

No. 37663. Multilateral

CONVENTION BASED ON ARTICLE K.3 OF THE TREATY ON EUROPEAN UNION, ON THE ESTABLISHMENT OF A EUROPEAN POLICE OFFICE (EUROPOL CONVENTION). BRUSSELS, 26 JULY 1995 [*United Nations, Treaty Series, vol. 2156, I-37663.*]

PROTOCOL AMENDING THE CONVENTION ON THE ESTABLISHMENT OF A EUROPEAN POLICE OFFICE (EUROPOL CONVENTION) AND THE PROTOCOL ON THE PRIVILEGES AND IMMUNITIES OF EUROPOL, THE MEMBERS OF ITS ORGANS, THE DEPUTY DIRECTORS AND THE EMPLOYEES OF EUROPOL. BRUSSELS, 28 NOVEMBER 2002

Entry into force: 29 March 2007, in accordance with article 3

Authentic texts: Danish, Dutch, English, Finnish, French, German, Greek, Irish, Italian, Portuguese, Spanish and Swedish

Registration with the Secretariat of the United Nations: Council of the European Union, 17 March 2010

Only the authentic English and French texts are published herein. The other authentic texts of the Protocol are not published herein, in accordance with article 12 (2) of the General Assembly Regulations to give effect to Article 102 of the Charter of the United Nations, as amended, and the publication practice of the Secretariat.

N° 37663. Multilatéral

CONVENTION SUR LA BASE DE L'ARTICLE K.3 DU TRAITÉ SUR L'UNION EUROPÉENNE PORTANT CRÉATION D'UN OFFICE EUROPÉEN DE POLICE (CONVENTION EUROPOL). BRUXELLES, 26 JUILLET 1995 [*Nations Unies, Recueil des Traités, vol. 2156, I-37663.*]

PROTOCOLE MODIFIANT LA CONVENTION PORTANT CRÉATION D'UN OFFICE EUROPÉEN DE POLICE (CONVENTION EUROPOL) ET LE PROTOCOLE SUR LES PRIVILÈGES ET IMMUNITÉS D'EUROPOL, DES MEMBRES DE SES ORGANES, DE SES DIRECTEURS ADJOINTS ET DE SES AGENTS. BRUXELLES, 28 NOVEMBRE 2002

Entrée en vigueur : 29 mars 2007, conformément à l'article 3

Textes authentiques : danois, néerlandais, anglais, finnois, français, allemand, grec, irlandais, italien, portugais, espagnol et suédois

Enregistrement auprès du Secrétariat des Nations Unies : Conseil de l'Union européenne, 17 mars 2010

Seuls les textes authentiques anglais et français sont publiés ici. Les autres textes authentiques du Protocole ne sont pas publiés ici, conformément aux dispositions de l'Article 12, paragraphe 2, des réglementations de l'Assemblée générale, en application de l'Article 102 de la Charte des Nations Unies, tel qu'amendé, et de la pratique dans le domaine des publications du Secrétariat.

Participant	Ratification	
Austria	29 Apr	2004
Belgium	16 Mar	2005
Cyprus	31 May	2004
Czech Republic	28 May	2004
Denmark	14 Jan	2005
Estonia	10 Mar	2005
Finland	6 Oct	2004
France	29 Jun	2005
Germany	25 Mar	2004
Greece	24 Dec	2004
Hungary	28 May	2004
Ireland	29 Dec	2006
Italy	6 Jun	2006
Latvia	31 May	2004
Lithuania	27 May	2004
Luxembourg	26 Apr	2006
Malta	30 Jun	2004
Netherlands	13 Jun	2005
Poland	29 Jul	2004
Portugal	20 Dec	2006
Slovakia	31 May	2004
Slovenia	31 May	2004
Spain	5 Mar	2004
Sweden	3 Oct	2006
United Kingdom of Great Britain and Northern Ireland	3 Feb	2005

Participant	Ratification	
Allemagne	25 mars	2004
Autriche	29 avr	2004
Belgique	16 mars	2005
Chypre	31 mai	2004
Danemark	14 janv	2005
Espagne	5 mars	2004
Estonie	10 mars	2005
Finlande	6 oct	2004
France	29 juin	2005
Grèce	24 déc	2004
Hongrie	28 mai	2004
Irlande	29 déc	2006
Italie	6 juin	2006
Lettonie	31 mai	2004
Lituanie	27 mai	2004
Luxembourg	26 avr	2006
Malte	30 juin	2004
Pays-Bas	13 juin	2005
Pologne	29 juil	2004
Portugal	20 déc	2006
République tchèque	28 mai	2004
Royaume-Uni de Grande-Bretagne et d'Irlande du Nord	3 févr	2005
Slovaquie	31 mai	2004
Slovénie	31 mai	2004
Suède	3 oct	2006

PROTOCOL
AMENDING THE CONVENTION ON THE ESTABLISHMENT
OF A EUROPEAN POLICE OFFICE (EUROPOL CONVENTION)
AND THE PROTOCOL ON THE PRIVILEGES AND IMMUNITIES OF EUROPOL,
THE MEMBERS OF ITS ORGANS, THE DEPUTY DIRECTORS
AND THE EMPLOYEES OF EUROPOL

THE HIGH CONTRACTING PARTIES to this Protocol and High Contracting Parties to the Convention on the establishment of a European Police Office and to the Protocol on the privileges and immunities of Europol, the members of its organs, the deputy directors and the employees of Europol, Member States of the European Union,

REFERRING to the Act of the Council of the European Union of 28 November 2002,

WHEREAS:

- (1) Pursuant to Article 30(2)(a) of the Treaty on European Union, the Council is to enable Europol to facilitate and support the preparation, and to encourage 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 in a support capacity.
- (2) Rules need to be laid down governing such participation of Europol in joint investigation teams. These rules should address the role of Europol officials in these teams, the exchange of information between Europol and the joint investigation team, as well as non-contractual liability for damage caused by Europol officials participating in these teams.
- (3) Pursuant to Article 30(2)(b) of the Treaty on European Union, measures need to be adopted allowing Europol to ask the competent authorities of the Member States to conduct and coordinate investigations in specific cases.
- (4) The Protocol on the privileges and immunities of Europol, the members of its organs, the deputy directors and the employees of Europol should be amended to the effect that the immunity of Europol's staff members in respect to words spoken or written, and/or acts performed by them in the exercise of their official functions, does not extend to their activities as participants in the joint investigation teams,

HAVE AGREED ON THE FOLLOWING PROVISIONS: