

Working Arrangement
establishing the modalities of cooperation
between the European External Action Service
(hereafter referred to as ‘the EEAS’)
and the European Public Prosecutor’s Office
(hereafter referred to as ‘the EPPO’)

– together referred to as ‘The Parties’ –

Considering that:

- 1) Article 99(1) of Council Regulation (EU) 2017/1939¹ provides that the EPPO may establish and maintain cooperative relations with institutions, bodies, offices or agencies of the Union in accordance with their respective objectives.
- 2) Article 99(3) of Council Regulation (EU) 2017/1939 foresees that the EPPO may conclude working arrangements with institutions, bodies, offices or agencies of the Union. Those working arrangements shall be of a technical and/or operational nature, and shall in particular aim to facilitate cooperation and the exchange of information between the parties thereto.
- 3) Article 3(4) of the Council Decision of 26 July 2010 establishing the organisation and functioning of the European External Action Service (2010/427/EU) foresees that the EEAS shall cooperate with the European Anti-fraud Office (OLAF) in accordance with Regulation (EC) No 1073/1999.

Have agreed as follows:

¹ Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor’s Office (‘the EPPO’), OJ L 283, 31.10.2017, p. 1–71.

Chapter I – Purpose and Scope

Article 1

Purpose

The purpose of this Working Arrangement is to establish a cooperative relationship between the Parties for the purposes of the performance of the tasks of the EPPO set out in Article 4 of Regulation (EU) 2017/1939, and to set out the modalities for this cooperation.

Article 2

Nature

This Working Arrangement is of a technical and operational nature. It is not intended to modify any existing legal rules or to interfere with the legal frameworks governing the Parties.

Article 3

Scope of application

1. This Working Arrangement governs solely the relations between the EPPO and the EEAS, including its departments at Headquarters and in EU Delegations.
2. This Working Arrangement does not affect and is without prejudice to the relations between the EPPO and other institutions, bodies, offices and agencies of the Union.

Article 4

Scope of the cooperation

The cooperation between the Parties may, in addition to the exchange of information under the conditions laid down in this Working Arrangement, include collaboration with the objective of protecting the financial interests of the Union as provided for in the Parties' respective legal frameworks.

Chapter II – Modalities of cooperation

Article 5

Reporting by the EEAS

1. When implementing its obligations under Article 24(1) and (5) of Regulation (EU) 2017/1939, the EEAS shall in principle use the template in Annex III to report to the EPPO.
2. Without prejudice to the possibility of addressing OLAF for a preliminary evaluation of the allegations, as per Article 12c(6) of OLAF Regulation, the EEAS shall report to the EPPO any criminal conduct in respect of which the EPPO could exercise its competence and other information falling under this Article.
3. The report shall contain the information required by Article 24(4) of Regulation (EU) 2017/1939, and, to the extent possible, any available information relating to the criminal conduct in question.
4. EEAS shall address the reports falling under this Article to the contact point of the EPPO indicated in Annex I.
5. The EPPO shall without undue delay acknowledge the receipt of the reports from EEAS.
6. In specific cases where the EPPO, in accordance with Article 24(9) of Regulation (EU) 2017/1939, requests further relevant information available to the EEAS or in cases where the EPPO requests information in accordance with Article 24(10) of Regulation (EU) 2017/1939, the request shall be addressed to the EEAS contact point indicated in Annex I and the EEAS shall endeavour to respond to such requests for information as soon as possible and at the latest within [fifteen] working days.
7. The relevant contact point in the EEAS may direct the EPPO services to single contact points in the relevant entity to facilitate the exchange of information.
8. Whenever the EPPO sends requests to the EEAS under this Article or consults the EEAS on the basis of Article 25(2), second subparagraph, of Regulation (EU) 2017/1939, it shall do so through the contact point in the Central Office of the EPPO indicated in Annex I.

Article 6

Cooperation with EPPO investigations and prosecutions

1. The Parties shall cooperate closely in the framework of the criminal investigations and prosecutions carried out by the EPPO.
2. The EEAS shall encourage its staff members to contribute to the investigations carried out by the EPPO and shall facilitate such contribution, subject to permission from the appointing authority to disclose information in accordance with the relevant provisions of the EU Staff Regulations, the Conditions of Employment of Other Servants of the EU and other relevant legal frameworks applicable to the staff of the EEAS.
3. For the purpose of granting prior permission to disclose information in accordance with the preceding paragraph, the EPPO shall send a reasoned request to the EEAS. The request shall be treated as soon as possible, and at the latest within [fifteen] working days.

This procedure is without prejudice to national laws on the summoning of witnesses.

4. The EPPO shall, in principle, submit communications and requests to the EEAS in accordance with this Article through the contact point in its Central Office indicated in Annex I.

Article 7

Information provided by the EPPO

1. In accordance with Article 24(7) and Article 26(2) of Regulation (EU) 2017/1939, where, following a report of criminal conduct by the EEAS, the EPPO decides to initiate an investigation, the EPPO shall without undue delay, and in principle no later than [fifteen] days from the date of its decision, inform the EEAS. Where the EPPO decides that there are no grounds to initiate an investigation, it shall inform the EEAS as soon as possible, and in principle no later than [fifteen] days from the date of its decision. This information obligation also covers possible criminal offences for which the EPPO considers that it is not competent or for which it may not exercise its competence.

2. Where an investigation has been initiated following a report of criminal conduct by the EEAS, the EPPO, pursuant to Article 34(8) of Regulation (EU) 2017/1939, shall inform the EEAS as soon as possible, and in principle no later than [fifteen] days from the date of its decision, if a case is transferred to the competent national authorities in accordance with paragraphs (1), (2) or (3) of Article 34 and Article 25(3) of Regulation (EU) 2017/1939.

Where a case has been dismissed in accordance with Article 39 of Regulation (EU) 2017/1939, the EPPO shall inform the EEAS as soon as possible of such dismissal where the EEAS is the relevant party.

3. In implementation of its obligation under Article 103(2) of Regulation (EU) 2017/1939, the EPPO shall, without delay and without prejudice to the proper conduct and confidentiality of its investigations, provide the EEAS with sufficient information in order to allow the EEAS to take appropriate measures, including but not limited to measures referred to in that Article. The EPPO may also recommend specific measures to the EEAS in relation to the protection of the financial interests of the Union.

The information to be provided under this paragraph includes, in particular, information on the decision to bring a case to judgment pursuant to Article 36 of Regulation (EU) 2017/1939, on judgments rendered in a case, and on the lodging of appeals by the EPPO or the prosecuted person.

4. The information referred to under paragraph 3 will not be due:
 - where the EEAS is a party to the relevant proceedings and has therefore already been informed via other channels;
 - where the EEAS, duly informed of its right to become a party to the proceedings, has decided not to exercise it.
5. Notwithstanding the EPPO's obligations under paragraph 3, the EEAS may also request such information. The request shall specify the legal grounds and reasons justifying the request. The request shall be addressed via the EPPO contact points indicated in Annex I.

The EPPO may decline the request by a reasoned decision where the transmission of the information requested would violate applicable criminal procedural law or would otherwise harm the proper conduct or confidentiality of its investigations.

Without prejudice to the proper conduct and confidentiality of its investigations, the EPPO shall inform the EEAS before sending any information to authorities of third countries or international organisations, in cases regarding suspected or accused EEAS staff members or EU staff in Union Delegations and Offices in third countries, in particular in view of privileges and immunities enjoyed by the concerned staff member.

6. The EPPO shall preferably transmit information or send consultations pursuant to this Article via the contact points indicated in Annex I.
7. The EPPO shall, in principle, use the templates in Annex II to provide the information falling under this Article.
8. The Parties shall discuss, at the request of either Party, the general application of Article 103(2) of Regulation (EU) 2017/1939 with a view to ensuring that the EEAS can effectively protect the financial interests of the Union and carry out its other responsibilities. The Parties shall endeavour to resolve by mutual agreement any difficulty that may arise in that regard.

Article 8

Waiving of immunities

1. For the purposes of the implementation of Article 29(2) of Regulation (EU) 2017/1939 with respect to the waiving of immunities of EEAS staff members and for the purposes of actions which may require or result in the waiving of diplomatic immunities of EU staff in Union Delegations and Offices in third countries, the European Chief Prosecutor shall send a reasoned written request for that immunity to be waived in accordance with the procedures laid down by the applicable law.
2. The European Chief Prosecutor shall address its reasoned written request to the Secretary-General of the EEAS and contact points indicated in Annex I. Where the reasoned written request concerns the Secretary General of the EEAS, the European

Chief Prosecutor will address the reasoned written request to the High Representative of the Union for Foreign Affairs and Security Policy.

3. Where the EPPO considers that the person whose immunity is requested to be waived should not be informed and heard on the request to waive the immunity, the reasoned written request shall contain the detailed grounds for not hearing the person concerned.
4. The EPPO shall in principle use the template in Annex IV when submitting requests pursuant to this Article. The EEAS may request additional information or explanations from the EPPO.
5. The EEAS shall provide a written reply within the shortest possible timeframe. The reply shall be provided no later than [twenty] working days from the receipt of the request in cases where the person concerned is to be heard, and no later than [fifteen] working days from the receipt of the request in cases where the person is not to be heard.

Article 9

Waiving of inviolability of premises, buildings and archives

1. Where the investigations of the EPPO require access to premises, buildings or archives of the EEAS protected by the Protocol (No 7) on the Privileges and Immunities of the European Union, including access to Union Delegations and Offices in third countries, the EPPO shall address a reasoned written request for the waiver of those privileges and immunities to the Secretary General of the EEAS.
2. The EPPO shall, in principle, submit requests in application of this Article by using the template in Annex IV.

The EEAS shall provide a written reply as soon as possible but no later than [ten] working days from the receipt of the request and, when appropriate, detail the conditions and/or the scope of the waiver of immunity.

Article 10

Databases

1. The Parties agree to the following modalities for the implementation of Article 43(2) of Regulation (EU) 2017/1939.
2. The EPPO shall in principle access all relevant databases of the EEAS. This includes inter alia the relevant databases to which the EPPO can have, respectively, direct or indirect reading access, subject to possible limitations defined in the applicable legal framework.

Where it appears that there is a need to modify the underlying legal framework governing the databases concerned before the EPPO could have direct access to them, the EEAS shall inform the EPPO. If necessary, the EEAS shall consider requesting the European Commission to make the necessary proposals for amendments, providing, where possible and appropriate, for direct access.

3. In case of indirect access, the EPPO shall submit requests for information stored in databases and registers of the EEAS to the contact point(s) indicated in Annex I, preferably by using the template in Annex V.

The EEAS shall extract the information from the databases and registers in question and transmit it to the EPPO without delay. It will provide the information as soon as possible, and in any case within [fifteen] working days from reception receipt of the request, taking into account the degree of urgency stated by the EPPO in its request.

Article 11

Confidentiality and professional secrecy

1. Any information exchanged between the Parties in application of this Working Arrangement is protected by the rules concerning confidentiality and professional secrecy in accordance with the law applicable to each of the Parties, including inter alia the rules on EU Classified Information² (EUCI).

² Decision ADMIN (2023) 18 of the High Representative of the Union for Foreign Affairs and Security Policy of 19.06.2023 on the security rules for the European External Action Service.

2. To safeguard the confidentiality of the exchanged information, both the EPPO and the EEAS shall agree on appropriate security markings according to the degree of confidentiality required. This agreement shall be made in writing and shall be considered an integral part of this Working Arrangement.

Chapter III – Data Protection

Article 12

General Provisions

1. This Working Arrangement does not constitute a basis for allowing the exchange of personal data.³ Any exchange and further processing of personal data shall be in full compliance with the Parties' respective legal frameworks.
2. The Parties shall keep a record of the transmission and receipt of data communicated under this Working Arrangement, including the legal basis for such transmissions.
3. Personal data provided by the EPPO to the EEAS under this Working Arrangement may not be transmitted onward to any external recipient absent the prior approval of the EPPO.

Article 13

Cooperation in the Implementation of Data Protection Obligations

1. Concerning personal data protection, the Parties shall apply the relevant European Union legal acts applicable to them.
2. The Parties shall cooperate and inform each other appropriately in the implementation of their respective obligations. This specifically includes:
 - a. Informing each other without delay in case of any personal data breach occurring in relation to personal data exchanged under this arrangement and, if not all information is available at the date of this notification, to complement this information as necessary.

³ Article 99 (3) of Regulation (EU) 2017/1939.

- b. Consulting each other in case of data subject requests related to personal data exchanged under this arrangement, and specifically not to grant access or any other right, in particular to erasure or rectification 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.

Article 14

Transmission of special categories of personal data

1. Provision of personal data revealing racial or ethnic origin, political opinions, religious or philosophical belief, trade union membership, genetic or biometric data for the purpose of uniquely identifying a person or concerning health, sexual life or sexual orientation shall be prohibited, unless they are strictly necessary and proportionate for a purpose set forth in Article 1 of this Working Arrangement.
2. The Parties shall take adequate safeguards, in particular appropriate technical and organisational security measures, to comply with the specific legal requirements regarding the categories of personal data mentioned in paragraph 1 of this Article.

Article 15

Time limits for the storage of personal data

1. Personal data shall be stored for no longer than is necessary for the achievement of the purposes of this Working Arrangement or for the purposes for which the data were collected or further processed according to Article 1 of this Working Arrangement. Such necessity should be reviewed regularly in accordance with the respective legal frameworks applicable to the Parties.

Article 16

Security of personal data

The Parties ensure that the necessary technical and organisational measures are utilised to protect personal data received under this Working Arrangement against accidental or unlawful destruction, accidental loss or unauthorised disclosure, alteration, access or any unauthorised form of processing. The Parties particularly ensure that only those authorised to access personal data can have access to such data.

Chapter IV – Institutional provisions

Article 17

Consultations and close cooperation

1. High-level meetings between the Parties may take place to discuss issues falling under this Working Arrangement.
2. The Parties may consult each other regularly on relevant policy issues and matters of common interest for the purpose of realising their objectives. This may also include consultations on the effectiveness and consistency of measures adopted by the EEAS to protect the Union budget following EPPO investigations. The Parties may also exchange information for the purpose of strategic analysis and statistical purposes.
3. The EPPO shall inform the EEAS of any official visits by a Member of the College of the EPPO [and/or staff] to third countries or international organisations. This information shall be communicated to the EEAS contact point. To the extent possible and without prejudice to the proper conduct and confidentiality of EPPO investigations, the EEAS may also be consulted in advance on the aim, content and timeliness of visits and/or demarches.
4. The respective EU Delegations shall endeavour to provide support for the organisation of official visits or missions of the EPPO to the countries or international organisations for which they are responsible. The EPPO shall bear all costs for any special request going beyond what can be considered to be a normal support service to be provided by the EEAS.
5. With a view to fostering effective cooperation, the Parties may, in consultation with each other, disseminate to their respective staff relevant information about the scope of

action, applicable legal framework and working methods of the other Party. Each Party shall, in this respect, consider facilitating the provision by their staff of training to the staff of the other Party. The Parties may also facilitate, when appropriate, the organisation of joint training to their staff on matters of common interest.

Article 18

Public access to documents of the Parties

The handling of requests for access to documents and the practical arrangements for third party consultations where one of the Parties receives a request for access to documents which it holds but which originate from the other Party (“the originator”), shall be governed by Regulation (EC) 1049/2001⁴ and the Parties’ respective internal legal frameworks. In case of consultation under Article 4(4) of Regulation (EC) 1049/2001, the other party shall endeavour to answer within [five] working days.

Chapter V – Final provisions

Article 19

Expenses

The Parties shall bear their own expenses which arise in the course of the implementation of this Working Arrangement.

Article 20

Revision and supplements

1. This Working Arrangement may be modified in writing at any time by mutual consent between the Parties, except for the contact points indicated in Annex I, which may, if applicable, be amended by the Parties unilaterally.
2. Where appropriate, the Parties may meet to discuss its application and the need for amending it.

⁴ Regulation (EC) No 1049/2001 of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents, OJ L 145, 31.5.2001, p. 43

Article 21
Date of application

This Working Arrangement shall apply from the day following the date of its signing.

Article 22
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 endeavor to reach an agreement on the continued use and storage of the information that has already been communicated between them, without prejudice to Article 11, paragraph 1.

Done in duplicate in the English language.

Signed on 24/05/2024

Digitally signed in ARES
by Stefano SANNINO
on 24 May 2024

Secretary General Stefano Sannino
For the European External Action Service

Signed in Luxembourg on 26/04/2024

KOVESI
Laura

European Chief Prosecutor Laura Kövesi
For the European Public Prosecutor's Office

Digitally signed by
KOVESI Laura
Date: 2024.04.26
12:01:50 +02'00'

ANNEXES

Working Arrangement establishing the modalities of cooperation between the EEAS and the EPPO

Annex I

Contact points

1. INFORMATION PROVIDED BY THE EEAS UNDER ARTICLE 5

The EEAS will as a rule transmit reports on criminal conduct in respect of which the EPPO could exercise its competence and other information falling under Article 5 to the Head of Operations in the Central Office of the EPPO.

2. INFORMATION REQUESTS AND REQUESTS FOR THE APPEARANCE OF WITNESSES IN THE FRAMEWORK OF THE EPPO'S INVESTIGATIONS AND PROSECUTIONS UNDER ARTICLE 6

The EPPO will as a rule transmit requests for the appearance of persons as witnesses or expert witnesses and other information requests falling under Article 6 via the Head of Operations in its Central Office to:

- the EEAS Secretary-General and the EEAS Chief Governance Officer in case of EEAS staff members;
- the High Representative of the Union for Foreign Affairs and Security Policy in case of the Secretary-General.

3. INFORMATION PROVIDED BY THE EPPO UNDER ARTICLE 7

The EPPO will preferably transmit information pursuant to Article 7:

- on the initiation of an investigation;
- on the absence of grounds to initiate an investigation, including cases when the EPPO considers that it is not competent or for which it may not exercise its competence;
- on the transfer of a file to the competent national authorities in the Member States or to the authorities of a third country or an international organisation;
- on the dismissal of a case;
- on the decision to bring a case to judgment;
- on judgments rendered and on the lodging of appeals;
- and to allow the EEAS to take appropriate measures,

via the Head of Operations in its Central Office to the EEAS Secretary-General and the EEAS Chief Governance Officer.

4. REQUESTS FOR WAIVING OF IMMUNITIES UNDER ARTICLE 8

The EPPO will submit reasoned written requests to waive immunities via the European Chief Prosecutor to the Secretary-General of the EEAS (or the High Representative of the Union for Foreign Affairs and Security Policy in case of the Secretary-General) and the EEAS Chief Governance Officer.

5. REQUESTS FOR WAIVING THE INVIOABILITY OF PREMISES, BUILDINGS AND ARCHIVES UNDER ARTICLE 9

The EPPO will submit reasoned written requests to waive the inviolability of premises, buildings and archives via the European Chief Prosecutor to the Secretary-General of the EEAS.

If necessary, the EPPO shall, for the purpose of accessing the EEAS premises, buildings or archives for conducting an investigation, request assistance from the Senior Manager(s) in charge of Security.

6. REQUESTS FOR INFORMATION STORED IN DATABASES AND REGISTERS UNDER ARTICLE 10

The EPPO will submit requests for information stored in databases and registers of the EEAS as a rule via the Head of Operations in its Central Office to the EEAS Secretary-General and the EEAS Chief Governance Officer.

Annex II

Templates that the EPPO may use for the transmission, of information and consultations under Article 7 of this Working Arrangement

Annex II.A
Information on the initiation (or non-initiation) of an investigation

- [EPPO case number]
- [Date and place of the notification]

Transmission of information to the European External Action Service (EEAS)
under Regulation (EU) No 2017/1939 and the EEAS-EPPO Working
Arrangement –

[Non-]Initiation of an investigation – EEAS reporting party

I. Summary information	
1. EPPO case number	[R-case number] [where applicable: I-case number]
2. Legal basis of the transmission	Articles 24(1), [select for non-initiation: 24(7)/initiation: 26(2)] EPPO Regulation Article 7(1) EEAS-EPPO Working Arrangement
3. Reporting Authority	[Reporting authority] Date: [date of report] Reference: [e.g. Ares number (where available)]
4. Decision on initiation	An investigation was opened: ☐ Yes Date of the decision: [date] ☐ No Reasons for the non-initiation: [insert brief reasoning]

II. Safeguards/Restrictions
To ensure confidentiality, please instruct your services to share this information only if strictly necessary and on a need-to-know basis. [If necessary, please add other relevant information.] Please note that any personal data may only be used for the purpose indicated above, and any dissemination to parties not expressly indicated herein is prohibited, absent express consent from the EPPO. [Please outline below any specific processing conditions including any restriction on the use of the transmitted information, deletion or destruction, and possible access restrictions.]

III. Contact information
In case of queries, please contact Mr Marius Bogdan BULANCEA, Head of Operations Unit, e-mail: EPPO-IBOAS@EPPO.EUROPA.EU .

Signature

Annex II.B

Information on the transfer of a case to the competent national authorities in a Member State

- [EPPO case number]
- [Date and place of the notification]

Transmission of information to the EEAS under Regulation (EU) No 2017/1939 and the EEAS-EPPO Working Arrangement –

Transfer of the case to the competent national authorities

IV. Summary information	
1. EPPO case number	[R-case number] [I-case number]
2. Legal basis of the transmission	Article 34(8) EPPO Regulation Article 7(2) EEAS-EPPO Working Arrangement
3. Did the EEAS report the facts that gave rise to the investigation (or to specific parts thereof)?	☐ Yes [Reporting authority] Date: [date of report] Reference: [e.g. Ares number (where available)] ☐ No
4. Decision on referral	Date of the decision: [date] Reasons for the referral: [insert brief reasoning]
5. Competent national authority	[national authority (Member State)]

V. Factual circumstances	
1. Date or timeframe of the (alleged) fraud or other criminal behaviour affecting the EU's financial interests	[date/timeframe]
2. Type and stage of fraud or other criminal behaviour affecting the EU's financial interests	[specify the type(s) and subtype(s) of the suspected fraud; specify for each if attempted/committed]
3. Estimated financial damage	Estimated financial damage (total, including damage to other victims): [EUR amount]

	Estimated damage to the EU's financial interests: [EUR amount] ☐ Damage realised: [EUR amount] or [N/A] ☐ Damage attempted: [EUR amount] or [N/A]
4. Member State of the handling EDP	[Member State]
5. Other places where criminal activity took place/ damage occurred	[where applicable] [(participating/non-participating) Member States, third countries]
6. Information concerning EU financing	Programme/instrument: [insert as applicable] <i>Where relevant:</i> Project title: [insert as applicable] Project number: [insert as applicable] Contract or grant agreement date: [insert as applicable] Other relevant information: [insert where applicable]

VI. Natural Persons and/or legal entities involved	
☐ [where applicable] Information about natural or legal persons involved cannot be disclosed.	
1. Natural person(s) suspected of criminal acts?	☐ No ☐ Yes Name: [surname, name] EEAS staff member: ☐ Yes ☐ No [repeat as needed]
2. Legal entity(-ies) suspected of criminal acts?	☐ No ☐ Yes Name: [name and abbreviated legal form] [repeat as needed]

VII. Description of the facts
[provide a brief description of the alleged facts and reasons for referral]

VIII. Safeguards/Restrictions
To ensure confidentiality, please instruct your services to share this information only if strictly necessary and on a need-to-know basis. [If necessary, please add other relevant information.] Please note that any personal data may only be used for the purpose indicated above, and any dissemination to parties not expressly indicated herein is prohibited, absent express consent from the EPPO. [Please outline below any specific processing conditions including any restriction on the use of the transmitted information, deletion or destruction, and possible access restrictions.]

IX. Contact information

In case of queries, please contact Mr Marius Bogdan BULANCEA, Head of Operations Unit, e-mail: EPPO-IBOAS@EPPO.EUROPA.EU.

Signature

Annex II.C
Information on the dismissal of a case

- [EPPO case number]
- [Date and place of the notification]

**Transmission of information to the to the European External Action Service
under Regulation (EU) No 2017/1939 and
the EEAS-EPPO Working Arrangement –
Dismissal of the case**

X. Summary information	
1. EPPO case number	[R-case number] [I-case number]
2. Legal basis of the transmission	Article 39(4) EPPO Regulation Article 7(2) EEAS-EPPO Working Arrangement
3. Did the EEAS report the facts that gave rise to the investigation (or to specific parts thereof)?	☐ Yes [Reporting authority] Date: [date of report] Reference: [e.g. Ares number (where available)] ☐ No
4. Decision on dismissal	Date of the decision: [date] Reason for the dismissal: [insert brief reasoning]
5. Transfer of information to OLAF	Information transmitted separately under the EPPO-OLAF Working Arrangement, Article 5(2): ☐ Yes [date and reference] ☐ No [insert brief reasoning]

XI. Factual circumstances	
1. Date or timeframe of the (alleged) fraud or other criminal behaviour affecting the EU's financial interests	[date/timeframe]
2. Type and stage of fraud or other criminal behaviour affecting the EU's financial interests	[specify the type(s) and subtype(s) of the suspected fraud; specify for each if attempted/committed]
3. Estimated financial damage	Estimated financial damage (total, including damage to other victims): [EUR amount]

	Estimated damage to the EU's financial interests: [EUR amount] ☐ Damage realised: [EUR amount] or [N/A] ☐ Damage attempted: [EUR amount] or [N/A]
4. Member State of the handling EDP	[Member State]
5. Other places where criminal activity took place/ damage occurred	[where applicable] [(participating/non-participating) Member States, third countries]
6. Information concerning EU financing	Programme/financial instrument: [insert as applicable] Where relevant: Project title: [reference] Project number: [reference] Contract or grant agreement date: [reference] Other relevant information: [insert where applicable]

XII. Natural persons and/or legal entities involved

☐ [where applicable] Information about natural or legal persons involved cannot be disclosed.	
1. Natural person(s) suspected of criminal acts?	☐ No ☐ Yes Name: [surname, name] EEAS staff member: ☐ Yes ☐ No [repeat as needed]
2. Legal entity(-ies) suspected of criminal acts?	☐ No ☐ Yes Name: [name and abbreviated legal form] [repeat as needed]

XIII. Description of the facts

[provide a brief description of the alleged facts and reasons for dismissal]
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XIV. Safeguards/Restrictions

To ensure confidentiality, please instruct your services to share this information only if strictly necessary and on a need-to-know basis. [If necessary, please add other relevant information.] Please note that any personal data may only be used for the purpose indicated above, and any dissemination to parties not expressly indicated herein is prohibited, absent express consent from the EPPO. [Please outline below any specific processing conditions including any restriction on the use of the transmitted information, deletion or destruction, and possible access restrictions.]

XV. Contact information

In case of queries, please contact Mr Marius Bogdan BULANCEA, Head of Operations Unit, e-mail: EPPO-IBOAS@EPPO.EUROPA.EU.

Signature

Annex II.D**Information on the decision to bring a case to judgment**

- [EPPO case number]

- [Date and place of the notification]

**Transmission of information to the European External Action Service
under Regulation (EU) No 2017/1939 and
the EEAS-EPPO Working Arrangement –**

**Decision to [bring a case to judgment / apply a simplified prosecution
procedure]**

XVI. Summary information

1. EPPO case number	[R-case number] [I-case number]
2. Legal basis of the transmission	Article(s) [36(6),] 103(2) EPPO Regulation Article 7(3) EEAS-EPPO Working Arrangement
3. Did the EEAS report the facts that gave rise to the investigation (or to specific parts thereof)?	☐ Yes [reporting authority] Date: [date of report] Reference: [e.g. Ares number (where available)] ☐ No
4. Date of the decision to [prosecute]/ [apply simplified prosecution procedure]	[date]
5. Competent court (if applicable)	[court (Member State)] or [N/A]

XVII. Factual circumstances

1. Date or timeframe of the (alleged) fraud or other criminal behaviour affecting the EU's financial interests	[date/timeframe]
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2. Type and stage of fraud or other criminal behaviour affecting the EU's financial interests	[specify the type(s) and subtype(s) of the suspected fraud; specify for each if attempted/committed]
3. Estimated financial damage	Estimated financial damage (total, including damage to other victims): [EUR amount] Estimated damage to the EU's financial interests: [EUR amount] ☐ Damage realised: [EUR amount] or [N/A] ☐ Damage attempted: [EUR amount] or [N/A] Damages already recovered by national authorities: [EUR amount] Asset recovery measures: [brief description where applicable]
4. Information concerning EU financing	Programme/ instrument: [insert as applicable] <i>Where relevant:</i> Project title: [reference] Project number: [reference] Contract or grant agreement (number/date): [reference] Other relevant information: [insert where applicable]

VIII. Natural persons and/or legal entities involved	
1. Natural person(s) suspected of criminal acts?	☐ No ☐ Yes Name: [surname, name] EEAS staff member: ☐ Yes ☐ No [repeat as needed]
2. Legal entity(-ies) suspected of criminal acts?	☐ No ☐ Yes Name: [name and abbreviated legal form] [repeat as needed]

XIX. Description of the facts
[describe the alleged facts established based on investigative activities carried out and any other relevant information (e.g. urgent situations, time-barring)]

XX. Safeguards/Restrictions
To ensure confidentiality, please instruct your services to share this information only if strictly necessary and on a need-to-know basis. [If necessary, please add other relevant information.]

Please note that any personal data may only be used for the purpose indicated above, and any dissemination to parties not expressly indicated herein is prohibited, absent express consent from the EPPO.

[Please outline below any specific processing conditions including any restriction on the use of the transmitted information, deletion or destruction, and possible access restrictions.]

XXI. Contact information

In case of queries, please contact Mr Marius Bogdan BULANCEA, Head of Operations Unit, e-mail: EPPO-IBOAS@EPPO.EUROPA.EU.

Signature

Annex II.E
Information on judgments

- [EPPO case number]

- [Date and place of the notification]

**Transmission of information to the European External Action Service
under Regulation (EU) No 2017/1939 and
the EEAS-EPPO Working Arrangement –**

[Judgment rendered / simplified prosecution procedure applied]

XII. Summary information	
1. EPPO case number	[R-case number] [I-case number]
2. Legal basis of the transmission	Article 103(2) EPPO Regulation Article 7(3) EEAS-EPPO Working Arrangement
3. Did the EEAS report the facts that gave rise to the investigation (or to specific parts thereof)?	☐ Yes [Reporting authority] Date: [date of report] Reference: [e.g. Ares number (where available)] ☐ No
4. Information on the Court judgment	Court: [name (Member State)] Type of decision: [specify, e.g. first instance judgment, appeal judgment, decision of a highest court] Case number: [reference] Date of the judgment: [date]

XIII. Decision taken by the Court
[description of the key elements of the Court decision, including at least information on conviction/acquittal/dismissal, sentences, civil party – including measures on damage recovery and confiscation, possibility to lodge appeal, any other relevant information]

XIV. Appeal
[where applicable] Has an appeal been lodged against the judgment: ☐ Yes ☐ No Comments: [insert brief explanation]

XV. Safeguards/Restrictions

To ensure confidentiality, please instruct your services to share this information only if strictly necessary and on a need-to-know basis.

[If necessary, please add other relevant information.]

Please note that any personal data may only be used for the purpose indicated above, and any dissemination to parties not expressly indicated herein is prohibited, absent express consent from the EPPO.

[Please outline below any specific processing conditions including any restriction on the use of the transmitted information, deletion or destruction, and possible access restrictions.]

XVI. Attachment

A copy of the Court decision is attached to this notification:

☐ Yes

☐ No

[insert reasoning]

XVII. Contact information

In case of queries, please contact Mr Marius Bogdan BULANCEA, Head of Operations Unit, e-mail: EPPO-IBOAS@EPPO.EUROPA.EU.

Signature

Annex II.F – Other types of information under Article 7

- [EPPO case number]
- [Date and place of the notification]

Transmission of information to the EEAS under Regulation (EU) No 2017/1939 and the EEAS-EPPO Working Arrangement – Ongoing investigation

VIII. Summary information	
1. EPPO case number	[R-case number] [I-case number]
2. Legal basis of the transmission	Article 103(2) EPPO Regulation Article 7(3) EEAS-EPPO Working Arrangement
3. Did the EEAS report the facts that gave rise to the investigation (or to specific parts thereof)?	☐ Yes [Reporting authority] Date: [date of report] Reference: [e.g. Ares number (where available)] ☐ No
4. Date of the opening of the investigation	[date]

XIX. Factual circumstances	
1. Date or timeframe of the (alleged) fraud or other criminal behaviour affecting the EU's financial interests	[date/timeframe]
2. Type and stage of fraud or other criminal behaviour affecting the EU's financial interests	[specify the type(s) and subtype(s) of the suspected fraud; specify for each if attempted/committed]
3. Estimated financial damage	Estimated financial damage (total, including damage to other victims): [EUR amount] Estimated damage to the EU's financial interests: [EUR amount] ☐ Damage realised: [EUR amount] or [N/A] ☐ Damage attempted: [EUR amount] or [N/A]

4. Member State of the handling EDP	[Member State]
5. Other places where criminal activity took place/damage occurred	[where applicable] [(participating/non-participating) Member States, third countries]
6. Information concerning EU financing	Programme/instrument: [insert as applicable] <i>Where relevant:</i> Project title: [reference] Project number: [reference] Contract or grant agreement (number/date): [reference] Other relevant information: [insert where applicable]

XX. Natural persons and/or legal entities involved	
☐ [where applicable] Information about natural or legal persons involved cannot be disclosed.	
1. Natural person(s) suspected of criminal acts?	☐ No ☐ Yes Name: [surname, name] EEAS staff member: ☐ Yes ☐ No [repeat as needed]
2. Legal entity(-ies) suspected of criminal acts?	☐ No ☐ Yes Name: [name and abbreviated legal form] [repeat as needed]

XXI. Description of the facts
[describe the alleged facts established in as detailed a manner as possible, based on investigative activities already carried out and any other relevant information (e.g. asset recovery measures, damages already recovered by national authorities, urgent situations, time-barring)]

XXII. Safeguards/Restrictions
To ensure confidentiality, please instruct your services to share this information only if strictly necessary and on a need-to-know basis. [If necessary, please add other relevant information.] Please note that any personal data may only be used for the purpose indicated above, and any dissemination to parties not expressly indicated herein is prohibited, absent express consent from the EPPO. [Please outline below any specific processing conditions including any restriction on the use of the transmitted information, deletion or destruction, and possible access restrictions.]

XIII. Contact information

In case of queries, please contact Mr Marius Bogdan BULANCEA, Head of Operations Unit, e-mail: EPPO-IBOAS@EPPO.EUROPA.EU.

Signature

Annex III

Template for reports, by the EEAS under Article 5 of this Working Arrangement, on criminal conduct in respect of which the EPPO could exercise its competence

Reporting will follow the format of the EPPO crime report, via the available secured tools.

Annex IV

Template for requests by the EPPO for the waiver of immunity of a person protected by privileges or immunities under Union law and for the waiver of inviolability of premises, buildings and archives

Dear [see contact point Annex I],

Having regard to Article 286(8) of the Treaty on the Functioning of the European Union,

Having regard to Protocol (No 7) on the privileges and immunities of the European Union, and in particular Articles 1, 2, 8, 9, 11, 17 and 19-22 thereof,

In accordance with article 29(2) 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"),

In the context of the case I.000000 currently under investigation by my Office for the facts and under the criminal qualifications mentioned in Annex to this request, I kindly request, in accordance with the procedures laid down by Union law and **to the possible extent by [date]**, (i) the lifting of the inviolability of the premises, buildings and archives of the xxx as well as (ii) the lifting of immunities of the EEAS staff members under investigation, as detailed in Annex to this request.

Sincerely yours,

The European Chief Prosecutor

Annex

1/ Summary of the facts under investigation:

The current investigations reveal strong suspicions of [relevant offences under investigation] concerning [elaborate on the facts, dates, circumstances, justifying the request and the involvement of the concerned EEAS staff members].

There are therefore reasons to believe that [xxxx].

2/ Criminal offences under investigation as per the national law applicable to the case:

The facts under investigation may be qualified as criminal offences in accordance with the following provisions of the [yyyyy] Criminal Code:

- [relevant offence(s)] according to Articles [yyyyy] of the [yyy] Criminal Code,

3/ Requested measures

(i) In order to ensure the proper conduct of the investigations, the EPPO needs to access documents and information hold by the EEAS within its premises. **It is therefore requested the lifting of inviolability of the EEAS premises, building and archives**, in particular to collect all relevant information pertaining to [xxxxxxx].

(ii) In view of the necessary hearings of the suspects and/or potentially, at a later stage, for the formal notification of the criminal charges being brought against them, it appears also necessary to **lift the immunity of [xxxx]**.

4/ Confidentiality of the request [where applicable]:

Please note that [xxxx] have not been informed of the present investigation. [*reasoning on the necessity not to inform the suspects*].

In order not to jeopardise the outcome of the investigation measures to be performed, **the EPPO requests the xxxx to treat and process this request as confidential, without informing the concerned individuals.**

Annex V

Template for requests under Article 10(3) of this Working Arrangement for indirect reading access to information stored in databases and registers of the EEAS

Subject: Request under Article 10 of the Working Arrangement between the EEAS and the EPPO to have indirect access to information stored in databases and registers of the EEAS

Pursuant to Article 10(3) of the Working Arrangement establishing the modalities of cooperation between the European Public Prosecutor's Office and the EEAS, **the European Public Prosecutor's Office** herewith submits the following **request for indirect reading access to the following information in a database managed by the EEAS:**

- 1. Name of the database:**
- 2. Precise information requested (with specification of the type and the date(s) where relevant)**
- 3. Degree of urgency and reasons for the urgency**

To ensure confidentiality, please instruct your services to share this information only if strictly necessary and on a need-to-know basis for the purpose of execution of this request.

[If necessary, please add other relevant information.]

In case of queries, please contact «Name, function», «email», «phone number».

[Name, Surname]