



EUROPEAN
PUBLIC
PROSECUTOR'S
OFFICE



THE PROSECUTION
SERVICE OF HUNGARY

WORKING ARRANGEMENT ON COOPERATION BETWEEN THE EUROPEAN PUBLIC PROSECUTOR'S OFFICE (‘EPPO’) AND THE OFFICE OF THE PROSECUTOR GENERAL OF HUNGARY

WORKING ARRANGEMENT

ON COOPERATION BETWEEN THE EUROPEAN PUBLIC PROSECUTOR'S OFFICE ('EPPO') AND THE OFFICE OF THE PROSECUTOR GENERAL OF HUNGARY

The European Public Prosecutor's Office, hereinafter referred to as "the EPPO", and
The Office of the Prosecutor General of Hungary,
together referred to as "the Parties",

Based on the principle of sincere cooperation (Article 4(3) of the Treaty on the European Union) and the functioning of enhanced cooperation (Article 327 of the Treaty on the Functioning of the European Union),

Having regard to the provisions of the Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO'), hereinafter referred to as "the EPPO Regulation", and in particular the Articles 99(3) and 105 thereof,

Taking into account the applicable Union acts on judicial cooperation in criminal matters, including, but not limited to, those giving effect to the principle of mutual recognition of judicial decisions, mentioned in the Report by the Presidency of the Council on the relation of the EPPO with the Member States which do not participate in the enhanced cooperation on the establishment of the EPPO (document 13147/1/20 REV 1),

Noting the provisions of Article 105(3) of the EPPO Regulation, on the notifications to be submitted by the Member States participating in the enhanced cooperation on the establishment of the EPPO,

Considering the will of the Parties to establish a close cooperation with a view of protecting by investigative and prosecutorial means the financial interests of the European Union,

Aiming to facilitate cooperation and exchange of information between them in order to ensure effective investigation and prosecution, in full respect of the Charter of Fundamental Rights of the European Union, and to bring to justice without undue delay all persons who are suspect or accused of committing crimes against the EU budget,

HAVE AGREED AS FOLLOWS:

Chapter I

General provisions

Article 1

Purpose

- (1) The purpose of this Working Arrangement is to facilitate the practical application between the Parties of the existing legal framework for judicial cooperation in criminal matters.
- (2) The Parties shall exchange strategic information and establish other forms of operational and institutional cooperation in accordance with the provisions of this Working Arrangement.
- (3) For gathering evidence, as well as for other forms of judicial cooperation between them, the Parties shall apply the relevant European Union acts on judicial cooperation in criminal matters or other multilateral legal instruments, where applicable.
- (4) Concerning data protection, the Parties shall apply the relevant European Union acts and national legislations accordingly.

Article 2

Definitions

For the purposes of this Working Arrangement:

- a) 'Personal data' means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person; and
- b) 'Information' means personal and non-personal data.

Chapter II

Operational cooperation in criminal matters

Article 3

Judicial cooperation

- (1) In accordance with Article 105(3) of the EPPO Regulation, the Parties shall grant each other the widest possible assistance in the application of the relevant legal instruments for judicial cooperation in criminal matters.
- (2) At operational level, the Parties shall cooperate directly. Requests for assistance or judicial decisions addressed to the EPPO shall be sent to the Central Office. Requests for assistance or judicial decisions addressed to the Office of the Prosecutor General of Hungary shall be sent to the Department of Priority, Corruption and Organised Crime Cases.
- (3) For the purpose of this Article, the Parties shall communicate in the language required by the applicable legal instrument.

Article 4

EPPO Contact Point in Hungary

In accordance with Article 105(2) of the EPPO Regulation, the Parties agree that the EPPO designates as Contact Point for operational and case-related cooperation the Head of the Department of Priority, Corruption and Organised Crime Cases in the Office of the Prosecutor General of Hungary.

Article 5

Secondment of Liaison officer to the EPPO

- (1) In order to facilitate the application of this Working Arrangement and especially to foster the operational cooperation between the Parties, the Office of the Prosecutor General of Hungary may second a liaison officer to the EPPO's headquarters in Luxembourg.
- (2) The EPPO shall provide an office, technical equipment and the necessary logistical support for the liaison officer seconded to its headquarters. The Office of the Prosecutor General of Hungary will cover all other costs of the secondment.

- (3) The Parties shall agree on the specific arrangements related to the secondment of the liaison officer through an exchange of letters.

Article 6

Information technology background

The Parties shall agree in a separate instrument on the technical parameters of the case-related exchange of information and evidence via secure channels and on the way of handling of classified documents.

Chapter III

Strategic cooperation and institutional matters

Article 7

Exchange of strategic and other information

- (1) The Parties may exchange any strategic and other non-operational information in areas within their competence.
- (2) The information referred to in paragraph 1 shall not contain personal data.

Article 8

Meetings and other events

- (1) The Parties shall organise regular high-level meetings between the European Chief Prosecutor and the Prosecutor General of Hungary, as well as technical meetings at both operational and administrative levels.
- (2) The Parties may cooperate in organising training sessions on matters of common interest and they may invite each other to seminars, workshops, conferences and other similar activities that are mutually relevant.

Article 9

Channels and language of communication at institutional level

- (1) For management level and training-related cooperation, the Parties shall communicate through the Executive Office, for the EPPO, and the Department of European and International Affairs, for the Office of the Prosecutor General of Hungary.
- (2) For management and institutional cooperation, the communication language shall be English.

Chapter IV

Final provisions

Article 10

Consultations

The Parties shall consult each other regarding any matters that may lead to different interpretations of this Working Arrangement.

Article 11

Expenses

Unless otherwise stipulated in this Working Arrangement, the Parties shall bear their own expenses that arise in the course of implementation of this Working Arrangement.

Article 12

Amendments

This Working Arrangement may be amended in writing at any time by mutual consent between the Parties.

Article 13

Entry into force

This working arrangement shall enter into force on the date of the last signature.

Article 14

Termination of the Working Arrangement

- (1) This Working Arrangement may be terminated in writing by either Party with three months' notice.
- (2) In case of termination, the Parties shall reach agreement on the continued use and storage of the information that has already been communicated between them.

Done at Luxembourg on 26.03.2021 and at Budapest on 06.04.2021 in two originals in English and Hungarian languages, all texts being equally authentic.

For the European Public Prosecutor's Office
(EPPO),

Laura Codruța KÖVESI
European Chief Prosecutor



For the Office of the Prosecutor General of
Hungary

Péter POLT
Prosecutor General

