

Decision of the Management Board 19/2017/MB

On the authorisation of the Executive Director to conclude a working arrangement between the General Secretariat of the International Criminal Police Organization-INTERPOL and CEPOL

Adopted by the Management Board

on 24 August 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/JHA¹, and in particular Article 34 thereof,

Whereas:

- (1) It is CEPOL's interest to conclude a Working Arrangement with the General Secretariat of the International Criminal Police Organization-INTERPOL in order to formalise and further develop existing co-operation and the draft thereof has been negotiated with INTERPOL
- (2) The consultation with the European Commission under Article 34 paragraph (5) of the Regulation was completed

HAS ADOPTED THIS DECISION:

Single Article

The Executive Director is herewith authorised to conclude the Working Arrangement with the General Secretariat of the International Criminal Police Organization-INTERPOL annexed to this Decision.

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

Done in Vienna, 4 September 2017

For the Management Board

<Signature on file>

.....
Mr. Norbert Leitner
Chair of the Management Board

¹ OJ L319, 4.12.2015, p.1.



WORKING ARRANGEMENT BETWEEN CEPOL AND THE INTERPOL GENERAL SECRETARIAT

The **General Secretariat of the International Criminal Police Organization-INTERPOL** (hereinafter referred to as “INTERPOL”)

and

The **European Union Agency for Law Enforcement Training** (hereinafter referred to as “CEPOL”):

Recognizing that, pursuant to Article 2 of its Constitution, INTERPOL aims to ensure and promote the widest possible mutual assistance between all criminal police authorities within the limits of the laws existing in the different countries, and in the spirit of the Universal Declaration of Human Rights,

Recognizing that one of the four core functions developed by INTERPOL in order to achieve its mandate is Police Training and Development,

Recognizing that 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 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 also includes training on law enforcement leadership and language skills pursuant to Article 1 of the 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”),

Considering that INTERPOL, as an international organization operating worldwide, offers the possibility to enhance the police training curriculum and delivery of training at regional levels, through a network of partners composed – inter alia – of regional committees of police chiefs, and regional police institutions and universities,

Considering that CEPOL, as an agency of the European Union, is in charge of coordination of training activities for competent law enforcement officials carried out by the EU agencies and other relevant bodies,



Considering that it is in the common interest of CEPOL and INTERPOL to contribute to law enforcement co-operation through learning and through strengthening training activities for law enforcement officials,

Considering that Article 26(e) of INTERPOL's Constitution provides that the INTERPOL General Secretariat shall maintain contact with national and international authorities, and that it is empowered to enter into negotiations on a Co-operation Agreement with CEPOL for that purpose,

Considering that CEPOL is authorised to negotiate a Co-operation Agreement in the form of a working arrangement with the INTERPOL General Secretariat pursuant to Article 34(2) of the Regulation and recalling that CEPOL and the INTERPOL General Secretariat have had a Co-operation Agreement in place, dated on 12 December 2008 based upon which extensive co-operation have been taking place between them,

Have agreed as follows:

Article 1

Purpose

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

Article 2

Points of contact

1. The Secretary General of INTERPOL and the Executive Director of CEPOL shall each establish a point of contact whose task shall be to co-ordinate the day-to-day co-operation between the two Parties.
2. INTERPOL and CEPOL, via their respective points of contact, shall consult each other regularly on policy issues and matters of common interest for the purpose of realising their objectives and co-ordinating their respective activities.
3. In particular, INTERPOL shall, within the limits of its functions and for the purpose of the present Working Arrangement, inform CEPOL about new programmes, priorities and activities to facilitate planning training activities accordingly. CEPOL shall inform INTERPOL about new projects and activities.
4. Meetings between INTERPOL and CEPOL shall take place as often as necessary to discuss issues relating to their co-operation in general and, in particular:



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

In particular, meetings referred to under the previous paragraph may take place within the framework or in the margins of the regular meetings between INTERPOL and the Standing Committee on Operational Cooperation on Internal Security (COSI) of the Council of the European Union.

Article 3

Organization of training activities

The Parties agree to co-operate in the organisation of residential and online training activities, e-learning modules, exchange programmes, study visits and other initiatives.

The Parties shall, as far as possible and subject to such arrangements as may be deemed necessary, enable each other's access to all necessary facilities and equipment within their respective premises.

Article 4

Course material and common curricula

1. The Parties shall support each other in the development of course material and common curricula for training activities.
2. The Parties strive for the development of a CEPOL - INTERPOL common curriculum. If and when developed, the content of this common curriculum shall be updated by INTERPOL on a yearly basis. CEPOL shall be responsible for the administration and learning methodology concerning this common curriculum. INTERPOL experts shall be invited to participate in the implementation courses, i.e. train the trainers courses, as deemed relevant for their respective curriculum. INTERPOL shall co-operate in the development and implementation of CEPOL's common curricula on forms of crime within INTERPOL's mandate.
3. INTERPOL shall inform CEPOL 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 Party shall ensure their full and prompt communication to the other Party. The latter shall ensure that those handbooks and training materials will not be used for any other purpose than training.

Article 5

Access to CEPOL's e-Net and INTERPOL's Global Learning Centre:

1. INTERPOL and CEPOL shall disseminate best practices and research findings to each other.
2. Continuous dialogue and exchange of best practices shall be enhanced by granting INTERPOL staff members access to the public sections of CEPOL's e-Net, defined as the 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 mutually agreed in this Working Arrangement.
3. In particular for the purpose of this Working Arrangement, duly authorized INTERPOL officials shall 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 LTRDB (Lecturer, Trainer and Researcher database), LMS (Courses) and R&S (Research and Science) Conferences.
4. For the purpose of this Working Arrangement, duly authorized CEPOL staff shall receive web-based access to :
 - All the information stored in INTERPOL's Global Learning Centre.
 - Furthermore CEPOL and INTERPOL shall cooperate to identify programmes, projects and activities of common interest for the purposes of awareness raising, education and training.

Article 6

Communication

1. For the purpose of this working arrangement, the term information, materials or documents do not involve any exchange of data and/or personal information collected and/or stored in INTERPOL databases.
2. Each Party holds sole ownership over the training materials, publications, and other such work which they separately produce under the scope of this arrangement, unless otherwise agreed in writing. In this respect, each Party may



upon request grant a license to the other Party to use such work to carry out the activities described in the present working arrangement, subject to proper acknowledgment of the relevant Party's intellectual property rights.

3. Intellectual property rights over any joint work created by the Parties' collaborative activities under this Arrangement, of which both Parties are the authors, will be jointly held by the Parties. Each of the Parties may use and reproduce this work separately, subject to an appropriate acknowledgement of the other Party's contribution to the work and provided that each Party will seek the written consent of the other before granting any license to a third party.

Article 7

Use of distinctive signs

1. In the framework of the implementation of the present Arrangement, the use by CEPOL of INTERPOL's distinctive signs shall be subject to express authorization by the INTERPOL Secretary General.
2. Similarly, the use by INTERPOL of CEPOL's distinctive signs shall be subject to CEPOL's express authorization.
3. Each Party may automatically revoke its authorization if it becomes known that the purpose for which it has given its agreement is likely to prejudice its reputation or image.

Article 8

Expenses

1. Financial obligations in carrying out the activities delineated in this Arrangement will be determined by the Parties through mutual consultation and written agreement on a case-by-case basis and in accordance with the rules and regulations of each Party, including for CEPOL Article 29 of the CEPOL Regulation. In the absence of such separate formal agreement between the Parties, the present Agreement does not impose any financial obligations on either Party, and any activities that may be conducted hereunder will be subject to and contingent upon the availability of sufficient staff, funds and other resources of each Party.

Article 9

Settlement of disputes

All disputes which may emerge in connection with the interpretation or application of the present Working Arrangement shall be settled by means of consultation and negotiation between representatives of the Parties.



Article 10 Termination of the Working Arrangement

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

Article 11 Amendments and Supplements

1. This Working Arrangement may be amended at any time by mutual consent between the Parties. All the amendments and supplements must be in writing.
2. The Parties shall enter into consultations with respect to the amendment of this Working Arrangement at the request of either of them.

Article 12 Entry into force

This Working Arrangement shall enter into force on the first day following its signature by both Parties.

In witness whereof, the **///** and the Executive Director of CEPOL have signed the present Working Arrangement in two original copies of equal force in English, on the dates appearing under their respective signatures.

**For the general secretariat
of INTERPOL**

CEPOL

**To be defined
Date**

**Prof.h.c. Dr Ferenc Bánfi
Executive Director**

Date