

## **Working Arrangement**

**between**

**The European Public Prosecutor's Office (EPPO)**

**and**

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

**Establishing cooperation on training activities**

## **WORKING ARRANGEMENT BETWEEN THE EUROPEAN PUBLIC PROSECUTOR'S OFFICE AND THE EUROPEAN UNION AGENCY FOR LAW ENFORCEMENT TRAINING ESTABLISHING COOPERATION ON TRAINING ACTIVITIES**

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The European Public Prosecutor's Office (hereafter referred to as the "EPPO"), and the European Union Agency for Law Enforcement Training (hereafter referred to as "CEPOL"), hereinafter collectively referred to as the "Parties", or individually as the "Party";

Being aware of the mutual interest to cooperate, in particular as regards training activities, also taking into account the importance of fundamental rights in the context of various aspects of law enforcement;

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 "CEPOL Regulation");

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 ('the EPPO'), (hereinafter referred to as "the EPPO Regulation"), and in particular Article 99 thereof;

Having regard to the Decision of the CEPOL Management Board 13/2023/MB;

Having regard to the Decision 050/2023 of the College of the EPPO of 5 July 2023 adopting this Working Arrangement;

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 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 by staff put at the disposal by the Member States;

Under the aegis of its "EPPO Academy" programme, the EPPO aims to provide adequate training to European Prosecutors, European Delegated Prosecutors, EPPO staff and national authorities on various matters related to the EPPO's mandate and mission. In order to implement such training activities, the EPPO needs to cooperate with partners with expertise in judicial and law enforcement training;

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

Have agreed as follows:

## **Article 1**

### **Purpose of the Working Arrangement**

The purpose of this Working Arrangement is to establish a close cooperation between the EPPO and CEPOL in the field of training on matters of interest for the EPPO's mandate and mission.

## **Article 2**

### **Definitions**

For the purpose of this Working Arrangement:

- a) 'EPPO post-holders' means the European Prosecutors, the European Delegated Prosecutors, the staff of the EPPO within the meaning of Article 2(4) of the EPPO Regulation, as well as the seconded national experts and other staff referred to in Article 98 of the EPPO Regulation.
- b) '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
- c) 'Information' means personal and non-personal data.
- d) 'Law enforcement' means police, customs and other relevant services, as defined by individual Member States, that are responsible for, and staff of Union bodies that have tasks relating to the prevention of and fight against serious crime affecting two or more Member States, terrorism and forms of crime that affect a common interest covered by a Union policy; or crisis management and public order, in particular international policing of major events, within the meaning of Article 2(1) of the CEPOL Regulation.

## **Article 3**

### **Areas of cooperation**

Within the framework of this Working Arrangement, the parties undertake to cooperate in the following fields of activity:

#### **1. Training activities**

- a) Within the Parties' scope of competence, pursuant to an assessment of training needs, CEPOL may invite the EPPO to propose the appointment of experts to assist in the development and delivery of CEPOL trainings and training materials on topics

of direct interest for the EPPO, such as crimes against the financial interests of the European Union, asset recovery or other topics linked to the activity and expertise of the EPPO post-holder, to share its relevant publications, and to jointly define other possible activities in the context of the organisation of CEPOL training activities;

- b) CEPOL undertakes to grant EPPO post-holders access to the public sections of CEPOL's eLearning platform accessible to registered users but restricted for non-registered users, to the extent necessary for the achievement of the objectives mutually agreed in the present Working Arrangement;
- c) CEPOL provides the EPPO with a dedicated and separated space ("tenancy") on its eLearning platform to enable the EPPO to manage its own training and learning activities there;
- d) CEPOL undertakes to invite the EPPO to designate post-holders to participate in on-site training activities organised by CEPOL.

## **2. Exchange of knowledge**

Concerning exchange of knowledge, information and expertise, where such exchange is considered beneficial to the Parties, they shall support each other in the development and dissemination of training and/or awareness-raising materials and publications.

## **3. Consultations**

CEPOL may invite the EPPO to comment on its draft Annual Work Programme during the first quarter of each calendar year. The Parties may invite each other to participate in other consultations on areas of mutual interest.

## **Article 4**

### **Contact points**

The European Chief Prosecutor and the Executive Director of CEPOL shall respectively appoint a contact point whose task shall be to co-ordinate the day-to-day co-operation between the Parties. To this end, the Parties will respectively nominate a contact point within their institutions entrusted with the implementation of and all communications relating to the present Working Arrangement.

The Parties, via their respective contact points, shall consult each other regularly on matters related to the implementation of this Working Arrangement.

The Parties' contact points shall set up meetings, including tele- and video-conferences as often as necessary to discuss issues relating to their cooperation in general.

With reference to Article 3.1(b), the EPPO shall also appoint a "CEPOL's eLearning platform manager" to promote the use of CEPOL's electronic network among EPPO staff and communicate the contact details thereof to CEPOL.

## **Article 5**

### **Data protection**

Concerning personal data protection, the Parties shall apply their respectively applicable legal framework.

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 granting access without prior consultation of 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.

Personal data shall only 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.

Except 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 6**

### **Expenses and communication**

Unless otherwise agreed, the Parties shall bear their own expenses which arise in the course of implementing the present Working Arrangement.

Communication of information and documents by the Parties shall be subject to the Parties' rules and regulations.

## **Article 7**

### **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 8

### Combating fraud

In the context of combating fraud, where necessary, paragraphs 2 and 3 of Article 29 of the CEPOL Regulation shall apply.

## Article 9

### Amendment of the Working Arrangement

The Parties 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 10

### Termination of the Working Arrangement

This Working Arrangement may be terminated by each Party with 3 months written notice.

## Article 11

### Entry into force

This Working Arrangement shall enter into force on the first day of the month following the last signature.

Done at Budapest and Luxembourg, in two originals in English language, all texts being equally authentic.

<p>This...<sup>23</sup> day of ...<sup>October</sup> two thousand and twenty-three</p> <p><b>For the European Public Prosecutor's Office (EPPO),</b></p> <p><b>Laura Codruța Kövesi European Chief Prosecutor</b></p>	<p>This...<sup>30th</sup> day of ...<sup>October</sup> two thousand and twenty-three</p> <p><b>For the European Union Agency for Law Enforcement Training (CEPOL),</b></p> <p><b>Montserrat Marin Lopez Executive Director</b></p>
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