



WORKING ARRANGEMENT

on cooperation between the European Public Prosecutor's Office and the European Judicial Training Network

The European Public Prosecutor's Office, hereinafter referred to as the "EPPO" and the European Judicial Training Network, hereinafter referred to as the "EJTN",

hereinafter collectively referred to as the "*Parties*", or individually as the "*Party*",

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 81(1) and (2), Article 82(1), Article 86 and Article 325 thereof,

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

Having regard to Regulation (EU) 2021/693 of the European Parliament and of the Council of 28 April 2021 establishing the Justice Programme and repealing Regulation (EU) No 1382/2013 and in particular Article 11(3), thereof,

Having regard to the Articles of Association of the EJTN which aim to strengthen judicial cooperation in training programmes at European Union ("EU") level and require the establishment of an Annual Programme of Activities in order to fulfil its objectives¹,

¹ Articles of Association. Published in the appendices of the Moniteur belge of 17 January 2020.

Having regard to the EJTJN Strategic Plan 2021 – 2027² and the nine fundamental principles on judicial training solemnly adopted by the General Assembly of the EJTJN on the 10th of June 2016,

Having regard to the Study on the Training Needs of Court Staff on EU Law in the EU³ and the integration of court staff in EJTJN activities as recommended in the EJTJN Directors' Conference 2021 "New Horizons for EJTJN and its Members",

Whereas

- (1) The EPPO is the unique independent public prosecution office of the European Union, responsible for investigating, prosecuting and bringing to judgment crimes against the financial interests of the EU. The EPPO is composed of two levels: the central level and the decentralised level. The central level consists of a Central Office at the seat of the EPPO. The Central Office consists of the College, the Permanent Chambers, the European Chief Prosecutor, the Deputy European Chief Prosecutors, the European Prosecutors and the Administrative Director. The European Chief Prosecutor and the European Prosecutors (one per participating Member State) constitute the College of the EPPO. The EPPO's decentralised level consists of the European Delegated Prosecutors in the participating EU Member States. Both the Central Office and the European Delegated Prosecutors are supported by EPPO staff, located at the central level in Luxembourg and on the decentralised level by staff put at the disposal by the Member States.
- (2) The EJTJN's mandate is to help build a genuine European area of justice and to promote knowledge of legal systems, thereby enhancing the understanding, confidence and cooperation between judges, prosecutors and court staff within EU Member States. The EJTJN develops training standards and curricula, coordinates judicial training exchanges and programmes, disseminates training expertise and promotes cooperation between EU judicial training institutions.
- (3) The Union is to support the training of the judiciary and judicial staff as a means of developing judicial cooperation in civil and criminal matters based on the principle of mutual recognition of judgments and judicial decisions. The provision of training to justice professionals is an important tool in developing a common understanding of how best to implement and uphold the rule of law and fundamental rights. It contributes to the building of the European area of justice by creating a common judicial culture, among justice professionals in the Member States.
- (4) The Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions- *Ensuring justice in the EU – a European judicial training strategy for 2021-2024*⁴ sets out that the establishment of the EPPO has also considerable training consequences for justice professionals. In particular, the strategy should enhance training for these professions on the EPPO's legal basis, the adaptations made to national legal systems and judicial structures, the EPPO's relations with other EU bodies and agencies active in the protection of the EU financial interests such as EUROJUST, EUROPOL and OLAF, as well as the application of the EU legal instruments used by the EPPO in cross-border judicial cooperation.
- (5) The *European judicial training strategy for 2021-2024* also stresses the unique role of the EJTJN that is best placed to coordinate, through its members, national training activities on EU law and to develop cross-border training for judges and prosecutors, including exchanges.

² https://ejtn.eu/wp-content/uploads/2022/08/EJTJN-Strategic-Plan-2021-2027_FREN.pdf

³ 2021-06-14_just2018jaccprcrim0131_study_report_final.pdf

⁴ COM(2020) 713 final

- (6) The Council's Conclusions *Boosting Training of Judicial Professionals*⁵ recognise the significant work carried out by the EJTN as being the best placed to coordinate, through its members, national training activities and to develop cross-border training for judges and prosecutors.
- (7) The EPPO and the EJTN have a mutual interest for the enhancement of training quality provided to the EU judiciary. Thus, the two organisations will cooperate reciprocally. The common interest of the EPPO and the EJTN is to contribute to enhance knowledge and cooperation in strengthening the training activities on the EPPO field of work for prosecutors, judges, as well as prosecution service and court staff, in particular through the organisation of courses, seminars, conferences, e-learning options including webinars and learning videos, exchanges and study visits and in the development and implementation of common curricula and course material.

Have agreed as follows:

Article 1

Purpose

The purpose of this Working Arrangement is to establish a close cooperation between the EPPO and the EJTN in the field of judicial training.

Article 2

Scope of Cooperation

Within the framework of the present Working Arrangement, the Parties undertake to cooperate in the following fields of activity:

- Study visits to the EPPO;
- Longterm training periods at the EPPO;
- Judiciary learning grant programme;
- Organisation of residential and online training activities;
- Legal English training;
- Exchange of knowledge, information and expertise;
- Dissemination of information, training activities and materials;
- Other forms of cooperation relating to judicial training which both parties may deem appropriate.

⁵ Council conclusions *Boosting Training of Judicial Professionals* as approved by the Council via a written procedure on 8 March 2021- 6926/21

Article 3

Definitions

For the purposes of this Working Arrangement:

- a. 'European Prosecutor' means the EPPO post-holder referred to in Articles 16 and 96(1) of the EPPO Regulation;
- b. 'European Delegated Prosecutor' means the EPPO post-holder referred to in Articles 17 and 96(6) of the EPPO Regulation;
- c. 'EPPO staff' means the staff and other persons referred to in Articles 2(4) and 98 of the EPPO Regulation;
- d. 'EPPO post-holders' means all categories of personnel mentioned in letters a), b) and c) above;
- e. '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
- f. 'Information' means personal and non-personal data.

Article 4

Study visits to the EPPO

- (1) In the framework of the EJTN Exchange Programme, the Parties undertake to cooperate closely to enable study visits for prosecutors, judges as well as prosecution service and court staff from the EU Member States to the EPPO.
- (2) The purpose of the study visits is to raise the awareness on the EPPO's legal basis and its unique organisational model, structure and mission, the adaptations of the participating Member States' legal systems and judicial organisations to the EPPO Regulation, the EPPO's relations with other EU bodies and agencies, as well as the new mechanism for cross-border investigations provided for in Article 31 of the EPPO Regulation and, respectively, the application of the EU and international legal instruments for judicial cooperation between the EPPO and the authorities from Member States which do not participate in the establishment of the EPPO and third countries.
- (3) The study visits will be subject to the availability of EJTN's financial resources and the EPPO's hosting capacities.

Article 5

Long-term training periods at the EPPO

- (1) The Parties undertake to cooperate closely to enable Long-term training periods at the EPPO for practising prosecutors and judges from the participating EU Member States on the EPPO's mission and mandate.

- (2) The purpose of the Long-term training periods is to make the participants familiar with the mission, structure, functions, organisation, competence, relations with third countries and with non participating Member States, relations with other EU bodies and agencies, judicial review mechanisms.
- (3) The Long-term training periods will be subject to the availability of EJTN's financial resources and the EPPO's hosting capacities.

Article 6

Judiciary learning grant programme

- (1) In the framework of the EJTN Exchange Programme, the Parties may cooperate closely to enable Judiciary learning grant visits for prosecutors, judges as well as prosecution service, court staff and trainers from the EU Member States to the EPPO.
- (2) The purpose of the Judiciary learning grant programme is to empower the target group mentioned in paragraph (1) through active, self-directed learning. Participants build their own project in cooperation with the host institution with defined learning objectives, plan to achieve those objectives and plan for the dissemination of knowledge acquired.
- (3) The organisation of judiciary learning grant visits will be subject to the availability of EJTN's financial resources and the EPPO's hosting capacities.

Article 7

Organisation of residential and online training activities

The Parties agree to cooperate:

- (1) In the organisation of residential and online training activities (e.g. webinars, e-learning tools, virtual classrooms) to raise awareness and increase knowledge about the EPPO's legal basis and its unique organisational model, structure and mission, the adaptations of the participating Member States' national legal systems and judicial organisations to the EPPO Regulation, the EPPO's relations with other EU bodies and agencies, as well as of the new mechanism for cross-border investigations provided for in Article 31 of the EPPO Regulation and, respectively, the application of the EU and international legal instruments used by the EPPO in cross-border judicial cooperation between the EPPO and the authorities from third countries and non-participating Member States;
- (2) In the exchange of knowledge, information and expertise where such exchange is considered to be beneficial for the enhancement of the quality of the trainings offered to either prosecutors, judges, as well as prosecution service and court staff on the EPPO's mission and mandate;
- (3) In the dissemination of information, training activities and materials (webinars, online courses, training manuals, e-tools) when considered of mutual added value for the training and/or awareness raising of prosecutors, judges, prosecution services and court staff on the EPPO's mission and mandate.

Article 8

Participation of European Prosecutors and/or European Delegated Prosecutors, as well as EPPO staff to EJTN training activities

- (1) The Parties undertake to cooperate closely to enable European Prosecutors and European Delegated Prosecutors, as well as EPPO staff, to participate in the EJTN training activities. EJTN will send every year to the EPPO a list, containing all relevant information about the training activities (including topics, dates and locations) of interest to the European Prosecutors, European Delegated Prosecutors and EPPO staff.
- (2) The costs for the participation of the EPPO post-holders mentioned in paragraph (1), as experts or participants, in EJTN training activities on topics of direct interest for the EPPO, shall be covered according to the EPPO Financial Rules. The EJTN shall not pay expert fees, travel and accommodation costs and/or per diem related to participation, including as experts, of EPPO post-holders.

Article 9

Annual Work Plan

- (1) The Parties will adopt an Annual Work Plan setting out the list of training activities to be taken in the year ahead for the implementation of this Working Arrangement.
- (2) The Annual Work Plan will set out the necessary practical arrangements to implement study visits, long-term training periods and learning grants, as well as any other activities carried out under this Working Arrangement. The procedures, selection criteria as well as financial rules applicable to study visits, long-term training periods and learning grants are set out in the Annexes to this Working Arrangement.
- (3) The Parties will meet to discuss the Annual Work Plan at least once per year.

Article 10

Other forms of cooperation between the EPPO and the EJTN

- (1) The Parties may consider undertaking other forms of cooperation relating to judicial training. These forms of cooperation may include amongst others participation in meetings, conferences, seminars and other training activities organised by the Parties. This may also include the exchange of information on their respective activities and the dissemination of relevant information in respect with these activities.
- (2) Communication of information and documents by the EPPO to the EJTN shall be subject to EPPO Regulation and applicable rules. Communication of information and documents by EJTN to the EPPO shall be subject to EJTN's rules and regulations.

Article 11

Data protection

- (1) Concerning personal data protection, the Parties shall apply their respectively applicable legal framework.
- (2) The Parties shall cooperate and inform each other appropriately in the implementation of their respective obligations. This specifically includes:
 - a. Informing each other in case of any personal data breach occurring in relation to personal data exchanged under this arrangement;

- b. Consulting each other in case of data subject requests related to personal data exchanged under this arrangement, and specifically not to grant access prior to having consulted the other party;
 - c. Informing each other in case there are reasons to believe that personal data received or provided under this arrangement were or are inaccurate or incomplete, or should not have been transmitted, in which case the receiving party shall take the appropriate action.
- (3) Personal data shall be transmitted with a purpose and shall not be processed in a manner incompatible with, or stored longer than necessary for, the purpose for which it was transmitted.
 - (4) Other than where provision of personal data was mandatory based on existing legislative reporting obligations, any restriction on the use of information exchanged, or instructions relating to deletion or destruction, including possible access restrictions in general or specific terms, shall be respected by the Parties.

Article 12

Contact Points

- (1) The European Chief Prosecutor and the Secretary General of EJTN shall each establish (a) point(s) of contact whose task shall be to coordinate the cooperation between the Parties. To this end, the Parties will respectively nominate within their institution (a) point(s) of contact entrusted with the implementation of and all communications relating to the present Working Arrangement.
- (2) The Parties, via their respective points of contact, shall consult each other regularly on policy issues and matters of common interest in judicial training for the purpose of realising their objectives and co-ordinating their respective activities.
- (3) In particular, the EPPO shall inform EJTN about training needs assessment and activities. EJTN shall, within the limits of its mandate and for the purpose of the present Working Arrangement, inform the EPPO about new programmes, priorities and activities to facilitate planning training activities accordingly.
- (4) Representatives of the Parties shall meet as often as necessary to discuss issues relating to their cooperation in general and, in particular:
 - a. the evaluation of their cooperation;
 - b. aspects of future cooperation;
 - c. the development of course materials;
 - d. the participation of the EPPO post-holders in EJTN training activities, conferences and in the development of training standards and curricula and the participation of EJTN staff in the development and the implementation of common curricula;
 - e. the implementation of the Annual Work Programme.

Article 13

Amendments

Amendments to this Working Arrangement shall be agreed upon in writing between the Parties.

Article 14

Settlement of disputes

All disputes which may emerge in connection with the interpretation or application of the present Working Arrangement shall be settled by means of consultation and negotiation between representatives of the Parties.

Article 15

Termination



This Working Arrangement may be terminated, upon three months' written notification, by either of the Parties.

Article 16

Entry into force

This Working Arrangement will enter into force on the first day of the month following its signature.

Done at Luxembourg on 12 June 2023 in two originals in English language, all texts being equally authentic.

<p>For the European Public Prosecutor's Office (EPPO),</p> <p>Laura Codruța Kövesi European Chief Prosecutor</p> 	<p>For the European Judicial Training Network (EJTN),</p> <p>Judge Ingrid Derveaux EJTN Secretary General</p> 
--	--

ANNEX I

Selection procedure and financial rules governing study visits and judiciary learning grants at the European Public Prosecutor's Office (The EPPO)

§ 1

Selection criteria and profile of participants

Participants are prosecutors, judges (including administrative judges), prosecution services/court staff and judicial trainers that are staff of the national judicial training institutions or judges/prosecutors/court staff acting as trainers at national or decentralised level in the EU Member States.

§ 2

Selection procedure

- (1) EJTN will run yearly (a) call(s) for applications for study visits at the EPPO amongst its members and associate members.
- (2) The selection of participants to the study visits at the EPPO is the prerogative of EJTN members, associate members and partners.
- (3) The EJTN secretariat will allocate the applicants depending on the hosting capacity of the EPPO.

§ 3

Organisation

- (1) The programmes of the study visits are designed by the EPPO in consultation with EJTN and the speakers are appointed by the EPPO.
- (2) The programmes of the judiciary learning grants are designed by the participant in cooperation with his/her counterpart at the EPPO.
- (3) EJTN is in charge of the logistical organisation of the study visit.

§ 4

Costs

- (1) The costs incurred by participants will be covered by EJTN according to EJTN financial conditions applicable to study visits and judiciary learning grants (through the payment of a daily allowance and the reimbursement of travel costs).
- (2) When catering expenses or any other expenses are paid or offered, the daily allowance paid to the participants is reduced in line with the provisions of the EJTN Corporate Financial Policy.

ANNEX II

Selection procedure and financial rules governing long-term training periods at the the European Public Prosecutor's Office (The EPPO)

§ 1

Selection criteria and profile of participants

- (1) Participants must be prosecutors and judges in criminal matters from participating EU Member States with at least 3 years of experience in the respective role and experience in working at national level on judicial cooperation in criminal matters.
- (2) Specific additional selection criteria may apply depending on the hosting units/services at the EPPO.

§ 2

Selection procedure

- (3) EJTN will run yearly a call for applications for long-term training periods at EPPO amongst its members.
- (4) The pre-selection of applicants to the long-term training periods at the EPPO is the prerogative of EJTN members.
- (5) The EJTN secretariat will send preselected applications to the EPPO who will proceed to the final selection of participants. Once the selection is made, the EPPO will communicate the outcome to EJTN who will inform the relevant members/participants.

§ 3

Costs

The costs incurred by participants in the long-term training periods will be covered by EJTN according to the EJTN financial conditions applicable to long-term training periods (through the payment of a daily allowance).