

## II

(Preparatory Acts pursuant to Title VI of the Treaty on European Union)

**COUNCIL RECOMMENDATION****of 28 September 2000****to Member States in respect of requests made by Europol to initiate criminal investigations in specific cases**

(2000/C 289/13)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the European Union, in particular Article 30(2)(b) thereof,

Whereas:

- (1) Recommendation 45 of the conclusions of the 15/16 October 1999 meeting of the European Council in Tampere instructs the Council to allow Europol to ask Member States to initiate, conduct or coordinate investigations in specific cases, while respecting systems of judicial control in Member States.
- (2) The authorities of the Member State concerned decide independently and in accordance with the national legislation how to process the request from Europol.
- (3) The request from Europol will be made in accordance with Article 4 of the Europol Convention,

HAS ADOPTED THE FOLLOWING RECOMMENDATION:

Member States should deal with any request from Europol to initiate, conduct or coordinate investigations in specific cases and should give such requests due consideration. Europol should in principle be informed whether the requested investigation will be initiated and of the results of any such investigation.

If a Member State decides not to conduct an investigation, Europol should be informed of this decision and in principle of the reasons for it.

Replies to requests by Europol to conduct investigations in specific cases as well as information to Europol about the results of investigations should be forwarded through the competent authorities in the Member States in accordance with the rules laid down in the Europol Convention and the relevant national legislation.

Done at Brussels, 28 September 2000.

*For the Council**The President*

D. VAILLANT