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REPORT

on the proposal for a Council Decision establishing the European Police College (CEPOL) as a body of the European Union
(COM(2004)0623 – C6-0203/2004 – 2004/0215(CNS))

Committee on Civil Liberties, Justice and Home Affairs

Rapporteur: Panayiotis Demetriou

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a Council Decision establishing the European Police College (CEPOL) as a body of the European Union (COM(2004)0623 – C6-0203/2004 – 2004/0215(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal (COM(2004)0623)¹,
 - having regard to Article 34(2) (c) of the EU Treaty,
 - having regard to Article 39(1) of the EU Treaty, pursuant to which the Council consulted Parliament (C6-0203/2004),
 - having regard to Rules 93 and 51 and 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 (A6-0059/2005),
1. Approves the Commission proposal as amended;
 2. Considers that the financial statement of the Commission proposal for the period 2005-2006 is compatible with the ceiling of heading 3 of the current Financial Perspective without restricting other policies; recalls that the appropriations for the period after 2006 will be subject to the decision on the new financial framework; requests the Commission, if applicable, to propose adjusted amounts for the period after 2006 to ensure consistency with the new ceilings;
 3. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
 4. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 5. Calls on the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
 6. Instructs its President to forward its position to the Council and Commission.

Text proposed by the Commission

Amendments by Parliament

¹ Not yet published in OJ.

Amendment 1
Article 4

The seat of CEPOL shall be in Bramshill, United Kingdom.

The seat of CEPOL shall be in Bramshill, United Kingdom. ***The host Member State shall facilitate the setting up of CEPOL.***

Justification

In the context of the 2002 Financial Regulation, Parliament and the Council agreed that the host Member States should participate in the installation of new bodies on their territories. The host country should provide a financial contribution.

Amendment 2
Chapter III, title

Organs, ***national*** units and cooperation with other bodies

Organs, ***liaison*** units and cooperation with other bodies

(This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout)

Or. en

Justification

This amendment has been made following the reaction of various Members of the LIBE Committee meetings and consultations with the Commission and the Council.

Amendment 3
Article 5, paragraph 1

1. Without prejudice to the competencies of the institutions responsible for training of law-enforcement officers in the Member States, the purpose of CEPOL is to help train the ***senior and other*** law-enforcement officers of the Member States playing a key role in the fight against cross-border crime in the European Union, with a view to strengthening and improving

1. Without prejudice to the competencies of the institutions responsible for training of law-enforcement officers in the Member States, the purpose of CEPOL is to help train the law-enforcement officers of the Member States playing a key role in the fight against cross-border crime in the European Union, with a view to strengthening and improving cooperation

cooperation in those areas most relevant to the achievement of an area of freedom, security and justice in the sense of Article 29 of the Treaty on European Union. In so doing, CEPOL shall strive to support a European approach to the main problems facing Member States in preventing and combating crime, organized or otherwise, especially as regards its cross-border dimensions, by helping to train **senior and other** law-enforcement officials of the Member States.

in those areas most relevant to the achievement of an area of freedom, security and justice in the sense of Article 29 of the Treaty on European Union. In so doing, CEPOL shall strive to support a European approach to the main problems facing Member States in preventing and combating crime, organized or otherwise, especially as regards its cross-border dimensions, by helping to train law-enforcement officials of the Member States.

(This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout).

Justification

The trainings should be available to all ranks of law-enforcement officers.

Amendment 4 Article 5, paragraph 2

2. CEPOL courses and training modules shall focus on ways to improve cooperation among Member States' law-enforcement services in priority areas, such as preventing and combating serious and/or organized crime and terrorism. They shall pay special attention to human rights and ethics as they apply to law enforcement, taking into account relevant instruments. CEPOL courses and training tools shall be directed to police and other law-enforcement officers working in the field of European Union and/or international cooperation in preventing and combating crime.

2. CEPOL courses and training modules shall focus on ways to improve cooperation among Member States' law-enforcement services in priority areas, such as preventing and combating serious and/or organized crime and terrorism. They shall pay special attention to human rights, ***the treatment of especially vulnerable groups, such as women, minors and minorities***, and ethics, as they apply to law enforcement, taking into account relevant instruments. CEPOL courses and training tools shall be directed to police and other law-enforcement officers working in the field of European Union and/or international cooperation in preventing and combating crime.

Or. en

Amendment 5 Article 7, point 8

(8) Develop and provide training to prepare police forces of the European Union for participation in non-military crisis management.

(8) Develop and provide training to prepare police forces of the European Union for participation in non-military crisis ***prevention and*** management.

Or. en

Amendment 6
Article 9, paragraph 1

The Governing Board shall be made up of one representative from each Member State and a representative of the European Commission. It shall be up to each Member State to decide on its representation in the CEPOL Governing Board. Each member shall have one vote.

1. The Governing Board shall be made up of one representative from each Member State and a representative of the European Commission. It shall be up to each Member State to decide on its representation in the CEPOL Governing Board. Each member shall have one vote. ***The European Parliament may be represented by an observer if it considers it necessary.***

Or. en

Justification

This amendment has been made following the reaction of various Members of the LIBE Committee meetings and consultations with the Commission and the Council.

Amendment 7
Article 9, paragraph 2

2. The members of the Governing Board shall ***preferably*** be directors of national law-enforcement training institutes of the Member States. Where there are several directors from a single Member State, it shall be up to each Member State to decide on its representation in the Governing Board in accordance with paragraph 1 of this Article. The Governing Board shall be chaired by the representative of the Member State holding the Presidency of the Council.

2. The members of the Governing Board shall be directors of national law-enforcement training institutes of the Member States. Where there are several directors from a single Member State, it shall be up to each Member State to decide on its representation in the Governing Board in accordance with paragraph 1 of this Article. The Governing Board shall be chaired by the representative of the Member State holding the Presidency of the Council.

Justification

It seems more appropriate that the member states are represented in the Governing Board by the actual directors of national training institutes as these are the bodies that are actually involved in CEPOL and the directors are the most suitable representatives of those bodies.

Amendment 8
Article 10, paragraph 2

2. The Director shall be designated by the Council for a period of five years, from a list of at least three candidates presented by the Governing Board.

2. The Director shall be designated by the Council for a period of five years, from a list of at least three candidates presented by the Governing Board. ***The Council, acting on a representation by the Governing Board, may terminate the Director's term of office without notice for reasons of misconduct and with reasonable notice for reasons of unsatisfactory performance of his duties.***

Or. en

Justification

This amendment has been made following the reaction of various Members of the LIBE Committee meetings and consultations with the Commission and the Council.

Amendment 9
Article 10, paragraph 4, introductory part

4. The Director shall be responsible for the day-to-day administration of CEPOL's work. He or she shall support the work of the Governing Board and act as channel between this and the ***CEPOL national*** units referred to in Article 12. He or she shall in particular be responsible for:

4. The Director shall be responsible for the day-to-day administration of CEPOL's work. He or she shall support the work of the Governing Board and act as channel between this and the ***liaison*** units referred to in Article 12. He or she shall in particular be responsible for:

(This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout)

Or. en

Justification

This amendment has been made following the reaction of various Members of the LIBE Committee meetings and consultations with the Commission and the Council.

Amendment 10
Article 11, paragraph 1

1. The Director shall be supported by a staff in the discharge of his/her duties. ***deleted***

Justification

This amendment follows amendment 10 below.

Amendment 11
Article 11, paragraph 2

2. The staff and the Director of CEPOL are subject to the rules resulting from the regulations and rules applicable to the officials and other servants of the European Communities. ***2. The Staff Regulations of officials of the European Communities, the Conditions of employment of other servants of the European Communities and the rules adopted jointly by the institutions of the European Communities for the purposes of the application of those Staff Regulations and Conditions of employment shall apply to the Director of CEPOL and the staff of CEPOL.***

Justification

As CEPOL staff will consist only of seconded staff and other servants on a temporary basis, the suggested structure is preferable and is being used successfully in other bodies and agencies of the Union.

Amendment 12
Article 11, paragraph 3 a (new)

3a. Without prejudice to Article 10, the powers conferred on the appointing authority by the Staff Regulations and the Conditions of employment of other

servants shall be exercised by CEPOL in respect of its own staff.

Justification

This amendment follows amendment 10 above.

Amendment 13
Article 11, paragraph 3 b (new)

3b. CEPOL's staff shall consist of officials seconded by an institution within the meaning of the Staff Regulations of officials of the European Communities or by Member States and of other servants recruited by CEPOL as necessary to carry out its tasks. The staff shall be recruited on a temporary basis.

Justification

This amendment follows amendment 10 above.

Amendment 14
Article 11, paragraph 4

4. The Governing Board may adopt arrangements to permit the secondment of national experts from the Member States to CEPOL.

4. The Governing Board may adopt arrangements to permit the secondment of national experts from the Member States to CEPOL. ***Such arrangements shall be approved by the Council prior to their entry into force.***

Justification

This amendment follows amendment 10 above.

Amendment 15
Article 12, paragraph 1

1. CEPOL national units shall be set up in the national law enforcement training institute of each Member State. Where there are several institutes in a single Member State, it shall be up to each Member State to decide whether to set up one or more national units, as well as on its/their location.

1. Each Member State shall designate one or more persons, not exceeding three for each national institute, hereinafter called "liaison units", to follow up and ensure that CEPOL training programmes are implemented at national level. Where there is more than one liaison unit in a Member State, that Member State shall designate one of those units as the central coordinating unit.

Or. en

Justification

This amendment has been made following the reaction of various Members of the LIBE Committee meetings and consultations with the Commission and the Council.

Amendment 16
Article 12, paragraph 2

2. The national units shall preferably be headed by the official directly responsible for the development and implementation of training programs at national level, or a person with equivalent competences and responsibilities. It shall be up to each Member State to decide on the organization and staffing of the national units, in accordance with its national legislation. CEPOL national units may consist of a single person, if necessary, as long as their proper functioning in accordance with this Decision is ensured.

deleted

Justification

This amendment follows amendment 14 above.

Amendment 17
Article 12, paragraph 3

3. The Member States agree to undertake all necessary measures to ensure good

deleted

communication and cooperation of all relevant training institutes, including relevant research institutes, with the CEPOL national unit(s). Where there is more than one CEPOL national unit in a single Member State, it shall be up to each Member State to designate one of them as the central coordinating unit responsible for ensuring the necessary communication and coordination with the other CEPOL national units within its territory and with those in other Member States.

Or. en

Justification

This amendment has been made following the reaction of various Members of the LIBE Committee meetings and consultations with the Commission and the Council.

Amendment 18
Article 12, paragraph 3 a (new)

3a. The liaison units shall support the work of the national training institutes for members of the Member States' law enforcement services in the fight against cross-border crime in the European Union.

Or. fr

Justification

There must be proper coordination between the CEPOL liaison units and national training institutes so that the training provided by the national units represents real added value in training senior members of the law-enforcement services in each Member State.

Amendment 19
Article 12, paragraph 3 b (new)

3b. The training offered by the liaison units shall not replace the actions already undertaken by the national training institutes for members of the Member States' law enforcement services.

Or. fr

Justification

There must be proper coordination between the CEPOL liaison units and national training institutes so that the training provided by the national units represents real added value in training senior members of the law-enforcement services in each Member State.

Amendment 20

Article 12, paragraph 4, introductory part

4. The **CEPOL national** units shall **be responsible at national level for implementing the training, teaching and learning tools adopted by the Governing Board, and should also participate actively in their development and the evaluation of their use.** In particular, each **CEPOL national** unit shall be responsible for the following tasks:

4. The **liaison** units shall **cooperate closely with the Director of CEPOL and shall report to CEPOL on the implementation of the training programmes at national level.** In particular, each **liaison** unit shall be responsible for the following tasks:

Or. en

Justification

This amendment has been made following the reaction of various Members of the LIBE Committee meetings and consultations with the Commission and the Council.

Amendment 21

Article 14, paragraph 3

3. The Director shall draw up an estimate of the revenues and expenditure of CEPOL for the following financial year and shall forward it to the Governing Board together with **an** establishment plan.

3. The Director shall draw up an estimate of the revenues and expenditure of CEPOL for the following financial year and shall forward it to the Governing Board together with **a provisional** establishment plan.

Justification

The establishment plan will remain provisional until the adoption by the budgetary authority.

Amendment 22

Article 15, paragraph 3

3. On receipt of the Court of Auditors'

3. On receipt of the Court of Auditors'

observations on CEPOL's provisional accounts, pursuant to Article 129 of the general Financial Regulation, the **Director** shall draw up CEPOL's final accounts ***under his own responsibility and forward them to the Governing Board for an opinion.***

observations on CEPOL's provisional accounts, pursuant to Article 129 of the general Financial Regulation, the **Governing Board** shall draw up CEPOL's final accounts ***on the basis of the draft accounts prepared by the Director.***

Justification

It seems more appropriate that draft accounts are prepared by the Director but that the final accounts are approved by the Governing Board.

Amendment 23 Article 16

The financial rules applicable to CEPOL shall be adopted by the Governing Board after having consulted the Commission. They may not depart from the Commission Regulation (EC, Euratom) No. 2343/2002 of 23 December 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No. 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities, unless specifically required for CEPOL's operation and with the Commission's prior consent.

The financial rules applicable to CEPOL shall be adopted by the Governing Board after having consulted the Commission. They may not depart from the Commission Regulation (EC, Euratom) No. 2343/2002 of 23 December 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No. 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities, unless specifically required for CEPOL's operation and with the Commission's prior consent.
The budgetary authority shall be informed of these derogations.

Justification

Derogations to the general principles of the Financial Regulation should be limited and as transparent as possible.

Amendment 24 Article 21

*At the latest six months after this Decision takes effect, the Member States shall have set up their **CEPOL national unit(s)** and*

*Within six months after this Decision takes effect, the Member States shall **designated** their **liaison units as referred to in Article***

transmitted all the relevant information to the **General Secretariat of the Council and the Commission**.

12 and *shall transmit* all the relevant information to the **Director and the Governing Board of CEPOL**.

Or. en

Justification

This amendment has been made following the reaction of various Members of the LIBE Committee meetings and consultations with the Commission and the Council.

Amendment 25
Article 22, paragraph 1

1. At the end of each year the Governing board shall submit an annual report to the Commission, the Council and the European Parliament as specified by Article 9 (7) (d) of this Decision.

1. At the end of each year the Governing board shall submit an annual report to the Commission, the Council and the European Parliament as specified by Article 9 (7) (d) of this Decision. ***The Governing Board shall also submit any report or any further information that may be required of it by the European Parliament or the Council.***

Justification

The Governing Board should be made more accountable to the Council and the European Parliament.

Amendment 26
Article 22, paragraph 2

2. Within ***five years*** after this Decision takes effect and every ***five years*** thereafter, the Governing Board shall commission an independent external evaluation of the implementation of this Decision as well as of the activities carried out by CEPOL.

2. Within ***three years*** after this Decision takes effect and every ***three years*** thereafter, the Governing Board shall commission an independent external evaluation of the implementation of this Decision as well as of the activities carried out by CEPOL.

Or. en

Amendment 27
Article 22 a (new)

Article 22a

The European Police College established by this Decision shall be the successor to the European Police College established by Decision 2000/820/JHA, and continuity in administrative and legal procedures commenced prior to the date on which this Decision takes effect shall be ensured.

Or. en

EXPLANATORY STATEMENT

Introduction

A European area of freedom, safety and justice requires the continued development of the police. The police must become more effective, more efficient and more accountable. A certain level of common quality standards for policing methods throughout Europe must therefore be established. Common criteria on the basis of which citizens in Europe can recognise the standards of policing need to be adopted.

I. Context of the proposal

Conclusion 47 of the Tampere European Council called for the establishment of a European Police College for the training of senior law-enforcement officials, which should operate as a network of existing national training institutes. As a result, on 22 December 2000, the Council adopted Decision 2000/820 which established the European Police College (CEPOL), and in which the aims and objectives of CEPOL are stated.

Under the Decision, CEPOL is set up as a network which brings together the national training institutes for senior police officers in the Member States. Its aim is to help train the senior police officials of the Member States. The directors of the national training institutes formed CEPOL's governing board and all administrative costs for the functioning of CEPOL were borne jointly by Member States.

In its three years of existence CEPOL has achieved considerable progress, as acknowledged in CEPOL's three years report. However, several problems which affected its proper functioning were pointed out in the same report. CEPOL was seriously hampered in its organisational functioning due to the absence of legal status. As a result, the Council Decision of 22 December 2000 was amended twice in 2004 by Decisions 2004/567 and 2004/566 in order to provide CEPOL with legal personality and a permanent seat in Bramshill.

As regards the future structure of CEPOL, views varied between the Member States but all agreed that some problems needed to be addressed especially as regards the need for an adequately staffed Secretariat and for financing from the Community's budget.

II. The proposal of the Commission

The proposal of the Commission aims to transform CEPOL into a body of the EU while abolishing the previous structure under which CEPOL operated. According to the proposal, this new body will have wider objectives and powers in the field of training of police officers and will extend the training to other law enforcement services of the Member States (e.g. customs officials). Its financing will come from the Community's budget thus increasing CEPOL's possibilities to carry out its tasks, and its staff will be subjected to the rules and regulations applicable to the officials and other servants of the institutions of the European

Communities thus increasing CEPOL's possibilities to recruit better qualified people. In addition, unanimity is replaced by majority voting in the governing board of CEPOL. This is a positive step especially in view of the enlargement of the European Union and where voting by unanimity has become much more cumbersome. Further, provision is made for the use of all official languages and for proper access to documents.

III. Position of the rapporteur

The rapporteur generally agrees with the philosophy and the main elements of the Commission's proposal. The current mechanism for the functioning of CEPOL is inefficient and poses several problems. He is, however, of the opinion that, at certain points, under the Commission's proposal the national training institutes might suffer and that there is a risk that such a centralised system might be less sensitive to national characteristics which are of great importance in this field.

The rapporteur thus proposes several amendments which aim to the following:-

- retaining the competences of the Governing Board
- creating the office of designated law-enforcement officers at national level, instead of creating national units of CEPOL in the Member States
- making the Governing Board instead of the Director accountable for the budget.

15.3.2005

OPINION OF THE COMMITTEE ON BUDGETS

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a Council decision on establishing the European Police College (CEPOL) as a body of the European Union
(COM(2004)0623 – C6-0203/2004 – 2004/0215(CNS))

Draftsperson: Jutta D. Haug

SHORT JUSTIFICATION

Background

The Tampere European Council called for the establishment of a European Police College for the training of senior law-enforcement officials, which should operate as a network of existing national training institutes. At the end of 2000, the Council adopted a decision establishing a European Police College setting out the aim and objectives of CEPOL. However, this decision provided it with neither legal personality nor a permanent seat, and CEPOL encountered a series of difficulties.

The objective of this proposal for a Council Decision is to transform the European Police College (CEPOL) into a body of the European Union, with the aim of providing it with the legal and organizational tools it needs to function properly. It establishes CEPOL's aims, objectives and tasks. The proposal also seeks to expand CEPOL's mandate to include not only senior police officers, but all law-enforcement officers playing a key role in the fight against crime in the European Union.

CEPOL's organs are the Governing Board and the Director. The Governing Board is made up of one representative per Member State and one for the Commission (who becomes a full member), each having one vote.¹ The seat of CEPOL will be in Bramshill, United Kingdom.

Financial implications

Although CEPOL is already operational, there will be a transitional phase starting from the

¹ LIBE draft report (Rapporteur: Demetriou) proposes that the European Parliament should have a representative in the Governing Board.

entry into force of the Decision until current staff are fully incorporated to the system of staff regulations and new staff are recruited accordingly: the new Director designated, the headquarters agreement with the host State signed, etc. The amount for 2005 is calculated on the basis of 6 months, this being based on the assumption that the new Council Decision will be in force from mid-2005. A calculation based on a full year is made for the period from 2006 onward. The operational phase will begin in 2006.

The financial statement attached to proposal sets out the following budgetary allocation:

Commitment Appropriations in EUR million							
	2005	2006	2007	2008	2009	subs years	Total
Administrative expenditure (Titles 1 and 2)	0,9	2,2	2,2	2,2	2,2	2,2	11,900
Operational expenditure (Title 3)	2,10	2,30	2,30	2,30	2,30	2,30	13,600
Effect on COM admin budget	0,005	0,005	0,005	0,005	0,005	0,005	0,030
Total	3,005	4,505	4,505	4,505	4,505	4,505	25,530

Within the current Financial Perspectives, the annual budget for 2005 could amount to EUR 3 million and EUR 4.5 million for 2006. In the 2005 budget, there is a new budget heading with two budget lines for CEPOL (18 05 05 01: European Police College Subsidy to titles 1 & 2 and 18 05 05 02: European Police College Subsidy to title 3). An amount of EUR 3 million is already included in the 2005 budget (in the reserve pending the adoption of the legal base).

From 2007 onwards the allocation of appropriations will depend on the new Financial Perspectives for 2007-2013. The proposed annual amount of EUR 4,5 million for the period 2007-2009 is purely indicative.

The proposed provisional establishment plan is as follows:

STAFF (as of 2006)	A	B	C
Administration	5	3	4
Operational tasks	5	3,5	2
Total (22,5)	10	6,5	6

Proposed amendments

The draftsman of the Committee on Budgets proposes four amendments from the budgetary point of view, which are complementary to the amendments already included in the draft report by the rapporteur of the Committee on Civil Liberties.

The draftsman proposes to include in Parliament's legislative resolution an amendment stating that the financing for 2005-2006 is compatible with the current Financial Perspective, but that the amounts for 2007-2010 remain indicative. The budgetary authority decides on the

level of appropriations in the annual budget procedure. *(Amendment 1)*

There should be a reference to the role of the host country in setting up a new body.
(Amendment 2)

The Administrative Director of CEPOL can only propose a provisional establishment plan.
The budgetary authority adopts the establishment plan in the annual budget procedure.
(Amendment 3)

Should a derogation be made to the Financial Regulations in the internal financial rules of CEPOL, the budgetary authority should be informed about this derogation. *(Amendment 4)*

AMENDMENTS

The Committee on Budgets calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to incorporate the following amendments in its report:

Draft legislative resolution

Amendment 1 Paragraph 1 a (new)

- 1a. Considers that the financial statement of the Commission proposal for the period 2005-2006 is compatible with the ceiling of heading 3 of the current Financial Perspective without restricting other policies; recalls that the appropriations for the period after 2006 will be subject to the decision on the new financial framework; requests the Commission, if applicable, to propose adjusted amounts for the period after 2006 to ensure consistency with the new ceilings;*

Proposal for a decision

Text proposed by the Commission

Amendments by Parliament

Amendment 2 Article 4

The seat of CEPOL shall be in Bramshill, United Kingdom.

The seat of CEPOL shall be in Bramshill, United Kingdom. ***The host Member State shall facilitate the setting up of CEPOL.***

Justification

In the context of the 2002 Financial Regulation, Parliament and the Council agreed that the host Member States should participate in the installation of new bodies on their territories. The host country should provide a financial contribution.

Amendment 3
Article 14, paragraph 3

3. The Director shall draw up an estimate of the revenues and expenditure of CEPOL for the following financial year and shall forward it to the Governing Board together with *an* establishment plan.

3. The Director shall draw up an estimate of the revenues and expenditure of CEPOL for the following financial year and shall forward it to the Governing Board together with *a provisional* establishment plan.

Justification

The establishment plan will remain provisional until the adoption by the budgetary authority.

Amendment 4
Article 16

The financial rules applicable to CEPOL shall be adopted by the Governing Board after having consulted the Commission. They may not depart from the Commission Regulation (EC, Euratom) No. 2343/2002 of 23 December 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No. 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities, unless specifically required for CEPOL's operation and with the Commission's prior consent.

The financial rules applicable to CEPOL shall be adopted by the Governing Board after having consulted the Commission. They may not depart from the Commission Regulation (EC, Euratom) No. 2343/2002 of 23 December 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No. 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities, unless specifically required for CEPOL's operation and with the Commission's prior consent.
The budgetary authority shall be informed about these derogations.

Justification

Derogations to the general principles of the Financial Regulation should be limited and as transparent as possible.

PROCEDURE

Title	Proposal for a Council decision on establishing the European Police College (CEPOL) as a body of the European Union
References	COM(2004)0623 - C6-0203/2004 - 2004/0215(CNS)
Committee responsible	LIBE
Committee asked for its opinion Date announced in plenary	BUDG 1.12.2004
Enhanced cooperation	No
Drafts(wo)man Date appointed	Jutta D. Haug 31.1.2005
Discussed in committee	1.2.2005 21.2.2005 15.3.2005
Date amendments adopted	15.3.2005
Result of final vote	for: 15 against: - abstentions: -
Members present for the final vote	Reimer Böge, Den Dover, Bárbara Dührkop Dührkop, Markus Ferber, Salvador Garriga Polledo, Dariusz Maciej Grabowski, Catherine Guy-Quint, Jutta D. Haug, Anne Elisabet Jensen, Janusz Lewandowski, Jan Mulder, László Surján, Kyösti Tapio Virrankoski, Ralf Walter
Substitutes present for the final vote	Jacek Emil Saryusz-Wolski
Substitutes under Rule 178(2) present for the final vote	

PROCEDURE

Title	Proposal for a Council Decision establishing the European Police College (CEPOL) as a body of the European Union		
References	COM(2004)0623 – C6-0203/2004 – 2004/0215(CNS)		
Legal basis	Article 39(1) EU		
Basis in Rules of Procedure	Rules 93 and 51		
Date of consulting Parliament	22.11.2004		
Committee responsible Date announced in plenary	LIBE 1.12.2004		
Committee(s) asked for opinion(s) Date announced in plenary	BUDG 1.12.2004		
Not delivering opinion(s) Date of decision			
Enhanced cooperation Date announced in plenary			
Rapporteur(s) Date appointed	Panayiotis Demetriou 25.11.2004		
Previous rapporteur(s)			
Simplified procedure Date of decision			
Legal basis disputed Date of JURI opinion			
Financial endowment amended Date of BUDG opinion	BUDG 15.3.2005	/	
European Economic and Social Committee consulted Date of decision in plenary			
Committee of the Regions consulted Date of decision in plenary			
Discussed in committee	19.1.2005	1.2.2005	16.3.2005
Date adopted	16.3.2005		
Result of final vote	for: 39 against: 0 abstentions: 0		
Members present for the final vote	Alexander Nuno Alvaro, Edit Bauer, Johannes Blokland, Mihael Brejc, Kathalijne Maria Buitenweg, Michael Cashman, Giusto Catania, Jean-Marie Cavada, Carlos Coelho, Agustín Díaz de Mera García Consuegra, Rosa Díez González, Antoine Duquesne, Patrick Gaubert, Lívia Járóka, Magda Kósáné Kovács, Wolfgang Kreissl-Dörfler, Barbara Kudrycka, Henrik Lax, Edith Mastenbroek, Jaime Mayor Oreja, Claude Moraes, Martine Roure, Michele Santoro, Inger Segelström, Ioannis Varvitsiotis, Manfred Weber, Stefano Zappalà, Tatjana Ždanoka		
Substitutes present for the final vote	Panayiotis Demetriou, Maria da Assunção Esteves, Ignasi Guardans Cambó, Jeanine Hennis-Plasschaert, Luis Francisco Herrero-Tejedor, Sophia in 't Veld, Sylvia-Yvonne Kaufmann, Herbert Reul, Marie-Line Reynaud, Agnes Schierhuber, Bogusław Sonik		

Substitutes under Rule 178(2) present for the final vote	Thijs Berman, Peter Skinner, Tadeusz Zwiefka	
Date tabled – A6	21.3.2005	A6-0059/2005
Comments	...	