

DECISION 35/2008/GB
OF THE GOVERNING BOARD OF THE EUROPEAN POLICE COLLEGE
AUTHORISING THE DIRECTOR TO CONCLUDE
A COOPERATION AGREEMENT WITH FRONTEX

Adopted by the Governing Board
on 11 December 2008

THE GOVERNING BOARD,

Having regard to Council Decision 2005/681/JHA of 20 September 2005 establishing the European Police College (CEPOL) ⁽¹⁾, and in particular Article 8(3) thereof;

Having regard to the opinion of the Strategy Committee ⁽²⁾;

Whereas:

- (1) The Governing Board authorised the Director to negotiate a cooperation agreement with the European Agency for the management of operational cooperation at the external borders of the member States of the European Union (hereinafter referred to as „Frontex”) at its 10th meeting on 27/28 November 2007 ⁽³⁾.
- (2) The negotiations of a cooperation agreement between Frontex and CEPOL have been finalised.
- (3) It is appropriate the cooperation agreement, which will in particular support CEPOL’s objectives and tasks as laid down in Articles 6 and 7 of Council Decision 2005/681/JHA, is concluded.
- (4) It is therefore desirable to authorise the Director to sign the negotiated cooperation agreement.

HAS AUTHORISED the Director to sign the cooperation agreement with Frontex as contained in the Annex.

Done at Mandelieu-La Napoule, 11 December 2008

*For the Governing Board
Emile Pérez
Chair of the Governing Board*

⁽¹⁾ OJ L 256, 1.10.2005, p. 63

⁽²⁾ 13th meeting of the Strategy Committee, item 8.

⁽³⁾ Outcome of Proceedings of the 10th meeting of the Governing Board, item 9.4.

COOPERATION ARRANGEMENT

BETWEEN

**THE EUROPEAN AGENCY FOR THE MANGEMENT OF OPERATIONAL
COOPERATION AT THE EXTERNAL BORDERS OF THE MEMBER STATES
OF THE EUROPEAN UNION**

AND

THE EUROPEAN POLICE COLLEGE

Preamble

The European Police College (CEPOL) and the European Agency for the management of operational cooperation at the external borders of the Member States of the European Union (Frontex)

Considering that it is within their common interest to enhance their cooperation on training activities for border guards and police officers of Member States of the European Union⁴.

Considering that according to Article 1 of the Frontex Regulation⁵ the establishment of Frontex shall improve the integrated management of the external borders of the EU and that inter-agency cooperation is an essential component for its improvement.

Considering that according to Article 8 of the [Council Decision 2005/681/JHA](#)⁶ CEPOL may cooperate with relevant bodies of the European Union in the field of law enforcement and other related areas as well as with relevant training bodies in Europe and may negotiate cooperation agreements with any of these bodies,

Have agreed as follows:

Article 1 Purpose

The purpose of this Cooperation Arrangement is to establish a cooperation framework between CEPOL and Frontex – hereinafter called “the Parties” – for supporting the harmonisation of police and border guard officers training and promoting their cooperation at European Union level.

Article 2 Coordination and exchange of information on training activities

1. When programming training activities for the forthcoming year the Parties consult their programmes in order to coordinate them seeking for synergies and avoiding duplication of efforts.

⁴ For the purpose of this Cooperation Arrangement the term “Member States of the European Union” includes also Schengen Associated Countries.

⁵ Council Regulation (EC) No 2007/2004 of 26 October 2004 establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (OJ L 349, 25.11.2004, p. 1), as last amended.

⁶ Council Decision 2005/681/JHA of 20 September 2005 establishing the European Police College (CEPOL), (OJ L 256, 1.10.2005, p. 63)

2. The Parties may consult each other when preparing training activities which are of common interest in order to improve the content or the form of the training.
3. The Parties periodically inform each other on their respective training activities in order to identify possibilities for joint training activities.

Article 3

Joint training activities

1. The Parties can prepare and implement joint training activities.
2. Joint training activities are to be envisaged when the training focuses on areas of common interest, such as the fight against certain forms of transnational organised crime involving the crossing of borders, in particular smuggling of people and trafficking in human beings.
3. The joint training activities are preferably already identified in the programme of work of the Parties.
4. In addition to the joint training activities, each Party may, where appropriate, invite the other to participate in any of its own training activities.

Article 4

Training material and common curricula

1. The Parties inform each other on the development of new training material or common curricula which are of common interest.
2. The Parties may support each other, where appropriate, in the development or updating of their training material and common curricula.
3. The contribution of one Party to the training material or common curricula of the other will be duly acknowledged.
4. Both Parties may develop together or in cooperation with third parties new training material or common curricula which further enhances the EU concept of Integrated Border Management.

Article 5

Experts and Trainers,

1. For the purpose of this Cooperation Arrangement the Parties may exchange information, on officers, trainers, professors and other experts involved in their training activities.

2. The personal data must be processed in compliance with Community Regulation (EC) No 45/2001⁷.

Article 6 Facilities and logistics

The Parties cooperate in terms of use of facilities and additional logistical support for the organisation and delivery of training.

Article 7 Exchange of expertise and best practices

1. The Parties may exchange expertise and best practices developed in the implementation of their respective training mandates.
2. This exchange is focused but not limited to:
 - The development, implementation and evaluation of curricula for career oriented training and curricula for further training activities;
 - The training on multinational teams (e.g. Joint Investigation Teams⁸, Rapid Border Intervention Teams⁹);
 - E-learning;
 - Integration of research activities into training programmes.

Article 8 Contact Points

1. For the implementation of this Cooperation Arrangement Frontex contact point is the Head of Training Unit.
2. For the implementation of this Cooperation Arrangement CEPOL contact point is the Head of Programme.

⁷ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regards to the procession of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1).

⁸ Council Framework decision of 13 June 2002 on joint investigation teams (2002/465/JHA) (JO L 132, 20.6.2002, p. 1.).

⁹ Regulation (EC) No 863/2007 of the European Parliament and of the Council of 11 July 2007 establishing a mechanism for the creation of Rapid Border Intervention Teams (OJ L 199, 31.7.2007, p. 30).

Article 9
Evaluation of the cooperation

At least once a year the Parties meet to evaluate the cooperation between them and propose ways for improvement.

Article 10
Expenses

The Parties bear their own expenses which arise in the course of implementation of the present Cooperation Arrangement, unless otherwise agreed on a case-by-case basis.

Article 11
Confidentiality

Within the scope of this Cooperation Arrangement exchange of classified information is limited up to the level RESTRICTED. If, within the process of cooperation the Parties agree that they need to exchange classified information above this level, a separate Memorandum of Understanding establishing detailed procedural rules has to be concluded.

Article 12
Settlement of disputes

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

Article 13
Amendments and supplements

1. This Cooperation 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 enter into consultations with respect to the amendments of this Cooperation Arrangement at the request of either of them

**Article 14
Termination**

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

**Article 15
Entry into force**

This Cooperation Arrangement enters into force on the day following its signature by both Parties.
