European Police College (CEPOL): seat. Initiative Belgium, Bulgaria, Czech Republic, Germany, Estonia, Greece, Spain, France, Croatia, Italy, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, Malta, Netherlands, Austria, Poland, Portugal, Romania, Slovenia, Slovakia, Finland, Sweden

2013/0812(COD) - 27/02/2014 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted the report by Kinga GÁL (EPP, HU) on the draft regulation of the European Parliament and of the Council amending Decision 2005/681/JHA establishing the European Police College (CEPOL).

In the draft legislative resolution, Members regretted 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, although **seven applications** had been submitted from Ireland, Greece, Spain, Italy, Hungary, the Netherlands and Finland.

Members also noted that the political agreement was confirmed at the JHA Council meeting of 8 October 2013. They stated their intent to request more information on the impact assessment of the exact location **before calling on Parliament to take its final position**. They called on the budgetary authorities to ensure that the additional costs relating to **the change in the seat of CEPOL would be fully covered by the United Kingdom** and by additional Union budget and thus will not adversely affect the regular budget of CEPOL so as not to jeopardise the normal operational needs of CEPOL.

The committee recommended that Parliament’s position in first reading following the ordinary legislative procedure should amend the Commission position as follows:

Unilateral decision by the United Kingdom concerning CEPOL: whilst respecting the United Kingdom’s position in not wishing to host CEPOL, Members considered that the principle of loyal cooperation set out in the Treaty and particularly, the obligation in Article 4 TEU to 'take any appropriate measure to ensure fulfilment of the obligations resulting from the acts of the institutions of the Union', required the UK government to ensure a smooth transition of CEPOL to its new location, without jeopardising the regular budget of CEPOL.

Temporary seat : Members also stressed that the seat of CEPOL is only **temporarily** to be in Budapest, Hungary. They stated that before CEPOL starts its operational phase at the new location, a headquarters agreement should be concluded, based on a set of provisions provided by the Commission.

Ordinary legislative procedure: the committee went on to indicate that the decision to relocate CEPOL needed to be taken **in the framework of the ordinary legislative procedure**, whereby Parliament and Council were equal as co-legislators. The political decision that Council took on 8 October concerning Council's preference for the new CEPOL seat **did not have any binding force on Parliament** and therefore should not be mentioned in the final text agreed by both Institutions.

Members also wanted the new Commission to **propose an updated and revised framework for CEPOL.**

Evaluation: the committee asked that the Commission evaluate, not later than 18 months after the entry into force of the Regulation, the effectiveness of Decision 2005/681/JHA in the light of the provisions of the Treaty on the Functioning of the European Union governing CEPOL, as well as the new tasks envisaged for CEPOL in the Commission Communication of 27 March 2013 entitled 'Establishing a European Law Enforcement Training Scheme' and if appropriate issue legislative proposals to amend Decision 2005/681/JHA, while at the same time ensuring CEPOL's complete independence.

Review: lastly, Members asked the Commission to review the Regulation **by 2019** at the latest, including by performing a thorough cost-benefit analysis and impact assessment of all possible options, and if appropriate table legislative proposals to amend it, while fully respecting the fundamental need to maintain CEPOL's complete independence.

It should be noted that in a **minority opinion**, some Members **voted against the proposal to move Cepol to Budapest,** feeling that such a decision, taken unilaterally by a Member State, could create a dangerous institutional precedent in the EU in relation to the location of bodies and agencies.