



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 24 October 2011

15449/11

**ENFOPOL 357
JAIEX 108
ELARG 107**

“I/A” ITEM NOTE

from:	General Secretariat
to:	COREPER/Council
No. prev. doc.	15378/11 ENFOPOL 354 JAIEX 106 ELARG 106
Subject:	Cooperation Agreement between CEPOL and the Police Academy in Danilovgrad, Republic of Montenegro

1. Article 8 (3) third paragraph of the Council Decision 2005/681/JHA of 20 September 2005 establishing the European Police College (CEPOL) and repealing Decision 2000/820/JHA¹, reads:

"Cooperation agreements with bodies of non-Member States of the European Union can only be concluded after the approval of the Council has been obtained".

2. CEPOL's Governing Board approved the text of the Cooperation Agreement between the European Police College (CEPOL) and the Police Academy in Danilovgrad, Republic of Montenegro, at its 25th meeting held on 14-15 June 2011.

¹ OJ L 256, 1.10.2005, p. 63.

3. CEPOL submitted the text of the aforementioned draft Cooperation Agreement for the approval of the Council on 7 October 2011 as set out in document 15378/11 ENFOPOL 354 JAIEX 106 ELARG 106.
4. The Law Enforcement Working Party agreed to this draft Cooperation Agreement at its meeting on 24 October 2011.
5. On this basis COREPER is requested to invite the Council to approve the draft Cooperation Agreement contained in the annex in order to allow CEPOL to conclude this Agreement.

A COOPERATION AGREEMENT

Between

**THE EUROPEAN POLICE COLLEGE
(CEPOL)**

and

THE POLICE ACADEMY, DANILOVGRAD

**AGREEMENT BETWEEN THE POLICE ACADEMY IN DANILOVGRAD
AND THE EUROPEAN POLICE COLLEGE**

The Police Academy in Danilovgrad, and the European Police College, hereafter referred to as CEPOL,

- Being aware of the mutual interest to enhance the effectiveness of the police forces in the fight against crime, especially cross-border crime, in Europe by conducting common trainings for senior police officers to increase knowledge of national police systems, of European co-operation instruments and mechanisms, as well as of a wide range of specific subjects, such as counter-terrorism, trafficking in narcotics and organised crime, illegal immigration, and border control or trafficking in human beings;

- Having regard to Council Decision 2005/681/JHA of 20 September 2005 (hereafter referred to as Council Decision) establishing CEPOL, and in particular to Art. 8 thereof;

- Having regard to the: Council Decision 2007/49/EC of 22 January 2007 on the principles, priorities and conditions contained in the European Partnership with Montenegro;

- Having regard to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Montenegro, of the other part;

- Mindful of the indications contained in the Commission Opinion on Montenegro's application for membership of the European Union (COM/2010/670), and notably those related to the Political Criteria to the extent in which they relate to CEPOL's specific mandate;

- Without prejudice to future developments in the concerned policy area which may result from the revision of the existing legal, cooperation and political framework instruments or the stipulation of future ones;

- having regard to all decisions made by the CEPOL Governing Board including the adoption of a Policy Paper on External Relations,

have agreed as follows:

Art. 1 Purpose of the Agreement

The purpose of this Agreement is to define the relations between the Police Academy in Danilovgrad and CEPOL, and to establish the arrangements necessary to facilitate mutual cooperation. The exchange or dissemination of Law Enforcement Sensitive Data, including Personal Data, is not within the scope of this Agreement or any of its provisions.

Art. 2 Areas of co-operation

The co-operation as established in this Agreement shall:

- a) clarify the modalities of participation of the Police Academy in Danilovgrad to CEPOL Working Group Meetings;
- b) allow for the participation of Montenegro Senior Police Officers in CEPOL training sessions, and that of EU Senior Police Officers as well as Staff of EU Agencies operating in the field of Justice and Home Affairs in training sessions organized by the Police Academy in Danilovgrad ;
- c) define possible supporting activities of the Police Academy in Danilovgrad in the organisation of CEPOL training courses;
- d) further harmonise standards on police training with regard to cross-border co-operation between police forces;
- e) enhance the exchange of best practices and grant the Police Academy in Danilovgrad access to the public sections of CEPOL's electronic network, defined as the sections accessible to all e-Net registered users but restricted for non registered users, under conditions of reciprocity and to the extent necessary for the achievement of the objectives mutually agreed through the present Cooperation Agreement,

- f) determine the costs to be met by the Police Academy in Danilovgrad and by CEPOL; and
- g) indicate the procedures for the notification of the Montenegro National Contact Point, and changes thereof.

Art. 3 Status of the Police Academy in Danilovgrad

The Police Academy in Danilovgrad shall be invited to send a representative to attend, as an Observer, the External Relations Working Group meetings for as long as this Cooperation Agreement remains in force;

CEPOL meetings may be organised in Montenegro; costs for such meetings will be reimbursed by CEPOL, according to its rules and in particular the financial provisions applicable to Candidate Countries.

Art. 4 Participation in training courses

Senior Police Officers of Montenegro may participate in the training courses provided by CEPOL. Participants may benefit from the facilitations afforded to Candidate Countries by the relevant CEPOL Governing Board Decisions, in particular those related to an annual allocation of Free Flights.

As a rule, costs for participation of Montenegro trainees in CEPOL training courses are charged to the participants' sending institution. These costs shall be indicated in the invitation to the activity.

Art. 5 Support for training activities of CEPOL

The Police Academy in Danilovgrad may contribute to CEPOL training courses by supporting EU-Member Countries organising CEPOL training courses; this may include the provision of Montenegro police experts to such courses. EU Senior Police Officers and Staff of EU Agencies operating in the field of Justice and Home Affairs may also participate as appropriate to training courses organized by the Police Academy in Danilovgrad.

Any direct costs incurred for services provided by the Police Academy in Danilovgrad in supporting training activities of CEPOL shall be reimbursed by CEPOL according to its rules.

The present Agreement does not create any specific obligation on Third Parties to attend training sessions or courses organized within its framework.

Art. 6 Harmonised standards on police training

The Police Academy in Danilovgrad shall support the development and implementation of Common Curricula as set out in Art. 7 of the Council Decision and may integrate these into the national training programmes to the extent possible and necessary.

Art. 7 Exchange of best practices and senior police or training Officers

The Police Academy in Danilovgrad and CEPOL shall disseminate best practices and research findings.

Relevant exchanges and secondments of senior police officers and/or senior training staff members shall be facilitated.

Continuous dialogue and exchange of best practices shall be enhanced by granting the Police Academy in Danilovgrad access to the public sections of CEPOL's electronic network, defined as the sections accessible to all e-Net registered users but restricted for non registered users, under conditions of reciprocity and to the extent necessary for the achievement of the objectives mutually agreed through the present Cooperation Agreement.

Art. 8 Montenegro National contact point

The Police Academy in Danilovgrad will communicate to CEPOL the contact details of the nominated National Contact Point within one month from the signature of the present Agreement, and in any event prior to its entry into force. Any changes in that respect shall be communicated in writing to the Director of CEPOL.

Art. 9 Amendment of the Agreement

The Police Academy in Danilovgrad or CEPOL may each propose, by means of an exchange of official correspondence, to amend this Agreement or parts thereof. Amendments to this Agreement shall enter into force after the respective internal procedures have been completed.

Art. 10 Termination of the Agreement

This Agreement may be terminated by each party with 6 months' written notice.

Art 11 Entry into Force

This Agreement will enter into force three months after its signature.

Done at :

<p>This day of in duplicate in the English language. two thousand and ten,</p> <p>Dr Ferenc Bánfi For the European Police College CEPOL</p>	<p>This day of in duplicate in the English language. two thousand and ten,</p> <p>Mr Zivko Sipcic For the Police Academy in Danilovgrad</p>
<p>This day of in duplicate in the English language. two thousand and ten,</p> <p>Ms Eliza Wojcik Chair of the CEPOL Governing Board</p>	
