



EUROPEAN
PUBLIC
PROSECUTOR'S
OFFICE



Ministerio Público
República del Paraguay

WORKING ARRANGEMENT
BETWEEN THE EUROPEAN PUBLIC PROSECUTOR'S OFFICE AND
THE PUBLIC MINISTRY OF THE REPUBLIC OF PARAGUAY

Working Arrangement between the European Public Prosecutor's Office and the Public Ministry of the Republic of Paraguay

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

The Public Ministry of the Republic of Paraguay,

Hereinafter referred to collectively as the "Parties" or individually the "Party",

Having regard to the provisions of Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO Regulation'), hereinafter referred to as 'the EPPO Regulation', and in particular Articles 99 and 104 thereof,

Having regard to the provisions of Law No 1562/2000 'Organic of the Public Ministry of the Republic of Paraguay'.

Considering the will of the Parties to establish close cooperation in order to protect, by means of investigations and prosecutions, the financial interests of the European Union and of the Republic of Paraguay, as well as to fight corruption, transnational organised crime and other forms of serious crime,

Considering the desire of the Parties to establish close cooperation in the field of criminal investigations and prosecutions,

Bearing in mind that the European Public Prosecutor's Office ('EPPO') is an independent body of the European Union (EU) tasked with investigating and prosecuting the EU Member States participating in it,

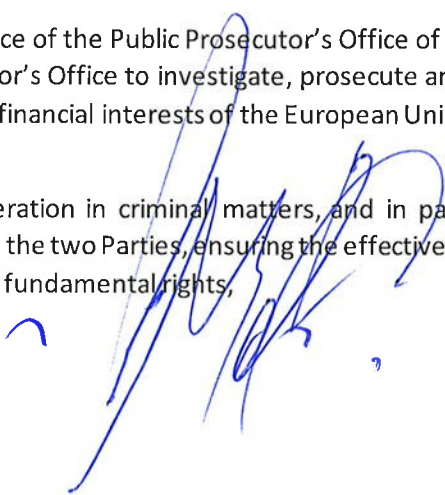
Recognising that the European Delegated Prosecutors of the EPPO are, at the same time, active members of the EPPO of their respective Member States and have the same competences as the national prosecutors of those Member States,

Whereas, within the framework of its mandate, the EPPO may cooperate in criminal matters with the competent authorities of the Republic of Paraguay, either on the basis of international agreements to which the European Union or the Member States participating in the EPPO are party, on the basis of reciprocity, or in accordance with the legislation of the Republic of Paraguay,

Recognising that, in accordance with Article 99(3) of the EPPO Regulation, this working arrangement does not form the legal basis for the exchange of personal data,

Taking into account the competence of the Public Prosecutor's Office of the Republic of Paraguay and the European Public Prosecutor's Office to investigate, prosecute and bring to judgment the perpetrators of crimes against the financial interests of the European Union and of the Republic of Paraguay,

With the aim of facilitating cooperation in criminal matters, and in particular the exchange of evidence and information between the two Parties, ensuring the effectiveness of investigations and prosecutions, and in full respect of fundamental rights,



HAVE AGREED AS FOLLOWS:

Section I

General provisions

Article 1

Purpose

The purpose of this Working Arrangement is to facilitate cooperation between the Parties in investigations and prosecutions concerning criminal offences within their respective competences, as regards the exchange of evidence, operational and strategic information, as well as other forms of cooperation. This shall be done in accordance with their respective legal frameworks, including applicable bilateral and multilateral instruments, as appropriate, and the provisions of this Working Arrangement.

Article 2

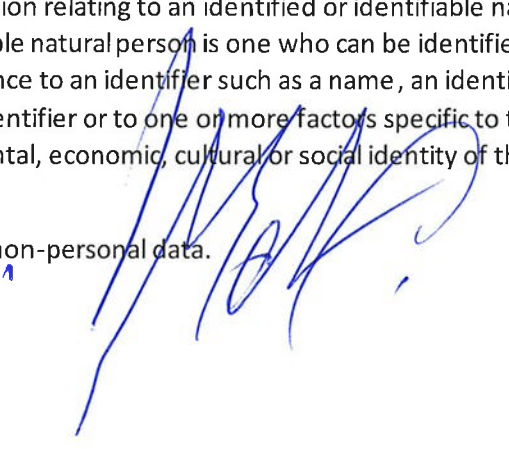
Scope

The Parties shall cooperate in all areas referred to in this Working Arrangement within the framework of their respective legal frameworks and mandates.

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 of the EPPO 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 Article 98 of the EPPO Regulation;
 - d) '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
 - e) 'Information' means personal and non-personal data.
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Article 4

Transfer of personal data

The transfer of personal data between the Parties shall not take place under this Working Arrangement, and shall be subject to their respective legal frameworks, including, where appropriate, relevant international agreements.

Section II

Operational cooperation

Article 5

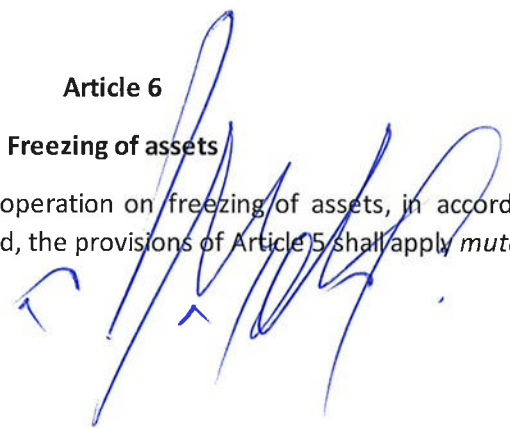
Cooperation on gathering evidence or operational information

- (1) The Parties shall provide each other with the broadest extent of cooperation for gathering evidence or operational information, in accordance with their applicable legal frameworks.
- (2) The Public Prosecutor's Office of the Republic of Paraguay undertakes to cooperate with the EPPO, in accordance with the applicable legal frameworks, in gathering evidence or operational information needed by the EPPO for an investigation or prosecution conducted within its competence. Such cooperation may be provided on the basis of multilateral agreements, such as the United Nations Convention against corruption or the United Nations Conventions against transnational organised crime, to which both the Republic of Paraguay and the European Union, as well as the EPPO participating Member States are parties, or on the basis of an international agreement to which both the Republic of Paraguay and the Member State of the European Delegated Prosecutor handling the case are parties, or under a police cooperation mechanism or, on the basis of reciprocity, in accordance with the law governing mutual assistance in criminal matters of the Republic of Paraguay.
- (3) The EPPO undertakes to cooperate with the Public Prosecutor's Office of the Republic of Paraguay, in accordance with applicable legal frameworks, in providing evidence or operational information in its possession needed by the requesting authority in criminal investigations or proceedings. Such cooperation may be provided under any of the applicable international agreements referred to in paragraph 1 of this Article or under a police cooperation mechanism or on the basis of reciprocity.

Article 6

Freezing of assets

The Parties undertake to facilitate cooperation on freezing of assets, in accordance with the applicable legal frameworks. To that end, the provisions of Article 5 shall apply *mutatis mutandis*.



Article 7

Joint investigation teams

- (1) The Parties may cooperate in setting up joint investigation teams in cases falling within the competence of the EPPO and the Republic of Paraguay, in accordance with the applicable legal frameworks.
- (2) For the establishment of a joint investigation team, the Parties shall conclude specific agreements in accordance with the United Nations Convention against Corruption or the United Nations Convention against Transnational Organised Crime, respectively, or in accordance with the legislation of the Republic of Paraguay.

Section III

Strategic cooperation and institutional issues

Article 8

Exchange of strategic and other information

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

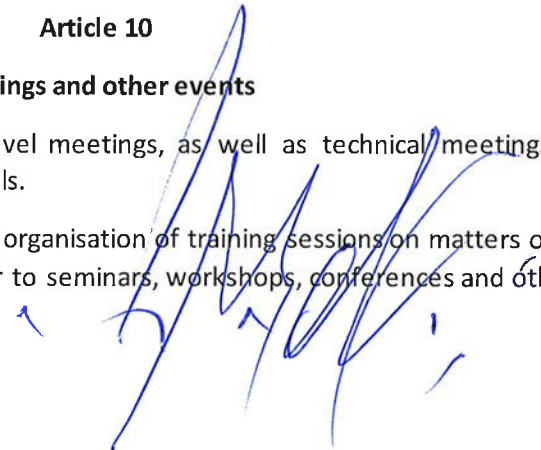
Article 9

Contact points of the European Public Prosecutor's Office in the Public Prosecutor's Office of the Republic of Paraguay and of the latter in the European Public Prosecutor's Office

In accordance with Article 104(2) of the EPPO Regulation, the Parties agree that the contact point of the EPPO in the Public Prosecutor's Office of the Republic of Paraguay is the Specialised Unit for International Affairs, Extradition and External Legal Assistance and the contact points of the Public Prosecutor's Office in the EPPO is the Operations Unit.

Article 10

Meetings and other events

- (1) The Parties may organise high-level meetings, as well as technical meetings, at both operational and administrative levels.
 - (2) The Parties may collaborate in the organisation of training sessions on matters of common interest and may invite each other to seminars, workshops, conferences and other similar activities of mutual relevance.
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Article 11

Media and communication channels

- (1) The Parties shall communicate each other by any means capable of producing a written record, including secure electronic means of communication.
- (2) At operational level, the Parties shall cooperate in accordance with the applicable legal frameworks. Requests for assistance addressed to the Public Ministry of the Republic of Paraguay shall be sent to the Specialised Unit for International Affairs, Extradition and External Legal Aid – Public Prosecutor’s Office, by ordinary mail to: Street Chile 1100 between Ygatymi and Jejui, CP 1250, Asunción – Paraguay or to the official [email](mailto:fai@ministeriopublico.gov.py) fai@ministeriopublico.gov.py. Requests for assistance addressed to the EPPO shall be sent to the Operations Unit of the European Public Prosecutor’s Office in Luxembourg, either by ordinary mail or by email to EPPO-international-cooperation@epo.europa.eu.
- (3) At management and strategic level, the Parties shall communicate through the European Chief Prosecutor and the Prosecutor General of the State of the Republic of Paraguay, through the Specialised Unit for International Affairs, Extradition and External Legal Assistance. Non-operational communication shall be addressed to the EPPO via email: EPPO-ExecutiveOffice@epo.europa.eu

Section IV

Final provisions

Article 12

Consultations

The Parties shall consult each other on any matter which may lead to divergent interpretations of this Working Arrangement.

Article 13

Expenses

Unless otherwise provided for in this Working Arrangement, each Party shall bear its own costs arising from the implementation of this Working Arrangement.

Article 14

Amendments

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

Article 15

Termination of the Working Arrangement

- (1) Either Party may terminate this Working Arrangement by giving written notice of three months' notice.
- (2) In the event of termination, the Parties shall agree on the conditions for the retention and use of the information previously exchanged.
- (3) Without prejudice to paragraph 1, the legal effects of this Working Arrangement shall remain in force.

Article 16

Entry into force

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

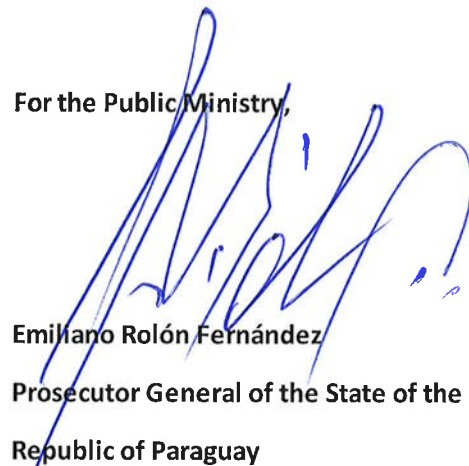
Done at Madrid, on 28/5/21, in two originals in English and Spanish, both texts being equally authentic.

For the European Public Prosecutor's Office,



Ignacio de Lucas Martín
European Prosecutor

For the Public Ministry,



Emiliano Rolón Fernández
Prosecutor General of the State of the
Republic of Paraguay