



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Civil Liberties, Justice and Home Affairs

2013/0812(COD)

4.2.2014

AMENDMENTS

4 - 30

Draft report
Kinga Gál
(PE526.113v01-00)

on the draft regulation of the European Parliament and of the Council
amending Decision 2005/681/JHA establishing the European Police College
(CEPOL)

Proposal for a regulation
17043/2013 – C7-0435/2013 – 2013/0812(COD))

AM\1016787EN.doc

PE528.005v01-00

EN

United in diversity

EN

AM_Com_LegReport

Amendment 4

Sonia Alfano, Renate Weber, Sophia in 't Veld, Gerben-Jan Gerbrandy

Draft legislative resolution

Citation 4

Draft legislative resolution

Amendment

– having regard to the common accord of the representatives of the Governments of the Member States of 8 October 2013,

deleted

Or. en

Amendment 5

Kinga Göncz

Draft legislative resolution

Paragraph 1 a (new)

Draft legislative resolution

Amendment

1a. Regrets that the European Parliament was not fully involved in the evaluation of the applications and that only one candidate was presented to the relevant committee, curtailing the European Parliament of its codecision role regarding the selection of the new seat.

Or. en

Amendment 6

Kinga Göncz

Draft legislative resolution

Paragraph 2

Draft legislative resolution

Amendment

2. Calls on the budgetary authorities to ensure that the additional costs relating to

2. Calls on the budgetary authorities to ensure that the additional costs relating to

the change in the seat of CEPOL will be fully covered **and** will not **to** jeopardise the normal operational needs of CEPOL.

the change in the seat of CEPOL will be fully covered **by the current host country and by additional EU budget and thus** will not **come to the detriment of the regular budget of CEPOL so as not to** jeopardise the normal operational needs of CEPOL.

Or. en

Amendment 7
Gianni Vattimo

Draft legislative resolution
Paragraph 2

Draft legislative resolution

2. Calls on the budgetary authorities to ensure that the additional costs relating to the change in the seat of CEPOL will be fully covered and will not to jeopardise the normal operational needs of CEPOL.

Amendment

2. Calls on the budgetary authorities to ensure that the additional costs relating to the change in the seat of CEPOL will be fully covered **by the United Kingdom** and will not to jeopardise the normal operational needs of CEPOL.

Or. en

Amendment 8
Gianni Vattimo

Proposal for a regulation

-

Proposal for rejection

The European Parliament rejects the proposal.

Or. en

Amendment 9
Gianni Vattimo

Proposal for a regulation
Recital 2

Text proposed by the Council

(2) By letters of 12 December 2012 and 8 February 2013, the United Kingdom informed CEPOL that it no longer *wishes* to host the seat on its territory. Apart from hosting CEPOL, Bramshill also hosts a national police training site of the National Policing Improvement Agency which the United Kingdom decided to replace by a new College of Policing to be located elsewhere. The United Kingdom has therefore decided to close the national police training site at Bramshill and to sell the site indicating that the related costs were high and no alternative business model to run the site had emerged.

Amendment

(2) In violation of its legal obligations and commitments pursuant to both Council Decision 2005/681/JHA and the Headquarters Agreement concluded between the United Kingdom and CEPOL on 30 December 2004, by letters of 12 December 2012 and 8 February 2013, the United Kingdom informed CEPOL – instead of informing the Council, the European Parliament and the Commission - that it had unilaterally decided that it no longer wished to host the seat on its territory. Apart from hosting CEPOL, Bramshill also hosts a national police training site of the National Policing Improvement Agency which the United Kingdom decided to replace by a new College of Policing to be located elsewhere. The United Kingdom has therefore decided to close the national police training site at Bramshill and to sell the site indicating that the related costs were high and no alternative business model to run the site had emerged. The UK

government did not provide reasons to justify why it could not relocate CEPOL somewhere else on the UK territory, instead of expelling it "de facto".

Or. en

Amendment 10

Sonia Alfano, Renate Weber, Sophia in 't Veld, Gerben-Jan Gerbrandy

Proposal for a regulation

Recital 2

Text proposed by the Council

(2) By letters of 12 December 2012 and 8 February 2013, the United Kingdom informed CEPOL that it no longer wishes to host the seat on its territory. Apart from hosting CEPOL, Bramshill also hosts a national police training site of the National Policing Improvement Agency which the United Kingdom decided to replace by a new College of Policing to be located elsewhere. The United Kingdom has therefore decided to close the national police training site at Bramshill and to sell the site indicating that the related costs were high and no alternative business model to run the site had emerged.

Amendment

(2) By letters of 12 December 2012 and 8 February 2013, the United Kingdom, ***against its commitment and legal obligation as per Council Decision 2005/681/JHA and the Headquarters Agreement concluded between the United Kingdom and CEPOL on 30 December 2004***, informed CEPOL that it no longer wishes to host the seat on its territory. Apart from hosting CEPOL, Bramshill also hosts a national police training site of the National Policing Improvement Agency which the United Kingdom decided to replace by a new College of Policing to be located elsewhere. The United Kingdom has therefore decided to close the national police training site at Bramshill and to sell the site indicating that the related costs were high and no alternative business model to run the site had emerged.

Or. en

Amendment 11

Cornelis de Jong

Proposal for a regulation

Recital 3

Text proposed by the Council

Amendment

(3) In view of this situation, ***on 8 October 2013, the representatives of the Governments of the Member States agreed by common accord on arrangements to host CEPOL according to which CEPOL will be hosted in Budapest*** as soon as it moves from Bramshill. This agreement should be incorporated in Council Decision 2005/681/JHA.

(3) In view of this situation ***arrangements should be made to find another location for*** CEPOL as soon as it moves from Bramshill. This agreement should be incorporated in Council Decision 2005/681/JHA.

Or. en

Amendment 12
Jean Lambert

Proposal for a regulation
Recital 3

Text proposed by the Council

Amendment

(3) In view of this situation, ***on 8 October 2013, the representatives of the Governments of the Member States agreed by common accord on arrangements to host CEPOL according to which CEPOL will be hosted in Budapest as soon as it moves from Bramshill. This agreement*** should be incorporated in Council Decision 2005/681/JHA.

(3) In view of this situation ***and of the fundamental need to maintain CEPOL's complete independence, arrangements should be made to ensure functional synergies and contribute to the rationalisation of costs, by moving the seat of CEPOL to the proximity of Europol. Those arrangements*** should be incorporated in Council Decision 2005/681/JHA.

Or. en

Justification

While considering the best solution for the new seat of CEPOL, one has to take fully into account the importance of ensuring functional synergies between EU support to operational police cooperation and to law enforcement training, and at the same time to take into account the need to achieve efficiency savings in the costs of EU agencies in line with the recommendations set out in the Common Approach on decentralised agencies. In that context, the most coherent solution is a co-location scenario of CEPOL and Europol as two legally

and functionally independent agencies located in The Hague.

Amendment 13

Sonia Alfano, Renate Weber, Sophia in 't Veld, Gerben-Jan Gerbrandy

Proposal for a regulation

Recital 3

Text proposed by the Council

(3) In view of this situation, on 8 October 2013, the representatives of the Governments of the Member States agreed by common accord on arrangements to host CEPOL according to which CEPOL will be hosted in Budapest as soon as it moves from Bramshill. This **agreement should be incorporated in Council Decision 2005/681/JHA.**

Amendment

(3) In view of this situation, on 8 October 2013, the representatives of the Governments of the Member States agreed by common accord on arrangements to host CEPOL according to which CEPOL will be hosted in Budapest as soon as it moves from Bramshill. This **decision was taken, without any prior consultation with the European Commission and the European Parliament, following a specific voting arrangement proposed by the Presidency and accepted by the Member States, under the item "Provisional arrangements to host CEPOL" during the JHA Council informal lunch on 8 October 2013. Seven applications had been submitted further to the Council Presidency's call in July 2013 for applications to provisionally host the European Police College until a long-term solution for the future of the Agency could be found. The Member States submitting candidatures were Ireland, Greece, Spain, Italy, Hungary, The Netherlands and Finland. Finland subsequently withdrew its application. The political agreement was confirmed at the JHA Council meeting on the same day, 8 October 2013.**

Or. en

Amendment 14

Kinga Göncz

Proposal for a regulation
Recital 3 a (new)

Text proposed by the Council

Amendment

(3a) The Treaty obligations of sincere cooperation and in particular the obligations deriving from Article 4 TEU to 'take any appropriate measure to ensure fulfilment of the obligations resulting from the acts of the Institutions of the Union', require the UK Government to ensure a smooth transition of CEPOL to its new location, including by offering logistical and financial support.

Or. en

Amendment 15
Jutta Haug

Proposal for a regulation
Recital 3 a (new)

Text proposed by the Council

Amendment

(3a) With the aim of achieving best value for money, realising synergies and spill-over effects through increased contacts between operational and training staff as well as cost savings on administrative services while ensuring independence and functionality of CEPOL, the best option is relocating CEPOL to The Hague, already host for other EU bodies.

Or. en

Amendment 16
Cornelis de Jong

Proposal for a regulation
Recital 3 a (new)

Text proposed by the Council

Amendment

(3a) It is important to seek the most efficient solutions for the location of agencies, and, whilst fully respecting the fundamental need to maintain CEPOL's complete independence, it is logical to locate CEPOL in the Hague, being the host for EUROPOL, which is the EU's main agency for police co-operation;

Or. en

Amendment 17

Sonia Alfano, Renate Weber, Sophia in 't Veld, Gerben-Jan Gerbrandy

Proposal for a regulation
Recital 3 a (new)

Text proposed by the Council

Amendment

(3a) In its proposal for a Regulation on the European Union Agency for Law Enforcement Cooperation and Training (Europol) and repealing Decisions 2009/371/JHA and 2005/681/JHA, published on 27 March 2013, the European Commission estimated that the merging of Europol and CEPOL into a single agency, situated at the current headquarters of Europol in The Hague would create important synergies and efficiency gains, assessing savings at the level of €17.2 million over the period 2015-2020 and 14 full time staff equivalent (FTE).

Or. en

Amendment 18
Jutta Haug

Proposal for a regulation
Recital 3 b (new)

Text proposed by the Council

Amendment

(3b) Before CEPOL starts its operational phase at the new location, a headquarter agreement should be concluded, based on a set of provisions put together by the European Commission.

Or. en

Amendment 19
Sonia Alfano, Renate Weber, Sophia in 't Veld, Gerben-Jan Gerbrandy

Proposal for a regulation
Recital 3 b (new)

Text proposed by the Council

Amendment

(3b) Given the links between the tasks of Europol and CEPOL, a close cooperation between the two agencies would enhance the effectiveness of operational activity, the relevance of training and the efficiency of Union police cooperation. A relocated seat for CEPOL should therefore be in proximity of Europol seat, in order strengthen the links and create synergies between the two fields of the Agencies. Contacts between the operational and the training staff would help identify training needs, thus increasing the relevance and focus of EU training, to the benefit of EU police cooperation overall.

Or. en

Amendment 20
Sonia Alfano, Renate Weber, Sophia in 't Veld, Gerben-Jan Gerbrandy

Proposal for a regulation
Recital 3 c (new)

Text proposed by the Council

Amendment

(3c) The European Commission had estimated that the relocation of around 40 staff from CEPOL's current site in Bramshill, UK, to the Europol site in The Hague, the Netherlands, is expected to result in limited one-off costs, estimated at €30 000. Potential savings and synergies or efficiency gains are particularly important in an economic context where national and EU resources are scarce and where resources to strengthen EU law enforcement training might not otherwise be available.

Or. en

Amendment 21
Sonia Alfano, Renate Weber, Sophia in 't Veld, Gerben-Jan Gerbrandy

Draft regulation
Recital 3 d (new)

Text proposed by the Council

Amendment

(3d) As underlined by the European Commission, the draft Regulation amending the CEPOL Decision does not refer to the provisional relocation of the seat of CEPOL, but goes much further, as it is in direct opposition to the Commission's proposal for the Europol Regulation, including the merger of CEPOL into Europol, which has been and remains on the table since 27 March 2013.

Or. en

Amendment 22

Sonia Alfano, Renate Weber, Sophia in 't Veld, Gerben-Jan Gerbrandy

Proposal for a regulation

Recital 3 e (new)

Text proposed by the Council

Amendment

(3e) The relocation of CEPOL as proposed does not achieve the functional and operational reform that would match the goals of rationalisation and operational improvement for agencies. It has adverse budgetary effects, as it does not achieve functional synergies and cost savings. It is consequently not in line with the recommendations set out in the Common Approach on decentralised agencies endorsed by the 3 Institutions.

Or. en

Amendment 23

Gianni Vattimo

Proposal for a regulation

Recital 3 f (new)

Text proposed by the Council

Amendment

(3f) The European Parliament in its resolution of 3 July 2013 on the situation of fundamental rights: standards and practices in Hungary (pursuant to the European Parliament resolution of 16 February 2012), has expressed a series of serious concerns on the situation in Hungary and issued a series of detailed recommendations to the Hungarian authorities on the fundamental law, on checks and balances, on the independence of the judiciary, on the electoral reform, on media and pluralism, on the respect for fundamental rights, including the rights of persons belonging to minorities, on freedom of religion or belief and

recognition of churches. The resolution calls on the Hungarian authorities to inform Parliament, the Commission, the Presidencies of the Council and of the European Council, and the Council of Europe regarding implementation of such recommendations. In the absence of such information by the Hungarian authorities and of an evaluation by institutions involved on whether the Hungarian authorities have effectively followed up the EP and EU recommendations, it is not possible to decide for a relocation of CEPOL to Hungary, notably in consideration of the extremely short timeframe imposed by the Council for the adoption of the Regulation. For these reasons, an alternative relocation solution has to be found, or alternatively more time should be granted so to allow for such information to be provided, make an evaluation and take a decision;

Or. en

Amendment 24
Jutta Haug

Proposal for a regulation
Article 1 – paragraph 1 – subparagraph 1
Council Decision 2005/681/JHA
Article 4

Text proposed by the Council

The seat of CEPOL shall be in ***Budapest, Hungary.***

Amendment

The seat of CEPOL shall be in ***The Hague, The Netherlands.***

Or. en

Amendment 25
Cornelis de Jong

Proposal for a regulation
Article 1 – paragraph 1 – subparagraph 1
Council Decision 2005/681/JHA
Article 4

Text proposed by the Council

The seat of CEPOL shall be in ***Budapest, Hungary.***

Amendment

The seat of CEPOL shall be in ***The Hague, the Netherlands.***

Or. en

Amendment 26
Gianni Vattimo

Proposal for a regulation
Article 1 – paragraph 1 – subparagraph 1
Council Decision 2005/681/JHA
Article 4

Text proposed by the Council

The seat of CEPOL shall be in ***Budapest, Hungary.***

Amendment

The seat of CEPOL shall be in ***the United Kingdom.***

Or. en

Amendment 27
Jean Lambert

Proposal for a regulation
Article 1 – paragraph 1 – subparagraph 1
Decision 2005/681/JHA
article 1–paragraph 1–subparagraph 1

Text proposed by the Council

The seat of CEPOL shall be in ***Budapest, Hungary.***

Amendment

The seat of CEPOL shall be in ***The Hague, The Netherlands.***

Or. en

Justification

In line with Commission Communication COM (2014) 7 and the opinion of the BUDG committee. Moving the seat of CEPOL to The Hague would create important synergy effects and efficiency savings, unlike the scenario in the Member States' initiative of moving the seat to Budapest.

Amendment 28

Sonia Alfano, Renate Weber, Sophia in 't Veld, Gerben-Jan Gerbrandy

Proposal for a regulation

Article 1 – paragraph 1 – subparagraph 1

Council Decision 2005/681/JHA

Article 4

Text proposed by the Council

The seat of CEPOL shall be in ***Budapest, Hungary.***

Amendment

The seat of CEPOL shall be in ***The Hague, The Netherlands.***

Or. en

Amendment 29

Jean Lambert

Proposal for a regulation

Article 2 – paragraph 2

Text proposed by the Council

It shall apply from (...) 2014.

Amendment

It shall apply from (...) 2014 ***until 31 December 2016.***

Or. en

Justification

The permanent relocation of CEPOL should be decided based on a Commission proposal including a proper impact assessment of costs and benefits of all possible locations

Amendment 30

Jean Lambert

PE528.005v01-00

16/17

AM\1016787EN.doc

Proposal for a regulation
Article 2 – paragraph 2 a (new)

Text proposed by the Council

Amendment

The Commission shall without delay and at the latest six months after the date specified in Article 2, paragraph 2, present a proposal for an amendment of Decision 2005/681/JHA regarding a permanent CEPOL seat after 31 December 2016.

Or. en

Justification

The permanent relocation of CEPOL should be decided based on a Commission proposal including a proper impact assessment of costs and benefits of all possible locations