

*Article 5*

1. The national authorities responsible for private security integrated into the network may hold a meeting at least once a year, and shall submit a report on the outcome of the meetings to the Council.

2. The network shall be financed [...].

*Article 6*

The Council shall carry out an evaluation of the network's activities two years after this Decision takes effect.

*Article 7*

This Decision shall take effect on the day following that of its adoption by the Council.

Done at ...

*For the Council*

*The President*

...

### **Initiative of the Kingdom of Spain establishing a European Institute of Police Studies**

(2002/C 42/10)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 30(1); Article 30(2)(d); Article 31(c) and (e); Article 32; Article 34(1); and Article 34(2)(c) thereof,

Having regard to the initiative of the Kingdom of Spain,

Having regard to the Opinion of the European Parliament,

Whereas:

(1) Initiatives are being developed within the European Union aimed at securing cooperation between the Member States for the purpose of defining effective public security policies and, within this framework of cooperation and collaboration, institutes of police studies in various Member States have been holding informal meetings on an annual basis aimed at establishing a network.

(2) The informal, open nature of the aforesaid network, devoid of any clearly defined, set structure or organisational or operational anchor, limits its effectiveness, complicates the decision-making process and prevents any objective assessment of its research and conclusions, thus rendering implementation of its recommendations impossible.

(3) The action plan of the Council and the Commission on how best to implement the provisions of the Treaty of

Amsterdam on an area of freedom, security and justice states that it is important, when developing European cooperation, to take into account national interests and common approaches as well as differences, and also to ensure that the measures taken meet factual needs and add value.

(4) The conclusions of the Tampere European Council of 15 and 16 October 1999 stated that people have the right to expect the Union to address the threat to their freedom and legal rights posed by serious crime, organised or otherwise, and that to counter these threats a common effort is needed to prevent and fight crime.

(5) In the scoreboard to review progress on the creation of an area of freedom, security and justice in the European Union updated for the second half of 2001, the Commission has established that attention should be directed on the one hand towards increasing the effective capacity of the various instruments set up to implement police cooperation (Europol, Eurojust, European Police College, Police Chiefs Task Force), and on the other hand towards ensuring coordination between those bodies, thus guaranteeing their complementarity and avoiding any risk of duplication or contradiction of effort.

(6) The European Parliament urges the Council, in its Resolution on progress in establishing an area of freedom, security and justice in the year 2000, to take account of the impact of the forthcoming enlargement of the European Union and to establish a framework for cooperation between Europol, Eurojust and other bodies with responsibility for combating crime,

HAS DECIDED AS FOLLOWS:

TITLE I

**Organisation**

*Article 1*

1. A European Institute of Police Studies, hereinafter referred to as 'the Institute', is hereby established.

2. Without prejudice to possible future developments arising from the provisions of Article 9, the Institute shall initially be set up as a network, by bringing together the national training and research institutes in the field of security in the Member States, which shall cooperate closely to that end.

3. The Institute's task shall be to implement the programmes and initiatives adopted by the Council in response to the crime phenomenon in general, its causes, manifestations and effects or consequences for society and for the structures of the European Union, acting on proposals from the governing board.

*Article 2*

1. The directors of the national training and research institutes shall form the Institute's governing board. Where there are several directors from a single Member State, they shall together form a delegation.

2. The governing board shall be chaired by the director of a national training and research institute of the Member State holding the Presidency of the Council. The governing board shall meet at least once per presidency. It shall establish its rules of procedure by unanimous decision.

3. Each delegation shall have one vote on the governing board. Representatives of the General Secretariat of the Council, the Commission, Europol and Eurojust, among others, shall be invited to attend meetings as non-voting observers. Members of the governing board may be accompanied by experts.

*Article 3*

1. The governing board shall decide on the annual programme of activities and research (subjects or areas for study or research, methodology, duration). It shall adopt additional programmes and initiatives, where appropriate.

2. The governing board shall establish the annual report on the Institute's activities.

3. The governing board's decisions referred to in paragraphs 1 and 2 shall be adopted unanimously and then passed on to the Council, which shall take note of them and endorse them. Due account shall be taken by the governing board of any comment made by the Council.

The annual report on the Institute's activities shall be forwarded to the European Parliament and the Commission for information.

*Article 4*

1. The governing board shall set up a permanent secretariat to assist the Institute with the administrative tasks necessary for the Institute to function and implement the annual programme of activities and research and, where appropriate, the additional programmes and initiatives. The secretariat may be set up within one of the national training and research institutes. The Council shall decide on the location of the seat of the secretariat.

2. The secretariat shall be headed by an administrative director appointed by the governing board for a three-year term.

3. All decisions of the governing board concerning the secretariat shall be taken unanimously.

*Article 5*

1. The Institute's budget shall be managed by the secretariat on the basis of a financial regulation.

2. The costs of implementing the measures in the annual programme referred to in Article 3(1), together with the administrative costs of the Institute, shall be borne jointly by the Member States. To that end, the annual contribution from each Member State shall be established on the basis of the gross national product (GNP) according to the scale used for determining the GNP element in own resources for financing the general budget of the European Union. Each year the GNP of the previous year shall be taken as the reference basis for each Member State.

3. The Institute's financial regulation and annual budget shall be drawn up by the governing board acting unanimously, and submitted for approval to the Governments of the Member States, meeting within the Council.

4. Expenditure on the following shall be borne by the Institute's budget:

- (a) preparation, implementation and assessment of the annual programme of activities and research;
- (b) fees for external contributors;
- (c) travelling expenses of governing board members attending board meetings, at the rate of two members per Member State;
- (d) general operating costs of the secretariat, except for the remuneration of its members;
- (e) costs for any other initiative adopted by the governing board or taken by the administrative director in accordance with the financial regulation;
- (f) reimbursement, in proportion to Member States' contributions, of the costs incurred by the Member State(s) paying the remuneration of the secretariat's members.

5. Without prejudice to requests by Member States and acting on instructions from the governing board, the secretariat may submit to the Commission training and research projects or programmes for cofinancing that lie within the sphere of competence of budgetary programmes administered by the Commission.

## TITLE II

### Objectives and tasks

#### Article 6

1. By optimising cooperation between its various national training and research institutes, the Institute shall aim to contribute to the creation of a body of technical and scientific knowledge on the fight against crime and the maintenance of law and order and public security in order to assist the bodies responsible for police training and police cooperation to perform the functions assigned to them.

2. The Institute shall have the following objectives:

- (a) to understand, study and analyse socioeconomic and political processes having an impact on security;
- (b) to encourage study and research into criminal phenomena and forms of crime;
- (c) to unify research criteria and tools so that analysis findings can be reflected in police activity;
- (d) to improve common strategies for comparative investigations with a view to increasing the number of operations on the ground and operations carried out by the competent local authorities;
- (e) to cooperate with the institutions of the Union in designing security policies by drawing up the relevant proposals;
- (f) to encourage joint research projects;
- (g) to create online databases, including lists of researchers, accessible to all the players involved in the Institute;
- (h) to foster cooperation between the Institute and other academic institutions at university level.

3. The Institute shall offer its cooperation to the institutes of candidate countries for accession to the European Union as well as those of Iceland and Norway.

#### Article 7

In order to achieve those objectives, the Institute may, in particular, undertake the following actions:

- (a) plan, design and carry out studies, research and reports on its own initiative or at the request of the various institutions of the Union;

- (b) organise seminars and meetings to harmonise research, study and analysis methods and techniques;
- (c) propose common research and analysis methods;
- (d) transmit the findings of its research and studies to the institutions of the Union;
- (e) publish and disseminate the findings of its studies, research and methodologies;
- (f) set up multidisciplinary work teams specialising in the various aspects of the phenomena affecting security;
- (g) establish cooperation links with the bodies of the Union engaged in scientific, technical and sociopolitical research;
- (h) create a body of knowledge capable of identifying progress in the various branches of science with a view to adapting or applying them in the field of public security.

#### Article 8

The Institute shall consider on a case-by-case basis the possibility that officials and agents of the Community Institutions and bodies may participate in their activities.

The Institute may cooperate with the national police study and research institutes of non-member States of the European Union. In particular, it shall establish relations with the institutes of candidate countries for accession to the European Union as well as those of Iceland and Norway.

The Institute shall also cooperate with the relevant bodies in the field of technical and scientific research established at European level, such as [ . . . ].

#### Article 9

At the latest during the third year after this Decision takes effect, the governing board shall submit to the Council a report on the operation and future of the Institute.

#### Article 10

This Decision shall take effect on the day following that of its adoption by the Council.

It shall apply from 1 January 2003.

Done at . . .

*For the Council*

*The President*

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