



Letter of Understanding

on

Cooperation between Eurojust and EUNAVFOR MED

Eurojust and EUNAVFOR MED,

Considering that Eurojust was set up in 2002 by the Decision of the Council of the European Union 2002/187/JHA and reinforced by the Decision of the Council of the European Union 2009/426/JHA (hereinafter referred to as 'the Eurojust Decision'), with a view to stimulate and to improve coordination and cooperation between competent judicial authorities of the Member States in the fight against serious crime (including illegal immigrant smuggling);

Considering that in 2015, through its Decision (CFSP) 2015/778, the Council established the military crisis management operation contributing to the disruption of the business model of human smuggling and trafficking networks in the Southern Central Mediterranean (EUNAVFOR MED), achieved by undertaking systematic efforts to identify, capture and dispose of vessels and assets used or suspected of being used by smugglers or traffickers, in accordance with applicable international law, including UNCLOS and any UN Security Council Resolution;

Bearing in mind that the Council, in Article 8(3) of its Decision (CFSP) 2015/778, mandates EUNAVFOR MED to establish a coordination mechanism, and as appropriate, conclude arrangements with Union agencies and bodies, notably Eurojust;

Having regard *inter alia* to the (i) 2015 Ten Points Action Plan on Migration, (ii) 2015 European Agenda on Migration, (iii) 2015 European Agenda on Security, (iv) EU Action Plan against Migrant Smuggling (2015-2020), and the call upon Eurojust to take action in response to the migrations crisis in the Mediterranean;

Bearing in mind that Article 3(1) of the Eurojust Decision mandates Eurojust, in the context of investigations and prosecutions concerning two or more Member States, to support otherwise the competent authorities of the Member States in order to render their investigations and prosecutions more effective;

Building upon existing good relations and seeking to develop a closer and dynamic co-operation in the fight against serious cross-border crime, such as illegal immigrant smuggling and trafficking in human beings, and contribute to the EU comprehensive effort to disrupt associated criminal business models;

Having regard to the meeting between the Parties held in Eurojust on 1 July 2015 and their will to unite efforts and cooperate, within the limits of their mandates, in addressing the current migrant and refugee crisis in the Southern Central Mediterranean;

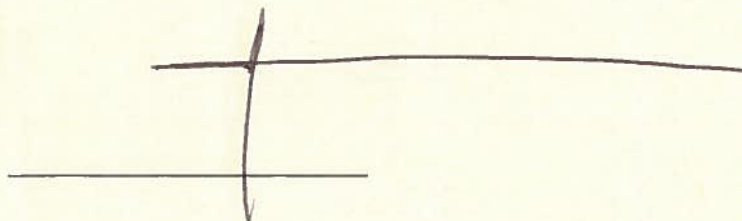
Deciding to establish the framework for enhanced coordination and dialogue,

EXPRESSED THEIR COMMON UNDERSTANDING:

1. To exchange strategic information and experiences of a non-operational nature in the fields of illegal immigrant smuggling and trafficking in human beings, nominating, to this effect, respective contact points that will interact regularly;
2. To explore areas of cooperation in order to streamline synergies, namely by:
 - a) Facilitating consultations and exchanges of views through mutual attendance, as appropriate, in each other's relevant meetings;
 - b) Developing joint trainings and inviting each other to activities they may organise, such as training sessions, seminars and workshops of common interest;
 - c) Exchanging expertise and best practices;
 - d) Facilitating regular contacts and direct communications between Eurojust and EUNAVFOR MED;
 - e) Exchanging legal and practical information in the field of illegal immigrant smuggling and trafficking in human beings, and information of a strategic nature, such as trends and challenges related to links of illegal immigrant smuggling and trafficking in human beings with organized crime, including for example reports released to the public or statements to media; the content of any exchange of information will not include the transmission of information of an operational nature, including data relating to the management of ongoing/pending cases, or personal data of identified or identifiable natural persons.

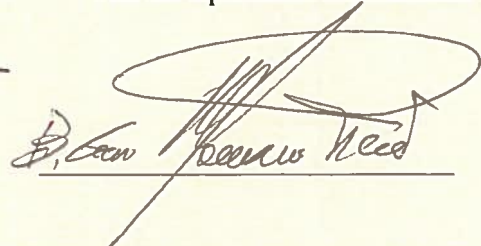
Done at Rome, on 1 October 2015, in two authentic copies.

For EUROJUST,
The President



Michèle Coninsx

For EUNAVFOR MED,
on behalf of
The EU Operation Commander



Brigadier General Maurizio Riccò