

## II

(Acts adopted under Title VI of the Treaty on European Union)

**COUNCIL DECISION 2005/.../JHA**  
**of**  
**amending Decision 2003/170/JHA on the common use of liaison officers posted abroad by the law enforcement agencies of the Member States**

(2005/C 188/12)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 30(1)(a), (b) and (c), Article 30(2)(c) and Article 34(2)(c) thereof,

Having regard to the initiative of the United Kingdom of Great Britain and Northern Ireland <sup>(1)</sup>,

Having regard to the Opinion of the European Parliament <sup>(2)</sup>,

Whereas:

Following the evaluation of the implementation of Council Decision 2003/170/JHA <sup>(3)</sup>, certain provisions of that Decision should be amended to take account of current practice relating to the use by the Member States of Europol liaison officers posted abroad in order to channel information in accordance with the Europol Convention <sup>(4)</sup>, and relating to the initiative for holding liaison officers meetings,

HAS DECIDED AS FOLLOWS:

*Article 1*

**Amendment of Council Decision 2003/170/JHA**

Council Decision 2003/170/JHA is hereby amended as follows:

1. the following subparagraph shall be added to Article 1(1):

<sup>(1)</sup> OJ ...

<sup>(2)</sup> OJ ...

<sup>(3)</sup> OJ L 67, 12.3.2003, p. 27.

<sup>(4)</sup> OJ C 316, 27.11.1995, p. 1.

'In this Decision, "Europol liaison officer" means a Europol employee, posted abroad to one or more third countries or to international organisations to support and coordinate the cooperation with the authorities in those countries or organisations and Europol by facilitating the exchange of information between them.;

2. the following subparagraph shall be added to Article 1(2):

'This Decision is without prejudice to Europol liaison officers' tasks within the framework of the Europol Convention, its implementing arrangements, and cooperation agreements concluded between Europol and the third country or international organisation concerned.;

3. the following sentence shall be added to Article 4(1):

'Such meetings may also be held at the initiative of any other Member State and especially of those Member States acting as a 'lead nation' for the EU cooperation in a particular country or region.;

4. the following paragraphs shall be added to Article 8:

'3. In accordance with national law and the Europol Convention, Member States may make a request to Europol to use Europol liaison officers seconded to third countries or international organisations, with a view to the exchange of relevant information. Requests shall be addressed to Europol via the Member States' national units in accordance with the Europol Convention.

4. Europol shall ensure that its liaison officers seconded to third countries and international organisations provide it with information relating to serious threats to Member States of criminal offences for which Europol is competent under the Europol Convention. Such information shall be communicated to the competent authorities of the Member States concerned via the national units in accordance with the Europol Convention.’

*Article 2*

**Application to Gibraltar**

This Decision shall apply to Gibraltar.

*Article 3*

**Entry into force**

This Decision shall enter into force 14 days after its publication in the *Official Journal of the European Union*.

Done at ...

*For the Council*

*The President*

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