



## MEMORANDUM OF UNDERSTANDING

### on co-operation between Eurojust and the European Judicial Training Network

#### **Eurojust**

represented for the purposes of this Memorandum of Understanding by  
Mr José Luís Lopes da Mota, President of the College

and

#### **The European Judicial Training Network**

represented for the purposes of this Memorandum of Understanding by  
Mr Gilles Charbonnier, Secretary General of the European Judicial Training Network,  
and hereinafter referred to as the "EJTN",

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

Having regard to the Council Decision of 28 February 2002 setting up Eurojust with a view to reinforcing the fight against serious crime<sup>1</sup>, as amended by the Council Decision of 18 June 2003<sup>2</sup>;

Having regard to the Consolidated Articles of Association of the EJTN<sup>3</sup> with a view to strengthening the judicial cooperation in training matters at the European level;

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<sup>1</sup> OJ L 63/1, 6.3.2002.

<sup>2</sup> OJ L 245/44, 29.09.2003.



Whereas, the Hague Programme for strengthening freedom, security and justice in the European Union approved by the European Council at its meeting on 5 November 2004<sup>4</sup> stresses the importance of incorporating a European component in national training programmes;

Whereas, the Communication from the Commission to the European Parliament and the Council of 29 June 2006 on judicial training in the European Union<sup>5</sup>, and in particular paragraph 29 thereof, stresses the need to develop a more fully integrated type of training, conceived and implemented at European level;

Whereas, this Communication, and in particular paragraph 27 thereof, considers exchanges as an excellent method of developing common benchmarks while respecting national identities, which could be usefully supplemented by periods of an appropriate duration of training at Eurojust;

**Have agreed as follows:**

## **Article 1**

### **Purpose**

The purpose of this Memorandum of Understanding is to establish and regulate co-operation between Eurojust and the EJTN in the field of judicial training.

## **Article 2**

### **Secondments to Eurojust**

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<sup>3</sup> Consolidated Articles of Association. Published in the appendices of the Belgian Moniteur of 2 May 2006

<sup>4</sup> OJ C 53, 3.3.2005.

<sup>5</sup> COM(2006) 365 final, 29.06.2006.



- (1) The Parties undertake to co-operate closely to enable secondments to Eurojust of practising judges and prosecutors from the Member States. The secondments are also open to trainee judges and prosecutors during their initial professional training.
- (2) The purpose of the secondments is to make the judges and prosecutors familiar with Eurojust's tasks, functioning and activities, as well as to assign specific tasks to them for the benefit of Eurojust.
- (3) The secondments will be subject to the availability of resources and accommodation at the premises of Eurojust.
- (4) Practical arrangements concerning secondments are set out in the Annex to this Memorandum of Understanding.

### **Article 3**

#### **Other forms of co-operation between Eurojust and the EJTN**

The Parties may consider undertaking other forms of co-operation relating to judicial training. These forms of co-operation may include amongst others participation in meetings, conferences, seminars and other training activities organised by the Parties.

### **Article 4**

#### **Amendments**

Amendments to this Memorandum of Understanding shall be agreed upon in writing between the Parties.

### **Article 5**

#### **Termination**

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

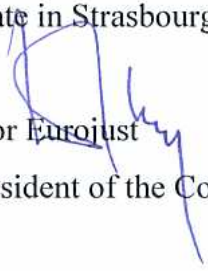


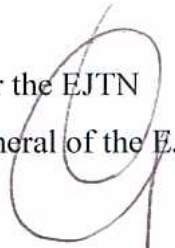
**Article 6**

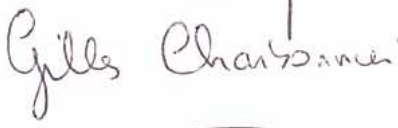
**Entry into force and signatures**

This Memorandum of Understanding will enter into force on the first day of the month following signature by the last Party.

Signed in duplicate in Strasbourg on the seventh day of February 2008

  
For Eurojust  
The President of the College

  
For the EJTN  
The Secretary General of the EJTN

  
Gilles Charbonnier

Attachment: **Annex**



## Annex

### “Practicalities concerning secondments of judges and prosecutors to Eurojust”

#### § 1

##### Selection criteria and profile

- (1) The judges and prosecutors from the Member States to be hosted by Eurojust will be selected by the College of Eurojust from amongst the candidates presented to it by the EJTN. The list of candidates may include both practicing judges and prosecutors and trainee judges and prosecutors during their initial professional training.
- (2) Eurojust will be responsible for drafting, for each calendar year, the profile of the trainee and the corresponding selection criteria for the selection of trainees to be seconded to Eurojust. Any change of the profile of the trainee or of the selection criteria shall be notified in due time by Eurojust to the EJTN. If necessary, other practicalities related to the selection procedure will be agreed upon between the Parties in an exchange of letters.

#### § 2

##### Duration of the secondments

Unless otherwise agreed, the secondments to Eurojust in the context of the Exchange Programme implemented by the EJTN will last no less than three months and no more than one year.

#### § 3

##### Assignment of the seconded judges and prosecutors

- (1) The seconded judges and prosecutors will be assigned to the National Desk of their Member State of origin in order to be actively involved in the daily work of this desk, dealing with cases and projects under the supervision of the Eurojust National Member.
- (2) The seconded judges and prosecutors will also be involved in other Eurojust activities, such as College plenary meetings, strategic meetings, co-ordination meetings and team meetings. Several days will be devoted to familiarising the seconded judges and prosecutors with administrative issues.



- (3) The supervising Eurojust National Member will design a training programme that will stimulate close contacts with other National Desks.
- (4) At the end of their training period at Eurojust, the trainees will provide the College of Eurojust as well as the EJTN with a written feed-back of their experience.

#### § 4

##### **Costs of the secondments**

- (1) Eurojust will ensure, to the extent practical and feasible, office space and equipment necessary for the performance of the tasks of the trainees within Eurojust.
- (2) The EJTN will ensure, the travel expenses of the trainees from their country of origin to the host country limited to one return journey. In addition, the EJTN will provide the trainees with a *per diem* allowance for the duration of their secondment to Eurojust in the context of the Exchange Programme implemented by the EJTN.

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