

Working Arrangement

between

The European Union Agency for Asylum (EUAA)

and

**The European Union Agency for Law Enforcement
Training (CEPOL)**

WORKING ARRANGEMENT BETWEEN THE EUROPEAN UNION AGENCY FOR ASYLUM (EUAA) AND THE EUROPEAN UNION AGENCY FOR LAW ENFORCEMENT TRAINING (CEPOL)

The European Union Agency for Asylum (hereafter referred to as “EUAA”), and the European Union Agency for Law Enforcement Training (hereafter referred to as “CEPOL”), hereinafter collectively referred to as the "Sides", or individually as the "Side",

Having regard to Regulation (EU) 2021/2303 of the European Parliament and of the Council of 15 December 2021 on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010 (hereinafter referred to as “EUAA Regulation”), and more in particular, Articles 8 and 37 and 41(1)(ac) thereof,

Having regard to the Regulation (EU) 2015/2219 of the European Parliament and of the Council of 25 November 2015 on the European Union Agency for Law Enforcement Training (CEPOL) and replacing and repealing Council Decision 2005/681/JHA (hereafter referred to as “CEPOL Regulation”); and more in particular recital 18 and Articles 29(2)(3) and 34 thereof,

Having regard to the positive outcome of the written procedure for the authorisation and approval of the present Working Arrangement by the EUAA Management Board (EUAA/MB/2024/111 of 2 May 2024),

Having regard to the Decision of the CEPOL Management Board 08/2024/MB,

Having regard to the prior approval of the draft Working Arrangement by the Commission (C(2024) 1453 final of 11 March 2024),

Whereas:

There exists a mutual interest of the Sides to cooperate, in particular as regards training activities, while taking into account the importance of fundamental rights in the context of various aspects of both asylum and law enforcement.

The **EUAA** contributes to ensuring the efficient and uniform application of Union law on asylum in the Member States in a manner that fully respects fundamental rights. The Agency facilitates and supports the activities of the Member States in the implementation of the Common European Asylum System (CEAS) and it improves the functioning of the CEAS, including by providing operational and technical assistance to Member States, in particular when their asylum and reception systems are under disproportionate pressure. The EUAA is a centre of expertise by virtue of its independence, the scientific and technical quality of the assistance it provides and the information it collects and disseminates, the transparency of its operating procedures and methods, its diligence in performing the tasks assigned to it, and the information technology support needed to fulfil its mandate.

The **EUAA** provides, inter alia, Member States with a European Asylum Curriculum with the aim of promoting best practices and high standards in the implementation of Union law on asylum and supports them with the implementation of this Curriculum in their national administrations.

The **EUAA** provides professional training modules and courses for asylum and reception authorities across the EU and in doing so, supports the practical implementation of the CEAS and convergence among Member States in full respect of fundamental rights.

CEPOL supports, develops, implements and coordinates training for law enforcement officials, while putting particular emphasis on the protection of human rights and fundamental freedoms in the context of law enforcement, in particular in the area of police cooperation. This includes prevention of and fight against serious crime affecting two or more Member States and terrorism, maintenance of public order, in particular international policing of major events, and planning and command of Union missions, which may also include training on law enforcement leadership and language skills.

There shall be no prejudice to future developments in the concerned policy areas which may result from the revision of the existing legal basis, cooperation and political framework instruments or treaties.

The cooperation between the Sides should take place in a manner which ensures the protection of intellectual property rights and taking into account the applicable EU copyright legislation.

The Sides comply with 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/EC¹ (hereinafter referred to as “Regulation (EU) 2018/1725”).

Have agreed on the following Working Arrangement:

Article 1 Purpose of the Working Arrangement

1. The purpose of the Working Arrangement is to establish cooperation between the EUAA and CEPOL, in particular in the field of activities relating to training and learning, pursuant to their respective mandates.
2. The Sides may also cooperate in administrative matters such as procurement, human resources, protection of personal data and communication, as they deem appropriate.

Article 2 Areas of cooperation

Within the framework of this Working Arrangement, the Sides may cooperate in the following fields of activities:

1. Training activities

- a) Acquiring expertise for their training and capacity building activities, such as through the mutual provision of experts and trainers from the professional networks of the Sides, as necessary and/or exchange of information on expertise available in the field, including about trainers, lecturers, researchers and other experts, without prejudice to Article 6 of the Working Arrangement.
- b) Granting EUAA staff access to the sections of CEPOL's eLearning platform accessible to registered users but with restricted access for non-registered users via self-enrolment.
- c) Exchanging annual training plans and where appropriate, inviting learners from the other Side to participate in any of its training activities.
- d) Training development, promotion and implementation of training activities, including joint training activities, where feasible, in line with their respective mandates.
- e) Projects and training activities that either Side carries out in third countries.
- f) Use of facilities, technical interoperability, additional logistical support for the organisation and delivery of training and capacity building activities.

2. Exchange of knowledge

When the exchange of knowledge, information and expertise is considered beneficial to the Sides, they may support each other in the development and promotion of material such as publications, practical tools and information accessible in databases and web applications.

3. Consultations

The Sides endeavour to consult each other regularly on matters of common interest for the purpose of realizing their objectives and coordinating their respective activities, as appropriate. In particular:

- a) The Sides invite each other to comment on their respective Annual Work Programmes during the first quarter of each calendar year or before the Annual Work Programme is adopted.

- b) Whenever relevant, the Sides may consult each other in the context of the development of guidance and practical tools on topics in which the other Side has particular expertise.
- c) The Sides may invite each other to participate in any other consultations.

4. Action Plans

The Sides may develop Annual or Multiannual Action Plans to determine concrete forms of cooperation under the present Working Arrangement.

Article 3 Contact points

The Sides will respectively nominate a contact point(s) within their administration entrusted with all communications relating to the present Working Arrangement.

The nomination of the contact points, as well as any subsequent change in those contact points, will be communicated through an exchange of letters between the Executive Director of the EUAA and the Executive Director of CEPOL.

The contact point(s) will facilitate the technical and organisational aspects, relating to the setting up of meetings, including tele- and video conferences between the EUAA and CEPOL as often as deemed necessary.

With reference to Article 2.1, the Executive Directors shall also appoint focal points from both Agencies to cooperate actively in the area of training. Tasks of the EUAA focal point shall include acting as eLearning platform manager as regards the implementation of Article 2 (1)(b).

Article 4 Confidentiality and protection of classified information

The Sides undertake to keep confidential any information, document or other material communicated to them as confidential by the other Side, not to disclose it to third parties without a prior written consent of the originating Side, and not to use any such information for any purpose other than the implementation of this Working Arrangement, even after the termination of the Working Arrangement.

The Sides commit themselves to respect all security rules on the protection of classified information and non-classified sensitive information applicable to each of the Sides.

Article 5 Copyright

The Sides guarantee that, unless otherwise indicated, they hold the rights for the publication, reproduction, translation and dissemination of all the component parts (texts, photos, tables,

graphs, illustrations, etc.) of the materials they share between them under this Working Arrangement and that any third-party's rights are duly respected.

Article 6 Protection of Personal Data

The Sides agree that, when the information exchange between them contains personal data, any transfers of such data from one Side to another, will be carried out in accordance with the applicable data protection rules, including those of Regulation (EU) 2018/1725.

The Sides may in particular agree on additional special arrangements in order to ensure the lawful processing of personal data contained in the information exchanged between them in the context of Article 2(1)(a), as deemed appropriate.

Article 7 Expenses

Unless otherwise agreed, each Side shall bear its own expenses which arise in the course of implementing the present Working Arrangement.

Article 8 Review of the cooperation

The Sides will meet at least once a year to review and assess the progress in the implementation of this Working Arrangement and to define concrete cooperation activities.

Article 9 Settlement of disputes

All disputes which may emerge in connection with the interpretation or application of the present Working Arrangement shall be settled by means of consultation and negotiation between representatives of the Sides, in the spirit of loyal cooperation.

Article 10 Amendment of the Working Arrangement

The Sides may each propose, by means of an exchange of official letters, to amend this Working Arrangement or parts thereof. Amendments to this Working Arrangement should be subject to the authorisation and approval of both Management Boards of the EUAA and CEPOL, following prior approval by the Commission.

Article 11 Termination of the Working Arrangement

This Working Arrangement may be terminated by each Side with three months of written notice.

Article 12 Entry into force

This Working Arrangement shall enter into force on the day of signature by the last Side.

<p>This day of two thousand and twenty-four, in duplicate in the English language</p> <p><i>Signed on 23 May 2024</i></p> <p>Nina Gregori, Executive Director For the European Union Agency for Asylum (EUAA)</p>	<p>This day of two thousand and twenty-four, in duplicate in the English language</p> <p><i>Signed on 25 May 2024</i></p> <p>Montserrat Marin Lopez, Executive Director For the European Union Agency for Law Enforcement Training (CEPOL)</p>
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