



EUROJUST

The European Union Agency for Criminal Justice Cooperation

Who we are

Eurojust, the European Union Agency for Criminal Justice Cooperation, is a unique hub based in The Hague, the Netherlands, where national judicial authorities work closely together to fight serious organised cross-border crime. **The role of Eurojust is to help make Europe a safer place** by coordinating the work of national authorities – from the EU Member States as well as third States – in investigating and prosecuting transnational crime.

Each participating EU Member State second a National Member to Eurojust. The National Members form the College of Eurojust, which is responsible for the Agency's operational work. The College, in turn, is supported by the Eurojust Administration, which includes, among others, case analysts, legal advisors and data experts. The Agency's custom-built premises provide secure meeting facilities with possibilities

for interpretation into all EU languages and a meeting room specifically developed for coordination centres, from which joint action days can be monitored and coordinated in real time.



Eurojust has developed a **cohesive international network** that grants prosecutors around the European Union access to more than 50 jurisdictions worldwide. The Agency has signed cooperation agreements with a dozen non-EU states, several of which have seconded Liaison Prosecutors to Eurojust to work on cases with their counterparts in the College. Eurojust also works closely with other EU agencies and partners that support the various stages in the criminal justice chain, including law enforcement and anti-fraud bodies.

What we do

Eurojust offers tailor-made operational support throughout the different stages of cross-border criminal investigations, providing:

- ▶ prompt responses;
- ▶ an on-call coordination service that is operational 24 hours a day, seven days a week;
- ▶ links to key counterparts; and
- ▶ assistance with the preparation of judicial cooperation requests, including official translations.

Furthermore, **Eurojust can accommodate complex forms of assistance and coordination mechanisms**, which may be combined as required to support major

operations. For example, the Agency can:

- ▶ coordinate parallel investigations;
- ▶ organise coordination meetings, involving the judicial authorities and law enforcement concerned;
- ▶ set up and/or fund joint investigation teams (JITs) in which judicial authorities and law enforcement work together on transnational criminal investigations, based on a legal agreement between two or more countries; and
- ▶ plan joint action days, steered in real time via coordination centres held at Eurojust, during which national authorities may arrest perpetrators, dismantle organised crime groups and seize assets.

Together with the Member States and an extensive network of international partners, Eurojust plays a key role in making Europe safer and ensuring justice for its citizens.



Eurojust through the years

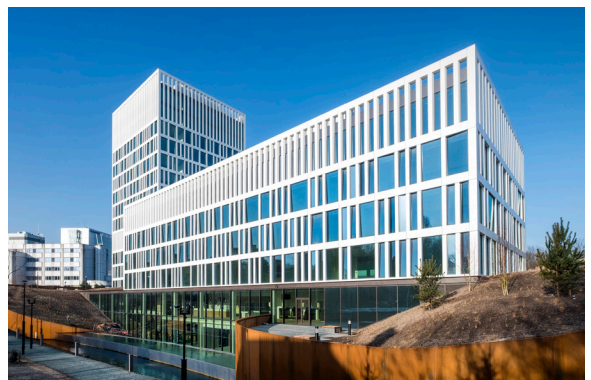
Plans to create a judicial body to strengthen cooperation between national authorities in the fight against serious organised cross-border crime were first discussed by European heads of state and government at a European Council meeting in Tampere, Finland, in 1999. A provisional judicial cooperation unit called Pro-Eurojust commenced operations in Brussels in March 2001. The 9/11 terrorist attacks in the United States clearly demonstrated the need for intensified international cooperation. These events sped up the development of Eurojust, which was formally established by the Council Decision of 28 February 2002 as the European Union’s Judicial Cooperation Unit. Eurojust relocated to The Hague in 2003.

Eurojust has evolved significantly since its founding, as have the nature and scope of its work. The Council’s decision to strengthen the Agency in 2008 enhanced Eurojust’s operational capabilities and facilitated cooperation between national authorities and Eurojust, as well as other partners and third States. The Lisbon Treaty, which entered into force in 2009, specifically mentioned Eurojust and defined its mission ‘to support and strengthen coordination

and cooperation between national investigating and prosecuting authorities in relation to serious crime affecting two or more Member States’.

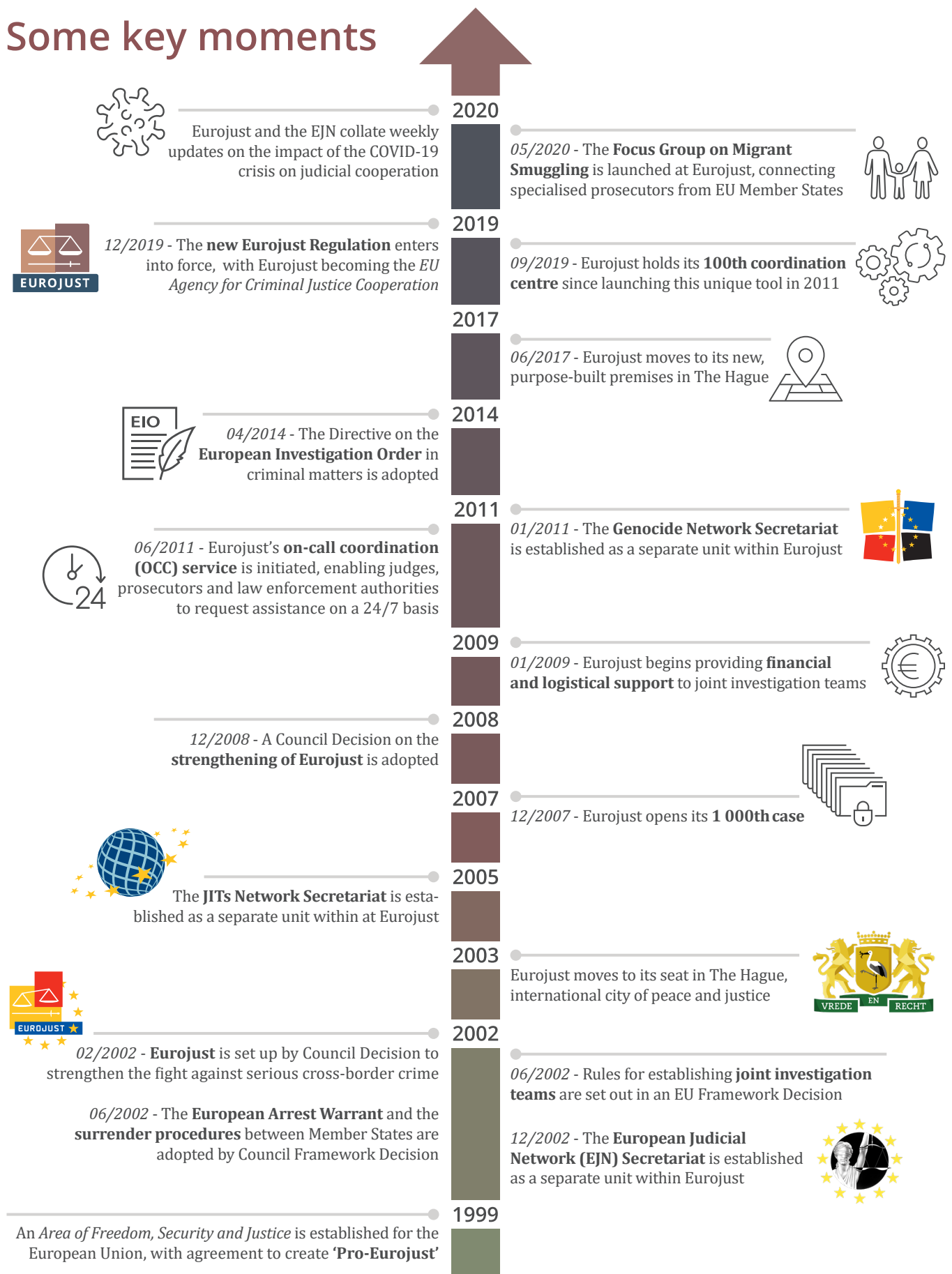
In 2017, Eurojust moved to its new premises, a purpose-built facility in the heart of The Hague’s International Zone. The building is designed to support the Agency’s mission to develop and enhance judicial cooperation. It features a dedicated operational room with facilities for exchanging information and defining strategies during large-scale multilateral joint actions. The lower floors of the building include a number of private meeting rooms built to accommodate confidential discussions between the members of the National Desks and outside practitioners. The rooms offer secure, state-of-the-art IT systems as well as facilities for simultaneous interpretation.

On 12 December 2019, the Eurojust Regulation entered into force, ushering in a new phase in Eurojust’s development as it became the European Union Agency for Criminal Justice Cooperation. The Agency’s new legal basis introduced a revised governance structure, external relations policy and data protection regime.



Clockwise from the top: 1999 European Council meeting in Tampere, FI (© EU Council), Eurojust building in the Hague (© Corné Bastiaansen), conference room and operational room

Some key moments



How Eurojust is set up

Eurojust's organisational structure consists of the College, the Executive Board and the Administration.

The **College** is responsible for the operation of the Agency and consists of a National Member from each participating EU Member State. When the College acts in non-operational matters, a representative of the European Commission is also a member. The College is overseen by Eurojust's President and two Vice-Presidents, each of whom are elected for a term of office of four years, with a limit of two terms.

The National Members lead their National Desks, supported by Deputies and Assistants who are delegated from their respective country. The Desks are the main contact points for prosecutors and investigative judges when they need assistance in a particular criminal investigation.

The **Executive Board** assists the College in its management functions. It consists of the President, the

two Vice-Presidents, a representative of the European Commission and two other members of the College under a two-year rotation system.

Within the **Administration**, the Administrative Director is the legal representative of Eurojust and its manager for administrative purposes. The Administrative Director is responsible for overseeing the day-to-day administration, staff management and providing administrative support to facilitate Eurojust's operational work.

Hosting role

Eurojust hosts four networks: the Secretariat of the European Judicial Network, the Genocide Network Secretariat, the JITs Network Secretariat and the European Judicial Cybercrime Network. The networks consist of national Contact Points or national experts who facilitate judicial cooperation, the exchange of information and the work of practitioners in the Member States.

Priority crimes

Eurojust works with national authorities to combat a wide range of serious and complex cross-border crimes involving two or more countries. The Agency leads the judicial response to growing threats in Europe, enabling the Member States to keep one step ahead of criminals, mainly focusing on organised crime groups. The cases brought to Eurojust often involve more than one crime type.

Priority crime types include:

- ▶ Terrorism
- ▶ Cybercrime
- ▶ Trafficking in human beings
- ▶ Drug trafficking
- ▶ Crimes against the financial interests of the EU (PIF crimes)
- ▶ Migrant smuggling
- ▶ Environmental crime
- ▶ Money laundering
- ▶ Swindling and fraud

Timeline of a Eurojust case

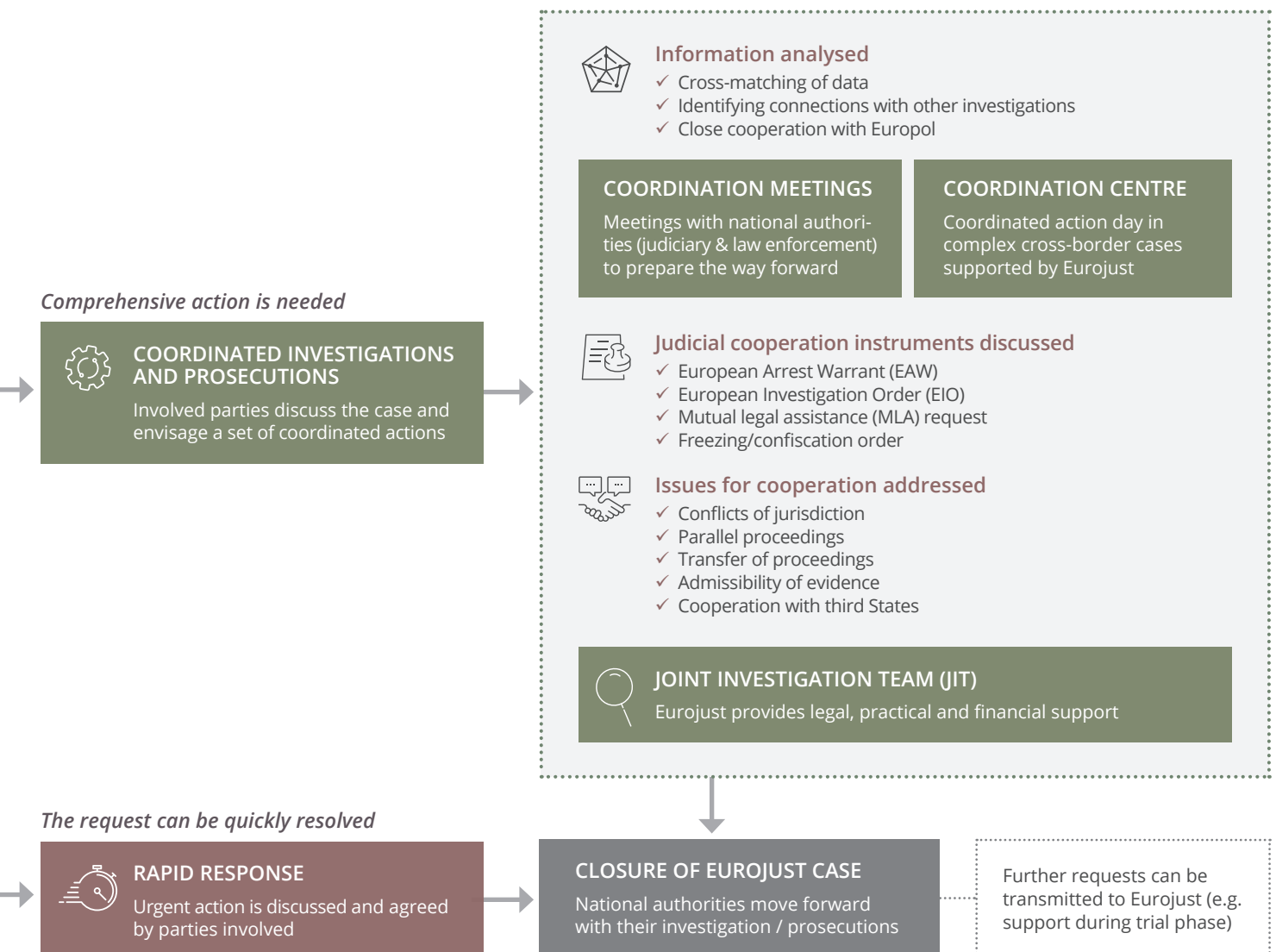


Bringing a case to Eurojust

The cases brought before Eurojust either involve two or more EU Member States or a Member State and a non-EU State. Sometimes cases involve crimes committed in a single Member State that have repercussions beyond its borders. Eurojust offers Member States its vast experience and expertise in judicial cooperation, including a range of tools to handle problems such as conflicts of jurisdiction, extradition, admissibility of evidence, and the freezing and recovery of assets. As Eurojust accommodates authorities from all Member States and various third States, it can respond to requests rapidly, sometimes helping to resolve a case within hours.

If a National Member decides to submit a case for registration at Eurojust, the College will meet to determine which National Members at Eurojust should be involved. The National Member (or their Deputies and Assistants) remains in control of the case, while Eurojust can provide advice and assistance in the coordination and the application of European judicial instruments and tools.

Once a case is opened at Eurojust, a subsequent meeting can be organised to support the exchange of information among the involved countries, discuss relevant legal issues and advise the respective national authorities on the next steps (see *Timeline of a Eurojust case* to see how cases may unfold).





Key investigation tools

Eurojust assists in a vast range of investigations. Each case is different and requires an individual approach. Often, prosecutors must act immediately to locate and apprehend suspects. In such cases, national authorities can rely on Eurojust's unique on-call services, for example by facilitating the swift execution of a European Arrest Warrant (EAW), a freezing order or the collection of evidence using a European Investigation Order (EIO). Other times, an investigation is built slowly and methodically, entailing months, or even years, of careful planning, coordination and discussion, with Eurojust playing a coordinating role. Four key means of support provided by Eurojust are **joint investigation teams**, **EU judicial cooperation tools**, **coordination meetings** and **coordination centres**.

Joint investigation teams (JITs)



JITs are the most advanced tool in international cooperation in criminal matters. They are teams in which judges, prosecutors and law enforcement officials work together on transnational criminal investigations, based on a legal agreement between two or more countries for a fixed period. Eurojust has been assisting countries to set up and operate JITs since 2009. The Agency hosts meetings with JIT members, often with translation and interpretation services. Equally important, Eurojust can provide financial and logistical support to JITs to alleviate the burden on national budgets when dealing with transnational cases.

Eurojust supports JITs by:

- ▶ assessing the suitability of a case for the establishment of a JIT;
- ▶ assisting the drafting of the JIT agreement;
- ▶ providing legal and practical support throughout the lifetime of the JIT, including support to joint operations (coordination centres);
- ▶ coordinating investigative and prosecutorial strategies; and
- ▶ providing financial and logistical support, for travel, interpretation, transfer of evidence and loan of equipment.

Assistance in using EU judicial cooperation tools



Instruments such as the European Arrest Warrant and the European Investigation Order greatly facilitate cooperation in cross-border cases. However, to maximise the potential of these tools, national authorities must be able to contact each other quickly and communicate clearly across languages and different jurisdictions. Eurojust allows involved States to make the best use of these tools by acting in a coordinating capacity.

What is a European Arrest Warrant?

The European Arrest Warrant, valid throughout all Member States of the EU, is used to arrest and surrender criminal suspects or sentenced persons to the issuing state so they can face criminal prosecution or serve a sentence. Eurojust plays a key role in improving the application of the EAW, including overcoming legal and practical obstacles. Eurojust can facilitate the transmission and timely execution of EAWs, coordinate and advise on competing EAWs, assist in issues related to surrender, clarify the differences in national legislation in relation to EAWs and help national authorities overcome many other issues.

What is a European Investigation Order?

The European Investigation Order establishes a clear process for cooperation between judicial authorities in different Member States for gathering and preserving evidence, e.g. carrying out searches, holding hearings, obtaining banking and financial information, intercepting communications, and temporarily transferring persons held in custody. Eurojust can assist in issues related to the four main phases of the lifecycle of an EIO (the issuing phase, the transmission phase, the recognition phase and the execution phase). The Agency can also advise on issues related to the scope of the EIO Directive and its use vis-à-vis other coexisting legal instruments, the competent authorities, the content, form and language of the EIO and the use of some specific investigative measures.

“ *With cross-border crime unfortunately on the rise, Eurojust is asked to assist more and more in large and complex cases. This situation leads to an increase in international actions by the judiciary, which we must coordinate in real time. By setting up a coordination centre at Eurojust, we can help immediately and ensure that actions are taken at the same time and benefit the judiciary and police in all participating countries, whereas individual actions by Member States and third States would yield less impressive results.* ”

– Eurojust President Ladislav Hamran –

Coordination meetings



Coordination meetings are a frequently used operational tool at Eurojust, bringing together judicial authorities and law enforcement from Member States and, in some cases, third States. Participants **exchange information and resolve legal issues**, such as conflicts of jurisdiction and transfer of proceedings. They can also agree on further steps in the investigation, plan action days and discuss the possibilities of a JIT.

Eurojust plays a coordinating role at these meetings. The Agency has a dedicated team of judicial cooperation officers who can provide legal advice, analysis and operational assistance.

Eurojust also provides facilities, as well as accommodation and travel reimbursement for visiting participants. Simultaneous interpretation services are available throughout the coordination meeting, even if the coordination meeting is held via videoconference.



Coordination centres



Eurojust offers a unique tool – the coordination centre – to support large-scale operations targeting cross-border criminality. A key success factor in these actions is the ability to **simultaneously execute measures**, such as arrests, searches, seizures of evidence, interviews of (potential) suspects and witnesses, and the freezing of assets. These action days often take place in several Member States at the same time, preventing criminals from warning their networks.

During an action day, coordination centre participants have access to dedicated, secure lines of communication. Based on the information received from the involved authorities, the coordination centre regularly communicates the progress of the operations taking place on the ground.

This information enables the involved authorities to adapt their strategies on the spot to respond to developing situations. For example, an additional EIO might be required to search an address that has only been revealed during the action. Participants must be prepared for the unforeseen and able to react swiftly.

In September 2019, Eurojust held its 100th coordination centre. This milestone, and the results achieved over the years through coordination centres, demonstrate the usefulness of this tool and its increasing role in judicial cooperation.

By working as a team with the national authorities, Eurojust's National Desks and committed staff of analysts and advisors help establish the right conditions to coordinate complex and rapidly evolving cross-border operations.



Coordination centres in action

The first Eurojust coordination centre, held in February 2011, concerned stopping migrant smuggling by a criminal network active in six countries. Eurojust was asked to facilitate mutual legal assistance (MLA) requests to the involved Member States and coordinate investigations and prosecutions, as well as simultaneous actions against the organised crime group in the other five countries. After Eurojust assisted in the extensive preparations, including the organisation of a coordination meeting to agree on a strategy for simultaneous actions in seven cities, a coordination centre was established. Thirty-five

suspected criminal facilitators were arrested, and 38 immigrants were intercepted.

In September 2019, the 100th coordination centre took place at Eurojust, concerning the culmination of a complex technical investigation into an organised crime group involved in massive pay TV fraud and large-scale violations of audio-visual copyright. The action day involved six countries. Twenty-two suspects were identified, and more than 200 servers were taken offline. The successful outcome of the coordination centre was followed by a press conference at Eurojust.



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Sample cases



EncroChat (2020) Through a joint investigation team, French and Dutch law enforcement and judicial authorities, Europol and Eurojust managed to dismantle EncroChat, an encrypted phone network widely used by criminal networks. The months-long investigation made it possible to intercept, share and analyse millions of messages that were exchanged between criminals to plan serious crimes. The information is already being used in several ongoing criminal investigations and will be further analysed as a source of unique insight into unprecedented volumes of new evidence to profoundly tackle organised criminal networks. Eurojust intensively facilitated judicial cooperation through the creation of the JIT and the extensive use of European judicial cooperation instruments such as European Investigation Orders, more than a hundred of which have been issued in several countries. Throughout the investigation, the JIT members organised five coordination meetings at Eurojust to bring all involved parties together in a secure environment, identify parallel or linked investigations, decide on the most suitable framework for cooperation and solve potential conflicts of jurisdiction.



Coordinated arrests of suspected members of a migrant smuggling network (2020) As a result of a cross-border investigation supported by Eurojust and Europol, Belgian and French authorities arrested 26 suspected members of a major migrant smuggling group, which transported mainly Asian refugees. Prompted by the discovery of 39 deceased Vietnamese nationals inside a refrigerated trailer in Essex in the United Kingdom in October 2019, a JIT was created between Belgium, Ireland, France, the United Kingdom, Eurojust and Europol. Judicial and police authorities have since worked closely together within the JIT to map out the alleged activity of the organised crime group and to determine the possibility of finding cross-links to ongoing regional and local investigations of migrant smuggling activity. Eurojust supported the JIT, six case-specific coordination meetings and the organisation of a coordination centre on the action day, enabling real-time coordination of the operation.



Rapid arrest of a high-profile IS target (2019) Eurojust's coordination of the rapid intervention by the Hungarian and Belgian authorities led to the arrest of a returning foreign terrorist fighter suspected of active involvement in the murder of 20 people in Syria. The exchange of crucial documents and the translation and sharing of information on a 24/7 basis between Hungary and Belgium via Eurojust led to his detention on suspicion of committing terrorist offences.



Operation Pollino (2018) Operation Pollino was the largest coordinated crackdown on the '*Ndrangheta* mafia to date in Europe. The investigation lasted four years. All knowledge was pooled by the national authorities to create a joint strategy for dealing with the complex criminal activities. Synchronised actions by hundreds of police officers, monitored in real time from a coordination centre at Eurojust, resulted in the detection of almost 4 000 kg of cocaine and large quantities of other drugs, the seizure of EUR 2 million, and 84 arrests.



Unlocking access to jurisdictions around the world

Criminals cross both internal and external EU borders. Moreover, the demand for operational support in tackling serious cross-border crimes is rising steadily, with the caseload from non-EU countries increasing by more than 20 % each year. Close cooperation with third States is therefore crucial in addressing the challenges of more complex crimes arising from globalisation and digitalisation, particularly in the field of illegal migration, trafficking and counterterrorism.

As a facilitator of cross-border judicial cooperation, Eurojust plays a key role in promoting effective and lasting working relationships between national authorities in Member States and third countries. The Agency’s cooperation agreements and network of more than 50 Contact Points unlock access to criminal jurisdictions around the world.

Cooperation agreements are the most advanced form of cooperation with third States. They enable the systematic exchange of operational information, including personal data, which is vital for national

authorities to successfully prosecute criminals when non-EU States are involved. Eurojust has signed 12 cooperation agreements with third States, eight of which have seconded a Liaison Prosecutor to Eurojust. Liaison Prosecutors work side by side with their colleagues from Member States, with full access to the Agency’s operational tools. The Eurojust Regulation, which entered into force in December 2019, transformed Eurojust’s external relations policy. The Agency now works closely with the European Commission to develop four-year strategies to enhance its international reach.

The Agency stays in close contact with key actors in the European Union’s institutional structure, including the Commission, relevant Council working parties, the LIBE committee in the European Parliament and the European External Action Service. Eurojust also cooperates with other EU agencies that support the various stages in the criminal justice chain, such as Europol, the European Anti-Fraud Office (OLAF), the European Public Prosecutor’s Office (EPPO), the European Judicial Training Network (EJTN) and Frontex.





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