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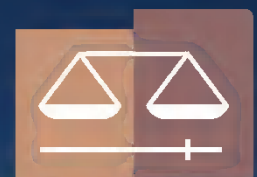
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COVER NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	EUROJUST Annual Report 2018

Delegations will find attached the EUROJUST Annual Report 2018.



EUROJUST

Eurojust Annual Report 2018

Eurojust's casework in 2018

Key figures



Practical support to **more than 6 500 investigations** of serious organised crime

Continuation of a steady increase in new cases brought to Eurojust

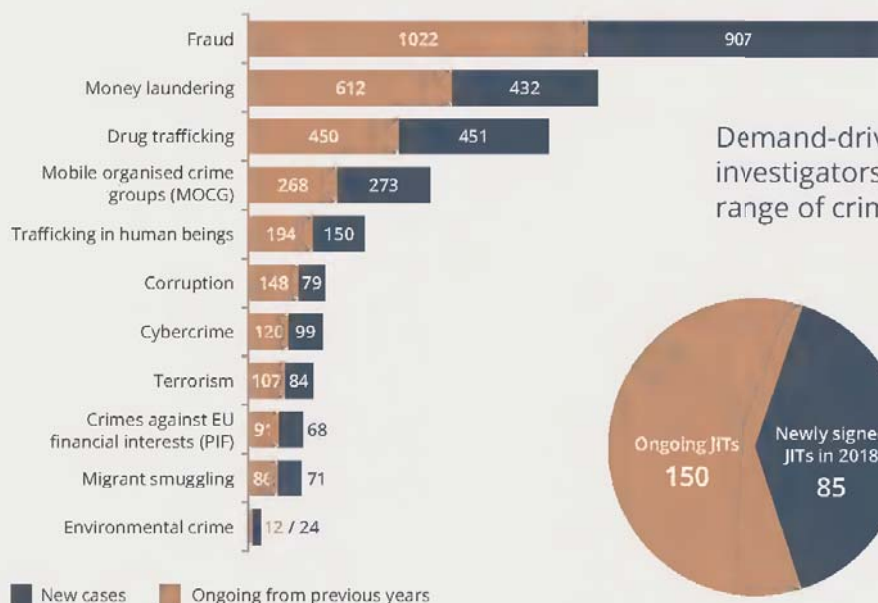


+ 44%

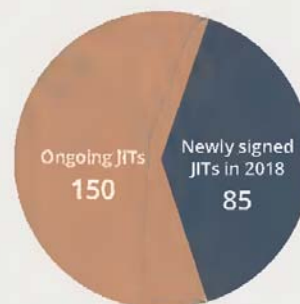
New cases brought to Eurojust

+ 59%

Total number of cases supported



Demand-driven service to investigators fighting a wide range of crime types



Support to **over 200 joint investigation teams (JITs)**

Eurojust supported the use of nearly 1000 *European Investigation Orders* and the execution of **more than 700 European Arrest Warrants**



Leading the judicial response to a growing threat of terrorism in Europe, working with our partners to keep one step ahead of the cybercriminals, and playing a vital role in the protection of Europe's borders through our collaboration with countries of origin, transit and destination.

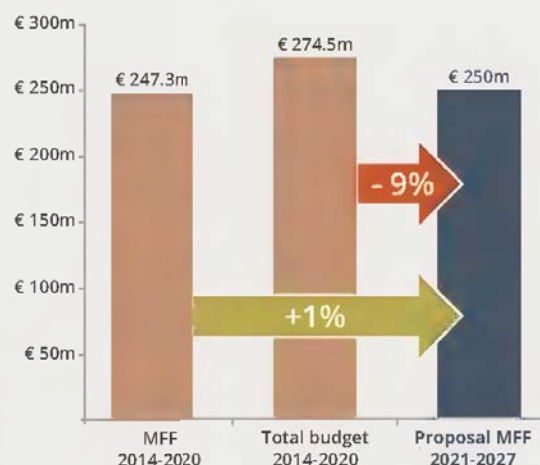
Budget execution and future funding

Budgetary constraints in the face of a steady increase in demand for operational support

Eurojust's budget allocations 2016-2019



Funding allocations for Eurojust: current and future



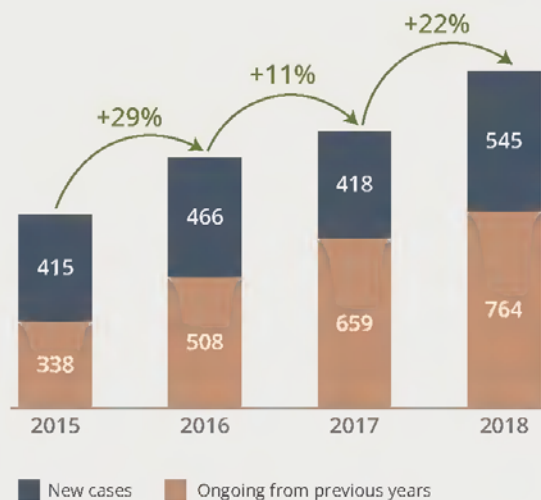
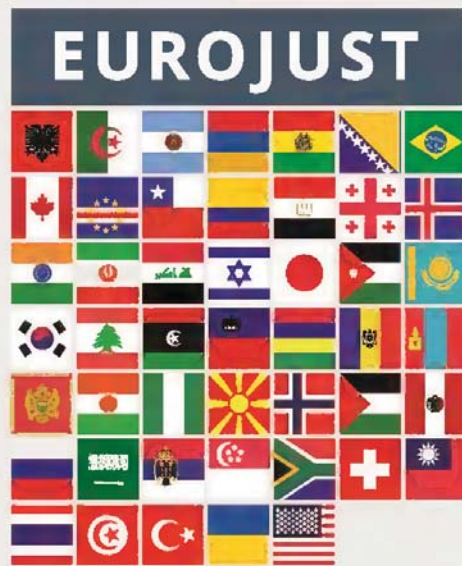
By the end of 2018, Eurojust had
313 post-holders

Global judicial connections

Eurojust has a network of judicial contact points around the world, helping prosecutors from EU Member States to quickly get in touch with the right counterpart in criminal cases extending beyond EU borders. In 2018, new judicial contact points were established in Nigeria, Iran, Mauritius and South Africa. Armenia joined the network in early 2019.

Eurojust has cooperation agreements with 9 countries, which paves the way for a safe and efficient exchange of judicial information. In 2018, a new cooperation agreement was concluded with Albania.

Countries that have concluded cooperation agreements with Eurojust may post Liaison Prosecutors to Eurojust. They work side by side with their colleagues from EU Member States. In 2018, Liaison Prosecutors from North Macedonia and Ukraine were seconded to Eurojust for the first time.



47 third States

with Eurojust contact points

6 Liaison Prosecutors

seconded to Eurojust

+ 74% cases

involving third States since 2015



The European Union's
Judicial Cooperation Unit

Eurojust Annual Report 2018

Criminal justice across borders

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Acronyms and abbreviations

CJEU	Court of Justice of the European Union
CJM	Cybercrime Judicial Monitor
CMS	Case Management System
EAW	European Arrest Warrant
EC3	European Cybercrime Centre
ECTC	European Counter Terrorism Centre
EIO	European Investigation Order
EJCN	European Judicial Cybercrime Network
EJN	European Judicial Network
EJR	Eurojust Regulation
EPPO	European Public Prosecutor's Office
FTFs	Foreign terrorist fighters
IPC3	Intellectual Property Crime Coordination Centre
JHA	Justice and Home Affairs
JIT	Joint investigation team
MLA	Mutual legal assistance
MOCG	Mobile organised crime groups
NPS	New psychoactive substances
OCG	Organised crime group
PIF	Protection of the financial interests of the European Union
SIRIUS	Scientific Information Retrieval Integrated Utilisation System
THB	Trafficking in human beings

The statistics on Eurojust cases included in this report were produced on the basis of data contained in the Eurojust Case Management System. The numbers were extracted on 18 January 2019 and reflect the data available at that moment. Due to the ongoing nature of cases, possible discrepancies with previously reported numbers may exist.

Eurojust's publications and infographics are available on our [website](#).



The College and staff of Eurojust, March 2019

Foreword

This Annual Report is a vivid testimony to what the countries of Europe can achieve when they work together. Over the course of 2018, prosecutors from all over the continent have made a real, tangible contribution to creating a safer Europe by joining forces across borders. On the following pages, we take you on a journey to demonstrate the practical way in which they were supported by Eurojust while dealing with cases of serious organised crime and terrorism.

Throughout this Annual Report, you will find many examples of the more than 6 500 cases that we dealt with last year and the concrete results to which they led. We are particularly proud to have witnessed a 19% growth in casework compared to the year before – the steepest increase in the history of Eurojust. 235 of our cases involved a joint investigation team, including in the landmark *Operation Pollino*. This was the largest European investigation to date in the fight against the mafia and started in 2014. Following a joint Action Day on 5 December 2018, organised in real time from our premises, 84 suspects were arrested and EUR 2 million in assets were seized.

While some cases take years to develop, others require prosecutors to act very quickly. On these occasions, they can equally rely on Eurojust's unique on-call services, for example to facilitate a swift execution of a European Arrest Warrant, freezing of a bank account or the collection of evidence. Last year alone, we helped facilitate over 700 European Arrest Warrants and more than 1 000 European Investigation Orders.

Despite these operational successes, the past year has not been without challenges. The Member States' increasing demand for support was not always easy to reconcile with Eurojust's budgetary constraints. Much effort has therefore gone into reforming our organisational structure by shifting resources from strategic activities to operational work. As we have no indications that the growth in casework will slow down soon, our budgetary situation will continue to require our attention in the coming period.

We also highlight some other important themes for the future in this Annual Report. More than 1 300 of the cases we dealt with last year involved a non-EU State, an increase of 22% compared to the year before. We will continue to expand our cooperation with countries

outside the European Union, as this strategy has proven to be the key to success in many of our cases.

At the same time, we will keep looking for ways to improve the already existing cooperation and the services that we provide to the Member States. In this increasingly digitalised world, many prosecutors are still forced to work with systems that were not designed to exchange information with their colleagues abroad or with Eurojust. In December 2018, the European Ministers of Justice warmly welcomed the Digital Criminal Justice initiative presented by Eurojust, which will enable the exchange of information and evidence in a fast, reliable and secure way.

To strengthen the fight against terrorism, we propose to introduce a Judicial Counter-Terrorism Register that will allow us to more swiftly detect links between ongoing investigations in different Member States.

The implementation of the Eurojust Regulation and our cooperation with the future European Public Prosecutor's Office will also play an important role in 2019. Finally, we will soon modernise our corporate visual identity, bringing it in line with the distinctive look and feel of our new premises in The Hague. As of 15 April 2019, the layout used in this Annual Report is how we will present ourselves. It is just one of the ways in which Eurojust is preparing for the future, during which we will continue to be the EU leading partner in bringing criminals to justice.

Ladislav HAMRAN, President of Eurojust



Eurojust Presidency (left to right): *Klaus Meyer-Gohri*, Vice-President; *Ladislav Hamran*, President; *Filippo Spiezia*, Vice-President.

Happening at Eurojust in 2018



4 June - Eurojust and Europol sign memorandum of understanding on the funding of joint investigation teams



30-31 May - Eurojust meeting on migrant smuggling to exchange experience and best practice on dismantling organised crime groups involved in migrant smuggling



6-7 June - 14th annual meeting of national experts on joint investigation teams, with a focus on enhancing the use of JITs with faster, simpler and more effective processes

25-26 April - Meeting of the European Judicial Cybercrime Network to discuss e-evidence initiatives, data retention and legal aspects of using encryption in criminal investigations

JANUARY

FEBRUARY

MARCH

APRIL

MAY

JUNE



7-8 March - Joint conference on cybercrime Co-organised with the Cybercrime Programme Office of the Council of Europe, the conference focused on criminal policy toward cybercrime and the gathering of electronic evidence



21-22 June - Eurojust annual meeting on counter-terrorism, with a focus on the judicial response to persons returning to Europe from combat zones in Iraq and Syria, and support to victims of terrorist attacks



27-29 June - 50th plenary meeting of the European Judicial Network, held in Sofia, Bulgaria

8-9 November - 5th plenary meeting of the European Judicial Cybercrime Network Cybercrime experts from across Europe discussed current and new challenges in the area of cybercrime and ways to improve cooperation at transnational level



18 August - First Liaison Prosecutor for Ukraine
Myroslava Krasnoborova was appointed Liaison Prosecutor for Ukraine at Eurojust



19 October - 13th meeting of the Consultative Forum Top prosecutors from across Europe discussed the challenges posed by cross-border terrorism and migrant smuggling, as well as faster and easier access to e-evidence and effective implementation of the EIO



12 November - First Liaison Prosecutor for North Macedonia Lenche Ristoska was appointed Liaison Prosecutor for North Macedonia at Eurojust

JULY

AUGUST

SEPTEMBER

OCTOBER

NOVEMBER

DECEMBER



3 July - Visit by high-level delegation from Libya to strengthen cooperation in fighting organised cross-border crime, and to facilitate more frequent involvement of Libya in Eurojust cases



10 July - Visit by UN Under-Secretary-General Vladimir Voronkov (Office of Counter-Terrorism) to discuss possibilities of collaboration on counter-terrorism activities, disrupting terrorist networks, and preventing radicalisation

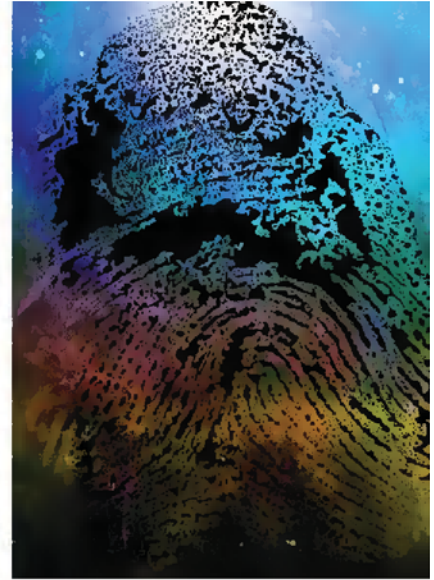


19-20 September - Expert meeting on the European Investigation Order to identify practical and legal issues in the application of the EIO, exchange experience and best practice, and discuss how Eurojust can further support national authorities



14-15 November - EU-US battlefield evidence meeting Prosecutors, police, military and counter-terrorism experts from both sides of the Atlantic discussed how information seized from the battlefield can be used as admissible evidence in civilian courts to prosecute terrorist acts and members of terrorist organisations

14-15 November - 25th meeting of the European Genocide Network More than 120 experts and high-level delegates from EU Member States and international organisations exchanged valuable knowledge and experience on investigating and prosecuting cases of genocide, crimes against humanity and war crimes



“ Today, we send a clear message to organised crime groups across Europe. They are not the only ones able to operate across borders; so are Europe’s judiciary and law enforcement communities. By working together and using the unique tools at our disposal in the EU, such as the possibility to form a joint investigation team, and with the practical support through EU agencies such as Eurojust and Europol, we are able to detect, investigate, and prosecute this kind of serious organised crime. ”

Filippo Spiezia, Vice-President of Eurojust and National Member for Italy, on the action day of ‘Operation Pollino’, 5 December 2018

1 Practical support to investigations of serious cross-border crime

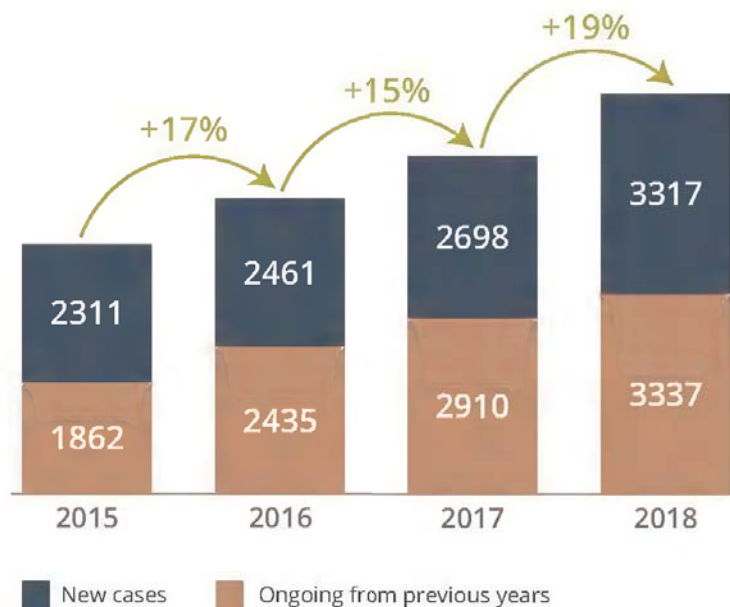
In response to the threats to internal security, Europe places a particular focus on organised crime, terrorism, cybercrime, and migrant smuggling. These crimes have a particularly high impact, are interlinked, and are crimes with a strong cross-border dimension.

Eurojust is an important component of the operational response to countering these threats. Case by case, Eurojust ensures the coordination of investigations by promoting the exchange of information, detecting cross-links between ongoing investigations, developing prosecutorial strategies, and implementing joint actions. Often, serious jurisdictional issues must be solved; the judicial authorities must decide where a suspect best can be brought to trial. This decision is particularly

important in cross-border investigations, as a key principle of criminal justice is that a person can only be tried once for the same crime.

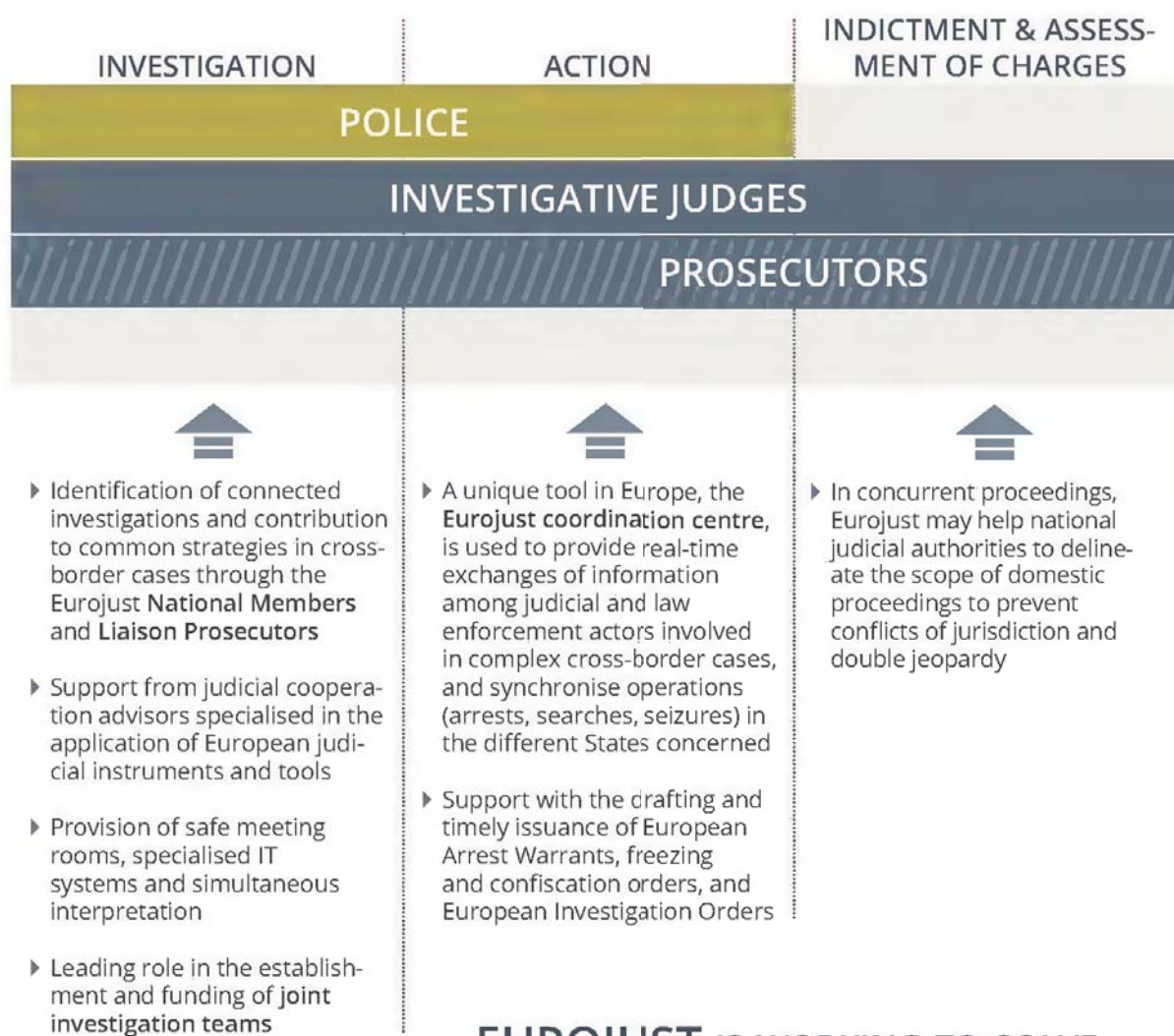
- ▶ More than **3 300 new cases** were brought during the year by prosecutors or investigative judges across the European Union, a 19% increase compared to 2017.
- ▶ More than **3 200 cases were ongoing from previous years**. In complex investigations, Eurojust is involved for a longer period of time, and supports various stages of the case, from investigation to trial. These cases can last several years.

In 2018, the number of cases at Eurojust continued to steadily grow to more than 6 500



The European Union is based on the rule of law. Police, investigative judges, prosecutors and courts form the criminal justice system and have territorial competence defined by national law.

When tackling cross-border crime, investigative judges and prosecutors are engaged from the very beginning.



EUROJUST IS WORKING TO SOLVE CROSS-BORDER CRIME AT EVERY STEP OF THE CRIMINAL JUSTICE PROCESS

CRIMINAL JUSTICE

at the heart of the security chain

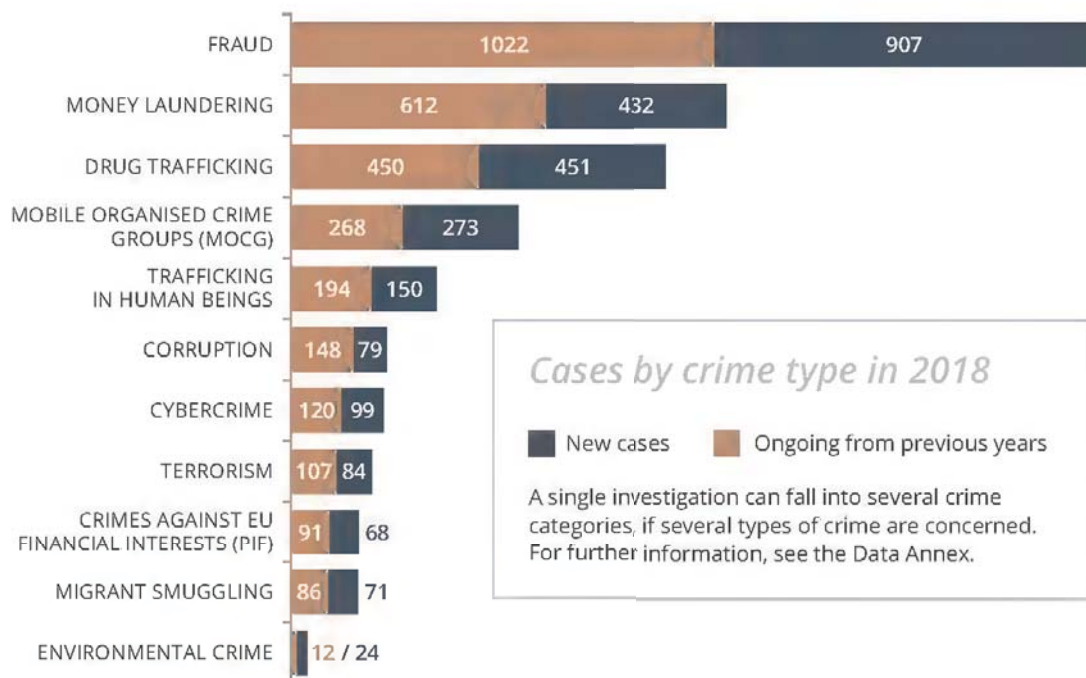


Through Eurojust, prosecutors and investigative judges can overcome the obstacles posed by national borders. The European Union's Judicial Cooperation Unit, created in 2002 and based in The Hague, functions as a permanent hub and tailor-made crime-fighting facility, on-call 24/7 and 365 days per year. Eurojust has a unique hybrid structure, in which national authorities work together within an EU-funded operational agency:

- ▶ Each EU Member State is represented by a National Desk, consisting of a team of prosecutors and/or investigative judges, led by a National Member. The National Members serve as the main contact points for their colleagues in the national prosecution services. They give advice, facilitate the use of Eurojust services, and set up the right contacts with prosecutors from other countries to ensure that cross-border cooperation runs as smoothly as possible.
- ▶ The Administration of Eurojust employs judicial cooperation advisors who have specialist knowledge of the workings of different national legal systems and European judicial instruments. The Administration is also responsible for the Case Management System, the security of building and staff, and the practical organisation of coordination meetings and coordination centres, from which prosecutors can monitor actions across several countries in real time.
- ▶ Six non-EU Member States have posted Liaison Prosecutors to Eurojust.

Organised crime groups engage in different types of criminal activity, such as drug trafficking, trafficking in human beings, migrant smuggling and terrorism.

Eurojust's casework is demand-driven, and therefore the cases registered at Eurojust concern a wide range of crime types.



Operation Pollino

Largest coordinated crackdown on the 'Ndrangheta mafia to date in Europe

In 2018, Eurojust – in a case initiated by the Dutch Desk – played a critical role in one of the biggest organised crime investigations of its kind in Europe to date. Code-named 'Operation Pollino', the operation saw judicial and law enforcement authorities in the Netherlands, Italy, Germany, Belgium, Luxembourg, the UK, Spain and Portugal take coordinated and decisive action against the 'Ndrangheta, one of the most powerful criminal networks in the world. By splitting the activities per country, the mafia network exploited legal differences between criminal jurisdictions to escape attention, since each crime, if only investigated separately, may appear as an isolated act rather than part of an international operation.

Step by step, the authorities involved worked intensively to pool their knowledge and creativity to establish a joint strategy and uncover the actual magnitude and complexity of the criminal activity.

The synchronised coordinated actions resulted in the detection of **almost 4 000 kg of cocaine** and large quantities of other drugs, as well as the seizure of an **estimated EUR 2 million in criminal assets** and **84 arrests** (6 in the Netherlands, 41 in Italy, 22 in Germany, 14 in Belgium, 2 in Luxembourg, 1 in the UK, 1 in Spain and 1 in Switzerland). An essential element of the operation was the exchange of evidence between the countries concerned, which will enable prosecutors to build solid prosecution cases.

How *Operation Pollino* unfolded



5/12/2018 JOINT ACTION DAY

Simultaneous action by several hundred police is monitored in real time by prosecutors and investigative officers from the coordination centre at Eurojust, enabling swift analysis of new data as it is collected during the police action and makes adapting the strategy as required possible.



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

Step by step, the authorities involved work intensively to pool their knowledge and creativity to establish a joint strategy and uncover the actual magnitude and complexity of the criminal activity.



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



The case originated in 2014, when the Dutch Fiscal, Information and Investigation Service (FIOD) referred an investigation of possible money laundering to Eurojust. The Dutch Desk at Eurojust then proactively encouraged the other countries concerned to look into the case, which had clear connections to Italy and Germany.





MARCH 2018 - Dismantling of a large organised crime group involved in drug trafficking in Finland and the Netherlands The drugs were trafficked via Germany and Sweden. Eurojust facilitated the simultaneous execution of European Investigation Orders and European Arrest Warrants and assisted in the development of coordinated strategies for the joint operations of the Finnish, Dutch, German and Swedish national authorities via a coordination centre established at Eurojust. **An estimated EUR 2.8 million was seized as a result of the action.**



JULY 2018 - Large prostitution ring dismantled in France, Bulgaria and Germany

During a joint action day, more than 20 locations were searched and 10 suspected pimps were arrested. The pimps had been operating since 2015, promising young Bulgarian women legal employment in France. The women were transported first to Germany and then to Strasbourg and Annecy, where they were forced into prostitution. The women were compelled to give their earnings to the pimps, who kept the women under close watch. Eurojust held two coordination meetings, which led to the signing of a joint investigation team agreement between France and Bulgaria. Eurojust also provided funding for the JIT. At the time of the arrests, **several prostitutes were put in contact with support groups and organisations to help them return safely to their country.**



APRIL 2018 - Dismantling of Caucasian mafia organisation committing burglaries and retail thefts in France and Greece

More than 30 suspects, including the four leaders of the organised crime group, were arrested. The OCG is estimated to have committed on average 13 shoplifting acts in France and three home robberies in Greece each day, causing several million euro in damages. Coordination meetings at Eurojust led to the creation of a joint investigation team between France and Greece in September 2017. The common action day was coordinated by Eurojust with the support of Europol, allowing for real-time exchange of information and cross-checks of the evidence gathered against Europol's databases.



AUGUST 2018 - Arrest in Spain of a Swedish woman accused of systematic sexual abuse of her own children Eurojust facilitated an urgent European Arrest Warrant, enabling the swift arrest of the suspect in Malaga, a house search, and seizure of evidence very quickly after the child abuse films that the woman had recorded had been seized in Sweden. The suspect had transported her **children** to Spain with her. They were brought to safety and quickly returned to Sweden.



SEPTEMBER 2018 - Crackdown on systematic cargo thefts in France and Poland

With the support of Eurojust and Europol, the French Gendarmerie and Polish Criminal Police dismantled an organised crime group suspected of having committed at least 36 cargo thefts, with damages estimated at EUR 1.5 million. Eurojust ensured coordination on judicial level and organised two coordination meetings with judicial and law enforcement authorities from France, Poland, Germany and Denmark that highlighted the cross-border activities of the OCG. International judicial and police cooperation led to the arrest of the six suspects.



OCTOBER 2018 - Solving a quadruple murder case in Italy

In August 2017, a quadruple murder was committed in Apricena, Italy. A suspect in these murders was himself later murdered in Amsterdam, to which an Italian national confessed. The perpetrator revealed the location of the body to the Dutch police. During questioning, the confessed killer revealed the involvement of his victim in the murders in Apricena. Eurojust was immediately called upon to help the Dutch and Italian authorities link the investigations of the murders, which resulted in the quick extradition and transfer of proceedings by the Dutch authorities to Italy, and, eventually, the arrests of the leaders behind the murders in Apricena.



NOVEMBER 2018 - Halting slavery and saving victims of trafficking

The action targeted a criminal network active in the Spanish province of Segovia that forced people into agricultural work. By coordinating the actions of national judicial and law enforcement authorities in Spain and Portugal, Eurojust enabled a series of searches, seizures, detentions and arrests, as well the release of 10 victims of the group, four in Spain and six in Portugal.



NOVEMBER 2018 - Quick action to arrest a dangerous fugitive With the support of Eurojust and Europol, Spanish and Belgian authorities arrested a Belgian fugitive, described as 'very dangerous', in Torrevieja, Spain. The action day was prepared by the Eurojust Belgian and Spanish Desks, while the Belgian and Spanish magistrates worked together in Spain to draft the European Arrest Warrant and direct the arrest.



DECEMBER 2018 - International cooperation disrupts illegal fireworks network

In an action supported by Eurojust and Europol, 80 tons of explosives were seized and four webshops were blocked during joint action days in Poland, the Netherlands and Germany; 35 members of the organised crime group, which had been active since 2012, were arrested in Poland. The OCG had shipped unmarked parcels containing illegal fireworks by regular mail, thus putting innocent people, including postal employees, at great risk. Multiple European Investigation Orders were exchanged between Poland, Germany, the Netherlands and France in preparation for the action.



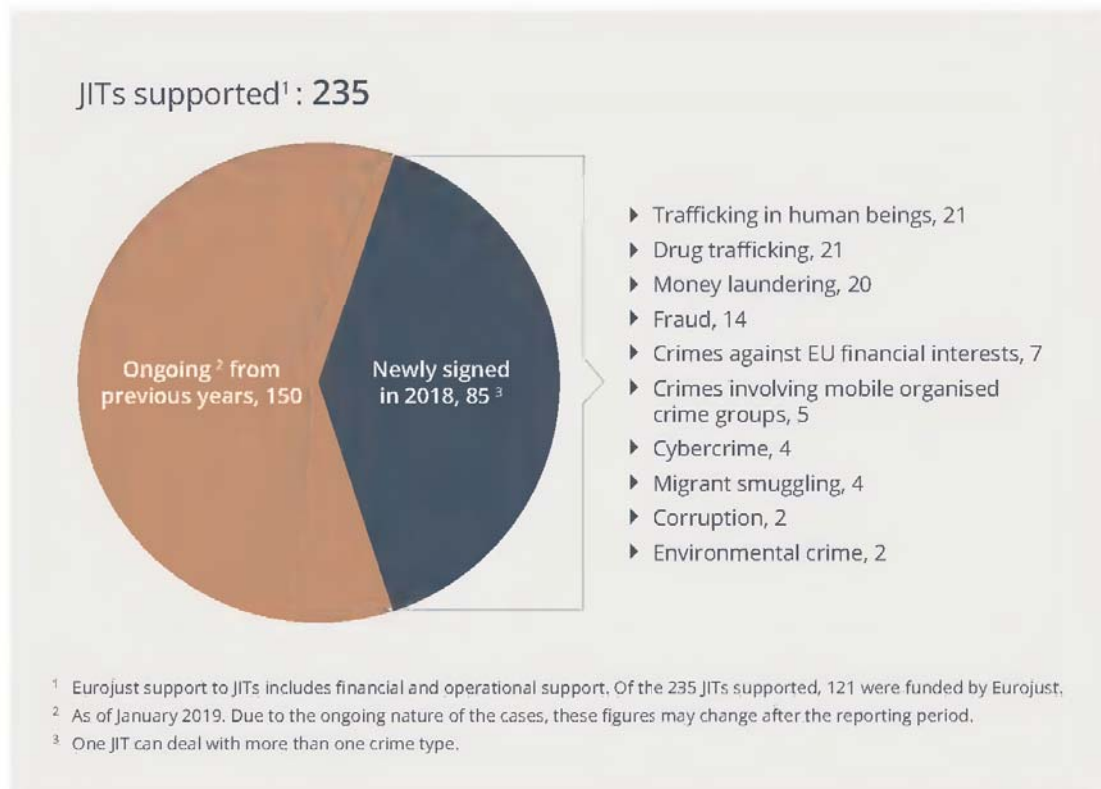
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Financial and logistic support to over 200 joint investigation teams

A **joint investigation team** is the most advanced tool in international cooperation in criminal matters. A JIT is a legal agreement between two or more countries to undertake joint transnational criminal investigations during a fixed period of time, including the intensive and direct exchange

of information between the members. Eurojust provides financial and logistic support to JITs, as well as expertise and judicial analysis.

In 2018, Eurojust supported more than 200 JITs, investigating a range of organised crimes.



“Joint investigation teams broaden the perspective of a prosecutor and of an investigator. When you work with people from different legislations, you understand better why they execute certain measures, and why they cannot execute others. The biggest added value of a JIT is the building of mutual trust as a basis for the next cooperation... A JIT agreement is a contract designed to make your life easier.”

Maja Veber-Sajn, JITs national expert for Slovenia, on the occasion of the meeting of the JITs Network at Eurojust in June 2018

Transnational criminal networks have one thing in common: money. Organised criminal activity is profit-driven, and all criminal groups need resources to finance their activities. Tracing, freezing, and confiscating money that has been acquired by breaking the law and forcefully tackling crimes

relating to money are therefore strategic priorities in the EU's fight against organised crime. Financial crimes, including swindling and fraud, money laundering, corruption, fraud against the EU budget, and illegal trading consequently generate a large number of cases supported by Eurojust.

Many cases at Eurojust concern investigations to strip criminal networks of their illicit profits and cut off their access to financial resources



Dismantling of two euro counterfeiting rings in Italy and France

With the support of Eurojust and Europol, the French Judicial Police and Italian Carabinieri made **22 arrests** and **seized printing and digital equipment** to disrupt criminal networks suspected of producing counterfeit 20, 50 and 100 euro banknotes in Naples, Italy, which were distributed in France. France and Italy held two coordination meetings at Eurojust and formed a joint investigation team financed and supported by Eurojust as a platform to coordinate the parallel investigations. The JIT was decisive in the success of the combined actions.



Disruption of large-scale VAT fraud with a damage of more than EUR 20 million, related to sales of second-hand vehicles

At the request of the German authorities, the action was supported by a coordination centre set up at Eurojust, and led to the **arrest of the main suspects**. The operations involved more than **100 house searches**, particularly in Romania and Hungary, **numerous hearings of witnesses and suspects**, and the recognition of **freezing orders up to EUR 18 million**.



Investigating fraud in the football world Simultaneous searches of 44 premises were carried out in Belgium and 13 in France, Cyprus, Luxembourg, Montenegro, Serbia and North Macedonia. The simultaneous operations outside Belgium were coordinated by Eurojust to facilitate the exchange and sharing of information and assist in the execution of EIOs and Letters of Request among the involved parties. **Documents and assets in bank accounts and safes were seized**.



Soldier on patrol and candlelight vigil in Strasbourg following the terrorist attack of 11 December 2018

“ *The quality of judicial cooperation in the fight against terrorism is a big challenge. We cannot work in silos in our countries anymore. We need an overall approach. To strengthen and bolster judicial cooperation, we need to go through Eurojust, the only European agency able to do that.* ”

François Molins, former District Chief Prosecutor of the Court of Paris, at a press conference on counter-terrorism at Eurojust, 20 June 2018

2 Judicial response to the evolving threat of terrorism in Europe

Between 2014 and 2018, Eurojust dealt with a six-fold increase in new terrorist cases, including following the terrorist attacks on the Thalys train, in Paris and Saint-Denis, Brussels and Zaventem, Nice, Saint-Etienne-du-Rouvray, Berlin, Stockholm, Barcelona and Cambrils, Turku and Strasbourg. These cases were complex, since many of today's terrorist groups are highly organised and operate across borders.

In 2018, Eurojust coordinated nearly 200 cross-border terrorism investigations. A number of key challenges were addressed related to stepping up the judicial response to terrorism, including the need to intensify the exchange of data, defining a response to foreign terrorist fighters (FTFs) returning to Europe, and providing support to victims of terrorist attacks. Eurojust also published a report on terrorist financing, to assist national authorities in securing convictions in terrorist financing cases, and provided legal analysis of landmark judgements in terrorism cases. Eurojust has a close and trusting cooperative relationship with Europol. After having signed association agreements for Analysis Projects TRAVELLERS (Foreign Terrorist Fighters) and HYDRA (Islamist Extremist Terrorism) in



2015 and 2016, in 2018 Eurojust joined Analysis Project DOLPHIN (Non-Islamist extremist terrorist organisation threatening the EU). These Analysis Projects enable Eurojust and Europol to improve the exchange of information in terrorism matters.



Coordination of the investigation after the terrorist attacks in Paris, November 2015

In the aftermath of the terrorist attacks in Paris and Saint-Denis on 13 November 2015, Eurojust opened a case that, in addition to France, involved another 14 Member States and the USA. In the meantime, a **joint investigation team** has been signed between France and Belgium, with the Netherlands joining later. The collaboration uncovered possible links between the attacks in Paris and other terrorism cases. As a result, **two suspects arrested in Austria and one detained in Germany were successfully surrendered to the French authorities.** The investigation was ongoing throughout 2018. Since the opening of the case at Eurojust in November 2015, the French Desk has organised 13 coordination meetings at the request of the judicial authorities in charge of the investigation. Six of these were held in 2018.



Amaq: Cracking down on extremist propaganda

Eurojust helped coordinate a joint action against the propaganda operations of the Islamic State (IS) militant group. The operation, which was led by the Belgian Federal Prosecutor's Office and also involved prosecutors and law enforcement authorities from Member States and other countries, as well as Europol, resulted in taking down several IS-backed media outlets, including the Amaq News Agency, al-Bayan radio, Halumu and Nashir news. IS's ability to broadcast and publicise terrorist material in Europe was severely compromised as a result of the action. Shortly after the successful operation, the Belgian Desk organised a meeting to coordinate the follow-up actions and discuss jurisdictional issues.

Setting up a European Judicial Counter-Terrorism Register

Given the persistent terrorist threat across Europe, effective cooperation between EU Member States' judicial authorities is essential. The EU's joint efforts against terrorism require rapid and secure data exchange in investigations and prosecutions conducted in Member States. As a consequence, priority shall be given to the sharing of operational information on the basis of Council Decision 2005/671/JHA, which provides for the transmission to both Eurojust and Europol of all available information in the Member States on investigations, prosecutions and convictions in terrorism cases.

In their [joint statement](#) of 20 June 2018, France, Germany, Spain and Belgium called for the reinforcement of the availability and sharing of information and the setting up of a European

Judicial Counter Terrorism Register at Eurojust. The initiative was also supported by Italy, Luxembourg and the Netherlands at the [European conference on the fight against terrorism](#), held on 5 November 2018 in Paris.

The main objective of this central register at EU level is to detect the possible links between ongoing investigations conducted in different Member States and to identify the needs of coordination between all judicial authorities concerned. Eurojust already works on this proposal, which was also supported by the EU Commissioner for the Security Union, Mr Julian King, the Chair of the Special Committee on Terrorism of the European Parliament, Ms Nathalie Griesbeck, and the EU Counter-Terrorism Coordinator, Mr Gilles de Kerchove.

Supporting Member States to ensure a solid judicial response to returning foreign terrorist fighters



The majority of the 2013 and 2014 returnees are young people. What position should we adopt, after they have gone down a path not compatible with the values of our society, as they have collaborated actively with terrorist groups? [...] Eurojust can unite different authorities and find common procedures in accordance with the fundamental values of our societies.



Frédéric Van Leeuw, Federal Prosecutor, Belgium, at a press conference on counter-terrorism at Eurojust, 20 June 2018

Eurojust continued to provide assistance to judicial authorities in addressing challenges in FTF investigations and building solid prosecution cases. Further to coordinating counter-terrorism investigations and prosecutions, Eurojust assisted national authorities in analysing relevant experience and jurisprudence, including in its *Terrorism Convictions Monitor*, to help identify common challenges and best practice.

The Eurojust meeting on counter-terrorism of 20-21 June 2018 provided a trusted platform to share experience and lessons learned from cases related to terrorist attacks and networks, as well as the national approaches to the prosecution of returning FTFs. Challenges in addressing the needs of victims of crime at EU level were presented by the Special Adviser to the President of the European Commission for the compensation of victims of crime. EU Member States that recently suffered terrorist attacks shared their experience in supporting victims and their families. Eurojust presented concrete examples of

its assistance in facilitating judicial cooperation to ensure foreign victims of terrorist attacks are informed of the assistance to which they are entitled in the country where the attack took place, their procedural rights, as well as their rights to compensation and allowances.

Another key dimension in dealing with this challenge is how information seized from the battlefield can be used as admissible evidence in civilian courts. In June 2018, Eurojust published a memorandum on challenges and best practice in using battlefield evidence for investigations and prosecutions of terrorist offences.

In November 2018, Eurojust hosted an international event on battlefield evidence organised by the US authorities, which brought together prosecutors, police, military, and intelligence counterterrorism experts from both sides of the Atlantic. They discussed investigative tools, the use of databases and different case studies.

“Caring for victims of terrorism is also a very powerful weapon in the fight against it. By looking after the victims and ensuring that their needs are met, we give a clear message that our society and community values, like human rights and democracy, grow stronger under attack.”

Joëlle Milquet, Special Adviser to the President of the European Commission for the compensation of victims of crime, at the Eurojust meeting on counter-terrorism, 20-21 June 2018



“ Nowadays, our countries' infrastructure is based on IT technology that is very progressive, but also makes our systems vulnerable. Attacks to our infrastructure can be made unexpectedly, creating huge damage. Therefore, we must be well prepared and try to minimise all risks. Whereas in the past, the criminal justice response took time, today we must act fast and be a step ahead in our response, especially by developing our cyber know-how and IT systems. ”

Raivo Sepp, National Member for Estonia at Eurojust from 2004–2019 and former Prosecutor General

3 Cybercrime

Instant crime requiring an instant judicial response

Technological breakthroughs in the past few years have brought a wealth of positive developments. But criminals also exploit the speed, convenience and anonymity of the Internet to commit a diverse range of criminal activities that know no borders, either physical or virtual, cause serious harm and pose real threats to victims worldwide.

In 2018, Eurojust played an important role in **more than 200 cybercrime investigations**. Eurojust worked on a number of levels to counteract this growing form of illegal activity, including addressing how to deal with victims of cybercrime, access to data for criminal procedure purposes, and encryption and retention of the data needed as evidence. Eurojust also hosts the European Judicial Cybercrime Network.



MARCH 2018 - 20 hackers arrested in EUR 1 million bank phishing scam Criminals faked e-mails from tax authorities to defraud bank customers across Italy and Romania. The investigations also revealed the potential involvement of these individuals in other crimes, including money laundering, drug trafficking, prostitution, and THB. Eurojust contributed by setting up and funding a JIT, which allowed for efficient cooperation and coordination, including the continued exchange of information and evidence. The joint investigation helped to avoid a conflict of jurisdiction and led to a coordinated action day between the two countries, monitored in real time from a coordination centre at Eurojust, with **simultaneous arrests and searches**.



JULY 2018 - Europe-wide action against an organised cyber fraud network dealing in illegally obtained high-quality merchandise The illegal merchandise was reportedly sold mainly in Eastern Europe, i.e. Russia, Ukraine and the Baltic States. The illegal profits were estimated at over EUR 18 million. Germany and Lithuania initiated an investigation and formed a JIT through Eurojust to simplify and accelerate the exchange of case-related information. Eurojust hosted several coordination meetings and supported the pre-trial investigations; **17 suspects, including the organiser of the OCG, were arrested**, and numerous private residences and businesses were searched in Germany, Lithuania, Estonia, Switzerland, Cyprus, the UK, Finland, Latvia and Ukraine.



NOVEMBER 2018 - Disrupting illegal online gambling, money laundering, and tax fraud The profits of the OCG were estimated at EUR 80 million. After a 15-month investigation led by Portugal and Luxembourg, the action culminated in **30 arrests, 275 searches**, seizures of EUR 576 000, plus computers, tablets and hardware, firearms, and vehicles. **More than EUR 6 million in criminal assets was recovered.** Eurojust assisted throughout the investigation, including with the issuing of EIOs and freezing orders.

Working together to keep one step ahead of cybercriminals

Eurojust hosts the European Judicial Cybercrime Network, a network of competent authorities from across Europe, who meet regularly to exchange expertise and best practice regarding the investigation and prosecution of cybercrime. The network also stimulates dialogue between different stakeholders, ensuring the rule of law in cyberspace.

In 2018, the EJCNC dealt with the following key topics:

- ▶ **victims of cybercrime:** practical challenges in dealing with the large number of victims in cybercrime cases;
- ▶ **access to data:** recent developments and possible solutions regarding access to WHOIS data for criminal procedure purposes;
- ▶ **electronic evidence:** developments related to the new legislative instruments proposed by the European Commission;
- ▶ **training:** how best to investigate cybercrime and cyber-enabled crime, with a special focus on providing training for actors at judicial level; and
- ▶ **encryption and data retention:** capacity of judicial and law enforcement authorities to extract the information from digital devices needed as evidence in criminal investigations, and to prosecute and convict criminals.

Eurojust also published the **4th Cybercrime Judicial Monitor (CJM)** in 2018. The CJM provides an overview of legislative developments and analyses of case law in the area of cybercrime.

In March 2018, participants from more than 60 countries around the world met at Eurojust to gain a better understanding of the assistance available to judicial practitioners working on cybercrime. The conference was co-organised by Eurojust and the Cybercrime Programme Office of the Council of Europe.

Addressing the challenges of electronic evidence

Eurojust addresses the issue of e-evidence, notably through the Scientific Information Retrieval Integrated Utilisation System (SIRIUS) Project, together with Europol. SIRIUS is an innovative project that includes an interactive knowledge-sharing platform accessible to judicial and law enforcement authorities with the objective of improving EU-US cooperation in cross-border access to electronic evidence. SIRIUS addresses issues and challenges encountered when conducting Internet-based investigations. SIRIUS has become an important reference point, enabling practitioners to develop knowledge as well as offering operational added value in the investigation and prosecution of terrorism and other crimes. Eurojust's contribution to the initiative focuses on the judicial dimension and mutual legal assistance (MLA) processes between the European Union and the USA.

To address obstacles in gathering cross-border e-evidence, the European Commission proposed new legislation in April 2018 to simplify access to such data by law enforcement authorities. Eurojust has made a careful analysis of the package from a practitioner's perspective and considers the proposals a positive step forward.



“ Our investigations show that the illegal migration flow is governed, in each of its steps, by criminal organisations: from the country of origin, through the journey by land, to the final sea crossing. There is not just one single organisation but several different groups, with different modes of operation. ”

Giovanni Salvi, Prosecutor General of Rome, speaking at the Consultative Forum of Prosecutors General

4 Protecting European borders

Working with countries of origin, transit and destination

Migrant smuggling is a crime against the integrity of European borders. To be successful, the investigations require effective judicial cooperation both among Member States and with the origin, transit and destination countries outside Europe. The investigations are further complicated by the fact that organised crime groups that engage in migrant smuggling often combine several types of criminal activity, making the investigations multifaceted and complex.

In May 2018, Eurojust hosted an expert meeting on migrant smuggling that attracted practitioners from the Member States, as well as Serbia and Turkey. Experts focused on emerging *modi operandi* of migrant smuggling networks, exploring opportunities stemming from cooperation with third countries, and identifying solutions in response to the specific features of this crime type. A successful approach requires a coordinated response, including an early initiation of financial investigations. It also requires the full use of all investigative tools, notably JITs, and efficient sharing of information. The entire

smuggling ring must be targeted, and investigations must be triggered in all countries in which cells of the OCG are operating.



FEBRUARY 2018 - *Deciding where to prosecute a migrant smuggler.* A Syrian citizen was arrested as an illegal immigrant in Hungary, but evidence soon emerged that he was the smuggler, not a victim. He was also suspected of committing migrant smuggling crimes in Croatia. The authorities turned to Eurojust for support in deciding where the suspect should be prosecuted to avoid a conflict of jurisdiction.



APRIL 2018 - *Dismantling of migrant smuggling OCG transporting migrants originating from Afghanistan, Pakistan, Syria, and Iraq to Europe.* The OCG charged a fee ranging from EUR 1 500 to 7 000 per person and smuggled people through Turkey, Bulgaria, Serbia, Croatia, Slovenia, and Hungary. The illegal immigrants sought asylum mainly in Austria and Germany, but also in Italy and France. Romania, Austria, and Slovenia carried out the investigation in a JIT financed and facilitated by Eurojust. The large-scale multilateral action days were monitored in real time from Eurojust's coordination centre. Eleven suspects, including the leaders of the OCG, were arrested, houses were searched to secure evidence and financial resources were seized.



JUNE 2018 - Sham marriage network dismantled in Denmark and Germany

The criminals had been active since 2015. Charging up to EUR 13 000 per person, they provided approximately 1 200 non-EU citizens with stolen and falsified identification documents and arranged sham marriages with EU citizens, who got paid without having the obligation to live with their alleged partners. The illegal migrants used their married status to obtain permanent EU residence permits. The joint operation, supported by Eurojust and Europol, was the result of an 18-month coordinated investigation in the framework of a JIT, which was supported with tailored analyses.



AUGUST 2018 - Synchronised searches and arrests by Germany, Romania and Poland to halt the smuggling of men and women from India and Nepal

The illegal immigrants participated in sham marriages to obtain residence permits. Each migrant paid approximately EUR 12 000 to the smugglers for the full range of services, including the journey to Europe, entry into Germany, application for a residence permit, as well as the arrangement of the wedding ceremony. During the action day, the national authorities of Germany, Romania, and Poland, with the support of Eurojust and Europol, seized a significant amount of evidence, such as marriage certificates, business cards of wedding planners, unused wedding rings, electronic storage devices, and EUR 14 000 in cash.

In October, the third experts report on migrant smuggling was published by Eurojust. The report summarised the findings of the experts meeting on migrant smuggling held at Eurojust in May. The experts emphasized that cross-border judicial cooperation, particularly with third States, is essential in detecting cross-border movements of OCGs engaged in migrant smuggling. Through sharing of information, hidden cells can be uncovered and communications, links, and money flows can be mapped out. Judicial cooperation also allows for the identification of parallel investigations in the States of origin, transit and destination and enables prosecution services to collect strong evidence that will hold up in court. Discovering links between migrant smuggling and financial investigations ensures that assets that have been illegally acquired through migrant smuggling are effectively seized and confiscated.



5 Making full use of EU judicial cooperation tools

In 2018, Eurojust supported the use of **nearly 1 000 European Investigation Orders** and the execution of **more than 700 European Arrest Warrants**

Judicial cooperation tools based on mutual recognition, such as the European Arrest Warrant and the European Investigation Order, greatly facilitate cooperation between prosecutors in cross-border cases. However, to maximise the potential of these tools, prosecutors must be able to find and contact each other quickly and communicate clearly across languages and legal cultures.

Thanks to its unique position in the coordination of cross-border criminal investigations, Eurojust has a clear understanding of prosecutors' work, and the obstacles and difficulties they face in using judicial

cooperation tools. From this daily interaction, Eurojust can see patterns, identify issues that need to be addressed, and provide up-to-date analysis of how these tools operate in practice.

For example, in April 2018, Eurojust published a report on judicial cooperation in new psychoactive substances (NPS) and (pre) precursor cases. It focuses on the recent developments in Member States' legislation, casework, and operational experience with regard to the investigation and prosecution of NPS and (pre) precursor cases with a cross-border element.

The **European Investigation Order** requires prosecutors to have a thorough knowledge of other national criminal law systems and to quickly find the right contacts

The EIO establishes a clear process for cooperation between judicial authorities in different Member States for gathering and preserving evidence, carrying out searches, hearings, and financial checks, intercepting communications, and transferring detainees. In 2018, Eurojust supported the use of the EIO nearly 1 000 times. Drawing on this experience, Eurojust brought judicial practitioners together in September 2018 to discuss how the instrument is working.

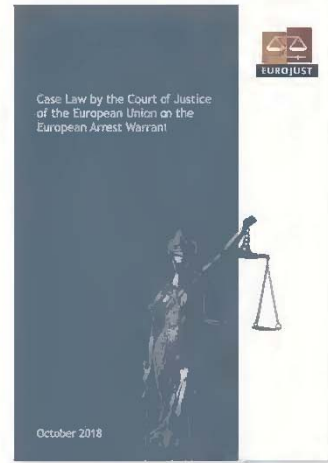
Judicial practitioners consider the EIO a valuable instrument, but stressed the need for guidance and support to extract the full benefits. Using the EIO requires a sound knowledge of national criminal law systems, quick access to the right contacts and a pragmatic and flexible approach. Practitioners therefore asked Eurojust to continue advising and coordinating national authorities in drafting, transmitting, recognising, and executing EIOs.



Lessons learned in the use of European Arrest Warrants

Eurojust regularly assesses how the European Court of Justice interprets the use of the EAW. The **2018 edition of Eurojust's Overview on Case Law of the Court of Justice of the European Union (CJEU) on the EAW** contains 33 important judgements in the period 2007–2018, categorised according to a set of user-friendly keywords. The report covers topics such as:

- ▶ the impact on human rights in the application of the EAW Framework Decision, particularly the prohibition of inhuman or degrading treatment and the right to a fair trial;
- ▶ refusal grounds;
- ▶ requests for necessary, supplementary information, and time limits;
- ▶ EU citizenship and non-discrimination on the basis of nationality;
- ▶ a Member State's intention to withdraw from the European Union; and
- ▶ the preliminary ruling procedure.



DRAFTING of EIO
by judicial authority in
Member State A



TRANSMISSION of EIO
to judicial authority in
Member State B



RECOGNITION of EIO
in Member State B



EXECUTION of EIO
in Member State B

Advantages of the EIO

- ✓ Single comprehensive instrument with a large scope
- ✓ Sets strict deadlines for gathering the evidence requested
- ✓ Limits the reasons for refusing such requests
- ✓ Reduces paperwork by introducing a single standard form
- ✓ Protects the fundamental rights of the defence

6 Eurojust's cooperation agreements

A one-stop shop for international judicial contacts

Eurojust maintains – and is actively strengthening – relationships of trust and cooperation with third countries through cooperation agreements, Liaison Prosecutors posted at Eurojust and judicial contact points.

Eurojust has concluded nine cooperation agreements, which unlock the possibility to systematically exchange operational information, including personal data.

In October 2018, a cooperation agreement was signed with Albania, the third such agreement between Eurojust and a country in the Western Balkans, an important step in the fight against serious transnational crime, as it paves the way for a safe and efficient exchange of judicial information and sharing of evidence, and opens the possibility for Albania to post a Liaison Prosecutor to Eurojust.

The negotiations on a cooperation agreement with Georgia have been finalised and the negotiations with Serbia are underway, with the draft cooperation agreement submitted for final approval.

During 2018, **contact points** from four new third countries – Nigeria, Iran, Mauritius, and South Africa – joined Eurojust's international judicial contact point network. Eurojust is now actively connected to **47 third countries** around the world, helping prosecutors from Member States to quickly get in touch with the right counterpart when they have a case in which criminal activity extends beyond EU borders.

The aim is simple: we want to make the lives of organised crime groups more difficult by exchanging information and evidence faster. The agreement will strengthen cooperation and mutual trust between Albania and its EU partners, contributing to Albania's European perspective.

Věra Jourová, European Commissioner for Justice, Consumers and Gender Equality, on the occasion of the signature of the cooperation agreement between Albania and Eurojust in October 2018 in Tirana, Albania

Eurojust is also an **active partner in regional judicial cooperation initiatives**, notably:

Mediterranean

Eurojust supports the **EUROMED Forum**, which brings together Prosecutors General from Europe and the Mediterranean countries to discuss international judicial matters. The Forum covers issues such as the fight against terrorism and organised crime, and personal data protection.

In July 2018, Eurojust hosted the visit of a Libyan delegation, facilitated by the European Union Border Assistance Mission (EUBAM), to **strengthen cooperation between Eurojust and Libya** in fighting organised cross-border crime, and to facilitate more frequent involvement of Libya in Eurojust cases, notably migrant smuggling.



Western Balkans

Eurojust has facilitated nearly **200 joint criminal investigations** between Member States and Western Balkan States, and has established an increasingly strong framework for structural judicial cooperation with countries in the region. Three Western Balkan States have cooperation agreements with Eurojust, and negotiations with Serbia are ongoing. North Macedonia and Montenegro have appointed Liaison Prosecutors, and Eurojust has contact points in five Western Balkan States, including Serbia and Bosnia and Herzegovina.

Eurojust is a key partner in the **Ministerial Conference of the Instrument for Pre-Accession Assistance (IPA II) 2014-2020**, which plays a major role in the operational response to serious cross-border organised crime in the region.

Latin America

The objective of the five-year **EL PacCTO programme** (*Europa-Latinoamérica Programa de asistencia contra el crimen transnacional organizado*) is to reinforce the fight against cross-border organised crime between 18 Latin American countries and

the European Union, and covers the entire criminal justice system. Eurojust may serve as a model for the creation of a similar body for Latin America by promoting mutual recognition and trust among the judicial authorities of those countries.



Eurojust is actively connected to
47 third countries worldwide

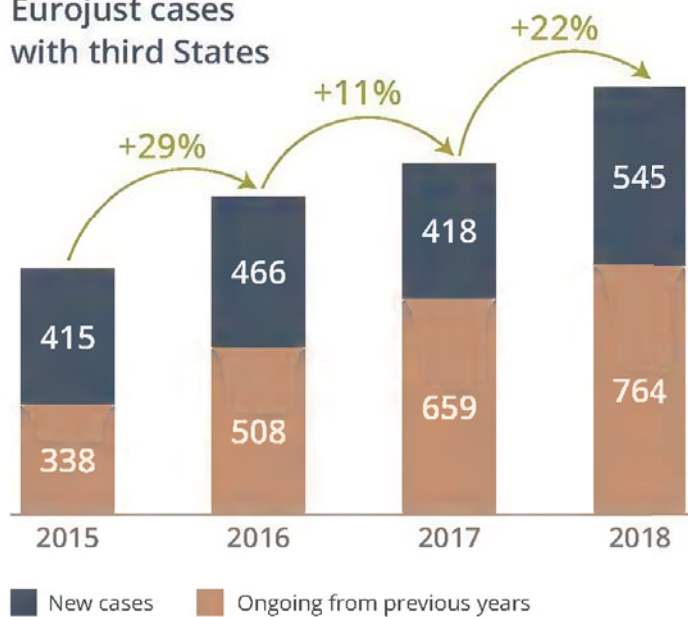
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Countries that have concluded a cooperation agreement with Eurojust may post a **Liaison Prosecutor** to Eurojust

The Liaison Prosecutors work side by side with their colleagues from Member States, and have access to Eurojust's operational tools. Two new Liaison Prosecutors – from North Macedonia and Ukraine – were seconded to Eurojust in 2018. Joining colleagues from Norway, Switzerland, Montenegro and the USA, Eurojust now hosts a total of six Liaison Prosecutors from third States.

Since 2015, the number of cases in which Eurojust helped coordinate practical cooperation with third States in criminal investigations has increased by 74%. Approximately one third of the cases were initiated by the States with a Liaison Prosecutor posted at Eurojust and two thirds were brought by Member States, an illustration of the mutual added value of working together under one roof.

Eurojust cases with third States



7 Governance and budget execution in 2018

Delivering on the commitment to serve justice across borders for a safer Europe

Eurojust's Multi-Annual Strategy (MAS) 2019-2021 emphasizes the need to deliver more and better results in core operational activities 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 structures, processes and communication).

By increasing efficiencies, sharpening priorities and further streamlining its organisation, Eurojust was able to respond to all requests for operational support during the course of 2018. For the third consecutive year, Eurojust achieved a budget execution rate in excess of 99%.

By the end of 2018, Eurojust had **313 post-holders**:

- ▶ **91 staff seconded from the judicial authorities of the Member States** to the National Desks. Each **National Desk** is headed by a National Member. Together, the National Members form **the College**; and
- ▶ **222 staff members in the Administration** of Eurojust, which is run by the Administrative Director. The Administration provides operational support to the National Desks, including support in complex investigations, and makes case analyses and reports. The Administration also provides IT services, including the Case Management System, security services and the practical organisation of coordination meetings and coordination centres.

Eurojust's budget allocations*



* Final voted budget, fund source C1, commitment appropriations. The 2016 and 2017 budgets had additional ring-fenced allocations for the costs related to Eurojust's new premises in The Hague.

Eurojust hosts and provides staffing for the **Secretariats of thematic networks that support judicial practitioners** throughout Europe:

European Judicial Network, connecting more than 350 contact points in the 28 Member States, who assist in the facilitation of international judicial cooperation in criminal matters;

JITs Network, which encourages the use of JITs, facilitates their setting up and funding, and contributes to the sharing of experience and best practice;

European Judicial Cybercrime Network, focusing on the exchange of expertise, best practice, and other relevant knowledge regarding the investigation and prosecution of cybercrime; and

Genocide Network, which ensures close cooperation between national authorities in investigating and prosecuting core international crimes.

The administrative reforms that were initiated in 2017 to enhance support to the operational work of the College were further implemented in 2018, including the activation of the new substructures that function as preparatory bodies for the College and provide expert advice. The new model ensures a coordinated response to strategic matters and the retention of operational know-how, and establishes substructures active in corporate relations with partners, institutional relations and organisational development, and operational and policy priorities.

A flexible approach was applied to resource allocation during 2018, including a prioritisation of policy work, using Eurojust's casework and the most pressing needs of judicial practitioners as the main criteria. In addition to meeting the needs of a sharply

growing caseload during the year, the Member States made significant increases in demand for grants for joint investigation teams.

The Administrative Director's **Consolidated Annual Activity Report (CAAR)** provides a detailed overview of all activities, as included in the Eurojust Work Programme for 2018, budget execution and staffing policies, as well as the implementation of internal controls and risk management. The CAAR and the Eurojust College Assessment thereof will be submitted to the budgetary authority by 1 July 2019.

Deepening institutional relationships with EU institutions and other JHA agencies

Throughout 2018, Eurojust continued to build and strengthen its institutional relationships, notably with other Justice and Home Affairs (JHA) agencies:

Continued cooperation with Europol

Eurojust and Europol have very close ongoing cooperation in casework and different analytical projects and thematic areas, including in the European Cyber-crime Centre (EC3), the European Counter Terrorism Centre (ECTC), and the Intellectual Property Crime Coordination Centre (IPCC). Since both prosecutors and police play key roles in the security chain, the close involvement of judicial authorities and collaboration between Europol and Eurojust ensures solid operational outcomes.

In 2018, Europol and Eurojust signed a Memorandum of Understanding (MoU) to establish the rules and conditions for funding of JIUs. Among other things, the MoU will prevent double funding and streamline the application procedures for national authorities.

Intensified cooperation with Frontex

Eurojust and Frontex have opened negotiations for a cooperation agreement that will form the legal basis for Frontex to provide operational information to Eurojust, with a particular focus on migrant smuggling and counter-terrorism.

Cooperation with OLAF

Cooperation between Eurojust and OLAF is based on the 2008 Practical Agreement, which foresees regular meetings and information sharing to reinforce common strategies on matters of mutual interest. The proposal for a new OLAF Regulation and the establishment of the European Public Prosecutor's Office (EPPO) will greatly impact the existing efforts to fight crime against the financial interests of the European Union (PIF crimes). This changing landscape calls for a pragmatic approach in which both parties focus on concrete ways to achieve a more structured exchange of information.

Partnership with FRA in the fight against trafficking of children

In November 2018, the European Agency for Fundamental Rights (FRA), in close cooperation with the European Commission (EU Anti-Trafficking Coordinator's Office), brought together experts and partners from across the European Union at Eurojust to strengthen the prevention of trafficking of EU children. The meeting was organised in the context of the work to develop common EU-wide practical guidance to enhance inter-agency and transnational cooperation to prevent trafficking of EU children, ensure protection of child victims, find durable solutions, and safeguard their rights under EU and international law.

8 Closing the security gap

Addressing the need for Digital Criminal Justice

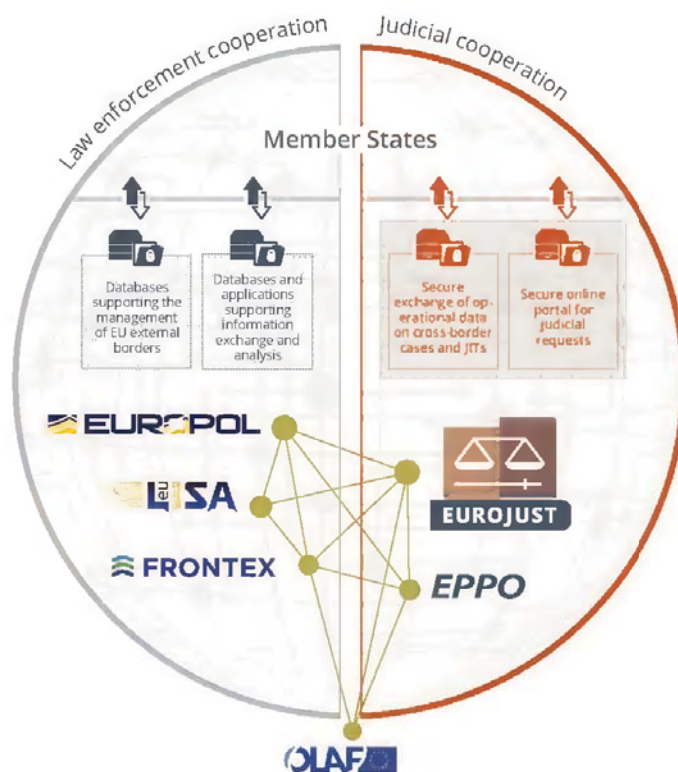
At the Justice and Home Affairs Council of 6 and 7 December 2018, the President of Eurojust, Ladislav Hamran, presented a general proposal on Digital Criminal Justice. He stressed the urgency of closing the security gap and addressed the need for Digital Criminal Justice to keep pace with the growing interconnectivity and digitalisation of cooperation among law enforcement agencies in Europe.

As part of its efforts to make Europe safer, the European Union has been taking decisive steps in recent years to modernise the information systems used by law enforcement, border guards and migration officials to enable them to work efficiently together from anywhere in the region by directly and instantly exchanging crucial information. The new systems will have the ability to 'talk' to each other, will be secure, and will be designed to prevent important information from going undetected. Going forward, this crucial investment in law enforcement

at EU level will ensure that Europe's police forces are better equipped to detect and engage in more complex cross-border cases.

To realise the full potential of this important process, the issue of efficiency along the entire security chain must be considered. Judicial and law enforcement cooperation are two sides of the same coin: judicial and law enforcement authorities work side-by-side from the very start of cross-border investigations, and both are equally necessary to ensure justice.

However, neither judicial authorities in the Member States nor Eurojust has been equipped with a robust, secure and encrypted digital system. Prosecutors are still required to find work-arounds to exchange crucial information and evidence that rely on cumbersome manual procedures. In 2019, the features of a future Digital Criminal Justice infrastructure will continue to be discussed.



In pursuit of Digital Criminal Justice

- ▶ Structured, secure, encrypted
- ▶ Automated data exchange
- ▶ Interoperable
- ◆ More effective exchanges of data with other agencies

9 Challenges and opportunities in 2019

2019 is set to bring major changes in Europe. All EU agencies, including Eurojust, will be affected by Brexit. Going forward, any decision regarding the nature of the UK's future relationship with Eurojust will ultimately rest with the European institutions and Member States.

In 2019, Eurojust faces the challenge of meeting an expected steady increase in the need for operational support, and an influx of new cases referred from national judicial authorities, while experiencing severe budgetary constraints.

Other matters high on the agenda include the development of Digital Criminal Justice and the importance of a strong security chain, with judicial and law enforcement authorities equipped to work side-by-side across borders in Europe. The EPPO will start taking shape and will be a privileged partner, sharing important links with national authorities.

In December 2019, with the implementation of the new Eurojust Regulation, Eurojust will also change from the European Union Judicial Cooperation Unit to the EU Agency for Criminal Justice Cooperation.

The new Eurojust Regulation: enhanced capabilities in operational work

In December 2019, the **new Eurojust Regulation** (EJR) will become applicable. Following on from the recent reforms of Europol and Frontex, as well as the creation of the EPPO, the EJR completes the new EU criminal justice landscape, putting in place a new EU-wide security architecture to support the fight against cross-border crime.

The EJR establishes Eurojust as the **EU Agency for Criminal Justice Cooperation**, replacing the

existing Eurojust Council Decision. It maintains the successful core concept of supporting national authorities in their investigations and prosecutions, building trust and identifying links between cases. Key focal points of the EJR include the creation of an Executive Board and measures to ensure that Eurojust's processes are fully aligned with the new EU data protection rules, taking into account Eurojust's specific mandate to process data in the interest of fighting cross-border crime.

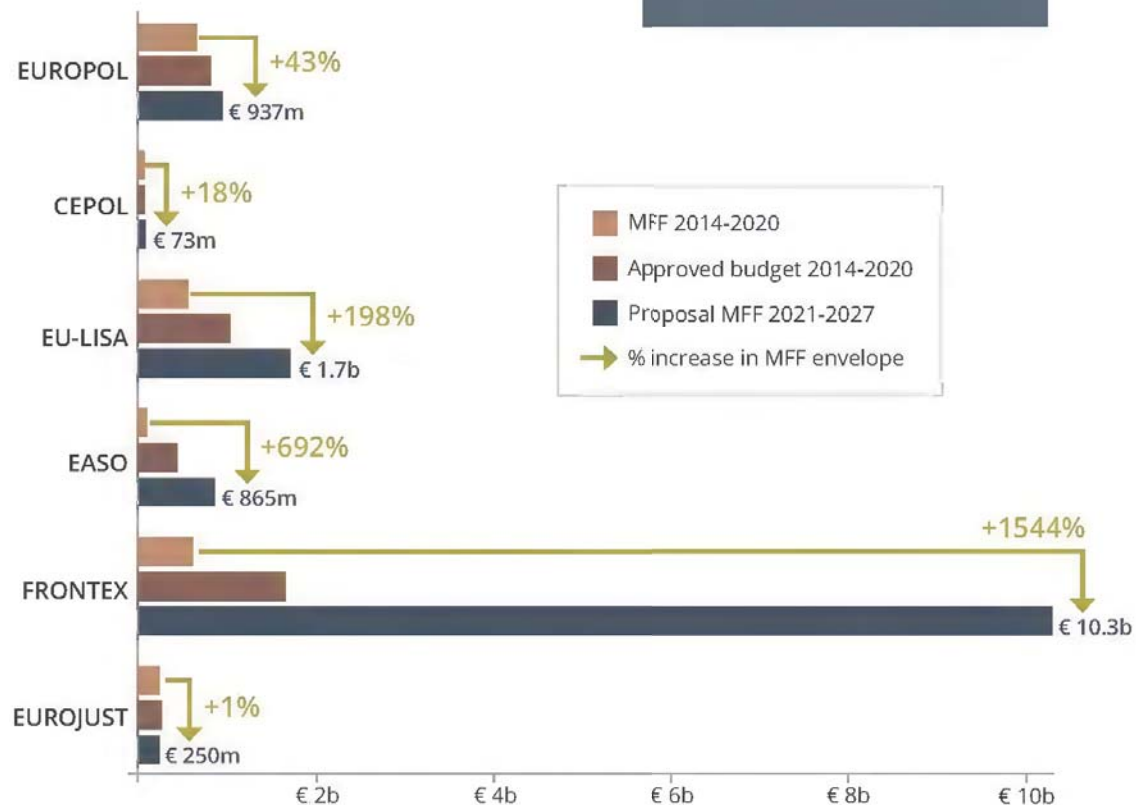
“Eurojust has played a key role in guaranteeing the security of Europeans. The vote in the Parliament allows Eurojust to pursue its mission in the fight against cross-border crime and terrorism. With a strengthened agency, the security of European citizens will be improved.”

Věra Jourová, EU Commissioner for Justice, Consumers and Gender Equality, on the occasion of the adoption of the new Eurojust Regulation in the European Parliament

Budgetary constraints in the face of steady increase in demand for operational support

Eurojust's caseload is steadily climbing year by year, and demand for Eurojust's operational support from Member States is expected to continue to grow by at least a 9% annual rate from 2021 to 2027.

Cases referred to Eurojust are also becoming more complex, both with regard to the number of Member States and third States involved and the level of security threats posed. This trend is also fuelled by the growing investment in law enforcement cooperation and information exchange structures at EU level, which are set to increase considerably over the next years. All law enforcement agencies have seen their budgets increase for the next Multi-Annual Financial Framework period.

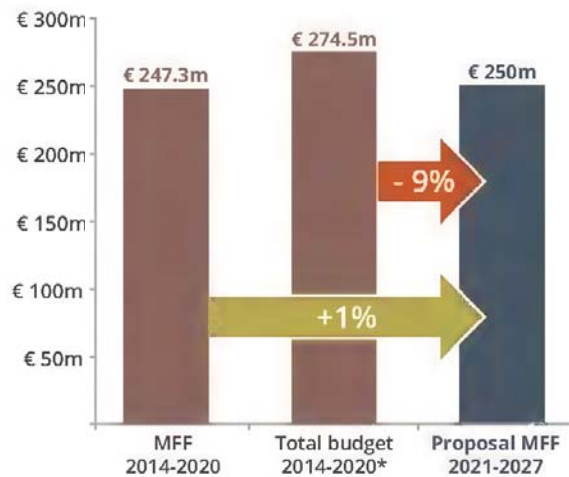


Source data for MFF 2014-2020: *Communication from the Commission 'Programming of human and financial resources for decentralised agencies 2014-2020' - COM(2013) 519 final*. Changes due to the MFF Mid-term revision in 2017 are not reflected.

Figures related to the approved budget are based on the actual outcome of annual budgetary processes (including budget amendments), with the exception of 2020, for which the approved 2019 budgets are used.

Since judicial cooperation and law enforcement are two sides of the same coin, more complex cross-border cases are likely to be generated and also referred to Eurojust. Arresting a suspect in a cross-border case is only possible with the prior involvement of a prosecutor or investigative judge. So arresting a suspect today is only worthwhile if he is brought before a court tomorrow.

Eurojust is, however, the only agency in the EU security chain facing a budget reduction in 2019, as well as in its Multi-Annual Financial Framework. The budgetary constraints will pose a real challenge to continue providing an operational response and maintain a high level of service to national judicial authorities.



* Definitive budget for 2020 yet to be determined.

The EPPO will be a privileged partner for Eurojust and share important links to national authorities

The European Union is working towards the realisation of the European Public Prosecutor's Office, which is expected to become operational before the end of 2020. The purpose of the EPPO is to accelerate and enhance the region-wide investigation of crime affecting the EU budget, including fraud, corruption, money laundering, and cross-border VAT fraud. Specifically, the EPPO will tackle fraud involving EU funds of more than EUR 10 000 as well as complex cross-border VAT fraud cases involving damages above EUR 10 million. To fulfil

its mandate, the EPPO will work hand-in-hand with national law enforcement authorities and closely cooperate with other EU bodies, including Eurojust and Europol.

Eurojust and the EPPO will be privileged partners, with both sharing important links to national authorities, Europol, OLAF, and third States. Eurojust is preparing a working arrangement covering operational cooperation, institutional relations, and possible administrative support.

Digital Criminal Justice: a fast, reliable, secure, and interoperable infrastructure to exchange information and evidence

As explained in Chapter 8 above, the guiding principle will remain the same as for Eurojust's operational work: to give national prosecutors the tools they need to work as effectively as possible.

A new system should allow national prosecutors to easily and safely issue an EIO, access Eurojust's CMS, send notifications, and communicate directly with partners in a JIT. Digital Criminal Justice would

enable prosecutors to use the various European judicial cooperation instruments to their full potential, and work effectively alongside the police across the European Union in the fight against cross-border crime. The system should also incorporate the proposed European Judicial Counter-Terrorism Register, which will allow Member States to identify links between cases, and coordinate their investigations and prosecutions.

Data Annex

Overview of cases in 2018 involving Member State National Desks

MEMBER STATE National Desk	Cases initiated by the National Desk				Ongoing from previous years	Participation in cases initiated by other Desks		Participation in joint activities/meetings	
	New in 2018	Number of countries involved				New in 2018	Ongoing from previous years	Coordination meetings	Joint investiga- tion teams
COLLEGE	1	2	3 or more		4				
Belgium	64	40	24		50	187	304	67	28
Bulgaria	149	141	8		130	120	146	25	13
Czech Republic	136	121	15		181	102	121	24	32
Denmark	60	46	14		87	83	119	38	11
Germany	266	228	38		201	472	565	103	34
Estonia	29	25	4		35	33	50	14	10
Ireland	36	29	7		54	53	103	11	0
Greece	88	86	2		312	108	139	15	3
Spain	144	117	27		126	371	425	72	12
France	219	130	89		323	344	386	87	37
Croatia	48	43	5		5	82	82	3	0
Italy	322	249	73		267	344	372	70	26
Cyprus	7	7	-		28	82	181	6	1
Latvia	34	24	10		27	67	115	21	10
Lithuania	37	33	4		68	75	104	18	14
Luxembourg	24	21	3		45	70	120	5	0
Hungary	127	101	26		110	142	155	25	16
Malta	9	8	1		31	62	68	2	2
Netherlands	120	99	21		132	299	353	87	24
Austria	234	214	20		174	177	221	22	7

Poland	136	125	11	121	257	248	31	20
Portugal	97	92	5	69	94	127	15	2
Romania	195	148	47	208	223	260	67	56
Slovenia	145	121	24	81	66	63	16	5
Slovakia	139	131	8	55	125	140	21	24
Finland	46	41	5	18	42	57	8	11
Sweden	138	122	16	95	81	106	33	18
UK	98	84	14	91	346	459	77	72
TOTAL	3148	2626	521	3128	*	*	*	*

Overview of cases in 2018 involving Liaison Prosecutors

LIAISON PROSECUTOR	Cases initiated by the Liaison Prosecutor			Participation in cases initiated by other Desks		Participation in joint activities/meetings	
	New in 2018	Number of countries involved 2	3 or more	Ongoing from previous years	New in 2018	Ongoing from previous years	Coordination meetings
Switzerland	88	79	9	137	135	252	40
Montenegro	5	5	-	-	12	4	1
North Macedonia	-	-	-	-	11	8	1
Norway	72	62	10	72	33	58	21
Ukraine	4	4	-	-	24	35	8
USA	-	-	-	1	34	83	15
TOTAL	169	150	19	210	*	*	*

* These columns cannot be summed up, since more than one National Desk can be requested to participate in a single case, and coordination meetings and JIIs are often co-organised.

Casework, meetings and joint activities in the priority crime areas, 2015-2018

		TERRORISM	CYBERCRIME	MIGRANT SMUGGLING
Cases (sum of new cases and ongoing cases from previous years)	2018	191	219	157
	2017	178	176	153
	2016	124	151	133
	2015	74	131	94
Coordination meetings	2018	20	28	17
	2017	14	9	15
	2016	18	13	12
	2015	15	19	20
Joint investigation teams (sum of newly established JITs and ongoing JITs from previous years)	2018	11	9	12
	2017	12	7	14
	2016	6	8	11
	2015	5	10	10
Coordination centres / action days	2018	1	2	3
	2017	1	1	2
	2016	-	-	-
	2015	1	1	1

Eurojust cases with third States 2015-2018


Year	New cases	Ongoing from previous years	Total	% Increase
2015	415	338	753	52%
2016	466	508	974	29%
2017	418	659	1077	11%
2018	545	764	1309	22%

Casework involving EIOs and EAWs in 2018

Judicial tools	New cases in 2018	Ongoing from previous years	Total
European Investigation Order (EIO)	830	109	939
European Arrest Warrant (EAW)	410	327	737

Cases by crime type in 2018

Crime type	New	Ongoing ¹	Total	Projection ²
FRAUD	907	1022	1929	↑
MONEY LAUNDERING	432	612	1044	↑
DRUG TRAFFICKING	451	450	901	↑
MOBILE ORGANISED CRIME GROUPS (MOCG) ³	273	268	541	↑
TRAFFICKING IN HUMAN BEINGS	150	194	344	↑
CORRUPTION	79	148	227	→
CYBERCRIME	99	120	219	↑
TERRORISM	84	107	191	↑
PIF CRIMES ⁴	68	91	159	→
MIGRANT SMUGGLING	71	86	157	↑
ENVIRONMENTAL CRIME	24	12	36	→

 Upward trend
  No major shift expected
  Downward trend

¹ As of January 2019. Due to the ongoing nature of the cases, the figures in this column can change after the reporting period.

² The projection for 2019-2021 of the need for judicial cooperation in these crime areas is based on casework trends over the previous 5 years.

³ Itinerant criminal networks operating across the European Union, usually specialised in crime areas such as burglary, robbery of armoured vehicles, and metal theft.

⁴ Crimes against the financial interests of the European Union.

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