



**Memorandum of Understanding
on cooperation
between
the European Union Agency for
Fundamental Rights (FRA)
and
Eurojust**

Preamble

The European Union Agency for Fundamental Rights (FRA), established by Council Regulation (EC) No 168/2007 of 15 February 2007 (hereinafter referred to as the "FRA Regulation"), represented for the purposes of signature of this Memorandum of Understanding by its Director, Morten Kjaerum,

and

Eurojust, established by Council Decision of 28 February 2002 with a view to reinforcing the fight against serious crime, as last amended by Council Decision 2009/426/JHA of 16 December 2008 on strengthening Eurojust¹ (hereinafter referred to as the "Eurojust Decision"), represented for the purposes of signature of this Memorandum of Understanding by its President, Michèle Coninx

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

Having regard to Article 26(1) of the Eurojust Decision, which provides that Eurojust may establish and maintain cooperative relations with the institutions, bodies and agencies set up by or on the basis of the Treaties establishing the European Communities or the Treaty on European Union, and

Having regard to Article 7 of the FRA Regulation, which provides that FRA shall ensure appropriate coordination with relevant Community bodies, offices and agencies, and to Article 3(3) of Council Decision 252/2013/EU establishing a Multiannual Framework for 2013-2017 for FRA which provides that FRA shall cooperate with Eurojust,

Recognising the common interest of both Parties to establish cooperative relations,

Have agreed as follows:

Article 1 Purpose

1. The purpose of this Memorandum of Understanding is to establish, define, encourage and improve cooperation between Eurojust and FRA in accordance with their respective mandates.
2. Both Parties shall enhance their cooperation, particularly in areas of common interest within the limits of their respective legal frameworks and taking into account the Multiannual Framework for FRA.

¹ Council Decision 2002/187/JHA of 28 February 2002, OJ L 63, 6.3.2002, as last amended.

Article 2

Contact points

1. Each Party shall establish a contact point, whose task shall be to coordinate cooperation between the two Parties.
2. The contact points shall consult each other on a regular basis, particularly regarding matters falling under Articles 3, 4 and 5 of this Memorandum of Understanding.
3. The Parties will exchange with each other contact details of the contact points. The Parties will inform each other in writing without undue delay of any change related to the designated contact points.

Article 3

Mutual consultation, exchange of general information and coordination

1. The Parties shall consult each other regularly on issues of common interest for the purpose of realising their objectives and coordinating their activities.

In particular, within the limits of their respective legal frameworks, the Parties shall inform each other about developments in fields and projects of mutual interest and exchange observations concerning such activities to enable them to promote effective cooperation.

2. The Parties shall – where appropriate – coordinate their activities in multilateral fora such as seminars, conferences or the meetings of Heads of Justice and Home Affairs Agencies.

Article 4

Exchange of strategic and technical information

1. Cooperation between the Parties shall be enhanced by the exchange of strategic and technical information. Any information exchanged must be in compliance with Article 4(4) of this Memorandum of Understanding.
2. "Strategic information" includes, but is not limited to:
 - a. Information and analysis of a strategic nature such as trends and challenges faced as a result of Eurojust's or FRA's activities.
 - b. Observations and general findings resulting from Eurojust's or FRA's activities that could support the work of the other Party.
3. "Technical information" includes, but is not limited to:

- a. Means of strengthening judicial and law enforcement structures and cooperation in the fields covered by this Memorandum of Understanding.
 - b. Training methods for officials concerned from both Parties.
4. Exchange of information or experience provided for in this Memorandum of Understanding shall not include the transmission of operational information, including data relating to an identified or identifiable person.

Article 5

Joint training and exchange of best practice

1. The Parties may prepare and implement joint training activities, including contributions to the development of courses, seminars, conferences, study visits, training tools and materials in areas of common interest.
2. The goals of joint training activities are to encourage and improve cooperation.
3. The Parties shall exchange expertise and best practice in areas of common interest.

Article 6

Assessment of cooperation

At least once per year, the Parties shall report to each other on the state of implementation of this Memorandum of Understanding and propose methods for improvement.

Article 7

Expenses

The Parties shall commit to bear their own expenses that may arise in the course of implementation of the present Memorandum of Understanding, unless otherwise agreed on a case-by-case basis.

Article 8

Confidentiality

Each Party shall ensure that information, including EU classified information (EUCI), provided or exchanged under this Memorandum of Understanding will receive a level of protection that is equivalent to the level of protection offered by the security standards applied to that information by the other Party, based on the basic principles and minimum standards of the applicable legal framework at EU level.

Article 9 Settlement of disputes

All disputes that may emerge in connection with the interpretation or application of the present working arrangement shall be settled by means of consultations and negotiations between representatives of the Parties.

Article 10 Amendments

1. This Memorandum of Understanding may be amended by mutual consent between the Parties in written form at any time. Such amendment will enter into force after the Parties have notified each other of the completion of their respective internal requirements.
2. Both Parties shall enter into consultation with respect to possible amendments to this Memorandum of Understanding at the request of either Party.

Article 11 Termination

This Memorandum of Understanding may be terminated by each Party in writing by giving three months' notice.

Article 12 Entry into force

This Memorandum of Understanding shall enter into force on the first day of the month following its signature by both Parties.

Done in Valletta on 3 November 2014.

For FRA,
The Director



Morten Kjaerum

For Eurojust,
The President



Michèle Coninx