



EUROPEAN PARLIAMENT

2014 - 2019

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*Plenary sitting*

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**A8-0048/2015**

11.3.2015

## **\*\*\*I REPORT**

on the proposal for a regulation of the European Parliament and of the Council establishing a European Union agency for law enforcement training (Cepol), repealing and replacing Council Decision 2005/681/JHA (COM(2014)0465 – C8-0110/2014 – 2014/0217(COD))

Committee on Civil Liberties, Justice and Home Affairs

Rapporteur: Kinga Gál

### ***Symbols for procedures***

*	Consultation procedure
***	Consent procedure
***I	Ordinary legislative procedure (first reading)
***II	Ordinary legislative procedure (second reading)
***III	Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

### ***Amendments to a draft act***

#### **Amendments by Parliament set out in two columns**

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

#### **Amendments by Parliament in the form of a consolidated text**

New text is highlighted in ***bold italics***. Deletions are indicated using either the ■ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

## CONTENTS

	<b>Page</b>
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION.....	5
EXPLANATORY STATEMENT.....	20
OPINION OF THE COMMITTEE ON BUDGETS.....	23
PROCEDURE.....	28



## **DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION**

**on the proposal for a regulation of the European Parliament and of the Council establishing a European Union agency for law enforcement training (Cepol), repealing and replacing Council Decision 2005/681/JHA (COM(2014)0465 – C8-0110/2014 – 2014/0217(COD))**

**(Ordinary legislative procedure: first reading)**

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2014)0465),
  - having regard to Article 294(2) and Article 87(2)(b) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0110/2014),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to Rule 59 of its Rules of Procedure,
  - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs and the opinion of the Committee on Budgets (A8-0048/2015),
1. Adopts its position at first reading hereinafter set out;
  2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
  3. Calls on the Commission to provide an overall analysis of the administrative cooperation between European Union agencies and of where such cooperation could create synergies in the future;
  4. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

### **Amendment 1**

#### **Proposal for a regulation**

##### **Recital 6**

*Text proposed by the Commission*

(6) To ensure that Union level training for law enforcement personnel is of high

*Amendment*

(6) To ensure that Union level training for law enforcement personnel is of high

quality, coherent and consistent, CEPOL should strive to structure it in line with the principles of the Law Enforcement Training Scheme. Union-level training should be available to law enforcement officers of all ranks. CEPOL should ensure that training is evaluated and that conclusions from training needs assessments are part of planning to enhance effectiveness of future actions. CEPOL should promote the recognition in Member States of training provided at Union level.

quality, coherent and consistent, CEPOL should strive to structure it in line with the principles of the Law Enforcement Training Scheme, ***whilst putting particular emphasis on the protection of human rights and fundamental freedoms in the context of law enforcement.*** Union-level training should be available to law enforcement officers of all ranks. CEPOL should ensure that training is evaluated and that conclusions from training needs assessments are part of planning to enhance effectiveness of future actions. CEPOL should promote the recognition in Member States of training provided at Union level.

## Amendment 2

### Proposal for a regulation Recital 6 a (new)

*Text proposed by the Commission*

*Amendment*

***(6a) In order to make the most efficient use of its resources, CEPOL's activities should be focused on thematic areas that have a clear Union added value and a cross-border dimension, closely linked to the Internal Security Strategy. The focus should be forward-looking, identifying what training and capacity building measures are required in the future at Union level.***

### *Justification*

*In order to ensure its effectiveness and impact, CEPOL's limited resources should be focussed towards a few thematic areas with a clear European added-value, by no means duplicating the work done at the level of the Member States, and in line with the principle of subsidiarity. Focussing on a more limited number of thematic areas would free resources to put more effort into quality and attractiveness.*

### Amendment 3

#### Proposal for a regulation Recital 7

*Text proposed by the Commission*

(7) To avoid duplication in the training activities for the competent law enforcement personnel, which are carried out by existing European Union Agencies and other relevant bodies, CEPOL should assess strategic training needs and address Union priorities in the area of internal security and its external aspects, ***in line with the relevant policy cycles.***

*Amendment*

(7) To avoid duplication, ***uncoordinated initiatives or overlap*** in the training activities for the competent law enforcement personnel, which are carried out by existing European Union Agencies and other relevant bodies, CEPOL should assess strategic training needs and recommends Union training priorities in the area of internal security and its external aspects.

*Justification*

*In order to use scarce resources efficiently, a more effective coordination among JHA Agencies providing training is important, exploiting synergies and eliminating duplication.*

*Furthermore, CEPOL as the only specialised agency dealing exclusively with law enforcement training, should be able to assist the European Institutions in the formulation of priorities to be addressed via training.*

### Amendment 4

#### Proposal for a regulation Recital 9

*Text proposed by the Commission*

(9) The Commission and the Member States should be represented within the Management Board of CEPOL in order to supervise effectively the exercise of its functions. The ***Board should consist of members*** appointed on the basis of their experience in the management of public or private sector organisations and of their knowledge in the national policy on training for law enforcement officers. The Board should be entrusted with the necessary powers to establish the budget, verify its execution, adopt appropriate

*Amendment*

(9) The Commission and the Member States should be represented within the Management Board of CEPOL in order to supervise effectively the exercise of its functions. The ***members of the Management Board and their alternates should be*** appointed on the basis of their experience in the management of public or private sector organisations and of their knowledge in the national policy on training for law enforcement officers. The Board should be entrusted with the necessary powers to establish the budget,

financial rules and CEPOL's strategy, establish transparent working procedures for decision making by CEPOL, appoint the Director, establish performance indicators and exercise appointing authority powers, in accordance with the Staff Regulations and the Conditions of Employment of Other Servants.

verify its execution, adopt appropriate financial rules and CEPOL's strategy, establish transparent working procedures for decision making by CEPOL, appoint the ***Executive*** Director, establish performance indicators and exercise appointing authority powers, in accordance with the Staff Regulations and the Conditions of Employment of Other Servants.

## Amendment 5

### Proposal for a regulation Recital 11

#### *Text proposed by the Commission*

(11) To ensure the scientific quality of CEPOL's work, a Scientific Committee, composed of independent persons of the highest academic or professional standing in the subjects covered by this Regulation, should be set up as an independent advisory body.

#### *Amendment*

(11) To ensure the scientific quality of CEPOL's work, a Scientific Committee, composed of independent persons of the highest academic or professional standing in the subjects covered by this Regulation, should be set up as an independent advisory body. ***The Members of the Scientific Committee should be appointed by the Management Board following a transparent call for applications and selection procedure to be published in the Official Journal of the European Union.***

## Amendment 6

### Proposal for a regulation Recital 12

#### *Text proposed by the Commission*

(12) CEPOL should ensure that its training integrates relevant developments in research and encourage the creation of stronger partnerships between universities and law enforcement training institutes in the Member States.

#### *Amendment*

(12) CEPOL should ensure that its training integrates relevant developments in research and encourage the creation of stronger partnerships between universities and law enforcement training institutes in the Member States ***as well as other European Union law enforcement agencies in order to create spill-over***



*effects by means of enhanced cooperation.*

## **Amendment 7**

### **Proposal for a regulation Recital 13**

#### *Text proposed by the Commission*

(13) In order to guarantee the full autonomy and *the* independence of CEPOL, it should be granted *an* autonomous budget with revenue stemming essentially from a contribution from the budget of the Union. The Union budgetary procedure should be applicable as far as the Union contribution and any other subsidies chargeable to the general budget of the European Union are concerned. The auditing of accounts should be undertaken by the Court of Auditors.

#### *Amendment*

(13) In order to guarantee the full autonomy and independence of CEPOL *and to enable it to properly perform the objectives and tasks assigned to it in this Regulation*, it should be granted *a sufficient and* autonomous budget with revenue stemming essentially from a contribution from the budget of the Union. The Union budgetary procedure should be applicable as far as the Union contribution and any other subsidies chargeable to the general budget of the European Union are concerned. The auditing of accounts should be undertaken by the Court of Auditors.

#### *Justification*

*While the proposed Regulation attributes new tasks to CEPOL or expands, modifies and reprioritises existing ones, the proposed budget does not match this ambition by attributing the necessary additional resources. CEPOL has reached the limit by which it can make use of internal reshuffling. Therefore, sufficient funding should be safeguarded for CEPOL to properly execute its new tasks.*

## **Amendment 8**

### **Proposal for a regulation Article 1 – paragraph 1 and 1 a (new)**

#### *Text proposed by the Commission*

1. A European Union Agency for Law Enforcement Training (CEPOL) is hereby established. *in order to foster a coherent European law enforcement training policy.*

#### *Amendment*

1. A European Union Agency for Law Enforcement Training (CEPOL) is hereby established.

*1a. CEPOL is established in order to improve cooperation among law enforcement authorities in the Union by supporting and implementing the training of their law enforcement officials in relation to the prevention, detection and investigation of criminal offences, maintenance of law and order and EU police missions, in order to foster a coherent European training policy, and in order to strengthen the fundamental rights dimension of law enforcement training.*

## Amendment 9

### Proposal for a regulation Article 2 – point a

*Text proposed by the Commission*

(a) ‘Law enforcement **officers**’ means officers of police, customs and of other relevant services, **including Union bodies**, responsible for preventing and combating serious crime affecting two or more Member States, terrorism and forms of crime that affect a common interest covered by a Union policy **and for** crisis management and international policing of major events.

*Amendment*

(a) ‘Law enforcement **officials**’ means **professionals, including those still in training, or** officers of police, customs and of other relevant services, responsible for preventing and combating serious crime affecting two or more Member States, terrorism and forms of crime that affect a common interest covered by a Union policy, **public order**, crisis management and international policing of major events, **including employees or experts of Union institutions, bodies, offices and departments whose competences are related to those tasks.**

## Amendment 10

### Proposal for a regulation Article 3 – title

*Text proposed by the Commission*

Objectives

*Amendment*

Objectives **of CEPOL**

## Amendment 11

### Proposal for a regulation Article 3 – paragraph 1

#### *Text proposed by the Commission*

CEPOL shall support, develop and coordinate training for law enforcement **officers**, in line with the law enforcement training scheme, in particular in the areas of **the fight against** serious crime affecting two or more member states and terrorism, management of **high-risk** public order and sports events, planning and command of Union missions, as well as law enforcement leadership and language skills, **in order to**:

#### *Amendment*

CEPOL shall support, develop, **implement** and coordinate training for law enforcement **officials**, in line with **the principles of** the law enforcement training scheme, in particular in the areas of **preventing and combating serious and organised** crime affecting two or more Member States and terrorism, management of public order, **major events** and sports events, planning and command of Union missions, as well as law enforcement leadership and language skills.

***CEPOL's activities shall raise awareness and knowledge of international and Union instruments and activities on law enforcement cooperation, Union bodies, in particular Europol, Eurojust, and Frontex, their functioning and role as well as judicial aspects of law enforcement cooperation. CEPOL shall promote a common respect for and understanding of fundamental rights in law enforcement including privacy, data protection and the rights, support and protection of victims, witnesses and suspects, including safeguarding the rights of victims of gender-based violence (GBV). Furthermore, CEPOL shall:***

## **Amendment 12**

### **Proposal for a regulation**

#### **Article 3 – paragraph 1 – point -b (new)**

*Text proposed by the Commission*

*Amendment*

***(-b) strengthening cooperation networks of law enforcement agencies in managing flows of illegal immigration;***

## **Amendment 13**

### **Proposal for a regulation**

#### **Article 3 – paragraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

***(b) encourage the development of regional and bilateral cooperation among Member States and between Member States, Union bodies and third countries;***      ***deleted***

#### *Justification*

*In order to ensure its effectiveness and impact, CEPOL's limited resources should be focussed towards a few thematic areas with a clear European added-value. Focussing on a more limited number of thematic areas would free resources to put more effort into quality and attractiveness. Bilateral and regional cooperation can be better pursued by the Member States via the utilisation of thematic funds such as the Internal Security Fund, especially the national segment. Furthermore, cooperation with third countries is already covered in Article 3(e) of the Commission's proposal.*

## **Amendment 14**

### **Proposal for a regulation**

#### **Article 3 – paragraph 1 – point d**

*Text proposed by the Commission*

*Amendment*

***(d) devise specific common curricula for law enforcement officers to train them for participation in Union missions;***      ***deleted***

### *Justification*

*In order to ensure its effectiveness and impact, CEPOL's limited resources should be focussed towards areas with a clear European added-value. Common curricula are an important element in order to facilitate a common approach in relation to cross-border law enforcement cooperation and should not be narrowly focussed on the participation in Union missions. It is also important to underline the civilian nature of CEPOL's involvement in CSDP. Furthermore, the development of training initiatives in this context is already covered in Article 3(e) of the Commission's proposal.*

### **Amendment 15**

#### **Proposal for a regulation**

#### **Article 3 – paragraph 1 – point e**

##### *Text proposed by the Commission*

(e) support Member States and Union bodies in law enforcement capacity-building activities in third countries;

##### *Amendment*

(e) ***develop, coordinate and implement training to*** support Member States and Union bodies in ***training law enforcement officials for participation in Union missions and*** law enforcement capacity-building activities in third countries;

### *Justification*

*To enhance the efficiency and accountability of the Agency, it is important to clearly state, in the context of the formulation of the objectives of the agency, that CEPOL should develop, coordinate and implement training, not only provide support.*

### **Amendment 16**

#### **Proposal for a regulation**

#### **Article 4 – paragraph 2 – point b**

##### *Text proposed by the Commission*

(b) common curricula to raise awareness, address gaps and/or facilitate a common approach in relation to cross-border criminal phenomena;

##### *Amendment*

(b) common curricula to raise awareness ***and knowledge***, address gaps and/or facilitate a common approach in relation to cross-border criminal phenomena, ***in particular with regard to terrorism, cybercrime, financial investigation, and participation in Union missions***;

## Amendment 17

### Proposal for a regulation Article 4 – paragraph 5

*Text proposed by the Commission*

5. CEPOL may engage in communication activities on its own initiative in the fields within its mandate. ***Communication activities shall not be detrimental to the tasks referred to in paragraph 1 and shall be carried out in accordance with relevant communication and dissemination plans adopted by the Management Board.***

*Amendment*

5. CEPOL may engage in communication activities on its own initiative in the fields within its mandate.

*Justification*

*It is not possible to make obligations in a Regulation subject to external documents which were not published (see Guideline 16 of the Joint Practical Guide for drafting of EU legislation).*

## Amendment 18

### Proposal for a regulation Article 5 – paragraph 1

*Text proposed by the Commission*

1. CEPOL ***shall contribute to the development of research relevant for training activities covered by this Regulation*** particularly with regard to the fight against serious crime and more general cross border criminal matters in training activities.

*Amendment*

1. CEPOL ***may carry out, cooperate with or encourage scientific research and surveys, preparatory studies and feasibility studies including, where appropriate and compatible with its priorities and its annual work programme, at the request of the European Parliament, the Council or the Commission,*** particularly with regard to the fight against serious crime and more general cross border criminal matters in training activities. ***To carry out those tasks, CEPOL may manage dedicated Union research funds.***

*Justification*

*To fully implement an approach to law enforcement training which can guarantee and*

*encourage scientific integrity and innovation of learning products, the Agency should have the clear legal possibility to engage in research without prejudice to its main priorities.*

## **Amendment 19**

### **Proposal for a regulation**

#### **Article 6 – paragraph 3 – point b**

##### *Text proposed by the Commission*

(b) organise and coordinate appropriate nominations of participants for activities at the national level in a **timely** manner;

##### *Amendment*

(b) organise and coordinate appropriate nominations of participants for activities at the national level in a **transparent** manner;

##### *Justification*

*The nomination of participants for activities at the national level should be transparent, all the published positions should be universally accessible and the selection should be clearly justified.*

## **Amendment 20**

### **Proposal for a regulation**

#### **Article 6 – paragraph 4**

##### *Text proposed by the Commission*

4. Each Member State shall structure the organisation and the staff of the national unit according to its national legislation.

##### *Amendment*

4. Each Member State shall structure the organisation and the staff of the national unit according to its national legislation, **taking into account this Regulation and the Treaties applicable in each case.**

## **Amendment 21**

### **Proposal for a regulation**

#### **Article 8 – paragraph 3**

##### *Text proposed by the Commission*

3. Members of the Management Board and their alternates shall be appointed in the light of their knowledge in the field of training for law enforcement officers, taking into account relevant managerial,

##### *Amendment*

3. Members of the Management Board and their alternates shall be appointed in the light of their knowledge in the field of training for law enforcement officers, taking into account relevant managerial,

administrative and budgetary skills. All parties represented in the Management Board shall make efforts to limit turnover of their representatives, in order to ensure continuity of the Management Board's work. All parties shall aim to achieve a balanced representation between men and women on the Management Board.

administrative, ***educational*** and budgetary skills. All parties represented in the Management Board shall make efforts to limit turnover of their representatives, in order to ensure continuity of the Management Board's work. All parties shall aim to achieve a balanced representation between men and women on the Management Board.

## Amendment 22

### Proposal for a regulation Article 13 – paragraph 2

#### *Text proposed by the Commission*

2. Each member with voting rights shall have one vote. In the absence of a member with the right to vote, his/her alternate shall be entitled to exercise his/her right to vote.

#### *Amendment*

2. Each member with voting rights shall have one vote. In the absence of a member with the right to vote, his/her alternate shall be entitled to exercise his/her right to vote, ***provided that he or she has a mandate from the member with the right to vote.***

## Amendment 23

### Proposal for a regulation Article 14 – paragraph 2

#### *Text proposed by the Commission*

***2. Without prejudice to the powers of the Commission and the Management Board,*** the Executive Director shall be independent in the performance of the duties and shall neither seek nor take instructions from any government nor from any other body.

#### *Amendment*

2. The Executive Director shall be independent in the performance of the duties and shall neither seek nor take instructions from any government nor from any other body.

#### *Justification*

*Clearer drafting. The accountability to the Management Board and the Commission is self-evident from the logic of the text even if not mentioned. The use of the expression “without prejudice” makes this paragraph unclear (see Guideline 16, point 9 of the Joint Practical Guide for drafting of EU legislation).*



## Amendment 24

### Proposal for a regulation

#### Article 14 – paragraph 5 – introductory part

*Text proposed by the Commission*

5. The Executive Director shall be responsible for the implementation of the tasks assigned to CEPOL by this Regulation. In particular, ***the Executive Director shall be responsible for:***

*Amendment*

5. The Executive Director shall be responsible for the implementation of the tasks assigned to CEPOL by this Regulation, in particular:

## Amendment 25

### Proposal for a regulation

#### Article 18 – paragraph 2

*Text proposed by the Commission*

2. Each year the Executive Director shall send to the budgetary authority all information relevant to the findings of any evaluation procedures.

*Amendment*

2. Each year the Executive Director shall send to the budgetary authority all information relevant to the findings of any evaluation procedures ***and shall also notify them to the Court of Auditors.***

## Amendment 26

### Proposal for a regulation

#### Article 24 – paragraph 1

*Text proposed by the Commission*

1. CEPOL shall be a body of the Union. It shall have legal personality.

*Amendment*

1. CEPOL shall be a body of the ***European*** Union. It shall have legal personality.

## Amendment 27

### Proposal for a regulation

#### Article 24 – paragraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

***3a. The Commission shall present, no later than two years after the date of***

*application of this Regulation, a cost-benefit analysis and an impact assessment on the seat .*

## **Amendment 28**

### **Proposal for a regulation Article 31 – paragraph 1**

*Text proposed by the Commission*

1. No later than 5 years after *the date referred to in Article 41* and every 5 years thereafter, the Commission shall commission an evaluation to assess particularly the impact, effectiveness and efficiency of CEPOL and its working practices. The evaluation shall, in particular, address the possible need to modify the mandate of CEPOL, and the financial implications of any such modification.

*Amendment*

1. No later than 5 years after [*the date of application of this Regulation*] and every 5 years thereafter, the Commission shall commission an evaluation to assess particularly the impact, effectiveness and efficiency of CEPOL and its working practices. The evaluation shall, in particular, address the possible need to modify the mandate of CEPOL, and the financial implications of any such modification.

*Justification*

*Consistency with the proposed Europol Regulation is advisable.*

## **Amendment 29**

### **Proposal for a regulation Article 31 – paragraph 3**

*Text proposed by the Commission*

*3. On the occasion of every second evaluation, there shall also be an assessment of the results achieved by CEPOL having regard to its objectives, mandate and tasks. If the Commission considers that the continuation of CEPOL is no longer justified with regard to its assigned objectives, mandate and tasks, it may propose that this Regulation be amended accordingly or repealed.*

*Amendment*

*deleted*

*Justification*

*The Commission can, at any time, propose amendments to the legal basis of any Agency or propose its disbandment. The amendment therefore aims at simplifying the text.*

**Amendment 30**

**Proposal for a regulation  
Article 34 – paragraph 1**

*Text proposed by the Commission*

1. The necessary arrangements concerning the accommodation to be provided for CEPOL in Hungary and the facilities to be made available by that Member State together with the specific rules applicable in the host Member State to the Executive Director, members of the Management Board, CEPOL staff and members of their families shall be laid down in a Headquarters Agreement between CEPOL and Hungary, concluded after obtaining the approval of the Management Board ***and no later than 2 years after the entry into force of this Regulation.***

*Amendment*

1. The necessary arrangements concerning the accommodation to be provided for CEPOL in Hungary and the facilities to be made available by that Member State together with the specific rules applicable in the host Member State to the Executive Director, members of the Management Board, CEPOL staff and members of their families shall be laid down in a Headquarters Agreement between CEPOL and Hungary, concluded after obtaining the approval of the Management Board.

*Justification*

*A Headquarters Agreement has already been concluded.*

## EXPLANATORY STATEMENT

The EU's internal security needs are constantly evolving, resulting in increasing demands on police forces and law enforcement officers. The right skills will be critical to meet future challenges and safeguard the security of our citizens. In order to counter the growing threat of transnational and organised crime, effective and smooth cross-border cooperation among all relevant national law enforcement authorities is key. To foster and sustain this kind of cross-border cooperation and to enhance mutual trust, proper training of law enforcement officers is paramount. The Stockholm Programme therefore called for stepping up training on EU-related issues and making them systematically accessible for all relevant law enforcement professionals.

The European Police College (CEPOL) is the Agency responsible for law enforcement training. CEPOL is not a training institute in the traditional sense of the word - its courses take place across the EU, mainly implemented by a network of national police training colleges. CEPOL has a rather modest budget (around EUR 8.5 million) and a lean staffing structure (in total around 40 people including officials/temporary agents, contract agents and interims). In 2013, about 8.250 police officers participated in CEPOL's approximately 100 activities (courses, seminars, conferences, webinars). Furthermore, around 450 police officers, trainers and researchers from 25 countries used CEPOL's "Erasmus-style" European Police Exchange Programme to spend some time at another country's police force.

In March 2013, the Commission proposed the European Law Enforcement Training Scheme (COM(2013) 172). The Training Scheme seeks to identify and address gaps in existing law enforcement training on cross-border matters by supporting and coordinating the delivery of training by European and national centres of excellence. It is meant to apply to law enforcement officials of all ranks (police officers, border guards, customs officers and prosecutors) as well as other categories of law enforcement professionals such as personnel of relevant EU agencies and institutions, build upon existing training at national and EU level and be offered through modern learning tools, such as specialised courses, common curricula, web-based learning materials, and exchange programmes.

The current proposed Regulation modernises CEPOL's legal basis, brings it in line with the changes introduced by the Lisbon Treaty (including the role of the European Parliament and national parliaments) and entrusted CEPOL with the implementation of the principles of the new Law Enforcement Training Scheme as featured in the above mentioned Commission communication.

The Rapporteur warmly welcomes the proposal. The European Parliament on several occasions has requested the Commission to bring the existing legal framework of CEPOL in line with the Lisbon Treaty and with the new ambition set out in the European Law Enforcement Training Scheme. The Rapporteur believes that high quality training for law enforcement officers is essential to fight serious and organised cross-border crime and for this to happen a modernized, efficient and properly staffed CEPOL Agency is vital.

Therefore, the Rapporteur applauds the proposed modernised legislative framework for the

CEPOL Agency. The renewed legal framework would enable CEPOL to effectively implement the Law Enforcement Training Scheme and to serve the broader European law enforcement community. The rapporteur also agrees that the main architecture of CEPOL - working closely with and for the actual implementation of the courses relying primarily on a network of national police academies - should remain unchanged. The European Parliament has taken a strong position to maintain CEPOL as an autonomous agency of the Union. This strong support is predicated on one hand on the capacity of CEPOL to deliver its contribution to the construction of a genuine European law enforcement culture, anchored in the respect of fundamental rights, and on the other hand on the viability of CEPOL as an EU agency in order to guarantee value for money to the European taxpayer.

It is therefore paramount to maintain that CEPOL as an Agency of the European Union shall not only serve as a support platform for cooperation between national bodies, but should be firmly rooted in implementation and delivery at the European level. When drafting legislation for an EU agency, the European Parliament should look beyond financing initiatives which only aim at networking between national bodies, as other means and Fora are more suited for this purpose, such as the Association of European Police Colleges, or the creation of networks similar to the European Crime Prevention Network, the European Judicial Network and other initiatives coordinated or financed by the European Commission. In order to render the CEPOL Agency and its implementation of the Law Enforcement Training Scheme more effective, the rapporteur would like to raise the following points:

- Focus on EU added value: In order to ensure its effectiveness and impact, CEPOL's limited resources should be focussed towards a few thematic areas with a clear European and cross-border dimension, closely linked to the Internal Security Strategy and the priorities identified by the European Institutions. The focus should be forward looking, identifying what training and capacity building measures are required in the future. Focussing on a more limited number of thematic areas would free resources to put more effort into quality and attractiveness. The latter would benefit substantially from accreditation, i.e. ensuring that participation counts towards qualification schemes and promotion in the participants' countries of origin. Possible thematic areas with a clear EU added value could include:
  - European law enforcement cooperation instruments and structures, European JHA agencies and the EU Policy Cycle on Serious and Organized crime;
  - Skills, expertise, knowledge and tools to equip law enforcement officials to counter emerging crimes such as cybercrime, and to perform investigations and related digital forensics, as well as forensic financial analysis;
  - Fundamental human rights, including privacy, data protection and the rights of victims;
  - Methods, skills and knowledge required for successfully implementing intelligence-led policing;
- Strengthening CEPOL's coordination and support role: CEPOL should get sufficient powers to properly coordinate EU-level law enforcement training and to implement the principles enshrined in the Law Enforcement Training Scheme. That should include the identification of strategic training needs at EU level, accreditation of training, common curricula and training manuals, exchange of best practices, and definition of minimum knowledge that all police academies should include in curricula. Where relevant and

needed, CEPOL should be able to deliver EU-level training for officials as well as the trainers themselves. Selection should be always done on the basis of quality:

- Quality of curricula, accompanied by an accreditation and certification policy;
  - Quality of trainers, for example by establishing a European database of teachers, lectures, researchers;
  - Quality of Participants, by enhancing the measurement of learning outcomes and resulting skills, knowledge and behaviours via end of course examinations leading to a recognised qualification;
  - Quality of the Learning environment (real and virtual), by pursuing the enhanced use and application of available technology and scientific approaches to learning, by establishing centres of Excellence which can offer broader learning options, and by choosing the best place to give training, regardless of geographic location.
- Efficiency: CEPOL's governance structure could be further streamlined, mirroring the proposals made in the framework of the negotiations on the new Europol Regulation. Close cooperation with the European Commission and JHA agencies should increase efficiency by avoiding duplication, uncoordinated initiatives and unnecessary overlap. Also, the European Parliament must be reassured that the activities and deliverables of CEPOL are in line with European values and priorities, and that its objectives are specific, measurable, achievable, realistic, and time-bound.
  - Sufficient resources needed: While the proposed Regulation attributes new tasks to CEPOL or expands, modifies and reprioritises existing ones, it does not attribute proportionate resources. CEPOL has reached the limit by which it can make use of internal reshuffling. Therefore, in the budgetary procedure sufficient funding should be safeguarded for CEPOL to properly execute its new tasks.

22.1.2015

## **OPINION OF THE COMMITTEE ON BUDGETS**

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a regulation of the European Parliament and of the Council establishing a European Union agency for law enforcement training (Cepol), repealing and replacing Council Decision 2005/681/JHA  
(COM(2014)0465 – C8-0110/2014 – 2014/0217(COD))

Rapporteur: Jens Geier

### **SHORT JUSTIFICATION**

The Commission has proposed a new CEPOL Regulation and to repeal and replace Council Decision 2005/681/JHA. This proposal is the follow-up to the unsuccessful attempt to merge Europol and CEPOL which had been rejected by both Parliament and Council.

The Committee on Budgets recalls however its principal position as expressed in its opinion to the Proposal for a Regulation of the European Parliament and of the Council on the European Union Agency for Law Enforcement Cooperation and Training (Europol) and repealing Decisions 2009/371/JHA and 2005/681/JHA (COM(2013)0173), supporting a merger of Europol and CEPOL. The Committee on Budgets is still convinced that a merger would have been the most beneficial option for both agencies as it would have allowed for both savings in administrative expenditure and in new synergies between the operational departments.

The Committee on Budgets would like to recall as well that it opposed the relocation of the agency to Budapest as decided in Regulation (EU) No 543/2014 of 15 May 2014. The Committee on Budgets believes that CEPOL and Europol should both be located in The Hague. Having both agencies at the same site could eventually lead to at least some savings and would certainly create spill-over effects through increased contacts between operational and training staff. It could furthermore be envisaged that both agencies agree on sharing certain resources or that Europol provides certain services to CEPOL, especially with regard to purely administrative tasks (such as finance, personnel, IT, logistics or security services). Such cooperation can obviously be easier achieved when both agencies are located in the same city.

The Committee on Budgets strongly deplores the fact that Article 1 (2) of the above mentioned Regulation on the relocation of CEPOL is now being interpreted by the

Commission solely as an invitation to present the present proposal for a new CEPOL regulation. That paragraph added a new Article 21a with a review clause on the relocation and instructs the Commission to submit by 30 November 2015 a report on the effectiveness of the decision to move CEPOL to Budapest. "That report shall, if appropriate, be accompanied by a legislative proposal to amend this Decision following a thorough cost-benefit analysis and impact assessment." This thorough cost-benefit analysis and impact assessment never took place as the present Commission proposal has been adopted on 16 July 2014 but the relocation of CEPOL only happening thereafter with the official inauguration of the new headquarter taking place on 6 November.

The Committee on Budgets insists therefore that a similar Article needs to be added to the present proposal as it believes that Europol and CEPOL should be located in the same city as relevant savings could be achieved in a midterm perspective if both agencies were to share a certain number of administrative services. These savings could then be used to increase both agencies' operational expenditure.

## AMENDMENTS

The Committee on Budgets calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to take into account the following amendments:

### Amendment 1

#### Proposal for a regulation

##### Recital 12

#### *Text proposed by the Commission*

(12) CEPOL should ensure that its training integrates relevant developments in research and encourage the creation of stronger partnerships between universities and law enforcement training institutes in the Member States.

#### *Amendment*

(12) CEPOL should ensure that its training integrates relevant developments in research and encourage the creation of stronger partnerships between universities and law enforcement training institutes in the Member States ***as well as other European Union law enforcement agencies in order to create spill-over effects by means of enhanced cooperation.***

### Amendment 2

#### Proposal for a regulation

##### Recital 15



*Text proposed by the Commission*

(15) For the purpose of fulfilling its mission and to the extent required for the performance of its tasks, CEPOL should be able to cooperate with other European Union Agencies and relevant bodies, the competent authorities of third countries and the international organisations competent in matters covered by this Regulation in the framework of working arrangements concluded in accordance with this Regulation or in the framework of working arrangements concluded with national training institutes of third countries on the basis of Article 8 of the Council Decision 2005/681/JHA,

*Amendment*

(15) For the purpose of fulfilling its mission and to the extent required for the performance of its tasks, CEPOL should be able to cooperate with other European Union Agencies and relevant bodies, the competent authorities of third countries and the international organisations competent in matters covered by this Regulation in the framework of working arrangements concluded in accordance with this Regulation or in the framework of working arrangements concluded with national training institutes of third countries on the basis of Article 8 of the Council Decision 2005/681/JHA; ***calls on the Commission to provide an overall analysis of administrative cooperation between European Union agencies and where such cooperation could create synergies in the future,***

**Amendment 3**

**Proposal for a regulation  
Article 24 – paragraph 3**

*Text proposed by the Commission*

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

*Amendment*

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

**Amendment 4**

**Proposal for a regulation  
Article 24 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***3a. By 30 November 2016, the Commission shall present a thorough cost-benefit analysis and an impact***

*assessment on the provisional seat as compared to The Hague as an alternative scenario and, if appropriate, a legislative proposal to amend paragraph 3 accordingly.*

## PROCEDURE

<b>Title</b>	EU agency for law enforcement training (Cepol)
<b>References</b>	COM(2014)0465 – C8-0110/2014 – 2014/0217(COD)
<b>Committee responsible</b> Date announced in plenary	LIBE 15.9.2014
<b>Opinion by</b> Date announced in plenary	BUDG 15.9.2014
<b>Rapporteur</b> Date appointed	Jens Geier 24.9.2014
<b>Date adopted</b>	20.1.2015
<b>Result of final vote</b>	+: 17 –: 12 0: 4
<b>Members present for the final vote</b>	Nedzhmi Ali, Jean Arthuis, Reimer Böge, Lefteris Christoforou, Jean-Paul Denanot, José Manuel Fernandes, Eider Gardiazabal Rubial, Jens Geier, Ingeborg Gräßle, Monika Hohlmeier, Bernd Kölmel, Zbigniew Kuźmiuk, Vladimír Maňka, Ernest Maragall, Clare Moody, Siegfried Mureșan, Victor Negrescu, Liadh Ní Riada, Pina Picierno, Patricija Šulin, Paul Tang, Indrek Tarand, Isabelle Thomas, Marco Valli, Monika Vana, Daniele Viotti, Marco Zanni
<b>Substitutes present for the final vote</b>	Tamás Deutsch, Anneli Jäätteenmäki, Georgios Kyrtos, Andrey Novakov, Stanisław Ożóg, Andrej Plenković, Ivan Štefanec

## PROCEDURE

<b>Title</b>	EU agency for law enforcement training (Cepol)		
<b>References</b>	COM(2014)0465 – C8-0110/2014 – 2014/0217(COD)		
<b>Date submitted to Parliament</b>	16.7.2014		
<b>Committee responsible</b> Date announced in plenary	LIBE 15.9.2014		
<b>Committees asked for opinions</b> Date announced in plenary	BUDG 15.9.2014		
<b>Rapporteurs</b> Date appointed	Kinga Gál 24.9.2014		
<b>Discussed in committee</b>	5.11.2014	11.12.2014	24.2.2015
<b>Date adopted</b>	24.2.2015		
<b>Result of final vote</b>	+: 43 -: 4 0: 4		
<b>Members present for the final vote</b>	Martina Anderson, Heinz K. Becker, Malin Björk, Michał Boni, Rachida Dati, Frank Engel, Tanja Fajon, Laura Ferrara, Monika Flašíková Beňová, Lorenzo Fontana, Mariya Gabriel, Kinga Gál, Ana Gomes, Nathalie Griesbeck, Sylvie Guillaume, Jussi Halla-aho, Monika Hohlmeier, Brice Hortefeux, Filiz Hyusmenova, Sophia in 't Veld, Iliana Iotova, Sylvia-Yvonne Kaufmann, Timothy Kirkhope, Barbara Kudrycka, Kashetu Kyenge, Vicky Maeijer, Roberta Metsola, Claude Moraes, Alessandra Mussolini, József Nagy, Péter Niedermüller, Soraya Post, Birgit Sippel, Branislav Škripek, Csaba Sógor, Helga Stevens, Traian Ungureanu, Marie-Christine Vergiat, Udo Voigt, Josef Weidenholzer, Cecilia Wikström, Kristina Winberg		
<b>Substitutes present for the final vote</b>	Hugues Bayet, Carlos Coelho, Anna Maria Corazza Bildt, Pál Csáky, Angelika Mlinar, Emilian Pavel, Barbara Spinelli, Josep-Maria Terricabras, Kazimierz Michał Ujazdowski		
<b>Date tabled</b>	12.3.2015		