europol Executive Director Ms DE BOLLE as well as the written contribution from the Chair of the Management Board Dr. RÜß have shown that the funding levels envisaged in the current budgetary planning are not sufficient to enable Europol to tackle its increasing range of tasks. This concerns in particular projects to combat organised crime, financial crime, right-wing extremism and terrorism, sexual exploitation of children and cybercrime.

The EU's Multiannual Financial Framework must create the prerequisites to enable Europol to fulfil its greater range of responsibilities.

They also concluded that Europol needs sufficient clarity with regard to its legal basis in terms of data protection provisions. Europol relies upon the utilisation of multiple data sets to conduct effective investigative work. International criminals of all kinds are increasingly exploiting the possibilities afforded by the Internet and social media. With a view to ensuring that Europol can work effectively in this context and, above all, on a secure legal basis in accordance with the provisions stipulated by the European Data Protection Supervisor, Europol's mandate needs to be clarified in the context of data protection provisions. This should be taken into account in the Commission draft for the new Europol Regulation.

Europol Draft Multiannual Programming Document 2021-2023

Ms DE BOLLE explained the Europol Draft Multiannual Programming Document 2021-2023 and reacted to the written contribution on the document received from the delegation of the Parliament of Cyprus. Due to lack of time, delegations were invited to send questions and comments in written.

Thematic debate: Fight against right-wing extremism and terrorism

Before giving the floor to the keynote speakers, the Co-Chair Mr PISTORIUS underlined the importance of this point for the German Presidency. The reports that Europol has drafted are alarming. Right-wing terrorism is an EU-wide challenge. He noted that according to Europol, the different approaches and legal systems within the EU cause an underestimation of the problem and would lead to the application of the wrong strategies.

Mr Wil VAN GEMERT, Deputy Executive Director of Europol, Operations Department, reported on the three key elements of right-wing terrorist threats, which can also be found in the written contributions. Regarding the first element, the increase of the number of incidents, he reported on the figures of incidents in 2019. Due to the difficulty of distinguishing between terrorism and other forms of extremism and extremist violence, the number, and therefore threat picture, is partial and sometimes insufficient. This carries the risk of underestimating the problem and its significance. Regarding the second key element, the internationalisation of the right-wing scene, he explained the importance of online

platforms for right-wing extremist groups. These platforms facilitate the recruitment and training of members. Moreover, they facilitate the cooperation between different groups. Regarding the last element, the further escalation in the context of Covid-19, he explained that on the one hand, the situation of Covid-19 might hamper extremist activities due to containment measures. However, on the other hand, it could also increase as people spend more time online, which leads to an increased risk of being exposed to extremist content. Making the situation more difficult is the increased cooperation between extremists with different ideologies.

Mr VAN GEMERT also mentioned several cross-cutting issues. He pointed out that the greatest threats usually come from lone actors. The weaponry they use consists of mainly explosives and weapons. These are often manufactured by themselves, with the knowledge facilitated by the scene. He also explained that there is no direct nexus between terrorism and crime. However, there is a more transaction-based conversion between low level criminals and terrorists. On funding, he reported that the right-wing extremist mainly receive funds from their supporters, through events and merchandising. Crypto currency is also used, which makes targeting the funding more difficult. Europol, however, has developed capabilities in supporting Member States in this area. On offline propaganda, he noted that it manifests more and more in different public events and demonstrations. Symbols are important for these groups to signal to each other. In addition, he pointed out that right-wing extremist groups are getting more diverse and complex as they influence each other.

On response and challenge, Mr VAN GEMERT called for a renewed commitment to fight this phenomenon along Member States. With the new Security Union Strategy, Member States remain the prime responsible for fighting right-wing extremism, however, he stressed the need for increasing cross-border and cross-sectional steps in Member States' cooperation and the coordination. Moreover, he underlined the need for consistent information exchange between Europol and the Member States. While Europol is building its expertise and capabilities on extremism online, the resources are limited. Therefore, Europol needs more resources to increase the expertise and capabilities to meet everyone's expectations. Moreover, Member States also need to develop their capabilities.

In conclusion, Mr VAN GEMERT underlined the need for a clear understanding of the different terms for different attacks. He also stressed the need for international cooperation and exchange of strategic information between Member States and third parties to fight this new phenomenon. He stressed that Europol is ready to contribute to this fight.

Mr Bernhard WITTHAUT, President of the Domestic Intelligence Service of Lower Saxony, reported on the various challenges that he comes across when fighting right-wing extremism. In fighting extremism, he highlighted the need for more standards within the EU on targeting this phenomenon. He illustrated this with the example of groups banned in one Member State but not in the others. In addition, he pleaded for a standard definition of right-wing extremism, as right-wing extremist have a major international network.

Mr WITTHAUT also reported that the training of new members went online. The communication online tends to last longer, before they meet each other in person. He pointed out that this makes it harder to be aware of the problem and the extent of the problem. Therefore, in Lower Saxony, there is a terrorism centre combatting extremism and a joint information centre to work with police officers on these matters. Due to the predominantly online communication, he stressed the need to provide police forces with information as quick as legally and humanly possible. Law enforcement need to have an online presence every hour of the day. He pointed out that the phase online is where

information can be gathered to take action and combat these activities. He expressed his wish for Europol to work with online platform providers as they are providing the platform for extremists to communicate.

The importance of prevention activities was also pointed out by Mr WITTHAUT. As constitutional protection officer, he expressed his belief that people may be deradicalized and reintegrated into society. Nevertheless, he stressed that an international legal framework is of utmost importance. He pointed out that due to differences in the framework, obtaining the correct information from Europol might fail due to incomplete matches on definition and activities. He concluded by pointing out the challenge of the rapid technical developments. All the developments need to be followed by law enforcement. Therefore, many law enforcement officers are needed.

Co-Chair LÓPEZ AGUILAR recalled that the European Parliament dedicated a lot of attention to links between extremism and terrorism. As it is an EU-wide threat, terrorism has become a common policy area for the EU. The Chair highlighted the conclusions of the EP Special Committee on Terrorism of December 2018. These conclusions can serve as guidelines for the legislative work of this European Parliament and for the Commission's initiative of an anti-terrorist strategy. He opened the floor for discussion.

JPSG delegates from the European Parliament, the Senate and Chamber of Deputies of Belgium, the Congress of Deputies of Spain, the House of Representatives of Cyprus, the National Assembly of Slovenia, the Sejm, the Hellenic Parliament, the Senate and National Assembly of France, the Eduskunta, the Chamber of Deputies of Romania and the Chamber of Deputies of Italy took the floor. Their questions concerned the self-assessment of Member State regarding right-wing extremist within law enforcement agencies and political parties, the strategy to tackle right-wing extremists online and in real life, the monitoring of terrorists entering the border illegally, the normalized trend of hate speech, the root causes of right-wing extremism and terrorism, the harmonization of the definition of (right-wing) extremism, the resources of Europol, the safeguarding fundamental rights, the intelligence sharing and the improvement of cooperation.

In his replies, Mr VAN GEMERT, clarified that Europol does not have the mandate to deal with hate speech or to provide a definition for extremism. While Europol can give its expert opinion, the national parliaments of the Member States need to come together to agree on a definition. He was grateful for the mentioning of the Percy project and crisis protocol by one of the delegates, as these are important projects to try harmonizing standards. Depending on the resources, Europol tries to have a first concept in 2021. In his replies, Mr VAN GEMERT also reiterated the underreporting of right-wing extremism and terrorism. Nevertheless, an increase in reporting provides Europol with an important signal. He pointed out that the strategy against right-wing extremism is not yet the best. However, Europol has been learning from other strategies and increased its expertise. Challenges remain the developments in technology and the need to have contact with providers and exchange data. Moreover, he emphasized the need for Europol to conduct major data research.

Next to this, Mr VAN GEMERT clarified that Europol is available for criminal investigations in general. Therefore, it does not have the reports of law enforcement officers involved in right-wing extremism. Mr WITTHAUT added in his replies that the German police force is still investigating the involvement of officers in extremist chat groups. In Germany, there are plans to have a ministerial conference at the beginning of the year to present an overview of

the current situation. Mr WITTHAUT also replied that everyone should report hate crime, to give the police forces the opportunity to prosecute perpetrators and it can help with classifying individuals as right-wing extremist. Lastly, Mr WITTHAUT expressed that a framework within the EU should prioritise imposing duties on platform providers including the duty to delete right-wing extremist content.

Co-Chair Mr PISTORIUS, in the name of the German Presidency Parliament, reiterated the importance of talking specifically about right-wing extremism and terrorism. It is the biggest threat at the moment. Conditions are changing quickly. He also highlighted the shift in values within the EU, which cannot be allowed. He stressed that people need to stand up for democracy. On studies on right-wing extremism, he pointed out the EU-wide study the Finnish Presidency had carried out on this topic. Then he concluded with the clarification that Europol does not decide on strategy, but the EU institutions.

The Co-Chairs concluded that combating right-wing terrorism and right-wing extremism is of the utmost urgency for Europol. Reports from experts on the topic of right-wing extremism and right-wing terrorism have shown that right-wing extremists are networking and radicalizing across borders in the EU, using the Internet and social media. Responding to this requires new, modern and above all EU-wide investigative methods. This requires a coordinated strategy on the part of the EU Member States. Above all, there is a need for a uniform definition of right-wing extremism that Europol can use in its work. It is not acceptable that right-wing extremists can exploit differing definitions in the EU states to hide from law enforcement on the basis of varying national legal provisions. At the same time, better coordination between police and intelligence services in the fight against terrorism could also be attained through Europol.

However, it is also clear that combating right-wing extremism is not solely the responsibility of the police and security services. It is the responsibility of everyone who upholds democracy.

29 September 2020

Keynote interventions on future role of Europol and Brexit related challenges

In his introductory comment, Chair Mr LÓPEZ AGUILAR referred to the resolution of 12 February 2020 on the proposed mandate for negotiations for a new partnership with the United Kingdom of Great Britain and Northern Ireland. In this resolution, the European Parliament considered it important to strive to maintain effective arrangements for cooperation in law enforcement between the United Kingdom and the EU. The European Parliament also stressed in this resolution that the United Kingdom cannot have direct access to EU SIS or participate in EU management structures. Lastly, the resolution stated that sharing data with the United Kingdom should be subject to strict safeguards, audit and oversight conditions.

Co-Chair Ms MITTAG described the previous developments on the future role of Europol. In December 2019, a debate on this topic was undertaken by the trio Presidency, Romania, Finland and Croatia. Council spoke out for a change in the existing legal framework to enable cooperation with private operators. In June 2020 the Council asked Europol to start work to

conclude a working arrangement with the EPPO, in order to support its work. She expressed her hope that under the current Council Presidency of Germany, Portugal and Slovenia, Europol legislation will be reformed.

On Brexit related challenges, Ms. MITTAG addressed the current situation of negotiations and the lack of regulation for cooperation and exchange of information with Europol in the area of security in case of a no-deal.

In his address, Mr Horst SEEHOFER, Federal Minister of the Interior, Building and Community of Germany and President-in-Office of the Home Affairs Council pointed out to the importance of Europol in bringing national and European interests together. Despite the fact that the prime responsibility for security lies with Member States, the open borders and structures going beyond the borders make Europol necessary. He emphasized that Europol is not a competitor of national law enforcement agencies. Successful cooperation between national law enforcement agencies is a precondition. The German Presidency prioritises European police partnership and Mr SEEHOFER expressed his wish to use this initiative to give this partnership a positive impulse. He pointed out to the aims of the Presidency including the availability of information to all partners without loss of time, and a high quality of data. On the SIS Regulation, he stressed the need to implement it. Regarding other instruments, he stressed the need to use them more effectively.

Mr SEEHOFER addressed the complexity of analysing and interpreting data. Europol's competence on data exchange and analysis should be expanded. He stressed the need for using the most state-of-the-art technology and artificial intelligence possible in the EU to prevent crime as effectively as possible. Law enforcement agencies need the necessary legal and technical resources. In his address, Mr SEEHOFER also noted the importance of communication with third parties. Europol needs to cooperate with third countries and private operators and share data. He highlighted that Europol only has seventeen agreements with third countries while there are many more in the world.

On the departure of the United Kingdom from the EU, Mr SEEHOFER pointed out to the impact of this departure on law enforcement cooperation in Europe. The EU needs to deal with the loss of information. A reduced level of security cannot be afforded.

When addressing the MFF negotiations, Mr SEEHOFER emphasized the need to have the excellent role of Europol reflected in the budget and figures. He concluded his speech reiterating that further developing law enforcement cooperation is important for the German Presidency.

Ms Ylva JOHANSSON, EU Commissioner for Home Affairs stressed the importance of the JPSG and the EDPS. They ensure the trust in Europol. She highlighted the success and importance of Europol with different examples, including taking down the Dark Scandals website. In addition, she pointed out that fighting child sexual abuse is a priority for her. Europol is necessary in this fight. She reported that in July she has launched a Strategy on a more effective Fight against Child Sexual Abuse. For this strategy, cooperation with big internet companies is necessary. To make this cooperation effective and prevent any unintended effect of the European Electronic Communications Code, she has presented emergency legislation. She also pointed out that she intends to set up a European Centre to Prevent and Counter Child Sexual Abuse, building on Europol's expertise in analysis, information-sharing and victim information. Safeguards for fundamental rights will be incorporated in the legislation. Next to this, Commissioner JOHANSSON briefly reported on several proposals still in progress or already launched.

On Europol, Commissioner JOHANSSON outlined her intentions. A proposal to renew the mandate of Europol would be presented at the end of this year. Europol should stimulate innovation in law enforcement. It should be able to work more effectively with private companies and more closely with third countries. As the mandate would be stronger, the safeguards must be powerful as well. Therefore, the Joint parliamentary Scrutiny Group will have a greater responsibility. The Commissioner stressed the protection of criminal analysis of large datasets, as this is essential in any investigation. To ensure that Europol can continue performing such analysis, the EDPS is involved in the discussion on Europol's mandate.

Commissioner JOHANSSON expressed she could not say much about Brexit as the negotiations were in a crucial phase. Nevertheless, she mentioned that fighting criminals and sharing information is in the interest of both the EU and the United Kingdom. There is the will to build a close, ambitious future partnership. However, in case of a 'no-deal', the information sharing through Europol will end. The EU is prepared for this scenario. Nevertheless, the Commissioner remained optimistic about obtaining an information-sharing partnership with full respect of human rights. She concluded with thanking Europol, the JPSG and the EDPS.

Ms Yvette COOPER, Chair of the Home Affairs Committee of the House of Commons, presented the opinion of the Home Affairs Committee of the House of Commons. In her contribution, she expressed the Committee's view that the United Kingdom should seek close cooperation with the EU on security and fighting crime. Therefore, close cooperation with Europol is crucial. The United Kingdom has a long record of working closely with Europol. This should be continued after Brexit. She reiterated Commissioner JOHANSSON's words that it is a shared interest to have a close partnership on security. Referring to the Committee's report of 2018, she pointed out that the United Kingdom and the EU should show flexibility and creativity. She added that a new model of third country cooperation should be created to reflect the close geography between the United Kingdom and the EU. In her address, Ms COOPER highlighted two risks of the current negotiations. The first risk is the focus on obtaining a trade agreement. This focus leads to insufficient focus on discussing details for a security arrangement. The second risk concerns the situation when a trade agreement cannot be agreed upon. In that case, it is possible that there will not be a proper security arrangement in place before 1 January 2021, even though it is in everyone's interest. Therefore, this situation should be prevented.

Lord KIRKHOPE, representative of the House of Lords, provided the opinion of the EU Subcommittee of the House of Lords on Brexit. He noted the longstanding influence of the United Kingdom on Europol in terms of resources and past directorship. He expressed the need for finding a way to continue to cooperate to fight crime effectively. He reflected on being an operational partner to Europol and the restrictions and challenges that come with it. He further noted it is needed to find an accommodation for accepting that fundamental rights and the issue of ECHR are not something that (UK) could challenge because it is very much important in terms of Europol position. He stressed that the important point from the British perspective is to have the closest partnership possible with Europol. He acknowledged the difficulties that the third country rules bring to this intention and it is needed to find a compromise of some kind in which the UK would not only benefit from Europol but also contribute to its future. Nevertheless, he expressed his view that close cooperation is vital to all Member States. He concluded with noting that it is his and his

Committee's interest to ensure successful negotiations, and positive future relations, especially in the field of security.

An exchange of views with JPSG Members followed. JPSG delegates from the European Parliament, the National Assembly of Hungary, the House of Representatives of Cyprus, the Senate of Italy, the Chamber of Deputies of Belgium, the National Assembly of Slovenia, the Sejm, the Hellenic Parliament and the Senate of France took the floor. Their questions and comments concerned SIENA, EU cooperation with third countries and private parties, building an effective security union, scrutiny of the new Europol Regulation, challenges of new technologies, the resources of Europol, safeguarding fundamental rights and the need for continued cooperation between the EU and the United Kingdom after Brexit on security matters.

Co-Chair Mr PISTORIUS reflected on a fruitful debate on the future of Europol. He pointed out the long list with different requests and ideas, especially regarding Europol's resources. He summarized that on Europol's future partnership with the United Kingdom, many expressed the desire to continue cooperation with the United Kingdom. Mr PISTORIUS underlined the importance of security in Europe. Based on today's meeting, he distinguished two plans which need to be considered. Plan A deals with the need to have an agreement. Plan B deals with a 'no-deal' and how to proceed after this situation.

On the MFF negotiations, the Co-Chair underlined the need to have sufficient finances and staff for Europol. He concluded with thanking the Commissioner, Mr SEEHOFER and all participants.

In her replies on Brexit, Commissioner JOHANSSON reiterated that everyone wants to reach an agreement with the United Kingdom. However, she also reiterated that the Commission is well prepared for a 'no-deal' situation. She noted that police cooperation and exchange of information must be based on trust. On the renewed Europol Regulation, the Commissioner stressed once again that the proposal would respect fundamental rights. Moreover, she reiterated that there is no contradiction between effective law enforcement and respecting fundamental rights. Safeguards would be put in place to protect the fundamental rights. Furthermore, the Commissioner assured that the renewed Europol Regulation would be based on a thorough impact assessment.

In his replies, Mr SEEHOFER noted that regarding Brexit the negotiations are lead by the Commission. However, he stressed that the worst-case scenario should be prevented at all cost. If the outcome with regard to security cooperation with the United Kingdom was bad, the EU would also damage itself.

On Europol, Mr SEEHOFER highlighted the importance of the Agency and the need for appropriate resources. Europol cannot be given more responsibility while reducing resources. The Federal Minister also stressed that right- and left-wing extremism within the police force is the biggest security threat when talking about police crime. Therefore, there is a zero-tolerance policy for extremism within law enforcement and it is combated. Furthermore, he expressed his agreement with strengthening the control and scrutiny powers over security authorities but noted that the security authorities also need great powers. He concluded his reply with reiterating the words of the Commissioner that nobody should be afraid of the police in Europe.

Closing remarks by JPSG Co-Chairs

The Co-Chairs informed that the next JPSG meeting would take place in Lisbon, Portugal on 1-2 February 2020 and will be organised jointly by the European Parliament and the Portuguese Parliament.