



**Working Arrangement on the cooperation between
the European Public Prosecutor's Office (EPPO)
and
the Ministry of Justice of the Kingdom of Denmark**

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The European Public Prosecutor's Office ('EPPO'), hereinafter referred to as "the EPPO", and
the Ministry of Justice of the Kingdom of Denmark,
together referred to as "the Parties",

Having regard to the provisions of the Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO'), hereinafter referred to as "the EPPO Regulation", and in particular the Articles 99(3) and 105 thereof,

Taking into account the applicable Union acts on judicial cooperation in criminal matters, including, but not limited to, those giving effect to the principle of mutual recognition of judicial decisions, as well as the notifications submitted in accordance with Article 105(3) of the EPPO Regulation by the Member States participating in the enhanced cooperation on the establishment of the EPPO,

Considering the will of the Parties to establish a close cooperation with a view of protecting by investigative and prosecutorial means the financial interests of the European Union,

Aiming to facilitate cooperation and exchange of information between them in order to ensure effective investigation and prosecution, in full respect of the Charter of Fundamental Rights of the European Union, and to bring to justice without undue delay all persons who are suspected or accused of committing crimes against the EU budget,

HAVE AGREED AS FOLLOWS:

Chapter I

General provisions

Article 1

Purpose

- (1) The purpose of this Working Arrangement is to facilitate judicial cooperation in criminal matters and exchange of information between the Parties.
- (2) The Parties shall exchange strategic information and establish other forms of operational and institutional cooperation in accordance with the provisions of this Working Arrangement.
- (3) For gathering evidence or obtaining surrender of persons sought, as well as for other forms of judicial cooperation between them, the Parties shall apply the relevant European Union acts on judicial cooperation in criminal matters, or other multilateral legal instruments, where applicable, and relevant domestic law.

Article 2

Scope

The Parties shall cooperate in all areas referred to in this Working Arrangement in accordance with the applicable legal framework. In the implementation of the arrangement, the Director of Public Prosecution of the Kingdom of Denmark acts on behalf of the Danish Minister of Justice where appropriate.

Article 3

Definitions

For the purposes of this Working Arrangement:

- a) 'European Prosecutor' means the staff of the EPPO referred to in Articles 16 and 96(1) of the EPPO Regulation;
- b) 'European Delegated Prosecutor' means the staff 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 96(3), 97 and 98 of the EPPO Regulation; and
- d) 'Information' means personal and non-personal data.

Article 4

Cooperation in Implementation of Data Protection Obligations

- (1) Concerning personal data protection, the Parties shall apply the respectively relevant European Union legal acts and Danish law.
- (2) The parties shall cooperate and inform each other appropriately in the implementation of their respective obligations. This specifically includes
 - a. Informing each other in case of any personal data breach occurring in relation to personal data exchanged under this arrangement.
 - b. Consulting each other in case of data subject requests related to personal data exchanged under this arrangement, and specifically not to grant access 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 5

Onward transfers

The Parties will, under the applicable legal framework, consult each other before allowing any onward transfer of information received, including to Union bodies and agencies, Member States, third countries and international organisations. No onward transfer of personal data to third countries or international organisations shall occur without prior authorization, given in specific or in general terms, of the transmitting Party in accordance with the relevant applicable legal framework.

Chapter II

Operational cooperation

Article 6

Cooperation on surrender of persons sought by the EPPO

In accordance with Framework Decision 2002/584/JHA of the Council of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States, the Director of Public Prosecutions of the Kingdom of Denmark shall, in its capacity of Central Authority, facilitate the execution of European arrest warrants issued by the EPPO or by a competent authority of a Member State participating in the enhanced cooperation on the establishment of the EPPO in cases investigated or prosecuted by the EPPO as they were issued in national cases by the authorities of the Member States of the European Union.

Article 7

Cooperation on gathering evidence

The Parties shall provide each other with the widest extent of cooperation for gathering evidence when applying the provisions of the European Convention on Mutual Assistance in Criminal Matters of 20 April 1959 and the Convention of 29 May 2000 on mutual assistance in criminal matters between the Member States of the European Union.

Article 8

Freezing of assets

The Parties shall cooperate in the area of freezing of assets in accordance with the applicable Union acts, in particular with the provisions of the Council Framework Decision 2003/577/JHA of 22 July 2003 on the execution in the European Union of orders freezing property or evidence.

Article 9

Joint investigation teams

- (1) The Parties may cooperate on setting up joint investigation teams in cases that would fall under the competence of the EPPO.
- (2) For the setting up of a joint investigation team, the Parties shall conclude specific arrangements, in accordance with Article 13 of the Convention of 29 May 2000 on mutual assistance in criminal matters between the Member States of the European Union.

Article 10

Concurrent jurisdiction

- (1) The Parties shall cooperate in order to prevent possible conflicts of jurisdiction or to solve conflicts of jurisdiction that have occurred.
- (2) For the application of the provisions of paragraph (1), the Parties shall make use of the Council Framework Decision 2009/948/JHA of 30 November 2009 on prevention and settlement of conflicts of exercise of jurisdiction in criminal proceedings.

Chapter III

Strategic cooperation and institutional matters

Article 11

Exchange of strategic and other information

- (1) The Parties may exchange any 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 12

Secondment of Liaison officers to the EPPO

- (1) In order to facilitate the application of this Working Arrangement and especially to fostering the operational cooperation between the Parties, the Director of Public Prosecution of the Kingdom of Denmark may second a liaison officer to the EPPO's headquarters in Luxembourg.
- (2) The EPPO shall provide an office, technical equipment and the necessary logistical support for the liaison officer seconded to its headquarters. The Director of Public Prosecution of the Kingdom of Denmark will cover all other costs of the secondment.

- (3) The Parties shall agree on the specific arrangements related to the secondment of the liaison officer through an exchange of letters.

Article 13

EPPO Contact Points in the Kingdom of Denmark

- (1) The Parties shall agree on the persons designated as EPPO Contact Points in the Kingdom of Denmark through an exchange of letters between the European Chief Prosecutor and the Director of Public Prosecutions of the Kingdom of Denmark.

Article 14

Meetings and other events

- (1) The Parties may organise regular high-level meetings between the EPPO and relevant Danish authority, as well as technical meetings at both operational and administrative levels.
- (2) The Parties may cooperate in organising training sessions on matters of common interest and they may invite each other to seminars, workshops, conferences and other similar activities that are mutually relevant.

Article 15

Means and channels of communication

- (1) The Parties shall communicate by any means whereby a written record can be produced, including through secured means of electronic communication.
- (2) At operational level, the Parties shall cooperate directly. Requests for assistance or judicial decisions addressed to the EPPO shall be sent to the Central Office.
- (3) At strategic and management level, the Parties shall communicate through the European Chief Prosecutor and the Director of Public Prosecutions of the Kingdom of Denmark.

Chapter IV

Final provisions

Article 16

Consultations

The Parties shall consult each other regarding any matters that may lead to different interpretations of this Working Arrangement.

Article 17

Expenses

Unless otherwise stipulated in this Working Arrangement, the Parties shall bear their own expenses that arise in the course of implementation of this Working Arrangement.

Article 18

Amendments

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

Article 19

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 reach agreement on the continued use and storage of the information that has already been communicated between them.
- (3) Without prejudice to paragraph 1, the legal effects of this Working Arrangement shall remain in force.

Article 20

Entry into force

This working arrangement shall enter into force on the day of the last signature.

Done at Luxembourg on 31/08/20²³ and at Copenhagen on 9/8-2023 in two originals in English language, all texts being equally authentic.

**For the European Public Prosecutor's Office
(EPPO),**



**Laura Codruța KOVESI
European Chief Prosecutor**

**For the Ministry of Justice of the Kingdom of
Denmark**



**Peter Hummelgaard
Minister of Justice**