

**Decision of the Management Board 03/2017/MB**

**On the authorisation of the Executive Director to conclude a working arrangement between the European Security and Defence College and CEPOL**

**Adopted by the Management Board**

**on 2 April 2017**

THE MANAGEMENT BOARD,

Having regard to Regulation (EU) 2015/2219 of the European Parliament and of the Council of 25 November 2015 on the European Union Agency for Law Enforcement Training (CEPOL) and replacing and repealing Council Decision 2005/681/JHA<sup>1</sup>, and in particular Article 34 thereof,

Whereas:

- (1) The European Security and Defence College (ESDC) makes a major contribution to a better understanding of the Common Security and Defence Policy (CSDP) in the overall context of the Common Foreign and Security Policy and to promoting a common European security culture;
- (2) Pursuant to Article 5.1(a) of Council Decision (CFSP) 2016/2382 of 21 December 2016 the ESDC is to establish close links with the Union institutions and relevant Union agencies, in particular with CEPOL;
- (3) Article 4(4) of the Regulation provides that CEPOL will support Union missions and capacity-building in third countries by, in particular, developing and providing training to prepare law enforcement officials for participation in Union missions, including enabling them to acquire relevant language skills, in coordination with the ESDC and existing initiatives in the Member States;
- (4) It is in the common interest of CEPOL and the ESDC to contribute to law enforcement co-operation in the field of CSDP through learning and through strengthening training activities for law enforcement officials;
- (5) Therefore, it is appropriate to conclude a working arrangement with ESDC and the draft thereof has been negotiated with ESDC;
- (6) The consultation with the European Commission under Article 34 paragraph (5) of the Regulation was completed

HAS ADOPTED THIS DECISION:

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<sup>1</sup> OJ L319, 4.12.2015, p.1.

*Single Article*

The Executive Director is herewith authorised to conclude the Working Arrangement with the European Security and Defence College annexed to this Decision.

The present Decision shall take effect on the day of its adoption.

Done in the Netherlands, 2 April, 2017

*For the Management Board*

*<Signature on file>*

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*Mrs Frederike Everts MPA*  
*Chair of the Management Board*

## **WORKING ARRANGEMENT BETWEEN THE EUROPEAN SECURITY AND DEFENCE COLLEGE AND THE EUROPEAN UNION AGENCY FOR LAW ENFORCEMENT TRAINING**

### **1. DEFINITIONS**

1.1 The European Security and Defence College is hereinafter referred to as 'ESDC'.

1.2 The European Union Agency for Law Enforcement Training is hereinafter referred to as 'CEPOL'.

1.3 The ESDC and CEPOL are together referred to as 'the participants' in this working arrangement.

### **2. CONTEXT**

2.1 The ESDC was initially established by Council Joint Action 2005/575/CFSP of 18 July 2005 to provide strategic-level education on the Common Security and Defence Policy (hereinafter: CSDP). Council Decision (CFSP) 2016/2382 of 21 December 2016 repealed this Joint Action and constitutes the current legal framework for ESDC activities, under the overall responsibility of the High Representative of the Union for Foreign Affairs and Security Policy.

2.2 The ESDC makes a major contribution to a better understanding of CSDP in the overall context of the Common Foreign and Security Policy and to promoting a common European security culture.

2.3 The objective of the ESDC is to provide Member States and EU institutions with knowledgeable personnel able to work efficiently on CSDP matters. In this context, there is a need to improve the visibility of the role of police and FSJ actors within the CSDP training field.

2.4 Pursuant to Article 5.1(a) of Council Decision (CFSP) 2016/2382 of 21 December 2016 the ESDC is to establish close links with the Union institutions and relevant Union agencies, in particular with CEPOL.

2.5 CEPOL aims to support, develop, implement and coordinate training for law enforcement officials, 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 the fight against serious crime affecting two or more EU Member States and terrorism, maintenance of public order, in particular international policing of major events, and planning and command of EU missions, which may also include training on law enforcement leadership and language skills, pursuant to Article 1 of Regulation (EU) 2015/2219 of the European Parliament and of the Council of 25 November 2015 on the European Union Agency for Law Enforcement Training (CEPOL) and replacing and repealing Council Decision 2005/681/JHA (hereinafter referred to as “the Regulation”).

2.6 Article 4(4) of the Regulation provides that CEPOL will support Union missions and capacity-building in third countries by, in particular, developing and providing training to prepare law enforcement officials for participation in Union missions, including enabling them to acquire relevant language skills, in coordination with the ESDC and existing initiatives in the Member States.

2.7 The Directorate-General Migration and Home Affairs (hereinafter referred to as ‘DG HOME’) ensures that CEPOL’s external relations’ activities contribute to the achievement of the EU’s priorities and are consistent with EU legislation and policies. To this end, DG HOME shall coordinate with other Commission services and EEAS.

2.8 Pursuant to Article 34(2) of the Regulation, CEPOL may establish and maintain cooperative relations with Union bodies. CEPOL is authorised to negotiate a working arrangement with the ESDC pursuant to Article 34(4) of the Regulation.

2.9 It is in the common interest of CEPOL and the ESDC to contribute to law enforcement co-operation in the field of CSDP through learning and through strengthening training activities for law enforcement officials.

### **3. PURPOSE**

The purpose of this Working Arrangement is to enhance the co-operation between the ESDC and CEPOL on training in the field of CSDP, in particular by strengthening training activities for law enforcement officials, e.g. through co-operation in the organisation of courses, seminars, conferences and webinars, and in the development and implementation of common curricula and course material.

### **4. CONTACT PERSONS**

4.1 The Head of the ESDC and the Executive Director of CEPOL will each establish a contact person whose task will be to co-ordinate day-to-day co-operation between the participants.

4.2 The ESDC and CEPOL, via their respective contact persons, will consult each other regularly on policy issues and matters of common interest for the purpose of achieving their objectives and co-ordinating their respective activities. In particular, CEPOL will continue to contribute to the work of the ESDC Executive Academic Board and the ESDC will contribute to the JHA Training Matrix hosted by CEPOL. The

participants will regularly exchange publications and other documents of mutual interest via the contact persons.

4.3 In particular, the ESDC will, within the limits of its functions and for the purpose of this Working Arrangement, inform CEPOL about new programmes, priorities and activities so as to facilitate the planning of training activities. CEPOL will inform the ESDC about new projects and activities. Mutual invitations are to be extended to attend conferences, seminars or workshops presented by the participants, as appropriate.

4.4 Meetings between the ESDC and CEPOL will take place as often as necessary to discuss issues relating to their overall co-operation and, more specifically, to facilitate:

- (a) evaluation of their co-operation;
- (b) aspects of future co-operation;
- (c) the development of course materials;
- (d) the participation of ESDC officials in CEPOL training activities and in the development and the implementation of common curricula; and the participation of CEPOL officials in ESDC training activities and conferences.

## **5. ORGANISATION OF TRAINING ACTIVITIES**

5.1 The participants will co-operate in the organisation of residential and online training activities, e-learning modules, exchange programmes, study visits and other initiatives (e.g. by providing faculty members or associated experts to deliver specific lectures). To this end, the participants will establish an annual action plan detailing the specific cooperation initiatives and joint activities decided upon for that particular year.

5.2 The participants will, as far as possible and subject to any arrangements as may be deemed necessary, enable each other's access to all necessary facilities and equipment within their respective premises.

5.3 The participants will strive to co-organise a number of joint training activities, namely:

- The course on strategic planning process of EU Missions and Operations;
- The EU CSDP Police Command and Planning Course;
- Pre-deployment training for CSDP missions providing CSDP mission personnel, *inter alia*, with a common understanding of the functioning principles of CSDP missions and a sense of common European identity;
- Cyber security;
- Any other training activity.

5.4 As appropriate, the participants may also set up other training activities together, as approved by the CEPOL Management Board and the ESDC Steering Committee, in accordance with the administrative instructions set out in Annex 1.

## **6. COURSE MATERIAL AND COMMON CURRICULA**

6.1 The participants will support each other in the development of course material and common curricula for training activities.

6.2 The participants will inform each other about the development of new handbooks and training materials and provide periodic status reports on their development. Subject to such arrangements as may be deemed necessary for safeguarding the security and confidentiality of information contained in those handbooks and training materials, each participant will ensure their full and prompt communication to the other participant. The latter will ensure that those handbooks and training materials are not used for any other purpose than training.

## **7. ACCESS TO CEPOL'S E-NET AND TO THE ESDC'S E-LEARNING SYSTEM**

7.1 The ESDC and CEPOL will exchange best practices and research findings.

7.2 Continuous dialogue and the exchange of best practices will be enhanced by granting ESDC staff access to the public sections of CEPOL's e-Net, i.e. those sections accessible to all e-Net registered users but restricted for non-registered users, under the conditions of reciprocity and to the extent necessary for the achievement of the objectives of this Working Arrangement.

7.2 For the specific purpose of this Working Arrangement, duly authorised ESDC staff will receive web-based access to the open-source information stored in the CEPOL scientific e-Library database and e-Journals, and where relevant also in the LTRDB (Lecturer, Trainer and Researcher Database), the LMS (courses) and R&S (Research and Science) conferences.

7.3 For the purpose of this Working Arrangement, duly authorised CEPOL staff will receive web-based access to the open-source information stored in the ESDC's e-Learning system.

## **8. EXPENSES AND COMMUNICATION**

8.1 Unless otherwise provided for, the participants will bear their own expenses arising in the course of implementing this Working Arrangement. Nothing in this Working Arrangement will give rise to any financial obligation for either participant, until such obligation has been mutually and expressly agreed by the participants in writing.

8.2 Communication of information and documents from the ESDC to CEPOL will be subject to the ESDC's rules and regulations. Communication of such information and documents from CEPOL to the ESDC will be subject to CEPOL's rules and regulations.

## **9. MISCELLANEOUS**

9.1 Articles 29(2) and 29(3) of the Regulation apply in the context of this Working Arrangement.

9.2 All disputes which may emerge in connection with the interpretation or application of this Working Arrangement will be settled by means of consultation and negotiation between representatives of the participants.

9.3 This Working Arrangement may be terminated in writing by either of the participants with three months' notice.

9.4 This Working Arrangement may be amended at any time by mutual consent between the participants. All amendments must be in writing. The participants will enter into consultations on the amendment of this Working Arrangement at the request of either participant.

9.5 This Working Arrangement will apply on the first day following its signature by both participants.

### **ESDC**

Dirk Dubois  
Head of ESDC

Date

### **CEPOL**

Prof.h.c. Dr Ferenc Bánfi  
Executive Director

Date

**Annex 1**  
**(Administrative instructions concerning the courses**  
**co-organised by CEPOL and the ESDC)**

1. The courses will be open to both CEPOL's target audience (law enforcement officials from EU Member States and, if open to them, from third countries, and staff of institutions, bodies, missions, offices and agencies set up by or on the basis of the Treaty on European Union or the Treaty on the Functioning of the European Union) and the ESDC's target audience (civilian and military personnel from EU Member States, EU institutions and Agencies, and, if open to them, candidate States, third countries and international organisations).
2. CEPOL and the ESDC will set the number of places on a course and how they are allocated.
3. The respective CEPOL and ESDC rules will apply to their respective participants. CEPOL will finance its participants according to its rules on travel, accommodation and meals whilst for the ESDC participants "costs lie where they fall" (all travel, accommodation and catering costs will be covered by the sending authorities).
4. The language regime of the courses will be English without interpretation.
5. All participants have to complete and pass the tests in the mandatory eLearning part provided by the ESDC.
6. Attendance at the course is mandatory on all days. A certificate will be awarded to those course participants who have completed the full course, including the IDL phase (e-Learning).
7. The ESDC will provide the certificate with the signature of the High Representative of the Union for Foreign Affairs and Security Policy (HR) – Vice President of the European Commission. This certificate cannot be modified and no other signatures may be added.