

The Hague, 25 January 2021

Joint Parliamentary Scrutiny Group Secretariat

To the attention of the JPSG Co-Chairs

By email only:

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Europol answer to written question from the Member of the Parliament (MP) of Finland, Ms Mari-Leena Talvitie, to the Joint Parliamentary Scrutiny Group (JPSG)

Dear Co-Chairs,

In accordance with Article 4.2 of the JPSG Rules of Procedure and Article 51 of the Europol Regulation, Europol would like to respond to the question raised by Ms Mari-Leena Talvitie, Member of the Parliament of Finland, received by Europol on 9th October 2020 as follows:

Written question by Ms Mari-Leena Talvitie, the Head of Finnish JPSG delegation

Referring to the 7th meeting of JPSG in Brussels 28.-29.9.2020,

First of all, I would like to thank Ms de Bolle for her presentations in the meeting. This written question is linked to the point of agenda regarding the draft multiannual programming document and Europol's planning cycle.

As we know, Europol has a transparent and very important process involving member states in the Management Board of establishing and implementing strategy and work program.

However, the planning cycle, according to which Europol is actually obliged to finalize its work pro-gram before the budget authorities finalize the budget, is problematic - not only for Europol itself - but also for the member states. It puts the Management Board in a difficult situation where they have to accept the budget implications to decisions they already made.

Additionally, Europol is often given new tasks without taking into account real budget implications, and now the COVID crisis has impact on Europol's activities and resources as well.

What possibilities do you see in enhancing Europol's planning cycle and long-term sustainable budgeting under these circumstances?

Europol's answer:

The European Court of Auditors (ECA), in its Special Report 22/2020: "Future of EU agencies – Potential for more flexibility and cooperation" (released at the end of October 2020), observed (para. 42, page 26) that *"The annual planning cycle leading to adoption of the SPD [note: single programming document] is very long, with the first version drafted some 18 months before the start of the planning period. It is particularly challenging for agencies operating in a very volatile environment [...] all agencies can benefit from a shorter planning cycle"*. In the same report, ECA observed (para. 33, page 22) that *"Agencies are exposed to risks of inadequate human and financial resources"*.

Europol follows the same planning cycle and could thus benefit from changes in the overall framework which is determined by the financial rules at EU level. In addition, were the corresponding timeline of 30 November (for approval of the programming document) in Article 12 of the Europol Regulation (ER) to be removed, this would allow for an adoption of the programming document after the final annual budget for the year n+1 is known (usually at the beginning of December in the year n), and subsequent further updating of the programming document in the year n concerned, as per the established current practice, depending on the changes of, in particular, Member States' needs and resource projections.

Regarding the aspect of long-term sustainable budgeting, the European Commission published a proposal on 9 December 2020 to amend the Europol Regulation (ER), which includes a legislative financial statement for an increase of Europol's budgetary and staff resources for the time period 2022-2027. Depending on the final scope of the amendments to the ER and other initiatives with respect to the expansion of Europol's mandate, the proposal for the aforementioned budgetary and staff resources increase is considered sustainable in terms of a progressive development of Europol's activities.

Possible further developments, initiatives and regulations that will go beyond the legal provisions of the proposed amendments to the Europol Regulation, and that might impose a significant resource related impact on Europol, would have to be reconsidered in terms of resources.

I hope that this answer will prove satisfactory. Europol remains available for further clarifications.



Yours sincerely,

Jürgen Ebner
Deputy Executive Director of Governance