Basic information

2013/0812(COD) COD - Ordinary legislative procedure (ex-codecision procedure)	Procedure completed
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 Amending JHA act 2005/681/JHA 2004/0215(CNS) **Subject** 7.30.05.01 Europol, CEPOL	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	GÁL Kinga (PPE)	16/12/2013
	Shadow rapporteur GÖNCZ Kinga (S&D) ALFANO Sonia (ALDE) LAMBERT Jean (Verts/ALE) KIRKHOPE Timothy (ECR) DE JONG Dennis (GUE/NGL)	

Committee for opinion	Rapporteur for opinion	Appointed
BUDG Budgets	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Economic and Financial Affairs ECOFIN	3310	2014-05-06

European Commission

Commission DG	Commissioner
Migration and Home Affairs	MALMSTRÖM Cecilia

Key events

Date	Event	Reference	Summary
18/11/2013	Legislative proposal published	17043/2013	Summary
10/12/2013	Committee referral announced in Parliament, 1st reading		
20/02/2014	Vote in committee, 1st reading		
27/02/2014	Committee report tabled for plenary, 1st reading	A7-0146/2014	Summary
16/04/2014	Decision by Parliament, 1st reading	T7-0444/2014	Summary
16/04/2014	Results of vote in Parliament		
06/05/2014	Act adopted by Council after Parliament's 1st reading		
15/05/2014	Final act signed		
15/05/2014	End of procedure in Parliament		
29/05/2014	Final act published in Official Journal		

Technical information

Procedure reference	2013/0812(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Amendments and repeals	Amending JHA act 2005/681/JHA 2004/0215(CNS)
Legal basis	Treaty on the Functioning of the European Union TFEU 087-p2
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/7/14751

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE526.113	16/01/2014	
Amendments tabled in committee		PE528.005	04/02/2014	
Committee report tabled for plenary, 1st reading/single reading		A7-0146/2014	27/02/2014	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0444/2014	16/04/2014	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	17043/2013	18/11/2013	Summary
Draft final act	00059/2014/LEX	15/05/2014	

European Commission

Document type	Reference	Date	Summary
Commission document (COM)	COM(2014)0007	16/01/2014	Summary

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	IT_SENATE	COM(2014)0007	27/03/2014	
Contribution	PT_PARLIAMENT	COM(2014)0007	02/06/2014	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Regulation 2014/0543
OJ L 163 29.05.2014, p. 0005 Summary

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) - 18/11/2013 - Legislative proposal

PURPOSE: to establish a new seat of the European Police College (CEPOL) in Hungary.

BACKGROUND: according to Article 4 of Council Decision 2005/681/JHA establishing the European Police College (CEPOL), CEPOL has its seat in Bramshill, United Kingdom.

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.

In view of this situation, on 8 October 2013, the Council 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.

IMPACT ASSESSMENT: the impact assessment of locating CEPOL seat in Budapest demonstrates that the proposal complies with the pertinent criteria, allowing the European Parliament and the Council to assess the impact of the relocation and the functioning of CEPOL in Budapest.

The assessment addresses those factors in detail that:

- have a financial impact on the general budget of the European Union and
- cover social aspects of the work of CEPOL staff members.

Moreover, the headquarters offered by Hungary for the purposes of the seat of the CEPOL are situated in the city centre of Budapest. Due to the central location of Budapest, it is easily accessible from most European capitals by cost-effective flights.

The building proposed satisfies the requirements laid down by Secretariat of CEPOL. Hungary also proposes to offer, free of charge, a number of services and installations.

LEGAL BASIS: Article 87(2)(b) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: this proposal seeks to amend Article 4 of Council Decision 2005/681/JHA and proposes the new seat of CEPOL to be established in Budapest, Hungary.

The specific budgetary implications of the proposal relate to estimated savings in CEPOL's functioning costs per year due to the proposed relocation from Bramshill to Budapest as well as an estimated tentative budgetary calculation of the one-off expenditure of the relocation. The savings amount to EUR 203 500/year. The estimated tentative budgetary calculation of the one-off expenditure for relocating CEPOL from Bramshill to Budapest amounts to EUR 1 875 449.

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) - 16/01/2014 - Document attached to the procedure

In its opinion on the initiative for a Regulation of the European Parliament and the Council amending Decision 2005/681/JHA establishing the European Police College (CEPOL), the Commission recalled that the text is a legal translation of the political agreement reached by the JHA Council on 8 October 2013 to **provisionally relocate the seat of CEPOL from Bramshill (UK) to Budapest (HU)**, further to the announcement by the United Kingdom in December 2012 of its decision to close the Bramshill site in 2014.

The choice of Budapest as a new CEPOL provisional location was made by a specific voting arrangement proposed by the Presidency and accepted by the Member States, during the JHA Council lunch on 8 October. It was based on the 7 applications submitted by Ireland, Greece, Spain, Italy, Hungary, The Netherlands and Finland.

Commission's opinion: the Commission noted that the draft Regulation amending the CEPOL Decision does not refer to the provisional relocation of the seat of CEPOL and therefore it does not implement the abovementioned political agreement, **but goes much further**.

In that regard, the Member States' initiative 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. The Commission's proposal is driven by the aim of addressing, in a comprehensive manner, ways to improve effectiveness in police cooperation and training. It is designed to achieve functional synergies and cost savings. This is why **the issue of CEPOL's seat should not be considered in isolation from this broader context of a functional and operational reform** that would match the goals of rationalisation and operational improvement for both agencies. The Commission further noted the adverse budgetary effects of a double move and notes that the necessary additional funding would need to come from the existing budget envelope, which means that those funds could not be used for other purposes.

The Commission therefore gave a **negative opinion to the Member States' initiative**. In addition, it invited the European Parliament and the Council to avoid any adverse budgetary effects of a solution that would not achieve functional synergies and cost savings and would not be in line with the recommendations set out in the Common Approach on decentralised agencies endorsed by the three institutions.

Should this Initiative be pursued, the Commission would be obliged to make a Declaration, at the time of its adoption, on the provisional nature of this Regulation, its adverse budgetary effects and **the necessity of not prejudging the outcome of discussions on the Commission's own Proposal**. In that regard, the Commission encourages the European Parliament and the

Council to build on the constructive progress that is being made on its proposal to reform Europol's legal framework while reflecting on an **alternative solution to co-locate CEPOL and**

Europol that would match the goals of rationalisation and operational improvement for both agencies.

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.

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) - 16/04/2014 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 321 votes to 230, with 18 abstentions, a legislative resolution on the draft regulation of the European Parliament and of the Council amending Decision 2005/681/JHA establishing the European Police College (CEPOL).

The resolution 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 further to the Council Presidency's call in July 2013 for

applications to provisionally host the European Police College. Submitting candidatures were Ireland, Greece, Spain, Italy, Hungary, the Netherlands and Finland.

The political agreement was confirmed at the JHA Council meeting of 8 October 2013. It intended to request more information on the impact assessment of the exact location before taking its final position.

The resolution called 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 current host country** 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.

In parallel, Parliament adopted its position at first reading following the ordinary legislative procedure. The amendments adopted in plenary are the result of an agreement reached between the European Parliament and the Council. They amended the proposal as follows:

Unilateral decision by the United Kingdom on CEPOL: the United Kingdom informed CEPOL that it had unilaterally decided that it no longer wished to host the seat on its territory. In addition to hosting CEPOL, Bramshill also hosts a national police training site of the National Policing Improvement Agency, which the United Kingdom had decided to replace by a new College of Policing to be located elsewhere. The United Kingdom had therefore decided to close the national police training site at Bramshill and to sell the site, indicating that the related costs were high and that **no alternative business model to run the site had emerged**. The Union and its Member States should mutually assist each other in maintaining CEPOL's operational activities. To that end, the United Kingdom in particular is required to ensure a smooth transition of CEPOL to its new location, without jeopardising the regular budget of CEPOL.

Seat: the draft Regulation stipulated that the seat of CEPOL should be in Budapest, Hungary.

Review: by 18 months following the entry into force of the Regulation, the Commission should submit a report on the effectiveness of this Decision, taking into account the need to ensure CEPOL's status as a separate Union agency. That report should, if appropriate, be accompanied by a legislative proposal to amend this Decision following a thorough cost-benefit analysis and impact assessment.

Entry into force: the Regulation should apply from 1 September 2014.

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) - 15/05/2014 - Final act

PURPOSE: to establish the seat of CEPOL in Budapest (HU).

LEGISLATIVE ACT: Regulation (EU) No 543/2014 of the European Parliament and of the Council amending Council Decision 2005/681/JHA establishing the European Police College (CEPOL).

BACKGROUND: pursuant to Article 4 of Council Decision 2005/681/JHA, CEPOL has its seat in Bramshill, United Kingdom.

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

In the light of the obligation of the Treaty on European Union (TEU) of sincere cooperation, and in particular the obligations deriving from Article 4 TEU, the Union and its Member States should mutually assist each other in maintaining CEPOL's operational activities. To that end, the United Kingdom in particular is required to ensure a smooth transition of CEPOL to its new location, without jeopardising the regular budget of CEPOL.

In view of the common accord reached on 8 October 2013 by the representatives of the Governments of the Member States, and of the need to maintain CEPOL's status as a separate Union agency, arrangements should be made according to which CEPOL will be hosted in Budapest as soon as it leaves Bramshill.

This agreement should be incorporated in Council Decision 2005/681/JHA

CONTENT: under this Regulation, it is provided to amend Article 4 of Council Decision 2005/681/JHA and to establish the new seat of CEPOL in Budapest, Hungary.

Review: by 30 November 2015, the Commission shall submit a report on the effectiveness of this Decision, taking into account the need to ensure CEPOL's status as a separate Union agency. That report shall, if appropriate, be accompanied by a legislative proposal to amend this Decision following a thorough cost-benefit analysis and impact assessment.

ENTRY INTO FORCE: 29.05.2014. The Regulation shall apply from 1 September 2014.