Justice and Home Affairs Agencies in the European Union
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Wednesday 18:10 - 19:30

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5. EUROJUST
The European Union's Judicial Cooperation Unit
Lecture Plan

1. Eurojust: a brief history
2. Legal regulation
3. Main tasks of Eurojust
4. Structure of Eurojust
5. Forms of Activity (Operational instruments)
6. Eurojust Casework
7. Cooperation between Ukraine and Eurojust
Who we are

Eurojust supports and strengthens coordination and cooperation between national investigating and prosecuting authorities in the fight against serious cross-border crime.

We are a bridge-maker between the different legal systems and practices in the European Union. We build trust between Member States and foster the shaping of a solid, joint criminal justice response to defeat criminal networks, convict the criminals involved and ensure security and justice to our fellow EU citizens.
1. History of Eurojust

➢ The discussion on the establishment of a judicial cooperation unit was first introduced at a European Council Meeting in Tampere, Finland, on 15 and 16 October 1999, attended by heads of state and government. This meeting was dedicated to the creation of an area of freedom, security and justice in the European Union.

➢ On 14 December 2000, on the initiative of Portugal, France, Sweden and Belgium, a provisional judicial cooperation unit was formed under the name Pro-Eurojust, operating from the Council building in Brussels. This unit was the forerunner of Eurojust, the purpose of which was to be a sounding board of prosecutors from all Member States, and where Eurojust’s principles would be tried and tested.

➢ The terrorist attacks in the U.S. in September of that year demonstrated strongly the need for international cooperation, speeding the development of Eurojust, which was then established in February 2002 by Council Decision 2002/187/JHA. On 29 April 2003, Eurojust moved to its seat in The Hague.
2. Legal regulation


➢ The Eurojust Council Decision of February 2002 was subsequently amended in 2003 and 2008:

New Eurojust Regulation adopted

6 November 2018, Council of the European Union adopted the Eurojust Regulation (EJR), after the European Parliament had given its approval already in October. This adoption completes the European Union’s legislative work to create a new EU security architecture to step up its fight against trans-border crime and better serve and protect European citizens.

The EJR will replace the existing Eurojust Council Decision and will be applicable by the end of 2019. After the reform of Europol and Frontex as well as the creation of the European Public Prosecutor’s Office, the EJR completes the new EU criminal justice landscape by setting up Eurojust as the EU Agency for Criminal Justice Cooperation.

The EJR entered into force in December 2018 (20 days after its publication in the EU’s Official Journal), but its application starts one year later, allowing Eurojust and Member States to prepare themselves to apply the new rules.
3. Main tasks of Eurojust

A. Eurojust stimulates and improves the coordination of investigations and prosecutions and the cooperation between the competent authorities in the Member States, particularly by facilitating the execution of international mutual legal assistance requests and the implementation of extradition requests.

B. Eurojust supports in any way possible the competent authorities of the Member States to render their investigations and prosecutions more effective when dealing with cross-border crime.

C. At the request of a Member State, Eurojust may assist investigations and prosecutions concerning that particular Member State and a non-Member State if a cooperation agreement has been concluded or if an essential interest in providing such assistance is demonstrated.
Eurojust’s core business is to assist the competent authorities of Member States, when they deal with serious cross-border and organised crime, such as:

- **Terrorism**
- **Trafficking in human beings**
- **Illegal immigrant smuggling**
- **Drugs and arms**
- **The sexual exploitation of women and children**
- **Cybercrime**
- **Online child abuse**
- **Various kinds of fraud and money laundering**
- **Counterfeiting**
- **Environmental crime**

Eurojust can assist in such cases where a Member State and a non-Member State are involved.
4. Structure of Eurojust

- College of Eurojust

Eurojust is composed of **28 National Members**, one from each of the EU Member States. National Members are seconded in accordance with their respective legal systems and are **judges, prosecutors or police officers** of equivalent competence.

The NM form the **College of Eurojust**, which **is responsible for the organisation and operation of Eurojust**. Eurojust may fulfil its tasks through one or more National Members or as a College.
In October 2017, the College elected Ladislav Hamran, National Member for the Slovak Republic, as its President.
4. Structure of Eurojust

- The Administration of Eurojust

The Head of the Eurojust Administration is the Administrative Director, who is responsible, under the supervision of the President, for the day-to-day administration of Eurojust, staff management and for the implementation of the budget.

Mr Nikolaos Panagiotopoulos was selected and appointed Administrative Director of Eurojust during the plenary meeting of the College of Eurojust on 30 May 2017.
Eurojust’s coordination meetings bring together both law enforcement and judicial authorities from Member States and third States, allowing for strategic, informed and targeted operations in cross-border crime cases and the resolution of legal and practical difficulties resulting from the differences in existing legal systems in the European Union.
A joint investigation team (JIT) is an international cooperation tool based on an agreement between competent authorities - both judicial (judges, prosecutors, investigative judges) and law enforcement - of two or more States, established for a limited duration and for a specific purpose, to carry out criminal investigations in one or more of the involved States.

Since 2009, Eurojust has been supporting the operational activities of JITs by providing financial and logistical support.
Costs of cross-border operations
- Travel and accommodation
- Interpretation and translation
- Transport of evidence/seized items

Logistical support
- Loan of equipment (smart phones, laptops, mobile scanners and printers)

Operational support to JITs

Financial support

Expertise of the JITs Network

- Suitability of the case
- Initiation of parallel investigations
- Drafting of the agreement
- Practical and legal support throughout JIT lifetime
- Settlement of jurisdiction
- Support to joint operations (coordination centre)

- Experts stimulate the use of JITs at national level
- Secretariat hosted by Eurojust
- Web platform for all JIT practitioners to share knowledge and practical information (e.g. legislation, guidelines, evaluation reports)
The tool to set up a coordination centre within Eurojust was developed in 2011 to coordinate simultaneous operations between judicial, police and, if need be, customs authorities.

In many regular Eurojust coordination meetings, national authorities reach agreement on conducting joint actions and the setting up of a Eurojust coordination centre.

Coordination centres provide a unique opportunity for the real-time exchange of information and centralised coordination of the simultaneous execution of, *inter alia*, arrest warrants and searches and seizures in different States.
Coordination Centre (CC)
Number of CCs set up at Eurojust per year

- 2011: 7
- 2012: 7
- 2013: 7
- 2014: 10
- 2015: 13
- 2016: 10
- 2017: 17
- 2018: 9
- Total: 80
6. Eurojust Casework
<table>
<thead>
<tr>
<th>Crime type</th>
<th>Cases</th>
<th></th>
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<th>Coordination meetings</th>
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<td>Corruption</td>
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Coordinated crackdown on ‘Ndrangheta mafia in Europe

‘Operation Pollino’: Large-scale coordinated action by judicial and law enforcement authorities in Belgium, Germany, Italy and the Netherlands

6.1

5/12/2018 JOINT ACTION DAY
Simultaneous action by several hundred police, monitored in real time by prosecutors and investigative officers

Almost 4,000 kg of cocaine and considerable amounts of other drugs are seized across Europe in the course of the investigation

Intensive cooperation and joint strategy uncover magnitude and complexity of the criminal activity

2016 A joint investigation team involving the Netherlands, Italy and Germany is set up to coordinate the investigation, with support from Eurojust and extensive data analysis by Europol.

2014 Case referred to Eurojust
Dutch authorities refer the investigation of possible money laundering to Eurojust. The case has clear connections to Italy and Germany.

www.eurojust.europa.eu

- 84 arrests
- House searches
- EUR 2 million in assets seized
- Seizures: automobiles, real estate, companies, jewelry, electronic equipment, drugs, machine to produce synthetic drugs
Taking down a mafia network in Italy, Spain and Germany

1. Drugs are seized in Italy, 2015
   Italian police makes a drug seizure. Anti-Mafia Prosecution Office in Naples discovers links to Italian Camorra

2. Case is referred to Eurojust
   Italian police makes a drug seizure. Anti-Mafia Prosecution Office in Naples discovers links to Italian Camorra

3. 10/2016 JTF established
   Italian and Spanish prosecutors request support from Eurojust to set up a Joint Investigation Team. The JTI consists of IT and ES practitioners involved with the case at national level, and experts from Eurojust and Europol.

4. 01/2017 Coordination meeting
   Eurojust hosts and facilitates a coordination meeting during which operational information is exchanged, contexts of jurisdiction are discussed and a common strategy is agreed among the representatives from Italy, Spain and Germany.

5. 05/2017 Action Day
   Real-time exchange of information between prosecutors from Italy, Spain and Germany gathered at Eurojust’s coordination center and national police in various locations in the field for the coordinated execution of arrests, searches, seizures, etc.

- 13 people arrested
- Five million Euro seized
- 1000 kg of drugs seized
Disrupting a migrant smuggling network together
The Halifax case

An Organised Crime Group was transporting migrants from Afghanistan, Pakistan and Vietnam in specially adapted vehicles.

The migrants were bound for the UK.

26 arrests in 3 countries
6 European Arrest Warrants
42 house searches
Several migrants found in Belgium and the UK
Multi-Annual Strategy 2019-2021

In May, Eurojust adopted its Multi-Annual Strategy (MAS) 2019-2021. The MAS emphasizes the need to deliver more and better results in the core operational activities of Eurojust by: (i) offering support to Member States (e.g. providing quick and qualitative support and reinforcing operational cooperation); (ii) providing advice based on operational experience (e.g. contributing to EU criminal justice policy and reinforcing strategic expertise); and (iii) improving organisational effectiveness (e.g. ensuring more effective structure, processes and communication). Additionally, Eurojust has reformulated its mission, ‘Serving justice across borders for a safer Europe’ and its vision, ‘Eurojust is the EU leading partner in bringing criminals to justice and a key player in ensuring a more secure world’.
Eurojust cooperation with Third States*

Liaison Prosecutors

Switzerland
Norway
US

Montenegro

Ukraine
North Macedonia

Cooperation agreements

USA
Iceland
Norway

Switzerland
North Macedonia
Montenegro

Moldova
Ukraine

Albania

47 third States comprise Eurojust’s judicial contact point network

Contact points

Criminal justice across borders

www.eurojust.europa.eu

* February 2019
7. Eurojust and Ukraine sign an Agreement on Cooperation

27 June 2016 in Brussels, at a ceremony at the European Commission, President of Eurojust (Ms Michèle Coninsx) and the Prosecutor General of Ukraine (Mr Yuriy Lutsenko), signed an Agreement on Cooperation.

President Coninsx commented:
Cooperation with third States is essential to deliver cross-border justice. Since 2005, Ukraine has been involved in 70 Eurojust cases, 26 coordination meetings, one coordination centre and one JIT. In this respect, the conclusion of this Agreement on Cooperation is a vital step in further strengthening cooperation with Ukraine.

Prosecutor General Lutsenko said:
Developing a relationship with this EU organisation will give us many opportunities for international cooperation.
Ukraine approves ratification of Agreement on Cooperation with Eurojust

The Agreement on cooperation between Ukraine and Eurojust was adopted by the Verkhovna Rada on February 8, 2017.

On March 8, Petro Poroshenko has approved ratification of the Agreement on cooperation between Ukraine Eurojust.

According to the Agreement, the parties will exchange the information on serious crimes that occurred in Ukraine and the EU, representatives of the General Prosecutor’s Office of Ukraine will participate in operational and strategic meetings of the organization.

The agreement also provides that Ukraine will designate a contact point as Ukrainian National Correspondent for Terrorism Matters and provide for the possible secondment of a Liaison Prosecutor from Ukraine to Eurojust.
On 18 August 2018, Ms Myroslava Krasnoborova took up her duties as Liaison Prosecutor for Ukraine at Eurojust.

Before joining Eurojust, Ms Krasnoborova occupied the positions of Deputy Head of Department for International Legal Cooperation and Head of Division for International Cooperation of the Prosecutor General’s Office (PGO) of Ukraine.

As Eurojust contact point for Ukraine for several years, Ms Krasnoborova was directly involved in some of the most complex and high-profile cross-border cases related to Ukraine, including cybercrime, economic crime, terrorism, as well as the recovery of stolen art.
THANKS!

Any questions?