



**Working Arrangement between
the European Union Agency for
Criminal Justice Cooperation
(Eurojust) and the Federal
Ministry of Justice of the
Federal Republic of Nigeria**



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The European Union Agency for Criminal Justice Cooperation (Eurojust), represented for the purposes of this Working Arrangement by Mr Ladislav Hamran, President of Eurojust;

and

the Federal Ministry of Justice, on behalf of the competent authorities of Nigeria, represented for the purposes of this Working Arrangement by Mr Lateef O. Fagbemi SAN, Attorney-General of the Federation and Minister of Justice;

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

Having regard to Regulation (EU) 2018/1727 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust), and replacing and repealing Council Decision 2002/187/JHA¹ (hereinafter referred to as the "Eurojust Regulation"), and in particular Article 47(1) and (3), as well as Article 52 (1) and (2) thereof;

Having regard to Article 18, particularly sub article (4) of the UNTOC which has been domesticated in various legislations in Nigeria particularly the Trafficking in Persons (Prohibition) Enforcement and Administration Act, the Mutual Legal Assistance in Criminal Matters Act, the Money Laundering Prevention and Prohibition Act, the Terrorism (Prevention and Prohibition) Act, the Proceeds of Crime (Recovery and Management) Act, among others;

Considering that the Executive Board of Eurojust was consulted on Eurojust's intention to conclude a Working Arrangement with the Federal Ministry of Justice of Nigeria on 5 June 2023 and gave a favourable opinion, and that the College approved its conclusion on 7 November 2023;

Considering the interests of both Nigeria and Eurojust in developing a close and dynamic cooperation to meet the present and future challenges posed by serious crime, particularly serious and organised crime and terrorism;

Respecting the fundamental rights and principles as reflected in the Charter of Fundamental Rights of the European Union.

HAVE AGREED AS FOLLOWS:

¹ OJ L 295, 21.11.2018, p.138. This Regulation has been amended by Regulation (EU) 2022/838 of the European Parliament and of the Council of 30 May 2022 (OJ L 148, 31.5.2022, p. 1–5).

CHAPTER I - GENERAL PROVISIONS

Article 1 Purpose and scope

- (1) The purpose of this Working Arrangement (hereinafter referred to as 'Arrangement') is to encourage and develop strategic cooperation between the Parties in combating serious and organised crime and terrorism. This Arrangement does not constitute a legal basis for the exchange of personal data.
- (2) Cooperation between the Parties shall take place within the mandate of Eurojust. It may, in particular, include:
 - (a) The exchange of legal, strategic and technical information, including results of strategic analyses, information concerning substantive and procedural criminal legislation and practices, practical difficulties, best practices and lessons learned in judicial cooperation in criminal matters.
 - (b) Inviting each other to awareness raising and knowledge building events on issues related to their respective mandates and competences.
 - (c) Improving judicial cooperation in the field of criminal justice by facilitating the communication between the competent authorities of the Member States of the European Union and Nigeria.
 - (d) Ensuring mutual understanding and familiarisation with the requirements in cooperation in relation to serious and organised crime and terrorism.
 - (e) Exchanging best practices in fighting the most severe forms of crimes.

Article 2 Relation to other international instruments

This Arrangement shall be without prejudice to any other obligations incurred under the terms of any bilateral or multilateral agreement between Nigeria and the European Union or any of its Member States that contains provisions governing judicial cooperation in criminal matters.

CHAPTER II - MODE OF COOPERATION

Article 3 Contact Point(s)

- (1) Nigeria shall appoint one or more Contact Points, whose task shall be to coordinate cooperation with Eurojust and ensure that relevant information is promptly shared with relevant national authorities of Nigeria.
- (2) This appointment shall be duly notified to Eurojust in writing. Nigeria shall inform Eurojust without delay of any change regarding this appointment.
- (3) Eurojust shall ensure that the Contact Points have efficient means to communicate with the Agency on operational and strategic matters.

Article 4 Functions of the Contact Points

- (1) Contact Points and Eurojust shall exchange information within the scope of this Arrangement without delay.

(2) Contact Points may in particular be requested to:

- (a) Ensure general communication, including on such matters as appointments, strategic exchanges, organisation of workshops, as well as of courtesy and study visits;
- (b) Expedite, facilitate or coordinate the execution of requests for judicial cooperation, and follow-up on the status of specific requests, without prejudice to the transmission channels provided for in bilateral or multilateral instruments applicable between Nigeria and the EU Member State(s) concerned;
- (c) Enable direct contact with Nigerian competent authorities;
- (d) Clarify particular provisions of national legislation and provide legal advice related to the legal system of Nigeria;
- (e) Advise on how to submit requests for judicial cooperation to Nigeria, including in urgent cases;
- (f) Attend and facilitate the participation of competent Nigerian authorities in coordination meetings and coordination centres organised at Eurojust in cases involving Nigeria and EU Member States;
- (g) Support the setting-up of and facilitate the participation of competent Nigerian authorities in joint investigation teams supported by Eurojust;
- (h) Assist with resolving any issues that might arise in the framework of judicial cooperation between Eurojust and Nigeria.

Article 5 Functions of Eurojust

Eurojust may be called to:

- (a) Facilitate or coordinate the execution of requests for judicial cooperation, and follow-up on the status of specific requests, without prejudice to the transmission channels provided for in bilateral or multilateral instruments applicable between Nigeria and the EU Member State(s) concerned;
- (b) Enable direct contact with competent national authorities;
- (c) Clarify particular provisions of national legislation and provide legal advice related to the legal system of EU Member States;
- (d) Advise on how to submit requests for judicial cooperation to EU Member States, including in urgent cases;
- (e) Facilitate the participation of competent Nigerian authorities in coordination meetings and coordination centres organised at Eurojust in cases involving Nigeria;
- (f) Support the setting-up of and facilitate the participation of competent Nigerian authorities in joint investigation teams supported by Eurojust;
- (g) Assist with resolving any issues that might arise in the framework of judicial cooperation between Eurojust and Nigeria.

CHAPTER III - EXCHANGE OF INFORMATION

Article 6 Purpose and use

- (1) Exchange of information between the Parties shall only take place for the purpose of this Arrangement as established in Article 1(1) and in accordance with its provisions and the respective legal frameworks of the Parties.
- (2) The Parties shall inform each other, at the moment of supply of information or before, of the purpose for which the information is supplied and of any restriction on its use, deletion or destruction, including possible access restrictions in general or specific

terms. Where the need for such restrictions becomes apparent after the supply of the information, the Parties shall inform each other of such restrictions as soon as possible.

- (3) The use of information for a different purpose than that for which the information was transmitted shall be subject to a prior authorisation of the transmitting Party.

Article 7 Confidentiality

The Parties shall be bound by an obligation of confidentiality in respect of information received in the implementation of this Arrangement. Any restriction imposed by the Parties or EU national authorities on the use of the information transmitted shall be respected.

Article 8 Onward transmission

- (1) Any information received by either Party under this Arrangement may only be transmitted onward to a third party with the prior written consent of the transmitting Party and subject to any conditions or restrictions indicated by that Party.
- (2) Prior written consent by the transmitting Party does not apply when the information is further shared by Eurojust with Union bodies listed in Annex II to this Arrangement or with authorities responsible in the Member States for investigating and prosecuting serious crime.

Article 9 Liability

- (1) If damage is caused to one Party or to an individual as a result of an unauthorised or incorrect information processing under this Arrangement by the other Party, that Party shall be liable for such damage, in accordance with its respective legal framework.
- (2) Upon request, a Party shall be bound to pay back the other party, the amounts awarded as compensation for damages to an injured party due to failure to comply with its obligations under this Arrangement. In case of shared liability, if no agreement can be found on the amounts to be paid back between the Parties under this article the issue shall be settled in accordance with the procedure laid down in Article 12 of this Arrangement.

CHAPTER IV - FINAL PROVISIONS

Article 10 Amendments

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

Article 11 Expenses

Each Party shall bear their own expenses that may arise in the course of implementation of this Arrangement, unless otherwise agreed on a case-by-case basis.

Article 12 Settlement of disputes

- (1) All disputes that may emerge in connection with the interpretation or application of this Arrangement shall be settled by means of consultation and negotiation between the Parties with a view to finding an equitable solution.
- (2) In the event of serious failing of either Party to comply with the provisions of this Arrangement, or if a Party is of the view that such a failing may occur in the near future, either Party may suspend the application of this Arrangement temporarily.

Article 13
Assessment of cooperation

At least once every two years, the Parties shall report to each other on the implementation of this Arrangement and propose methods for improvement.

Article 14
Termination

- (1) This Arrangement may be terminated by either Party upon three months written notification.
- (2) In case of termination, the Parties shall reach agreement under the conditions set out in this Arrangement on the continued use and storage of the information exchanged between them. If no agreement is reached, either Party is entitled to request the deletion of the information transmitted.

Article 15
Entry into force

This Arrangement shall enter into force on the first day following its signature.

Done at The Hague, on 9 November 2023, in duplicate, in English.

For Nigeria

For Eurojust

Honourable Attorney-General of the
Federation and Minister of Justice

President



Appointment of a Eurojust Contact Point

The appointment of Eurojust Contact Points in third States is a valuable tool for improving cooperation between the Member States of the European Union and third States through Eurojust. Eurojust maintains updated contact details of the Eurojust Contact Points and the National Desks at Eurojust. In order to facilitate the appointment procedure and transmission of relevant information about the Eurojust Contact Point(s), the appointing authorities are kindly invited to submit a formal appointment letter to Eurojust, accompanied by this Appointment Form.

The processing of personal data by Eurojust is subject to Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC. A Data Protection Notice is annexed to this Form.

Please send the formal appointing letter together with the Appointment Form of Eurojust Contact Points to institutional.affairs@eurojust.europa.eu

Name of appointing authority:	
Address of appointing authority:	

Name and title of Eurojust Contact Point:	
Work address of Eurojust Contact Point:	
Corporate contact details of Eurojust Contact Point: <ul style="list-style-type: none">- Phone number:- Mobile number:- Fax number:- Email-address:	
Languages in which the Eurojust Contact Point can be contacted:	
Areas of expertise of the Eurojust Contact Point:	
Other relevant information:	



Data Protection Notice

1. Context and Controller

The appointment of Eurojust Contact Points in third States is a valuable tool for improving cooperation between the Member States of the European Union and third States through Eurojust. This is particularly true for those States with which Eurojust has not concluded a cooperation agreement, or for which the conditions set forth in Articles 55 to 59 of the Eurojust Regulation do not apply. Eurojust maintains updated contact details of the Eurojust Contact Points and the National Desks at Eurojust. In order to facilitate the appointment procedure and transmission of relevant information about the Eurojust Contact Point(s) the national appointing authorities are kindly invited to submit a formal appointment letter to Eurojust, accompanied by an Appointment Form.

The processing of personal data is subject to Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC ([hereinafter – Regulation \(EU\) 2018/1725](#)).

The data controller is the Head of the Institutional Affairs Office (institutional.affairs@eurojust.europa.eu).

2. What personal information do we collect, for what purpose, on which legal basis and through which technical means?

Types of personal data

The personal data processed are as follows: name, surname, function, work address, corporate telephone number, corporate fax, and corporate email address.

Purpose of the processing

The purpose of processing the personal data is to maintain and update a list of Contact Points appointed by the competent national authorities in third States in order to enhance judicial cooperation in criminal matters between Eurojust and such third States.

Legal basis

Processing is necessary for compliance with a legal obligation as indicated in Articles 3(5), 8 (1)(c), 47, and 52(3) of the Eurojust Regulation.

Technical means

We collect this information via email and/or in paper form. We store the electronic forms in Eurojust secure ICT environment with restricted access to post holders of Eurojust on the need to know basis. We store the paper forms in a locked cabinet only accessible to the Head of IAO.

3. Who has access to your personal data and to whom is it disclosed?

Members of the National Desks of Eurojust, Representative of Denmark at Eurojust, Liaison Prosecutors and Assistants from third States posted at Eurojust, and duly authorised Eurojust staff members from the Institutional Affairs Office and Executive Support Team will have access to the data for the purpose described above.

Transfers to third countries / international organisations

N/A.

4. How do we protect and safeguard your information?

The information is electronically archived in the Data Management System of Eurojust, a secured network. All IT tools at Eurojust are developed according to a standard set of security and are thoroughly tested accordingly, to ensure robustness and reliability. Paper files are stored in secured lockers and are destroyed in compliance with security procedures.

5. How long do we keep your personal data?

The data contained in the contact list are regularly reviewed (once per year). As soon as Eurojust is notified about the changes of the position of a person, the data in the list are updated, or if no longer necessary, deleted.

6. How can you verify, modify or delete your information?

You have the right to access, rectify or erase or restrict the processing of your personal data or, where applicable, the right to object to processing or the right to data portability in line with Regulation (EU) 2018/1725. Any such request should be directed to the data controller, by using the following email address: institutional.affairs@eurojust.europa.eu.

7. Contact information

In case of queries regarding the processing of personal data:

Eurojust Data Protection Officer can be contacted via email: dpo@eurojust.europa.eu.

8. Recourse

You have the right of recourse to the [European Data Protection Supervisor \(EDPS\)](#) via email: edps@edps.europa.eu or following the link: https://edps.europa.eu/data-protection/our-role-supervisor/complaints_en.

Annex II

List of Union Bodies (Article 8(2) of the Arrangement)

Union bodies that can get access to information (via Eurojust):

- European Central Bank (ECB)
- European Anti-Fraud Office (OLAF)
- European Border and Coast Guard Agency (Frontex)
- European Union Intellectual Property Office (EUIPO)
- Missions or operations established under the Common Security and Defence Policy, limited to law enforcement and judicial activities
- European Union Agency for Law Enforcement Cooperation (Europol)
- European Public Prosecutors Office (EPPO)
- European Union Agency for Law Enforcement Training (CEPOL)