

COUNCIL OF THE EUROPEAN UNION		Brussels, 11 October 2000 (17.10) (OR. fr)
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NOTE

from :	Police Cooperation Working Party
to :	Article 36 Committee
Nos prev. docs:	9679/00 ENFOPOL 44, 11037/00 ENFOPOL 58
Subject:	Draft Council Decision establishing the European Police College (EPC)

I

The Police Cooperation Working Party discussed the above draft at its meetings on 19 and 20 July and 27 and 28 September 2000.

The text which emerged from the Working Party's proceedings is given in the Annex.

Questions left outstanding are summarised in section II below.

II

Questions outstanding

1. Funding of the secretariat staff's remuneration (Article 5(3)(d))

Three funding options have been mooted here:

- (i) funding by the Member States under their national contribution;
- (ii) funding by the host Member State;
- (iii) mixed funding.

The Police Cooperation Working Party submits this point for assessment by the higher authorities.

2. Adoption of the annual training programme by the governing board (Article 3)

The Netherlands delegation has tabled at reservation on the wording of Article 3.

3. Permanent secretariat's seat (Article 4)

- (a) The draft Decision provides for the Council to decide where the permanent secretariat's seat will be located.
- (b) It is understood this decision by the Council will not prejudice any future decision on what form the European Police College will take and where it is to be located: this could be specified in a statement for entry in the minutes when the Council adopts the Decision establishing the EPC.

ANNEX

Draft
COUNCIL DECISION
of

establishing the European Police College
(EPC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 30(1)(c) and Article 34(2)(c) thereof,

Having regard to the initiative of the Portuguese Republic ¹,

Having regard to the Opinion of the European Parliament ²,

¹ OJ C 206, 19.7.2000, p.3.

² OJ C.....

Whereas:

- (1) At its meeting in Tampere on 15 and 16 October 1999, the European Council agreed that a European Police College should be established to train senior officers of police forces, such forces being understood as meaning law enforcement agencies as referred to in recommendation No 47.
- (2) The European Council in Tampere agreed that the European Police College should start as a network of existing national training institutes, without precluding the establishment of a permanent institution at a later stage.
- (3) There already exist national, European and international organisations and bodies active in the area of police training, on whose cooperation the European Police College should be able to rely in the carrying out of its tasks.
- (4) It is desirable to develop quickly a relationship between the European Police College and national training institutes in Iceland and Norway, on the one hand, and the States which have applied for accession to the European Union, on the other, so that the activities of the College can be made accessible to them.
- (5) The European Union has been active in this field, in particular by adopting and implementing programmes under Title VI of the Treaty, such as the OISIN ¹ programme and the FALCONE ² programme.
- (6) The European Police College should carry out its tasks by progressive stages in the light of the objectives set out in the annual work programmes and with due regard for available resources.

¹ OJ L 7, 10.1.1997, p. 5.

² OJ L 99, 31.3.1998, p. 8.

- (7) This Decision should be reviewed after a three-year period in order to decide on the possible extension of the European Police College's tasks, and on any modifications to its institutional structure,

HAS ADOPTED THIS DECISION:

TITLE I

Organisation

Article 1

A European Police College is hereby established.

Without prejudice to the future developments recommended in Article 10, the College shall be set up as a network, by bringing together the national training institutes for senior police officers in the Member States, which shall cooperate closely to that end.

The College's task shall be to implement the programmes and initiatives adopted by the governing board.

Article 2

The directors of the national training institutes for senior police officers shall form the College's governing board. Where there are several directors from a single Member State, they shall together form a delegation. Each delegation shall have one vote on the governing board. Representatives of the General Secretariat of the Council of the European Union, the Commission and Europol shall be invited to attend meetings as non-voting observers. Members of the governing board may be accompanied by experts.

The governing board shall be chaired by the director of a national training institute of the Member State holding the Presidency of the Council of the European Union. The governing board shall meet at least once per Presidency. It shall establish its rules of procedure by unanimous decision.

Article 3

The governing board shall decide on the annual continuing-education programme (teaching content, type, number and length of training measures to be implemented) and shall inform the Council thereof. It shall also adopt additional programmes and initiatives, where appropriate.

The governing board shall establish the annual report on the College's activities, which shall be sent to the Council and then, for information, to the European Parliament and the Commission. The governing board's decisions referred to in this Article shall be adopted unanimously.

The Council shall request an external audit of the College's activities as necessary.

Article 4

The governing board shall set up a permanent secretariat to assist the College with the administrative tasks necessary for the College to function and implement the annual programme and, where appropriate, the additional programmes and initiatives. The permanent secretariat may be set up within one of the national police academies. The Council shall decide on the location of the permanent secretariat's [...] seat.

All decisions of the governing board concerning the secretariat shall be taken unanimously.

The secretariat shall be headed by a secretary-general appointed by the governing board for a three-year term.

Article 5

1. The College's budget shall be managed by the secretariat on the basis of a financial regulation adopted by the governing board acting unanimously
2. The costs of implementing the measures in the annual programme referred to in Article 3, together with the administrative costs of the College, shall be borne jointly by the Member States. To that end, the annual contribution from each Member State shall be established on the basis of the gross national product (GNP) according to the scale used for determining the GNP element in own resources for financing the general budget of the European Union. Each year the GNP of the previous year shall be taken as the reference basis for each Member State.
3. Expenditure on the following shall be borne by the budget of the College:
 - (a) preparation, implementation and assessment of the annual programme;
 - (b) fees for external contributors;
 - (c) travelling expenses of governing board members attending board meetings, at the rate of two members per Member State;
 - (d) general operating costs of the secretariat[, except for the remuneration of its members] ¹;
 - (e) costs for any other initiative adopted by the board or taken by the secretary-general in accordance with the financial regulation.
4. Without prejudice to requests by Member States and acting on instructions from the governing board, the permanent secretariat may submit to the Commission training projects or programmes for cofinancing that lie within the sphere of competence of budgetary programmes administered by the Commission.

¹ The method of funding the secretariat staff's remuneration has still to be decided (cf. questions outstanding).

TITLE II

Objectives and tasks

Article 6

1. The aim of the European Police College shall be to help train the senior police officers of the Member States by optimising cooperation between the College's various component institutes. It shall support and develop a European approach to the main problems facing Member States in the fight against crime, crime prevention, and the maintenance of law and order and public security, in particular the cross-border dimensions of those problems.

Its objectives shall be as follows:

- (a) to increase reciprocal knowledge of the national police systems and structures of other Member States;
 - (b) to strengthen knowledge of international instruments, in particular those which already exist at European Union level in the field of cooperation on combating crime;
 - (c) to encourage cooperation between the College and the other police training institutes.
2. The College will also offer its facilities to senior police officers of the States applying for membership of the European Union, and, where appropriate, to those of Iceland and Norway .

Article 7

In order to achieve those objectives the College may, in particular, undertake the following actions:

- (a) provide training sessions, based on common standards, for senior police officers;
- (b) contribute to the preparation of harmonised programmes for the training of middle-ranking police officers, middle-ranking police officers in the field and police officers in the field with regard to cross-border cooperation between police forces in Europe, and help set up appropriate advanced training programmes;
- (c) provide specialist training for police officers playing a key role in combating cross-border crime, with a particular focus on organised crime;
- (d) develop and provide training for trainers;
- (e) disseminate best practice and research findings;
- (f) develop and provide training to prepare police forces in the European Union for participation in non-military crisis management;
- (g) develop and provide training for police authorities from the States applying for membership of the European Union, including training for police officers with a key role;
- (h) facilitate relevant exchanges and secondments of police officers in the context of training;

- (i) develop an electronic network to provide back-up for the College in the performance of its duties;
- (j) enable the senior police officers of the Member States to acquire relevant language skills.

TITLE III

Other provisions

Article 8

The permanent secretary or his representative may take part as an expert in the proceedings of the Police Cooperation Working Party and the Customs Cooperation Working Party in connection with all questions within the College's sphere of competence.

Article 9

The College will consider on a case-by-case basis the possibility of admitting officials of the European Institutions and other European Union bodies.

It may cooperate with the national police training institutes of non-member States of the European Union. In particular, it will establish relations with the national institutes of Iceland and Norway and of the States applying for membership of the European Union.

The College will also cooperate with relevant training bodies in Europe, such as the Nordic Baltic Police Academy (NBPA) and the Central European Police Academy (MEPA).

Article 10

At the latest during the third year following the entry into force of this Decision, the governing board shall submit to the Council a report containing recommendations on how the College should develop, in particular at institutional level.

Article 11

This Decision shall enter into force on

Done at

For the Council
The President