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# GUIDELINES ON THE EUROPEAN JUDICIAL NETWORK MEETINGS

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## INTRODUCTION

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These Guidelines on the European Judicial Network meetings provide non-binding guiding principles for the organisation and financing by the European Judicial Network budget of European Judicial Network meetings.

Article 3 (b) of the Council Decision 2008/976/JHA of 16 December 2008 on the European Judicial Network (EJN)<sup>1</sup> (*hereinafter referred to as the “EJN Decision”*) states that the EJN shall organise periodic meetings of the Member States’ (*hereinafter referred to as “MS”*) representatives in accordance with the procedures laid down in Articles 5 and 6 of the EJN Decision. This obligation and the EJN traditions are also reflected in the non-binding **Guidelines on the Structure and Functioning of the European Judicial Network**.<sup>2</sup>

Guidelines on European Judicial Network (EJN) Regional meetings were first adopted in June 2009<sup>3</sup>. The Guidelines on the EJN meetings, compiling all EJN meetings, were adopted in March 2011<sup>4</sup> and revised in December 2012<sup>5</sup>. New guidelines on the Meetings of the EJN were adopted in June 2014<sup>6</sup> and revised in January 2016 (*hereinafter referred to as the “Guidelines”*)<sup>7</sup>.

The EJN meetings are planned annually by the EJN Presidency, the EJN Presidency Board and the EJN Secretariat, approved by the EJN Contact Points (*hereinafter referred to as “CP”s*) and are part of the EJN Work Programme. Article 11 of the EJN Decision together with article Article 48 of 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/JHA<sup>8</sup> (*hereinafter referred to as the “Eurojust Regulation”*) provide for that the EJN may draw on Eurojust budget in order for the EJN to be able to carry out its tasks. The EJN Secretariat presents the plans and budget for the EJN meetings in the EJN Secretariat Unit Plan of Eurojust. All

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<sup>1</sup> OJ L 348, 24.12.2008, p. 130–134.

<sup>2</sup> EJN/2009/1 REV 2010 REV EJN/2016/3.

<sup>3</sup> EJN Guidelines on regional meetings, EJN/2009/2

<sup>4</sup> Guidelines for the EJN meetings, EJN/2011/1.

<sup>5</sup> EJN/2009/1 REV

<sup>6</sup> EJN/2014/4

<sup>7</sup> EJN/2016/4 REV

<sup>8</sup> OJ L 295, 21.11.2018

budget appropriations must be made, including grants awarded, in accordance with Eurojust financial rules<sup>9</sup> and EU financial rules applicable to Eurojust<sup>10</sup>.

If the EJM budgeted funds for the meetings are not completely executed within one calendar year, the financial allocation for the EJM meetings should be transferred for other budgetary purposes within the EJM budget for the same year or transferred to the general budget of Eurojust. The Guidelines on the Structure of the European Judicial Network apply for reallocations within the EJM budget.

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<sup>9</sup> College Decision 2019-09 of 17 September 2019 on the Financial Regulation applicable to Eurojust.

<sup>10</sup> Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 [OJ-L 193, 30.07.2018].

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## SECTION I: MEETINGS ORGANISED BY THE EJM SECRETARIAT

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### 1. EJM MEETINGS IN THE HAGUE

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#### 1.1. THE REGULAR MEETING

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Plenary meetings within the meaning of Article 5(1) of the EJM Decision<sup>11</sup> that may be held at the Council in Brussels or at the premises of Eurojust in The Hague are commonly called the “Regular meeting” (*hereinafter referred to as “Regular meeting”*).

The Regular meetings are held once a year, in the beginning of the calendar year, normally on the premises of Eurojust in The Hague. However, this does not preclude the possibility of holding the meeting at the Council in Brussels. Guidelines applicable for the organisation of the Regular meetings in The Hague will be applicable also when the Regular meeting is held in Brussels, to the extent that these do not contradict any conditions and practical arrangements relevant for the organisation of the meeting outside The Hague.

The Regular meeting is held in February or March. The meeting is organised by the EJM Secretariat in close cooperation with the Member State holding the Presidency (*hereinafter referred to as the “Presidency”*).

To this meeting are regularly invited:

- a) 2 CPs per MS,
- b) 1 delegate from each candidate or acceding country,
- c) 1 delegate from each EJM associated and potential candidate country,
- d) 1 extra CP from the Presidency to facilitate the chairing of the meeting,
- e) an additional CP from a MS if there is a handover to be made.

Depending on the topics of the meeting and upon request of the Presidency, could be invited:

- a) the CP from the European Commission,
- b) the General Secretariat of the Council (GSC),
- c) *Ad hoc* participants,
- d) Eurojust,
- e) *Up to 5 delegates from other non-EU countries and observers from other bodies sharing similar objectives in the field of international judicial co-operation in criminal matters.*

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<sup>11</sup> Plenary meetings of Article 5(1) have for purposes to allow the CPs to get to know each other and exchange experience, particularly concerning the operation of the EJM or to provide a forum for discussion of practical and legal problems encountered by the MS in the context of judicial cooperation, in particular with regard to the implementation of measures adopted by the European Union. According to Article 5(3) once a year, the meeting may be held on the premises of the Council in Brussels or on the premises of Eurojust in The Hague. Two CPs per Member States shall be invited to meetings organised on the premises of the Council and at Eurojust.

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## 1.2. NATIONAL CORRESPONDENTS MEETING (NCM)

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The NCM within the meaning of article 6(1) of the EJM Decision has the purpose of discussing, in particular, administrative matters related to the EJM.

The NCM is organised on an *ad hoc* basis and at least once per year usually in October in The Hague at Eurojust. The meeting is organised by the EJM Secretariat in close cooperation with the National Correspondent of the Presidency.

To this meeting are regularly invited:

- a) 1 National Correspondent (*hereinafter referred to as "NC"*) per MS,
- b) 1 additional CP from the Presidency to facilitate the chairing of the meeting.

*Ad hoc* participants:

- c) 1 additional CP from a MS if there is a handover to be made.

Depending on the topics of the meeting and upon request of the Presidency, could be invited:

- a) 1 delegate from each EU candidate or acceding country,
- b) 1 delegate from each EJM associated and potential candidate country,
- c) the CP from the European Commission,
- d) the GSC,
- a) Eurojust,
- b) Other *ad hoc* participants.

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## 1.3. TOOL CORRESPONDENTS MEETING (TCM)

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The Tool Correspondent meeting within the meaning of article 6(2) of the EJM Decision has the purpose of dealing with issues referred to in Article 4(5) of the EJM Decision.

The Tool Correspondents meeting is organised on an *ad hoc* basis and at least once per year usually in March or April in The Hague. The meeting is organised in close cooperation between the EJM Secretariat and the Tool Correspondent of the Presidency.

To this meeting are regularly invited:

- a) 1 Tool Correspondent (*hereinafter referred to as "TC"*) per MS,
- b) 1 additional CP from the Presidency to facilitate the chairing of the meeting.

*Ad-hoc* participants:

- c) 1 additional CP from a MS if there is a handover to be made,
- d) Representatives from the EJM website contractor.

Depending on the topics of the meeting and upon request of the Presidency, could be invited:

- a) 1 delegate from each EU candidate or acceding country,
- b) 1 delegate from each EJM associated and potential candidate country,
- c) The CP from the European Commission,
- d) The GSC,
- e) Eurojust,

- f) Delegates or representatives from other non-EU countries or other partners involved in the e-tools of the EJM website.

## **2. ORGANISATION AND FINANCING OF THE EJM MEETINGS IN THE HAGUE**

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### **2.1. INVITATIONS**

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The EJM Secretariat prepares the invitation, the registration form and a document with practical information on the meeting location. The agenda is prepared in close cooperation between the Presidency and the EJM Secretariat.

The EJM Secretariat will send the invitation documents to the participants on behalf of the Presidency and publish the documents on the EJM website.

### **2.2. MEETING ARRANGEMENTS**

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The EJM Secretariat and the Eurojust Events Logistics Unit, is responsible for the organisation of the EJM meetings in The Hague.

If the meeting is held at the Council, it will be co-organised by the EJM Secretariat, the Presidency and GSC together with the Eurojust Events Logistics Unit.

The meeting working languages of the Regular meeting (1.1) of the NCM (1.2) and TCM (1.3.) is English. Hence, the meeting documents will be in English .

### **2.3. REGISTRATIONS**

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An ad hoc registration platform is in place to register to the EJM meetings.

Participants will have to register via the registration platform no later than 3 weeks before the meeting, unless specified otherwise in the invitation to the meeting. The link to the registration platform is in the invitation e-mail to the meeting.

### **2.4. FINANCIAL MATTERS**

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When the meeting is held in The Hague (Eurojust premises), the EJM budget will cover the eligible costs of the meeting as follows:

- a) Travel Costs: reimbursement will be provided in accordance with the Eurojust budget ceilings or in accordance with ceilings provided by the EJM Secretariat for the particular meeting at the time of the invitation. The reimbursement of the CP will not exceed the applicable ceilings set for by each of the MSs;
- b) Depending on the duration of the meeting, 1 or 2 nights of accommodation.
- c) An additional night may be covered if the participant is involved in additional EJM meetings organised in the margins of the meeting, due to flight unavailability and/or if lower travel costs justify a longer stay in The Hague;
- d) Collations depending on budget availability;
- e) *Ad-hoc* participants may be reimbursed for travel costs and accommodation following the conditions above and provided there is budget availability.

### 3. EJN PRESIDENCY BOARD MEETINGS AND *AD HOC* MEETINGS IN THE HAGUE OR IN THE MEMBER STATES

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#### 3.1. EJN PRESIDENCY BOARD MEETINGS

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The function and the working methodology of the EJP Presidency Board are described in the **Guidelines on the Structure and Functioning of the European Judicial Network**.<sup>12</sup>

The meetings will take place in The Hague or in the Member State of the Presidency. The meetings will be organised by the EJP Secretariat or co-organised with the Member State of the Presidency.

The EJP Presidency Board may also meet on an *ad hoc* basis whenever deemed necessary by the Presidency.

Additionally, bolstering the strength of the privileged relationship between the EJP and Eurojust, the EJP Presidency Board and the EJP Secretariat will meet with the Eurojust Presidency team and the Administrative Director of Eurojust in order to discuss common interests or matters related to both structures. Both the EJP Presidency Board and the Secretariat may participate in Eurojust's internal meetings at the invitation of Eurojust's College or Administration. This option is intended to enhance relations and the coordination between both structures. These particular meetings should be co-organised with Eurojust.

#### 3.2. *AD-HOC* WORKING GROUPS' MEETINGS

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As per the Guidelines on the Structure and Functioning of the European Judicial Network and in accordance with the best practice within the EJP, the possibility of establishing sub-groups (working groups) are set out for a specific purpose and for a specific time.

Meetings of such working groups should be organised in accordance with the EJP Work Programme as well as the EJP priorities and EJP Presidency Board scoreboard. These working groups meet:

- a) as agreed between the EJP Secretariat and the working group, in line with its mandate.
- b) On an *ad hoc* basis when there is a particular need;
- c) Upon request by the EJP Presidency Board.

#### 3.3. MEETING ARRANGEMENTS

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The EJP Secretariat may organise these meetings in The Hague at Eurojust's premises, or in the Member States on the occasion of other meetings taking place in the Member States, in particular the EJP Plenary meetings as referred to in Section II of these Guidelines.

#### 3.4. FINANCIAL MATTERS

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The EJP budget may cover the following costs:

- a) Travel Costs: reimbursement will be provided in accordance with the Eurojust budget ceilings unless the EJP Secretariat provides for different ceilings at the time of the invitation. The reimbursement will not exceed the applicable ceilings to each MS of the CP;

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<sup>12</sup> EJP/2016/3.



- b) 1 night of accommodation. An additional night may be covered if the participant is involved in additional EJM meetings organised in the margins of the meeting, due to flight unavailability and/or if lower travel costs justify a longer stay in The Hague;
- c) Collations depending on budget availability.

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## SECTION II: EJN PLENARY MEETINGS IN THE MEMBER STATES

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### 1. OVERVIEW OF THE PLENARY MEETINGS

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The Plenary meetings of the European Judicial Network are described in Article 5 of the EJM Decision and they are part of the meeting agenda of the Member State holding the Presidency of the Council of the European Union<sup>13</sup>. The Presidency has the responsibility for the organisation of the Plenary meetings with the support of the EJM Secretariat. The meetings take place in the Member States, usually during the last phase of each Presidency.

As per the EJM Decision, the Plenary meetings have the objectives to enable contact points to get to know each other; exchange experiences particularly on the functioning of the Network; discuss practical and legal problems in the area of judicial cooperation and meet with local authorities of the Member State holding the Presidency, including visiting specific bodies in that Member State with responsibilities in the context of international judicial cooperation or of combating certain forms of serious crime.

To accomplish these objectives, the meeting programme should ensure discussions on operational topics in the area of judicial cooperation in criminal matters and also include a section dedicated to ongoing activities (EJM business).

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#### 1.1 TIME OF THE MEETING

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The dates for the Plenary meeting should be decided by the incoming Presidency preferable 12 months in advance, where possible, in consultation with the EJM Secretariat.<sup>14</sup> The Presidency should suggest to the EJM Secretariat at least two alternative dates for the meeting.

The Plenary meetings, including the travelling time for the participants, should in principle not take place on weekends and national holidays.

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#### 1.2 RESPONSIBILITY FOR THE ORGANISATION OF THE PLENARY MEETINGS

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**The Presidency/Member State is responsible for the organisation and for ensuring the required resources**, such as assistance and services before and during the Plenary meeting. The EJM Secretariat will work in close consultation, and advise the Presidency where necessary on the organisation of the Plenary meeting.

Furthermore, the EJM Secretariat, within their capacity and mandate, in cooperation with the Events and Logistics Unit at Eurojust – remotely - and other relevant units at Eurojust, will assist and support the Presidency with the organisation as per the internal arrangements reflecting Article 48.1 (b) of the Eurojust Regulation.

The Presidency should communicate the EJM Secretariat, during the preparation period and prior to its takeover of its mandate, about the entity that will be involved in the organisation of the Plenary meeting and provide contact details of the organisational team from the Presidency, no later than 15 months before the time of the meeting.

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<sup>13</sup> The EJM Presidency mirrors the Council Presidencies and rotates every 6 months. Therefore, the Presidency alternate from January to June and from July to December.

<sup>14</sup> As the organisation of the Plenary meetings is launched before the Presidency has taken over from the current Member State holding the Presidency, the “Presidency” referred to in point 4 of these Guidelines, concerns the incoming Presidency.

The meeting programme have to be prepared in close cooperation between the Presidency and the EJM Secretariat.

The representatives of the EJM Secretariat will take part and support the execution of the meeting together with the Presidency. Therefore the Secretariat should ensure the continuity of the Network, discuss priorities with the EJM Presidency Board, prepare the presentation on the ongoing activities (EJM business), including the Work Programme and budget, assist in workshops/discussions, liaise with Contact Points, representatives of the EU Institutions and other partners.

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### 1.3 PLANNING AND PREPARATION

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No later than 15 months before the Plenary meeting, the EJM Secretariat and the Member State that will be holding the Plenary meeting should to start **planning** for the meeting.

The planning and preparation of the Plenary meeting will be done through video/telephone conferences and email exchange. The Secretariat may also attend a planning and preparation visit in the Member State that will be holding the Plenary meeting. During the visit, meetings with the authorities of Member State which are responsible for the organisation of the Plenary meeting are also foreseen.

The planning and preparation includes tasks list, roles and responsibilities, draft agenda, draft invitation letter, drafting of relevant agreements and the optimal utilisation of the budget.

The EJM Secretariat may support remotely the Presidency on the organisation of the meeting, in cooperation with other Units within Eurojust Administration, e.g. the Events Logistics Unit.

Examples of the remote support:

- Facilitate the registration and communication with participants;
- In case of a pre-selected hotel by the Presidency: Support regarding the **selection/negotiations** with the hotel;
- Where no pre-selection of the hotel would be possible by the Presidency: Support by providing 3 hotel options (this might apply also to other services such as transportation companies);
- Support in **liaising with contractors**, e.g. by informing the service providers (hotel, bus company, restaurant etc.) if a participant cancel.

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### 1.4 INVITATIONS, REGISTRATION AND VENUE ACCREDITATION

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#### INVITATION

The Presidency in cooperation with the EJM Secretariat prepares:

- a) the invitation letter<sup>15</sup>,
- b) a document with practical information to the participants, including the meeting venue and accreditation, transportation, information about the Member State etc. A template is provided by the EJM Secretariat.

These documents should be ready to be disseminated to the participants by the EJM Secretariat no later than 3 months prior to the meeting.

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<sup>15</sup> A model invitation can be provided by the EJM Secretariat upon request.

## REGISTRATION

Participants must register by the deadline through the registration platform provided by the EJM Secretariat. The link to the platform and the code to register are both provided by the EJM Secretariat in the 'Invitation to the meeting' e-mail.

## VENUE ACCREDITATION

The Presidency may require participants to go through a venue accreditation process via an *ad hoc* accreditation platform. This access will be provided by the Presidency in compliance with security requirements to access the meeting venue.

Accreditation should be finalised no later than 6 weeks prior to the meeting.

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### 1.5 PARTICIPANTS

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To this meeting are regularly invited:

- a) EJM Contact Points
- b) Contact Points from EU candidate or accessing countries
- c) Contact Points from EJM associated countries
- d) The Contact Point from the European Commission
- e) A delegate from the General Secretariat of the Council
- f) A delegate from the European Parliament
- g) Participants from Eurojust
- h) Practitioners from the Member States of the Presidency
- i) Members of other judicial networks
- j) EJM Contact Points in non-EU countries
- k) Delegates from other EJM partners.

Ad hoc participants:

- l) The Presidency and the EJM Secretariat in consultation may agree to invite other participants, e.g. depending on the topics of the Plenary meeting delegates or representatives of non-EU countries and/or national or international institutions and bodies sharing similar objectives in the field of international judicial co-operation in criminal matters and EJM partners.

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### 1.6 LINGUISTIC REGIME

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Discussions, presentations and documents for the Plenary meeting should be in English. The Presidency may decide to provide interpretation/translation into other languages, such as French and/or the official language of the Presidency.

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### 1.7 MEETING DOCUMENTS

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Documents for the Plenary meetings are prepared by the Presidency in close cooperation with the EJM Secretariat, unless agreed otherwise with the EJM Secretariat.

Meeting documents, which are prepared by the Presidency, must be sent to the EJM Secretariat by the Presidency in English well before the date of the meeting, taking into account any deadline for the distribution of them in advance to the participants.

Meeting documents, which are prepared by the EJM Secretariat, are sent to the Presidency for approval in due time.

The EJM Secretariat encourages following the *paperless meeting* policy for all EJM meetings.

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## 1.8 FINANCIAL MATTERS AND APPLICABLE FINANCIAL PRINCIPLES

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The financial contribution from the EJM budget to the Plenary meetings is limited to € 35,000.00. A request for exceeding the ceiling of € 35,000 can be made in exceptional cases and will be subject to the decision of the Administrative Director of Eurojust, in consultation with the College of Eurojust.

The financial contribution of € 35,000.00 may be provided either by services ordered directly by the EJM Secretariat (up to € 15.000 per ordered service) or by a grant provided to the Presidency.

The Presidency, in consultation with the EJM Secretariat, should decide about one of the two principles for the financial contribution from the EJM budget at least 15 months prior to the meeting.

The EJM meetings are organised respecting the principles of transparency, proportionality, equal-treatment and non-discrimination. The budget for the EJM Plenary meetings will be executed strictly following the principle of sound financial management.

In line with the principle of transparency, the EJM Secretariat communicates the budget availability and any changes to it to the Presidency in due time. In line with the principle of proportionality the EJM Secretariat ensures the right balance between responsibilities set out by these Guidelines and means which are being used to achieve those.

Principle of equal treatment and non-discrimination ensures that all Member States holding the Presidency will be treated equally, respecting the same eligible costs and the maximum ceilings to the organisation of their meeting.

The principle of sound financial management requires that the use of resources are economic, efficient and effective. The EJM Secretariat is responsible for that the resources for its activities shall be made available in due time, in appropriate quantity, quality and at the best price; that the best relationship between resources employed and results achieved is provided, and that the attainment of the specific objectives set and the achievement of the intended results is guaranteed.

### Financing per ordered service

The EJM Secretariat orders and finance **up to € 15.000 per ordered service**<sup>16</sup> (in compliance with the applicable ceilings)<sup>17</sup>, until an **amount less or equal to € 35.000** is reached.

If the same service is needed in a greater scale than can be covered for, the remaining service must be ordered, invoiced and paid separately by the Presidency. To regulate the practical functioning of this financing mechanism, a Memorandum of Understanding should be agreed by the Presidency and the EJM Secretariat. The **Memorandum of Understanding** will determine the needed services to be

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<sup>16</sup> A "service" is for example hotel, transportation, meals etc.

<sup>17</sup> The table of ceilings is annexed to those guidelines and also published in the EJM website at the following link:  
[https://www.ejm-crimjust.europa.eu/ejm/EJM\\_DynamicPage/EN/67](https://www.ejm-crimjust.europa.eu/ejm/EJM_DynamicPage/EN/67)

ordered and the financial contribution earmarked per ordered service by the EJM Secretariat and the Presidency<sup>18</sup>.

### Financing through grant

The financial contribution from the EJM budget is provided to the Presidency (hereinafter “the beneficiary”) *via* a Grant.

The contribution is up to a maximum amount of **EUR 35.000** per Plenary meeting, corresponding to up to **95%** of the estimated total eligible costs of the action(s) in compliance with the principle of co-financing<sup>19</sup> and the applicable ceiling to the relevant categories of costs (see annex on applicable ceilings).

A **Grant Agreement** drawn up in Euro and detailing the conditions, the level of funding, pre-financing and the implementation period will be sent to the beneficiary.<sup>20</sup>

Both, the grant beneficiary and EJM/Eurojust must sign two copies of the original agreement. One will remain with the beneficiary, one with EJM/Eurojust.

The implementation of the action may begin only after both parties have signed the agreement and it has entered into force. No grant may be awarded retroactively for actions already completed or for actions carried out before the grant agreement was signed.

A **pre-financing payment** corresponding to 70% of the grant amount – may be possible and transferred to the beneficiary within 30 days of the reception of a request for pre-financing addressed to [Ejm\\_grants@eurojust.europa.eu](mailto:Ejm_grants@eurojust.europa.eu)

EJM/Eurojust will establish the amount of the **final payment** to be made to the beneficiary on the basis of the calculation of the final grant amount.

Should the total of the pre-financing payments be higher than the final grant amount, the grant beneficiary will be required to reimburse the amount paid in excess by EJM/Eurojust through a recovery order.

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## 1.9 CEILINGS AND ELIGIBLE COSTS FROM THE EJM BUDGET

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### CEILINGS FOR THE COSTS OF THE MEETING:

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The EJM budget will cover up to a maximum of EUR 35,000 of the eligible costs of the organisation of the Plenary meeting through its budget line within Eurojust budget.

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<sup>18</sup> A template for the Memorandum of Understanding is provided in Annex X.

<sup>19</sup> Article 190 of the EU Financial Regulation.

<sup>20</sup> The Presidency is awarded a grant without call for proposals. This in compliance with the provisions set for by Article 195 of the EU Financial Regulation (EU, Euratom) 2019/1046 whereby Council Decision 2008/976/JHA of 16 December 2008 on the European Judicial Network, i.e. the EJM Basic Act and in particular Article 5(1); and Article 48(b) of the Eurojust 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/JHA, *de iure* Introduce the ‘Plenary meetings’ as beneficiaries.

**Ceilings** for activities and services are based on Eurojust ceilings and Eurojust documents relevant for the organisation of the meetings. The EJM Secretariat will make available the relevant ceilings on the EJM website under the Funding of EJM meetings' section.

The abovementioned budget is to be strictly kept i.e. no extra/unforeseen requests can be accommodated.

Member States are encouraged to use contracts already established by the national authorities/Presidency Secretariat to facilitate the organisational process.

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### **Types of costs to be covered:**

#### **1. Accommodation:**

Maximum of two nights of accommodation per person unless meetings held in the margins of the Plenary meeting require additional accommodation.

The following number of participants are covered unless otherwise agreed with the Presidency:

- a) 3 Contact Points per Member State<sup>21</sup>,
- b) Up to 20 participants from the host Member State, including the 3 Contact Points mentioned above,
- c) 2 delegates per EU candidate/accessing country,
- d) 1 delegate per potential candidate country,
- e) 1 delegate per EJM associated country

In principle, each Member State receive a non-transferable 'quota' of three participants. However, the EJM Secretariat, in close cooperation with the Presidency, may transfer the quotas that are not filled by the Member States, within the deadline for registration, to other Member States who wishes to have a greater participation, to maximise the resources available to the meeting. Due to contractual arrangements and to any organisational purposes, in principle, the accommodation costs are covered only for participants whose registrations have been received by the deadline set in the invitation email.

Unless invited as speakers, the following participants are in principle not eligible for accommodation costs:

- a) 1 delegate/representative from each of the non-EU countries and/or international or national institutions invited on an *ad hoc* basis, up to a maximum of 5 participants,
- b) 1 observer from each of the international judicial networks invited to the meeting,
- c) Up to 5 observers from other EJM partners.

In line with the Financial Regulation of the European Union, representatives from the bodies of the European Union are not eligible.<sup>22</sup>

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<sup>21</sup> The participation of more than three CP for a MS, other than the host MS, may be permitted upon request to the organiser of the meeting provided there is budget availability. However, in principle, cost reimbursements will not be available for additional CPs.

<sup>22</sup> The representatives of the European Union Bodies include, the representatives from the EJM Secretariat, 3 representatives from Eurojust and at least 1 representative of the General Council Secretariat, Commission including OLAF, EPPO and Parliament.

**2. Meals:**

Meals for all participants of the meeting.

Lunch, including drinks, waiters. Up to two lunches.

Dinner, including drinks, waiters. Up to two dinners.

No liquor-based drinks are included; only wine, beer; soft drinks and water are covered.

**3. Interpretation/Translation/Printing:**

Interpretation services between English, and the language of the Presidency or other languages on a need basis. Necessary printed material

**4. Meeting rooms:**

Costs associated to the renting of the meeting venue and conference setup.

**5. Equipment:**

Costs associated to sound system setup, computers, copiers, Interpretation booths.

**6. Transport:**

Costs associated to local transfers aiming at reaching the hotel venue, meeting or dinner venues and vice versa as provided in the meeting programme, agenda or practical information. Local transfers include also airport transfer.

**7. Speakers:**

Travel costs and accommodation may be covered for speakers who are not otherwise participants who are covered in these Guidelines.

**8. Family photo:**

Costs associated to photo coverage of the event and family photo.

For the maximum eligible cost of the services as well as for any organisational activity not specified in these Guidelines, Eurojust/European Commission ceilings apply.

Expenses that exceed the ceilings require prior authorisation from the authorising officer of Eurojust and are allowed only provided that the maximum ceiling of the meeting (EUR 35.000) is not exceeded.

**PRINCIPLES ON THE ELIGIBLE COSTS FOR GRANTS:**

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Eligible costs are costs actually incurred by the beneficiary which meet all the following criteria:

- they are incurred during the duration of the action;
- the period of eligibility of costs will start as specified in the grant agreement. Under no circumstances can the eligibility period start before the grant agreement has been signed and has entered into force; costs incurred prior to the entering into force of the Agreement are not eligible for reimbursement;
- they are indicated in the estimated budget for the action;
- they are necessary for the implementation of the action which is the subject of the grant;
- they are identifiable and verifiable, in particular they are recorded in the accounting records of the grant beneficiary and determined according to the applicable accounting standards of the Member State where the grant beneficiary is established and according to the grant beneficiary's usual cost accounting practices;
- they comply with the requirements of applicable tax and social legislation;



- they are reasonable, justified, and comply with the requirements of sound financial management, in particular regarding economy and efficiency.

**Costs not eligible for reimbursement:** Paid value added tax (VAT), costs for a cultural programme, decorations, music (entertainment) and gifts.

## 1.10 DEADLINES

The Presidency must respect the deadlines below unless agreed otherwise with the EJM Secretariat, for organisational purposes. If the Member State holding the Presidency does not respect the deadlines or does not follow instructions agreed upon, there is the risk of a postponement of the Plenary meeting.

Deadlines			
TIMEFRAME <sup>23</sup>	ACTIVITY	ENTITY RESPONSIBLE	RELEVANT POINT
15 months before	Planning and preparation starts	The EJM Secretariat/ the Presidency	
15 months before	EJM Secretariat will be informed who is the entity that will be involved in the organisation of Plenary meeting and provide contact details of the organisation team from the Presidency.	The Presidency	
12 months before	The dates for the Plenary meeting should be decided	The Presidency in consultation with the EJM Secretariat	
12 months before	There is agreement on the organisation and cost estimate. There must be a clear choice on the financing mode for the plenary.	The EJM Secretariat/ The Presidency	
8 months before	The relevant document have to be discussed and agreed upon (i.e. either Memorandum of Understanding or Grant Agreement).	The EJM Secretariat/ The Presidency	

<sup>23</sup> From here on: before the time when the meeting takes place as agreed on in line with point 4.2. The activities specified here should be completed no later than the indicated timeframe, unless agreed otherwise between the EJM Secretariat and the Presidency.

<b>6 months before / at the first opportunity</b>	Signature of the Grant Agreement or of the Memorandum of Understanding	The EJN Secretariat/ The Presidency	
<b>4 months before</b>	A document that requires contribution from Contact Points from other Member States for the discussions (e.g. a questionnaire) must be finalised in order to allow sufficient time for the CPs to answer and for summarising the replies.	The Presidency	
<b>3 months before</b>	The invitation letter, a document with practical information on the meeting's location must be finalised.  The registration of participants should be completed.	The Presidency in close cooperation with the EJN Secretariat	
<b>6 weeks before</b>	The venue accreditation process should be finalised no later than 6 weeks prior to the meeting.	The Presidency	

## SECTION III: EJN REGIONAL AND NATIONAL MEETINGS

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### 1. OVERVIEW OF THE MEETINGS

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This section is intended to provide guidelines on how to organise the EJN Regional and national meetings with the financial support from the EJN budget.

These meetings are necessary for the performance of the EJN's mission and tasks such as the the EJN role of helping practitioners dealing with judicial cooperation in criminal matters, the improvement of EJN functioning and its promotion and the strengthening of its support to the Presidency of the Council. These meetings can be organised with the support from the EJN Secretariat in line with the procedure set out in this section.

#### 1.1. REGIONAL MEETINGS

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The EJN's efficiency and cooperation amongst EJN CPs in different MSs may be improved by organising Regional meetings of the EJN CPs in various MSs. This possibility is envisioned in the EJN Vision Paper adopted during the 25<sup>th</sup> Plenary meeting in Rovaniemi on 1 December 2006<sup>24</sup>. The Vision Paper states that Regional meetings should also be promoted to help focus on problems which have a particular regional character.

The first guidelines for these meetings were adopted at the 32<sup>nd</sup> Plenary of the EJN, 25-26 June 2009. After their implementation, some points were adjusted.

The term "regional," as used in these guidelines, should not be construed in a narrow geographical sense. The EJN Regional meetings may be organised by the MSs, regardless of their geographic proximity or distance. Therefore the countries involved in the meetings do not necessarily have to be neighbouring states and also non-EU countries may be invited to take part in them. MSs interested in applying for funding should consult with the countries that they intend to invite to the meeting, prior to submitting the application.

The MS organising a Regional meeting should invite:

- a) CPs from other Member States;
- b) CPs and judicial authorities – central, regional and/or local - from the organising MS;
- c) The EJN Secretariat, where applicable;
- d) Other participants – when possible the participation of a representative of the Member State holding the Presidency of the Council, Eurojust, other judicial networks or a non-EU country should be also considered.

The CPs taking part in these meetings are encouraged to inform the EJN Secretariat, so that this information can be included in the biennial Report on Activities and Management of the EJN: to the European Parliament, the Council and the Commission (Art.13 of the EJN Decision).

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<sup>24</sup> See doc. 16444/06 EJN 28.

The Regional meetings may also be organised without financial support from the EJM budget. In this case, the criteria described below will not apply.

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## 1.2. NATIONAL MEETINGS

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The National meetings of the EJM CPs are included in the Conclusions of the 35<sup>th</sup> Plenary of the EJM on 28-30 November 2010.

The Member States are encouraged to provide support to their EJM CPs to organise regularly, at least once per year, working meetings between themselves and between them and national judicial networks in criminal matters or other representatives of the judiciary, where applicable.

The CPs taking part in these meetings are encouraged to provide information to the EJM Secretariat, so that this information can be included in the biennial Report on the Activities and Management of the EJM to the European Parliament, the Council and the Commission (Art.13 of the EJM Decision).

The EJM Secretariat can provide support to these meetings via their participation in and presentation of the EJM matters, e.g., the website and current issues.

National meetings organised with financial support of the EJM budget:

The National meetings of the EJM CPs may be organised preferably in the Member states for strengthening of links between the CPs and raising awareness of the EJM and its operational tools among members of the judiciary.

The National meetings could also be organised in The Hague envisaging synergies between the EJM and Eurojust towards a more effective judicial cooperation in the EU, or in a country other than the Member State organising it. Such meetings may obtain organisational support by the EJM Secretariat. The organisation and financing of the meetings provided by these Guidelines will be equal to National meetings organised in the MS.

The National meetings may also be organised without financial support from the EJM budget. In this case, the criteria described below will not apply.

## 2. ORGANISATION AND FINANCING

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### 2.1. FINANCING

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The EJM budget will provide partial financing to the MS organising the meeting in a form of grant agreement, unless other form of financing is provided for. The grant award procedure will be carried out in accordance with Eurojust financial rules referred to in the introduction of these Guidelines. After performance of the tasks related to the organisation of the meeting and provision of the required supporting documents, a grant will be paid in accordance with the grant agreement and within the limits mentioned below (e.g. grant ceiling and eligible costs).

The maximum amount of the grant will be established in the Call for Applications for Financial Assistance for the organisation of EJM Regional and National meetings (hereinafter referred to as “**Call for Proposals**”), published by the EJM Secretariat.

### 2.2. GRANT AWARD PROCEDURE

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The budget available for the organisation of National and Regional meetings will be included in the EJM Work Programme each year. The final maximum grant in each calendar year may be approved by the EJM in the Plenary meeting at the end of the year. At this meeting the EJM can also decide that, due to budget limitations, financing regional meetings may have priority. The EJM Secretariat will prepare a Call for Proposals, send it to all EJM CP(s) and publish it in the EJM website. The application must be submitted by the deadline established in the call for Proposals. The meetings should be planned from mid-March to mid-October of the corresponding year unless a different time-frame is provided in the Call for Proposals. The EJM Secretariat reserves the right to alter the dates of the meetings in agreement with the organiser.

The application must contain:

- a) The purpose of the meeting and a draft agenda;
- b) A complete budget estimate (form enclosed in the call for grants);
- c) Information about the estimated number of participants, and the date and venue of the meeting; and
- d) The signature of at least one EJM CP of a MS organising the meeting.

Applications that do not fulfil the conditions set out in the call for proposals under “Eligibility criteria” and “Selection criteria” are not considered for further evaluation of the application on the basis of the “Award criteria”.

### 2.3. SELECTION CRITERIA

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The selection criteria should enable to assess the applicant’s ability to complete the proposed action.

The application for financial assistance must be submitted by an EJM CP<sup>25</sup> in his/her professional capacity in order to demonstrate the professional competencies required to organise a EJM Regional or National Meeting.

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<sup>25</sup> the National Correspondent concerned should be informed about the application

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## 2.4. AWARD CRITERIA

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The award criteria should enable to assess the quality of the proposals submitted. The award criteria will be published in the Call for Proposals.

The award criteria should take into account whether the MS of the applicant has already received funds from the EU budget to organise a Regional and/or a National meeting in previous years.

In addition, the award criteria are there to assess if the topic of the meeting contributes to the implementation of one or more of the following goals:

- (1) To exchange information and best practices between EJM contact points in practical cases of judicial cooperation (maximum of 15 points);
- (2) To promote the work of the EJM in the participating States (maximum of 15 points);
- (3) To promote the use of and for the training on the EJM website in the participating States (maximum of 10 points); *for example training on the EJM tools and the EJM Reporting tool;*
- (4) To increase networking among the judiciary in the participating States, and between the EJM contact points and the internal structures of the EJM in the participating States (maximum of 10 points); *for example by promoting cooperation with Eurojust and other judicial networks;*
- (5) To increase the mutual information exchange about current legislative and institutional matters in the participating States, in particular in the field of criminal law and judicial co-operation in criminal matters (maximum of 5 points);
- (6) To find solutions to difficulties arisen in the implementation of EU instruments on judicial cooperation in criminal matters at regional or national level (maximum of 5 points)

In case two or more applications receive the same amount of points in the evaluation of the award criteria, whereas the applications concern both Regional and National meetings, and due to the limited funds available they all cannot be granted financial assistance, then financial assistance will be awarded to the application from the Member State, which has applied for the financial assistance for organizing a Regional meeting.

In case that at least three participating Member States in two or more applications concern the same States and if both or all applications would be successful based on the points achieved, financial assistance will be awarded to the application from the Member State, with highest number of points achieved in an award winning criterion (as established in the call for proposals).

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## 2.5. EVALUATION PROCEDURE AND AWARD DECISION

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The applications will be evaluated and awarded points in accordance with the award criteria. An appointed Evaluation Committee will recommend the Authorising Officer on the award decision. The Authorising Officer will draw up the list of beneficiaries and the amounts approved (the award decision), which will be adopted shortly after the evaluation and the successful MSs (beneficiary MS) will be notified by the EJM Secretariat. The results will be communicated by e-mail to the CPs and published in the EJM website.

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## 2.6. GRANT AGREEMENT

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The grant agreement<sup>26</sup> should be signed at least 3 weeks before the meeting. To this end, the following information must be provided:

- a) A completed and signed budget estimate
- b) The name and function of the person who will sign the grant agreement on behalf of the Ministry of Justice, or any other competent authority of the MS organising the meeting.
- c) Bank account details
- d) Description of the Action and/or Agenda of the Meeting

A budget estimate provided by the EJM Secretariat must be filled in and sent by email to the EJM Secretariat as soon as possible and at the latest by the deadline set in the call for proposals. If approved, this budget estimate will be annexed to the grant agreement to be signed. Please note that the signature of the grant agreement is conditional upon approval of the budget estimate and the grant agreement must be signed no later than 3 weeks before the meeting. If the grant agreement is not signed at least 3 weeks before the meeting, the EJM Secretariat reserves the right to postpone or cancel the meeting.

Within 10 Eurojust working days after receipt of the budget estimate, the Budget, Finance and Planning Unit of Eurojust may request additional information/clarifications via the EJM Secretariat. Upon a request for additional information/clarifications, the beneficiary MS must provide the information and clarifications within 10 Eurojust working days. Please note that the budget estimate allows for a 5% margin for unforeseen costs within the limits of the grant ceiling and provided that the 5% margin for unforeseen costs qualify as eligible costs within the meaning of the grant agreement.

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## 2.7. GRANT CEILING

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The EJM budget will cover up to a maximum of 95% of the organisational costs (the maximum amount for funding per meeting to be indicated in the Call for Proposals).

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## 2.8. ELIGIBLE COSTS

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### 1. Accommodation:

Maximum of two nights of accommodation per person (see below under point 3) should be covered.

### 2. Meals:

Lunch, including drinks, waiters etc. Up to two lunches will be covered.

Dinner, including drinks, waiters etc. Up to two dinners will be covered.

No liquor-based drinks are eligible for reimbursement; only wine, beer; soft drinks and water are covered.

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<sup>26</sup> The model grant agreement will be found on the EJM website. The grant agreement will be signed between Eurojust and the competent authority of the Member State that holds the Presidency.

### **3. Eligible for accommodation and meals**

The costs for accommodation and meals are eligible for the following participants:

- a) CPs of the MS organising the meeting;
- b) Participants from the organising MSs;
- c) 1 representative of the Presidency;
- d) Other participants on an *ad hoc* basis, up to a maximum of 5;
- e) Persons contributing to the direct implementation of the action.

### **4. Interpretation services:**

Should be covered where necessary.

### **5. Meeting rooms:**

Hosts are only reimbursed for expenses related to meeting and conference setup.

### **6. Equipment:**

Costs associated with sound system setup, computers, copiers, etc. should be covered.

### **7. Local transport:**

Bus transports for participants during the meeting days, including airport transfer.

### **8. Travel costs for eligible participants**

### **9. Speakers:**

Travel costs and accommodation may be reimbursed up to a maximum of three speakers.

Costs not eligible for reimbursement: Costs for a cultural programme, decorations, music (entertainment) and gifts.

In addition, VAT is not eligible for reimbursement.

A 5% margin should be allocated in the estimated budget for contingences in accordance with the eligible costs and must be approved in advance.

Where the MS organising the regional or national meeting needs to launch a public procurement procedure, then it will award the contract to the bid offering the best value for money. Where possible, it should attach 3 quotes as supporting document to the budget estimate.

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## **2.9. SUBMISSION OF A REQUEST FOR PAYMENT**

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After the meeting ends, the beneficiary must send a signed request for payment and a completed Financial Statement outlining all costs incurred for the meeting, sorted by category. This should be sent to the EJN Secretariat, along with the complete list of participants and forward copies of invoices specifying the costs and a signed statement of the full, reliable and true costs incurred.

The beneficiary should also forward scan copies of invoices specifying the costs, keeping these requirements in mind. For example, a hotel invoice must state which persons are entitled to reimbursement according to the above rules. All the original supporting documents (invoices and proof of payment) will have to be filed at the premises of the organisation of the beneficiary and are available for checks and audits for three years following reimbursement.

These documents should be sent no later than 30 days after the meeting took place. The submitted



costs will be evaluated on their eligibility within 30 days after receipt. The beneficiary may be required to clarify issues concerning the costs incurred before the costs are accepted and the payment made.

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## **2.10. MEETING REPORT**

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The beneficiary should send a meeting report to the EJM Secretariat within four weeks after the meeting. The report should include conclusions and recommendations, where applicable. The EJM CPs should be notified of the results of the meetings by the EJM Secretariat by any appropriate means; the meeting report should be uploaded in the EJM website.

The beneficiary will send a short summary of the meeting to the EJM Secretariat, to be uploaded as a News article on the EJM website, as soon as possible after the meeting.

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## **2.11. REPORT OF THE EJM SECRETARIAT**

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The EJM Secretariat should include, in the Report on Activities and Management of the EJM, the regional and national meetings organised by the CPs, based on the documents referred to in 2.10.