

Basic information

2014/0217(COD)

COD - Ordinary legislative procedure (ex-codecision procedure)
Regulation

European Union Agency for Law Enforcement Training (CEPOL)

Repealing Decision 2005/681/JHA [2004/0215\(CNS\)](#)

Subject

7.30.05.01 Europol, CEPOL
8.40.08 Agencies and bodies of the EU

Procedure completed

Key players

European Parliament	Committee responsible		Rapporteur	Appointed
	LIBE Civil Liberties, Justice and Home Affairs		GÁL Kinga (PPE)	24/09/2014
			Shadow rapporteur	
			BEŇOVÁ Monika (S&D) KIRKHOPE Timothy (ECR) WIKSTRÖM Cecilia (ALDE) DE JONG Dennis (GUE /NGL) TERRICABRAS Josep-Maria (Verts/ALE) BATTEN Gerard (EFDD)	
Committee for opinion		Rapporteur for opinion	Appointed	
BUDG Budgets			GEIER Jens (S&D)	24/09/2014
Council of the European Union	Council configuration	Meetings	Date	
	Agriculture and Fisheries	3425	2015-11-16	
European Commission	Commission DG		Commissioner	
	Justice and Consumers		JOUROVÁ Věra	

Key events

Date	Event	Reference	Summary
16/07/2014	Legislative proposal published	COM(2014)0465 	Summary
15/09/2014	Committee referral announced in Parliament, 1st reading		
24/02/2015	Vote in committee, 1st reading		
24/02/2015	Committee decision to open interinstitutional negotiations with report adopted in committee		
12/03/2015	Committee report tabled for plenary, 1st reading	A8-0048/2015	Summary
15/07/2015	Approval in committee of the text agreed at 1st reading interinstitutional negotiations		
28/10/2015	Debate in Parliament		
29/10/2015	Decision by Parliament, 1st reading	T8-0386/2015	Summary
29/10/2015	Results of vote in Parliament		
16/11/2015	Act adopted by Council after Parliament's 1st reading		
25/11/2015	Final act signed		
25/11/2015	End of procedure in Parliament		
04/12/2015	Final act published in Official Journal		

Technical information

Procedure reference	2014/0217(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Repealing Decision 2005/681/JHA 2004/0215(CNS)
Legal basis	Treaty on the Functioning of the European Union TFEU 087-p2
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/8/00854

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE539.817	25/11/2014	
Amendments tabled in committee		PE546.597	13/01/2015	
Committee opinion	BUDG	PE544.160	22/01/2015	

Committee report tabled for plenary, 1st reading/single reading		A8-0048/2015	12/03/2015	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0386/2015	29/10/2015	Summary
Council of the EU				
Document type		Reference	Date	Summary
Draft final act		00045/2015/LEX	25/11/2015	
European Commission				
Document type		Reference	Date	Summary
Legislative proposal		COM(2014)0465 	16/07/2014	Summary
Commission response to text adopted in plenary		SP(2015)750	10/12/2015	
National parliaments				
Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	DE_BUNDESRAT	COM(2014)0465	13/10/2014	
Contribution	IT_SENATE	COM(2014)0465	10/11/2014	
Contribution	PT_PARLIAMENT	COM(2014)0465	19/11/2014	
Contribution	ES_PARLIAMENT	COM(2014)0465	28/11/2014	

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Final act	
Regulation 2015/2219 OJ L 319 04.12.2015, p. 0001	Summary

European Union Agency for Law Enforcement Training (CEPOL)

2014/0217(COD) - 25/11/2015 - Final act

PURPOSE: to establish a European Union agency for law enforcement training (Cepol).

LEGISLATIVE ACT: Regulation (EU) 2015/2219 of the European Parliament and of the Council on the European Union Agency for Law Enforcement Training (CEPOL) and replacing and repealing Council Decision 2005/681/JHA.

CONTENT: this Regulation establishes the **European Police College (CEPOL)** was established by Council Decision 2005/681/JHA as an entity of the Union with the aim of training senior police officers of the Member States and facilitating cooperation between national police forces by organising and coordinating training activities with a European policing dimension.

CEPOL, as established by this Regulation, shall replace and succeed CEPOL as established by Decision 2005/681/JHA.

Objectives of CEPOL: in response to the **call from the European Council** in the Stockholm Programme to step up training on Union-related issues and to make such training systematically accessible to law enforcement officials of all ranks, and to the request from the **European Parliament** for a stronger Union framework for judicial and police training.

CEPOL shall support, develop, implement and coordinate **training for law enforcement officials**, while putting particular emphasis on the protection of human rights and fundamental freedoms in the context of law enforcement, in particular:

- in the areas of prevention of and fight against serious crime affecting two or more Member States and terrorism,
- **maintenance of public order**, in particular international policing of major events, and planning and command of Union missions.

More specifically, CEPOL shall:

- support Member States in providing **training** in order to raise awareness and knowledge of: (i) the implementation and use of international and Union instruments on law enforcement cooperation; (ii) Union bodies, in particular Europol, Eurojust and Frontex, their functioning and role; (iii) police and judicial aspects of law enforcement cooperation and practical knowledge about access to information exchange channels;
- support Member States, at their request, in the development of **regional and bilateral cooperation** through law enforcement training between Member States, Union bodies and third countries;
- develop, implement and coordinate training addressing **specific criminal or policing thematic areas**;
- develop, implement and coordinate training which aims 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**;
- **train trainers** and assist in improving and exchanging best learning practices.

In its training activities, CEPOL should promote **common respect for, and understanding of, fundamental rights** in law enforcement, such as privacy, data protection and the rights, support and protection of victims, witnesses and suspects of crime, including safeguarding the rights of victims of gender-based violence.

CEPOL shall:

- **develop and upgrade learning tools** and methodologies and shall apply them in a lifelong learning perspective;
- **bring together a network** of Member State training institutes for law enforcement officials and shall **liaise with a single national unit** in each Member State functioning within the network;
- promote the **mutual recognition** of law enforcement training in Member States and the recognition by Member States of training provided at Union level with due regard to the principle of subsidiarity.
- **Administrative and management structure of CEPOL:** this shall comprise:
- **a Management Board:** The Management Board shall be composed of one representative from each Member State and the Commission. Each representative shall have voting rights. The Management Board shall elect a Chairperson and a Deputy Chairperson from among its members representing the group of three Member States that have jointly prepared the Council's 18-month programme;
- **an Executive Director:** the Executive Director shall be appointed, for a period of four years, by the Management Board, following an open and transparent selection procedure. The Executive Director shall report to the European Parliament on the performance of his or her duties when invited to do so;
- **where appropriate, a Scientific Committee for Training**, an independent advisory body ensuring the scientific quality of CEPOL's training-related work.

Multi-annual programming and annual work programmes: the Management Board shall, by 30 November each year, adopt a document containing CEPOL's multi-annual programming and annual work programme, based on a draft put forward by the Executive Director, taking into account the opinion of the Commission and, as regards the multi-annual programming, after having consulted the European Parliament. The Management Board shall forward that document to the European Parliament, the Council, the Commission and the national parliaments.

Budget: estimates of all revenue and expenditure for CEPOL shall be prepared each financial year, which shall correspond to the calendar year, and shall be shown in CEPOL's budget. CEPOL's budget shall be balanced in terms of revenue and expenditure. Each year, the Executive Director shall draw up a draft statement of estimates of CEPOL's revenue and expenditure for the following financial year, including an establishment plan, and shall send it to the Management Board.

ENTRY INTO FORCE: 24.12.2015.

APPLICATION: from 01.07.2016 except for certain provisions which shall apply from 24.12.2015.

European Union Agency for Law Enforcement Training (CEPOL)

2014/0217(COD) - 12/03/2015 - 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 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.

The committee recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the Commission proposal as follows:

Objectives of CEPOL training: it is proposed to redefine the objectives of CEPOL training so that it includes improving 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.

CEPOL's activities have been redefined so that they 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:

- data privacy,
- data protection,
- the rights, support and protection of victims, witnesses and suspects, including safeguarding the rights of victims of gender-based violence.

Amongst the objectives of CEPOL, the following should be prioritised:

- strengthening **cooperation networks of law enforcement agencies** in managing flows of **illegal immigration**;
- developing, coordinating and implementing 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;
- **organising 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**;
- **carrying out, cooperating with or encouraging 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.

To avoid duplication: 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.

To avoid duplication and given the limited resources of CEPOL, 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.

Furthermore and for the sake of limiting duplication, a number of training activities have been removed such as the development of regional and bilateral cooperation.

Sufficient budget resources to ensure the new tasks assigned to CEPOL: 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, it should be granted a **sufficient and autonomous budget** with revenue stemming essentially from a contribution from the budget of the Union.

Cost-benefit analysis: the committee called on the Commission to 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.

European Union Agency for Law Enforcement Training (CEPOL)

2014/0217(COD) - 29/10/2015 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 506 votes to 90, with 42 abstentions, a 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.

The European Parliament's position, adopted at first reading following the ordinary legislative procedure, amended the Commission proposal as follows.

Redefinition of the objectives of CEPOL training: CEPOL should support, develop, implement and coordinate **training for law enforcement officials**, in particular in the areas of i) prevention of and fight against serious crime affecting two or more Member States and terrorism; ii) maintenance of public order, in particular international policing of major events; and iii) planning and command of Union missions.

The objectives of CEPOL should, while putting particular emphasis on **the protection of human rights and fundamental freedoms in the context of law enforcement**, be structured in line with the following set of general principles:

- to support Member States in providing training in order to improve basic knowledge of the Union dimension of law enforcement;

- to support Member States, upon their request, in the development of bilateral and regional cooperation through law enforcement training;
- to develop, implement and coordinate training in specific thematic areas;
- to develop, implement and coordinate training in relation to Union missions and law enforcement capacity-building activities in third countries.

That set of general principles should represent the European **Law Enforcement Training Scheme** (LETS), which aims to ensure that Union level training for law enforcement officials is of a high quality, coherent and consistent.

Training: CEPOL's activities should be focussed on priorities and areas where training can **add value** for Member States and the Union in line with current and future needs and business requirements.

In its training activities, CEPOL should **promote common respect for, and understanding of, fundamental rights in law enforcement**, such as i) privacy, ii) data protection, iii) the rights, support and protection of victims, witnesses, and iv) suspects of crime, including safeguarding the rights of victims of gender-based violence.

Research relevant for training: CEPOL should carry out relevant surveys and may develop repositories of available research as well as law enforcement training needs.

Functioning of networks: each Member State should establish or designate a national unit to act as the liaison body with CEPOL within its network of national training institutes for law enforcement officials in the Member States.

Management Board: members of the Management Board and their alternates shall be appointed taking into account the **principle of a balanced gender representation**.

The Management Board should adopt internal rules regarding the **selection procedure of the Executive Director**, including the rules on the composition of the selection committee ensuring its independence and impartiality.

Scientific Committee: where appropriate, and taking into consideration business requirements and financial resources, the Management Board may decide, by a majority of two thirds of its members, to establish a Scientific Committee for Training.

When establishing the Scientific Committee for Training, the Management Board shall decide on its composition, its members' term of office, the frequency of its meetings and its rules of procedure, including its voting rules.

Budget: without prejudice to the principle of prohibition of double financing laid down in the Financial Regulation, CEPOL may manage dedicated Union funds to perform specific activities within the scope of its objectives and tasks.

European Union Agency for Law Enforcement Training (CEPOL)

2014/0217(COD) - 16/07/2014 - Legislative proposal

PURPOSE: to establish a European Union agency for law enforcement training (Cepol), repealing and replacing the [Council Decision 2005/681/JHA](#).

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: [Regulation \(EU\) No 543/2014](#) amending Council Decision 2005/681/JHA, which entered into force on 29 May 2014 transferred the seat of CEPOL from Bramshill in the United Kingdom to Budapest in Hungary.

On 27 March 2013, the Commission made a [proposal for a Regulation](#) updating the legal framework of the European Police Office (Europol). This proposal pursued several aims, one of which being merging CEPOL with Europol to create synergies between operational law enforcement work and training activities.

The European Parliament and the Council **did not agree to the proposed merger of CEPOL with Europol**. Instead, a regulation moving the seat of CEPOL as an independent agency to Budapest, Hungary, was adopted on 6 May 2014. Due to the opposition to the proposed merger, other parts of the Europol proposal relating to training were not discussed by the European Parliament and the Council in detail.

This proposal for a Regulation draws – except as regards the question of merging CEPOL with Europol which has since been decided by the co-legislators – on preparatory work carried out in 2011 and 2012 by the Commission on the modernisation of CEPOL's legal basis. It therefore provides for a legal framework for a new CEPOL with broader objectives and modernised governance, which repeals and replaces CEPOL as established by Council Decision 2005/681/JHA.

IMPACT ASSESSMENT: the Commission conducted two impact assessments of policy alternatives concerning Europol and CEPOL.

The impact assessment on CEPOL was based on the two policy objectives of:

- (i) ensuring better quality, more joined-up and more consistent training for a wider range of law enforcement officers in cross-border crime issues;
- (ii) establishing a framework to achieve this in line with the Common Approach on EU decentralised agencies.

The analysis of the overall impact led, in the context of the Europol Regulation proposal, to a preferred policy option which was the merger of CEPOL into Europol. However, given that the European Parliament and the Council did not agree to the proposed merger in May 2014, this proposal for a regulation accordingly maintains CEPOL as an **independent agency**, with its seat in Budapest. Any other option would, at this point in time, generate additional costs and create uncertainty for the Agency's future and its staff which would adversely affect its ability to deliver on its objectives.

CONTENT: this proposal aims to:

- **give CEPOL the appropriate legal mandate and the necessary resources** to implement the training effort set out in the [Commission Communication](#) on European Law Enforcement Training Scheme;
- **improve the governance of CEPOL** by seeking increased efficiency and aligning it with the principles laid down in the Common Approach on EU decentralised agencies.

(1) Implementation of a European approach to training: in line with the principles laid down in the Commission communication on the European Law Enforcement Training Scheme (LETS), the scope of CEPOL's mandate is broadened so that it can support, develop, deliver and coordinate learning activities for law enforcement officials of all ranks (not only police officers of senior rank as is the case under the current CEPOL Decision) as well as to officers of customs and of other relevant services dealing with cross-border issues.

The proposal envisages that the Agency will remain network-based, bringing together the network of training institutes of the Member States for the law enforcement officials and **liaising with a single National unit in each Member State**.

The objectives of CEPOL are updated and clarified so that the Agency may:

- improve awareness and knowledge of international and Union instruments, the institutions, agencies and bodies of the European Union;
- encourage the development of the regional or bilateral cooperation among the Member States; address specific criminal or policing thematic areas where training at EU level can add value in addition to the national level;
- provide appropriate and preliminary training sessions for the participation in civilian missions in third Countries.

(2) Improved governance: the proposal improves the governance of CEPOL by streamlining procedures, notably with respect to the Management Board and the Executive Director, and by aligning CEPOL with the principles laid down in the Common Approach on EU decentralised agencies, keeping in mind that CEPOL, as a centre of EU learning activities, should continue to rely on the network of the training institutes of the Member States and liaise with a single National unit in each Member State.

The Commission and the Member States are represented on the Management Board of CEPOL.

Appointment procedure: in line with the mandate of the Agency, the members of the Management Board are appointed on the basis of their knowledge of training for law enforcement officers, taking into

account relevant managerial, administrative and budgetary skills. The Management Board will be advised by a scientific committee on technical training issues (Scientific Committee for Training).

Management Board tasks: the Management Board is given the necessary powers, in particular to establish the budget, verify its execution, adopt the appropriate financial rules and planning documents, establish transparent working procedures for decision-making by the Executive Director of CEPOL, adopt the annual activity report, and appoint an Executive Director.

In order to ensure efficient day-to-day functioning of CEPOL, the Executive Director is its **legal representative and manager**. The Executive Director is completely independent in the performance of his/her tasks and ensures that CEPOL carries out the tasks foreseen in this Regulation. In particular, the Executive Director is responsible for preparing budgetary and planning documents submitted for the decision of the Management Board.

BUDGETARY IMPLICATION: the adoption of this Regulation will have no additional financial implication.

An estimated **EUR 6.092 million of staff costs** (excl. schooling fees) will be saved over the period 2016-2020 as a result of the relocation from Bramshill to Budapest and the difference in the correction coefficient between the United Kingdom and Hungary. Schooling fees for children of CEPOL's staff will constitute an additional cost of EUR 1.868 million over the same period.

An estimated EUR 0.658 million will be saved as a result of lower costs of building, equipment and management board expenses over the same period.

The relocation of around 40 staff from CEPOL's current site in Bramshill, United Kingdom, to the new site in Budapest, Hungary, will have taken place before this proposal for a Regulation enters into force.

In total, therefore, the budgetary impact of the legislative proposal amounts to **EUR 45.383 million for CEPOL, as an independent Agency** established in Budapest, over the period 2016-2020.