

(English version)

**Question for written answer E-001320/26
to the Commission
Nikola Minchev (Renew), Jan-Christoph Oetjen (Renew)
(30 March 2026)**

Subject: Balance between operational efficiency and safeguards in the revision of the Europol Regulation

In the context of the ongoing revision of the Europol Regulation, both Europol and the Commission have highlighted concerns regarding operational efficiency, including the administrative burden linked to the prior consultation procedure with the European Data Protection Supervisor, as required under Article 39.

However, Article 39(3), introduced in the 2022 revision of the regulation, already provides for an urgent procedure intended precisely to accelerate decision-making in time-sensitive operational cases. According to information available so far, this urgent procedure appears to have been little used, if at all.

In this context:

1. Can the Commission clarify whether Article 39(3) has been used in practice and, if not, why not?
2. What practical, legal or procedural barriers have limited use of the urgent procedure by Europol?
3. Has the Commission assessed whether addressing such barriers in a targeted manner would be a more proportionate solution than removing the prior consultation requirement altogether?

Such clarification is essential to ensure that the revision strikes the right balance between operational effectiveness and the safeguarding of fundamental rights.

Submitted: 30.3.2026

**Answer given by Mr Brunner on behalf of the European Commission
(11 June 2026)**

Providing the European Union Agency for Law Enforcement Cooperation (Europol) with a legal framework allowing to address evolving threats and emerging technologies is a core Commission priority.

This requires enabling the Agency to operate with agility in an increasingly data-intensive environment, where advanced analytical tools are indispensable.

In its upcoming legislative proposal on Europol, the Commission will be mindful of the need to strike a careful balance between enhancing Europol's operational effectiveness and ensuring robust safeguards for fundamental rights. The urgent procedure ⁽¹⁾ has been used only once, in 2025.

According to a recent report from the Commission to the European Parliament and the Council ⁽²⁾, Europol and four Member States mentioned as areas for improvement the costs and time associated with the Data Protection Impact Assessment and prior consultation of the European Data Protection Supervisor (EDPS). However, for some Member States, the Agency privileged a conservative approach vis-à-vis the flexibility granted by the co-legislators.

While the urgent procedure was an important step forward, it was conceived for exceptional cases, whereas operational realities have evolved.

The Commission is therefore examining how to streamline the applicable framework, while maintaining strong safeguards and EDPS oversight. A number of solutions are being considered and explored.

⁽¹⁾ In accordance with Article 39(3) of Regulation (EU) 2016/794.

⁽²⁾ COM(2025) 752 final.