

Brussels, 12 February 2026  
(OR. en)

5563/26

LIMITE

COSI 13  
CRIMORG 13  
JAI 81  
ENFOPOL 52

## NOTE

---

From: Presidency  
To: Delegations  
Subject: The future of Europol

---

## Introduction

To effectively support Member States, Europol needs to constantly adapt and strengthen its capabilities to counter the growing and complex security challenges posed by criminals and terrorists, particularly their increasing use of digital technologies.

In preparation of a new legislative proposal on Europol<sup>1</sup>, the Commission has undertaken a number of activities, including a public consultation, targeted surveys, a study to prepare an evaluation and impact assessment and four thematic expert workshops with Member States and other stakeholders organised in autumn 2025, building on previous discussions and a kick-off meeting in June 2025. The Commission also issued a report<sup>2</sup> evaluating and assessing the implementation of the key provisions of the 2022 Europol recast under Article 68 (3) of the Europol Regulation.

---

<sup>1</sup> The last amendment to the Europol's Regulation took place in December 2025, with the aim of reinforcing Europol's role in the fight against migrant smuggling and trafficking in human beings. In its communication on a European Internal Security Strategy (ProtectEU), the Commission announced the presentation of a legislative proposal in 2026 with '*an ambitious overhaul of Europol's mandate, to turn it into a truly operational police agency, better supporting Member States*'.

<sup>2</sup> 16767/25 + ADD 1

Policy discussions on the future of Europol have also taken place in different fora, including the Standing Committee on Operational Cooperation on Internal Security (COSI), which held a strategic debate about the future of Europol on 16 May 2025. At that meeting, delegations already outlined areas where Europol could be more active in supporting Member States such as financial investigations and asset recovery, the pooling of innovation and technology capabilities and tools for law enforcement, relations with technological platforms or the exchange of information with third countries.

This Presidency paper builds on previous discussions and aims to have a second strategic exchange of views on key building blocks of a revised Europol's mandate.

### **The building blocks of the review of Europol's mandate**

The Presidency suggests focusing discussions on four specific areas where Europol should develop and enhance its capabilities to effectively support Member States in fighting serious and organised crime and terrorism.

#### *Data processing and information exchange*

Innovation in law enforcement is a decisive factor to effectively respond to complex and cross-border existing and emerging threats. It will also have an increasing importance in the area of data processing. In this respect, Member States seemed to be in favour of pooling resources and jointly investing in sophisticated tools and expertise through Europol so it can better support Member States.

Member States also broadly supported bolstering Europol's role as the central hub for the exchange and analysis of crime-related information. They seemed to favour improving existing Europol tools, such as the Joint Operational Analysis Case (JOAC) mechanism, the Europol Information System (EIS), the Europol Tool Repository (ETR), the Querying Europol Systems (QUEST) or the Secure Information Exchange Network Application (SIENA) as well as making full use of the capabilities acquired by Europol in 2022, which put the agency in a position to deal with large and complex data sets and to receive personal data directly from private parties. While Member States agreed on improving the collaborative digital environment for data sharing and processing, they indicated the existence of legal and practical obstacles, such as the handling of restricted information.

Last, Member States and Europol highlighted different issues with the current data protection framework applicable to the agency, including the data subject categorisation, the processing of ‘big data’ or ‘unspecified data’ (i.e. data where the subject’s category (suspect, victim, etc.) is not yet identified), cost and time associated with data processing, interoperability or data retention regimes. In this respect, the review of Europol’s mandate offers an opportunity to reconsider and simplify certain aspects of the agency’s data protection framework, also taking into account the requirements applicable at national level.

#### Cooperation with other EU agencies, bodies and third parties

The ongoing review provides an opportunity to improve coordination and complementarity with other EU agencies and bodies. Member States supported the idea of closer interagency cooperation, including with non-law enforcement agencies, such as AMLA (money laundering), ECB (terrorism financing) or ENISA (cyber security). As regards judicial cooperation, while Member States could agree on strengthening operational cooperation between Europol, Eurojust and the European Public Prosecutor Office (EPPO), they seemed to prefer investing in existing provisions and tools (such as the joint Europol and Eurojust project SIRIUS, which facilitates the access to cross border e-evidence from service providers), rather than introducing legislative changes.

The Commission also suggested improving information sharing among agencies, notably to align the respective regulations of the EPPO and Europol, in full respect of data ownership and their respective competences. However, Member States did not appear to support direct access to Europol’s data by other EU agencies or bodies.

Member States seemed to support enhancing Europol’s capabilities to cooperate with the private sector. The conditions under which Europol’s data ecosystem could be used for this purpose could be further explored. For example, in the area of the fight against online crime - and in particular financial crime - a single platform for information sharing with financial institutions could be established to ensure better EU-level support for the recovery of criminal assets.

#### Dealing with hybrid threats

Hybrid threats pose an increasingly complex challenge to the Union’s internal security. However, the concept of hybrid threat remains vague, and some Member States are particularly concerned by links between hybrid threats and national security, which is an exclusive competence of Member States.

This topic was further discussed during the technical workshops, in which the Commission also proposed to explore enhancing cooperation between Europol, other Union entities (notably the EU Hybrid Fusion Cell hosted by EU INTCEN) and relevant national authorities to fight hybrid threats. In this respect, the Commission indicated that Europol could reinforce its capabilities to combine and analyse criminal intelligence contributed by Member States, help to connect fragmented criminal data and strengthen the Union's situational awareness.

Regarding the possibility of expanding Europol's mandate to include the detection and prevention of hybrid threats, a possible way forward seemed to emanate from the discussions. Hybrid operations include components that clearly constitute criminal offences. Those crimes committed as part of hybrid schemes frequently display cross-border elements and operational similarities across Member States. Europol's capabilities and response could be reinforced, notably in supporting the detection, analysis and coordination of law enforcement responses in crime areas already covered by Europol's mandate (such as cybercrime, fraud or acts of organised crime that affect internal security) or expanding the list of crime areas for which the agency is competent (such as sabotage, information manipulation and election interference).

### Governance

During the discussions on governance, Member States seemed to agree on strengthening the role and responsibilities of the Europol National Units (ENUs) and the Liaison Officers (LOs). While Europol's current operational governance model could be improved, Member States did not seem inclined to create additional structures or specialised committees, such as a dedicated committee on specific budget and account matters as proposed by the Commission.

### **Way forward**

Building on the discussions at COSI, Ministers will exchange views about the future of Europol at the JHA Council meeting on 5 March 2026. Ministers will be invited to provide strategic guidance to the Commission as input to the drafting of the legislative proposal.

Once the legislative proposal is issued, likely in June 2026, it will be examined in the Council at the Law Enforcement Working Party (Police).

## Questions to delegations

- As regards the strengthening of Europol's role as a *central hub for the exchange and analysis of information*, what specific elements would you like to see reflected in the incoming legislative proposal?
  - As regards *cooperation with other EU agencies and bodies and third parties*, which measures should be put in place to ensure closer interagency cooperation, as well as cooperation with the private sector?
  - As regards tackling *hybrid threats*, what role should Europol play? Would you consider it as an acceptable way forward to expand Europol's mandate to include specific criminal offences such as sabotage, information manipulation and election interference?
  - As regards improving Europol's current operational *governance model*, would you agree to clarify and strengthen the role and responsibilities of the existing structures, or would you be open to create new ones?
-