



**MEMORANDUM OF UNDERSTANDING**

**Between**

**The European Network of Forensic Science Institutes (ENFSI)**

**And**

**The European Judicial Training Network (EJTN)**

**The European Network of Forensic Science Institutes** (hereafter referred to as “ENFSI”) is an association with acknowledged monopoly status in the field of forensic science, recognized by the European Commission (EC), uniting forensic institutions from nearly all EU Member States and numerous institutions from countries belonging to the Council of Europe. Its main purpose is the promotion of research and development, international cooperation, quality and competence, education and training in the field of forensic science. Furthermore, ENFSI is recognized by the Council of the European Union being responsible for improving forensic awareness among law enforcement and justice community, which was expressed in the Council Conclusions and Action Plan on the way forward in view of the creation of a European Forensic Science Area of June 9<sup>th</sup>, 2016 (10128/16, ENFOPOL 192).

**The European Judicial Training Network** (hereafter referred to as “EJTN”) is an association recognized by European Commission (EC) and operates on a strategic level in order to improve the training of judges and prosecutors in national legal systems and traditions, as well as in European Union Law and judicial cooperation procedures.

**Recognizing** that EJTN’s mandate is to help build a genuine European area of justice and to promote knowledge of legal systems, thereby enhancing the understanding, confidence and cooperation between judges and prosecutors within EU Member States,

**Having regard** to the Consolidated Articles of Association of the EJTN<sup>1</sup> which aim to strengthen judicial cooperation in training programmes at European Union (“EU”) level and require the establishment of an Annual Programme of Activities in order to fulfil its objectives,

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<sup>1</sup> EJTN’s Articles of Association (revised). Published in the annexes of the *Moniteur belge* of 20 November 2015.

**Recalling** the Council Conclusions and Action Plan of 9<sup>th</sup> June 2016 on the way forward in view of the creation of a European Forensic Science Area<sup>2</sup> whereby the Council:

- RECOGNISES the important role of the European Network of Forensic Science Institutes (ENFSI) as a platform for efficient forensic knowledge exchange, as well as other stakeholders and forensic science service providers, with a view to developing minimum quality requirements for forensic examinations, facilitating international collaboration and identifying important systemic needs for the forensic community;
- INVITES THE MEMBER STATES to improve forensic awareness among law enforcement and justice communities, and to liaise with various law enforcement and justice system entities in order to identify priority areas for forensic awareness training (MS, CEPOL, EJTN).

ENFSI and EJTN have a mutual interest for the enhancement of training quality provided to their members. Thus, the two associations will cooperate reciprocally. ENFSI will support EJTN to raise awareness and increase knowledge among judges and prosecutors regarding forensic area's contribution to casework examination and the ensuing trials throughout the European community. EJTN will support ENFSI to raise awareness and increase knowledge among forensic practitioners about the possible legal and judicial aspects of forensic work. The framework of this Memorandum serves the mutual cooperation between the two associations in areas of common interest and has been agreed as follows:

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<sup>2</sup> <http://data.consilium.europa.eu/doc/document/ST-10128-2016-INIT/en/pdf>

## **Article 1**

### **Purpose of the Memorandum of Understanding**

The purpose of this Memorandum of Understanding is to define the relations between ENFSI and EJTN, specifying, in particular, the nature, extent and manner in which ENFSI may contribute in EJTN's work and vice versa, and to establish the arrangements necessary to facilitate mutual cooperation. The exchange or dissemination of Law Enforcement Sensitive Data, including Personal Data, is not within the scope of this Memorandum of Understanding or any of its provisions.

## **Article 2**

### **Areas of cooperation**

The parties agree to cooperate to the development and implementation of seminars for legal and forensic practitioners subsequently to the Council Conclusions and Action Plan of 9<sup>th</sup> June 2016 on the way forward in view of the creation of a European Forensic Science Area, and to the implementation of the training needs identified in this field.

## **Article 3**

### **Participation in training activities**

The forensic experts of ENFSI may participate as trainers in EJTN activities and EJTN experts as trainers in ENFSI activities. The Parties may also appoint respectively their representatives to take part in training activities related to forensic sciences provided by the other party on an ad hoc basis, if such need is identified jointly.

The participation in such activities should always be agreed upon in advance through the contact points within ENFSI and EJTN.

## **Article 4**

### **Financial obligations**

This Memorandum of Understanding does not create a financial obligation to any of the signing partners. The costs for the participation of ENFSI representatives as

trainers in EJTN activities and of EJTN experts as trainers in ENFSI activities will be reimbursed according to the respective ENFSI or EJTN rules applying to the activities concerned by such participation.

## **Article 5**

### **Support for training activities**

Officials of ENFSI may contribute to EJTN training courses by supporting organizers of EJTN training courses; this may include the provision of experts for the needs of such courses.

Any direct costs incurred for services provided by ENFSI in supporting training activities of EJTN or provided by EJTN in supporting ENFSI will be reimbursed, according to the rules of the organizer.

This Memorandum of Understanding does not create any specific obligation on ENFSI to support EJTN training courses, nor the Third Parties to attend training sessions or courses organized within its framework.

## **Article 6**

### **Contact Point**

ENFSI and EJTN shall communicate the contact details of the nominated contact points to the respective parties within one month from the date of entry into force of the present Memorandum of Understanding and in any event prior to its entry into force. Any changes in that respect will be communicated in writing to the respective parties. The contact point shall be responsible for carrying out the following tasks:

- facilitate the communication and coordination between EJTN and ENFSI;
- coordinate the implementation of activities and meetings organized in cooperation between EJTN and ENFSI.

## Article 7

### Settlement of disputes

All disputes which may emerge in connection with the interpretation or application of the present Memorandum of Understanding shall be settled by means of consultation and negotiation between representatives of the Parties.

## Article 8

### Amendment of the Memorandum of Understanding

ENFSI or EJTN may each propose, by means of an exchange of official correspondence, to amend this Memorandum of Understanding or parts thereof. Amendments to this Memorandum of Understanding shall enter into force after the respective internal procedures have been completed.

## Article 9



### Termination of the Memorandum of Understanding

This Memorandum of Understanding may be terminated by each party with 6 months written notice.

## Article 10

### Entry into force

This Memorandum of Understanding shall enter into force on the day of its signature.

<p>This Thursday 3<sup>rd</sup> April two thousand and twenty, in duplicate in the English language</p>  <p><b>Judge Markus Brückner, EJTN Secretary General, For the European Judicial Training Network (EJTN)</b></p>	<p>This Thursday 9<sup>th</sup> April two thousand and twenty, in duplicate in the English language</p>  <p><b>Dr. Michael Bovens, Chairperson, For the European Network of Forensic Science Institutes (ENFSI)</b></p>
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