

Memorandum of Understanding between the Ibero-American Association of Public Prosecutors (AIAMP) and the European Judicial Network (EJN)

The Ibero-American Association of Public Prosecutors (hereinafter, the AIAMP), represented herewith by Mr. Eduardo Ezequiel Casal, Prosecutor General of Argentina and President of the AIAMP, and the European Judicial Network (hereinafter, the EJN), represented herewith by the Secretary Hugh Dockry, hereinafter collectively referred to as the 'Parties', or individually as the "Party",

HAVING REGARD to THE Regulation setting up the AIAMP, specifically provisions 13(1) and 14(2) thereof and considering the approval granted by its General Assembly for the subscription of this Memorandum of Understanding (hereinafter referred to as the 'MoU');

AND HAVING REGARD to Council Decision 2008/426 JHA of 16 December 2008 on the European Judicial Network; considering EJN Secretariat, as a body representing EJN in close consultation and coordination with the EJN Presidency Board led by the Member State of the European Union (EU) holding the Presidency of the Council of the EU, has stressed the importance of the collaboration outside the EU towards activities while improving cooperation with judicial networks in criminal matters in different regions across the world,

CONSIDERING that the EJN Presidency Board supported increased cooperation and furthermore, the conclusion of the MoU with AIAMP, in its meetings on 10 June 2024 in Antwerp, Belgium and on 1 October 2024 in The Hague, The Netherlands,

AND CONSIDERING that the EJN National Correspondents approved the concept note for the MoU with AIAMP at the 16th National Correspondents meeting of the EJN that took place in The Hague on 2 October 2024 and that the EJN Contact Points welcomed the initiative at the 63rd Plenary meeting of the EJN in Budapest on 6-8 November 2024,

RECOGNISING the inherent ties between the Parties, based on their identity, objectives, structure, informal way of functioning and operation, which have existed since their creation;

WISHING to consolidate and improve the effectiveness of international judicial co-operation between the Parties in order to better meet the current and future challenges posed by organised crime, particularly serious crimes often perpetrated by transnational criminal organisations,

TAKING INTO CONSIDERATION the interests of the PARTIES in the development of a tight-knit and dynamic cooperation, in order to provide prosecutors with knowledge and tools that allow them to face all present and future challenges posed by serious crimes, in particular by transnational organized crime in its various forms and, in particular, drug-trafficking crimes, trafficking in persons, smuggling of migrants, money laundering, financial and environmental crimes and cybercrimes;

RECOGNISING the importance of promoting the exchange of successful experiences and good practices for the investigation of high impact crimes;

AND RESPECTING the fundamental rights and principles as reflected in the Charter of Fundamental Rights of the EU,

The Parties have agreed the following understanding:

Article 1 Purpose

1. The purpose of this MoU is to consolidate and improve the effectiveness of international cooperation between the Ibero-American Association of Public Prosecutors (AIAMP) and the European Judicial Network (EJN) in the fight against transnational crime and the globalisation of crime
2. This MoU does not modify any legal provision on the matter and does not interfere with nor modify the legal framework of the Parties.
3. This MoU does not preclude or substitute formal co-operation between the Member States of the EU, which have appointed the national Contact Points

forming part of the EJM and the States of AIAMP established in international instruments or on the basis of the principle of reciprocity, nor any other existing form of cooperation between them.

4. The conclusion of a MoU between EJM and AIAMP appears as a natural step forward to strengthen the already existing good cooperation at operational level between the entities reflecting their close links resulting from common objectives.
5. The added value of this MoU is not to formalise, but to put in writing the general framework for the cooperation of the Parties and to extend this collaboration establishing a bridge between EJM and the IberoAmerican Prosecutor's Offices integrated in AIAMP in order to encourage and develop strategic cooperation between the Parties and to raise awareness among practitioners in the regions.

Article 2

Scope of cooperation

1. Cooperation between the Parties may include:
 - a. Exchanging legal, strategic, and technical information, including the results of strategic analysis, information regarding substantive and procedural criminal legislation and practices, practical difficulties, best practices, and lessons learned in judicial cooperation in criminal matters.
 - b. Participating in training activities, including contributions to the development of courses, seminars, conferences, among others.
 - c. Inviting each other in awareness-raising and knowledge-building events on issues related to the respective mandates of both Party.
 - d. Enhancing international cooperation in the field of criminal justice by facilitating communication between the contact points of the Parties and of competent authorities in the EU Member States and in AIAMP members.
 - e. Ensuring mutual understanding regarding cooperation requirements in relation to serious crimes, in particular but not limited to transnational organized crime, drug trafficking, trafficking in persons, smuggling of migrants, money laundering, financial and environmental crimes, and cybercrimes, as well as in relation to the dismantling of criminal finances of criminal organizations.

- f. Exchanging best practices in the fight against the most serious forms of crime.
 - g. Sharing guidelines/protocols/documents adopted by each Party, as well as their good practices and successful experiences.
 - h. Identifying ways of collaboration on information technology tools to facilitate judicial cooperation of criminal matters.
 - i. Raising awareness about cooperation possibilities across regions with regard to judicial cooperation in criminal matters.
2. Under this MoU, only administrative personal data, that is contact details of national Contact Points of the EJM and of the AIAMP and its permanent specialised networks, as well as of national authorities in EU Member States and in AIAMP members, will be exchanged. Any exchange of operational personal data is excluded from the scope of this arrangement.

Article 3

Exchanging information

1. The Parties, with a view to fulfilling the objectives set out in their respective legal frameworks and within the limits of their competencies, may exchange:
 - a. Experiences of any type.
 - b. Legal and practical information concerning the judicial and procedural system and a description of the functions of the judicial authorities and other authorities with competence in international judicial cooperation.
 - c. Information of an operational and non-operational strategic nature, such as tendencies and new phenomena in criminality related to organised transnational crime and the strategies, modus operandi and techniques of criminal organisations.
 - d. Strategies and good practice for enhancement of international judicial cooperation in criminal matters.
2. Exchange of information between the Parties shall only take place for the purpose of and in accordance with the provisions of this MoU, and shall exclude

the transmission of operational personal data.

3. 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, if applicable, 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.
4. The use of information for a different purpose than that for which the information was transmitted shall be subject to prior authorisation of the transmitting Party.

Article 4 **Communication between Parties**

1. For the purposes of this MoU, the Parties shall directly communicate with each other through the following contact details:

a. On behalf of the AIAMP: General Secretariat of the AIAMP

Address: c/. Ortega y Gasset, 57-1º
28071 Madrid (Spain)
Tel.: +34 91 423 08 11
E-mail: aiamp.secretariageneral@fiscal.es

b. On behalf of the EJP: European Judicial Network (EJP) Secretariat

Address: Johan de Wittlaan 9
2517 JR The Hague
(The Netherlands)
E-mail: Ejp@eurojust.europa.eu

2. The Parties shall promptly inform each other on any change of information regarding their contact details.

Article 5

Communication and branding

1. The Parties shall closely cooperate for the planning, implementation and monitoring of communications related to joint projects, programmes and activities.
2. Unless authorised in advance in writing, neither Party shall use the other's insignia, name, logo or emblem for advertising purposes or for any other purpose.

Article 6

Role of the Secretariats and Expenditure

1. The EJM Secretariat and the General Secretariat of the AIAMP will be responsible for the practical application of this MoU by:
 - a) Sharing Contact Points data and access to information technology tools;
 - b) Facilitating communication between contact points (where necessary).
 - c) Acting as a communication channel for distributing information of interest to the Parties, including information on professional training, seminars and workshops;
 - d) Providing any necessary support to ad hoc working groups;
 - e) Any other activity necessary for the proper functioning of this MoU.
2. The Parties will be responsible for their own costs incurred in relation to the practical application of this MoU, unless otherwise agreed upon on a case-by-case basis.

Article 7

Disputes settlement

All discrepancies that may arise regarding the interpretation and implementation of this MoU shall be resolved by the Parties by mutual agreement.

Article 8 Consultation and Amendments

1. The Parties shall consult at the request of either concerning the operation of this MoU.
2. This MoU may be modified or amended by arrangement between the Parties at any time and in accordance with their respective legal requirements.

Article 9 Obligations

Since this MoU expresses the Parties' common interest, it shall not entail any obligations under international law nor any legal liability for the Parties.

Article 10 Term of validity

This MoU will come into effect on signature. Either Party may notify, at any time, the other Party of its decision to terminate this MoU. The termination shall take effect thirty (30) days after the date of the respective notification. The Parties shall decide on the continuity of the activities that may be in progress at said moment.

Issued in Madrid on the 30th May 2025, in two copies, in English and Spanish.

On behalf of the Ibero-American
Association of Public Prosecutors
(AIAMP)



Eduardo Ezequiel Casal, President

On behalf of the European Judicial
Network (EJN)



Hugh Dockry, Secretary to the EJN