

Working Arrangement

Between

The European Network of Forensic Science Institutes (ENFSI)

And

**The European Union Agency for Law Enforcement Training
(CEPOL)**

WORKING ARRANGEMENT BETWEEN THE EUROPEAN NETWORK OF FORENSIC SCIENCE INSTITUTES AND THE EUROPEAN UNION AGENCY FOR LAW ENFORCEMENT TRAINING

The European Network of Forensic Science Institutes (hereafter referred to as “ENFSI”), and the European Union Agency for Law Enforcement Training (hereafter referred to as “CEPOL”),

Being aware of the mutual interest to enhance the effectiveness of law enforcement in the fight against crime, especially cross-border crime, in Europe by conducting common trainings for law enforcement officials to raise awareness and increase knowledge of international and 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 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 (hereafter referred to as “Regulation”);

Considering ENFSI is an association recognized by European Commission (EC) as the monopoly organization in the field of forensic science uniting forensic institutions from nearly all EU Member States and numerous institutions from countries belonging to the Council of Europe, of which the main purposes are the promotion of research and development, international cooperation, quality and competence, education and training in the field of forensic science;

Noting that both CEPOL and ENFSI were recognized by the Council of the European Union as the important players responsible for improving forensic awareness among law enforcement and justice communities, which was expressed in the Council Conclusions and

Action Plan on the way forward in view of the creation of a European Forensic Science Area of 9 June 2016 (10128/16, ENFOPOL 192);

Having regard to Article 36 of the Regulation indicating that CEPOL, as established by this Regulation, shall be the legal successor in respect of all contracts concluded by, liabilities incumbent on, and properties acquired by CEPOL as established by Decision 2005/681/JHA;

Having regard to Decision 18/2018/MB of the CEPOL Management Board;

Having regard to the Memorandum of Understanding between ENFSI and the former European Police College (CEPOL), done at Bramshill, on 12 October 2009, which by now is obsolete and therefore needs to be repealed;

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 new future treaties;

Have agreed as follows:

Article 1

Purpose of the Working Arrangement

The purpose of this Working Arrangement is to define the relations between ENFSI and CEPOL, specifying, in particular, the nature, extent and manner in which ENFSI may participate in CEPOL's work, 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 Working Arrangement or any of its provisions.

Article 2

Areas of co-operation

The co-operation as established in this Working Arrangement shall:

- a) allow for the participation of officials affiliated to or forensic experts of ENFSI in CEPOL training sessions, and participation of staff of CEPOL and its network of national training institutes for law enforcement officials in the Member States in training sessions organized by ENFSI;
- b) define possible supporting activities of ENFSI to the organization of CEPOL training courses and vice versa;
- c) further harmonize standards on law enforcement training with regard to cross-border co-operation;
- d) Enhance the exchange of best practices and promote the 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, among ENFSI member employees.

Article 3

Holding meetings

CEPOL meetings may be organized in ENFSI member institutions. The organisation of such meetings shall follow the procedures as described in the Financial Regulations that apply to CEPOL.

Article 4

Mutual Participation in training activities

Officials affiliated to or forensic experts of ENFSI may participate as participants in training activities provided by CEPOL. Participation in such activities should be arranged via the CEPOL National Units in the EU Member States participating in the CEPOL Regulation or of National Contact Points of CEPOL in Third Countries which CEPOL has concluded a Working Arrangement with, whereby the costs for participation of participants from ENFSI members in CEPOL training activities will be reimbursed according to CEPOL rules. Moreover, ENFSI will have the opportunity to directly nominate additional participants as self-payers, if need be.

Law enforcement officials or forensic experts of CEPOL may participate as trainees in training activities provided by ENFSI. As a rule, costs for participation of staff of CEPOL and its network of national training institutes for law enforcement officials in the Member States in training activities organized by ENFSI shall be charged according to the rules indicated in the invitation.

Article 5

Mutual support for training activities

Officials of ENFSI may contribute to CEPOL training courses by supporting organizers of CEPOL training courses; this may include the selection of experts as trainers in accordance with the needs of such courses. ENFSI should facilitate this selection by ranking its applicants upon the request by CEPOL. Staff of CEPOL and its network of national training institutes for law enforcement officials in the Member States may also contribute to training courses organized by ENFSI by supporting organizers of such courses. Any direct costs incurred for services provided by ENFSI in supporting training activities of CEPOL shall be reimbursed by CEPOL according to its rules. This Working Arrangement does not create any specific obligation on ENFSI to support CEPOL training courses nor the Third Parties to attend training sessions or courses organized within its framework.

Article 6

Harmonised standards on law enforcement training

ENFSI may support the development and implementation of harmonised standards on law enforcement training and may integrate these into the national training programmes to the extent possible and necessary.

Article 7

Exchange of best practices and officials

ENFSI and CEPOL shall disseminate best practices and research findings. Relevant exchanges and secondments of officials and/or training staff members shall be facilitated.

Article 8

Contact point

ENFSI shall communicate to CEPOL the contact details of the nominated ENFSI contact point within one month from the date of entry into force of the present Working Arrangement and in any event prior to its entry into force. Any changes in that respect shall be communicated in writing to the Executive Director of CEPOL.

The contact point shall be responsible for carrying out the following tasks:

- contribute to and promote CEPOL's work programmes, annual calendars and website among the law enforcement officials or forensic experts of ENFSI;
- facilitate the communication and coordination between CEPOL and ENFSI;
- coordinate the implementation of activities and meetings organized in cooperation between ENFSI and CEPOL;
- provide support in the establishment and implementation of exchange programs for officials;
- promote the use of CEPOL's electronic network (e-Net) for the training of officials among ENFSI member employees.

CEPOL's contact point towards ENFSI under the present Working Arrangement shall be CEPOL's External Relations Officer.

ENFSI's contact point towards CEPOL under the present Working Arrangement shall be ENFSI's Secretariat.

Article 9

Combating fraud

In line with Article 29 paragraph 2 of the Regulation, the European Court of Auditors shall have a power of audit, on the basis of documents and on-the-spot checks, over all grant beneficiaries, contractors and subcontractors who have received Union funds from CEPOL.

In line with Article 29 paragraph 3 of the Regulation, OLAF may carry out investigations, including on-the-spot checks and inspections with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in connection with a grant or a contract awarded by CEPOL. Such investigations shall be carried out in accordance with the provisions and procedures laid down in Regulation (EU, Euratom) No 883/2013 and in Council Regulation (Euratom, EC) No 2185/96.

Article 10

Amendment of the Working Arrangement

ENFSI or CEPOL may each propose, by means of an exchange of official correspondence, to amend this Working Arrangement or parts thereof. Amendments to this Working Arrangement shall enter into force after the respective internal procedures have been completed.

Article 11

Termination of the Working Arrangement

This Working Arrangement may be terminated by each party with 6 months written notice.

Article 12


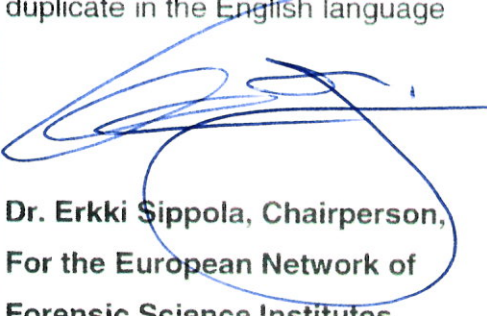
Repeal of the previous Memorandum of Understanding

This Working Arrangement repeals the Memorandum of Understanding between ENFSI and the former European Police College (CEPOL), done at Bramshill, on 12 October 2009.

Article 13

Entry into force

This Working Arrangement shall enter into force on the day of its signature.

<p>This <u>thirteenth</u> day of <u>October</u> two thousand and eighteen, in duplicate in the English language</p> <p></p> <p>Detlef Schröder, Executive Director, For the European Union Agency for Law Enforcement Training (CEPOL)</p>	<p>This <u>NINTH</u> day of <u>OCTOBER</u> two thousand and eighteen, in duplicate in the English language</p> <p></p> <p>Dr. Erkki Sippola, Chairperson, For the European Network of Forensic Science Institutes (ENFSI)</p>
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