



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 30 April 2014
(OR. fr)**

**Interinstitutional File:
2013/0812 (COD)**

**8824/1/14
REV 1 ADD 1**

**CODEC 1080
ENFOPOL 106**

"I/A" ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Initiative of Belgium, Bulgaria, the Czech Republic, Germany, Estonia, Greece, Spain, France, Croatia, Italy, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, Malta, the Netherlands, Austria, Poland, Portugal, Romania, Slovenia, Slovakia, Finland and Sweden for a Regulation of the European Parliament and of the Council amending Decision 2005/681/JHA establishing the European Police College (CEPOL) (**first reading**)
- Adoption of the legislative act (**LA + S**)
= Statements

Commission statement

The Commission takes note of the fact that this Regulation, amending Decision 2005/681/JHA establishing the European Police College (CEPOL), seeks a settlement for the location of the Agency following the UK decision to no longer host CEPOL on its current premises in Bramshill (UK). In that context, the Commission reiterates its view that an alternative solution to merge or at least co-locate CEPOL and Europol would have better matched the goals of rationalisation and operational improvement for both agencies.

The Commission further points to the potential adverse budgetary effects of this decision and notes that any possible additional funding from the EU budget that might be necessary would need to be agreed between the two branches of the budgetary authority and to be covered from the resources available within the yearly margins and ceilings of the Multiannual Financial Framework.

In accordance with Article 1, paragraph 1, subparagraph 2, the Commission will present a report taking into account all the relevant aspects at the time of the report. The Commission confirms its willingness to present a legislative proposal on a new legal basis for CEPOL and to exercise its right of initiative in this regard in accordance with the rules of the Treaties.

Statement by the United Kingdom

The UK supports the substance of this proposal. We are grateful to the co-sponsors for bringing it forward and to the Hellenic and former Lithuanian Presidencies for their constructive approach to its negotiation. However, it is still subject to a Parliamentary Scrutiny Reserve on our part, so we are unable to vote in favour at this time and must therefore abstain.

Our support for the substance of the proposal includes its specification that the seat of the European Police College will be in Budapest. However, we only support this part of the proposal because the underlying measure being amended (Council Decision 2005/681/JHA) already specifies the location, meaning that any change must inevitably be made by legislation. We consider this to be an exceptional case and it does not affect our position that the seat of an EU Agency should generally be determined by common accord of the Governments of the Member States, as laid down in Article 341 of the Treaty on the Functioning of the European Union.