



# EUROJUST

Single Programming Document 2019-2021



January 2019

---

# EUROJUST SINGLE PROGRAMMING DOCUMENT

Period 2019 - 2021

---



Planning Programming and Reporting Office

29 January 2019



## Table of Contents

Foreword .....	3
List of Acronyms .....	4
Mission statement .....	6
Section I Influencing Factors .....	7
Section II Multi-annual programming .....	11
1. Multi-annual strategic Objectives.....	11
2. Multi-annual programme.....	12
Multi-annual strategic objective 1 – Casework.....	12
Multi-annual strategic objective 2 – Policy work.....	14
Multi-annual strategic objective 3 – Organisational development.....	15
3. Human and financial resource outlook for years 2019 – 2021.....	16
3.1. Overview past and current situation .....	16
3.1.1. Staff population overview for 2017 .....	16
3.1.2. Staff expenditures for 2017.....	17
3.1.3. Other information .....	18
3.2. Resource programming for the years 2019 – 2021 .....	18
3.2.1. Financial Resources.....	18
3.2.2. Human Resources.....	19
Staff population evolution .....	19
Resource outlook over the years 2019-2021: future activities of Eurojust taking into consideration consequences on staff policy .....	24
3.3. Conclusion on evolution of resources compared to the Commission Communication 2014- 2020. ....	32
Section III: Work Programme 2019 .....	40
1. Executive Summary.....	40
2. Approach .....	41
3. Assumptions 2019.....	42
4. Annual Activities 2019.....	47
Casework.....	47
Policy Work .....	59
Organisational Development.....	68
Annexes .....	78
I. Resource allocation per Activity.....	78
I-A. Overview of requests to Eurojust in main EU Strategic Documents.....	80
I-B. Legal obligations for Eurojust relevant to policy work as laid down in EU legal instruments ...	116
II. Financial Resources.....	129
III. Human Resources- quantitative .....	137
IV. Human resources – qualitative.....	139
IV-A Recruitment Policy.....	139
IV-B Appraisal of Performance and Reclassification/Promotion .....	142
IV-C Mobility Policy.....	144



IV-D Gender and Geographical Balance.....	145
IV-E Schooling.....	146
V. Building Policy.....	148
VI. Privileges and immunities.....	149
VII. Evaluations.....	151
VIII. Risks.....	152
IX. Procurement plan for the year 2019.....	153
X-1. Organisation chart by 31 December 2017.....	154
X-2. Organisation chart from 2019.....	155
XI. Eurojust grants.....	156

## Foreword

The unprecedented political events and security attacks that lately have been targeting the European Union had led the Member States to a deep reflection on the future of the European project and how the EU entities will enhance their response to the most immediate concerns of European citizens, such as security, migration and the reinforcement of an area of Justice and Fundamental Rights based on mutual trust.

The political consensus for strengthening the EU instruments against terrorism confirms the key role that Eurojust is called upon to play in this area, requiring Eurojust to reinforce the fight against terrorism, violent extremism and connected criminal activities and emerging threats such as cybercrime and asset recovery. The continuing migration drama requires Eurojust's response to migrant smuggling and related crimes, such as judicial action against organised criminal groups, trafficking in human beings and drug trafficking.

Member States expect a full range of operational services from Eurojust to ensure a robust judicial cooperation response at European level. The steady increase of cases referred by the Member States to Eurojust, which relate to more complex cross-border crimes and that require an increasing number of coordination meetings and coordination centres, highlights Eurojust's crucial role in serving justice across borders for a safer Europe.

At the same time, an effective response to these challenges requires reinforcement of operational and strategic cooperation with key partners. The latest security threats are putting into question the effectiveness of global cooperation for a safer world. The challenge ahead for Eurojust, as EU entity, is to make international action robust and credible to the citizens in the Member States.

To respond to these challenges, in May 2017, Eurojust adopted its new Multi-Annual Strategy for the period 2019 to 2021. The draft Work Programme 2019 that is presented in this document constitutes the first phase in achieving the multi-annual strategic objectives for this three-year strategic cycle.

Despite the budgetary uncertainty resulting from the fact that this multi-annual programming document forecasts beyond the current multi-annual EU budget and that the discussions on the next Multiannual Financial Framework for 2021 and beyond will only start in earnest once the agreement on the UK's withdrawal from the European Union is concluded, the draft budget 2019 reflects the financial and human resources required by Eurojust to perform the increasing number of operational activities and to meet the growing demands for assistance from national authorities of the Member States.

## List of Acronyms

AA	Annual Activities	ECRIS-TCN	European Criminal Records Information System
ABAC	Accounting system of the European Commission	ECTC	European Counter-Terrorism Centre
ABB	Activity Based Budgeting	EEAS	European External Action Service
ABM	Activity Based Management	EIO	European Investigation Order
AWP	Annual Work Programme	EJCN	European Judicial Cybercrime Network
BL	Budget Line	EJD	Eurojust Decision
CA	Contract Agent	EJFR	Eurojust Financial Regulation
CAAR	Consolidated Annual Activity Report	EJN	European Judicial Network
CATS	Coordinating Committee in the area of police and judicial cooperation in criminal matters	EJTN	European Judicial Training Network
CBRN-E	Eurojust Handbook on Chemical, Biological, Radiological, Nuclear and Explosive Conventional Weapons	eMS	Electronic Management System
CC	Coordination Centre	EMSC	European Migrant Smuggling Centre
CEPOL	European Police College	EMCDDA	European Monitoring Centre for Drugs and Drug Addiction
CIF	Case Information Form	EMPACT	European Multidisciplinary Platform against Criminal Threats
CJEU	Court of Justice of EU	ENCS	Eurojust National Coordination System
CJM	Cybercrime Judicial Monitor	ENISA	European Union agency for Network and Information Security
CM	Coordination Meeting	ENPSDP	European Network for Prosecutors for Synthetic Drugs & Precursors
CMS	Case Management System	ePrior	Open-source e-procurement platform
COM	European Commission	EPPO	European Public Prosecutor's Office
COPEN	Working Party on Cooperation in Criminal Matters	eRec	Electronic administrative performance monitoring tool
COSI	Standing Committee on Operational Cooperation on Internal Security	ESOCC	European Serious and Organised Crime Centre
CSDP	Common Security and Defence Policy	EU	European Union
CSIRTs	Computer Security Incident Response Teams	eu-LISA	European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice
DB	Draft Budget	EUNAVFOR	European Union Naval Force at the Mediterranean Sea
DP	Data Protection	MED EU	
EAW	European Arrest Warrant	FB	Final Budget
EIO	European Investigation Order	FRA	EU Agency for Fundamental Rights
EU	European Union	FRONTEX	European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European
EU CTC	European Counter-Terrorism Coordinator		
EC3	European Cybercrime Centre		
ECA	European Court of Auditors		

	Union		
FTE	Full Time Equivalent	RACER KPIs	Key Performance Indicators that are relevant, accepted, credible, easy and robust
FTF	Foreign Terrorist Fighters		
fyROM	former Yugoslav Republic of Macedonia	SAA	Strategic Action Area
GEN	Genocide Network Secretariat	SGUA	European Union Support Group for Ukraine
GENVAL	Council's Working Party on General Matters including Evaluation	SIENA	Secure Information Exchange Network Application
IAS	Internal Audit Service	SIS	Schengen Information System
	Migrant	SLA	Service Level Agreement
JCI	Judicial Cooperation Instruments	SMT	Service Management Tool
JHA	Justice and Home Affairs	SNE	Seconded National Expert
JITs	Joint Investigation Teams	SOCTA	Serious Organised Crime Threat Assessment
KMI	Knowledge Management Interface	TA	Temporary Agent
KPI	Key Performance Indicator	TE-SAT	Terrorism Situation and Trend Report
LIBE	EU Parliament's Civil Liberties, Justice and Home Affairs Committee	THB	Trafficking of Human Beings
LP	Liaison Prosecutor	T - CY	Cybercrime Convention Committee
MAS	Multi-Annual Strategy	UMF	Unified Message Format
MASO	Multi-annual Strategic Objective		
MASP	Multi-annual Strategic Plan		
MoU	Memorandum of Understanding		
MLA	Mutual Legal Assistance		
MFF	Multi-annual Financial Framework		
MOCGs	Mobile Organised Crime Groups		
MTIC	Missing Trader Intra Community		
NGO	Non-Governmental Organisation		
NPS	New Psychoactive Substances		
OAA	Objective to the Annual Activity		
OAP	Operational Action Plan		
OBP	Organisational Business Process		
OLAF	<i>Office européen de Lutte Anti-fraude</i> (EU Anti-Fraud Office)		
OPC	Organised Property Crime		
PDN	Performance Development Interagency Network		
PIF	<i>Protection des intérêts financières</i> (Protection of the financial interests of the European Union)		
QR	Quality Report		



## Mission statement

Article 85(1) of the Treaty on the Functioning of the European Union provides that:

*'Eurojust's mission shall be to support and strengthen coordination and cooperation between national investigating and prosecuting authorities in relation to serious crime affecting two or more Member States or requiring a prosecution on common bases, on the basis of operations conducted and information supplied by the Member States' authorities and by Europol.'*

Stemming from the legal framework, Eurojust's mission is:

***'Serving justice across borders for a safer Europe.'***

Eurojust successfully supports the Member States in the fight against serious cross-border crime. Its operational experience gained over its 15 years of existence on the facilitation of mutual legal assistance, the use of mutual recognition instruments and the coordination of criminal cases has been of significant added value to the national authorities of the Member States.

Eurojust aims at excelling in the support to the Member States, providing support and advice based on operational experience, and further improving organisational effectiveness. Its vision is:

***'Eurojust is the EU leading partner in bringing criminals to justice and a key player in ensuring a more secure world.'***

## Section I Influencing Factors

### - **New Eurojust Regulation**

The new Eurojust Regulation was adopted on 6 November 2018 and has entered into force in December 2018. It will be applicable as of 12 December 2019.

The Regulation will streamline Eurojust's functioning and structure to enable the College and the National Members to better focus on their operational tasks. A new Executive Board, which will include a member of the Commission, will assist the College in its administrative tasks. A switch will be made from supervision by the Joint Supervisory Body to external supervision by the European Data Protection Supervisor. The impact on the data protection regime in connection with the recast of Regulation 45/2001 to Regulation 2018/1725, which is now fully applicable to Eurojust, may also considerably influence the functioning of Eurojust and may require a considerable effort to align Eurojust's practices to the new regime.

In the period covered by this Programming Document, and especially before the Regulation becomes applicable, Eurojust will need to review all necessary internal legal acts, processes and procedures to ensure conformity. Substantial IT-related and organisational changes need to be implemented, including indirect access modalities for information exchange with Europol and the EPPO; revision of Eurojust's governance (including the setting up and functioning of the new Executive Board) and rules of procedure, and implementation of new processes and strategies in the area of external relations.

In addition, at the time the new Eurojust Regulation becomes applicable, Denmark will not be bound by it, according to Protocol No 22 to the Treaty on European Union. As a consequence, from that moment, Denmark will no longer be able to participate in Eurojust activities like other EU Member States, which will impact future operational cooperation between Eurojust and Denmark. To ensure business continuity, consideration should be given to conclude a cooperation agreement before the Eurojust Regulation becomes applicable. The matter will be dealt with in close cooperation with the Council and the European Commission.

### - **EPPO Regulation**

On 12 October 2017, the Regulation establishing the European Public Prosecutor's Office (EPPO) was adopted by enhanced cooperation. The EPPO will be in charge of investigating and prosecuting offences against the Union's financial interests and its central office will be based in Luxembourg.

The expected close interaction between the EPPO and Eurojust will have a cross-cutting impact on Eurojust from 2019 onwards. Despite the uncertainties that an EPPO by enhanced cooperation would entail regarding working methods and practical arrangements, both the EPPO and Eurojust Regulations require that the two bodies work closely together. In 2019, Eurojust is expected to undertake actions to define and develop this cooperation, particularly towards the elaboration of a working arrangement covering operational, institutional and possibly administrative aspects of cooperation.

### - **Europol Regulation**

The Europol Regulation became applicable on 1 May 2017, involving revised powers for Europol and a number of changes with an impact for Eurojust. The Europol Regulation and related provisions in the Eurojust Regulation should result in an increased flow of operational information between the two agencies, further enhancing the close cooperation between them. ... Eurojust will also continue to work closely with Europol, providing input into strategic products, participating in EMPACT and ensuring coordinated judicial follow-up in all areas falling within Eurojust's mandate. To this end, Eurojust will also further enhance its presence at the EU centres of expertise hosted at Europol.

- **New Frontex Regulation**

On 14 September 2016, the new Frontex Regulation was adopted; it became fully applicable on 7 January 2017. This Regulation provides that within the respective mandates of the agencies concerned, Frontex and Eurojust shall cooperate and provide support to Member States in circumstances requiring increased technical and operational assistance at the external borders in the fight against organised cross-border crime, such as migrant smuggling, trafficking in human beings and terrorism. The new Frontex Regulation may result in an increased flow of operational information to Eurojust, enhancing the close cooperation to be regulated in a working arrangement as foreseen in the Frontex Regulation. In November 2018, the College approved the initiation of negotiations with Frontex to conclude a cooperation agreement.

- **New EU Data Protection (DP) package**

The new EU DP package entered into force in 2016 and is applicable, from May 2018, to the national authorities with whom Eurojust works. The new Data Protection Directive will have a major impact on the way the Member States deal with personal data in the area of law enforcement. The Data Protection Directive will have consequences for Eurojust when it receives and exchanges information from and to the Member States (MS), e.g. the modalities to deal with data subjects' rights, transfers to third States, etc. Member States will need to work more on DP to attain a level clearly higher than the Framework Decision<sup>1</sup>.

- **EU Strategy on Justice and Home Affairs**

Numerous EU Strategies and Action Plans<sup>2</sup> contribute to setting the priorities of Eurojust, such as the European Agenda on Security; the Renewed EU Internal Security Strategy Implementation; the European Agenda on Migration; the EU Action Plan against Migrant Smuggling; the EU Policy Cycle; EU crime priorities for the upcoming cycle between 2018 and 2021 (SOCTA 2017); and the EU Terrorist Situation and Trend Report (TE-SAT). These priorities and a number of obligations stemming from EU legal instruments emphasize the necessity for:

- closer frontline judicial cooperation and coordination in combating serious cross-border crime;
- intensified information-sharing; and
- best possible use of judicial cooperation instruments to facilitate investigations and prosecutions, and ultimately convictions of criminals.

- **New developments in relation to existing EU legal instruments in the area of judicial cooperation in criminal matters and future instruments**

Eurojust will continue to support Member States in the use of all available tools and instruments of judicial cooperation. It will continue to advise the Commission as requested on the practical operation of such tools and their possible improvements by reporting on best practice, suggesting users' guidelines and proposing legislative updates. Thus, Eurojust will remain an important player in the application of instruments such as the European Arrest Warrant Framework Decision (EAW FD), where new challenges might arise in view of new developments. For example, Eurojust will follow-up closely any future relevant judgements from the Court of Justice in relation to the EAW FD and other mutual recognition instruments, as such developments might trigger additional requests for support

---

<sup>1</sup> Especially on issues such as time limits for storage and review, distinction between different categories of data subject, security, privacy by design and default (in some cases even an obligatory data protection impact assessment), rights of the data subjects (right to information, no 'neither deny nor confirm' answer by default in the right of access request cases), the strengthened role of the DPOs, and the strengthened powers of the national DPAs.

<sup>2</sup> See full list in Annex I.A., 'Overview of requests to Eurojust in main EU Strategic Documents' and Annex I.B., 'Legal Obligations for Eurojust relevant to policy work as laid down in the EU Legal Instruments'.

to Eurojust. Moreover, Eurojust will focus on assisting the national authorities in implementing new tasks that will derive from the latest EU legal instruments in the area of judicial cooperation in criminal matters, such as the Regulation on ECRIS-TCN and the Regulation on the mutual recognition of freezing and confiscation orders. Finally, the involvement of Eurojust in the 9<sup>th</sup> round of mutual evaluations, which will be devoted to the evaluation of the application in the Member States of certain mutual recognition instruments, is also foreseen.

- **Implementation of the European Investigation Order (EIO)**

Eurojust will continue to play a key role in advising the MS on the application of the Directive on the European Investigation Order (2014/41/EU) (the EIO Directive). The EIO Directive replaces several existing laws and judicial cooperation instruments dealing with the transfer of evidence between MS. Eurojust will continue playing an active role in facilitating the application of the EIO Directive and will support the dialogue between national authorities when encountering difficulties with the new system. Eurojust will continue monitoring and analysing potential problems that may arise from non-timely implementation of the EIO Directive as well as other problems, and will continue to provide its support to the MS in the application of this judicial cooperation instrument. For example, the strict deadlines, imposed by the EIO Directive, require swift action from national authorities, and Eurojust will be requested to support such urgent cases. The new system also entails many other features and challenges for practitioners for which Eurojust's support might be needed.

- **Revised EU Multi-Annual Financial Framework 2021-2027**

The upcoming negotiations for the EU Multi-Annual Financial Framework (MFF) 2021-2027 create an opportunity for Eurojust to advocate a strengthening of Eurojust in terms of financial and human resources. However, the post-2020 MFF negotiations will also present great uncertainties and significant challenges, since it would be the first post-Brexit MFF.

A fundamental review of the baseline for Eurojust is required to reflect the more recently voted Eurojust budgets that deviate from the ceilings of the MFF 2014-2020, due to known structural deficits predominantly related to staff costs, JITs funding and increases related to the operational work. These actions are necessary to meet increasing expectations towards Eurojust to play a stronger role in ensuring close judicial cooperation and coordination in cross-border criminal matters in the European Union, particularly in the EU priority crime areas of terrorism, cybercrime and migrant smuggling.

- **Decisions on allocation of budgetary and human resources in a changing environment**

A stringent budgetary climate and continued pressure on Eurojust's limited resources have prompted Eurojust to optimise its financial and human resources with a view to ensuring maximum efficiency and effectiveness in the fulfilment of its mission and increase in casework. To this end, Eurojust engaged itself in a further reorganisation of its Administration in the last quarter of 2018, which will be implemented throughout 2019. Any further limitations in terms of staffing and budget will have an impact on Eurojust's deliverables.

Eurojust will endeavour to enhance its internal processes and overall approach with regard to Activity Based Management. In this context, implementing an enhanced model for resource capacity planning and reporting to support the assessment and alignment of resources to priorities will be crucial, since it will ensure the adoption of corrective measures.

- **UK notification to withdraw from the European Union**

Following the 23 June 2016 UK referendum, on 29 March 2017 the UK Prime Minister formally notified the European Council of the UK's intention to withdraw from the European Union, as provided for by Article 50 of the Treaty on the Functioning of the European Union. At the General Affairs Council



of 22 May 2017, the Council authorised the opening of the exit negotiations with the UK, which led to the draft Agreement on the withdrawal of the UK from the European Union, endorsed by the European Council on 25 November 2018. The draft agreement is subject to approval by the UK and the European Union before it enters into force.

From the moment it will be confirmed that the UK will no longer be a Member State, the immediate consequences for Eurojust would depend on the outcome of the ongoing discussions between the European Union and the UK, particularly whether the draft withdrawal agreement (which currently foresees a transition period until 2020) will be agreed upon by both the European Union and the UK.

Eurojust is monitoring the negotiations closely, and has identified the main areas of impact and possible scenarios regarding cooperating with the UK after the entry into force of its withdrawal from the EU. These scenarios take into account the political developments as well the change of legal basis for Eurojust, which also has a considerable impact on possible relations with the UK.

Based on the UK's involvement in judicial cooperation activities in the last few years, the UK would be expected to continue seeking cooperation with Eurojust. Thus, a change in the caseload after the UK leaves the European Union is unlikely. In addition, considering the uncertainty regarding the applicability of judicial cooperation instruments and the arguably different level of data protection in the Member States, the complexity of the cases between Member States and the UK will possibly increase, thereby triggering an enhanced role for Eurojust.

In 2017, the UK initiated 3 per cent of the cases at Eurojust and was involved in 11 per cent of the cases, the second largest number of cases of the Member States for which help was sought. EU Member States will continue to require this support. As for JITs, the UK was involved in 33 per cent of the JITs supported by Eurojust in 2017. This level of involvement is expected to remain constant after the withdrawal from the European Union.

## Section II Multi-annual programming

### 1. Multi-annual strategic Objectives

STRATEGIC ACTION AREAS 2019-2021	
<b>Multi-annual strategic objective 1 - Casework</b>	1.a. Provide quick and qualitative support to competent authorities.
	1.b. Reinforce operational cooperation with key partners
<b>Multi-annual strategic objective 2 - Policy work</b>	2.a. Contribute to the EU internal security strategy and to measures concerning judicial cooperation in criminal matters
	2.b. Reinforce strategic cooperation with key partners
<b>Multi-annual strategic objective 3 - Organisational development</b>	3.a. Ensure effective organisational structure and processes
	3.b. Ensure excellent communication capacities

The MAS 2019-2021 was derived from two brainstorming workshops on the future strategic vision of Eurojust, attended by members of the Administration and the College of Eurojust. During these workshops, a SWOT analysis was conducted, during which the strengths and weaknesses of Eurojust, as well as its external opportunities and threats, were identified. The MAS 2019-2021 was adopted by the Management Board of Eurojust following consultation with the European Commission (according to Article 5 of the Memorandum of Understanding with the European Commission of 20 July 2012).

Eurojust did not adopt key performance indicators at the strategic level for its MAS 2019-2021. The assessment of progress and performance is thereby through KPIs of the corresponding annual organisational activities determined for the annual programming, as well as at the operational level for the objectives of each unit and service.

See MAS 2019-2021 attached.

## 2. Multi-annual programme

In accordance with the guidelines to the Programming Document, terminology required in the Programming Document may be equated to that in use at the agency. In this context, Eurojust's strategic action can be equated with its three multi-annual strategic objectives containing the related strategic action areas, namely casework, policy work and organisational development.

### Multi-annual strategic objective 1 – Casework

Multi-annual strategic objective 1 adopted by the Management Board of Eurojust states:

*Eurojust functions as the European Union centre for international judicial cooperation and coordination between competent authorities in serious cross-border crime cases.*

#### Strategic Action Area 1 (a) Provide quick and qualitative support to competent authorities

Eurojust strives for effective operational results and excellence in its support of investigations and prosecutions by the Member States in serious cross-border crime cases. Eurojust proactively fosters and facilitates cooperation and coordination between competent authorities of the Member States, providing high-quality services responsive to stakeholders' needs.

Eurojust will continue to encourage Member States to refer more complex cross-border crime cases to profit from Eurojust's tailor-made, expert advice at an early stage of investigations. Eurojust will enhance the quality of the operational, logistical and financial support to coordination meetings, coordination centres and joint investigation teams, ensuring that services are provided expeditiously. The support provided through these tools will be periodically evaluated to accommodate expectations and demands from national authorities.

While regularly providing operational support in all serious crime cases within its mandate, Eurojust will remain attentive to urgent operational needs of the Member States in the fight against terrorism, organised crime, cybercrime and migrant smuggling, identified as priority areas by the European Agendas on Security and Migration, and will also tackle the priorities identified by the European Union Policy Cycle 2018 - 2021, offering an immediate operational response. Eurojust is committed to providing contributions to Operational Action Plans within the European Multidisciplinary Platform against Criminal Threats (EMPACT), emphasizing the need to enhance the operational judicial component in this area.

Member States expect a full-range of operational services from Eurojust. Therefore, Eurojust will reinforce the sharing of experience and best practice in effective casework handling as part of its regular operational feedback to practitioners. As a centre of legal expertise, Eurojust will provide its expert advice on judicial cooperation, making available its substantial knowledge of international judicial cooperation and mutual recognition instruments, particularly mutual legal assistance, European Arrest Warrants, joint investigation teams and European Investigation Orders. Eurojust's experience in the areas of conflicts of jurisdiction, confiscation and asset recovery will also be made available to practitioners.



Eurojust will enhance its capabilities to process and analyse substantial case-related information, especially in key crime areas. It will refocus the demand for information towards the Member States on the main crime priorities. Based on this structured information and an enhanced Case Management System, Eurojust will develop operational products addressing the needs of practitioners and EU common challenges.

Eurojust intends to explore a more operational role for the Eurojust National Coordination Systems in the Member States as an inherent part of its structure. Eurojust will consider how to formalise contacts and cooperation with National Coordination Systems to support Eurojust with the filtering of cases, the flow of information, and stakeholder consultation to better define demands, priorities and operational outreach.

### **Strategic Action Area 1 (b) Reinforce operational cooperation with key partners**

Eurojust will continue developing operational cooperation, interaction and complementarities with its main operational partners with the common objective of achieving positive results for the Member States.

The future European Public Prosecutor's Office will become a privileged partner in the area of crimes against the financial interests of the European Union. Relations with Europol, Frontex and other Justice and Home Affairs agencies will be enhanced to provide a European multidisciplinary response to criminal phenomena.

Eurojust offers operational judicial expertise and advice to complement the efforts of other agencies in tackling organised crime and terrorism, helping the European Union to better achieve its goal of a more secure Europe under the rule of law.

Eurojust will explore synergies and the operational involvement of existing (formal and/or informal) networks. The network of national correspondents for Eurojust for terrorism matters, the contact points of the European Judicial Cybercrime Network, the European Judicial Network, the JITs Network and the Network for the investigation and prosecution of genocide, crimes against humanity and war crimes gather practitioners with unique expertise, adding value to Eurojust's operational work.

Eurojust's external relations strategy will be reconsidered to address new global challenges, in close cooperation with the European Commission and with the European External Action Service within the boundaries of the Eurojust Regulation, once the latter will enter into force. Operational cooperation with third States will be ensured by a robust network of Eurojust contact points in third States, cooperation agreements with third States and the appointment of Liaison Prosecutors from third States posted at Eurojust. Eurojust will also consider the posting of Eurojust Liaison Magistrates to third States.



## Multi-annual strategic objective 2 – Policy work

Multi-annual strategic objective 2 adopted by the Management Board of Eurojust states:

*Eurojust, as the EU centre of judicial and legal expertise, contributes to enhanced international judicial cooperation measures and criminal justice policy.*

### Strategic Action Area 2 (a) Contribute to the EU internal security strategy and to measures concerning judicial cooperation in criminal matters

Eurojust will maintain its privileged relationship with the European institutions in the area of criminal justice. Eurojust will deliver advice, based on operational experience, to the European Union decision- and policy-makers and will also keep actively promoting a common European approach in this area while taking into consideration the differences in the legal systems of the Member States.

Eurojust's regular reporting of identified obstacles to judicial cooperation, possible solutions and best practice to stakeholders will contribute to the active promotion of the judicial and prosecutorial dimension of the fight against serious cross-border crime in the European Union to which Eurojust is fully committed.

Eurojust will focus its policy activities on priority areas and renew its contributions in the fields of counter-terrorism, organised crime, migrant smuggling and cybercrime. Eurojust's contributions in the area of judicial cooperation instruments will also be reinforced. Eurojust will assume an active role in supporting Member States in the first steps of the practical implementation of the European Investigation Order, and will report on challenges.

### Strategic Action Areas 2 (b) Reinforce strategic cooperation with key partners

Eurojust will enhance its strategic cooperation with Justice and Home Affairs agencies, exploring possible synergies and coordinated responses to identified threats. Strategic relations with other EU agencies or bodies and international organisations closely related to this field of work will be enhanced. Additionally, Eurojust will provide support and facilitate the work of the Consultative Forum of Prosecutors General and Directors of Public Prosecutions of the Member States of the European Union to engage practitioners in the Member States in EU policy matters.

Eurojust will further explore the strategic involvement of the network of national correspondents for Eurojust for terrorism matters, the contact points of the European Judicial Cybercrime Network, the European Judicial Network, the JITs Network and the Network for the investigation and prosecution of genocide, crimes against humanity and war crimes in the policy work of Eurojust, recognising the added value of these fora in the identification of best practice in their fields of activity.

## Multi-annual strategic objective 3 – Organisational development

Multi-annual strategic objective 2 adopted by the Management Board of Eurojust states:

*Eurojust is a dynamic and effective organisation.*

### Strategic Action Area 3 (a) Ensure effective organisational structure and processes

Eurojust will ensure the smooth implementation of the Regulation on Eurojust, including changes that may be required by the establishment of the European Public Prosecutor's Office. The new Regulation provides an opportunity to develop a stronger corporate identity and promote an internal culture embracing innovative working methods to face organisational challenges.

The reinforcement of the operational capacity of the National Members and of Eurojust's mandate, changes in its governance and in the supervision scheme require organisational changes that may allow for the identification of areas that may profit from enhanced and harmonised processes and in which additional efficiencies may be found.

In a stringent financial context, Eurojust will ensure increasing efficiency and flexibility in the deployment of human and financial resources to respond to growing demands while maintaining quality services. With this aim, Eurojust will reinforce its regular internal monitoring and evaluation procedure, which will include the evaluation of the organisational changes that would have been conducted.

Facing new technological challenges, ICT requirements will be closely monitored and analysed to guarantee smooth operational continuity at Eurojust.

### Strategic Action Area 3 (b) Ensure excellent communication capacities

Eurojust will further invest in developing a solid reputation based on operational and strategic results and on the trust of Member States. Eurojust will also strive to better communicate its operational successes to the European citizens and to promote the added value of the European reaction against serious cross-border crime.

At the organisational level, Eurojust will continue to ensure organisational knowledge retention and enhance its operational information management capacities.

### 3. Human and financial resource outlook for years 2019 – 2021

#### 3.1. Overview past and current situation

##### 3.1.1. Staff population overview for 2017

###### Non-statutory staff

- **National Desks**

The core operational activities of Eurojust are performed by 28 National Members, one from each of the Member States. National Members are seconded in accordance with their respective legal systems and are judges, prosecutors or police officers of equivalent competence. The National Members form the College of Eurojust, which is responsible for the organisation and operation of Eurojust. At 31 December 2017, 28 National Members were appointed to Eurojust. These National Members are assisted by 48 Deputy National Members, Assistants and non-deputising Assistants.

- **Liaison Prosecutors**

By 31 December 2017, Eurojust hosts four Liaison Prosecutors from Montenegro, Norway, the USA and Switzerland, two of whom are supported by an Assistant.

- **Seconded National Experts**

In 2017, Eurojust received funding for 21 Seconded National Expert (SNE) posts to support the work of the National Desks. The filling of the positions allocated to the National Desks is dependent on whether a Member State secondes an SNE to its National Desk at Eurojust. SNE positions not filled by the National Desks have been utilised to offer expertise in the Administration.

At 31 December 2017, 12 SNEs were seconded by their Member States to the National Desks and 3 SNEs were seconded to the Administration. In addition, 2 National Experts are seconded to represent Eurojust in the following EU centres of expertise hosted by Europol: the European Cybercrime Centre (EC3) and the Counter Terrorism Centre.

###### Statutory staff

- **Temporary agents**

Eurojust had 208 temporary agent posts authorised in 2017, which represented a net increase of 5 posts in comparison with the 2016 establishment plan. The new posts were allocated in the operational work areas of Eurojust and were all filled by the end of 2017.

In accordance with Article 38(1) of the Financial Regulation applicable to Eurojust (College Decision 2014-7), the College modified the 2017 establishment plan by upgrading three AD10 posts to AD11. This upgrade was necessary to secure the availability of grades for the reclassification of two staff members who should have been reclassified in 2016. In addition, one post was upgraded to an AD11 post, which was necessary for the recruitment of the Head of the Operations Department, as foreseen in the new organisational structure of Eurojust as of 01.01.2017. These modifications did not affect the volume of appropriations corresponding to the 2017 financial year.

In accordance with Article 38(2) of the Financial Regulation applicable to Eurojust, 2 appointments at AST2 and AST4 grades have been made in order to offset the effects of part time work that was on average 4 FTE over the past four years (2013-2017).

On 31 December 2017, 202 temporary agent posts were filled, leading to a vacancy rate of 2.8%. At the end of December 2017, a further 5 posts were under recruitment. The list of vacant posts is as follows:

1. AD11 Head of Operations Department (recruitment procedure ongoing)
2. AD10 Head of Human Resources Unit (recruitment procedure ongoing)
3. AD9 Head of Communications & External relations Unit (recruitment procedure ongoing)
4. AST3 Human Resources Officer (recruitment procedure ongoing)
5. AST2 Administrative Assistant (recruitment procedure ongoing)
6. AST2 Administrative Assistant.

- **Contract agents**

Eurojust had 21 FTE contract agents at 31 December 2017. Six contract agents were engaged in 2017 to perform temporary tasks related to the move of Eurojust to its new premises. One contract expired during 2017 and the remainder will expire in 2018. In addition, 4 contract agents provided support to the National Desks. The remaining contract agents provided additional capacity to meet the demands in core operational and administrative areas.

#### Other staff

- **Structural Service Providers**

At 31 December 2017, 2 external consultants are assisting Eurojust in the facility management area.

- **External staff for occasional replacement**

External (interim) staff for occasional replacement is engaged to cover long-term absences at the National Desks to meet their specific linguistic requirements, as well as for ICT support. In the Administration, they are engaged exceptionally to cover urgent needs for additional expertise support in the absence of temporary agents. By the end of 2017, 6 FTEs were providing ICT support.

### **3.1.2. Staff expenditures for 2017**

Below is an overview of 2017 staff expenditures, including the foreseen expenditures for 2018 and 2019.

EXPENDITURE	Payment appropriations				
	Executed Budget 2017	Budget 2018	Final Budget 2019		VAR 2019/2018 (%)
			Agency request	Budget forecast	
Salaries & allowances	18,873,459	19,832,310	20,870,659	20,095,811	2.2%

- Of which establishment plan posts <sup>3</sup>	18,680,073	19,432,310	20,462,659	20,095,811	4.3%
- Of which external personnel	193,386	400,000	408,000	0	-100%

### 3.1.3. Other information

For information concerning the Eurojust's recruitment policy, appraisal of performance and reclassification/promotions, mobility policy, gender and geographical balance and schooling, see Annexes IV-A to IV-E.

## 3.2. Resource programming for the years 2019 - 2021

### 3.2.1. Financial Resources

#### *Development of the Estimate of Revenue and Expenditure for 2019*

Eurojust has prepared its estimate of revenue and expenditure for 2019 in accordance with the Activity Based Budgeting (ABB) principles and methodology and based on the 2019 budget assumptions, Annual Activities (AA) and Objectives of the AAs (OAA) which were adopted by the College and stem from the Eurojust Multi-Annual Strategy (MAS) 2019-2021. This estimate consists of the detailed activity and resource plans of all Eurojust organisational units, as submitted in Eurojust's planning tool.

Eurojust's draft estimate and request, as submitted to the European Commission and the budgetary authorities in March 2019, amounted to €41,176,132, reflecting an increase of €2,569,395 or 6.7% compared to the Final Budget 2018. The table below shows the net increases per title:

Title	FB2018 (€)	DB2019 Request (€)	Change 2019-18 (€)
1 - Staff expenditure	20,876,805	21,958,260	1,081,455
2 - Infrastructure and operating expenditure	6,896,178	7,930,919	1,034,741
3 - Operational expenditure	10,833,754	11,286,953	453,199
<b>Total</b>	<b>38,606,737</b>	<b>41,176,132</b>	<b>2,569,395</b>

The total net increase of €2.57 million has been mainly attributable to increases in:

- Title 1 related to staff salaries, including remuneration adjustments for existing posts (€301K) and 8 new posts (€531K), and other contractual obligations, primarily the European School subsidy (€398K);
- Title 2 related to the building and ground rent, necessary to reinstate the amount of €1.1 million of 2017 C4 funds used for paying the rent in 2018; and

<sup>3</sup> The sub-heading "of which establishment plan posts" under "Salaries & allowances" includes also the executed (for 2017) and estimated (for 2018-2019) expenditures to cover the European School Subsidies (see Eurojust Budget Line 1171, with €591,112 executed Payment Appropriations in 2017; €628,607 planned Payment Appropriations in 2018 and €826,141 planned Payment Appropriations in 2019).

- Title 3 variable costs to reinforce key operational work areas, primarily JIT grants (€500K) and coordination meetings (€346K).

This draft estimate remained equal to the Final Budget 2018 for the majority of services delivered or activities performed by the Eurojust units and in a few areas was even less, reflecting efficiency gains of €630K in total.

The negotiations between the budgetary authorities were concluded in December 2018, with Eurojust being granted a subsidy significantly lower than the original request. In particular, the Final Budget 2019 amounts to €38,136,237, which reflects a reduction of € 470,500 (1.2%) compared to the Final Budget 2018 and a €3 million reduction compared to Eurojust's draft request.

Title	FB2018(€)	FB2019 (€)	Change 2019-18 (€)
1 - Staff expenditure	20,876,805	20,949,982	238,177
2 - Infrastructure and operating expenditure	6,896,178	7,539,517	643,339
3 - Operational expenditure	10,833,754	9,646,738	-1,352,016
<b>Total</b>	<b>38,606,737</b>	<b>38,136,237</b>	<b>-470,500</b>

More importantly, the Final Budget 2019 represents a reduction of €1.6 million compared to the actual expenditure planned until the end of 2018<sup>4</sup> and a significant budget shortfall of €3.9 million compared to the actual 2019 budgetary needs, which have been reestimated at the level of €42.1 million in Q4 2018 to reflect statutory and operational developments of the intervening period.

This shortfall reflects a reduced resource allocation to a number of areas/activities, preventing Eurojust from achieving its 2019 annual objectives, and a residual deficit in the Temporary Agent salaries budget, preventing Eurojust from fully recruiting the number of posts authorised in the Establishment Plan 2019. The impact of these resource constraints is further elaborated in the subsection presenting Eurojust's negative priorities for 2019.

More detailed data on financial resources programming for years 2019-2021 is provided in the tables of Annex II.

### 3.2.2. Human Resources

#### Staff population evolution

The reorganisation of Eurojust's administration in 2016-18 and the converging of all Eurojust post-holders under the same roof as a result of the move to the new premises in July 2017 generated remarkable synergies and efficiency gains. The reorganisation of the Operations Department ensured the streamlining of services and a coordinated approach to casework and led to a better use of existing resources. Nevertheless, a slight increase in Eurojust's staff is anticipated to meet the rising demands of Member States and to effectively respond to key priorities in the area of serious organised crime and terrorism. Eurojust has requested additional posts for the 2019 establishment plan (see details below) to respond to these needs. In addition, due to the foreseen evolution of Eurojust's workload, a 2% increase in Eurojust's staff is forecasted for 2020-2021.

<sup>4</sup> Also taking into account the portion of the 2018 building rent costs covered from the 2017 budget (€1.1 million).

Please also refer to table 2, Annex III.

### **Statutory staff**

#### **Temporary agents**

Eurojust included 217 Temporary Agent posts in its 2019 draft Establishment Plan. The draft Establishment Plan for 2019 includes provisions based on the reclassification percentages per category and grade to secure the availability of grades for the reclassification exercise of 2019. The percentages are in accordance with the multiplication rates for guiding average career equivalence, and the figures are rounded downwards. Eurojust will apply the same method to incorporate potential reclassifications in the 2020-2021 Establishment Plans.

As a result of the recent reorganisation of the Operations Department and in view of the planned reorganisation of the Resources Department, Eurojust is in the process of reviewing the job descriptions, job titles and entry grades for all posts. This revision will lead to the streamlining of the 2020 Establishment Plan by addressing the current imbalance in post occupancy (17 AD posts filled by AST post-holders). This imbalance is the result of the 10% post cuts that were made at AST level (22 posts cut in the period 2014-2018), while the deliberate top-ups by the budgetary authorities for the same period were mainly at AD level.

Eurojust has not included any AST/SC posts in the 2019 Establishment Plan. The review of jobs will lead to the inclusion of the AST/SC function group in the 2020 Establishment Plan for posts of a purely clerical or secretarial nature. However, we noted that the percentage of Eurojust staff performing mainly clerical tasks is expected to be very small. Eurojust is a medium-sized agency and its staff is called upon to perform a variety of tasks that are in most cases a combination of clerical, administrative and technical.

#### **New requests for Temporary Agents for 2019**

Eurojust requested 8 new Temporary Agent posts for 2019. The justification for these posts is as follows:

##### **3 x AST2 National Desk Assistants**

Due to the increased caseload in recent years, Eurojust is requesting three AST2 National Desk Assistants to support the National Desks. The National Desk Assistant is a key position in implementing the mandate of Eurojust and the role is intrinsically linked with the job of the National Member. The National Desk Assistants are involved in the actual casework by processing operational data in the CMS and by helping in the production of case-related statistics. The National Desk Assistant plays a key role in maintaining contacts with other National Desks, home authorities and Europol to coordinate visits to operational meetings. In addition, they provide comprehensive administrative support, document management support and assistance with the financial administration of the Desk by administering missions, expense claims and travel arrangements. These tasks are of a permanent nature and the post-holders are required to have a good understanding of the judicial system of the Desk they are supporting and to be able to work independently and under pressure. Eurojust needs to ensure business continuity and keep the in-house expertise in this core

operational area. This situation can only occur if a permanent position is allocated to the three National Desks in question. The allocation of these AST2 posts would lead to an equivalent reduction in the number of Contract Agents at Eurojust.

### **1 x AST2 Events Organiser**

As a demand-driven agency, Eurojust is facing an unprecedented increase in its operational workload (cases increased from 1,533 in 2012 to 2,550 in 2017). Similarly, a significant increase has been experienced in the number of coordination meetings (CMs), from 194 in 2012 to 302 in 2017. In line with trends of recent years this level of increase is expected to continue. Therefore, Eurojust is working on the assumption that 390 CMs will be held in 2019. Despite the efficiency gains made, the current workload cannot be managed by the number of existing staff. Eurojust is therefore requesting one AST2 Events Organiser to be able to better support Eurojust's core business.

### **1 x AST2 Administrative Assistant (EJN)**

The work of the Administrative Assistant for the EJN is currently performed by a Contract Agent. The secretarial support is of a permanent nature. The workload for this key position for the EJN Secretariat has increased over the past three years. The allocation of a TA post would lead to an equivalent reduction in the number of Contract Agents.

### **1 x AST3 Administrative Assistant (JITs Secretariat)**

Eurojust is requesting a 40% increase over the 2017 JIT grants budget. Member States' demands for Eurojust to financially support the formation and operation of JITs are steadily increasing. Therefore, an additional AST3 JITs Network Administrative Assistant is needed to assist the team in the management and monitoring of grants.

### **1 x AST3 ICT Security Officer**

The rate of the ICT security threats and vulnerabilities is growing and is expected to continue in 2019 and onwards. Due to Eurojust's need to reply on Internet-based access and communication, Eurojust's ICT systems are much more exposed to such threats than other EU agencies. At the same time, the Eurojust Case Management System (CMS) is enlarging and expanding beyond the traditional ICT environment (for example, CMS services must be introduced on mobile devices).

As a result, the focus of monitoring ICT security-related events and potential threats must be extended from the perimeter of Eurojust ICT security to the overall ICT infrastructure. In addition and following the latest developments related to data protection rules, Eurojust is planning to implement more robust automated data leakage-prevention controls. The above-mentioned tasks require the additional support of an AST3 ICT Security Officer.

### **1 x AST4 Budget Officer (BFP)**

One AST4 budget officer post is requested in view of the increased transactions that will stem from the 2019 budget assumptions related to JITs grants and CMs. The volume of financial transactions has increased year on year within the Budget and Finance and Procurement Unit (BFP) in correlation with the increase in operational work.



More specifically in relation to CMs, the financial transactions required for the processing of hotel invoices, catering, interpretation and the reimbursement of the travel costs of the external participants is estimated to increase by 23% from 2017 to 2019. The BFP workforce has not increased during this period of significant growth; on the contrary, a 24% staff reduction was met through efficiency gains. The anticipated increase in workload for 2019 has reached the limits of absorption through efficiency gains, and as such, reinforcement by 0.5FTE is required to ensure continued compliance with the Financial Regulations.

At the same time, the level of funding for JITs grants has increased by more than 300% since 2014 with no net increase in the resources of Eurojust allocated to the processing of JITs grants in this same period. An additional 0.5FTE is needed to ensure the capacity to maintain the statutory segregation of duties in respect of financial verification of JITs grant commitments and payments.

Both requirements combined result in the need of 1 FTE AST4 budget officer.

The Commission did not accept the above increases in Eurojust's staffing levels, and, in addition, introduced a reduction in the 2019 Establishment Plan of 1 post, bringing the total number of TA posts to 208. On 31 December 2018, Eurojust had a 99% implementation rate for its Establishment Plan. Therefore, the post cut can only be achieved by the non-replacement of a post related to the development of Eurojust's operational tools, which became vacant following a resignation.

The overall reduction in Eurojust's human resources will directly impact the implementation of Eurojust's 2019 Annual Work Programme and will lead to a number of negative priorities, as elaborated in the relevant section below. The resources requested for 2019 are important for the fulfilment of Eurojust's mandate. Eurojust will reassess its needs regarding the 2020 Annual Work Programme and include some of the 2019 requested posts in the 2020 budget request.

### **Contract agents**

Eurojust requested a total of 16 FTE Contract Agents for 2019. This number represents a decrease of 6.5 FTE compared to 2018. Eurojust requested the conversion to Temporary Agent posts (AST 2) of 3 National Desk Assistants and of 1 Administrative Assistant to the EJM. Two further conversions of Contract Agent staff were achieved in 2018 within the 2018 Establishment Plan, following synergies achieved in 2017. Since the requested conversions were not granted and Eurojust's Establishment Plan was further reduced by 1 post, Eurojust will need to maintain a higher number of Contract Agents than the 16 forecasted.

### **Non-statutory staff**

- **National Desks**

For the purpose of the resource programming the number of National Members is assumed to remain stable in 2019-2021, based on the assumption that in 2019 neither the Eurojust Regulation nor the EPPO Regulation will be in force. Depending on progress on the implementation of the EPPO Regulation and the adoption and implementation of the draft Eurojust Regulation, the Eurojust Strategy 2019-2021, the Work Programme 2019 and the multi-annual resource programming will be adjusted accordingly, bearing in mind that the number of Eurojust National Desks may change: (i)



following the entry into force of the Eurojust Regulation; (ii) as a result of the non-participation of Denmark, and (iii) following the withdrawal of the UK from the European Union. However, at this time, both the draft Eurojust Regulation and the departure of the UK from the EU are still under negotiation. The composition of each National Desk is decided by the Member State.

- **Liaison Prosecutors**

Additional Liaison Prosecutors may join Eurojust in 2019-2021, in view of recently concluded cooperation agreements with Moldova, the Former Yugoslav Republic of Macedonia and Ukraine.

- **Seconded National Experts**

Eurojust will retain 21 SNE positions in 2019 to support the work of the National Desks. A 2% vacancy rate has been applied to SNE costs in line with the vacancy rate used for Temporary and Contract Agents. SNE positions that are unused by the National Desks may be used by the Administration. In 2020-2021, no significant changes are envisaged.

### Other staff

- **Structural Service Providers**

In 2019 the number of consultants is expected to remain stable at 4.5 FTEs per year, one for audio-visual-related installations and operations and 3.5 FTEs for ICT consultancy services.

## Resource outlook over the years 2019-2021: future activities of Eurojust taking into consideration consequences on staff policy

- **New tasks**

In the period 2019-2021, Eurojust will also face new and additional tasks due to the likely conclusion and preparations to the entry into force of the new ***Eurojust Regulation***. Once adopted, Eurojust will need to make changes to its governance structure and review internal processes and procedures to implement the new Regulation. Amongst other things, the new Regulation is expected to increase operational collaboration with Europol (also taking into account the new Europol Regulation), and Eurojust will need to ensure that adequate resources are in place to manage the cooperation successfully.

The establishment of ***the EPPO*** and its expected close interaction with Eurojust will have a cross-cutting impact on Eurojust from 2019 onwards. Eurojust and the future EPPO will clearly need to work closely together. In 2019, Eurojust expects to undertake actions to define and develop this cooperation. Discussions on the resources required to set up the EPPO are ongoing. Depending on the outcome of these discussions, Eurojust's staff policy will need to be updated. As yet, the assessment of Eurojust's contribution to the EPPO is ongoing. Eurojust expects to receive additional cases due to the referrals from the EPPO, after it becomes fully operational in 2020.

Article 16 of the Eurojust Decision defines the obligation for Eurojust to establish and maintain a ***Case Management System (CMS)***. To meet this legal requirement, in 2004 Eurojust implemented the EPOC Software as its CMS. In 2008, the CMS was redeveloped using new technologies and, since then, multiple projects have been completed to improve the functionality of the system. The CMS has grown into a complex structure of modules and components that, besides fulfilling its initial purpose, provides a series of services and functionalities to facilitate the work of its users.

After ten years of operation of the CMS, the CMS Board carried out a technical and functional assessment of its performance. Based on the Board's recommendation, in April 2017, the College decided to conduct a structured analysis of the CMS with the view towards a future redesign, rather than merely updating the current technical infrastructure. The analysis and redesigning process that has started in 2017 is expected to continue in the following years. Implementation projects will follow in 2018, 2019 and possibly 2020 to ensure the continuity of the CMS in future years.

- **Growth of existing tasks**

Eurojust is facing an unprecedented increase in its operational workload, with steady increases in all main areas of Eurojust, as summarised below and further elaborated in section 3.3:

- Case referrals from EU Member States have experienced an historical average annual growth rate of 9%, and the expectation is that this growth will continue.
- Case referrals from Liaison Prosecutor countries historically demonstrate a significant increase during the first years that a Liaison Prosecutor is posted at Eurojust (i.e. at a rate of 25%-30%) and stabilise at a more moderate growth rate (i.e. 5%) during the following years. Eurojust expects that more countries will post a Liaison Prosecutor at Eurojust in the coming years.
- The establishment of the EPPO is expected to bring additional casework for Eurojust as of 2020, due to the more active surveillance by the EPPO and the 'residual competence' of Eurojust.
- Coordination meetings have experienced a 9% annual growth rate in the period 2012-2017 and an even higher rate (i.e. 15%) in the period 2014-2017, and expectation is that these growth trends will become more moderate but still continue.
- Similarly, coordination centres have grown at a 16% annual growth rate in the period 2011-2017 and an even higher rate (i.e. 19%) in the period 2014-2017. Eurojust expects that these growth trends will become more moderate but still continue.
- The quantitative and qualitative characteristics of the Member States' demand for financial assistance to establish JITs have also developed significantly and these trends are expected to continue, requiring Eurojust to increase and enhance its response to this demand.

### ***Terrorism***

In 2017, Member States' demand for operational and judicial support from Eurojust in complex terrorism cases increased, with the number of new cases registered (87, compared to 67 in 2016 and 41 in 2015), leading to 14 coordination meetings and 1 coordination centre and 8 new JITs.

In addition, more information on domestic prosecutions and convictions for terrorist offences was shared with Eurojust via the national correspondents for Eurojust for terrorism matters, pursuant to Council Decision 2005/671/JHA on the exchange of information on terrorist offences.

Eurojust continues to work towards increasing operational cooperation with key stakeholders in the field of counter-terrorism, such as Europol and the EU Counter-Terrorism Coordinator.

The complexity of the work and need for specific language requirements at the National Desks will continue to demand specialised support and knowledge, which cannot be easily managed by technology. The complexity lies in the coordination of the judicial activities that accompany cross-border investigations, which bridge the 30 legal systems and 24 working languages of 28 Member States, giving the core activities a unique hybrid character.

## **Cybercrime**

Judicial cooperation in the field of cybercrime increasingly faces many distinct challenges, mostly concerning the inherent borderless nature of this criminal phenomenon and the significant legislative differences existing at national level.

Eurojust's casework in this field increased in 2017 with 70 cases compared to 60 in 2016 that led to 9 coordination meetings, 1 coordination centre. Additionally 7 JITs were supported by eurojust (4 of which were newly set up).

Eurojust was instrumental in the creation of a community of cybercrime practitioners to share judicial experience, expertise and knowledge in the area of cybercrime and cyber-enabled crime. The European Judicial Cybercrime Network (EJCN), established on 9 June 2016, facilitates and enhances cooperation between competent judicial authorities by enabling exchange of expertise, best practice and other relevant knowledge of the investigation and prosecution of cybercrime, as well as by fostering dialogue among different actors and stakeholders that have a role in ensuring the rule of law in cyberspace. Eurojust held 2 EJCN meetings in 2017 and will continue to provide support to the EJCN in performing its work, including organisation of 2 EJCN meetings per year; support to the EJCN in its day-to-day activities, including participation in the informal Presidency Board; support to the EJCN in the drafting and implementation of its two-year Work Programmes; management and development of the secure website of the EJCN; development of tools for practitioners, as a consolidation of sharing experience and expertise within the EJCN; ensuring alignment with the work of the EJC and in relation to the e-Justice portal (includes alignment with the Taskforce on Cybercrime); contribution to activities undertaken by other relevant stakeholders (i.e. Commission, the EJC, etc.), *inter alia*, on the topics of encryption, data retention and electronic evidence; training and capacity-building activities; and providing input for the drafting of a report on the functioning of the EJCN.

Eurojust publishes the *Cybercrime Judicial Monitor* (CJM), designed to serve as a regular reporting tool to support practitioners in the investigations and prosecutions of cybercrime cases, providing relevant authorities, including the cyber experts of the EJCN, with useful information on legislative developments, court rulings and emerging trends and issues related to cybercrime. Eurojust produced one issue of the CJM in 2017 and expects to continue yearly publications.

In the first half of 2017, Eurojust conducted a project designed to assess the impact on judicial cooperation in criminal matters within the European Union of the judgement of the Court of Justice of the European Union (CJEU) in Joined Cases C-203/15 and C-698/15 (Tele2 and Watson). The conclusions of the assessment noted that:

*many countries are reviewing their domestic legislation to design data retention regimes that meet the requirements of the judgement. [...] The current state of play requires further monitoring of the legislative developments and the potential impact of the judgement in the months and years to come, both on a national level and in the area of judicial cooperation within the EU in criminal matters.*

In view of monitoring the potential impact of the judgement in the area of judicial cooperation within the European Union, Eurojust will conduct an impact assessment report on data retention. Furthermore, to have a comprehensive overview of the impact, the above-mentioned impact assessment report will be used to produce a joint Europol/Eurojust analysis on the topic of data retention.

Eurojust continues to work in close cooperation with other stakeholders in the field, such as the Cybercrime Convention Committee (T-CY) of the Council of Europe and the European Cybercrime Centre (EC3), to ensure effectiveness in investigations and prosecutions in cybercrime cases. The Seconded National Expert on Cybercrime for EC3 ensures the liaison between both agencies, facilitates the exchange of information, and supports and coordinates cooperation with EC3 on behalf of Eurojust.

### ***Migrant smuggling***

Member States' judicial authorities continue to face a severe crisis arising from the sharp rise in the migrant smuggling. In the past few years, the flood of migrants has caused a global humanitarian crisis on an unprecedented scale, with thousands of migrants reported to have died in 2016 and 2017. National authorities increasingly looked to EU institutions and agencies, including Eurojust, to identify and implement new and more effective avenues for tackling this humanitarian emergency.

Against this background, migrant smuggling remained one of the top crime priorities in Eurojust's casework in 2017 and is expected to remain so in the years to come. In 2017 the number of cybercrime registered cases amounted to 64 (compared to 64 in 2016 and 60 in 2015) that led to 15 coordination meetings, 2 coordination centres and the facilitation of 14 JITs (6 of which were newly set up).

Eurojust continues to strengthen Member States' ability to dismantle and prosecute the organised criminal groups behind the smuggling and trafficking networks by:

- Enhancing support to competent national authorities affected by IS;
- Identifying and analysing obstacles in investigating and prosecuting IS cases and promoting best practice deriving therefrom, based on a sample of relevant Eurojust cases; and
- Improving the use of existing EU and international legal instruments, also with a view to identifying possible legal shortcomings that should be addressed at EU or international level.

### ***THB***

The operational support provided by Eurojust to national investigations and prosecutions of human trafficking continues to grow. In 2017, the number of registered cases was 132, compared to 93 in 2016 and 79 in 2015 that led to 57 coordination meetings. In addition, in 2017 26 new JITs were formed (51 JITs were supported in total).

Eurojust coupled its operational support with strategic activities to enhance the effectiveness of international judicial cooperation in THB cases and to bolster its partnership with other EU institutions and JHA agencies for the purpose of streamlining actions and optimising resources in the fight against THB.

### ***Fraud***

Fraud cases continue to represent a significant part of Eurojust's operational casework, comprising the largest number of registered cases (700) and a large number of coordination meetings (75),

coordination centres (7) and JITs (45 of which 19 are newly signed)) in 2017. Fraud-related offences, such as VAT fraud, are among the most frequently occurring complex crimes in Eurojust casework.

### ***Corruption***

Bribery, including foreign bribery and corruption, undermines confidence in the public and private sector. Eurojust reaffirmed its commitment to support the Member States' prosecutorial and judicial authorities in their efforts to fight corruption in 2016 and 2017. In 2017, Eurojust dealt with 61 cases involving corruption, held 15 coordination meetings and supported 4 JITs (2 of which newly signed).

### ***Drug trafficking***

Drug trafficking-related crimes comprise a significant portion of Eurojust's casework, with 324 cases, 40 coordination meetings, 4 coordination centres, and 28 JITS (12 of which were newly set up) recorded in 2017. In addition to providing operational support, Eurojust, in close cooperation with international partners, worked towards strengthening Member States' ability to effectively address the emerging threats in the area of new psychoactive substances and controlled deliveries. Eurojust's goal is to continue its support by reinforcing operational and strategic cooperation with key partners, such as Europol, EMCDDA, Council of Europe and networks such as the ENPSDP.

### ***Organised property crime (OPC) committed by mobile organised crime groups (MOCGs)***

The category of OPC committed by MOCGs covers an assortment of offences, such as motor vehicle crime, metal theft, pickpocketing, robbery and serial burglaries. Eurojust's casework in 2017 remained substantially at the same level as in previous years, with the number of registered cases (208 compared to 199 in 2016), coordination meetings (14 compared to 19 in 2016) and active JITS (13 compared to 12 in 2016).

### ***Environmental crime***

On 18 May 2017, the Council adopted the EU's priorities for the fight against organised and serious international crime in the period 2018-2021. Eurojust confirmed its common position in relation to the EMPACT priorities 2018-2021 and participation in the Multi-Annual Strategic Plans (MASPs) workshops and Operational Action Plans (OAPs) drafting exercise. Acknowledging that environmental crime is one of the EU priorities in the fight against organised and serious international crime, Eurojust will play a supporting role in the related OAPs. In 2017 Eurojust registered 3 environmental crime cases, held 3 coordination meetings and 1 coordination centre and established 2 new JITS.

- **Reorganisation and efficiency gains**

The continuing increase in Eurojust's operational work and rise in the number of cases referred to Eurojust by the Member States pose challenges in times of limited resources.

In addition to meeting the 5% post reduction, Eurojust has succeeded in meeting these growing demands through efficiency gains, without a corresponding increase in resources. A new internal mobility policy was adopted in 2016 to facilitate this process.

In 2017, Eurojust started the implementation of Phase I of its organisational restructuring to streamline the services provided to the National Desks and respond more effectively to the increasing in casework and the growing demands of Member States. Following an organisational analysis of the support provided to core operational business, Eurojust developed a new organisational structure to reduce the overlap between services and ensure a more coordinated approach to casework.

The new organisational structure was introduced in January 2017 and is shown in Annex X-I (number of FTEs shown as of 31 December 2017). Phase I of the reorganisation was completed during the first quarter of 2018 with the hiring of two new Heads of Department.

The evaluation of Phase I of the reorganisation, carried out in the second half of 2018, indicated an overall positive feedback regarding the functioning of the new structure, but also indicated the need to further refine the organisation and processes of the Operations Department. A further thorough analysis of the current business processes and activity allocation revealed other organisational challenges, such as demand for better service levels, overall pressure to do more with less and the fact that new synergies, such as the move to one building, had not been fully explored. The focus of Phase II of Eurojust's organisational restructuring is therefore on further refining the operational function and on redesigning administrative and support services.

The leading principles of Phase II of the reorganisation are to:

- Regroup tasks under their natural professional area for improved decision-making
- Reduce decision-making layers
- Create synergies and further efficiency gains
- Streamline roles and responsibilities
- Align management positions
- Harmonise the units into manageable sizes

Phase II of Eurojust's reorganisation (Annex X.2) will be implemented in stages during 2019.

The evaluation of Phase II of the reorganisation will be conducted by the end of 2020, after the new structure has been in place for two years. The evaluation will examine the way the reorganisation was conducted and whether the goals of the reorganisation were met. Efficiency will be measured with qualitative and quantitative KPIs and through the Job Screening Exercise (increase percentage of staff allocated to Operations). The KPIs that will be used to measure the success of the implementation of the reorganisation in the Operations Department are: level of internal customer satisfaction and number of coordination meetings and coordination centres supported. For the Resources Department, a review of processes and procedures at the end of 2020 will show the level of optimisation and efficiency gained.

In view of the need to reassign staff through internal mobility and organisational restructuring and to stay abreast of the evolving environment in which Eurojust is operating, Eurojust enhanced its



training budget in 2019 to better support the retraining and transfer of personnel and thus enhance flexibility and responsiveness within the organisation. For 2019, the focus is to:

- Set up comprehensive technical trainings for staff working on core business and indirect support to maintain or further develop their technical competencies. This initiative is linked to Strategic Action Area 1(a) from the MAS for Eurojust to enhance the quality of operational, logistical and financial support to coordination meetings, coordination centres and JITs, ensuring that services are provided expeditiously. With regard to the technical development of staff involved in indirect support, this training is meant to support Strategic Action Area 3(a): ensure effective organisational structure and processes.
- Continue the development program for Eurojust middle and senior managers (planned to be launched in 2018) to support managers in leading their teams and effectively managing their operations. This programme comes as a response to Strategic Action Area 3 (a): ensure effective organisational structure and processes.

As a direct result of its organisational restructuring, Eurojust has been able to achieve greater results without recruiting additional staff. However, Eurojust has reached the limit of its capacity to absorb increases in caseload and subsequent coordination activities referred by Member States. The reductions in the 2019 budget and establishment plan cannot be absorbed internally, and Eurojust will be seeking to reinstate its resources in 2020 to be able to achieve its strategic goals.

- **Negative priorities/Decrease of existing tasks**

Eurojust's core activities are demand-driven through the referral of cases to Eurojust by the Member States. Support to Member States in cases is the absolute priority. This means that even in the event of a shortfall of resources, support to cases will be upheld through the de-prioritisation of other activities.

The new organisational structure provides for a swift and more flexible redeployment of resources to ensure the support to the operational work, by a multi-disciplinary approach in a "one-shop stop" manner. To reinforce this approach, stemming from the new MAS 2019-2021, the Eurojust Management Board established a comprehensive approach to the **prioritisation of deliverables for the achievement of multi-annual strategic objective 2 (policy work)**, which resulted in the reinforcement of resources for casework.

Activities that are linked to casework and Eurojust's operational experience, such as tactical meetings, meetings of the Consultative Forum of Prosecutors General and Directors of Public Prosecutions, the development of guidelines, analyses of cases and other associated policy work have a lower priority than support to cases. Non-case-related activities of the College and the Administration will be de-prioritised as required to meet the higher priority demands, within the limits necessary to remain compliant with the applicable statutory framework.

As a result of the financial constraints for 2019 and prior years, which stemmed principally from structural deficits in respect of staff remuneration and other factors further elaborated in Section 3.3, Eurojust was forced to de-prioritise and defer activities as follows:

- Defer the requested increase of €500K in the **JIT grants** budget for 2020, limiting Eurojust's ability to cover the increasing demand for JIT funding from Member States. With the new Eurojust

Regulation being applicable as of 12 December 2019, Eurojust will have a more solid legal basis to award grants to JITs. In 2018, Eurojust already experienced a 20% increase in the amounts paid to JIT beneficiaries. As the same trend can be anticipated for 2019-2021, the current resources cannot be expected to cover this constantly increasing workload while respecting the time limits for payments provided by the EU Financial Regulations. Therefore, the lack of an additional AST3 JITs Network Administrative Assistant will have a negative impact on the capacity for the team to effectively manage the JIT grants and will also hinder the possibility of ensuring business continuity in the JITs Secretariat and offer the best possible service to Member States' competent authorities engaged in JITs. Similarly, the absence of the corresponding 0.5FTE in Budget Finance and Planning will impact on the financial circuit workflow in respect of the financial verification of JIT grants and further delay the statutory limits for the time to pay;

- Constrain Eurojust's human and financial resources necessary to organise the number of **CMs** forecasted for 2019 (390) and the one additional **Eurojust meeting** planned (7 in total compared to 6 in 2018), without a drastic reduction in the provided services. Eurojust requested 3 National Desk Assistants, 1 Events Organiser and 0.5FTE missions officer (for external participants) for 2019. The non-inclusion of these posts in the 2019 Establishment Plan will directly affect the core business of Eurojust and the capacity, quality and timeliness of services provided to Member States in support of cross-border crime investigation and prosecution;
- Set significant resource limitations on Eurojust's need for **operational translation services**, which exhibited unprecedented growth in 2018 in line with the growth trends in operational work, without taking into account the cost implications of the new translation regime required under the Eurojust Regulation;
- Restrict **missions** to support the growth of CMs and the furtherance of casework;
- Defer and delay **Corporate Communications' projects and initiatives**, such as the redevelopment of the Eurojust website, thus infringing on the organisation's communication capacities and hindering the reach and impact of the external communication plan, and thereby not achieving the objectives of the external communication strategy;
- Reduce financial and human resource allocations to **secretariats' activities and meetings**, thus impacting their capacity to meet growing demands in operational work. In particular, the rejection of the requested Administrative Assistant post for the EJM will impact its coordinating role in facilitating judicial cooperation in criminal matters between the EU Member States;
- Reduce human and financial resources allocated to **operational ICT projects and ICT infrastructure maintenance**. This reduction will have a direct impact on planned enhancements of the CMS needed to process operational and strategic information consistently. This reduction will also hinder the analysis of ICT requirements to exchange information with JHA agencies, including the EPPO;
- With the limitation of 208 posts, Eurojust will not replace an expert in data management and will be unable to improve the overall management of data, including preparing an organisation data model for operational data, drafting a policy for data use, defining data elements, ensuring consistent use of data across different tools via centrally managed master data, establishing quality review/validation of data, providing user training and guidelines, etc. The exchange of relevant Eurojust data with other EU institutions, bodies, offices or agencies to the extent necessary for the fulfilment of its or their tasks is foreseen in the Eurojust Regulation. This

reduction will have an impact on the quality of the data exchanged and could lead to potential reputational damage for the organisation;

- Limit **organisational/administrative ICT project** investments, blocking or delaying further any advancements in terms of administrative efficiency; introducing the risk of system failures; and losing any return on investments made to date, if projects remain unfinished;
- Set significant resource constraints in the area of **ICT security**, thus increasing the risk of failing to identify potential threats and reducing the capability to respond in a timely fashion. The non-inclusion of the requested TA post for ICT Security will further increase ICT security risks;
- Reduce **training services**, by setting the respective budget for staff at lower levels than organisational norms (~2% of staffing budget) and fully eliminating the budget for National Members and other non-statutory staff of the National Desks, thus having a serious impact on the ability of Eurojust to train personnel beyond obligatory third language and generic soft skills, contrary to the 2016 Staff Engagement Survey, which identified the reduction in technical training as a key point of staff's dissatisfaction. In addition, this reduction will impact Eurojust's ability to train staff members and ensure organisational mobility; and
- Cancel **interim services**, with the residual risk that not all linguistic requirements for support to the National Desks can be met despite a continuous effort to cover temporary absences through internal reassignments.

With regard to staff costs, the budget voted by the budgetary authorities for 2019 is insufficient to allow the full recruitment of staff approved under the Establishment Plan. As a consequence, Eurojust will need to maintain a vacancy rate far higher than the Commission's benchmark of 2%, thus further endangering the fulfilment of Eurojust's mandate.

### 3.3. Conclusion on evolution of resources compared to the Commission Communication 2014-2020.

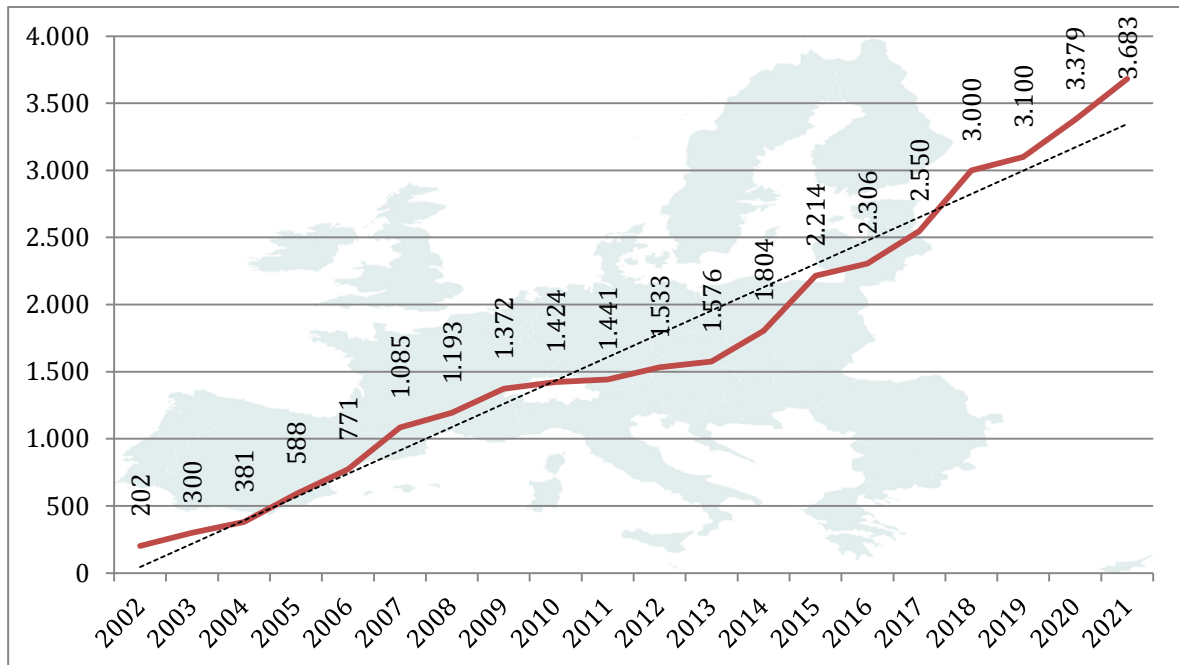
As a demand-driven agency, Eurojust is facing an unprecedented increase in its operational workload.

The total number of registered cases in the past years has continued to rise steadily. In particular, casework has increased by more than 61% since 2013 from 1 576 cases in 2013 to 2 550 in 2017 (cases increased 14,5% in 2014, 23% in 2015, 4% in 2016 and 10,5% in 2017).

The following graph shows the evolution in the number of cases since the establishment of Eurojust:



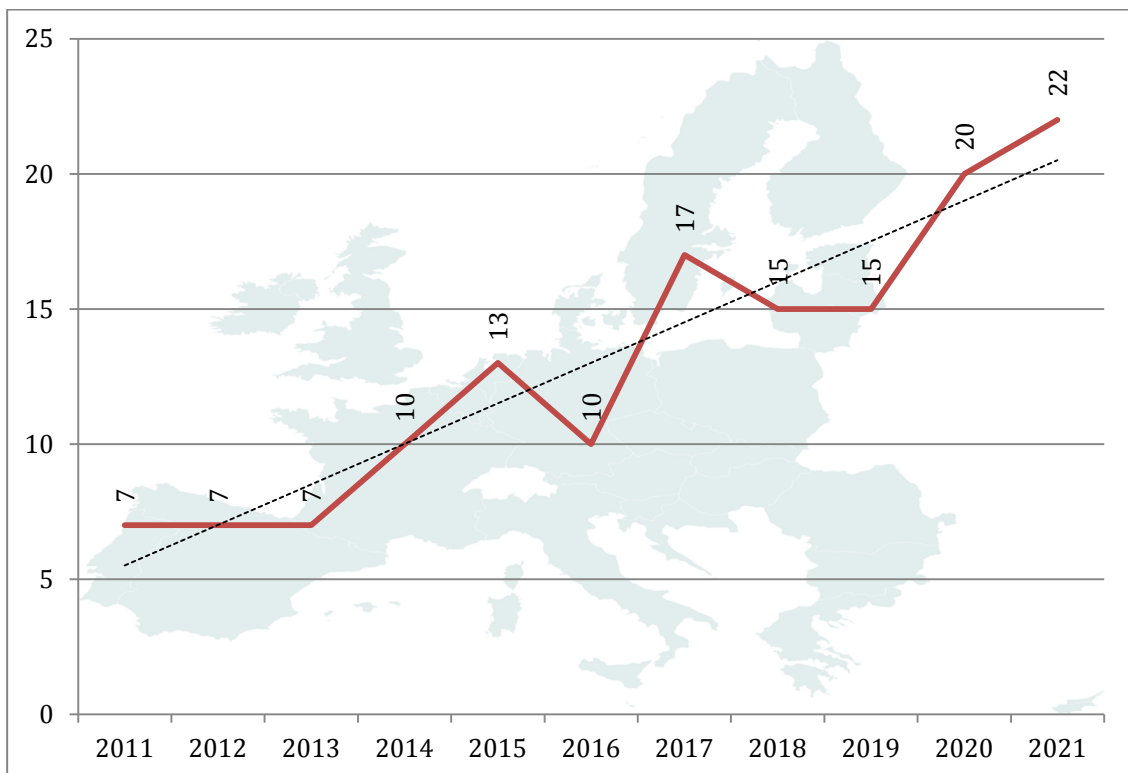
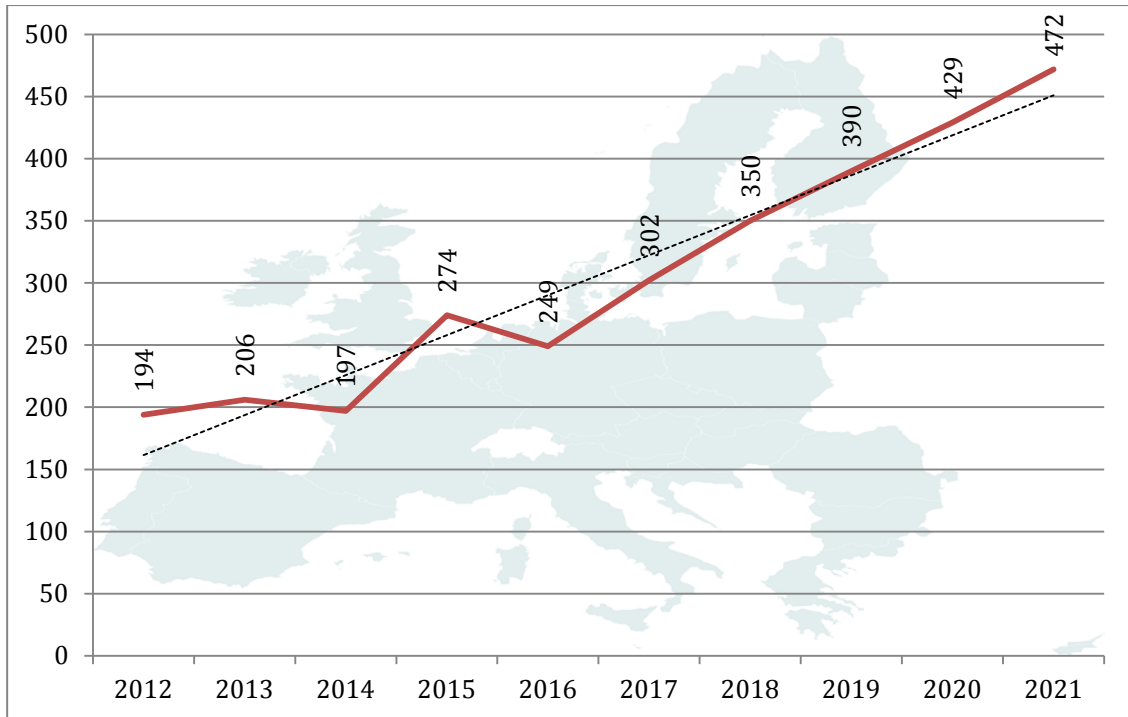
The forecasts for the coming years suggest a continuation of such trend. The chart below shows the forecast per year (in red) and the trend line (in black):



The above forecasts do not include the growing number of cases referred to Eurojust from countries represented by Liaison Prosecutors, nor the additional cases expected to be referred to Eurojust by the EPPO as of 2020.

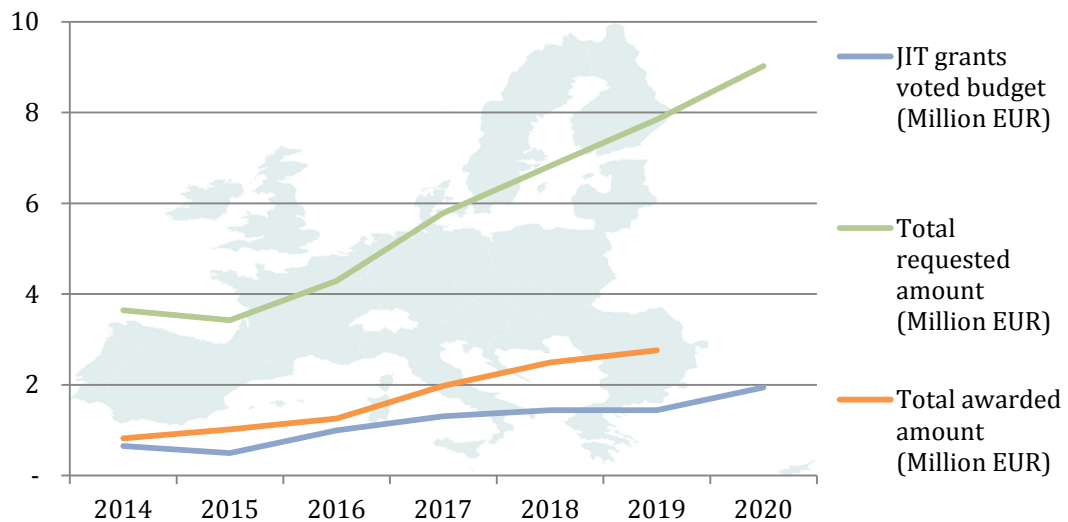
Similarly, the number of CMs has significantly increased, from 206 in 2013 to 302 in 2017, as has the number of coordination centres (CCs). The forecasts for the coming years suggest the continuation of a

moderate rise in both areas. The charts below show the forecasts per year (in red) and the trend line (in black):



Moreover, the demand for JIT grants in support of ongoing operational actions of Member States engaged in the investigation and prosecution of serious cross-border crime has consistently increased since 2014, and similar growth patterns are also expected for 2019 and 2020. As can be seen in the

graph below, meeting this increasing demand given existing resource constraints has been a challenge for Eurojust:



In addition, the extent to which the Member States make use of Eurojust’s financial assistance to set up JITs has continuously increased over the past few years, and the proportion of JITs receiving financial support out of the overall number of cases opened at Eurojust has doubled (i.e. from one funded JIT in every 40 cases in 2015 to one funded JIT in every 20 cases in 2017). In the coming years, including 2019, a greater number of Member States will likely seek increased JIT funding for more cases they refer to Eurojust.

In summary, in line with these trends of recent years, all main Eurojust operational work areas will be expected to continue to grow at similar levels in 2019 and beyond. So far, this increase in operational work has required a concomitant reinforcement of human resources in the direct support areas and a significant strengthening in operational support, largely achieved through the comprehensive reorganisation of Eurojust’s Operations Department and using efficiency gains arising from the closure of the new premises project and the review of other administrative support areas. In the event that operational work continues to increase in subsequent years, other indirect support areas, including finance, missions and events, will also require reinforcement in line with the increasing workload.

Under normal circumstances, the Final Budget 2019 should not have exceeded the ceiling set in the Commission’s MFF programming. However, the Final Budget 2019 represents a significant deviation (€5 million) from the €33.1 million ceiling set in the MFF<sup>5</sup>. This deviation is €1.1 million lower than the deviation of the Final Budget 2018.

In the past few years, Eurojust has been successful and supported by the budgetary authorities in securing annual budgets and establishment plans that exceed the Commission’s MFF ceilings and better meet the annual needs of the agency. However, despite a mid-term review of the Commission’s MFF programming in 2016, no adjustment was made to the human and financial resource ceilings for Eurojust, unlike other agencies that had been granted ‘deliberate top-ups’ and resources linked to the

<sup>5</sup> Original MFF as stated in COM(2013) 519 final, but adjusted and (unofficially) confirmed by DG JUST in January 2015.

migration crisis or in recognition of increasing workload/new tasks. *Ex post facto* revisions continue to be made to reflect the final voted budgets of 2015-2019; however, no extrapolation is made with regard to the budgets of successive years. As a result, for each year, the commonly accepted, cumulative and unavoidable budget deficits must be reiterated and re-justified and Eurojust's annual budget request is assessed against the original MFF baselines that are accepted as largely obsolete, with recognised structural deficiencies.

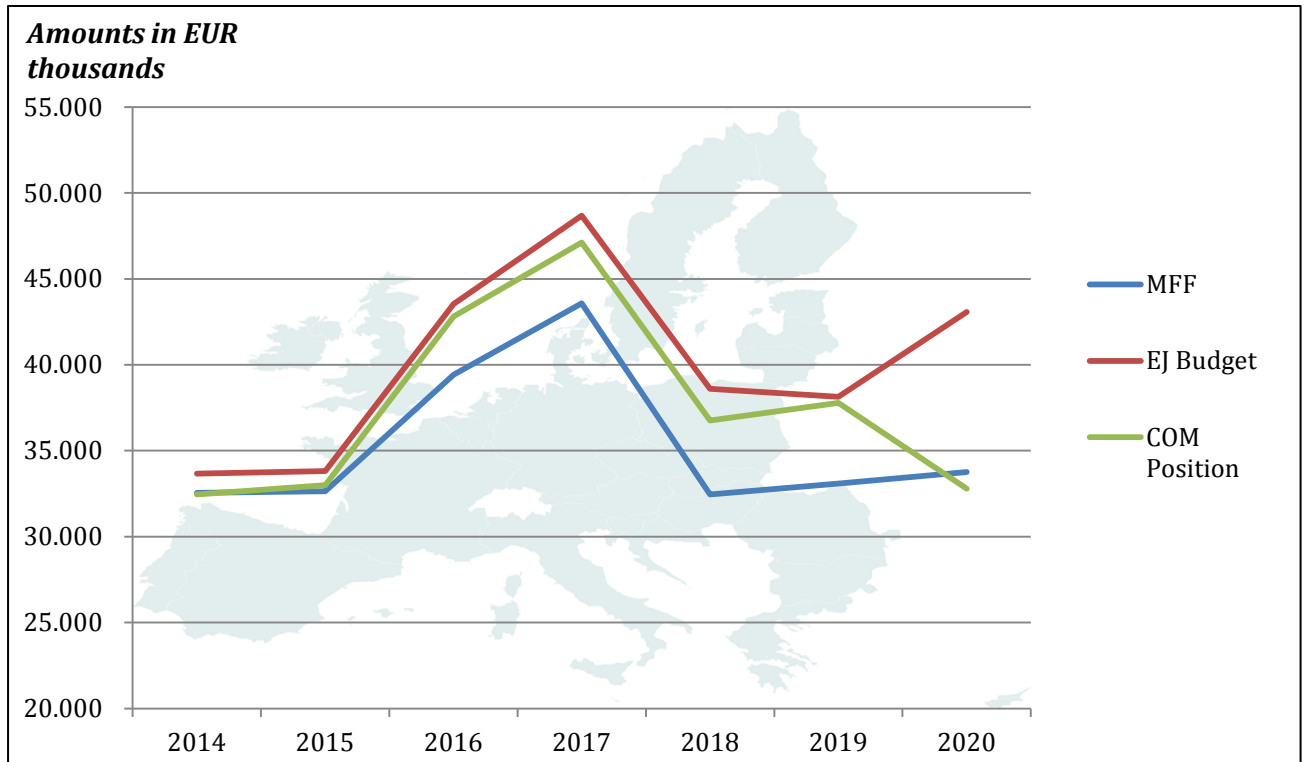
The reasons for these deviations are manifold, namely:

- Additional posts (TA/CA) and 'deliberate top-ups' to the staff resources granted by the budgetary authorities, deviating from the originally anticipated staff number in 2019<sup>6</sup>;
- Adjustment of staff and SNE expenditures to reflect the lower the vacancy rate of 2% as applied by the Commission;
- Ongoing impact of high statutory remuneration adjustments not factored into the MFF;
- Decentralised and growing costs for European Schools and external private audit, not foreseen in the MFF;
- Higher exploitation costs for the new premises, which are significantly larger and based on the 'build and maintain' concept;
- Provision for JITs funding, which was not part of the original MFF baseline and provided by a Commission grant at the time the MFF was established; and
- Significant increases in operational work since 2013, when the MFF ceiling was established.

The graph below presents the evolution of the Eurojust budget (in € thousands), as compared to the MFF ceilings, and illustrates the significant deviations since 2014, whether by way of amending budgets (2014 and 2015) or higher voted budgets (2016 and 2018) or a combination of both (2017):

---

<sup>6</sup> MFF foresees 191 posts in 2019, while Eurojust has been authorised 'deliberate top-ups' in the intervening period amounting to 208 authorised posts in 2019.



With regard to staffing, by the end of 2018, Eurojust achieved the full 5% post reduction and the 5% additional levy for the redeployment pool required by the Commission and will contribute to the establishment of the EPPO with the transfer of 6 additional posts to this new EU body.

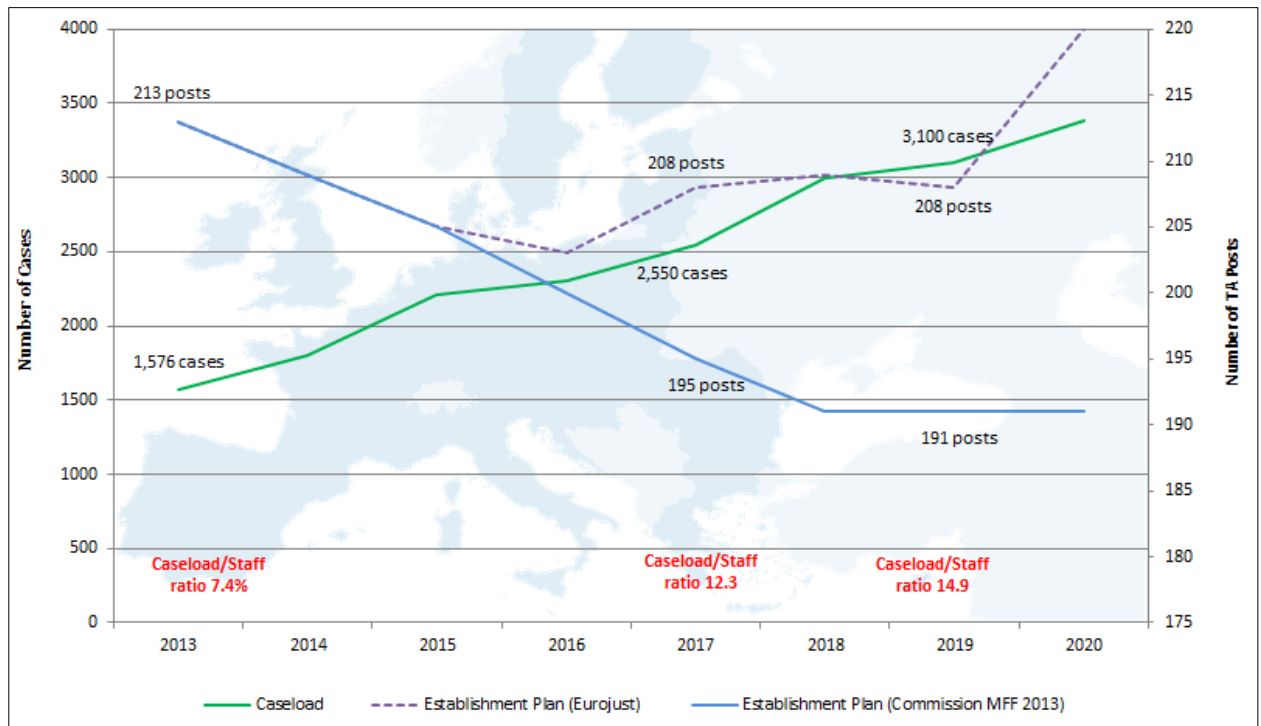
The budgetary authorities have offset these decreases with 23 additional posts ('deliberate top-ups') in recognition of the significant increases in operational workload, particularly for the crime priorities of terrorism, cybercrime and immigration smuggling. Eurojust's post requests have therefore continued to deviate significantly from the original MFF ceilings.

The table below presents the evolution of the Eurojust Establishment Plan as compared to the MFF, including Eurojust's projection for 2020:

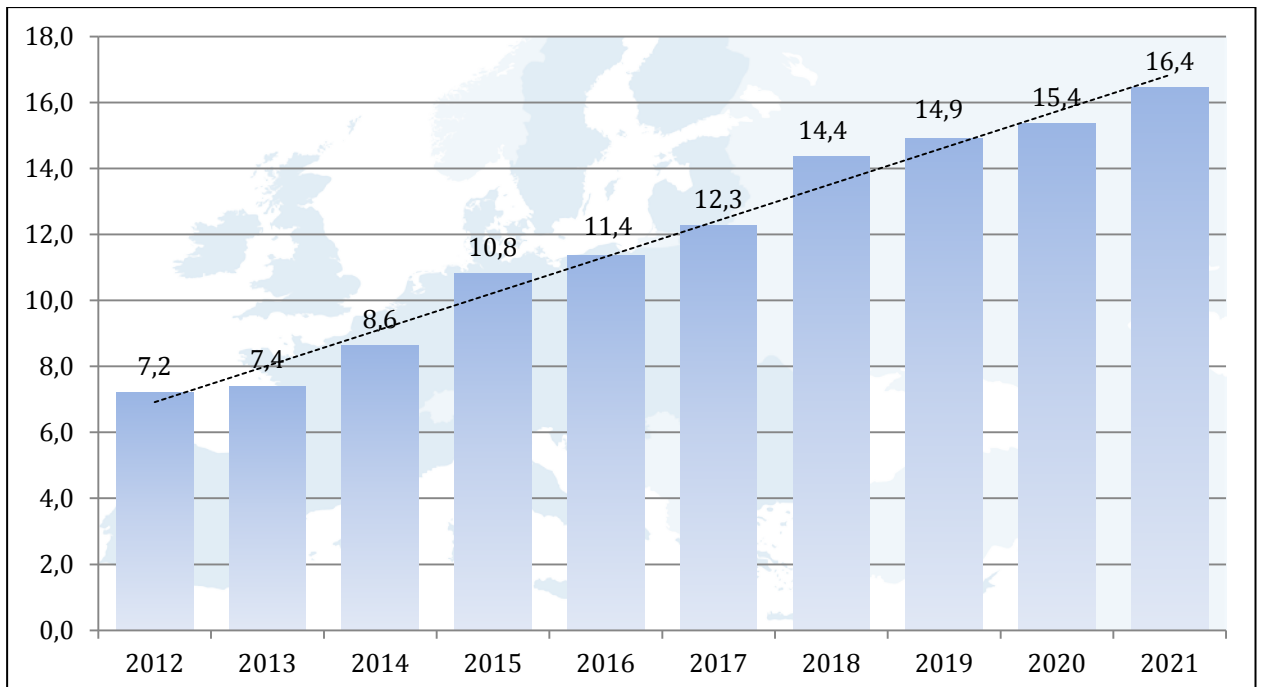
<i>Posts</i>	2013	2014	2015	2016	2017	2018	2019	2020
<b>Establishment Plan (MFF)</b>	213	209	205	200	195	191	191	191
<b>Corrected MFF after deliberate top-ups (BA)</b>	213	209	205	203	208	209	208	208
<b>Establishment Plan (Eurojust)</b>	213	209	205	203	208	209	208	220
<b>Deviation from original MFF</b>	-	-	-	3	13	18	17	29

Moreover, the below diagram shows the evolution of Eurojust's staff resources in relation to the increasing caseload, one of the main indicators of the growth in Eurojust's operational work:





In empirical terms, the caseload-to-staff ratio is expected to double by 2019.



Eurojust endeavours to establish a realistic baseline for the next MFF 2021-2027, fully redressing the structural deficiencies and reset staffing targets and at the same time reflecting the call to provide more assistance in the fight against serious cross-border crime, particularly the priorities of terrorism,



human trafficking, migrant smuggling and cybercrime, which increasingly pose real threats to freedom, security and justice in Europe.

To conclude, as in previous years, the deviation from the MFF budget ceiling is inevitable to achieve the organisational goals and objectives, as reflected in the MAS 2019-2021, and for each year in the AAs and OAAs adopted by the College, cover the increasing trend in operational work and meet the contractual obligations for remunerations.

## Section III: Work Programme 2019

### 1. Executive Summary

Judicial cooperation between national authorities is a fundamental aspect of the EU's fight against serious cross-border organised crime.

Eurojust's support to Member States' competent national authorities needs to be strong and efficient to face the current security risk in Europe, particularly with regard to challenges in the judicial response to priority crime areas, as identified by the Serious Organised Crime Threat Assessment (SOCTA) for the cycle 2018-2021, among others.

In addition, the new developments in relation to existing EU legal instruments in the area of judicial cooperation in criminal matters, such as the European Investigation Order and future instruments, will require Eurojust to continue playing a key role in supporting the Member States in the use of these tools of judicial cooperation and in advising the Commission on their practical implementation, based on Eurojust's casework and on its analysis of best practice.

In May 2017, Eurojust adopted its Multi-Annual Strategy for the period 2019 to 2021. The draft Work Programme 2019 constitutes the first phase in achieving the multi-annual strategic objectives for this three-year strategic cycle. To this end, the draft Work Programme 2019 will specifically focus on:

- i) strengthening Eurojust's position and operational capabilities to provide dynamic and quality support to judicial cooperation and coordination;
- ii) reinforcing Eurojust's operational and strategic cooperation with its key partners, particularly with the JHA agencies' network, such as the EU network secretariat hosted by Eurojust and related practitioners' networks such as the Eurojust Judicial Cybercrime Network, to provide a European multi-disciplinary response to criminal phenomena; and
- iii) ensuring effective organisational structure and processes, especially with regard to the smooth implementation of the organisational changes stemming from the new Regulations on Eurojust and the EPPO. In this regard, this draft Work Programme bears the general assumption that in 2019 neither the Eurojust Regulation nor the EPPO Regulation would be in force but preparatory work would need to be elaborated. Depending on legislative progress in the adoption of the Eurojust Regulation and the implementation of the EPPO Regulation throughout 2018, the draft Work Programme 2019 will be adjusted accordingly.

On the structure of the document, Eurojust's draft Work Programme 2019 is divided into three strategic objectives. Within each strategic objective, six annual activities and their specific objectives have been established for the year. In addition, the document provides a comprehensive overview of its frequent activities.

#### - **Strategic Objective 1 – Casework**

Eurojust functions as the EU centre for international judicial cooperation and coordination between competent authorities in serious cross-border organised crime cases.

#### - **Strategic Objective 2 – Policy work**

Eurojust, as the EU centre of judicial and legal expertise, contributes to enhanced international judicial cooperation measures and criminal justice policy.

#### - **Strategic Objective 3 – Organisational development**

Eurojust is a dynamic and effective organisation.

## 2. Approach

The work programme 2019 is the first one under the new multi-annual strategy that was adopted by the College of Eurojust on 6 June 2017 for the period 2019 to 2021.

For the elaboration of the work programme 2019, Eurojust has continued applying principles of Activity-Based Management (ABM) and Activity-Based Budgeting (ABB), stemming from the Joint Statement of the European Parliament, the Council of the European Union and the European Commission on EU Decentralised Agencies of 19 July 2012, which contains the Common Approach on EU Decentralised Agencies.

Eurojust has enhanced its planning and programming cycle with the creation of the Planning, Programming and Reporting Office, an outcome of the reorganisation exercise that took place in December 2016. One of its main roles is to ensure a harmonised and coherent approach within the agency in the planning of annual activities, stemming from the multi-annual strategic objectives determined by the MAS 2019-2021, and especially in the setting of KPIs for the main organisational output.

For the elaboration of the work programme 2019, Eurojust conducted a thorough approach to the prioritisation of deliverables for the achievement of multi-annual strategic objective 2 (policy work). The methodology that was applied to this prioritisation exercise built up on the methodology that had been adopted by the College of Eurojust in 2016 and it will constitute the basis for an enhanced methodology to be applied in the future.

Thanks to this prioritisation exercise; the amount of time that both members of the National Desks and members of the Eurojust staff spend on policy work is being planned and allocated through the project briefs describing the priorities for the year per specific deliverables. The project briefs identify specific members of National Desks for specific tasks and estimations of the time required to complete those tasks. In the project briefs, resources are already being planned in detail, ensuring commitments by National Desk members.

The time spent on Management Board or Presidency Team tasks by the National Desk members is also well documented in the minutes and highlights of their meetings. Based on the above and in the absence of time registration mechanisms at the National Desks, the following estimations are established for the work of the National Desks:

- 70% to MASO 1 (casework)
- 20% to MASO 2 (policy work of College and College sub-structures)
- 10% to MASO 3 (time spent as Management Board and tasks of Presidency Team governing the organisation)

### 3. Assumptions 2019

The assumptions underpinning the Annual Work Programme 2019 are based upon known and/or estimated workload indicators.

The general assumptions are that in 2019 neither the Eurojust Regulation nor the EPPO Regulation will be in force.

The Eurojust Strategy 2019-2021 and the Work Programme 2019 will be adjusted depending on legislative progress for the adoption of the Eurojust Regulation and of the implementation of the EPPO Regulation.

Operational and Policy Work Assumptions for 2019	
Description	Target/focus for 2019
Operational meetings	390 coordination meetings <sup>7</sup>
	15 coordination centres
Casework	Up to 3 100 case referrals
Operational support for JITs	Operational assistance to up to 200 JITs, 100 of which are new
Eurojust meetings	7 Eurojust meetings, incl. 1 meeting of the Consultative Forum
Marketing tools	<ul style="list-style-type: none"> <li>- 6 Eurojust national workshops</li> <li>- 2 press briefings in Brussels</li> <li>- 2 Eurojust newsletters</li> </ul>
Cooperation Network Secretariats	Strategic/operational coordination with the various Networks through the Secretariats: <ul style="list-style-type: none"> <li>- <b>EJN Secretariat:</b> 3 plenary meetings and 2 medium-sized meetings (1 EJN national correspondents and 1 EJN tool correspondents)</li> <li>- <b>JITs Network Secretariat:</b> 1 plenary meeting and 2 small meetings</li> <li>- <b>Genocide Network Secretariat:</b> 2 plenary meetings, 1 large meeting: EU Day Against Impunity (since 2016) and 1 small meeting.</li> <li>- <b>European Judicial Cybercrime Network:</b> 2 meetings</li> </ul>

Organisational Development Assumptions for 2019	
Description	Target/focus for 2019
<b>Financial resources</b>	
Financial support to JITs	Up to € 1.442 million budget for JITs financing to reflect demand and improved implementation
Inflation	2.0% inflation - outsourced services & utilities
Indexation	1.9% per annum indexation, maximum foreseen under SR is 2%
Correction coefficient	1.5% correction coefficient adjustment, reflecting recent trends
<b>Human resources</b>	
Establishment Plan 2019	208 Temporary Agent posts <sup>8</sup> No posts for Eurojust Liaison Magistrates
Vacancy rate	2%
Contract Agents	16 FTE
SNEs	21 SNEs

<sup>7</sup> Of which a maximum of 15% abroad.

<sup>8</sup> Compared to an initial Eurojust request (draft Establishment Plan) of 217 Temporary Agent posts.

<b>National Desk post holders</b>	72
<b>Liaison Prosecutors from third States</b>	Up to 6 Liaison Prosecutors
<b>IT resources</b>	
<b>ICT developments</b>	<p>Implementation of the projects/activities prioritised by the CMS Board up to the level of financial and human resource capacity defined in the annual work plan for core business/operational related projects/systems.</p> <p>Implementation of the projects/activities prioritised by the organisational ICT Projects Board up to the level of financial and human resource capacity defined in the annual work plan for organisational projects/systems.</p>
<b>ICT users</b>	<p>Maximum 450 internal ICT users</p> <p>Maximum 500 external ICT users</p>
<b>Facilities</b>	
<b>VIP and study visits</b>	Hosting up to 50 VIP visits and 200 study visits
<b>Videoconferencing</b>	Fully integrated VC infrastructure to manage increase in requests for videoconferencing
<b>Workplaces</b>	The number of work places for post holders to maintain to 448
<b>Conference and meeting room seats</b>	The number of conference and meeting room seats are maintained at 360 in working order for core business
<b>Departmental meeting room seats</b>	The number of departmental meeting room seats is maintained at 158
<b>Underground parking</b>	Number of parking places to manage are maintained at 246
<b>Service contracts</b>	Number of service contracts managed for Security and Facilities are maintained at 13

**Table of Eurojust’s multi-annual strategic objectives from Multi-Annual Strategy (MAS) 2019-2021 cascading into strategic action areas, annual activities (AA) and further into objectives of the annual activities (OAA)**

The total FTE resources are estimated to cost approximately €1.5 million more than the staff salaries allocation in the voted Final Budget 2019, not allowing Eurojust to operate with a full FTE capacity and thus restricting its ability to implement the 2019 AA and OAA.

MAS 2019-2021									
MULTI-ANNUAL STRATEGIC OBJECTIVES (MASO)	STRATEGIC ACTION AREAS (SAA)	ANNUAL ACTIVITIES (AA)	OBJECTIVES OF AA	Total FTE (#)	Total FTE (€)	Total BL Expenses (€)	Total FTE+BL Expenses (€)	% Posts Total	% Budget Total
<b>1 - CASEWORK:</b>  <i>Eurojust functions as the European Union centre for international judicial cooperation and coordination between competent authorities in serious cross-border crime cases.</i>	<b>1.a</b> Provide quick and qualitative support to competent authorities	<b>AA 1.</b> Strengthen Eurojust’s position and operational capabilities to provide dynamic and quality support in judicial cooperation and coordination	<b>OAA 1.1.</b> Keep encouraging referrals of more complex cross-border crime cases by offering comprehensive and tailor-made operational and legal expertise and reinforcing the sharing of experience and best practice	118.05	10,037,696	10,281,190	20,318,886	48.18%	51.29%
			<b>OAA 1.2</b> Enhance Eurojust’s capabilities to process and analyse substantial case-related information, particularly in key crime areas and especially by enhancing the CMS	21.30	1,926,783	2,172,703	4,099,486	8.69%	10.35%
			<b>OAA 1.3</b> Explore a more operational role for the ENCS in MSs	0.55	56,764	-	56,764	0.22%	0.14%
	<b>1.b</b> Reinforce operational cooperation with key partners	<b>AA 2</b> Continue developing operational cooperation, interaction and complementarities with Eurojust’s main operational partners	<b>OAA 2.1</b> Further develop operational cooperation with JHA agencies, particularly Europol and Frontex, to provide a European multidisciplinary response to criminal phenomena	5.58	450,472	-	450,472	2.28%	1.14%
			<b>OAA 2.2</b> Continue to explore synergies and the operational involvement of existing networks	19.69	1,730,409	1,154,577	2,884,986	8.04%	7.28%
			<b>OAA 2.3.</b> Continue to develop operational cooperation with third States, including through use of Eurojust contact points	2.83	288,099	-	288,099	1.16%	0.73%



MAS 2019-2021									
MULTI-ANNUAL STRATEGIC OBJECTIVES (MASO)	STRATEGIC ACTION AREAS (SAA)	ANNUAL ACTIVITIES (AA)	OBJECTIVES OF AA	Total FTE (#)	Total FTE (€)	Total BL Expenses (€)	Total FTE+BL Expenses (€)	% Posts Total	% Budget Total
<b>2 – POLICY WORK:</b>  <i>Eurojust, as the EU centre of judicial and legal expertise, contributes to enhanced international judicial cooperation measures and criminal justice policy.</i>	<b>2.a</b> Contribute to the EU internal security strategy and to measures concerning judicial cooperation in criminal matters	<b>AA 3</b> Deliver advice and reports, based on operational experience, to the European Union decision- and policy-makers	<b>OAA 3.1</b> Reinforce strategic contribution in priority crime areas and instruments of judicial cooperation	9.02	1,036,233	486,102	1,1522,335	3.68%	3.84%
			<b>OAA 3.2</b> Active promotion of the judicial and prosecutorial dimension of the fight against serious cross-border crime in the EU by regular reporting to stakeholders	7.41	853,857	-	853,857	3.02%	2.16%
	<b>2.b</b> Reinforce strategic cooperation with key partners	<b>AA 4</b> Enhance strategic cooperation with partners and stakeholders in the Area of Freedom, Security and Justice, exploring possible synergies and coordinated responses to identified threats	<b>OAA 4.1</b> Reinforce strategic cooperation with a view to increasing synergies with the EU Institutions and relevant JHA agencies and bodies (particularly Europol, Frontex and EEAS) and strategic relations with other EU agencies or bodies and international organisations closely related to Eurojust's field of work	5.66	423,127	-	423,127	2.31%	1.07%
			<b>OAA 4.2</b> Further explore the strategic involvement of the existing networks and contact points, especially in the identification and sharing of best practice	12.50	896,742	1,877,255	2,773,997	5,10%	7.00%





MAS 2019-2021									
MULTI-ANNUAL STRATEGIC OBJECTIVES (MASO)	STRATEGIC ACTION AREAS (SAA)	ANNUAL ACTIVITIES (AA)	OBJECTIVES OF AA	Total FTE (#)	Total FTE (€)	Total BL Expenses (€)	Total FTE+BL Expenses (€)	% Posts Total	% Budget Total
<b>3 – ORGANISATIONAL DEVELOPMENT</b>  <i>Eurojust is a dynamic and effective organisation.</i>	<b>3.a</b> Ensure effective organisational structure and processes	<b>AA 5</b> Ensure the support services required for the smooth implementation of the Eurojust Decision, the Regulation on Eurojust and the changes required from this new founding act on organisational level, as well as relations with the European Public Prosecutor's Office	<b>OAA 5.1</b> Ensure smooth implementation of the organisational changes stemming from the new Regulations on Eurojust and the EPPO	6.24	704,363	-	704,363	2.55%	1.78%
			<b>OAA 5.2</b> Further strengthen Eurojust's organisational capacity to improve efficiency and flexibility in the deployment of resources to meet operational needs and deliver quality services	24.05	2,633,107	847,211	3,480,319	9.82%	8.79%
	<b>3.b</b> Ensure excellent communication capacities	<b>AA6</b> Further invest in developing a solid reputation based on operational and strategic results and on the trust of Member States	<b>OAA 6.1</b> Increase Eurojust's ability to effectively communicate with European citizens and institutional partners and to promote the added value of the European reaction against serious cross-border crime and crisis situations	10.45	1,006,469	548,464	1,554,933	4.26%	3.93%
			<b>OAA 6.2</b> Continue to ensure organisational knowledge retention	1.68	154,788	367,246	522,03	0.69%	1.32%

## 4. Annual Activities 2019

### Casework

#### Annual Activity 1

#### Strengthen Eurojust's position and operational capabilities to provide dynamic and quality support to judicial cooperation and coordination

##### Overview

Eurojust, as the European Union centre for international judicial cooperation and coordination between competent authorities in serious cross-border crime cases, provides a unique range of services pertaining to judicial cooperation. Eurojust will continue to support national cases by **providing operational, logistical and financial support to coordination meetings, coordination centres and joint investigation teams**. Eurojust will strive to effectively ensure its added value in national investigations and prosecutions by providing tailor-made, expert advice at an early stage of investigation.

To be able to better illustrate and enhance the added value of Eurojust's support, Eurojust will continue to closely monitor the complexities of judicial cooperation and coordination of cross-border criminal prosecutions and investigations and will remain attentive to the urgent operational needs of the Member States.

Eurojust will continue to focus on increasing the visibility and awareness of its work at both European and national levels and to encourage Member States to refer more complex cross-border crime cases to profit from Eurojust's excellent expertise.

The Operations Manual, which describes the processes and procedures in the life cycle of a case, has been reinforced by the Manual of Data Entry to ensure harmonised and consistent processing of operational and strategic information in full compliance with data protection requirements. In 2019, the **quality of data entry** and the harmonisation of data will be enhanced by the coordinated quality and process management for harmonisation of case-related data entry in the CMS.

The **organisational restructuring of the Administration**, implementation of which started in 2017, strengthened a consolidated all-round service approach to operational work. Thanks to this reorganisation, internal workflows were streamlined and specialised service providers were better identified for the users. The focus on operational work has been reinforced by the flexibility of resources that can be allocated to the support of casework, allowing for improved ways of working together internally and achieving gains in efficiency. The new administrative structure thus provides for a wider coverage of requests for support in coordination meetings and coordination centres. A steady trend in the requests for support in casework is expected to continue in 2019.

In addition, the reinforcement of the priority-setting methodology in policy work and its insertion within the planning cycle of Eurojust will further allow for the focus of resource allocation to operational activities from 2019 onward in light of the MAS 2019-2021.

Member States expect a **full range of operational services** from Eurojust. In 2019, Eurojust will continue reinforcing the sharing of experience and best practice through its growing experience in casework. **Eurojust will continue to provide practitioners with additional operational tools to help in their individual cases**, such as drafting practical guidelines, sharing experience in the prosecution of certain priority crime phenomena and making available advisory overviews on the application of judicial cooperation and mutual recognition instruments. Eurojust conducts regular evaluations of JITs supported and/or funded by it to collect best practice and assess the outcome and added value of JITs and of Eurojust's support to them, so that practitioners can get the best results in future JITs. Eurojust produces analyses of case law (e.g. in relation to the admissibility of evidence collected via JITs) and regular analyses of legal and practical difficulties, best practice and solutions in JITs cases, including JITs involving third States. In addition, the assessment and dissemination among practitioners of the outcome of the operational work conducted in coordination meetings and coordination centres will both illustrate and enhance the added value of Eurojust's support.

After a thorough analysis, in April 2017 Eurojust decided to adopt a proposal for the **redesign of the CMS** to keep abreast of the latest IT architecture requirements and ensure the technical continuity of the system in future years. This multi-annual project will be in several phases, starting in 2018 and continuing possibly into 2020. The technical specifications of the new CMS include the requirement that the principles of data protection will be observed by design and by default.

Eurojust will **explore a more operational role for the Eurojust National Coordination Systems** in the Member States by easing exchange of experience and best practice among ENCS members and by assisting the further extension of the secure network connections.

To ensure the continuous improvement in the level of cooperation between Member States and assistance to Member States through efficient and effective coordination of investigations and prosecutions in relation to serious and organised cross-border crime, Eurojust undertakes many actions in managing its casework, the most important of which are:

- Timely response to requests for Member States' assistance in casework on the basis of high-quality expertise, operational and legal analysis and advice
- Coordination of investigative and/or prosecutorial actions and measures in operational meetings, coordination meetings and coordination centres
- Setting up of JITs
- On-Call Coordination actions
- Organisation of Eurojust meetings and provision of financial and logistical support to operational meetings
- Provision of operational and legal analysis to Eurojust cases and to requests of the national authorities on complex cross-border crime cases
- Encouragement of referral of complex crime cases by providing financial support to JITs
- Provision of operational support to the College on casework
- Provision of expertise and delivery of knowledge products (e.g. case notes)
- Analysis of the experience and expertise gained to overcome obstacles in judicial cooperation and on the application of mutual recognition instruments such as: the EAW, the prevention and

- settlement of conflicts of jurisdiction/*ne bis in idem*, asset recovery, including freezing and confiscation, and data retention
- Regular monitoring of European and national case law in relation to relevant judicial cooperation instruments or key priority crime areas of interest to the practitioners
  - Preparation of judicial monitors on trends in crime areas (e.g. cybercrime and terrorism)
  - Management of operational (case-related) data and strategic information, including for statistical purposes, in line with security and data protection standards
  - Cross-checking of information
  - Management of operational information exchange
  - Provision of day-to-day operational and administrative support to Eurojust's National Desks to ensure the quality of contribution and enhance the coordination effort in the cases referred by the national authorities
  - Handling requests to exercise data protection rights and investigation of complaints and management of data protection compliance
  - Retention of institutional knowledge through collection, storing and analysis of criminal case information through the use of the Case Information Form. Record the lessons learned from supported cases and analyse casework to provide legal expertise in judicial cooperation and crime areas and to reinforce the sharing of best practice
  - Organisation of College thematic discussions on relevant operational topics
  - Organisation of marketing tools
  - Maintenance of core IT systems supporting operational work

## Objectives 2019

### Objective to the Annual Activity 1.1.

Keep encouraging referral to more complex cross-border crime cases, by offering comprehensive and tailor-made operational and legal expertise and reinforcing the sharing of experience and best practice

### Actions

- Eurojust will continue taking initiatives to facilitate more efficient and extensive use of coordination meetings (CM) coordination centres (CC) and JITs.
- Eurojust will continue to provide targeted expertise and financial support to JIT casework.
- Eurojust will issue recommendations in CM/CCs to overcome legal and practical difficulties in cases, particularly complex cases. Record of lessons learned.
- Eurojust will provide experience in relation to identified obstacles to judicial cooperation and possible solutions, on the basis of Eurojust's casework.
- Eurojust will enhance the judicial dimension of the fight against crime by disseminating, with reference to specific cases, strategic analysis, advice and monitoring of relevant casework and judicial rulings in MSs and other products for the use of practitioners in:
  - key crime areas (terrorism: TCM, analysis of the phenomenon of FTF and radicalisation, contribution to TE-SAT; cybercrime: CJM; IS); and
  - instruments of judicial cooperation (EIO, EAW and conflict of jurisdiction guidelines).
- Eurojust will continue to take initiatives to raise awareness among practitioners of judicial cooperation, such as a meeting on controlled deliveries and the impact assessment report on judicial cooperation of data retention regimes in the European Union, based on Eurojust casework.

In 2017, Eurojust instituted a project designed to assess the impact on judicial cooperation in criminal matters within the CJEU in Joined Cases C-203/15 and C-698/15 (Tele2 and Watson). As a result of this judgement, many Member States are reviewing their domestic legislation to design data retention regimes. In view of monitoring the potential impact of this judgement in the area of judicial cooperation within the European Union, Eurojust will conduct an impact assessment report on data retention.

### Expected results

- Improved responsiveness and follow-up to CMs and CCs.
- Better meeting of the needs of Member States for high-quality operational support in investigations and prosecutions of serious cross-border organised crime
- Increase in number of Member States requesting assistance (or cases referred) and operational expertise
- Increase in number of coordination meetings and coordination centres, especially those falling under priority crime areas and/or under Eurojust priorities
- Increase in amount of information submitted to Eurojust (Article 13 Eurojust Council Decision)
- Increase in number of third States participating in JITs
- Swift settlement of JITs grants
- Enhanced possibilities to assess Eurojust's added value by gathering and assessing the CIFs and feedback on JITs as lessons learned

### KPIs

Indicators	Latest result 2017	Target
Number of coordination meetings	302 CMs for 376 cases	390
Numbers of coordination centres	17	15
Number of Article 6 & Article 7 recommendations	Art 7: 0 Art 6: 24	Consistent with year-on-year variation (in %) of overall caseload (CMS data)
Written legal advice and analytical case notes provided to cases supported by Eurojust	192	12% increase
% of cases falling under Eurojust priority crime areas	64.0%	10% increase
JITs supported	200 (113 from previous years, 87 newly signed)	10 % increase
JITs newly established	80	10 % increase
JITs applications	253	10 % increase
Funded JITs	128	10 % increase
Percentage of JITs supported by Eurojust that also benefit of financial support	82.60%	85%
Number of JITs evaluations received	27	10% increase

Completion of analysis, advise and monitor of relevant casework and judicial rulings in MSs and other products for the use of practitioners accepted by the College by target date (casework reports, case law overview and guidelines on judicial cooperation)	92.2%	75%
---	-------	-----

## Resources

Total FTE (#)	Total FTE (€)	Total BL Expenses (€)	Total FTE+BL Expenses (€)	% Posts Total	% Budget Total
118.05	10,037,696	10,281,190	20,318,886	48.18%	51.29%

### Objective to the Annual Activity 1.2.

Enhance Eurojust's capabilities to process and analyse substantial case-related information, particularly in key crime areas and especially by enhancing the CMS

## Actions

The CMS Board carried out a technical and functional assessment of the performance of the CMS. Based on the Board's recommendation, in April 2017, the College decided to embark on a redesign of the CMS that will ensure the technical continuity of the system in future years. This is a multi-annual project.

- Implementation of ICT projects related to Core Business Processes prioritised by governing boards:
  - Releases of CMS to reach full functionality
  - Integration of previously existing tools (CMS-CIF) into the new CMS
  - Launch of new component of the JIT-PS. Next version of the JIT tool for claims
- Support to strategic developments and priority setting by the College regarding the CMS by delivering *ad hoc* case-related statistics.
- Enhancement of quality and harmonisation of data entry by:
  - Quality and process management for harmonisation of case-related data entry in the CMS by conducting QRs on the CMS
  - Enhancement of capabilities to process and analyse JIT data

## Expected results

- Deliver a fully operational redesign of the CMS system
- Ensure an integrated system and interoperability with MS
- Enhance quality and harmonisation of data to allow for a robust assessment of the outcome of the operational work and of Eurojust's added value in it
- New version of JITs module fully operational

## KPIs

Indicators	Latest result 2017	Target
Number of initiatives taken to implement the redesigning of the CMS	100% of those envisaged in CMS AWP	100% implementation of the CMS Board Annual Work Plan
Initiatives taken to implement the redesigning of the CMS by target date (Stakeholder analysis, AS-IS Interviews, Envisioning workshops)	100% completed by target date	100% implementation of the CMS Board Annual Work Plan
Launching of new components of the JIT-PS by target date	JIT Portal and 1 tool launched	Completion of other components by target date
Increase in the percentage of CIF produced	242	10% increase

## Resources

Total FTE (#)	Total FTE (€)	Total BL Expenses (€)	Total FTE+BL Expenses (€)	% Posts Total	% Budget Total
21.30	1,926,783	2,172,703	4,099,486	8.69%	10.35%

### Objective to the Annual Activity 1.3. Explore a more operational role for the ENCS in MSs

## Actions

- Make full use of the possibilities offered by the ENCS by using the CMS and secure connections with the Member States to streamline the transfer and exchange of information with Eurojust
- Regularly update the *fiches suédoises* by providing information on the current composition and functioning of the ENCS in each Member State
- Further extend the secure network connection by promoting the adoption of new secure connection Memoranda of Understanding
- Fully implement a more user-friendly version of the Article 13 form by one Article 13 iteration, or, alternatively, develop another information exchange tool
- Take further initiatives for a more efficient, structured and reliable information exchange with and among Member States (activities allowing for the more efficient exchange of experience and best practice among ENCS members)
- Roll out laptops to a few Member States for ENCS access

## Expected results

- Eurojust's objective is to have secure communication channels in place with all relevant Member States' authorities. Training on the use of the technical tools will be made available again to increase synergies, quality of data, and responsiveness to the needs of the College and external stakeholders.

## KPIs

Indicators	Latest result 2017	Target
Number of new MoUs on secure connections	No new secure network connections requested by MS	
Implementation of 100% of new SNCs within 6 months of the MOU being signed.	N/A	
Number of interviews/ questionnaires conducted for the assessment of the ENCS in MSs	0	

## Resources

Total FTE (#)	Total FTE (€)	Total BL Expenses (€)	Total FTE+BL Expenses (€)	% Posts Total	% Budget Total
0.55	56,764	-	56,764	0.22%	0.14%

## Annual Activity 2

**Continue developing operational cooperation, interaction and complementarities with Eurojust's main operational partners**

### Overview<sup>9</sup>

Eurojust offers operational judicial expertise and advice to complement the efforts of other EU agencies in tackling organised crime and terrorism, helping the European Union to better achieve its goal of a more secure Europe under the rule of law.

Through gathering and analysing legislative and case law developments as well as identifying common legal obstacles and effectiveness of legal instruments for judicial cooperation in criminal matters, Eurojust can respond to emerging priorities and coordinate with EU institutions and other actors. **Relations with Europol, Frontex and other Justice and Home Affairs agencies and bodies will be enhanced** to provide a European multi-disciplinary response to criminal phenomena. Special emphasis will be placed on further reinforcing the already successful cooperation established with Europol's centres of expertise and in implementing the cooperation possibilities that the new Europol Regulation provides to both agencies. In this regard, relations with the ECTC have been enhanced by the designated Eurojust SNE specialised in terrorism matters. With regard to Frontex, initiatives to strengthen the exchange of information, including personal data, will be taken to enhance cooperation in line with its new Regulation.

<sup>9</sup> N.B.: for the draft of this AWP, Eurojust assumes that in 2019 the EPPO will not yet be operational.



Eurojust will **continue exploring synergies and the operational involvement of existing networks** by supporting the activities and meetings of the networks hosted by Eurojust and by support to the day-to-day activities of the EJCN.

In this **transition period** towards the implementation of the Eurojust Regulation, **Eurojust's external relations strategy will be reconsidered, in close cooperation with the European Commission and with the European External Action Service**, seeking to systematically maximise outcomes and added value at EU level. In this regard, the Letter of Understanding signed on 10 October 2017 between Eurojust and the EEAS reinforces the essential role that Eurojust is called upon to play regarding the external dimension of EU internal security in fostering judicial cooperation between the MSs and third States. Within this tripartite framework, Eurojust will continue consulting the European Commission/DG JUST to determine international priorities and explore areas of cooperation with the EEAS to increase synergies, enhance their support to Eurojust's engagement with third States and explore possibilities, if feasible, to draw upon Eurojust's expertise to support the EEAS' missions and operations, particularly those with a Rule of Law component, and provide expertise to the EEAS crisis management structures.

Operational cooperation is based on a variety of recurring actions, specifically:

- ***Cooperation with Europol***
  - Enhancement of operational analysis of cases, particularly on the basis of a hit/no hit cross-check information system as well as ensuring that cases are properly coordinated
  - Streamlined information exchange between Eurojust contact points and Europol Analysis Projects
  - Effective contribution to and attendance at operational meetings at Europol
  - Cooperation in setting up and co-financing JITs
  - Enhancement of cooperation with Union Centres of Expertise hosted by Europol, taking the current level of fruitful cooperation as a model
  - Organisation of Eurojust-Europol exchange programme
- ***Cooperation with OLAF***
  - Enhancement of information exchange, including relevant PIF case summaries, to jointly safeguard the EU's financial interests, and in view of future cooperation with EPPO
- ***Facilitating judicial cooperation with third States and international organisations***
  - Improvement of cooperation between Member States and third States by facilitating contacts through Eurojust contact points designated in third States, and actively seek to enlarge the network of Eurojust contact points
  - Support for the Liaison Prosecutors posted at Eurojust
- ***Data protection***
  - Assurance that inclusion and implementation of adequate data protection provisions in cooperation agreements with key partners and third States
- ***Management of operational systems***
  - Assurance that Eurojust's connectivity and support is arranged for the Secure Networks, the Schengen Information System (SIS II) and the Secure Information Exchange Network Application (SIENA)
  - Support and management of information flow in SIENA

- **Activities involving operational support**
  - Provision of expertise and delivery of knowledge products (e.g. case notes)
  - Cross-checking of information
  - Provision of operational and legal analysis

## Objectives 2019

### Objective to the Annual Activity 2.1.

Further develop operational cooperation with JHA agencies, Europol and Frontex, particularly to provide a European multi-disciplinary response to criminal phenomena

### Actions

- Eurojust will continue to explore synergies with the JHA agencies' network in complementary operational fields, and especially in the field of the protection of fundamental rights.
- Increased information flow between Eurojust and Europol, based on a hit/no hit basis and better detection of links.
- Enhanced consultation on cases in which the involvement of one agency has been triggered by the other, as foreseen by the Europol and Eurojust Regulations, Memoranda of Understanding and other working arrangements with key JHA/non-JHA partners.
- In 2019, Eurojust will conduct an impact assessment on Joined Cases C-203/15 and C-698/15 (Tele2 and Watson) regarding data retention and their repercussions on judicial cooperation in criminal matters. To have a comprehensive overview of the impact, this report will be used to produce a joint Europol-Eurojust analysis on the topic of data retention.
- Streamlined joint operations with Europol, particularly in coordination centres, continuing to build trust and cooperation through the association with Europol Analysis Projects.
- Initiatives to enhance cooperation with Union Centres of Expertise at Europol: EC3, ECTC and ESOC/EMSC. With a view to continue enhancing synergies in the fight against migrant smuggling, Eurojust will enhance cooperation with Europol, the European Border and Coast Guard Agency and EUNAVFOR MED.
- Contributions to and attendance at operational meetings at Europol.
- Start the evaluation process of the JIJs funding coordination arrangements between Eurojust and Europol.
- Initiatives to enhance cooperation with Frontex in light of its new Regulation.
- Development and implementation of operational and strategic cooperation with other EU partners. Special emphasis on implementing the MoU with eu-LISA that was signed in 2017.
- Contribute to specialist trainings (CEPOL, EJTN).

### Expected results

- Increase Eurojust's impact on resolving judicial obstacles in serious and organised cross-border investigations and prosecutions by offering a multi-disciplinary approach to national practitioners.
- Increase EU visibility by creating synergies with other relevant agencies.
- Improve cooperation with JHA agencies and other relevant partners.
- Create a more effective and efficient working relationship between Eurojust contact points and Europol Analysis Projects.
- Reinforce cooperation with the Union Centres of Expertise at Europol in key crime areas.

## KPIs

Indicators	Latest result 2017	Target
Initiatives to implement the exchange of information with FRONTEX by target date	2	4
Initiatives to implement the exchange of information with Europol by target date	20	10% increase
Percentage of Europol's participation in CM	35.7%	10% increase
Percentage of Europol's participation in CC	41.1%	10% increase
Number of JITs jointly supported by Europol and Eurojust	N/A	
Launching of the evaluation of the JITs funding coordination arrangements between Eurojust and Europol by target date	N/A	Q4 2019
Number of Eurojust cases with the involvement of Europol	40	

## Resources

Total FTE (#)	Total FTE (€)	Total BL Expenses (€)	Total FTE+BL Expenses (€)	% Posts Total	% Budget Total
5.58	450,472	-	450,472	2.28%	1.14%

### Objective to the Annual Activity 2.2.

Continue to explore synergies and the operational involvement of existing networks

## Actions

- Eurojust will continue to explore synergies with the existing networks by:
  - Providing coordinated operational support to JITs between Eurojust and the JITs Network Secretariat.
  - Facilitating exchange of operational information and support in core cases: discussions with contact points on specific operational issues.
- Eurojust will continue to be operationally involved in the activities of the existing networks supported by a secretariat hosted by Eurojust by:
  - Supporting JIT-related activities, such as: JIT evaluation committee, drafting and legal advice regarding specific legal questions (e.g.: the participation of third States); evaluation forms, reports and analysis of accomplished JITs
  - Coordination between Eurojust and the EJN on which cases (requests for assistance) each shall deal with, in line with their respective mandates and with the updated joint Guidelines
  - Taking actions to support the improvement and maintenance of the EJN website and tools for practitioners
  - Supporting actions to increase awareness of the EJN among practitioners and to improve the functioning of the EJN Contact Points

- Supporting the Genocide Network Secretariat in its activities to proliferate the network and Eurojust as the EU centre for international judicial cooperation and coordination on national investigations and prosecutions of core international crimes (projects, analyses based on casework and best practice)
- Taking joint actions to increase awareness of EJNI and Eurojust among practitioners in the Member States
- Taking joint actions to support judicial authorities in dealing with judicial cooperation instruments, e.g. EIO and EAW
- Providing EJNI website training at the National Desks and Eurojust Operations Unit

### Expected results

- Create a more effective and efficient working relationship between Eurojust and the existing networks.
- Enhance the value of Eurojust's operational work to the national practitioners thanks to the complementarities created through the collaboration with the different formal and informal networks (specifically the Consultative Forum Network and the European Judicial Cybercrime Network), which could provide their unique expertise.
- Increase EU visibility by creating further synergies with the networks.

### KPIs

Indicators	Latest result 2017	Target
Number of common products/services between JITs Network and Eurojust	6	10% increase
Number of JIT Network evaluations supported by Eurojust and the JIT network	18	10% increase
Number of cases referred by EJNI contact points to Eurojust	N/A	
Number of cases referred to EJNI by Eurojust	N/A	
Reports and other publications from the EJNI regarding international cooperation in criminal matters, drafted in collaboration with Eurojust	2	3
Publications and reports to share expertise on JITs, elaborated by the JITs Network Secretariat	3	4
Expert papers on investigating and prosecuting core international crimes, elaborated by the Genocide Network Secretariat in collaboration with Eurojust	3	10% increase
Web traffic of the EJNI website	1,788,607	5% increase
Web traffic of the JIT website	1593	15% increase
Web traffic of the GEN website	8526	10% increase

### Resources

Total FTE (#)	Total FTE (€)	Total BL Expenses (€)	Total FTE+BL Expenses (€)	% Posts Total	% Budget Total
19.69	1,730,409	1,154,577	2,884,986	8.04%	7.28%

### Objective to the Annual Activity 2.3.

Continue to develop operational cooperation with third States, including through use of Eurojust contact points

#### Actions

Eurojust will continue to strengthen operational cooperation with third States, in close consultation with the European Commission and taking into consideration the transition period from the signature of cooperation agreements by Eurojust to the negotiation of such agreements by the European Union under the Lisbon Treaty and after the Eurojust Regulation enters into force and will become applicable. During this transition period, Eurojust, together with the European Commission and the EEAS, will assess how to better implement the cooperation agreements in force.

Within the above-mentioned parameters, Eurojust will:

- Continue ongoing negotiations for concluding cooperation agreements with priority third States, including their compliance with the Eurojust data protection framework.
- Explore the possibilities for concluding strategic working arrangements.
- Enhance cooperation with relevant international organisations, including by means of negotiations with the objective of concluding working arrangements.
- Review and assess implementation of existing cooperation agreements with third States, including the possibility to post Liaison Prosecutors (LP) at Eurojust.
- Take initiatives to the proliferation of Eurojust's Contact Points, in cooperation with the Commission and EEAS.
- Take initiatives to intensify contacts with the Immigration Liaison Officers.

#### Expected results

- Reinforce Eurojust's role as key player in effectively responding to current and new global challenges.
- Conclude ongoing negotiations with third States, in consultation with the European Commission and the EEAS.
- Ensure a smooth transition of Eurojust's international commitments with its international partners until the entry into force of the Eurojust Regulation.
- Host a greater number of LPs from third States at Eurojust.
- Increase the number of Eurojust contact points in third States and ensure a harmonised practice based on the updated Guide for cooperation.

#### KPIs

Indicators	Latest result 2017	Target
Cases involving third States	280	
Cases involving international bodies	43	
Number of JITs in which third States participated	15	10% increase
Number of additional Eurojust contact points appointed in third States	4	10% increase
Number of new Eurojust contact points appointed in third States for the first time	1 (42 in total)	10% increase
Number of new cooperation agreements	0	10% increase

## Resources

Total FTE (#)	Total FTE (€)	Total BL Expenses (€)	Total FTE+BL Expenses (€)	% Posts Total	% Budget Total
2.83	288,099	-	288,099	1.16%	0.73%

## Policy Work

### Annual Activity 3

**Deliver advice and reports, based on operational experience, to EU decision- and policy-makers**

### Overview

Based on its operational experience, Eurojust will continue to be available as the centre of judicial and legal expertise by delivering expert advice and policy proposals for the improvement of judicial cooperation in prioritised criminal matters and judicial cooperation instruments.

During 2019, under the new EU Policy Cycle 2018-2021 and the European Multidisciplinary Platform against Criminal Threats (EMPACT), Eurojust will continue to pay special attention to **strategic activities related to migrant smuggling, cybercrime and counter-terrorism, as well as the detection of new criminal trends.**

Based on its operational experience, Eurojust provides **expert advice and regularly reports to EU decision- and policy-makers on the use of judicial cooperation instruments** and how to overcome judicial cooperation obstacles in specific serious organised cross-border crime areas. In this regard, the role of Eurojust in the practical implementation of the European Investigation Order will be one of the main challenges for it in 2019.

The number of assignments given to Eurojust to contribute to the elaboration of EU legislation or the preparation of EU policy documents continues to increase (*see Annex I-A for an overview*). The lessons learned from Eurojust casework and operational work, as well as the requirements from the Member States and from EU policy-makers, facilitate the setting of priorities in policy work at Eurojust. Eurojust prioritises its resource allocation in policy work, taking into account the EU policy priorities and other relevant EU initiatives, such as the European Agenda on Security, the Renewed EU Internal Security Strategy implementation paper and the draft Regulation on ECRIS-TCN. By these actions, Eurojust **enhances the promotion of the judicial and prosecutorial dimension of the fight against serious cross-border crime.**

The following activities are identified as recurring in this area, which will continue in 2019:

- Activities directed to establish a centre of expertise and an information hub in the relevant area of expertise.
- Activities related to the preparation of reports and contributions upon request of other institutions, bodies and agencies (JHA Council, COSI, EU Commission, LIBE Committee, EU CTC, Anti-Trafficking Coordinator, etc.).

- Activities related to support and contribution to EMPACT priorities, Analysis Projects of Europol, Union specialised centres of expertise hosted at Europol and joint reports.
- Specific contributions to draft EU legislation or policy initiatives, based on the experience and expertise gained, to overcome obstacles in judicial cooperation and in the application of mutual recognition instruments.
- Regular reporting of identified obstacles to judicial cooperation.
- Performance of research in crime and judicial cooperation areas and identification of potential new tools.
- Strategic reports on specific crime areas (e.g.: drug trafficking, THB).

**Objective to the Annual Activity 3.1.**  
**Reinforce strategic contribution in priority crime areas and instruments of judicial cooperation**

**Actions**

- Support the development of a horizontal approach to crime priorities.
- Detect new trends and other products in key crime areas identified by EMPACT.
- Based on the analysis of Eurojust's operational work, contribute to the development of new judicial cooperation tools.
- At the request of the EU institutions, contribute to draft EU legislation, such as: Eurojust input to Regulation on ECRIS-TCN index; strategic information on EU CTC.
- Organise strategic meetings on specific crimes and criminal trends (terrorism, controlled deliveries) and on specific judicial cooperation instruments (EIO). The evaluation and reporting of the outcome of these meetings will contribute to increasing the quality of Eurojust's contributions to EU legislative and policy initiatives.
- Provide regular updates to its strategic products, such as the Eurojust Handbook on Chemical, Biological, Radiological, Nuclear and Enhanced Conventional Weapons (CBRN-E), 8th edition.

**Expected results**

- Thanks to its unique experience in judicial cooperation, Eurojust provides high-quality contributions and reports to EU legislative and policy initiatives.
- EU institutions and Member States request Eurojust's opinion on all proposed legislative acts in the field of judicial cooperation in criminal matters and related initiatives.
- Based on its operational work, Eurojust continues to play a key role in the detection of new trends in key crime areas and the implementation of judicial cooperation instruments.
- Eurojust continues to play a central role in the fight against terrorism, IS and cybercrime. It also enhances a horizontal approach to crime priorities.

**KPIs**

Indicators	Latest result 2017	Target
Number of mandates and assignments given to Eurojust in EU legislative and policy documents	42	
Level of completion of deliverables accepted by the College by target date	N/A	75%
Level of participation of Eurojust in EMPACT priorities	all	all

Number of written formal and informal contributions to EU draft legislation delivered by target date	4	>5%
Percentage of written formal and informal contributions to EU draft legislation accepted by the EU institutions	80%	

## Resources

Total FTE (#)	Total FTE (€)	Total BL Expenses (€)	Total FTE+BL Expenses (€)	% Posts Total	% Budget Total
9.02	1,036,233	486,102	1,152,335	3.68%	3.84%

### Objective to the Annual Activity 3.2.

Active promotion of the judicial and prosecutorial dimension of the fight against serious cross-border crime in the European Union by regular reporting to stakeholders

## Actions

- Continue developing Eurojust as a centre of judicial and legal expertise.
- Contribute to promoting the added value of the judicial dimension in the fight against serious cross-border crime by supporting EMPACT operational contributions in OAs and OAPs as well as Europol Analysis Projects.
- Regularly participate and contribute to relevant meetings of Council Working Parties (COSI, GENVAL, CATS) and Commission expert groups. These actions will continue to strengthen Eurojust's institutional communication with relevant EU policy bodies to better promote the added value of its operational services and key expert role in international judicial cooperation and to gain recognition of its function and commitment to EU security, and ensure that the agency is properly resourced to achieve its goals.
- Enhance the judicial dimension of the fight against crime by disseminating strategic analysis and reports among stakeholders.

## Expected results

- Increase awareness by EU policy bodies and understanding of Eurojust's indispensable role in assisting national authorities in the fight against serious cross-border organised crime.
- Contribute to the improvement of cooperation among practitioners in the fight against serious cross-border crime in the European Union.
- Maintain its privileged relationship with the European institutions and strategic partners in the area of criminal justice.
- Enhance the judicial dimension of the fight against crime by disseminating strategic analysis and presenting the results of regular monitoring of legislative developments at national and EU levels.



## KPIs

Indicators	Latest result 2017	Target
Number of written formal and informal contributions delivered by target date	4	>5%
Percentage of written formal and informal contributions accepted by the EU institutions	90%	>10%
Number of topics where Eurojust intervened at EU institution policy meetings	3	>10%
Number of invitations to Eurojust for participation in policy meetings	31	>10%
Increase in the number of references to Eurojust in EU documents	80%	>5%

## Resources

Total FTE (#)	Total FTE (€)	Total BL Expenses (€)	Total FTE+BL Expenses (€)	% Posts Total	% Budget Total
7.41	853,857	-	853,857	3.02%	2.16%

### Annual Activity 4

**Enhance strategic cooperation with partners and stakeholders in the Area of Freedom, Security and Justice, exploring possible synergies and coordinated responses to identified threats**

### Overview

Complementary to the immediate operational response to key criminal phenomena under the new EU Policy Cycle 2018-2021, Eurojust will continue its commitment to **provide strategic contributions from a judicial perspective** to the Operational Action Plans (OAPs) within EMPACT.

Specific attention will continue to be paid during 2019 to activities related to migrant smuggling, cybercrime and counter-terrorism and how to improve a joint approach to the identified threats.

**Exploring further means of cooperation with EU bodies and agencies in the field of Justice and Home Affairs** is crucial to ensure coordinated responses to identified global threats. Eurojust will continue promoting a close relationship with Europol, Frontex, and the JHA agencies with whom Eurojust has signed MoUs, with the practitioners' networks, as well as partners outside of the European Union.

In this regard, the entry into force of the new Frontex Regulation represents a unique opportunity to reinforce mutual cooperation and the support to Member States in circumstances requiring increased technical and operational assistance at the external borders in the fight against organised cross-border crime.

The Letter of Understanding signed with the EEAS in October 2017 constitutes an essential tool in the identification of the EU's international priorities and how to explore areas of cooperation with the JHA agencies and the EEAS to provide a coordinated European approach. This increased cooperation will

raise awareness in Common Security and Defence Policy (CSDP) missions of the dynamics of judicial cooperation and will enhance knowledge-sharing, particularly in the planning phase of future CSDP operations in the area of counter-terrorism, through the exchange of strategic, non-operational information.

To reinforce synergies, special attention will be given to joint strategic activities and how to ensure appropriate participation by Eurojust in complementary Union centres of expertise developed by Europol and other EU bodies.

To fulfil this strategic objective, the following EU initiatives are taken into account:

1. European Agenda on Security
2. Renewed EU Internal Security Strategy implementation paper
3. Council Conclusions on the Establishment of the European Cybercrime Centre (EC3)
4. Council Conclusions on the criminal response to radicalisation leading to terrorism and violent extremism
5. Reports to the EU CTC
6. European Agenda on Migration
7. EU Action Plan against Migrant Smuggling
8. Council conclusions on measures to handle the refugee and migration crisis
9. EU Strategy towards the eradication of THB
10. EU Action Plan on Drugs
11. EMPACT projects for the EU crime priorities (Operational Action Plans to combat priority threats)
12. EU Action Plan against Illicit Trafficking in and Use of Firearms and Explosives
13. EU Action Plan against Wildlife Trafficking
14. Council conclusions on fight against impunity for the crime of genocide, crimes against humanity and war crimes within the European Union and its Member States

**Eurojust hosts, supports and enhances strategic cooperation with the EJN Secretariat, the JITs Network Secretariat and the Genocide Network Secretariat. In addition, Eurojust supports the activities of the European Judicial Cybercrime Network and the Consultative Forum.**

The **EJN Secretariat** maintains the EJN website, which contains information relevant to the EJN contact points and to all legal practitioners in the Member States regarding international cooperation. The website also offers several practical online judicial cooperation tools. In addition, the EJN holds three plenary meetings per year, enhancing the functioning of the EJN by providing a forum for discussion of practical and legal problems encountered in judicial cooperation. Representatives from Eurojust are invited to the EJN plenary meetings and frequently act as speakers or chairs/rapporteurs of workshops. The EJN Secretariat supports the organisation of regional and national EJN meetings in the Member States. The EJN Secretariat also organises training in legal English on an annual basis and has established operational contacts with other judicial networks around the world and contact persons in third States. The EJN and Eurojust cooperate on different projects, one of which is to further streamline procedures for the allocation of cases.

The **JITs Network Secretariat** organises one plenary meeting per year and one or two 'working group meetings' with a limited number of experts. The Secretariat collects information on the setting up and functioning of JITs in a systematic way (e.g. via summaries of national legislation, analysis of JIT agreements and evaluation of individual JITs) and makes the information available to practitioners by

various means (publication of evaluation reports, practical guides and a dedicated web platform). The Secretariat also contributes to Eurojust's casework by providing targeted expertise. It promotes the use of JITs through its contribution to dedicated trainings. Since 2013, the JITs Network Secretariat also manages Eurojust's financial support to JITs.

The **Genocide Network Secretariat** organises two plenary meetings per year, focusing on practical challenges faced by practitioners in the field and facilitating their close cooperation. Additionally, it co-organises the EU Day against Impunity, together with the EU Presidency and the European Commission, to promote the work of the national authorities in fighting impunity. The Genocide Network Secretariat collects information and delivers expert papers (in the form of questionnaires, reports and publications) on experience, best practice and methods used by national authorities competent for prosecuting core international crimes. Products of the Genocide Network Secretariat are available to practitioners and stakeholders via a secure website, and some items are also available via the Eurojust website. The Genocide Network Secretariat contributes to external trainings with its expertise, acts as an interface between various stakeholders and raises awareness of the importance of the fight against impunity.

In this regard, recurring actions undertaken by Eurojust include:

- External communication activities in the relevant area of expertise, promoting and maintaining relations and cooperation with strategic external stakeholders
- Cooperation with third States and international organisations
- Provision of expertise and delivery of knowledge products
- Management of specialist platforms/knowledge interfaces
- Performing research in crime and judicial cooperation area and assessment and identification of existing and potential tools
- Quality assurance and standardisation/harmonisation

Specifically:

- Contributing to EU partners' initiatives, upon request
- Hosting and supporting the activities of, and enhancing strategic cooperation with, the EJM, the JITs Experts Network and the Genocide Network
- Supporting the activities of the European Judicial Cybercrime Network
- Supporting the work of the Consultative Forum of Prosecutors General and Directors of Public Prosecution in the Member States
- Developing and strengthening strategic cooperation with key JHA partners and other EU agencies and bodies by concluding arrangements for cooperation as appropriate, and fostering their full implementation
- In full consultation with the European Commission and the EEAS, conducting negotiations on new strategic cooperation agreements and MoUs with key international organisations.

**Objective to the Annual Activity 4.1.**

Reinforce strategic cooperation with a view to increasing synergies with the EU institutions and relevant JHA agencies and bodies (particularly Europol, Frontex and EEAS) and strategic relations with other EU agencies or bodies and international organisations closely related to Eurojust's field of work

**Actions**

- Contribution to the EU Policy Cycle (MASPs and OAPs) in the areas of cybercrime, migrant smuggling and financing of crime, money laundering and facilitation of asset recovery, serving a co-leading role. Participation in the remaining OAPs in a participant/supporting role.
- Strategic activities to enhance effectiveness of international cooperation in priority crime areas:
  - In relation to counter-terrorism, Eurojust will organise a strategic meeting on terrorism. Its outcome will be evaluated and reported to key partners.
  - In the field of the European Investigation Order, Eurojust will organise a meeting on the implementation of this judicial cooperation instrument. Eurojust will evaluate its outcome and report to the national authorities in the Member States, EU institutions, JHA agencies and international key partners.
  - Within the framework of the strategic project on drug trafficking, Eurojust will organise a meeting on controlled deliveries and prepare an outcome report. The report will be further disseminated. Additionally, in this crime area, Eurojust will contribute the third edition of the EMCDDA-Europol European Drug Markets Report in 2019, as it contributed in its two prior editions, in a response to the challenges of the transnational illegal drug markets.
- The new opportunities for increased information sharing between Europol and Eurojust (stemming from the new Europol and Eurojust Regulations and formalised in future working arrangements) will give new impetus to both operational and strategic cooperation. Aware of this new challenge, Eurojust and Europol will conduct a joint analysis report on the impact on judicial cooperation of data retention regimes in the European Union.
- Identify best practice for the adoption of implementation arrangements with Europol on JITs funding.
- During this transition period, strategic cooperation with OLAF will complement future endeavours to build a close partnership between Eurojust and the EPPO in counteracting crimes affecting the EU budget.
- Shared training initiatives with other JHA agencies and support to training activities of Member States and relevant third parties (e.g. EJTN, CEPOL, Europol) for practitioners.
- Increase the number of Eurojust press releases and other media communications jointly or collaboratively developed with relevant JHA agencies, bodies and institutions to provide concrete examples of operational and judicial cooperation in the field of serious cross-border organised crime.
- Develop a solid external representation of Eurojust, in consultation with the European Commission and the EEAS.

**Expected results**

- Reinforce Eurojust's role as a key player in effectively providing a coordinated European response to current and new global challenges.
- Enhance synergies with JHA agencies and increase joint strategic actions.
- Produce joint annual report and other reports stemming from strategic cooperation with key JHA and non-JHA partners.
- Ensure alignment between Eurojust's international commitments with its international partners in policy work and the EU international agenda in the field of justice and home affairs.

- Ensure a smooth transition period until the entry into force of the Eurojust Regulation.

### KPIs

Indicators	Latest result 2017	Target
Number of meetings for the negotiation of a cooperation agreement with FRONTEX	0	2
Number of actions stemming from the Steering Committee meetings held with Europol	0	2
Number of joint policy initiatives with FRONTEX	2	
Number of joint policy initiatives with JHA agencies and EEAS	4	10% increase
Number of shared trainings	11	
Number of new strategic cooperation agreements	0	10% increase
Number of new memoranda of understanding	2	10% increase
Joint press releases with JHA agencies	9	10% increase

### Resources

Total FTE (#)	Total FTE (€)	Total BL Expenses (€)	Total FTE+BL Expenses (€)	% Posts Total	% Budget Total
5.66	423,127	-	423,127	2.31%	1.07%

#### Objective to the Annual Activity 4.2.

Further explore the strategic involvement of the existing networks and contact points, especially in the identification and sharing of best practice

### Actions

- Eurojust will continue to contribute to the added value of the networks by hosting the Secretariats of the EJN, the Network of JIT National Experts and the Genocide Network and by supporting their statutory meetings.
- Eurojust will further develop its strategic involvement with the existing networks.
- Joint initiatives between Eurojust and the EJN for the development of judicial cooperation in criminal matters, e.g. on the EIO:
  - Supporting the EJN in the organisation of meetings
  - Active support and facilitation of the work of the Consultative Forum meetings
  - Active support and facilitation of the organisation of the EJCJN meetings
  - Eurojust's involvement in the evaluation of JITs (joint reports)
  - Eurojust's involvement in the JIT case law compendium and in other initiatives fostering the JITs Secretariat as a centre of knowledge for practitioners on JITs. Enhance the contribution of the JITs Network in common projects and meetings with Eurojust and other practitioners' networks
  - Provide legal support and advice in the identification and sharing of best practice concerning JITs funding
  - Joint initiatives between Eurojust and the Genocide Network Secretariat as facilitator for cooperation in the fight against impunity, e.g. organising and hosting the 4th EU Day against

Impunity. These activities will foster outreach and awareness-raising of national investigations and prosecutions of core international crimes.

- Eurojust's support to the Genocide Network Secretariat in projects and research activities with international tribunals and NGOs in the field of international war crimes and genocide.
- Participation of Eurojust in shared training initiatives with the existing networks.
- Eurojust will continue to support practitioners' involvement in EU legislative and policy matters by facilitating the work of the Consultative Forum of Prosecutors General and Directors of Public Prosecution in the Member States.

### Expected results

- Accomplishment and increased quality of the outcome meetings organised by the network secretariats and the EJCEN with the support of Eurojust.
- Organisation of at least one Consultative Forum meeting and follow-up on its conclusions.
- Improved coordination of the strategic activities of the network secretariats, such as meetings and mutual access to information, including the EJCEN, if appropriate.
- Conclusions of annual JITs Expert Network meetings, reflecting the latest developments in the field and other publications and reports to share expertise on JITs.
- Conclusions and reports of plenary meetings and expert papers of the Genocide Network encompassing critical and contemporary practical challenges, experiences, best practice and methods when prosecuting core international crimes at domestic level.

### KPIs

Indicators	Latest result 2017	Target
Drafting conclusions of Consultative Forum meetings by target date	1 month after the meeting	1 month after the meeting
Completion of the joint JIT evaluation report by target date	N/A	Q4 2019
Number of Network contributions related to judicial cooperation instruments (JCI) and related topics	25 (17 EJCEN, 6 JITs, 2 GEN)	(JITs:10% increase ,EJCEN : remain stable GEN: remain stable)
Number of joint strategic activities between Eurojust and the network Secretariats hosted at Eurojust	13 (8 JITs, 3 EJCEN, 2 GEN )	(JITs:10% increase ,EJCEN : remain stable GEN: remain stable)

### Resources

Total FTE (#)	Total FTE (€)	Total BL Expenses (€)	Total FTE+BL Expenses (€)	% Posts Total	% Budget Total
12.50	896,742	1,877,255	2,773,997	5,10%	7.00%

## Organisational Development

### ANNUAL ACTIVITY 5

**Ensure the support services required for the smooth implementation of the Eurojust Decision, the Regulation on Eurojust and the changes required from this new founding act on organisational level, as well as relations with the European Public Prosecutor's Office**

#### Overview

To increase its efficiency and flexibility in the deployment of human and financial resources and to continue delivering high-quality services, Eurojust underwent a reorganisation of its Administration and its internal procedures. This reorganisation had a direct impact on the support that it provides to the National Desks and to the Administration.

The decision to reorganise the Eurojust Administration was a response to Eurojust's objective to **remain flexible and responsive to new legislative proposals regarding Eurojust and its future relationship with the EPPO**. Eurojust will continue monitoring and analysing developments in this field as well as in the wider legislative proposals in the Area of Freedom, Security and Justice, providing timely and constructive input to the relevant stakeholders.

The Eurojust Regulation was adopted on 6 November 2018 and will enter into force on 12 December 2019. Eurojust will ensure its full and smooth implementation, amending as necessary its internal procedures and adapting its strategy and related Annual Work Programmes.

The Eurojust Regulation introduces a new governance structure for Eurojust and changes several aspects of Eurojust's technical and operational functioning. Eurojust will put in place new structures (e.g. the Executive Board) and procedures and revise internal rules, such as those on data protection and public access to documents, to align with the Regulation. Substantial data protection changes will include the applicability of Regulation 45/2001 (which will be amended) to non-case-related data and the replacement of the Joint Supervisory Body of Eurojust with the European Data Protection Supervisor as supervisor in the field of data protection for Eurojust.

The establishment of the EPPO by enhanced cooperation, its physical location in Luxembourg, functioning, competences and expected close interaction with Eurojust will have a cross-cutting impact on Eurojust. The working agreement(s) between Eurojust and the EPPO will be a priority to ensure the creation of synergies and complementarity between the two entities and a smooth transition to the entry into force of their Regulations. Eurojust will keep the European institutions informed of the initiatives taken in this field.

**The 2019 reporting cycle will be reinforced** by the enhanced performance management system that was set up in 2017. Thanks to the RACER KPIs developed both at strategic and operational levels, Eurojust will improve its reporting capacity to monitor and report on its performance, and take corrective measures, if necessary.

The move to the new premises in July 2017 generated new synergies and efficiency gains, especially in the field of IT, security and facility management. Housing all Eurojust staff and National Desks under the same roof fostered **further efficiency gains**, which triggered additional reorganisations within the Eurojust Administration, such as the merging of the posts of Head of Operational Support and Head of the Operations Unit.

Following the relocation and proximity to Europol in 2017, both agencies started discussions regarding opportunities for **shared services**, particularly in the areas of human resources, procurement, ICT and facilities management.

Recurring actions taken to achieve these goals include:

- High-level support to the College, Management Board, College sub-structures, President, Presidency Team and Administrative Director to ensure internal coordination and the adoption by the College of Eurojust of strategic and policy documents, internal processes and work arrangements to enhance effective and efficient support to the operational and policy work of Eurojust.
- Activities related to the monitoring of the implementation of Action Plans on evaluation processes.
- Preparation of the annual and multi-annual business planning integrating work programmes of the College, National Desks and the Administration.
- Preparation of quarterly, bi-annual and annual corporate performance reporting (Annual Report, Consolidated Annual Activity Report, reporting to Management Board).
- Participation and exchange of best practice in planning and performance development interagency network (PDN).
- Coordination of audit activities and Eurojust's response to audit activities and findings from the ECA and the IAS; identification of Eurojust's corporate risks and maintenance of risk log.
  
- **Communications:**
  - Support internal communication actions by providing advice and maintaining communication tools.
  
- **HR Management:**
  - Development and implementation of HR-related strategies, implementing rules, policies, guidelines, processes and templates
  - Establishment, monitoring and reporting on the staff establishment plan
  - Provision of regular reports to management and external stakeholders on human resources issues
  - Management of internal and external recruitment procedures for staff, SNEs, interns and interim staff
  - Efficient administration of rights and entitlements of Eurojust staff and SNEs
  - Assurance of HR-related relations with the Host State, including the Protocol on Privileges and Immunities for Eurojust National Members and staff
  - Delivery of health and wellbeing-related services, including occupational health
  - Planning, organisation and monitoring of the training of Eurojust post-holders
  - Organisation of the appraisal and reclassification exercises



- ***Legal advice on regulatory and administrative matters:***
  - Legal advice related to cooperation with other EU institutions, bodies and agencies in corporate area (e.g. SLA with Europol on shared services)
  - Legal support related to bi-and multi-lateral agreements and MoUs in corporate area
  - Legal advice related to EU classified information and handling/dissemination of other documents (e.g. LIMITED documents)
  - Legal advice on access to documents and requests for information
  - Legal advice on staff-related matters, including pre-litigation
  - Litigation and administrative inquiries
  - Handling of European Ombudsman inquiries and complaints
  - Legal advice and management of the adoption process of implementing rules
  - Legal advice related to privileges and immunities, including Host State relations
  - Legal advice related to financial matters, contracts and procurement procedures
  - Legal advice related to audits and management of exception procedure
  - Legal advice on security-related matters and interpretation/application of the security rules
  - Legal advice and support related to the Eurojust premises
  
- ***Budgetary and financial administration***
  - Develop and implement policies and procedures in relation to the Financial Regulations and Implementing Rules
  - In accordance with the Financial Regulations, engage in robust in-year budget planning, implementation and forecasting, including mitigation to reduce risk to operational/compliance-related work
  - Coordinate, verify and consolidate the activity-based (multi-)annual budgets and related documents of Eurojust, and any subsequent amendments, in eMS
  - Monitor the implementation of the budget and the Establishment Plan at corporate level using appropriate IT tools such as ABAC, eRec and a Mission Management System
  - Report on Eurojust's financial and human resources to different stakeholders
  - Monitor activity-based budgeting
  - Provide sufficient and timely support for JITs grant awards and claims
  - Deliver timely and valued mission support services
  - Prepare and maintain the general ledger and budgetary accounts of Eurojust in accordance with Title IX of the Eurojust Financial Regulation (EJFR) and assure effective cash management
  - Support timely procurement tenders for goods and services in conformity with procurement regulations as foreseen in the AWP
  - Support and respond to internal and external audits, evaluations and risk assessments
  - Compile timely and incisive internal and external reports on budgetary and financial matters in accordance with management plan and statutory requirements
  
- ***Security***
  - **Physical security**
    - Ensure security and safety of Eurojust staff, building and installations in compliance with European standards on operational security (e.g. develop and update facilities-related policies, guidelines, processes and templates)
    - Manage security clearances and EU classified documents registry
    - Provide internal first aid, emergency response and evacuation training for staff (floor warden team)
    - Deliver risk assessments related to Eurojust and its staff (e.g. for events, operational missions, premises, etc.)

- Conduct business continuity and crisis management activities

#### **Confidentiality & information security**

- Ensure timely accreditation of information systems
- Perform regular risk assessment of systems prior to becoming operational, as well as compliance audits
- Update information security policies
- Regularly report to the Security Committee
- Provide assistance in processing and dissemination EU classified information

#### **Security engineering (ICT Security)**

- Provide on-call assistance for technical security issues
- Adjust, finalise and implement all technical security installations
- Monitor performance of implemented information security controls
- Supervise the implementation of changes in security requirements for infrastructure

- **Facilities Management**

- Provide preventive and corrective maintenance of building, landscape, parking facilities, user installations and refurbishments and assurance of efficient space allocation
- Manage the conference centre and deliver audio-visual and virtual conferencing services
- Provide canteen and catering services
- Allocate workspaces
- Conduct waste management activities
- Coordinate postal and courier services
- Purchase and maintain office supplies

- **ICT**

#### **ICT infrastructure maintenance and support services**

- ICT infrastructure maintenance services: maintain the ICT infrastructure in compliance with the ICT service catalogue and SLA, including infrastructure, communication, connectivity and IT security services
- ICT support services: deliver ICT support services, including user support, incident and change management, identity and access management, training and end-user equipment
- ICT infrastructure and architecture upgrades: develop architectural designs and technical roadmaps and apply patch management on operational ICT systems

#### **ICT governance**

- ICT Service Portfolio Management:
  - o Manage business demand and stakeholders' expectations for ICT services
  - o Develop and monitor multi-annual ICT strategies and plans
  - o Manage risks related to ICT strategies and plans; design and implement business continuity plans
- ICT contributions to new initiatives and external working groups/projects:
  - o Participate in and contribute to a number of EU programmes/projects/platforms in the JHA area, including Unified Message Format (UMF) and SIS
  - o Take an active role in ICT Agencies Coordination (ICTAC) initiatives and JHA interagency ICT collaboration tools
- ICT quality and control
  - o Design ICT policies and procedures; manage access and monitor usage of ICT services
  - o Coordinate security activities in cooperation with ICT Security
  - o Monitor quality of delivered ICT products/services and manage deviations/issues

- Manage IT audits and assessments to ensure compliance with rules, regulations, best practice and quality standards.

**Objective to the Annual Activity 5.1.**  
 Ensure smooth implementation of the organisational changes stemming from the new Regulations on Eurojust and the EPPO

**Actions**

- Finalise the review of Eurojust's internal legal framework and advice on the remaining regulatory and administrative changes stemming from the entry into force of the Eurojust and EPPO Regulations to ensure enhanced and streamlined internal coherence in internal processes.
- Implement all regulatory and administrative changes stemming from the Eurojust and EPPO Regulations in a smooth and timely manner, and ensure adequate resource allocation for this purpose.
- Report regularly to the EU institutions on initiatives to implement the Eurojust and EPPO Regulations.
- Align Eurojust's strategic activities to the Eurojust Regulation and EPPO requirements. Develop and implement Eurojust's strategic activities and ensure alignment to mission and Eurojust Regulation: brainstorming workshop on the strategic vision of Eurojust MAS 2022 – 2027.

**Expected results**

- Reports and contributions to the implementation of the Eurojust Regulation.
- Execution of the action plan for implementation of the Eurojust Regulation.
- Revision of key internal rules and processes in compliance with the Eurojust Regulation.
- Ultimate draft working agreement(s) with the EPPO.
- Development of the strategic activities towards the adoption of the Eurojust Multi-Annual Strategy 2022-2027.

**KPIs**

Indicators	Latest result 2017	Target
Requested input is provided in a timely and comprehensive manner	0	10% increase
Organisational changes implemented by target date	1 Reorganisation of the Administration completed in 2017: 3 new Offices created, 1 new Operational Unit created (from combination of 2 Units)	more than 40%
Tasks carried out for the preparation of the Brainstorming workshop on the strategic vision of EJ MAS 2022 – 2027 by the target dates	2 brainstorming workshops and adoption of MAS 2019-2021	100% completion of preparatory tasks

## Resources

Total FTE (#)	Total FTE (€)	Total BL Expenses (€)	Total FTE+BL Expenses (€)	% Posts Total	% Budget Total
6.24	704,363	-	704.363	2.55%	1.78%

### Objective to the Annual Activity 5.2.

Further strengthen Eurojust's organisational capacity to improve efficiency and flexibility in the deployment of resources with the objective of meeting operational needs and delivering quality services

## Actions

- In the transition period leading to the entry into force of the Eurojust Regulation and the adoption of the working agreement(s) with the EPPO, Eurojust will institute the organisational changes stemming from this new legal framework by refining operational and support processes on a permanent basis. Ensuring that Eurojust's resources are aligned to its operational priorities, including development of the competencies of Eurojust's staff to enhance its operational and strategic capabilities to support Member States, will remain a priority.
- Reinforce Eurojust's regular internal monitoring, evaluation and reporting procedures.
- Regularly review organisational structure.
- Implement Internal Control Standards, in line with the 2017 Commission Internal Control Framework.
- Provide legal advice on the implementation of the Anti-Fraud Strategy and policy on the protection of whistle-blowers.
- Maintain and, if needed, further develop, the ICT tools that help to increase performance of Eurojust post-holders. In 2019, special emphasis will be put on optimising the use of e-tools. The annual work plan for the organisational business processes (OBP) ICT portfolio, to be prioritised by governing boards, includes:
  - Implementation of 1 ePrior module
  - Develop SMT@ Eurojust
  - Overflow of Sysper implementation
  - Introduce ABM in eRec
  - Migrate eMS to web-based application
- Provide staff-oriented initiatives to increase the quality of internal communication and to promote a strong and positive organisational culture.
- Increase overall staff satisfaction by increasing the number of days spent per member of staff on well-being activities.
- Enhance shared services with Europol. Launch of a pilot project on missions services through establishing travel booking services embedded in Europol Travel Sector. In parallel, Eurojust will continue participating in networks, such as the Inter-Agency Legal Network and the various sub-groups of the EU Agencies Network, to harmonise and develop common practice.

## Expected results

- Increase efficiency and effectiveness of internal processes in the organisation.
- Enhance corporate planning and reporting processes by redefining and implementing performance measures and planning and control mechanisms to manage, monitor and review the Administration's activities and resource allocation.

- Enhance compliance and internal controls.
- Maintain sound financial management: effective and efficient management of human resources, IT and physical resources.
- Implement OBP ICT portfolio, leading to increased efficiency and effectiveness of internal processes in the organisation.

### KPIs

Indicators	Latest result 2017	Target
Targeted budget and finance processes reviewed	100%	90%
Budget implementation	100%	more than 98%
Vacancy rate	2.8%	2%
Well-being activities for staff	0.24 days/staff member	0.40 days/staff member
Percentage of high level risks identified in the IAS risk assessment	9%	less than 5%
Number of critical & important recommendations made by IAS	N/A	less than 2%
Level of implementation of IAS recommendations	N/A	100%
Annual portfolio work plan	100%	100%
Projects have a detailed project plan specifying timelines, milestones and resources	100%	100%
For IM projects, no examples of agreed milestones are not achieved or revised within the standard acceptable tolerances of 10% in budget and 20 working days in the critical path		0%
% satisfaction feedback with internal communications	n/a	

### Resources

Total FTE (#)	Total FTE (€)	Total BL Expenses (€)	Total FTE+BL Expenses (€)	% Posts Total	% Budget Total
24.05	2,633,107	847,211	3,480,319	9.82%	8.79%

**ANNUAL ACTIVITY 6****Further invest in developing a solid reputation based on operational and strategic results and on the trust of Member States****Overview**

To strengthen the relationship with European citizens, national practitioners and institutional stakeholders, Eurojust will further invest and reaffirm its reputation and central role in supporting the Member States when dealing with serious cross border organised crime.

Within this context, Eurojust will **enhance internal and external communication** and continue to implement initiatives that improve the communication response mechanisms in times of crisis. Eurojust will promote its operational and strategic roles via media exposure and joint outreach activities with key stakeholders.

Eurojust will **continue to retain and manage casework-related knowledge and institutional memory** and increase its ability to efficiently and effectively improve knowledge-sharing.

Recurring actions taken to achieve these goals include:

- **External communication**
  - Maintain and expand Eurojust's media contacts and public relations
  - Maintain and develop Eurojust's website
  - Support high-level visits and organise high-level events
  - Support awareness-raising activities in Member States and third States
  - Support the Member States in organising EJM regional and national meetings with the support of the EJM Secretariat
  - Organise VIP and study visits
- **Internal communication**
  - Provide training and advice on internal communication to management
  - Maintain and develop internal communication tools
  - Support the organisation of staff and managerial events
- **Manage and provide information resources**
  - Manage the physical and online library and provide related services
  - Set up and manage repositories of legal documents and databases
  - Maintain Eurojust's historical archives
  - Support the building of internal knowledge capital of Eurojust staff

**Objective to the Annual Activity 6.1.**

Increase Eurojust's ability to effectively communicate with European citizens and institutional partners and to promote the added value of the European reaction against serious cross-border crime and crisis situations

**Actions**

- Promote the added value of Eurojust's operational tools (particularly coordination meetings, coordination centres and JITs) to EU stakeholders and partners and national authorities of the Member States.
- Continue to develop Eurojust products for external publication, e.g. case illustrations for the Eurojust Annual Report 2018 as well as general awareness-raising of Eurojust's achievements.

- Continue to develop Eurojust's external website and other outreach tools.
- Provide information to EU citizens on the added value of Eurojust in fighting serious cross-border organised crime.
- Consolidate Eurojust's partnership in the field of corporate communications with stakeholders.

### Expected results

- Increased efficiency and effectiveness of external communication.
- Improved media exposure.
- Ensured effective communication and relations with internal and external stakeholders.

### KPIs

Indicators	Latest result 2017	Target
Number of case illustrations published	40	10% increase
Eurojust web exposure (total number of visits)*	448,136 <sup>10</sup>	10% increase
Number of communications distributed via the dedicated distribution lists to key stakeholders	116	10% increase
Number of meetings held with key stakeholders to promote Eurojust	320 <sup>11</sup>	reach 90% identified key stakeholders
Number of joint outreach activities with key stakeholders to promote Eurojust	11	10% increase

### Resources

Total FTE (#)	Total FTE (€)	Total BL Expenses (€)	Total FTE+BL Expenses (€)	% Posts Total	% Budget Total
10.45	1,006,469	548,464	1,554,933	4.26%	3.93%

### Objective to the Annual Activity 6.2.

Continue to ensure organisational knowledge retention

### Actions

- Finalise the integration of knowledge management in Eurojust internal processes
- Continuously update the databases of lessons learned from individual cases (with input from CIF, JIT evaluation forms and other data retention tools) to facilitate the sharing of knowledge and enable all Eurojust users to access the expertise gathered over the years
- Contribute to retaining and managing Eurojust's casework-related knowledge and institutional memory by the continuous development and input into the Knowledge Management Interface (KMI) and training and development of this tool

<sup>10</sup> A visit is defined as a series of actions from the moment a visitor arrives at the website to when the visitor exits the website or is inactive for 30 minutes or more.

<sup>11</sup> These figures only relate to meetings outside The Hague.

- Set up the internal archive (records management), including training and user guides, to implement the newly adopted archive and retention policy.

### Expected results

- Improved knowledge management and sharing. Knowledge management is integrated in Eurojust's internal processes.
- Increased knowledge retention by increased use of Knowledge Management Interface.
- Improved high-quality expertise delivered to Member States.
- The internal archive is set up.

### KPIs

Indicators	Latest result 2017	Target
% of Eurojust products timely included in KMI	45%	95%
A structured archive in place, in line with the retention policy	n/a	100% of agreed milestones implemented

### Resources

Total FTE (#)	Total FTE (€)	Total BL Expenses (€)	Total FTE+BL Expenses (€)	% Posts Total	% Budget Total
1.68	154,788	367,246	522,03	0.69%	1.32%



## Annexes

### I. Resource allocation per Activity

The following tables present the distribution of FTE (in number and in costs) and (BL) expenses per MASO and SAA for the period 2019-2021 and per OAA for 2019, after proportionately redistributing the horizontal support costs.

These costs are divided over the MASOs, SAAs and OAAs using the same indication applied in the budget assumptions for the work of the non-statutory staff, being: 70% for MASO 1; 20% for MASO 2 and 10% for MASO 3 and then pro-rated based on the number of FTE's and the BL expenses planned directly under each MASO, SAA or OAA.

Resources per 2019-2021 MASO and SAA	Total FTE (#)	Total FTE (€)	Total Expenses (€)	Total FTE + Expenses (€)	% Posts Total	% Budget Total
<b>MASO 1 - CASEWORK</b>						
SAA 1.a - Provide quick and qualitative support to competent authorities	139.89	12,021,243	12,089,380	23,886,951	57.10 %	60.30 %
SAA 1.b - Reinforce operational cooperation with key partners	28.10	2,468,981	1,205,161	3,892,084	11.47 %	9.83 %
<b>Total for MASO 1</b>	<b>167.99</b>	<b>14,490,224</b>	<b>13,294,541</b>	<b>27,779,036</b>	<b>68.57 %</b>	<b>70.12 %</b>
<b>MASO 2 - POLICY WORK</b>						
SAA 2.a - Contribute to the EU internal security strategy and to measures concerning judicial cooperation in criminal matters	16.43	1,890,090	578,807	2,021,337	6.71 %	5.10 %
SAA 2.b - Reinforce strategic cooperation with key partners	18.15	1,319,869	1,784,550	3,551,979	7.41 %	8.97 %
<b>Total for MASO 2</b>	<b>34.58</b>	<b>3,209,959</b>	<b>2,363,357</b>	<b>5,573,316</b>	<b>14.12 %</b>	<b>14.07 %</b>
<b>MASO 3 - ORGANISATIONAL DEVELOPMENTS</b>						
SAA 3.a - Ensure effective organisational structure and processes	30.29	3,337,470	712,189	4,045,969	12.36 %	10.21 %
SAA 3.b - Ensure excellent communication capacities	12.13	1,161,257	1,050,733	2,215,680	4.95 %	5.59 %
<b>Total for MASO 3</b>	<b>42.42</b>	<b>4,498,727</b>	<b>1,762,922</b>	<b>6,261,649</b>	<b>17.32 %</b>	<b>15.81 %</b>
<b>Total</b>	<b>245.00</b>	<b>22,193,181</b>	<b>17,420,819</b>	<b>39,614,000</b>	<b>100%</b>	<b>100%</b>

Resources per 2019-2021 MASO and 2019 OAA	Total FTE (#)	Total FTE (€)	Total BL Expenses (€)	Total FTE + BL Expenses (€)	% Posts Total	% Budget Total
<b>MASO 1 - CASEWORK</b>						
OAA 1.1 - Keep encouraging referral to more complex cross-border crime cases, by offering comprehensive and tailor-made operational and legal expertise and reinforcing the sharing of experience and best	118.05	10,037,696	10,281,190	20,318,886	48.18%	51.29%
OAA 1.2 - Enhance Eurojust capabilities to process and analyse substantial case-related information, in particular in key crime areas and especially by enhancing the CMS	21.30	1,926,783	2,172,703	4,099,486	8.69%	10.35%
OAA 1.3 - Explore a more operational role for the ENCS in MSs	0.55	56,764	-	56,764	0.22%	0.14%
<b>Total for SAA 1.a/AA1</b>	<b>139.89</b>	<b>12,021,243</b>	<b>12,453,893</b>	<b>24,475,136</b>	<b>57.10 %</b>	<b>61.78 %</b>
OAA 2.1 - Further develop operational cooperation with JHA Agencies, Europol and FRONTEX in particular, to provide a European multidisciplinary response to criminal and crisis phenomena	5.58	450,472	-	450,472	2.28%	1.14%
OAA 2.2 - Continue to explore synergies and the operational involvement of existing networks	19.69	1,730,409	1,154,577	2,884,986	8.04%	7.28%
OAA 2.3 - Continue to develop operational cooperation with third States, including through use of Eurojust contact points	2.83	288,099	-	288,099	1.16%	0.73%
<b>Total for SAA 1.b/AA2</b>	<b>28.10</b>	<b>2,468,981</b>	<b>1,154,577</b>	<b>3,623,558</b>	<b>11.47 %</b>	<b>9.15 %</b>
<b>Total for MASO 1</b>	<b>167.99</b>	<b>14,490,224</b>	<b>13,294,541</b>	<b>27,779,036</b>	<b>68.57%</b>	<b>70.12 %</b>
<b>MASO 2 - POLICY WORK</b>						
OAA 3.1 - Reinforce strategic contribution in priority crime areas and instruments of judicial cooperation	9.02	1,036,233	486,102	1,522,335	3.68%	3.84%
OAA 3.2 - Active promotion of the judicial and prosecutorial dimension of the fight against serious cross-border crime in the EU by regular reporting to stakeholders	7.41	853,857	-	853,857	3.02%	2.16%
<b>Total for SAA 2.a/AA3</b>	<b>16.43</b>	<b>1,890,090</b>	<b>486,102</b>	<b>2,376,192</b>	<b>6.71 %</b>	<b>6.00 %</b>
OAA 4.1 - Reinforce strategic cooperation with a view of increasing synergies with the EU Institutions and relevant JHA Agencies and bodies (in particular Europol, Frontex and EEAS) and strategic relations with other EU agencies or bodies and international organisations closely related to Eurojust's field of work	5.66	423,127	-	423,127	2.31%	1.07%
OAA 4.2 - Further explore the strategic involvement of the existing networks and contact points especially in the identification and sharing of best practices	12.50	896,742	1,877,255	2,773,997	5.10%	7.00%
<b>Total for SAA 2.b/AA4</b>	<b>18.15</b>	<b>1,319,869</b>	<b>1,877,255</b>	<b>3,197,124</b>	<b>7.41 %</b>	<b>8.07 %</b>
<b>Total for MASO 2</b>	<b>34.58</b>	<b>3,209,959</b>	<b>2,363,357</b>	<b>5,573,316</b>	<b>14.12%</b>	<b>14.07 %</b>
<b>MASO 3 - ORGANISATIONAL DEVELOPMENTS</b>						
OAA 5.1 - Ensure smooth implementation of the organisational changes stemming from the new Regulations on Eurojust and EPPO	6.24	704,363	-	704,363	2.55%	1.78%
OAA 5.2 - Further strengthen Eurojust's organisational capacity to improve efficiency and flexibility in the deployment of resources with the aim of meeting operational needs and deliver quality services	24.05	2,633,107	847,211	3,480,319	9.82%	8.79%
<b>Total for SAA 3.a/AA5</b>	<b>30.29</b>	<b>3,337,470</b>	<b>847,211</b>	<b>4,184,682</b>	<b>12.36 %</b>	<b>10.56 %</b>
OAA 6.1 - Increase Eurojust's ability to effectively communicate with European citizens and institutional partners and to promote the added value of the European reaction against serious cross-border crime and crisis situations	10.45	1,006,469	548,464	1,554,933	4.26%	3.93%
OAA 6.2 - Continue to ensure organisational knowledge retention	1.68	154,788	367,246	522,034	0.69%	1.32%
<b>Total for SAA 3.b /AA6</b>	<b>12.13</b>	<b>1,161,257</b>	<b>915,710</b>	<b>2,076,967</b>	<b>4.95 %</b>	<b>5.24 %</b>
<b>Total for MASO 3</b>	<b>42.42</b>	<b>4,498,727</b>	<b>1,762,922</b>	<b>6,261,649</b>	<b>17.32%</b>	<b>15.81 %</b>
<b>Total</b>	<b>245</b>	<b>22,193,181</b>	<b>17,420,819</b>	<b>39,614,000</b>	<b>100%</b>	<b>100 %</b>

### I-A. Overview of requests to Eurojust in main EU Strategic Documents

EU DOCUMENTS	REQUESTS TO EUROJUST Operational work	REQUESTS TO EUROJUST Policy work	Approved by the College Yes/No
<b>CRIME AREAS</b>			
<b>TERRORISM</b>			
<p><b>The European Agenda on Security</b>  <b>Doc. 8293/15</b>  <b>COM(2015) 185 final,</b>  <b>28.4.2015</b>  <a href="http://ec.europa.eu/dgs/home-affairs/e-library/documents/basic-documents/docs/eu_agenda_on_security_en.pdf">http://ec.europa.eu/dgs/home-affairs/e-library/documents/basic-documents/docs/eu_agenda_on_security_en.pdf</a></p>	<ul style="list-style-type: none"> <li>Offer more expertise and assistance to financial investigations [link to smuggling of migrants investigations]</li> </ul> <p>Priorities:</p> <ul style="list-style-type: none"> <li>Terrorism</li> <li>Cybercrime</li> <li>Organised crime</li> </ul>	<ul style="list-style-type: none"> <li>Be <u>fully involved</u> in the activities of the <b>European Counter Terrorism Centre (ECTC)</b> at Europol to improve coordination of investigations and prosecutions. Eurojust has recruited a specialised counter-terrorism prosecutor to be temporarily placed at the ECTC.</li> </ul>	Yes
<p><b>Council Conclusions on the criminal justice response to radicalisation leading to terrorism and violent extremism</b> Doc. 14192/1/15 REV1, 18.11.2015</p> <p>LIMITE</p>		<ul style="list-style-type: none"> <li>Provide EJTN and CEPOL with <u>expertise</u> to support MSs with a <b>variety of training</b> for the whole chain of criminal justice actors dealing with terrorism</li> <li>Continue <u>monitoring trends and developments</u>, by use of its <b>Terrorism Conviction Monitor (TCM)</b>, of the applicable <u>legislative framework</u> and relevant <u>jurisprudence</u> in the Member States as regards terrorism and violent radicalisation, including <u>the use of alternatives to prosecution and detention</u></li> </ul>	Yes          ?



		<ul style="list-style-type: none"> <li>Foster (with RAN, EJTN, Europol CEP and Europris) the exchange of <u>national practices and the lessons learnt</u> on the <b>criminal justice response to radicalisation</b> leading to terrorism and violent extremism. Since July 2017, Eurojust is represented at the High-Level Commission Expert Group on Radicalisation (HLCEG-R).</li> </ul>	
<p><b>Renewed EU Internal Security Strategy and counter terrorism Implementation Paper: first half of 2017</b></p> <p><i>Doc. 5645/2/17 REV 2 COR 1 of 13 March 2017</i></p>		<ul style="list-style-type: none"> <li>Establish an “<b>EU network of cyber officers at Eurojust.</b>”</li> </ul> <p>Eurojust and the European Judicial Network are invited to contribute to the discussions at the COPEN meetings where initiatives relating to mutual legal assistance in criminal proceedings, the surrender and transfer of sentenced persons, the enforcement of judicial decisions are examined.</p> <p>Ways of improving information exchange between JHA agencies, including ways to improve Member States' data supply to the JHA Agencies, as described in the Roadmap on information exchange, will be discussed at COSI with a view to deepening the cooperation between JHA Agencies.</p> <p>With regards to the Eight Round of Mutual Evaluation on Environmental Crime, Member States, Institutions and Agencies will be invited to share their views on a questionnaire which is expected to be adopted by June 2017</p>	<p>Yes</p>
<p><b>Roadmap to enhance information exchange and information management including interoperability solutions in the Justice and Home Affairs area: Update</b></p>		<p>Under CHAPTER 2: INFORMATION MANAGEMENT AND EXCHANGE IN THE AREA OF LAW ENFORCEMENT AND OF JUDICIAL COOPERATION</p> <p>Theme 1: Better information management, access to information, data quality and data protection (E) mentioned among primary responsible parties under</p>	



<p><b>following Council conclusions on interoperability</b></p> <p>12223/17 LIMITE, 21 September 2017</p>		<p>“Enhance data quality” and as a stake-holder in others).</p> <p>Theme 2: Stronger cross-border cooperation and improving information exchange (EJ mentioned among primary responsible parties under “Improve the sharing of criminal records, particularly relating to terrorism convictions” and as a stake-holder in others).</p> <p>Theme 3: Strengthening EU agencies and improving the use of EU information systems (EJ mentioned among primary responsible parties under “Enhance the coordination and monitoring capabilities of Eurojust members” and as a stakeholder in others). In addition, College of Eurojust responsible for monitoring of “Improve the information potential of EU agencies; Increase the data supply to Europol and Eurojust as well as systematic sharing of cases as appropriate” and “Enhance the coordination and monitoring capabilities of Eurojust Members; Enable the setting up and connection of the members of the Eurojust National Coordination System (ENCS) to the Eurojust’s Case Management System (CMS)”</p> <p>Under CHAPTER 3: STRENGTHEN INFORMATION MANAGEMENT IN THE AREA OF COUNTER-TERRORISM</p> <p>Theme 1: Improving the use of SIS (EJ mentioned among stake-holders under “Ensure structural information to SIRENE Bureaux and SIS end users on persons involved in terrorism or terrorism related activity as well as additional information on criminal records).</p> <p>Theme 2: Improving the use of other EU and of international instruments (EJ mentioned among primary responsible parties under “Ensure that Member States are informed on all prosecutions and convictions on terrorist offences in the EU; Transmit to Eurojust information on all prosecutions and convictions on terrorist offences).</p>	
---	--	--	--

<p><b>Enhancing security in a world of mobility: improved information exchange in the fight against terrorism and stronger external borders</b></p> <p>COM(2016) 602 final, 14.9.2016</p> <p><a href="http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-security/legislative-documents/docs/20160914/enhancing_security_in_a_world_of_mobility_en.pdf">http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-security/legislative-documents/docs/20160914/enhancing_security_in_a_world_of_mobility_en.pdf</a></p>	<ul style="list-style-type: none"> <li>The European Border and Coast Guard will [...] work with other EU agencies such as Europol and <b>Eurojust</b> to prevent and detect cross-border crime such as migrant smuggling, trafficking in human beings and terrorism</li> </ul> <p><b>Ongoing</b></p>		
<p><b>Internal and external dimensions of the CT/CVE policies in the context of the Global Strategy and the Security Union</b></p> <p>13683/17 LIMITE 30.10.2017</p>		<ul style="list-style-type: none"> <li>Enhanced information exchange and cooperation in the following actions:</li> </ul> <p>The contribution of JHA Agencies (in particular Europol, Frontex, CEPOL and <b>Eurojust</b>) in ensuring better synergies between the internal and external aspects of CT should be further explored. This includes their closer interaction and exchange with the EU CT experts, in areas such as preservation of battle-field evidence for subsequent criminal investigations in Member States and their increased involvement in cooperation with priority partner countries;</p> <p>A national liaison magistrate could be invited to represent <b>Eurojust</b> in a pilot country and evaluate the outcome.</p>	<p>No</p>

<p>- <b>Council doc. 12347/1/17 REV1 of 21 September 2017 (EU RESTRICTED) ‘Strengthening military, law enforcement and judicial information exchange in counter-terrorism’;</b></p> <p>- <b>Council working document WK 9396/2017 REV1 of 15 September 2017 ‘EEAS non-paper on enhancing cooperation between CSDP Missions/Operations and JHA Agencies’;</b></p> <p>- <b>Council doc. 10880/17 of 11 July 2017 ‘Strengthening military, law enforcement and judicial information exchange in counter-terrorism’.</b></p>		<ul style="list-style-type: none"> <li>• Participate in the policy debate at PSC and COSI level;</li> <li>• Contribute to the preparatory document (10880/17);</li> <li>• Contribute with actions as described in document 12347/1/17 REV1 in relation to the use of data from CSDP missions and utilisation of battlefield information (<i>Eurojust Memorandum on Battlefield Evidence</i> published as a Council document WK 12876/2018 INIT of 25 October 2018)</li> </ul>	
<p><b>Council doc. 12299/17 + 12356/17 (RESTREINT UE/EU RESTRICTED) EU-Ukraine internal security cooperation</b></p>		<ul style="list-style-type: none"> <li>• Participate in the policy debate at PSC and COSI level;</li> <li>• Contribute to the document to insert the Eurojust role in EU-Ukraine internal security cooperation</li> <li>• Contribute to the document in view of maintaining independence of JHA Agencies vis-à-vis the envisaged coordination role of the SGUA.</li> </ul>	

<p><b>Doc. 11803/17 ‘Fight against terrorism’</b></p>		<ul style="list-style-type: none"> <li>The cooperation between the CSDP missions and JHA actors, including EU JHA agencies, should be further enhanced. The JHA agencies together with the Commission, the EEAS and other relevant actors, should consider developing a model for dedicated crime information cells that could in the future be embedded in relevant CSDP missions and operations</li> </ul>	
<p><b>European Parliament resolution of 12 December 2018 on findings and recommendations of the Special Committee on Terrorism (2018/2044(INI))</b></p>	<p>- Welcomes the Paris Declaration of 5 November 2018 on the creation of a European Judicial Counter-Terrorism Register at Eurojust; <b>calls for the immediate creation of such a register at Eurojust</b> based on Council Decision 2005/671/JHA, amended by Directive (EU) 2017/541 on combating terrorism, with adequate financial and human resources;  <u>Background on the European Judicial CT register:</u> In a <u>joint statement</u> of 20 June 2018, France, Germany, Spain and Belgium called for ‘reinforcement of the availability and sharing of information’ and supported the creation of a <i>European Judicial Counter Terrorism Register</i> at Eurojust so that information</p>	<ul style="list-style-type: none"> <li>Calls on Eurojust to continue its work in <u>monitoring the jurisprudence</u> in Member States as regards <u>radicalisation</u> leading to terrorism, including the use of alternatives to prosecution and detention, and to report regularly in its Terrorism Convictions Monitor (TCM); calls on the Member States, to this end, to <u>transmit to Eurojust</u> all relevant information on prosecutions and convictions for terrorist offences that affect or may affect two or more Member States;</li> <li>Calls on Eurojust to continue enlarging <u>its network of contact points in third countries</u>, and encourages the posting to Eurojust of more liaison prosecutors, for example from the Western Balkans.</li> </ul>	



about current investigations and convictions for terrorist offences within the European Union is collected at European level. The enhanced sharing of information and the idea of the European Judicial Counter Terrorism Register were discussed further in a meeting of the Ministers of Justice of Belgium, France, Germany, Italy, Luxembourg, the Netherlands and Spain, held in Paris on 5 November 2018. The Ministers undertook to 'fully implement the Council Decision 2005/671/JHA' and confirmed their willingness to 'strengthen the availability and sharing of information held by the national judicial authorities in connection with terrorist cases, by establishing a type of European judicial register for counter terrorist information that is based on Eurojust's existing case management system'. The idea of setting up the Register was supported in a Resolution of the European Parliament of 12 December 2018 and by the Consultative Forum of Prosecutors General and Directors of Public

	<p>Prosecutions.</p> <ul style="list-style-type: none"><li>- Calls on the Member States to systematically <u>involve Eurojust</u> in their counter-terrorism <u>investigations and prosecutions</u> with a cross-border dimension and make efficient use of Eurojust's coordination tools;</li><li>- Calls on the Member States to make full use of the expertise and tools offered by Eurojust and the EJN, particularly in providing practical and legal information and support for MLA requests and assistance with mutual recognition requests, coordination of investigations and prosecutions, decisions on the best placed jurisdiction to prosecute, and coordination of asset seizures and confiscations;</li><li>- Calls for the use of JITs in the event of terrorist attacks; further calls for the participation of Europol and Eurojust in these JITs, as this means better use of the resources and capabilities provided by the EU agencies; calls for improved and easily</li></ul>		
--	---	--	--

	accessible funding to be provided for these JITs.		
<b>THB</b>			
<p><b>EU Strategy towards the Eradication of THB 2012-2016</b><sup>12</sup></p> <p>Doc. 11780/12, 25.6.2012</p> <p><a href="https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/eu_strategy_towards_the_eradication_of_trafficking_in_human_beings_2012-2016_1.pdf">https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/eu_strategy_towards_the_eradication_of_trafficking_in_human_beings_2012-2016_1.pdf</a></p>	<ul style="list-style-type: none"> <li>Assist in ensuring proactive <b>financial investigation in THB cases.</b></li> <li>Assist in increasing <b>judicial cooperation in THB cases.</b></li> <li>EU agencies should <b>actively share information</b> among themselves and with Member States.</li> </ul>	<ul style="list-style-type: none"> <li>Implement with support from MSs the <b>Eurojust Action Plan against THB.</b></li> <li>Implement the <b>joint statement of JHA Agencies</b> signed on the 5<sup>th</sup> EU Anti-Trafficking Day of 18 October 2011.</li> </ul>	No
<p><b>Conclusions of the Council of the European Union and of the Member States meeting within the Council on addressing THB for labour exploitation</b></p> <p>9938/16, 9.6.2016</p> <p><a href="http://data.consilium.europa.eu/doc/document/ST-9938-2016-INIT/en/pdf">http://data.consilium.europa.eu/doc/document/ST-9938-2016-INIT/en/pdf</a></p>	<ul style="list-style-type: none"> <li><b>Continue to assist Member States</b> in the coordination of judicial cross-border cooperation against THB for labour exploitation</li> </ul> <p>Contribute to strengthening Member States' joint capacity in this area, including by increasing the number of cases of investigations and prosecutions into THB for labour exploitation.</p>		

<sup>12</sup> On 20<sup>th</sup> October 2017, the EU Anti-Trafficking Coordinator indicated that the Commission will publish its priority actions to address THB "next month".

<b>MIGRANT SMUGGLING</b>			
<p><b>Enhancing the response to migrant smuggling networks: a comprehensive and operational set of measures</b></p> <p>14576/1/18</p>	<ul style="list-style-type: none"> <li>• Eurojust to continue facilitating the networking of practitioners to foster the exchange of best practice, identify challenges and lessons learned in investigating and prosecuting migrant smuggling cases, including by considering the necessity to set up a prosecutors network to that end.</li> <li>• Eurojust (and others) should further increase their efforts to disrupt OCGs that facilitate illegal immigration.</li> <li>• Frontex and CEPOL, with the support of Europol, Eurojust and eu-LISA, if relevant, to develop <b>tailored training programmes</b> for the needs of border control units, consular offices and other</li> </ul>	<ul style="list-style-type: none"> <li>▪ Deepen the integration and streamline the tasks of the current partners to the ICH and involve new partners in a step-by-step approach.</li> <li>▪ Strengthen Europol's and Eurojust's capacity to support financial investigations and asset recovery in the MSs with relevant expertise and technical support.</li> <li>▪ Ensure stronger involvement of Eurojust in the relevant EMPACT OAPs, as well as enhance the role of the Eurojust Contact Points to the relevant Analysis Projects.</li> <li>▪ Member States to actively seek Eurojust's support in migrant smuggling cases, using the full spectrum of judicial cooperation tools available.</li> <li>▪ Develop and promote among practitioners the standard use of Eurojust's tailor-made model for JIT agreements to speed up the setting up of JITs in migrant smuggling cases.</li> <li>▪ Eurojust to continue facilitating the networking of practitioners to foster the exchange of best practice, identify challenges and lessons learned in investigation and prosecution of migrant smuggling cases, including by considering the necessity to set up a prosecutors network to that end.</li> </ul> <p>Frontex and CEPOL, with the support of Europol, Eurojust and eu-LISA, if relevant, to develop tailored training programmes for the needs of border control units, consular offices and other relevant services.</p>	<p>Yes</p>

	<p>relevant services.</p> <ul style="list-style-type: none"> <li>• Eurojust should identify any obstacles that might be detrimental to more effective financial investigations in the course of prosecutions.</li> </ul>		
<p><b>European Agenda on Migration</b>  <i>Doc. 8961/15 COM(2015) 240 final, 13.5.2015</i>  <a href="http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/docs/communication_on_the_european_agenda_on_migration_en.pdf">http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/docs/communication_on_the_european_agenda_on_migration_en.pdf</a></p>	<ul style="list-style-type: none"> <li>• Pool and better <b>use information to identify and target smugglers</b></li> <li>• Provide <b>on-the-spot operational and information support</b> to the frontline states</li> <li>• Help <b>identify smugglers, investigate them, prosecute them, freeze and confiscate their assets</b></li> <li>• Assist actions against <b>money laundering</b> connected to migrant smuggling</li> </ul>	<ul style="list-style-type: none"> <li>• Participate in <b>hotspots</b><sup>13</sup></li> </ul>	<p>Yes</p>

<sup>13</sup> . EU agencies are mentioned in the Note dated 7 March 2017 (Ref. 6717/17 'Security checks in case of irregular immigration – mapping exercise' in relation to hotspots; see point 14 on page 5. The document is Limite and hence not reproduced here.

<p><b>EU Action Plan against migrant smuggling (2015-2020)</b>  <a href="http://ec.europa.eu/dgs/home-affairs/e-library/documents/policies/asylum/general/docs/eu_action_plan_against_migrant_smuggling_en.pdf">http://ec.europa.eu/dgs/home-affairs/e-library/documents/policies/asylum/general/docs/eu_action_plan_against_migrant_smuggling_en.pdf</a>            COM(2015) 285 final,            27.5.2015            Doc. 9345/15</p>	<ul style="list-style-type: none"> <li>• MSs, Eurojust and other relevant EU Agencies to strengthen <b>operational cooperation</b> and <b>information exchange</b></li> <li>• Support for <b>mutual legal assistance</b> in criminal matters.</li> </ul>	<ul style="list-style-type: none"> <li>• Participate in the <b>Contact Group of EU agencies</b> on migrant smuggling.</li> <li>• Set up a <b>thematic group on migrant smuggling</b>.</li> <li>• Facilitate the exchange of best practice and identify challenges regarding the collection and use of <b>e-evidence</b> in investigations and prosecutions related to migrant <u>smuggling</u>.</li> <li>• Facilitate co-operation with <b>third States</b></li> <li>• <b>Finance JITs</b> on migrant smuggling</li> </ul>	<p>Yes  <i>Part of EJ's operational work</i></p> <p>Yes  <i>The general JIT funding rules apply</i></p>
<p><b>Council conclusions on measures to handle the refugee and migration crisis</b>            Doc. 13880/15, 9.11.2015  <a href="http://www.consilium.europa.eu/press-releases-pdf/2015/11/40802204716_en.pdf">http://www.consilium.europa.eu/press-releases-pdf/2015/11/40802204716_en.pdf</a></p>		<ul style="list-style-type: none"> <li>• 'Closely cooperate' with the <b>European Migrant Smuggling Centre</b> (EMSC) at Europol</li> </ul>	<p>Yes</p>
<b>FIREARMS AND EXPLOSIVES</b>			
<p><b>EU action plan against illicit trafficking in and use of firearms and explosives</b>            COM(2015) 624</p>		<ul style="list-style-type: none"> <li>• <b>Security dialogues</b> with key partner countries and organisations - to also lead, whenever relevant, to <b>specific joint action plans on firearms</b> and where possible also explosives, including EU agencies such as Europol, <b>Eurojust</b> and CEPOL</li> </ul>	<p>No</p>

<p>final,2.12.2015  <a href="http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-security/legislative-documents/docs/20151202_communication_firearms_and_the_security_of_the_eu_en.pdf">http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-security/legislative-documents/docs/20151202_communication_firearms_and_the_security_of_the_eu_en.pdf</a></p>			
<b>ENVIRONMENTAL CRIME</b>			
<p><b>EU Action Plan against Wildlife Trafficking 2016-2020</b>          COM(2016) 87 final, 26.2.2016  <a href="http://ec.europa.eu/environment/cites/pdf/WAP_EN_WEB.PDF">http://ec.europa.eu/environment/cites/pdf/WAP_EN_WEB.PDF</a></p>	<ul style="list-style-type: none"> <li>• Improve <b>cooperation</b> among Member States on cases of <b>cross-border wildlife trafficking</b></li> <li>• <b>Regular joint operations</b> involving cross-border cooperation carried out by EU Member States</li> <li>• <b>Joint Investigation Teams</b> involving Europol and/or Eurojust</li> </ul>	<ul style="list-style-type: none"> <li>• Sufficient resources earmarked in Europol and <b>Eurojust</b> for work on wildlife trafficking</li> </ul>	<i>No</i>
<p><b>Discussion Paper on Countering Environmental Crime</b>          12297/16 LIMITE, 27.9.2016</p>	<ul style="list-style-type: none"> <li>• <b>Eurojust should encourage and support</b> the establishment of joint investigation teams in the field of investigating environmental crime,</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Eurojust should:</b> <ul style="list-style-type: none"> <li>- support the specialisation of prosecutors and judges in the field of environmental crime in Member States,</li> <li>- establish the network of prosecutors and judges specialised in the field of fight against environmental crime in order to share experience and knowledge between the Member States,</li> </ul> </li> </ul>	<i>No</i>

<p><b>Council Conclusions on countering environmental crime - Council conclusions (8 December 2016)</b></p> <p>15412/16 12.12.2016</p>	<ul style="list-style-type: none"> <li>• EUROJUST to encourage and if necessary support the establishment of joint investigation teams as well as the sharing and exchange of information in the field of investigating environmental crime;</li> </ul>		
<p><b>8th round of mutual evaluations: Joint Action of 5 December 1997 adopted by the Council establishing a mechanism for evaluating the application and implementation at national level of international undertakings in the fight against organised crime and specific implementing Council acts</b></p> <p><b>Eighth round of mutual evaluations - Questionnaire (final)</b></p> <p>Doc. 8919/1/17 REV1 of 30.05.2017</p> <p><b>Eighth round of mutual</b></p>		<ul style="list-style-type: none"> <li>• The College acknowledged that environmental crime is one of the EU priorities in the fight against organised and serious international crime for 2018-2021;</li> <li>• The College decided that, due to budgetary and human resources constraints, EJ will not be in a position to participate as an observer in the on-site evaluation visits taking place in the context of the 8th Round of Mutual Evaluations; however, Eurojust provides written contributions aimed at assisting in the preparation of the evaluation visits.</li> <li>• The results of the 8th Round shall be monitored and analysed with the support of the EJ Contact Point on environmental crime.</li> <li>• The EJ Contact Point on environmental crime will provide the visiting team with questions for each MS relating to EJ's role in combatting environmental crime, drafted on the basis of EJ's cases.</li> </ul>	<p><i>Decision at the extraordinary operational mtg of the College on 27 June 2017</i></p>



<p><b>evaluations - Order of visits</b></p> <p>Doc.7834/2/17 REV2 of 31.05.2017</p>			
<b>CYBERCRIME</b>			
<p><b>Conclusions of the Council of the European Union on the European Judicial Cybercrime Network</b></p> <p>10025/16, 9.6.2016</p> <p><a href="http://data.consilium.europa.eu/doc/document/ST-10025-2016-INIT/en/pdf">http://data.consilium.europa.eu/doc/document/ST-10025-2016-INIT/en/pdf</a></p>		<ul style="list-style-type: none"> <li>• The Network should meet regularly depending on the needs of the members, in principle twice a year, hosted by <b>Eurojust</b></li> <li>• <b>Eurojust</b> will provide the support required for the tasks [of the Network] set out in point 3, ensuring alignment with the work of the European Judicial Network and in relation to the e-Justice portal.</li> <li>• The Council will assess the functioning of the Network on the basis of a report drawn up by <b>Eurojust</b> after completion of the first two-year work programme.</li> </ul>	<p><i>A BN is prepared by the OoP to determine the support to the EJCN</i></p>
<p><b>Council Conclusions on improving criminal justice in cyberspace of 9 June 2016</b></p> <p><a href="http://www.consilium.europa.eu/en/press/press-releases/2016/06/09-criminal-activities-cyberspace/">http://www.consilium.europa.eu/en/press/press-releases/2016/06/09-criminal-activities-cyberspace/</a></p>	<ul style="list-style-type: none"> <li>• <b>Support the Commission</b> (together with MS, third States, other JHA actors depending on the actions) in the following: <ul style="list-style-type: none"> <li>• Consider and make recommendations on how to adapt, where appropriate, existing standardised forms and procedures to request the securing and obtaining of e-</li> </ul> </li> </ul>		

	<p>evidence.</p> <ul style="list-style-type: none"> <li>• Develop, while using where appropriate, existing electronic tools, and while respecting competences and channels of communication under existing legal frameworks.</li> <li>• Explore possibilities for a common EU approach on enforcement jurisdiction in cyberspace in situations where existing frameworks are not sufficient.</li> </ul>		
<p><b>Final Report on the 7th round of mutual evaluations on "The practical implementation and operation of the European polices on prevention and combating cybercrime"</b>            ST12711/1/17, 9.10.2017  <a href="http://data.consilium.europa.eu/doc/document/ST-12711-2017-INIT/en/pdf">http://data.consilium.europa.eu/doc/document/ST-12711-2017-INIT/en/pdf</a></p>	<p><b>Eurojust</b> should continue to support and facilitate the setting up of JITs and make available adequate funding to help Member States to use them more frequently.</p>	<p><b>Eurojust</b>, Europol and ENISA should consider raising awareness of their services and the existing possibilities for cooperation and specialised training that they offer in the area of cybercrime and actively supporting events that strengthen international cooperation with regard to combating cybercrime.</p> <ul style="list-style-type: none"> <li>• The Member States and the <b>EU institutions</b> should continue to reflect on methodologies to maintain and enhance the cooperation between the public and the private sector [...]</li> <li>• Member States should consider engaging in, and maintaining, with the possible involvement of <b>Eurojust</b> and the European Judicial Cybercrime network, a constant dialogue with the private sector and discuss methodologies to ensure that the gathering of e-evidence takes place in a way to allow its admissibility in courts.</li> <li>• Member States and the <b>EU institutions</b> are recommended to consider solutions [to address encryption] and to intensify an open dialogue with the private sector.</li> </ul>	



<p><b>Improving the EU's fight against cybercrime: EU law enforcement response. Outcome of the Expert Workshops with policy proposals</b></p> <p>13461/17 LIMITE, 19.10.17</p>		<p>Development of a Emergency Response Protocol for a coordinated EU law enforcement response in case of major cyber-attacks.</p> <ul style="list-style-type: none"> <li>The role of judiciary as well as <b>Eurojust</b> and EJCEN will be examined</li> </ul>	
<p><b>Council conclusions on the Joint Communication to the European Parliament and the Council: Resilience, Deterrence and Defence: Building strong cybersecurity for the EU, adopted by the General Affairs Council on 20 November 2017</b></p> <p>14435/17, 20.11.2017</p>	<p>Eurojust (together with Europol and ENISA) invited:</p> <ul style="list-style-type: none"> <li>to contribute jointly with Member States a coordinated approach for EU law enforcement response to large-scale cyber-incidents and crises to complement the procedures outlined in the relevant frameworks<sup>14</sup>;</li> </ul>	<p>Eurojust (together with Europol and ENISA) invited:</p> <ul style="list-style-type: none"> <li>to continue strengthening their cooperation in the fight against cybercrime, both among themselves and with other relevant stakeholders, including the CSIRTs community, Interpol, the private sector and academia ensuring synergies and complementarities, in accordance with their respective mandates and competences.</li> </ul>	
<p>The SIRIUS Project – <i>project on effective cooperation for law enforcement purposes between the EU and US</i></p>		<p>The SIRIUS Project was initially created for a duration of three years, with specific deliverables set for each semester until the end of 2020. The project deliverables are clustered into four Work Packages: knowledge, tools, tactics and training. Each of these clusters has its own specific deliverables, either to be elaborated on in an</p>	

<sup>14</sup> 9916/17 and C/2017/6100 final.

		<p>online forum or in the form of workshops/meetings.</p> <p>Among others, the project envisages (starting from the second semester of 2018) annual organisation of the Codefest (seminar for the development of technical tools), SIRIUS Annual Conference, Advisory Board meeting and a workshop with the US Department of Justice (DoJ), as well as a delivery of 5 digests, 2 training packages, 1 best practice guide and 1 investigation tool per semester.</p> <p>Eurojust's commitment to the project:</p> <p><b><u>Activities:</u></b></p> <ul style="list-style-type: none"> <li>- Advisory Board meetings</li> <li>- Monthly meetings with the project team</li> <li>- Workshops with DoJ, study visits to US service providers, trainings</li> </ul> <p><b><u>Deliverables:</u></b></p> <ul style="list-style-type: none"> <li>- Managing (this refers to identifying the target community and vetting of new participants to the forum), monitoring and moderating the information and discussions on the online forum created for the judicial authorities;</li> <li>- Review, completion and validation of 5 digests and 1 best practice guideline in 2018; as of 2019, may result in 10 digests and 2 guidelines;</li> <li>- Review of 1 online investigation tool in 2018 and approximately 2 tools in 2019;</li> <li>- Promoting the project through Eurojust casework, meetings, JITs, and at relevant fora on a continuous basis;</li> <li>- Contribute to the training package in 2018, and additional ones in 2019/2020.</li> </ul>	
--	--	---	--

<b>IP CRIME</b>			
<p>COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL AND THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE ‘Towards a renewed consensus on the enforcement of Intellectual Property Rights: An EU Action Plan’ COM/2014/0392 final</p>		<p>In the Action Plan, the Commission seeks to re-orientate its policy for IP enforcement towards better compliance with IP rights by all economic actors. Rather than penalising the citizen for infringing intellectual property rights (often unknowingly), these measures pave the way towards a ‘follow the money approach’ that seeks to deprive commercial scale infringers of the revenue flows that draw them into such activities.</p> <p>Eurojust is invited to support, together with other stakeholders, the activities geared towards training, knowledge building and sharing best practice related to cross-border IP enforcement.</p>	<p><i>Yes, the EJ projects 2019 ‘Analysis of EJ casework on IP Crime’ and hosting at EJ the annual meeting 2019 of the EIPPN</i></p>
<b>FINANCIAL CRIME</b>			
<p><b>Euro counterfeiting</b></p>	<p><u>Regulation (EU) No 331/2014 of the European Parliament and of the Council of 11 March 2014 establishing an exchange, assistance and training programme for the protection of the euro against counterfeiting (the ‘Pericles 2020’ programme)</u> [...]</p> <ul style="list-style-type: none"> <li>Article 7(2)(d): Actions under the Programme may be organised jointly by the Commission and other partners having relevant expertise, such as: [...] (d) Europol, Eurojust and Interpol [...].</li> </ul>	<ul style="list-style-type: none"> <li>Possible involvement in training actions within the Pericles 2020 programme jointly with other partners.</li> </ul>	<p>No</p>

	<p>Article 10(5): where eligible actions [...] are organised jointly by the Commission and the ECB, Eurojust, Europol or Interpol, the ensuing expenses shall be divided among them [...].</p>		
<p><b>Council Conclusions and Action Plan on the way forward with regard to financial investigation</b>          10125/16, 13.6.2016          13382/17, 19.10.17          13578/27, 23.10.17  <a href="http://data.consilium.europa.eu/doc/document/ST-10125-2016-INIT/en/pdf">http://data.consilium.europa.eu/doc/document/ST-10125-2016-INIT/en/pdf</a></p>		<ul style="list-style-type: none"> <li>• <b>Develop as an expertise hub on financial investigations</b> in order to support operational cooperation.</li> <li>• Include financial investigations in Joint Investigation Teams on migrant smuggling (<i>Action 3</i>)</li> <li>• Adjust the model agreement for the setting up of Joint Investigation Teams by including the definition and principles for the application of financial investigations (<i>Action 4</i>)</li> </ul> <p>N.B. In Council doc. 13578/17, p. 2, Member States are encouraged to build up financial expertise at the national desks, if not already present.</p>	<p>No</p>
<p><b>RACISM</b></p>			
<p><b>Racism and Xenophobia</b></p>	<p><u>Council Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law (2008/913/JHA)</u></p> <p>Article 10(3): Before 28 November 2013, the Council shall review this Framework Decision. For the preparation of this review, the Council shall ask Member States whether they</p>	<ul style="list-style-type: none"> <li>• Submit a report at the request of the Council.</li> </ul>	<p>No</p>

	<p>have experienced difficulties in judicial cooperation with regard to the conduct under Article 1(1). In addition, the Council <b>may request Eurojust to submit a report</b>, on whether differences between national legislations have resulted in any problems regarding judicial cooperation between the Member States in this area.</p>		
<b>DRUGS</b>			
<p><b>EU Action Plan on Drugs 2017-2020 (COM(2017) 195 final of 15 March 2017)</b> <a href="https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/organized-crime-and-human-trafficking/drug-control/eu-response-to-drugs/20170315_evaluation_communication_en.pdf">https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/organized-crime-and-human-trafficking/drug-control/eu-response-to-drugs/20170315_evaluation_communication_en.pdf</a></p>	<ul style="list-style-type: none"> <li>• Utilise to best effect available <b>intelligence and information-sharing</b> law enforcement instruments, channels and communication tools used to collate and analyse drug-related information</li> <li>• Strengthen EU <b>judicial cooperation</b> in targeting cross-border drug trafficking, money laundering, and in the <b>confiscation</b> of the proceeds of drug-related organised crime</li> <li>• Implement new EU legislative measures to address the emergence, use and rapid spread of new psychoactive substances</li> </ul> <p>Provide targeted technical</p>	<ul style="list-style-type: none"> <li>• Report on the <b>number of financial investigations and confiscations</b> in relation to the proceeds of drug-related organised crime through EU judicial cooperation</li> <li>• Report on the timely and effective <b>responses to mutual assistance requests and European Arrest Warrants</b> in relation to illicit drug trafficking</li> <li>• Identify strategic responses to address the role of new information communication technologies (ICT) and the hosting of associated websites, in the production, marketing, purchasing and distribution of illicit drugs and new psychoactive substances at national and EU level.</li> </ul> <p>Report on the number of drug-related cases referred to Eurojust, including qualitative, contextual information about the cases.</p>	

	assistance, and other assistance and support as necessary, to acceding countries, candidate countries, and potential candidates to facilitate their adaptation to and alignment with the EU acquis in the drugs field		
<b>EU POLICY CYCLE- MASP/OAs</b>			
<p><b>Council conclusions on setting the EU's priorities for the fight against serious and organised crime between 2014 and 2017</b></p> <p>A. Illegal immigration          B. THB          C. Counterfeit goods          D. Excise and MTIC fraud          E. Synthetic drugs          F. Cocaine and Heroin trafficking          G. Cybercrime          H. Trafficking in firearms          I. Organised property crime committed by MOCG.</p>		<p>In the last year of the current Policy Cycle (year 2017), Eurojust is involved in <b>75 Operational Actions (OAs)</b> in total. As a <b>leader or co-leader</b> Eurojust is involved in 12 OAs. Involvement in these roles requires from Eurojust dedication of a certain amount of resources. These OAs fall under the categories:</p> <ul style="list-style-type: none"> <li>• 'Increase coordinated investigations and prosecutions' (4 OAs),</li> <li>• 'Financial investigations, incl. asset recovery' (1 OAs),</li> <li>• 'Awareness raising' (3 OAs),</li> <li>• 'Legal/practical obstacles' (1 OA)</li> <li>• 'Cooperation with third States' (3 OAs).</li> </ul> <p>For the remaining 63 OAs, a <b>supporting role</b> is foreseen which, in general, does not require other workload than attendance and follow-up to relevant meetings.</p>	<p><i>Yes (Eurojust's common position on participation in the drafting of yearly OAPs, adopted on 24/09/2013)</i></p>
<p><b>Council conclusions on the continuation of the EU Policy Cycle for organised and serious international crime for</b></p>	<ul style="list-style-type: none"> <li>- contribute to develop a MASP and OAP for each crime priority</li> <li>- contribute to develop an independent mechanism to</li> </ul>	<ul style="list-style-type: none"> <li>- Commit in the annual work programme to implement the actions developed within the EU Policy Cycle</li> </ul>	<p><i>Yes (Eurojust's common position in relation to the potential</i></p>



<p><b>the period 2018-2020 – Council Conclusions 27 March 2017</b></p> <p>Doc. 7704/17 of 28 March 2017</p> <p><b>Council conclusions on setting the EU's priorities for the fight against organised and serious international crime between 2018 and 2021 - Council conclusions (9450/17 of 18 May 2017)</b></p>	<p>evaluate the implementation of the EU Policy Cycle and transmit the results thereof to the Council</p> <ul style="list-style-type: none"> <li>- contribute to develop a funding opportunities information package to support the activities of the new EU Policy Cycle</li> <li>- contribute to provide training packages and exploring other awareness raising measures</li> <li>- contribute to the exchange of best practices and sharing of experiences</li> </ul> <p>contribute to develop in 2019 under the leadership of Europol in cooperation an interim report on new, changing or emerging threats, paying particular attention to the EU crime priorities decided in 2017 and the EU SOCTA in 2021</p>		<p><i>EMPACT priorities 2018-2021, adopted on 19/04/2017)</i></p>
<p><b>Draft Policy Advisory Document (PAD) for the years 2018 to 2021</b></p> <p>Doc 7824/1/17 REV 1 of 18 April 2017</p>	<ul style="list-style-type: none"> <li>- To contribute to the selection of the new EU crime priorities for the next EU Policy Cycle 2018-2021</li> </ul>	<ul style="list-style-type: none"> <li>- To contribute to the selection of the new EU crime priorities for the next EU Policy Cycle 2018-2021</li> </ul>	
<p><b>Multi Annual Strategic</b></p>	<p>Active participation in the</p>	<ul style="list-style-type: none"> <li>- Monitoring consistency at COSI level.</li> </ul>	

<p><b>Plans (MASPs):</b></p> <p>Doc. 15080/17: MASPs related to the EU's priorities for the fight against serious and organised crime between 2018 and 2021 validated by COSI on 1 December 2017</p> <p>Doc. 10838/17 and 12561/17: Implementation 2018-2021 EU Policy Cycle for organised and serious international crime: common horizontal minimum strategic goals</p> <p>Doc. 11805/17 and 12811/17: MASP on Criminal Finances / Money Laundering / Asset Recovery Priority</p> <p>Doc. 11806/17: MASP on Environmental crime</p> <p>Doc. 12998/1/17 REV1: MASP on attacks against information systems</p> <p>Doc. 13231/17: MASP on Excise Fraud</p> <p>Doc. 13232/17: MASP on Facilitation of illegal</p>	<p>drafting process of the MASPs</p>	<p>- The MASPs envisage for JHA Agencies (including Eurojust) their involvement in the 7 identified Strategic Goals:</p> <ul style="list-style-type: none"> <li>○ Intelligence Picture</li> <li>○ Operational Activities</li> <li>○ Prevention and Capacity building</li> <li>○ Cooperation with non-EU partners</li> <li>○ Financial Investigations</li> <li>○ On-line trade in illicit goods and services</li> </ul>	
---	--------------------------------------	--	--



<p>immigration</p> <p>Doc 13233/17 : MASP on child sexual abuse and child sexual exploitation</p> <p>Doc 13738/17 : MASP on Fraud and Counterfeiting of Non- Cash Means of Payment</p> <p>Doc 13739/17 : MASP on Cannabis, Cocaine and Heroin</p> <p>Doc 13764/17 : MASP on Missing Trader Intra Community (MTIC) Fraud</p> <p>Doc 13854/17 : MASP on firearms</p> <p>Doc 14020/17 : MASP on Organised Property Crime Priority</p> <p>Doc 14027/17 : MASP on Synthetic Drugs and New Psychoactive</p>			
---	--	--	--

<p>Substances (NPS)</p> <p>Doc 14146/17 : MASP on Trafficking in Human Beings (THB) Priority</p> <p>Doc. 14027/17: MASP on Document Fraud</p> <p>Doc. 12561/17: Horizontal Common MASP on Document Fraud (included in the other MASPs as a Strategic Goal)</p>			
<p><b>Operational Action Plans (OAPs) 2019:</b></p> <ul style="list-style-type: none"> <li>- Doc 13659/1/18 REV1: (EU RESTRICTED) Trafficking in Human Beings</li> <li>- Doc. 13668/1/18 REV1: (EU RESTRICTED) Attacks against information systems</li> <li>- Doc. 13670/1/18 REV1: (EU RESTRICTED) Firearms</li> <li>- Doc. 13664/1/18 REV1: (EU RESTRICTED) Synthetic drugs and new psychoactive substances</li> <li>- Doc. 13667/1/18 REV1:</li> </ul>	<p>Eurojust participates in all OAPs 2019, in the role of a Co-Leader or a Participant of at least one Operational Action (OA) within each OAP.</p> <p>At the operational work level, contribution to the implementation of the OA, according to the role undertaken by Eurojust in the specific OA, is expected. This may include attendance to the meeting organised on the specific OA and contribution to the results to be achieved by the OA.</p>	<p>Each OAP 2019 addresses the 7 Strategic Goals, as identified in the MASPs 2018-2021, by a set of OAs aimed at meeting the specific Strategic Goal.</p> <ul style="list-style-type: none"> <li>- At the strategic work level, participation at and contribution to the OAPs related meetings (Kick-off Meeting, Strategic Meeting, OAP 2020 Drafting Meeting) may be expected.</li> <li>-</li> </ul>	



<p>(EU RESTRICTED) Child sexual abuse and child sexual exploitation</p> <ul style="list-style-type: none"><li>- Doc. 13658/1/18 REV1: Facilitation of illegal immigration</li><li>- Doc. 13671/1/18 REV1: (EU RESTRICTED) Organised property crime</li><li>- Doc. 13672/1/18 REV1: (EU RESTRICTED) Environmental crime</li><li>- Doc. 13665/1/18 REV1: (EU RESTRICTED) Cannabis, Cocaine and Heroin</li><li>- Doc. 13666/1/18 REV1: (EU RESTRICTED) Fraud and counterfeit non-cash means of payment</li><li>- Doc. 13660/1/18 REV1: (EU RESTRICTED) Excise Fraud</li><li>- Doc. 13662/1/18 REV1: (EU RESTRICTED) MTIC Fraud</li><li>- Doc. 13673/1/18 REV1: (EU RESTRICTED) Criminal finances and money laundering and facilitate asset recovery</li></ul>			
--	--	--	--

<p><b>Implementation of the Council conclusions setting priorities in the fight against organised crime for 2018 - 2021: identification of the relevant actors (Council doc. 10011/3/17 REV3)</b></p>		<ul style="list-style-type: none"> <li>- Contribution as regards the Eurojust participation in the crime priorities related to the EU Policy Cycle 2018-2021. In line with the College decision of the beginning of 2017 on this matter, Eurojust will participate in all OAPs as Participant while will be co-Leader in priority areas such as Illegal Immigration, Cybercrime and financial crimes. The active participation in the Document Fraud project is for Eurojust linked to Illegal immigration mostly.</li> </ul>	
<p><b>Establishment of the horizontal expert group on document fraud (Council doc. 11528/17)</b></p>		<ul style="list-style-type: none"> <li>- Expression of interest and participation in the horizontal expert group. Envisaged role for Eurojust in the foreseen Joint Operational Task Force on Document Fraud. This is an horizontal priority which integrates in almost all OAPs per crime priorities.</li> </ul>	
<p><b>JUDICIAL COOPERATION AREA</b></p>			
<p><b>Council Conclusions:</b> <b>Mutual recognition in criminal matters - enhancing mutual trust</b>  14194/18</p>	<ul style="list-style-type: none"> <li>• <b>Eurojust</b> is encouraged to continue its operational and strategic work in relation to mutual recognition instruments o facilitate the application of these instruments;</li> <li>• <b>Eurojust</b> and the <b>EJN</b> are invited to continue playing an active role in addressing obstacles for and identifying best practice in mutual recognition and to</li> </ul>		

	<p>continue paying regular attention to instruments of mutual recognition in their meetings with practitioners.</p>		
<p><b>EU Action Plan on Drugs 2017-2020 (COM(2017) 195 final of 15 March 2017)</b></p> <p><a href="https://ec.europa.eu/homeaffairs/sites/homeaffairs/files/what-we-do/policies/organized-crime-and-human-trafficking/drug-control/eu-response-to-drugs/20170315_evaluation_communication_en.pdf">https://ec.europa.eu/homeaffairs/sites/homeaffairs/files/what-we-do/policies/organized-crime-and-human-trafficking/drug-control/eu-response-to-drugs/20170315_evaluation_communication_en.pdf</a></p>	<ul style="list-style-type: none"> <li>• Utilise to best extent available <b>intelligence and information-sharing</b> law enforcement instruments, channels and communication tools used to collate and analyse drug-related information</li> <li>• Strengthen EU <b>judicial cooperation</b> in targeting cross-border drug trafficking, money laundering, and in the <b>confiscation</b> of the proceeds of drug-related organised crime</li> <li>• Implement new EU legislative measures to address the emergence, use and rapid spread of new psychoactive substances</li> <li>• Provide targeted technical assistance, and other assistance and support as necessary, to acceding countries, candidate countries, and potential candidates to facilitate their adaptation to and alignment with the EU acquis in the drugs</li> </ul>	<ul style="list-style-type: none"> <li>• Report on the <b>number of financial investigations and confiscations</b> in relation to the proceeds of drug-related organised crime through EU judicial cooperation</li> <li>• Report on the timely and effective <b>responses to mutual assistance requests and European Arrest Warrants</b> in relation to illicit drug trafficking</li> <li>• Identify strategic responses to address the role of new information communication technologies (ICT), and the hosting of associated websites, in the production, marketing, purchasing and distribution of illicit drugs and new psychoactive substances at national and EU levels.</li> <li>• Report on the number of drug-related cases referred to Eurojust, including qualitative, contextual information about the cases.</li> </ul>	

	field		
<p><b>The EU Justice Agenda for 2020 - Strengthening Trust, Mobility and Growth within the Union.</b> COM(2014) 144 final, 11.3.2014  <a href="http://ec.europa.eu/justice/effective-justice/files/com_2014_144_en.pdf">http://ec.europa.eu/justice/effective-justice/files/com_2014_144_en.pdf</a></p>	<ul style="list-style-type: none"> <li>Continue to play a key role in <b>coordinating prosecution of transnational crimes</b> also after EPPO's establishment, with need to strengthen effectiveness and <b>JITs potential to be used to the maximum.</b></li> </ul>		
<p><b>The European Agenda on Security</b>          Doc. 8293/15          COM(2015) 185 final, 28.4.2015  <a href="http://ec.europa.eu/dgs/home-affairs/e-library/documents/basic-documents/docs/eu_agenda_on_security_en.pdf">http://ec.europa.eu/dgs/home-affairs/e-library/documents/basic-documents/docs/eu_agenda_on_security_en.pdf</a></p>	<ul style="list-style-type: none"> <li>Assist <b>complex MLA requests</b> with <b>countries outside the EU</b>, especially with the <b>network of the EJ contact points.</b></li> <li>Enhanced <b>operational cooperation</b> Eurojust - <b>Europol</b></li> </ul>	<ul style="list-style-type: none"> <li>Facilitate the exchange of best practice and identify the challenges regarding the collection and use of e-evidence in investigations and prosecutions of Internet-facilitated crimes. Eurojust is participating in the e-evidence expert meetings organized by the Commission.</li> </ul>	
<p><b>EU Action Plan against migrant smuggling (2015-2020)</b>  <a href="http://ec.europa.eu/dgs/home-affairs/e-library/documents/policies/asylum/general/docs/eu_action_plan_against_migrant_smuggling_en.pdf">http://ec.europa.eu/dgs/home-affairs/e-library/documents/policies/asylum/general/docs/eu_action_plan_against_migrant_smuggling_en.pdf</a>          COM(2015) 285 final,</p>	<ul style="list-style-type: none"> <li>MSs, Eurojust and other relevant EU agencies to strengthen <b>operational cooperation</b> and <b>information exchange</b></li> <li>Support for <b>mutual legal assistance</b> in criminal matters.</li> </ul>	<ul style="list-style-type: none"> <li>Set up a <b>thematic group on migrant smuggling.</b></li> <li>Facilitate the exchange of best practice and identify challenges regarding the collection and use of <b>e-evidence</b> in investigations and prosecutions related to migrant <u>smuggling</u>.</li> <li>Facilitate cooperation with <b>third States</b></li> <li><b>Finance JITs</b> on migrant smuggling</li> </ul>	



<p>27.5.2015 Doc. 9345/15</p>			
<p><b>Conflicts of Jurisdiction</b></p>	<p><u>Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organised crime</u></p> <p>Article 7: [...] the Member States concerned shall cooperate in order to decide which of them will prosecute the offenders, with the aim, if possible, of centralising proceedings in a single Member State. To this end, <b>Member States may have recourse to Eurojust</b> [...] in order to facilitate cooperation between their judicial authorities and the coordination of their action.</p>	<ul style="list-style-type: none"> <li>• On the basis of the operational experience: Eurojust casework report on conflicts of jurisdiction and other documents to support practitioners in this area.</li> </ul>	<p>Yes</p>
	<p><u>Council Framework Decision 2009/948/JHA of 30 November 2009 on prevention and settlement of conflicts of exercise of jurisdiction in criminal proceedings</u></p> <ul style="list-style-type: none"> <li>• Recitals (4), (9), (10) and (14)</li> <li>• Article 12 (Cooperation with Eurojust): <ul style="list-style-type: none"> <li>○ Art. 12(1): This Framework Decision shall be complementary and without prejudice to the Eurojust Decision.</li> <li>○ Art. 12(2): Where it has not</li> </ul> </li> </ul>		

	<p>been possible to reach consensus in accordance with Article 10, <u>the matter shall, where appropriate, be referred to Eurojust</u> by any competent authority of the Member States involved, if Eurojust is competent to act under Article 4(1) of the Eurojust Decision.</p> <p>Articles 6, 7 and 13(7) EJD</p>		
	<p><u>Directive (EU) 2017/541 of the European Parliament and of the Council of 15 March 2017 on combating terrorism and replacing Council Framework Decision 2002/475/JHA and amending Council Decision 2005/671/JHA</u></p> <p><u>Article 19(3)</u>: When an offence falls within the jurisdiction of more than one Member State and when any of the Member States concerned can validly prosecute on the basis of the same facts, the Member States concerned shall cooperate in order to decide which of them will prosecute the offenders with the aim, if possible, of centralising proceedings in a single Member State. To this end, the Member</p>	<ul style="list-style-type: none"> <li>• Upon request, provide input to the future Commission’s impact evaluation.</li> <li>• On the basis of the operational experience: Eurojust casework report on conflicts of jurisdiction and other documents to support practitioners in this area</li> </ul>	<p>No</p> <p>Yes</p>

	States <b>may have recourse to Eurojust</b> in order to facilitate cooperation between their judicial authorities and the coordination of their action.		
<b>EIO</b>	<p>Directive 2014/41/EU of 3 April 2014 regarding the European Investigation Order in criminal matters</p> <p><u>Recital (13)</u>: With a view to ensuring the transmission of the EIO to the competent authority of the executing State, the issuing authority may make use of any possible or relevant means of transmission, for example the secure telecommunications system of the European Judicial Network, Eurojust, [...]</p>	<ul style="list-style-type: none"> <li>• Assist the competent national authorities in relation to the issuing, transmission and execution of the EIO.</li> <li>• Advise on the choice of the use of the EIO in relation to other mutual recognition instruments, such as the EAW. (SOURCE: LS Note “European Investigation Order – State of play, main features, key questions and role of Eurojust”, 28.9.2016)</li> <li>• Note on the meaning of “corresponding provisions” and the applicable legal regime in case of delayed transposition of the EIO Directive</li> </ul>	Yes
<b>CORPORATE AREA</b>			
<b>Eighth round of mutual evaluations - Order of visits and observers</b> 7834/17		<ul style="list-style-type: none"> <li>• Taking into account their respective fields of expertise, the Presidency suggests that the Commission, Eurojust and Europol are invited as observers in the eighth round of mutual evaluations.</li> </ul>	
Conclusions of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, on the establishment of a Civilian		<ul style="list-style-type: none"> <li>• Civilian crisis management missions should, if appropriate, cooperate with Commission services and JHA actors to tackle challenges across the internal-external nexus.</li> <li>• Promote synergies between CSDP missions and JHA actors including by strengthening JHA-related expertise in CSDP structures.</li> </ul>	

<p>CSDP Compact  <a href="https://www.consilium.europa.eu/media/37027/st14305-en18.pdf">https://www.consilium.europa.eu/media/37027/st14305-en18.pdf</a></p>		<ul style="list-style-type: none"> <li>• New lines of operations or pilot projects to be considered between JHA actors and CSDP missions in response to local needs.</li> </ul>	
<p><b>Proposal for a Regulation of the European Parliament and of The Council establishing the Justice Programme</b>          COM/2018/384 final - 2018/0208 (COD)  <a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52018PC0384">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52018PC0384</a></p>		<ul style="list-style-type: none"> <li>• <b>Proposed recital 17 to be monitored:</b> The Commission should ensure overall consistency, complementarity and synergies with the work of Union bodies, offices and agencies, such as EEurojust, EU-Lisa and the European Public Prosecutor’s Office, and should take stock of the work of other national and international actors in the areas covered by the Programme.</li> </ul>	
<p><b>Council Conclusions on strengthening civilian CSDP - Council Conclusions (28 May 2018)</b>          9288/18  <a href="http://data.consilium.europa.eu/doc/document/ST-9288-2018-INIT/en/pdf">http://data.consilium.europa.eu/doc/document/ST-9288-2018-INIT/en/pdf</a></p>	<ul style="list-style-type: none"> <li>• JHA actors to cooperate with civilian CSDP to tackle security challenges such as migration, hybrid threats, cyber security, terrorism, radicalisation, organised crime, border management and violent extremism</li> <li>• Fostering synergies between the CSDP and JHA actors on operational level</li> <li>• Exchange of information between JHA agencies and CSDP missions if the mandate of the mission and relevant data</li> </ul>	<ul style="list-style-type: none"> <li>• Enhance coherence and cooperation between civilian CSDP and actions taken as part of external dimension of JHA.</li> </ul>	

	protection rules so allow.		
<p><b>The European Agenda on Security</b>  <i>Doc. 8293/15</i>          COM(2015) 185 final,          28.4.2015</p> <p><a href="http://ec.europa.eu/dgs/home-affairs/e-library/documents/basic-documents/docs/eu_agenda_on_security_en.pdf">http://ec.europa.eu/dgs/home-affairs/e-library/documents/basic-documents/docs/eu_agenda_on_security_en.pdf</a></p>		<ul style="list-style-type: none"> <li>• A more joined-up <b>inter-agency and a cross-sectorial</b> approach</li> </ul>	
<p><b>First progress report towards an effective and genuine Security Union</b></p> <p>COM(2016)670 final,          19.10.2016</p> <p><a href="http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-security/legislative-documents/docs/20161012/first_progress_report_towards_an_effective_and_genuine_security_union_en.pdf">http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-security/legislative-documents/docs/20161012/first_progress_report_towards_an_effective_and_genuine_security_union_en.pdf</a></p>	<ul style="list-style-type: none"> <li>• MSs to make full use of EU in place mechanisms. <b>Eurojust plays a key role.</b></li> </ul>		
<p><b>Questionnaire for the comprehensive assessment of EU Security Policy</b></p>	<p>- Valuable input should be provided by relevant EU Agencies considering their role to support the implementation of the EU policies: complete</p>	<p>- Valuable input should be provided by relevant EU Agencies considering their role to support the implementation of the EU policies: complete and return the questionnaire to the Commission;</p>	

<p>Doc CM 1575/17 of 14 February 2017</p>	<p>and return the questionnaire to the Commission; participate in dedicated workshops.</p>	<p>participate in dedicated workshops.</p>	
<p><b>Application of the Schengen acquis</b></p>	<p><u>Council Regulation (EU) No 1053/2013 of 7 October 2013 establishing an evaluation and monitoring mechanism to verify the application of the Schengen acquis [...]</u></p> <p>Preamble paragraph 18: Other Union bodies, offices and agencies, such as the European Police Office ("Europol"), [...], and Eurojust, [...], <u>should, where relevant, support the implementation of the evaluation mechanism in the areas covered by their mandate. [...]</u></p>	<ul style="list-style-type: none"> <li>• Support, where relevant, the implementation of the evaluation mechanism to verify the application of the Schengen acquis.</li> </ul>	<p>No?</p>
<p><b>Mutual evaluations (6<sup>th</sup>;7<sup>th</sup> round)- Implementation of recommendations addressed to Eurojust,</b></p>	<p>Joint Action of 5 December 1997 establishing a mechanism for evaluating the application and implementation at national level of international undertakings in the fight against organised crime and specific implementing Council acts (e.g. 6th round, 7th round) – Eurojust’s participation in the mutual evaluations as an observer</p>	<ul style="list-style-type: none"> <li>• Implementation of recommendations addressed to Eurojust, reports to GENVAL.</li> </ul>	

**I-B. Legal obligations for Eurojust relevant to policy work as laid down in EU legal instruments**

<b><i>I. Crime-related area</i></b>			<b>Approved by College</b>
<b>Crime</b>	<b>Title of Document &amp; Relevant Provisions</b>	<b>Legal obligations for /requests to Eurojust</b>	<b>Yes/No</b>
<b>Terrorist offences</b>	<p><u>Council Decision 2005/671/JHA of 20 September 2005 on the exchange of information and cooperation concerning terrorist offences/in connection with Article 13a(1) EJD</u></p> <ul style="list-style-type: none"> <li>Article 2(2): Each Member State shall designate one, or where its legal system so provides more than one authority, as <u>Eurojust national correspondent for terrorism matters</u> or an appropriate judicial or other competent authority which, in accordance with national law, shall have access to and can collect all <u>relevant information concerning prosecutions and convictions for terrorist offences and send it to Eurojust</u> [...].</li> <li>Article 2(3): Each Member State shall take the necessary measures to ensure that at least the information referred to in paragraph 4 concerning criminal investigations and the information referred to in paragraph 5 concerning prosecutions and convictions for terrorist offences which affect or may affect two or more Member States, gathered by the relevant authority, is <u>transmitted to</u>:[...] <ul style="list-style-type: none"> <li>(b) <u>Eurojust, in accordance with national law and where the provisions of the Eurojust Decision so allow.</u></li> </ul> </li> <li>Article 13a(1) EJD: Provide the competent national authorities with information and feedback on the results of the processing of information.</li> </ul> <p>and <u>Directive (EU) 2017/541 of the European Parliament and of the Council of 15 March 2017 on combating terrorism and replacing Council Framework Decision 2002/475/JHA and amending Council Decision</u></p>	<ul style="list-style-type: none"> <li>Provide the competent national authorities with information and feedback on the results of the processing of information (Article 13a(1) EJD), e.g. Terrorism Convictions Monitor.</li> <li>Activate the informal network of national correspondents for Eurojust for terrorism matters in case of terrorist threats or major incidents with cross-border elements in order to rapidly exchange information and stand ready around the clock to receive and process immediately any request for, or decision on, judicial cooperation.</li> <li>Designate a bridge-maker between Eurojust and the European Counter Terrorism Centre (ECTC) at Europol: Eurojust is recruiting a specialised counter-terrorism prosecutor/judge to be temporarily placed at the ECTC to facilitate the early involvement of the judiciary, and make full use of Eurojust's coordination tools and its informal network of national correspondents for terrorism matters, also in accordance with the European Agenda on Security.</li> </ul>	<p>Yes</p> <p>Yes</p>



	<p><u>2005/671/JHA</u></p> <p>Article 19 (3): When an offence falls within the jurisdiction of more than one Member State and when any of the Member States concerned can validly prosecute on the basis of the same facts, the Member States concerned shall cooperate in order to decide which of them will prosecute the offenders with the aim, if possible, of centralising proceedings in a single Member State. To this end, the <u>Member States may have recourse to Eurojust in order to facilitate cooperation between their judicial authorities and the coordination of their action.</u></p>		
<p><b>II. Judicial Cooperation Instruments-related area</b></p>			
<b>Instrument</b>	<b>Title of Document &amp; Relevant Provisions</b>	<b>Legal obligations for /requests to Eurojust</b>	
<b>European Arrest Warrant</b>	<p><u>Framework Decision on the European Arrest Warrant and the surrender procedures between Member States (2002/584/JHA)/in connection with Article 13a(1) EJD</u></p> <ul style="list-style-type: none"> <li>• Article 17(7): Where in exceptional circumstances a Member State cannot observe the time limits provided for in this Article, <u>it shall inform Eurojust, giving the reasons for the delay.</u></li> </ul>	<ul style="list-style-type: none"> <li>• Report on delays (<i>see also</i> Council doc. 10270/14).</li> <li>• Information on the application of Article 17(7) is included in the regular Reports on Eurojust casework</li> </ul>	Yes
<b>JITs</b>	<p><u>Eurojust Decision</u></p> <ul style="list-style-type: none"> <li>• Article 13(5): Member States shall ensure that national members are informed of the setting up of a joint investigation team, whether it is set up under Article 13 of the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union or under Framework Decision 2002/465/JHA, <u>and of the results of the work of such teams.</u></li> <li>• Article 13a(1).</li> <li>• Article 9f: participation of national members in JITs</li> </ul>	<ul style="list-style-type: none"> <li>• Provide the competent national authorities with information and feedback on the results of the processing of information (Article 13a(1) EJD);</li> <li>• Prepare JITs evaluation reports (coordination with JIT Network Secretariat).</li> </ul>	
<b>ENCS – Access to the CMS at national level</b>	<p><u>Eurojust Decision</u></p> <ul style="list-style-type: none"> <li>• Article 12(6): In order to meet the objectives referred to in [Article 12(5)], <u>persons referred to in paragraph 1 and paragraph 2(a), (b) and (c) shall [...] be connected to the Case Management System [...].</u></li> </ul>	<ul style="list-style-type: none"> <li>• Establish a connection to the CMS at national level*.</li> </ul> <p>(*Obligation also tackled in the ‘Roadmap to enhance information exchange and information management including interoperability solutions in the Justice and Home Affairs area’ (13554/16 LIMITE, of 26.10.2016), <i>see</i> Action 15).</p>	





<p><b>European Protection Order</b></p>	<p><u>DIRECTIVE 2011/99 of 13 December 2011 on the European protection order</u></p> <ul style="list-style-type: none"> <li>• <u>Article 8 (Transmission procedure):</u> <ul style="list-style-type: none"> <li>○ <u>Art. 8(2):</u> If the competent authority of either the executing State or the issuing State is not known to the competent authority of the other State, the latter authority shall make all the relevant enquiries, including via [...] the <u>National Member of Eurojust</u> or the <u>National System for the coordination of Eurojust</u> of its State, in order to obtain the necessary information.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Support MS in identifying relevant authorities for issuing or executing the European Protection Order.</li> </ul>	
<p><b>Regulation on freezing and confiscation</b></p>	<ul style="list-style-type: none"> <li>• Recital (20) The issuing authority should transmit a freezing certificate or a confiscation certificate, together with the freezing order or confiscation order, where applicable, directly to the executing authority or, where applicable, to the central authority of the executing State by any means capable of producing a written record under conditions that allow the executing authority to establish authenticity, including by registered mail and by secured e-mail. The issuing authority should be able to make use of any relevant channels or means of transmission, including the secure telecommunications system of the European Judicial Network (EJN), Eurojust, or other channels used by judicial authorities.</li> <li>• Recital (21) Where a confiscation certificate concerning an amount of money is transmitted to more than one executing State, the issuing State should seek to avoid that more property is confiscated than necessary so that the total value would go beyond the maximum amount. To that end, the issuing authority should, among other things, (i) indicate in the confiscation certificate the value of assets, if known, in each executing State, so that the executing authorities can take account thereof; (ii) maintain the necessary contacts and dialogue with the executing authorities on the property to be confiscated; and (iii) inform the relevant executing authority or authorities immediately if it considers that there could be a risk that execution beyond the maximum amount might occur. Where appropriate, Eurojust could exercise a coordinating role</li> </ul>	<ul style="list-style-type: none"> <li>• Support MS in identifying relevant authorities for issuing or executing the European Protection Order.</li> </ul>	

	<p>within its remit in order to avoid excessive confiscation.</p> <ul style="list-style-type: none"> <li>• Recital (30) The execution of a freezing order or a confiscation order should be governed by the law of the executing Member State and only its authorities should be competent to decide on the procedures for execution. Where appropriate, the issuing and executing authority could invite Eurojust or EJN to provide assistance, within their remit, concerning issues relating to the execution of freezing orders and confiscation orders.</li> <li>• Recital (31) The proper operation of this Regulation presupposes close communication between the competent national authorities involved, in particular in cases of the simultaneous execution of a confiscation order in more than one Member State. The competent national authorities should therefore consult each other whenever necessary, directly or, where appropriate, via Eurojust.</li> </ul>		
<p><b>III. Cooperation with Partners (incl. External Relations)</b></p>			
<p><b>Partners</b></p>	<p><b>Title of Document &amp; Relevant Provisions</b></p>	<p><b>Legal obligations for /requests to Eurojust</b></p>	
<p><b>(Strategic) Cooperation with the EJN</b></p>	<p><u>Eurojust Decision</u></p> <ul style="list-style-type: none"> <li>• Article 25a(1)(2) and (3): Eurojust and the European Judicial Network <u>shall maintain privileged relations with each other</u>, based on consultation and complementarity [...]</li> <li>• Articles 6(1)(e) and 7(1)(e): Eurojust – through its national members and as a College – shall make use of and contribute to the improvement of EJN documentary database</li> </ul>	<ul style="list-style-type: none"> <li>• Maintain privileged relations (mutual obligations EJ/EJN).</li> <li>• Support the activities of the Network.</li> <li>• Obligation for Eurojust to contribute to the improvement of EJN documentary database.</li> </ul>	
<p><b>(Strategic) Cooperation with other Networks</b></p>	<p><u>Eurojust Decision</u></p> <ul style="list-style-type: none"> <li>• Article 25a(2): Without prejudice to Article 4(1), the Secretariat of the Network for Joint Investigation Teams and of the network set up by Decision 2002/494/JHA [genocide network] <u>shall form part of the staff of Eurojust</u>. These secretariats shall function as separate units. <u>They may draw on the administrative resources of Eurojust</u> which are necessary for the performance of their tasks. Coordination between the secretariats shall be ensured by Eurojust. This paragraph shall apply to the secretariat of any new network set up by a decision of the Council <u>where that decision</u></li> </ul>	<ul style="list-style-type: none"> <li>• Provide a secretariat to other networks and ensure coordination among them.</li> <li>• Support the activities of the Networks.</li> <li>• Support the organisation of meetings of the Consultative Forum.</li> <li>• Support relevant activities of the EJCEN.</li> <li>• .</li> </ul>	



	<p><u>provides that the secretariat shall be provided by Eurojust.</u></p> <ul style="list-style-type: none"> <li>• Article 25a(3): The network set up by Decision 2008/852/JHA [contact-point network against corruption] <u>may request that Eurojust provide a secretariat to the network.</u> If such request is made, paragraph 2 <u>shall apply.</u></li> <li>• College Decision 2017-33 on practical arrangements for Eurojust support to the organisation of the meetings of the Consultative Forum.</li> <li>• College Decision 2017-33 on practical arrangements for Eurojust support to the organisation of the meetings of the Consultative Forum.</li> </ul> <p><u>Conclusions of the Council of the European Union on the European Judicial Cybercrime Network of 9 June 2016 (Council doc. 10025/16)</u>  <u>– Eurojust is requested to support the activities of this Network.</u></p>		
<b>Contact-point Network against Corruption</b>	<p><u>Council Decision 2008/852/JHA of 24 October 2008 on a contact-point network against corruption</u></p> <ul style="list-style-type: none"> <li>• Article 1: [...] The European Commission, Europol and <u>Eurojust shall be fully associated with the activities of the Network.</u></li> <li>• Article 2: [...] Within their respective competencies, Europol and <u>Eurojust may participate in the activities of the Network.</u></li> </ul>	<ul style="list-style-type: none"> <li>• Support the activities of the Network.</li> </ul>	
<b>Cooperation with partners</b>	<p><u>Eurojust Decision</u></p> <ul style="list-style-type: none"> <li>• Articles 26 and 26a: Cooperation agreements/memoranda of understanding/other cooperation arrangements between Eurojust and partners, incl. third States.</li> <li>• Other (e.g. Letter of Understanding with EUNAVFORMED and EEAS)</li> <li>• College Decision 2017-24 on practical arrangements for Liaison Prosecutors seconded from third States to Eurojust.</li> </ul>	<ul style="list-style-type: none"> <li>• Arising obligations for Eurojust as relevant.</li> </ul>	
<b>Cooperation with Europol – Information sharing</b>	<p><b>Regulation (EU) 2016/794 of 11 May 2016 on Europol</b></p> <ul style="list-style-type: none"> <li>• Article 21(2): <u>Europol and Eurojust may conclude a working arrangement</u> ensuring, in a reciprocal manner and within their respective mandates, access to, and the possibility of searching, all information that has been provided for the purpose specified in point (a) of Article 18(2).</li> <li>• Article 21 (4): <u>Europol shall allow searches in accordance with paragraphs</u></li> </ul>	<ul style="list-style-type: none"> <li>• Update/review existing cooperation and working agreements, as appropriate.</li> </ul>	



	<p>1 and 2 only after obtaining from Eurojust information on which National Members, Deputies and Assistants, as well as Eurojust staff members, [...].</p> <ul style="list-style-type: none"> <li>• Article 21(5): If, during Europol's information-processing activities in respect of an individual investigation, Europol or a Member State identifies the need for coordination, cooperation or support <u>in accordance with the mandate of Eurojust</u> [...], Europol shall notify them to that effect and shall initiate the procedure for sharing the information, in accordance with the decision of the Member State providing the information. <u>In such a case, Eurojust [...] shall consult with Europol.</u></li> <li>• Article 21(7): Europol, <u>Eurojust</u> and OLAF shall inform each other if, after consulting each other's data in accordance with paragraph 2 or as a result of a hit in accordance with paragraph 1, there are indications that data may be incorrect or may conflict with other data.</li> </ul>		
<p><b>Cooperation with Europol – 2010 Cooperation Agreement</b></p>	<p><b>2010 Cooperation Agreement Eurojust-Europol</b></p> <ul style="list-style-type: none"> <li>• Joint Annual Report (Article 22)</li> <li>• Exchange of information (Chapter 3), to be partially superseded by implementation of Article 21 Europol Regulation by Europol, and Article 40 Draft Eurojust Regulation, see <i>infra</i>.</li> <li>• Temporary placement of Eurojust representative(s) to Europol (see EC3 and ECTC agreements)</li> </ul>	<ul style="list-style-type: none"> <li>• Drafting of Joint Annual Report.</li> <li>• Exchange of information, operational and strategic.</li> <li>• Appointment of Eurojust Contact Point to Europol's Analysis Projects (formerly known as Focal Points)</li> <li>• Temporary posting of Eurojust representative at Europol Centers</li> </ul>	
<p><b>Cooperation with Europol – JITs</b></p>	<p><b>Regulation (EU) 2016/794 of 11 May 2016 on Europol</b></p> <ul style="list-style-type: none"> <li>• Article 61(4): In respect of the financial support to be given to joint investigation teams' activities, Europol and Eurojust shall jointly establish the rules and conditions upon which applications for such support are to be processed.</li> </ul>	<ul style="list-style-type: none"> <li>• Eurojust and Europol will jointly establish rules and conditions regarding the processing of JIT funding applications, to ensure full complementarity of the respective funding schemes; possibility to conclude MoU.</li> </ul>	
<p><b>Cooperation with the European Border and Coast Guard Agency (Frontex)</b> <a href="#">Regulation (EU)</a></p>	<p>Obligation for Frontex to cooperate with Eurojust (Articles 8(1)(m) and 52, Frontex Regulation).</p>	<ul style="list-style-type: none"> <li>• Frontex and Eurojust to replace MoU with cooperation agreement allowing exchange of operational information including personal data.</li> </ul>	



<p><a href="#">2016/1624</a> of 14 September 2016 on the European Border and Coast Guard</p>			
<p><b>(Strategic) Cooperation with eu-LISA,</b> Regulation (EU) No 1077/2011 of the European Parliament and of the Council, having regard to the Treaty on the Functioning of the European Union.</p>	<p>Memorandum of Understanding signed on 19 September 2017</p>	<ul style="list-style-type: none"> <li>• Eurojust and eu-LISA to implement obligations stemming from MoU.</li> </ul>	
<p><b>IV. Corporate areas</b></p>			
Areas	Title of Document & Relevant Provisions	Legal obligations for /requests to Eurojust	
<p><b>Participation of Eurojust in Mutual Evaluations (6<sup>th</sup>, 7 and 8<sup>th</sup> rounds)</b></p>	<p><u>Joint Action of 5 December 1997</u> establishing a mechanism for evaluating the application and implementation at national level of international undertakings in the fight against organised crime and specific implementing Council acts (e.g. 6<sup>th</sup> round, 7<sup>th</sup> round) – <u>Eurojust’s participation in the mutual evaluations as an observer</u></p>	<ul style="list-style-type: none"> <li>• Contributions to Council reports after evaluation visits attended by Eurojust.</li> <li>• Implementation of recommendations addressed to Eurojust, reports to GENVAL.</li> <li>•</li> </ul>	
<p><b>Eurojust Annual Report (activities and management)/ opinions</b></p>	<p><u>Eurojust Decision</u></p> <ul style="list-style-type: none"> <li>• Article 32(1): The President, on behalf of the College, <u>shall report to the Council in writing every year on the activities and management</u>, including budgetary management, of Eurojust. To that end, the College shall prepare an annual report on the activities of Eurojust and on any criminal policy problems within the Union highlighted as</li> </ul>	<ul style="list-style-type: none"> <li>• Produce an annual report on Eurojust’s activities and on management.</li> <li>• Report on the implementation of Council conclusions on the Eurojust Annual Reports.</li> <li>• Provide opinions upon request.</li> </ul>	



	<p>a result of Eurojust's activities [...].</p> <p>Article 32(3): The Commission or the <u>Council may seek Eurojust's opinion</u> on all draft instruments prepared under Title VI of the Treaty.</p>		
<b>Eurojust Annual Report (activities and management)/ opinions</b>	<p><u>Eurojust Decision</u></p> <ul style="list-style-type: none"> <li>Article 32(1): The President, on behalf of the College, <u>shall report to the Council in writing every year on the activities and management</u>, including budgetary management, of Eurojust. To that end, the College shall prepare an annual report on the activities of Eurojust and on any criminal policy problems within the Union highlighted as a result of Eurojust's activities [...].</li> <li>Article 32(3): The Commission or the <u>Council may seek Eurojust's opinion</u> on all draft instruments prepared under Title VI of the Treaty.</li> </ul>	<ul style="list-style-type: none"> <li>Produce an annual report on Eurojust's activities and on management.</li> <li>Report on the implementation of Council conclusions on the Eurojust Annual Reports.</li> <li>Provide opinions upon request.</li> </ul>	
<b>Consolidated Annual Activity Report</b>	<p><u>Eurojust Financial Regulation</u></p> <ul style="list-style-type: none"> <li>Article 47(1): The authorising officer shall <u>report to the College</u> on the performance of his duties in a form of a consolidated annual activity report containing [...] The consolidated annual report shall be <u>submitted to the College for the assessment</u>.</li> <li>(2): No later than 1 July each year the <u>consolidated annual activity report together with its assessment shall be sent by the College to the Court of Auditors, to the Commission, to the European Parliament and the Council</u>.</li> <li>(3): Additional reporting requirements may be provided in the Eurojust Decision in duly justified cases, in particular when it is required by the nature of the field in which Eurojust operates.</li> </ul>	<ul style="list-style-type: none"> <li>Production and assessment of the Consolidated Annual Activity Report (CAAR).</li> <li>Submission of the CAAR to the relevant EU Institutions.</li> <li>Additional reporting obligations as relevant and as provided for in the EJD.</li> </ul>	
<b>Budget</b>	<p><u>Eurojust Decision</u></p> <ul style="list-style-type: none"> <li>Article 35(1): Each year the College, on the basis of a draft drawn up by the Administrative Director, <u>shall produce an estimate of revenue and expenditure for Eurojust</u> for the following financial year [...].</li> <li>Article 35(4): Before the beginning of the financial year, the College of Eurojust <u>shall adopt</u> the budget [...].</li> </ul>	<ul style="list-style-type: none"> <li>Prepare and adopt the budget.</li> </ul>	
<b>Implementation of the budget and discharge</b>	<p><u>Eurojust Decision</u></p> <ul style="list-style-type: none"> <li>Article 36(1): The Administrative Director <u>shall report to the College on the implementation of the budget</u>.</li> <li>Article 36(5): The College <u>shall deliver an opinion</u> on Eurojust's final accounts.</li> </ul>	<ul style="list-style-type: none"> <li>Produce a report on the implementation of the budget (AD) and deliver an opinion on Eurojust final accounts (the College).</li> <li>Forward the final accounts to the relevant EU institutions to obtain a discharge in respect of the yearly implementation of the budget.</li> </ul>	



	<ul style="list-style-type: none"> <li>Article 36(6): The Administrative Director shall [...] <u>forward the final accounts</u> to the European parliament, the Council, the Commission and the Court of Auditors, together with the College of Eurojust's opinion.</li> </ul>		
<b>Implementation Article 13 EJD</b>	<p><u>Eurojust Decision</u></p> <ul style="list-style-type: none"> <li>Article 13(12): By 04 June 2014, the Commission shall establish, <u>on the basis of information transmitted by Eurojust</u>, a report on the implementation of [Article 13], accompanied by any proposal it may deem appropriate, including with a view to considering an amendment of paragraphs 5, 6 and 7 and the Annex.</li> </ul>	<ul style="list-style-type: none"> <li>Provide information about the state of play of the implementation of Article 13 in view of the Commission's report.</li> </ul>	
<b>Evaluation of Eurojust</b>	<p><u>Eurojust Decision</u></p> <ul style="list-style-type: none"> <li>Article 41a(1): Before 04 June 2014 and every five years thereafter, <u>the College shall commission an independent external evaluation</u> of the implementation of [the Eurojust Decision] as well as of the activities carried out by Eurojust.</li> <li>Article 41a(3): The evaluation report shall include the evaluation findings and recommendations. This report shall be forwarded to the European Parliament, the Council and the Commission and shall be made public.</li> </ul>	<ul style="list-style-type: none"> <li>Commission independent external evaluations of Eurojust as prescribed.</li> <li>Process the resulting evaluation reports as prescribed.</li> </ul>	
<b>Audits</b>	<p><u>Eurojust Decision</u></p> <ul style="list-style-type: none"> <li>Article 38(3): [...] Eurojust shall, in the light of the auditor's reports, take the necessary measures in response to these recommendations.</li> <li>Article 36(8): The Administrative Director shall send the Court of Auditors a reply to its observations [...].</li> </ul>	<ul style="list-style-type: none"> <li>Take measures in response to (the internal) auditor's recommendations.</li> <li>Reply to the Court of Auditor's observations (on the implementation of Eurojust's budget).</li> </ul>	
<b>Planning Documents</b>	<p><u>College Decision 2014-1 on Financial Regulation applicable to Eurojust</u></p> <ul style="list-style-type: none"> <li>Article 32(1): Eurojust shall draw up a programming document containing multi-annual and annual programming taking into account guidelines set by the Commission.</li> </ul>	<ul style="list-style-type: none"> <li>Draw up multi-annual and annual programming documents.</li> </ul>	
<b>Access to documents</b>	<p><u>Article 15 TFEU</u></p> <ul style="list-style-type: none"> <li>Any citizen of the Union, and any natural or legal person residing or having its registered office in a Member State shall have the right of access to documents of the Union's institutions, bodies, offices and agencies [...]</li> </ul> <p><u>Eurojust Decision</u></p> <ul style="list-style-type: none"> <li>Article 39: The College shall adopt rules regarding public access to documents, taking account of the principles and limits of Regulation</li> </ul>	<ul style="list-style-type: none"> <li>Receive and process public access to documents requests</li> <li>Report in Eurojust's annual report on the number of cases in which access was refused and the reasons for refusal.</li> </ul>	



	<p>1049/2001.</p> <p><u>College Decision of 13 July 2004</u></p> <ul style="list-style-type: none"> <li>• 1. Any citizen of the Union, and any natural or legal person residing or having its registered office in a Member State, has a right of access to documents of Eurojust, subject to the principles, conditions and limits defined by these rules.</li> <li>• 2. These rules shall apply to all documents held by Eurojust, that is to say, documents drawn up or received by it and in its possession, concerning matters relating to the policies, activities and decisions falling</li> <li>• Article 15: Eurojust shall include in its annual report the number of cases in which it refused to grant access to documents and the reasons for such refusals.</li> </ul>		
<b>Security</b>	<p><u>2013/488/EU: Council Decision of 23 September 2013 on the security rules for protecting EU classified information</u></p> <ul style="list-style-type: none"> <li>• Preamble paragraph 7: Union bodies and agencies established under Title V, Chapter 2, of the Treaty on European Union (TEU), Europol and <u>Eurojust should apply, in the context of their internal organisation, the basic principles and minimum standards laid down in this Decision for protecting EUCI, where so provided in the act establishing them.</u></li> </ul>	<ul style="list-style-type: none"> <li>• Protect the EUCI by applying the applicable principles and minimum standards.</li> </ul>	
<b>Archives</b>	<p><u>COUNCIL REGULATION (EEC, EURATOM) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community</u></p> <ul style="list-style-type: none"> <li>• Article 1 [...] agencies [...] shall establish its historical archives and open them to the public on the terms provided for by this Regulation after the expiry of a period of 30 years starting from the date of the creation of the document.</li> </ul> <p>Article 7 Each institution shall transfer to its historical archives all documents contained in their current archives no later than 15 years after their date of creation. According to the criteria laid down by each institution pursuant to Article 9, there shall be an initial sorting process with the purpose of separating documents that are to be preserved from those that have no administrative or historical value.</p>	<ul style="list-style-type: none"> <li>• Transfer documents to historical archive no later than 15 years after creation.</li> </ul>	
<b>Eurojust</b>	Regulation on the European Union Agency for Criminal Justice	<ul style="list-style-type: none"> <li>• <i>(Note: Entered into force in December 2018 and</i></li> </ul>	





<p><b>Regulation</b></p> <p><b>REGULATION (EU) 2018/1727</b></p>	<p>Cooperation (Eurojust)</p>	<p><i>will become applicable on 12 December 2019. The regulation will be implemented throughout 2019. An overview of Eurojust's new legal obligations and implementing activities has been compiled)</i></p>	
--	-------------------------------	--	--

**OTHER LEGISLATIVE PROPOSALS**

<p><b>Council Regulation (EU) 2017/1939</b> of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO')</p>	<p><u>Council Regulation on the establishment of the European Public Prosecutor's Office</u></p> <p><b>Article 100 - Relations with Eurojust</b></p> <p>1. The EPPO shall establish and maintain a close relationship with Eurojust based on mutual cooperation within their respective mandates and on the development of operational, administrative and management links between them as defined in this Article. To this end, the European Chief Prosecutor and the President of Eurojust shall meet on a regular basis to discuss issues of common concern.</p> <p>2. In operational matters, the EPPO may associate Eurojust with its activities concerning cross-border cases, including by:</p> <p>(a) sharing information, including personal data, on its investigations in accordance with the relevant provisions in this Regulation;</p> <p>(b) inviting Eurojust or its competent national member(s) to provide support in the transmission of its decisions or requests for mutual legal assistance to, and execution in, Member States of the European Union that are members of Eurojust but do not take part in the establishment of the EPPO, as well as third countries.</p> <p>3. The EPPO shall have indirect access to information in Eurojust's case management system on the basis of a hit/no-hit system. Whenever a match is found between data entered into the case management system by the EPPO and data held by Eurojust, the fact</p>	<ul style="list-style-type: none"> <li>• The European Chief Prosecutor and the President of Eurojust shall meet on a regular basis.</li> <li>• In operational matters, if associated by the EPPO, Eurojust will:             <ul style="list-style-type: none"> <li>○ Provide support in the transmission of the EPPO's decisions or requests for MLA and execution in MS that do not take part in the EPPO, and third States;</li> <li>○ Provide EPPO with indirect access to information stored in the CMS and vice-versa.</li> </ul> </li> <li>• In the investigation and prosecution phase:             <ul style="list-style-type: none"> <li>○ Coordination of PIF cases involving non-EPPO Member States and/or third countries;</li> <li>○ Assistance with the set-up of JITs or coordination centres involving non-EPPO Member States and/or third states;</li> <li>○ Advice on a transfer of proceedings to non-EPPO Member States and/or third states;</li> <li>○ Advice on conflicts of jurisdiction issues with non-EPPO Member States or advice, in close cooperation with contact points in third countries, on the relevant legal basis to be used by the EPPO to issue and execute MLA requests vis-à-vis third states. Eurojust and the EPPO shall negotiate an Arrangement regarding Eurojust's detailed support to the</li> </ul> </li> </ul>
---	--	---



	<p>that there is a match shall be communicated to both Eurojust and the EPPO, as well as the Member State of the European Union which provided the data to Eurojust. The EPPO shall take appropriate measures to enable Eurojust to have access to information in its case management system on the basis of a hit/no-hit system.</p> <p>4. The EPPO may rely on the support and resources of the administration of Eurojust. To that end, Eurojust may provide services of common interest to the EPPO. The details shall be regulated by means of an Arrangement.</p>	<p>EPPO.</p> <p>(source: LS suggested speaking points to Eurojust’s President in view of EPPO – COPEN meeting of 15 February 2016)</p> <ul style="list-style-type: none"> <li>• During the trial phase, for instance: urgent replies to questions <i>e.g.</i> on <i>ne bis in idem</i> or time spent in pre-trial detention could be facilitated with Eurojust’s intervention.</li> </ul> <p>In addition, Eurojust may provide services of common interest to the EPPO. The details are to be regulated in an arrangement. It is likely that another arrangement will be concluded on the practical details on the exercise of competence in accordance with Article 3 of the draft Eurojust Regulation.</p>
<p>Regulation of the European Parliament and of the Council on European production and preservation orders for electronic evidence in criminal matters</p> <p>(Interinstitutional File: 2018/0108(COD) 15020/18</p>	<p>Article <b>12a</b> 18 Ensuring privileges and immunities under the law of the enforcing State</p> <p><b>Limitations to the use of data obtained</b></p> <p><b>1. If in case the person whose data are sought is not residing on the territory of the issuing State, and</b> transactional or content data <b>has been</b> obtained by the European Production Order <b>and the issuing authority receives information that these data it is are</b> protected by privileges or immunities granted under the law of the Member <b>enforcing State</b> of the addressee, or <b>is subject, in the enforcing State, to rules on determination and limitation of criminal liability relating to freedom of press and freedom of expression in other media,</b> or it impacts fundamental interests of that Member State <b>if invoked by that Member State, disclosure of these data would impact its fundamental interests</b> such as national security and defence, the court <b>the competent authorities</b> in the issuing State shall ensure during the criminal proceedings for which the Order was issued that these grounds are taken into account in the same way as if they were provided for under their national law when</p>	<p>TBD</p> <p>Consulting role of Eurojust</p>



	<p>assessing the relevance and admissibility of the evidence concerned. <b>The competent authorities</b> may consult the authorities of the relevant Member State, the European Judicial Network in criminal matters or Eurojust.</p> <p><u>Article 5(7)b:</u> <u>the data requested is protected by immunities and privileges granted under the law of the Member State where the service provider is addressed enforcing State or it is subject in that Member State to rules on determination and limitation of criminal liability relating to freedom of press and freedom of expression in other media its disclosure may impact fundamental interests of th Member enforcing State such as national security and defence, the issuing authority has to shall seek clarification on the circumstances referred to in point b) before issuing the European Production Order, including by consulting the competent authorities of the Member enforcing State concerned, either directly or <b>via Eurojust or the European Judicial Network</b>. If the issuing authority finds that the requested access, transactional or content data is are protected by such immunities and privileges or rules on determination and limitation of criminal liability relating to freedom of press and freedom of expression in other media or its disclosure would impact fundamental interests of the other Member State such as national security and defence, it shall take these circumstances into account in the same way as if they were provided for under its national law and it shall not issue or shall adapt the European Production Order where necessary to give effect to these grounds.</u></p>	<p>Facilitating contacts</p>
--	--	------------------------------

## II. Financial Resources

*(The below sub-sections contain preliminary figures based on the Budget Circular 2019 and the Financial Accounts of 2017)*

### 1 – Expenditures <sup>15</sup>

Eurojust uses differentiated appropriations for JIT grants (Budget Line 3720). In 2019, for this Budget Line, the commitment appropriations amount to €1,442,000 and the payment appropriations to €1,302,000 (using commitment appropriations of multiple years, i.e. €442,000 from 2019, €550,000 from 2018 and €310,000 from the 2017 budget).

Expenditures	2018		2019	
	Commitment appropriations	Payment appropriations	Commitment appropriations	Payment appropriations
<b>Title 1</b>	20,876,805	20,876,805	20,949,982	20,949,982
<b>Title 2</b>	6,896,178	6,896,178	7,539,517	7,539,517
<b>Title 3</b>	10,833,754	10,591,754	9,646,738	9,506,838
<b>Total expenditures</b>	<b>38,606,737</b>	<b>38,364,737</b>	<b>38,136,237</b>	<b>37,996,237</b>

<sup>15</sup> The envisaged expenditures for 2020 and 2021 are based on the latest projections for increases in Eurojust's operational workload during the next MFF period 2021-2027, as prepared by Eurojust in February 2018. This growth in the operational work is expected to have a direct impact on the Title 3 budget, specifically for 'Meetings, seminars, training and representation', 'Operational and experts missions' and 'JITs grants, meetings and other expenses', and on Eurojust's establishment plan posts budgeted under Title 1. In addition, for 2020-2021, Eurojust expects marginal increases in other areas, mostly to accommodate inflation.

EXPENDITURE	Commitment appropriations						
	Executed Budget 2017 <sup>16</sup>	Budget 2018 <sup>17</sup>	Final Budget 2019		VAR 2019/2018 (%)	Envisaged for 2020	Envisaged for 2021
			Agency request	Budget forecast			
<b>Title 1 - Staff expenditure</b>	<b>19,878,587</b>	<b>20,876,805</b>	<b>21,958,260</b>	<b>20,949,982</b>	<b>0.4%</b>	<b>23,853,06</b>	<b>24,814,306</b>
Salaries & allowances	18,873,458	19,832,310	20,870,659	20,095,811	2.2%	22,585,897	23,521,855
- Of which establishment plan posts <sup>18</sup>	18,680,072	19,432,310	20,462,659	20,095,811	4.3%	22,400,897	23,333,155
- Of which external personnel	193,386	400,000	408,000	0	-100.0%	185,00	188,700
Expenditure relating to staff recruitment	142,732	60,930	62,151	85,984	41.1%	240,624	245,436
Employer's pension contributions	0	0	0	0	0.0%	0	0
Mission expenses	45,883	55,000	59,000	59,000	7.3%	85,200	86,904
Socio-medical infrastructure	133,133	164,565	170,450	168,555	2.4%	169,185	172,569
Training	230,211	355,000	384,000	355,000	-46.5%	390,118	397,920
External services	399,618	363,500	366,500	156,953	-56.8%	342,553	349,404
Receptions, events and representation	6,878	5,500	5,500	0	-100.0%	2,000	2,040
Social welfare	46,674	40,000	40,000	28,679	-28.3%	37,429	38,178
Other staff-related expenditure	0	0	0	0	0.0%	0	0
<b>Title 2 - Infrastructure and operating expenditure</b>	<b>27,384,548</b>	<b>6,896,178</b>	<b>7,930,919</b>	<b>7,539,517</b>	<b>9.3%</b>	<b>7,834,994</b>	<b>7,991,694</b>
Rental of buildings and associated costs	8,410,754	5,132,136	6,288,760	6,040,850	17.7%	6,223,000	6,347,815
Information, communication technology and data processing	1,680,176	1,405,417	1,361,649	1,272,742	-9.4%	1,348,430	1,375,399

<sup>16</sup> In line with the latest clarifications from DG JUST/DG BUDG on Budget Circular 2019, the figures under Executed Budget 2017 include the commitment execution for all fund sources. Hence, the total executed Commitment Appropriations for 2017 (€57,393,764) include €48,674,369 from fund source C1, €273,690 from fund source C4, €200,013 from fund source C5 and €8,245,692 from fund source C8.

<sup>17</sup> The figures under Budget 2018 include only the C1 commitment appropriations.

<sup>18</sup> The sub-heading "of which establishment plan posts" under "Salaries & allowances" includes also the executed (for 2017) and estimated (for 2018-2019) expenditures to cover the European School Subsidies (see Eurojust Budget Line 1171, with €602,143 executed Commitment Appropriations in 2017; €628,607 planned Commitment Appropriations in 2018 and €826,141 planned Commitment Appropriations in 2019).



EXPENDITURE	Commitment appropriations						
	Executed Budget 2017 <sup>16</sup>	Budget 2018 <sup>17</sup>	Final Budget 2019		VAR 2019/2018 (%)	Envisaged for 2020	Envisaged for 2021
			Agency request	Budget forecast			
Movable property and associated costs	189,739	112,500	112,950	82,025	-27.1%	114,420	116,708
Current administrative expenditure	70,221	63,700	64,000	56,000	-12.1%	56,000	57,120
Postage / telecommunications	100,115	122,425	103,560	87,900	-28.2%	92,796	94,652
Meeting expenses	0	0	0	0	0.0%	0	0
Running costs in connection with operational activities	0	0	0	0	0.0%	0	0
Information and publishing	0	0	0	0	0.0%	0	0
Studies	0	0	0	0	-100.0%	0	0
Other infrastructure and operating expenditure <sup>19</sup>	16,933,543	60,000	0	0	0.0%	0	0
<b>Title 3 - Operational expenditure</b>	<b>10,130,629</b>	<b>10,833,754</b>	<b>11,286,953</b>	<b>9,646,738</b>	<b>-11.0%</b>	<b>12,061,000</b>	<b>9,481,738</b>
Meetings, seminars, training and representation <sup>20</sup>	2,375,563	2,771,750	3,162,126	2,623,258	-5.4%	3,200,000	3,296,000
Operational and experts missions	1,427,357	1,802,737	1,852,248	1,806,796	0.2%	1,910,000	2,082,000
Public relations and publications	190,022	386,000	293,500	153,528	-60.2%	318,000	324,000
Data and documentation expenditure	3,493,264	3,678,867	3,287,679	2,946,298	-19.9%	3,300,000	3,666,000
Translation casework	136,539	133,000	130,000	110,500	-16.9%	130,000	135,000
EJN projects, meetings and representation expenses	510,892	460,000	460,000	433,465	-5.8%	455,000	464,000
JSB meetings and representation expenses	20,356	30,400	30,400	20,400	-32.9%	0	0
JITs grants, meetings and other expenses	1,916,574	1,500,000	2,000,000	1,491,678	-0.6%	1,997,000	2,205,000
Genocide Network meetings and other	60,062	71,000	71,000	60,815	-14.3%	72,000	73,000

<sup>19</sup> These concern the costs for the New Premises project, which are covered by the separate 'ring-fenced' budget envelope, which has been made available by DG BUDG for this purpose. This refers to Eurojust Budget Line 2501, which included as commitment appropriations €189,998 in 2015, €6,980,000 in 2016, €11,130,000 in 2017 and €60,000 for the closure of the project in 2018. These costs relate only to the building construction; additional costs related to consultancy services and to the transition period (concerning unforeseen single occupancy of the interim building) are covered by Eurojust's 'regular' budget.

<sup>20</sup> Eurojust is an organisation driven by Member States' demands. Its coordination meetings and coordination centres (resulting from casework), including the related costs for interpretation and travel of invited Member States' participants, form the core operational business of Eurojust.

EXPENDITURE	Commitment appropriations						
	Executed Budget 2017 <sup>16</sup>	Budget 2018 <sup>17</sup>	Final Budget 2019		VAR 2019/2018 (%)	Envisaged for 2020	Envisaged for 2021
			Agency request	Budget forecast			
expenses							
<b>TOTAL</b>	<b>57,393,764</b>	<b>38,606,737</b>	<b>41,176,132</b>	<b>38,136,237</b>	<b>-1.2%</b>	<b>43,070,000</b>	<b>45,051,000</b>

EXPENDITURE	Payment appropriations				
	Executed Budget 2017 <sup>21</sup>	Budget 2018 <sup>22</sup>	Final Budget 2019		VAR 2019/2018 (%)
			Agency request	Budget forecast	
<b>Title 1 - Staff expenditure</b>	<b>19,620,940</b>	<b>20,876,805</b>	<b>21,958,260</b>	<b>20,949,982</b>	<b>0.4%</b>
<b>Salaries &amp; allowances</b>	18,859,177	19,832,310	20,870,659	20,095,811	2.2%
- Of which establishment plan posts <sup>23</sup>	18,669,043	19,432,310	20,462,659	20,095,811	4.3%
- Of which external personnel	190,134	400,000	408,000	0	-100%
<b>Expenditure relating to staff recruitment</b>	92,454	60,930	62,151	85,984	41.1%
<b>Employer's pension contributions</b>	0	0	0	0	0.0%
<b>Mission expenses</b>	45,606	55,000	59,000	59,000	7.3%
<b>Socio-medical infrastructure</b>	117,758	164,565	170,450	168,555	2.4%
<b>Training</b>	147,023	355,000	384,000	355,000	-46.5%
<b>External services</b>	316,057	363,500	366,500	156,953	-56.8%
<b>Receptions, events and representation</b>	1,878	5,500	5,500	0	-100%
<b>Social welfare</b>	40,987	40,000	40,000	28,679	-28.3%
<b>Other staff-related expenditure</b>	0	0	0	0	0.0%
<b>Title 2 - Infrastructure and operating expenditure</b>	<b>22,505,756</b>	<b>6,896,178</b>	<b>7,930,919</b>	<b>7,539,517</b>	<b>9.3%</b>
<b>Rental of buildings and associated costs</b>	6,679,254	5,132,136	6,288,760	6,040,850	17.7%
<b>Information, communication technology and data processing</b>	997,972	1,405,417	1,361,649	1,272,742	-9.4%
<b>Movable property and associated costs</b>	176,339	112,500	112,950	82,025	-27.1%

<sup>21</sup> In line with the latest clarifications from DG JUST/DG BUDG on Budget Circular 2019, the figures under Executed Budget 2017 include the payment execution for all fund sources. Hence, the total Executed Payment Appropriations for 2017 (€49,317,093) include €40,875,914 from fund source C1, €344,819 from fund source C2, €209,794 from fund source C4, €199,917 from fund source C5 and €7,686,649 from fund source C8.

<sup>22</sup> The figures under Budget 2018 include only the C1 payment appropriations.

<sup>23</sup> The sub-heading 'of which establishment plan posts' under 'Salaries & allowances' includes also the executed (for 2017) and estimated (for 2018-2019) expenditures to cover the European School Subsidies (see Eurojust Budget Line 1171, with €591,112 in executed Payment Appropriations in 2017; €628,607 planned Payment Appropriations in 2018 and €826,141 planned Payment Appropriations in 2019).

EXPENDITURE	Payment appropriations				
	Executed Budget 2017 <sup>21</sup>	Budget 2018 <sup>22</sup>	Final Budget 2019		VAR 2019/2018 (%)
			Agency request	Budget forecast	
Current administrative expenditure	55,516	63,700	64,000	56,000	-12.1%
Postage/telecommunications	94,731	122,425	103,560	87,900	-28.2%
Meeting expenses	0	0	0	0	0.0%
Running costs in connection with operational activities	0	0	0	0	0.0%
Information and publishing	0	0	0	0	0.0%
Studies	0	0	0	0	0.0%
Other infrastructure and operating expenditure <sup>24</sup>	14,501,944	60,000	0	0	-100.0%
<b>Title 3 - Operational expenditure</b>	<b>7,190,397</b>	<b>10,591,754</b>	<b>10,994,953</b>	<b>9,506,738</b>	<b>-10.2%</b>
Meetings, seminars, training and representation <sup>25</sup>	2,078,726	2,771,750	3,162,126	2,623,258	-5.4%
Operational and experts missions	1,412,627	1,802,737	1,852,248	1,806,796	0.2%
Public relations and publications	163,376	386,000	293,500	153,528	-60.2%
Data and documentation expenditure	2,108,698	3,678,867	3,287,679	2,946,298	-19.9%
Translation casework	120,221	133,000	130,000	110,500	-16.9%
EJN projects, meetings and representation expenses	341,735	460,000	460,000	433,465	-5.8%
JSB meetings and representation expenses	20,356	30,400	30,400	20,400	-32.9%
JITs grants, meetings and other expenses <sup>26</sup>	888,952	1,258,000	1,708,000	1,351,678	7.4%
Genocide Network meetings and other expenses	55,706	71,000	71,000	60,815	-14.3%
<b>TOTAL</b>	<b>49,317,093</b>	<b>38,364,737</b>	<b>40,884,132</b>	<b>37,996,237</b>	<b>-1.0%</b>

<sup>24</sup> These concern the costs for the New Premises project, which are covered by the separate 'ring-fenced' budget envelope, which has been made available by DG BUDG for this purpose (see Eurojust Budget Line 2501). These costs relate only to building construction; additional costs related to consultancy services and to the transition period (concerning unforeseen single occupancy of the interim building) are covered by Eurojust's 'regular' budget.

<sup>25</sup> Eurojust is an organisation driven by Member States' demands. Its coordination meetings and coordination centres (resulting from casework), including the related costs for interpretation and travel of invited Member States' participants, form the core operational business of Eurojust.

<sup>26</sup> Since Eurojust applies differentiated appropriations for grants related to JITs (see Eurojust Budget Line 3720), the planned payment appropriations differ from the planned commitment appropriations for the years 2018 and 2019.



## 2 – Revenue

REVENUE	2018	2019
	Revenue estimated by the agency	Budget forecast
<b>EU contribution</b>	38,364,737	37,996,237
<b>Other revenue</b>	0	0
<b>TOTAL REVENUE</b>	<b>38,364,737</b>	<b>37,996,237</b>

REVENUE	General revenues				
	Executed Budget 2017	Budget 2018	Final Budget 2019 (PA)		VAR 2019/2018 (%)
			Agency request	Budget forecast	
<b>1 REVENUE FROM FEES AND CHARGES</b>					
<b>2 EU CONTRIBUTION</b>	47,879,237	38,364,737	40,884,132	37,996,237	-1.0%
- <i>Of which assigned revenue deriving from previous years' surpluses</i>	597,000	255,269	462,678	462,678	
<b>3 THIRD COUNTRIES' CONTRIBUTION (incl. EEA/EFTA and candidate countries)</b>					
- <i>Of which EEA/EFTA (excl. Switzerland)</i>					
- <i>Of which candidate countries</i>					
<b>4 OTHER CONTRIBUTIONS</b>					
<b>5 ADMINISTRATIVE OPERATIONS</b>	1,453,368				
- <i>Of which interest generated by funds paid by the Commission by way of the EU contribution (FFR Art. 58)</i>					
<b>6 REVENUE FROM SERVICES RENDERED AGAINST PAYMENT</b>					
<b>7 CORRECTION OF BUDGETARY IMBALANCES</b>					
<b>TOTAL</b>	49,332 605	38,364,737	40,884,132	37,996,237	-1.0%

### 3 – Budget Outturn and cancellation of appropriations

#### Budget Outturn

Budget outturn	2015	2016	2017
Reserve from the previous years' surplus (+)	-	-	-
Revenue actually received (+)	33,872,939	43,744,600	49,332,605
Payments made (-)	-30,109,211	-35,030,920	-41,285,625
Carryover of appropriations (-)	-3,700,127	-8,79,933	-8,232,124
Cancellation of appropriations carried over (+)	525,194	205,113	448,452
Adjustment for carryover of assigned revenue appropriation from previous year (+)	9,701	16,766	200,013
Exchange rate differences (+/-)	-846	-357	-643
Adjustment for negative balance from previous year (-)	-	-	-
<b>TOTAL</b>	597,650	255,269	462,678

The budget execution rate for 2017 was 99.97% (compared to 99.89% in 2016). However, the level of carry-over of appropriations remained high at €8,232,123 (compared to €8,679,933 in 2016) due mainly to the following:

- A significant part of these commitments (€2.4 million) relates to orders under the 'ring-fenced' budget of the New Premises project, due to be settled predominantly with the Host State in 2018.
- An amount of €1.7 million relates to building-specific costs, invoiced by the Host State on a retroactive basis, e.g. service costs for the building, utility costs, etc. In addition, a backlog of incorrect invoices were received for cleaning services, which are currently under review with the supplier.
- Outstanding orders related to ongoing ICT projects and hardware amount to €2 million. The delay in placing these orders arises because Eurojust faced a deficit in Title 1 that may have required the de-prioritisation of these ICT expenditures.
- Outstanding payments of approximately €300,000 related to operational/coordination meetings that took place in 2017 for accommodation, interpretation and catering expenses, as well as reimbursement of external participants for travel.
- €1.1 million has been carried over from a C4 (not yet committed) to a C5 fund source, since this amount was received as compensation by the Host State for double rent and services for the old and the new premises during the transition/redelivery period.

#### Cancellation of appropriations

- Cancellation of commitment appropriations: €14,869
- Cancellation of payment appropriations for the year: €14,869
- Cancellation of payment appropriations carried over: €448,452 (€214,224 from C2 in payment appropriations and €234,228 from C8 in payment appropriations)

2017 C1 (€14,869):

Cancellations of commitment and payment appropriations continue to decrease in absolute and relative terms. In 2017, these cancellations totalled €14,869 (€31,401 lower than in 2016) and represent only 0.03% of the total budget. Unused commitment appropriations were mostly a result of de-commitments in missions due to revised estimation of mission reimbursements, and some unused amounts in administrative assistance to HR.

#### 2017 C2 (€214,224):

This cancellation relates to differentiated appropriations and more specifically to payment appropriations for JIT grants.

In 2016, Eurojust introduced differentiated appropriations for JIT grants after having researched the benefits of this change, especially in terms of carryforwards and cancellations. The result has been positive, especially in terms of the efficient use of funds, leading to considerably lower cancelled commitment appropriations compared to previous years.

At the end of 2016, an error in the publication of the 2016 budget in the Official Journal was identified, affecting the payments due from the Commission. As a result, Eurojust had to adopt an amending budget at the end of the year to avoid losing €500,000 of the corresponding payment appropriations. These payment appropriations, which exceeded the needs of Eurojust in 2016, led also to the College's approval of the carryover of payment appropriations (C1-> C2) from 2016 to 2017 in the amount of €559,043.

In accordance with Article 14 of the Eurojust Financial Regulation, the fresh payment appropriations of 2017 (C1) have been depleted prior to the use of the C2 payment appropriations from 2016. Only in Q4 2017 did the fact emerge that, unlike commitment appropriations, C2 payment appropriations cannot be carried over to a further financial year (2018). As a result, the payment appropriations for 2018 were significantly higher than the anticipated consumption.

While Eurojust was able to execute a significant portion of the C2 payment appropriations, the payment execution compared to the awarded amounts has been substantially lower than anticipated due to a significant number of zero cost claims (i.e. beneficiaries not claiming any costs).

This issue has been redressed in the subsequent years' budgets.

#### 2017 C8 (€234,228):

The cancellation of amounts carried forward from 2016 in absolute terms has increased from €205,113 in 2016 to €234,228 in 2017. However, as a proportion of the appropriations carried forward, a decrease in cancellations from 5.57% in 2016 to 2.76% in 2017 has been experienced.

Cancellations of carryforwards to 2017 were primarily due to a lower than anticipated budget implementation of costs related to security services, ICT projects and consultancy, New Premises consultancy and coordination meetings. Several of these commitments contained a contingency provision for certain risks that did not materialise.

The level of cancellations of 2017 and carried forward 2016 appropriations was only 0.64%, which is significantly less than the Commission's penalty threshold of 5%.

### III. Human Resources- quantitative

Annex III. Table 1 - Staff population and its evolution; Overview of all categories of staff

Staff Population		Actually filled as of 31.12.2016	Authorised under EU budget 2017 <sup>2</sup>	Actually filled as of 31.12.2017 <sup>3</sup>	Authorised under EU budget 2018 <sup>2</sup>	Authorised under EU budget 2019	Envisaged budget 2020	Envisaged budget 2021
Officials	AD	0	0	0	0	0	0	0
	AST	0	0	0	0	0	0	0
	AST/SC	0	0	0	0	0	0	0
TA	AD	70	93	74	96	101	98	100
	AST	126	115	128	113	107	122	124
	AST/SC	0	0	0	0	0	0	0
<b>Total<sup>1</sup></b>		<b>196</b>	<b>208</b>	<b>202</b>	<b>209</b>	<b>208</b>	<b>220</b>	<b>224</b>
CA GF IV		15	5	4	7	6	6	6
CA GF III		11	8.5	8	8	5	5	5
CA GF II		5	11	9	7.5	5	5	5
CA GF I		0	0	0	0	0	0	0
<b>Total CA<sup>4</sup></b>		<b>31</b>	<b>24.5</b>	<b>21</b>	<b>22.5</b>	<b>16</b>	<b>16</b>	<b>16</b>
SNE <sup>5</sup>		21	21	17	21	21	21	22
<i>Structural service providers<sup>6</sup></i>		8.09	8	2	4.5	4.5	4.5	4.5
<b>TOTAL</b>		<b>256.09</b>	<b>261.5</b>	<b>242</b>	<b>257</b>	<b>249.5</b>	<b>261.5</b>	<b>266.5</b>
<i>External staff for occasional replacement<sup>7</sup></i>				6				

<sup>1</sup>Headcounts

<sup>2</sup>As authorised for temporary agents (TA) and as estimated for contract agents (CA) and seconded national experts (SNE)

<sup>3</sup>Offer letters sent are counted as posts filled. By 31 December 2017, 8 offer letters have been sent in relation to a vacant post.

<sup>4</sup>FTE

<sup>5</sup>FTE

<sup>6</sup>Service providers are contracted by a private company and carry out specialised outsourced tasks of horizontal/support nature, for instance in the area of information technology.

The following general criteria should be fulfilled: 1) no individual contract with Eurojust; 2) on Eurojust premises, usually with a PC and desk;

3) administratively followed by Eurojust (badge, etc.) and 4) contributing to the added value of Eurojust.

<sup>7</sup>FTE

Annex III. Table 2 - Multi-annual staff policy plan 2019 - 2021

Category and grade	Establishment plan in EU Budget 2017		Filled as of 31.12.2017*		Modifications in year 2017 in application of flexibility rule**		Establishment plan in EU Budget 2018		Modifications in year 2018 in application of flexibility rule		Establishment plan in EU Budget 2019		Establishment plan envisaged 2020		Establishment plan envisaged 2021	
	Officials	TA	Officials	TA	Officials	TA	Officials	TA	Officials	TA	Officials	TA	Officials	TA	Officials	TA
AD 16																
AD 15																
AD 14		1		1		1		1				1		1		1
AD 13		1		1		1		1				1		1		1
AD 12																
AD 11						3		3				5		5		5
AD 10		9		4		6		8				12		12		12
AD 9		10		8		10		13				22		22		22
AD 8		26		17		26		30				21		21		21
AD 7		30		9		30		32				32		31		31
AD 6		12		31		12		5				4		5		7
AD 5		4		3		4		3				3				
<b>Total AD</b>	<b>0</b>	<b>93</b>	<b>0</b>	<b>74</b>	<b>0</b>	<b>93</b>	<b>0</b>	<b>96</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>101</b>	<b>0</b>	<b>98</b>	<b>0</b>	<b>100</b>
AST 11																
AST 10																
AST 9		1		1		1		1				1		1		1
AST 8																
AST 7												1		1		1
AST 6		3		1		3		4				5		5		5
AST 5		24		9		24		34				52		52		52
AST 4		54		42		54		51				48		51		51
AST 3		22		41		22		17						11		11
AST 2		11		33		11		6						1		3
AST 1				1												
<b>Total AST</b>	<b>0</b>	<b>115</b>	<b>0</b>	<b>128</b>	<b>0</b>	<b>115</b>	<b>0</b>	<b>113</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>107</b>	<b>0</b>	<b>122</b>	<b>0</b>	<b>124</b>
AST/SC 1																
AST/SC 2																
AST/SC 3																
AST/SC 4																
AST/SC 5																
AST/SC 6																
<b>Total AST/SC</b>																
<b>TOTAL</b>	<b>0</b>	<b>208</b>	<b>0</b>	<b>202</b>	<b>0</b>	<b>208</b>	<b>0</b>	<b>209</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>208</b>	<b>0</b>	<b>220</b>	<b>0</b>	<b>224</b>

\*In accordance with Art 38(2) Financial Regulation, 2 appointments have been made to offset the effects of part-time work

\*\*The modifications to the EP were done to allow for reclassification of post-holders and for the recruitment of Head of Operations Department

## IV. Human resources – qualitative

### IV-A Recruitment Policy

The engagement and use of Temporary and Contract Agents, and procedures for their recruitment and selection, are laid down in the respective implementing rules and policies adopted by Eurojust. The objective of selection procedures is to recruit staff that best fit the job profile in a timely and transparent manner.

In 2018, Eurojust adopted a new Recruitment Policy to take into account the new implementing rules on engagement and use of temporary agents 2(f) and the Eurojust Competency Framework.

### Temporary agents

#### Entry grades

Temporary agents, who will take up long-term positions, will, as a rule, be recruited at the levels indicated below to permit a long-term career perspective:

- AST/SC 1 to AST/SC 2 for function group AST/SC;
- AST 1 to AST 4 for function group AST; and
- AD 5 to AD 8 for the function group AD.

Temporary Agents for managerial positions at the level of Head of Unit are normally recruited at the level AD 9/AD 10.

In all cases, and before publishing any posts, all options are carefully evaluated to match function grade and responsibilities appropriately. An internal publication is launched prior to any external publication.

The diagram below shows the type of key functions and the respective entry grades:

AD		AST	
16			
15		11	
14	Director	10	Senior Technical Expert/Assistant
13		9	
12		8	
11	Head of Department	7	
10	Head of Unit	6	
9		5	
8	Head of Secretariat/Sector/Senior Officers/Experts	4	Technical Experts/Assistants
7	Head of Sectors/Coordinators/Officers	3	Assistants
6		2	
5	Officers	1	

### *Temporary Agents on long-term employment*

The criteria for identification of long-term posts are the following:

- Posts covering tasks of a permanent nature resulting from the mandate and business plan of the Agency;
- Posts ensuring continuous expertise in a specific field.

In accordance with the Decision on standard duration of contracts of employment (AD 2017-39), Temporary Agents are typically engaged for a fixed period of five years. The first renewal will usually be offered for another fixed period of five years. Any subsequent renewal is for an indefinite period.

The general considerations that are taken into account for contract renewal include:

- confirmation of Eurojusts' future human resources allocation by the budgetary authority;
- the requirement for the specific post;
- an examination of the specific competences of the jobholder; and
- a review of the performance of the staff member.

### *Temporary Agents on short-term employment*

The Administrative Director is employed on a short-term contract with a fixed period not exceeding five years with a possibility of one renewal for another fixed period not exceeding five years.

The post of European Judicial Network Secretary is a short-term contract with a fixed period of four years. The contract may be renewed only once for an additional four years with no possibility of becoming indefinite.

## **Contract agents**

Contract Agents are employed for short-/medium-term contracts. The criteria used to identify the need to recruit/maintain such category of staff are the following:

- Reinforce existing capacities in support and administrative functions when necessary, particularly outside the operational support business of Eurojust;
- Work on specific, time-limited projects;
- Fill gaps during long-term absences of Temporary Agents; and
- Exceptionally, to reinforce capacities in areas of work in which a specific competence profile is needed for a limited time period.

In accordance with the Decision on standard duration of contracts of employment (AD 2017-39), Contract Agents are typically engaged for a fixed period of three years. The first renewal will usually be offered for a second fixed-term period of three years. Any subsequent renewal for an indefinite duration is exceptional.

The diagram below shows the type of key functions and the respective entry grades:

CA	
FG IV	Administrative, advisory, specialist and equivalent technical tasks
FG III	Executive tasks, drafting, accountancy and other equivalent technical tasks
FG II	Clerical or secretarial tasks, office management and other equivalent tasks
FG I	Manual and administrative support tasks

### **Seconded National Experts<sup>27</sup>**

The use of Seconded National Experts (SNEs) at Eurojust is regulated by College Decision 2013-6 (08/10/2013) on the implementing arrangements for the secondment to Eurojust of national experts. SNEs are used to fill highly specialised positions at National Desks and in operational support areas.

SNEs working at the National Desks are selected and nominated by their home authorities. Their nomination is authorised by Eurojust, which facilitates their arrival/departure.

SNEs working in the Administration are selected through a selection procedure similar to that for TA and CA posts. Their contract length varies according to the needs of each position.

### **Structural service providers<sup>28</sup>**

A number of structural service providers are recruited in the Information Management Unit and the Corporate Services Unit to provide specific expertise in the development of key projects such as the New Premises Project.

Following the move to the new premises in 2017, the use of structural service providers is expected to be limited.

### **Interim staff**

Eurojust continues to reduce its dependence on interim staff and uses them in exceptional cases only. Interims may provide administrative support to the National Desks in the event absences/vacancies must be temporarily filled with specific language requirements, as well as providing ICT support and general assistance work in the Administration. The contract length varies according to the needs of each position.

---

<sup>27</sup> NB: SNEs are not employed by the agency.

<sup>28</sup> NB: Structural service providers are not employed by the agency.



## IV-B Appraisal of Performance and Reclassification/Promotion

**Table 1 - Reclassification of temporary staff**

Category and grade	Staff in activity at 01.01.2016		How many staff members were reclassified in 2017		Average number of years in grade of reclassified/promoted staff members
	officials	TA	officials	TA	
AD 16					
AD 15					
AD 14		1			
AD 13		1			
AD 12					
AD 11					
AD 10		4		2	5 years
AD 9		6		1	3.67 years
AD 8		16		1	3.75 years
AD 7		11		4	3.19 years
AD 6		24		10	3.44 years
AD 5		8			
<b>Total AD</b>	<b>0</b>	<b>71</b>	<b>0</b>	<b>18</b>	
AST 11					
AST 10					
AST 9		1			
AST 8					
AST 7					
AST 6					
AST 5		2			
AST 4		31		10	3.62 years
AST 3		49		10	3.08 years
AST 2		43		13	3.43 years
AST 1		2			
<b>Total AST</b>	<b>0</b>	<b>128</b>	<b>0</b>	<b>33</b>	
AST/SC 1					
AST/SC 2					
AST/SC 3					
AST/SC 4					
AST/SC 5					
AST/SC 6					
<b>Total AST/SC</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Total</b>	<b>0</b>	<b>199</b>	<b>0</b>	<b>47</b>	

**Table 2 - Reclassification of contract staff**

Function Group	Grade	Staff in activity at 01.01.2016	How many staff members were reclassified in 2017	Average number of years in grade of reclassified/promoted staff members
CA IV	18			
	17			
	16	1		
	15			
	14	5	2	4.5 years
	13	1		
CA III	12			
	11			
	10	2		
	9	3		
	8	2	1	5 years
CA II	7			
	6			
	5	5	2	4.54 years
	4	5		
CA I	3			
	2			
	1			
<b>Total</b>		<b>24</b>	<b>5</b>	

### Reclassification

The 2017 Reclassification exercise was launched on 13 October 2017. The delay in the launching of the exercise was due to earlier concerns regarding budget constraints.

The exercise was carried out in accordance with College Decision 2016-08 establishing the implementing rules for the reclassification of all Temporary Agents, and College Decision 2016-10, setting out the implementing rules applicable to the reclassification of all Contract Agents. Eurojust is applying reclassification for its Contract Agent staff for the first time in 2017.

### Performance Appraisal

Eurojust appraises all staff annually. The annual performance appraisal exercise is conducted at the beginning of each year and the reference period runs from 1 January to 31 December of the year before. All staff members who were in active service for a continuous period of at least one month during the reference period are appraised.

In 2016, the College adopted a Decision on general provisions for implementing Article 43 of the Staff Regulations and implementing the first paragraph of Article 44 of the Staff Regulations for temporary

staff, and a Decision on general provisions for implementing Article 87(1) of the Conditions of Employment of Other Servants of the European Union and implementing the first paragraph of Article 44 of the Staff Regulations. These Decisions provided the framework of the 2017 appraisal exercise.

The objective of the appraisal system is to evaluate the staff member's efficiency, competencies and conduct in the service. The 9th annual performance appraisal exercise was launched on 1 February 2017 and resulted in 100% completed appraisal reports by 31 December 2017.

#### IV-C Mobility Policy

Eurojust's Internal Mobility Policy has been adopted by Decision of the Administrative Director in October 2016. Mobility is open to all temporary or contract agents falling within the range of grades specified in the call. In the interests of efficiency, the procedure is simplified and includes a call for the expression of interest, an electronic application form and an interview with the hiring manager and a representative of the Human Resources Unit.

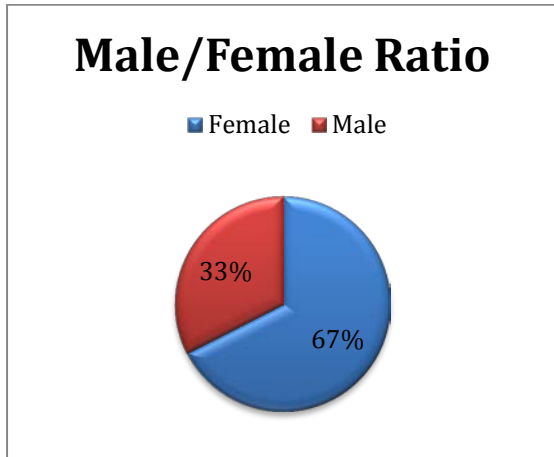
The contractual conditions of the successful candidate (grade, contract end date etc.) remain the same. Candidates must have been in their current post for at least two years and the internal mobility is implemented by a transfer in the interest of the service (Article 7(1) SR).

An internal mobility procedure is launched for all vacant Eurojust posts prior to external publication. In 2017 HR launched 26 internal mobility procedures and as a result 8 staff members were transferred under Article 7(1) SR.

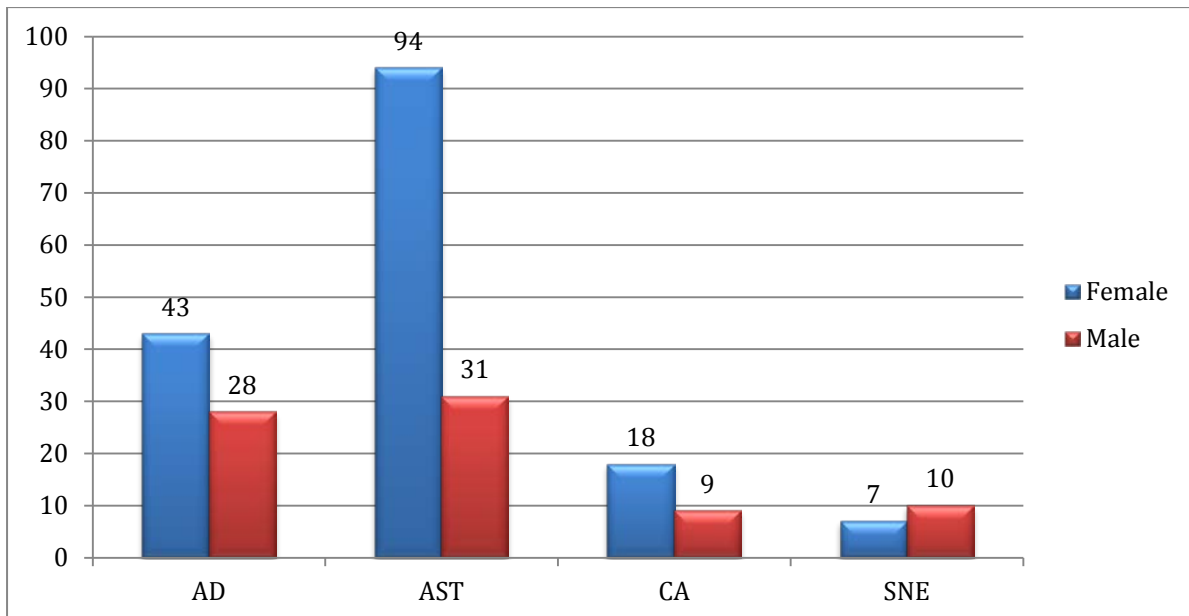
<b>Posts filled in 2017</b>				
<i>Staff are recruited from:</i>				
<b>TA's</b>				
<b>Total</b>	Public Sector	Agencies	Institutions	Private
<b>17</b>	<b>2</b>	<b>8</b>		<b>7</b>
<b>CA's</b>				
<b>Total</b>	Public Sector	Agencies	Institutions	Private
<b>3</b>		<b>1</b>		<b>2</b>
<b>Total TA + CA</b>				
<b>Total</b>	Public Sector	Agencies	Institutions	Private
<b>20</b>	<b>2</b>	<b>9</b>		<b>9</b>
<b>100%</b>	<b>10%</b>	<b>45%</b>		<b>45%</b>

### IV-D Gender and Geographical Balance

The female/male ratio of Eurojust staff can be seen below:



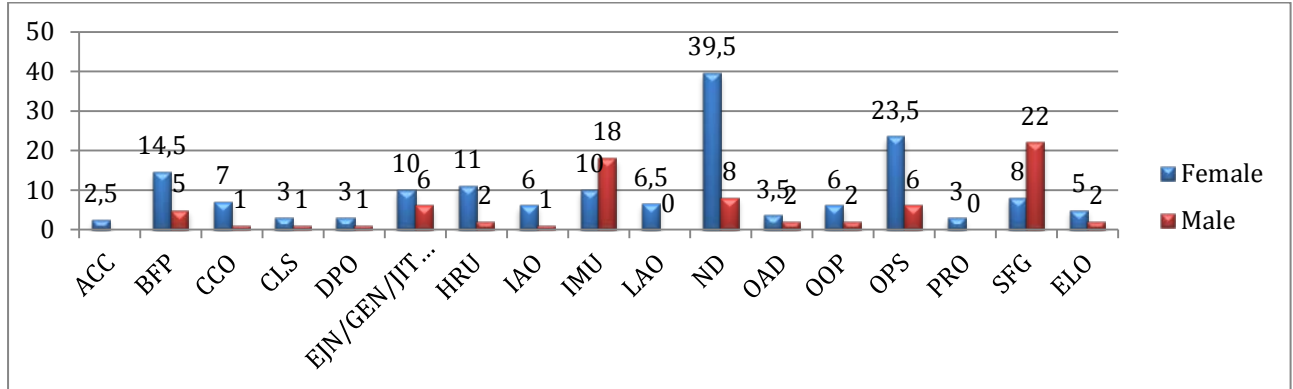
The distribution of female and male staff across grades can be seen below:



Eurojust has a high percentage of female staff. This discrepancy is explained by the structure and job profiles of each unit. As can be seen below, Units with a high number of administrative assistants (e.g. National Desks) are predominantly staffed by women while in units with more technical roles (e.g. Security, Facility and General Services) the majority of employees are men.

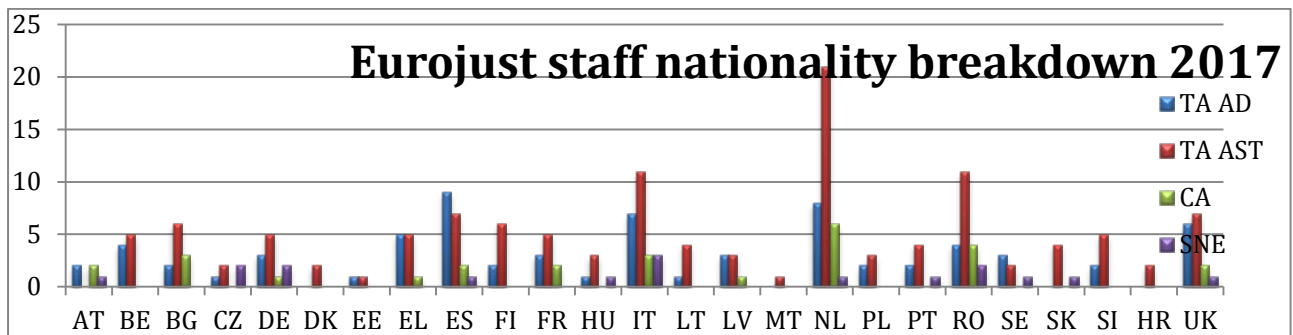
This is also reflected in the applications that Eurojust receives for published vacant posts. For administrative posts the applications are predominately from females while for technical posts the candidates are mainly male. Eurojust strives to reduce this gender imbalance through the vacancy notices by encouraging male candidates to apply.

The staff gender distribution in Eurojust in 2017 is shown below by unit and for the organisation as a whole.



Eurojust had seven middle management positions by 31 December 2017. Three of these positions were filled by female staff.

The geographical breakdown of Eurojust staff by function can be seen below. Since the agency is based in the Netherlands, Dutch employees are the most represented, followed by Romanian, Italian and Spanish. Eurojust does not currently employ staff with Cypriot nationality. Eurojust does not use nationality quotas when filling vacant posts.



#### IV-E Schooling

The establishment of the European School of The Hague was agreed in 2011. The Mandate and Service Agreement between the Commission and the European School was signed by Eurojust on 28 May 2014. The Contribution Agreement between the European School of The Hague and the Commission was signed by the European School of The Hague on 17 July 2014.

The European School is an accredited European School which, although not forming part of the network of European Schools organised by the intergovernmental organisation 'The European Schools', still offers a European education, the European Baccalaureate, meeting all the pedagogical requirements laid down for European Schools. It is set within the framework of the Dutch national school network and thus remains outside the legal, administrative and financial framework to which the European Schools are compulsorily subject.

In 2011, the school, based in the International Zone of The Hague, opened its doors to children in three different language sections, English, Dutch and Spanish, for early years 1 and 2. The school is opening classes progressively, and by the 2018/2019 school year, the full curriculum will be offered in English, Dutch and French. Primary education will continue to be offered in Spanish and German.

Eurojust's estimates on the number of children of Eurojust staff that will attend the school are based on the actual circumstances of the staff. This estimate is further based on the gradually widening provision for the European School of the Hague and a conservative extrapolation of actual situation of staff in the current 2017/2018 school year, rather than an assumption all children will attend. This projection includes reductions, *inter alia*, for children residing outside of The Hague and Dutch nationals unlikely to use the European School, known withdrawals of children from the European School, children benefitting from school allowances of the organisations of the other parent and children for which there is currently no language stream at the European School. The final figure obtained is inflated by 1.5% to take into consideration children of future employees enrolling in the School. Based on the estimated number of children, Eurojust is making the necessary budgetary provisions for the reimbursement of the fees to the Commission as per the process explained in the MSA.

For the school year 2017-2018, 84 children of Eurojust staff and 13 children of members of the National Desks at Eurojust have been registered in the School.

For the years 2019/2022, the forecasted number of children and related budget estimates are as follows:

SCHOOL YEAR	ESTIMATED NUMBER OF PUPILS	TOTAL BUDGET
2019/2020	107	€ 826,141
2020/2021	104	€ 888,778
2021/2022	115	€ 1,003,881

The European School adds to the education facilities currently provided in The Hague. Prior to the opening of the European School of The Hague, children of Eurojust staff attended the International School, the British School of the Netherlands, the French Lyceum, the German International School or the American School. Alternatively they could attend Dutch schools, based on parental choice. However, since the setting-up of the Accredited European School of The Hague and therefore the reduction of the education allowance, most of the international schooling possibilities were out of reach for the majority of Eurojust staff.

## V. Building Policy

Information to be provided per building	Name, location and type of building
Location/address	Johan de Wittlaan 9 2517 JR The Hague Netherlands
Surface area (in square meters) <ul style="list-style-type: none"> <li>• <i>Of which office space</i></li> <li>• <i>Of which non office space</i></li> </ul>	28,508 m <sup>2</sup> (as stated on page 5 of lease agreement, Article 2, point 3) <ul style="list-style-type: none"> <li>• 20,231 m<sup>2</sup> (<i>office and conference facilities</i>)</li> <li>• 8,277 m<sup>2</sup> (<i>underground parking</i>)</li> </ul>
Annual rent (in EUR)	EUR 2,734,970.- (basic rent excluding maintenance, service and utilities)
Type and duration of lease agreement	20 years as of date of delivery (24 March 2017)
Host Country grant or support	Estimated actual rent per year for the Host State based on total investment of EUR 108 million is EUR 5,527,028 per annum. Market difference for Eurojust per annum (savings) is EUR 2,792,058.
Present value of the building	n.a.
Other comments	In addition to the lease agreement: <ul style="list-style-type: none"> <li>• Maintenance &amp; Service Level Agreement EUR 640,000 per annum</li> <li>• Utilities EUR 440,00 per annum</li> </ul>
General infrastructure	<ul style="list-style-type: none"> <li>• 431 workplaces on office floors</li> <li>• 172 departmental meeting seats on office floors</li> <li>• 304 operational/conference meeting seats in conference area</li> <li>• 23 interpretation booths in conference area</li> <li>• All operational meeting rooms equipped with videoconference capabilities</li> <li>• 200 restaurant seats</li> <li>• 275 underground parking spaces</li> <li>• 140 indoor bicycle spots</li> </ul>
Sustainability	BREEAM Label 'Very Good'

## VI. Privileges and immunities

Agency privileges	Privileges granted to staff	
	Protocol of privileges and immunities /diplomatic status	Education / day care
<p>The privileges and immunities of the agency are based on the Seat Agreement between Eurojust and the Netherlands, the Agreement on Privileges and Immunities between Eurojust and the Netherlands and on Protocol No7 annexed to the EU Treaty.</p> <p>Within the scope of its official activities, Eurojust is exempt from: import taxes and duties, motor vehicle tax, tax on passenger motor vehicles and motorcycles, value added tax paid on goods and services supplied on a recurring basis or involving considerable expenditure, excise duties included in the price of alcoholic beverages and hydrocarbons such as fuel oils and motor fuels, real property transfer tax, insurance tax, energy tax, tax on water mains, and any other taxes or duties of a substantially similar character as the taxes provided for above.</p>	<p>The privileges and immunities of Eurojust post-holders are based on the Seat Agreement between Eurojust and the Netherlands, the Agreement on Privileges and Immunities between Eurojust and the Netherlands and on Protocol No7 annexed to the EU Treaty. Two different regimes apply:</p> <p>National Members, Deputies and Assistants as well as the Administrative Director and Heads of Units/Services and their family members are granted 'AO' status by the host state. This status provides for certain VAT exemptions, exemption from excise duties for alcoholic beverages, tobacco products and fuel.</p> <p>'AO' status also provides for exemption from tax on cars and motorcycles (BPM) as well as the road tax (MRB) for two cars registered on the post-holder's name at the same time.</p> <p>Other staff members, which are granted 'BO' status by the host state, are entitled to exemption from BPM and MRB for one car registered on their name during the first ten years from the date of taking up employment.</p> <p>'BO' status also grants an exemption from excise duties for motor vehicle fuel for the first 10 years of taken up employment at Eurojust.</p>	<p>Eurojust staff receives an education allowance regarding the school fees staff has to pay for the education of its children. Day-care or financial assistance for day-care costs is not provided as this is private matter of staff members.</p> <p>As courtesy of the Host State, Eurojust post holders may request the Dutch subsidy for the reimbursement of a percentage of day-care and after-school care costs of accredited centres.</p> <p>Eurojust reimburses in full the tuition fees of staff whose children are studying at the European school in The Hague.</p>



Agency privileges	Privileges granted to staff	
	Protocol of privileges and immunities/diplomatic status	Education/day care
<p>The Host State authorities exercise, as far as it is within their competence, and to the extent requested by the Administrative Director on behalf of the College, the respective powers to ensure that the Headquarters is supplied, on fair conditions and on equitable terms, with the necessary services including, among others, electricity, water, sewerage, gas, post, telephone, telegraph, local transportation, drainage, collection of refuse, fire protection and snow removal from public streets.</p>	<p>Eurojust post-holders are exempted from VAT for the purchase of cars.</p> <p>For staff members with 'BO' status, this exemption applies only for one car at the same time during the first ten years of taking up employment.</p> <p>Eurojust post-holders enjoy an exemption from import duties for durable goods.</p> <p>For staff members with 'BO' status, this exemption only applies at the time of their first installation which has been defined as the first year after taking up employment.</p> <p>Eurojust staff members are exempted from Dutch income tax on salaries and emoluments paid to them by Eurojust and from all compulsory contributions to the social security organisations of the Netherlands.</p>	
<p>The Dutch Government shall permit Eurojust to communicate freely and without a need for special permission, for all official purposes, and shall protect the right of Eurojust to do so. Eurojust and its National Members shall have the right to use codes and to dispatch and receive official correspondence and other official communications by courier or in sealed bags which shall have the same privileges and immunities as diplomatic couriers and bags.</p>	<p>Additional exemptions include, <i>inter alia</i>, duties in relation to water authority charges, municipal tax on second homes, dog licences and tax for installations on public land or water.</p>	

## VII. Evaluations

Article 41a of the Council Decision 2009/426/JHA on the strengthening of Eurojust required that the College of Eurojust shall commission an independent external evaluation of the implementation of the 2008 Eurojust Council Decision and the activities carried out by Eurojust every five years. In line with Article 41a, Eurojust appointed the consulting firm EY (formerly Ernst & Young) to conduct the independent external evaluation in July 2014.

The evaluation ran from September 2014 to June 2015 and was conducted in three sequential phases. The final phase of the evaluation was focused on processing and analysing the data collected and formulating conclusions and recommendations, which resulted in the EY Final Report on the Evaluation of the Eurojust Council Decision and the activities carried out by Eurojust, issued on 30 June 2015.

For the implementation of this Recommendations provided in this Report, the College of Eurojust approved the internal Action Plan at the end of 2015, which includes Actions to be put in place across the organisation during 2016 and 2017 for the evaluation of Eurojust under Article 41a of the Eurojust Council Decision.

In 2015, Eurojust set up an Action Plan for the implementation of the recommendations addressed to Eurojust in the context of the 6th round of mutual evaluation. Progress is monitored on a regular basis. In 2016, Eurojust continued to work on the implementation of activities and projects marked as high-level priorities and significant results were achieved in response to key recommendations. On 3 February 2016, the President of Eurojust presented the Action Plan at the meeting of the GENVAL Working Group.

During 2017, both Action plans were updated. High-level priority actions had been completed or were recurrent and had become established practice. The Action Plans indicated some actions as ongoing, due to their nature or decisions taken, or as being taken care of under dedicated processes.

Article 69 of the Eurojust Regulation provides that *'by 13 December 2024, and every 5 years thereafter, the Commission shall commission an evaluation of the implementation and impact of this Regulation, and the effectiveness and efficiency of Eurojust and its working practices. The College shall be heard in the evaluation. The evaluation may, in particular, address the possible need to modify the mandate of Eurojust, and the financial implications of any such modification.'*

In addition, *'the Commission shall forward the evaluation report together with its conclusions to the European Parliament, to national parliaments, to the Council and to the College. The findings of the evaluation shall be made public.'*

### VIII. Risks

No.	Risk Title and Description	Risk Type	Residual Risk Level (1 lowest - 5 highest)	Risk Response (Avoid/Transfer/Reduce/Accept)	Action Plan Summary
1	<b>Staff turnover</b>	Internal	3	Reduce	<ul style="list-style-type: none"> <li>• Increase the amount of activities affecting the well-being of staff;</li> <li>• Develop management skills to ensure appropriate staff management;</li> <li>• Ensure staff development through training in accordance with identified organisational training needs</li> <li>• Ensure that Eurojust is an ethical, harassment-free workplace.</li> </ul>
2	<b>Difficulties in forecasting JIT demands due to unpredictability of operational needs</b>	External	3	Accept	<ul style="list-style-type: none"> <li>• Continue monitoring JIT demands and review processes to meet changing operational needs</li> </ul>
3	<b>Caseload</b>	External	3	Reduce	<ul style="list-style-type: none"> <li>• Mitigate through intensified priority planning by the College the resource constraints resulting from an increase in the number of cases referred to Eurojust by the competent authorities of the Member States due to new criminal phenomena, e.g. cybercrime, migrant smuggling and the increased need to reinforce the responses to terrorism</li> </ul>

## IX. Procurement plan for the year 2019

In 2019, Eurojust estimates that the global budgetary envelope<sup>29</sup> reserved for procurement will be approximately 40-45% of Eurojust's overall expenditure. Within the global budgetary envelope reserved for procurement, Eurojust purchases its goods and services via procurement channels, as appropriate, mostly via framework contracts. As of November 2018, Eurojust had 154 active contracts.

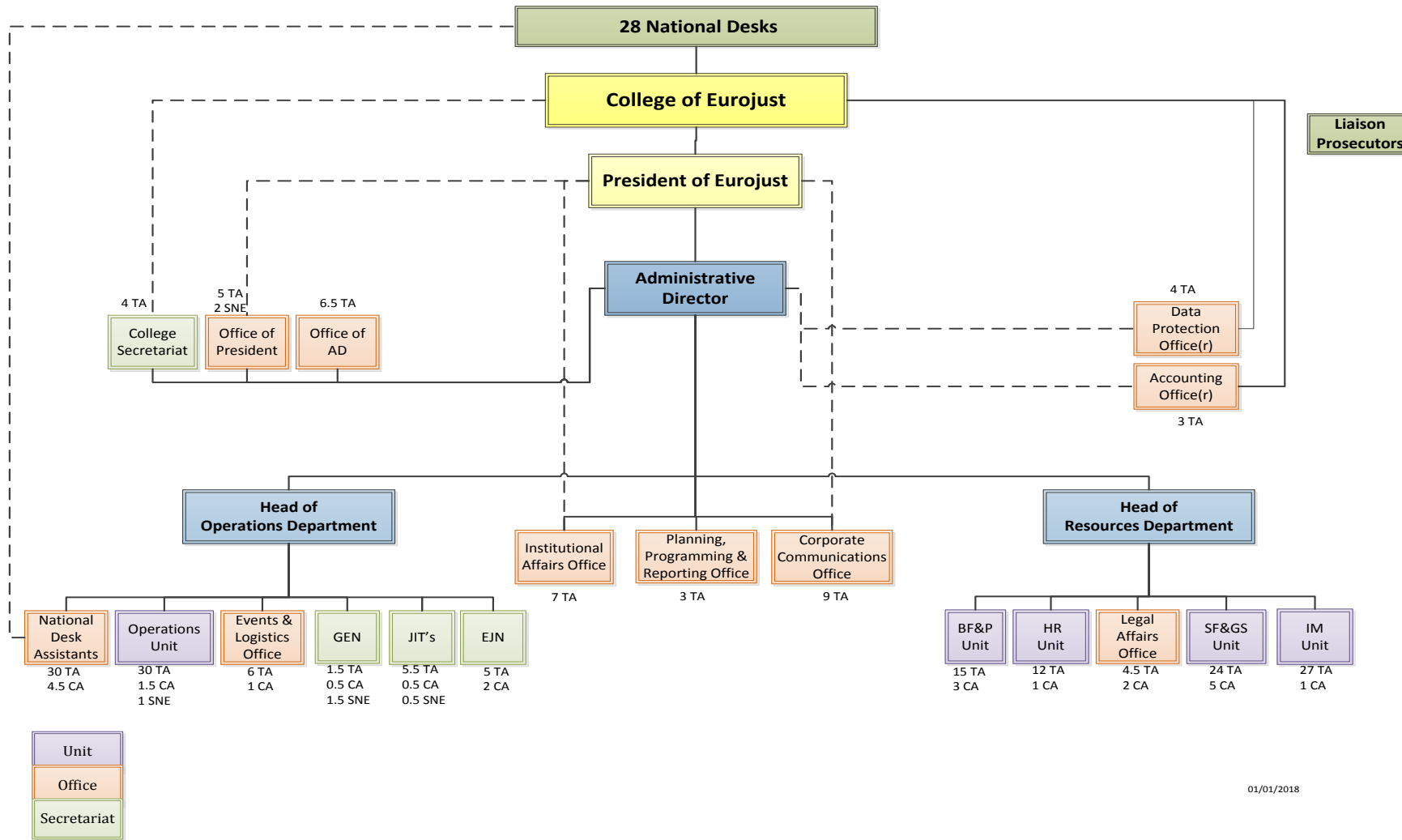
Indicative list of major procurement initiatives in terms of type of contract and subject in generic terms	Indicative estimated value of the contract (for the entire contract duration) <sup>30</sup>	Indicative time for launching the procurement procedures <sup>31</sup>
Specific contracts under Eurojust's active framework contracts and contracts resulting from low-value procurement procedures. These contracts are meant to cover ongoing administrative and operational needs	As necessary and within to the allocated funds	Contracts spread over 2019
Translation and proofreading services	1M-2M	Q4 2019
Leasing of vehicles	0.25M	Q2 2019
ICT security and business planning consultancy	1.25M	Q2 2019
Framework contracts resulting from inter-institutional calls for tenders or from joint procurement procedures with a Member State or an international organisation	As applicable and according to the estimated needs for the (framework) contract duration	Depends on the leading contracting authority

<sup>29</sup> Cumulated changes to the allocations for the specific actions not exceeding 20% of the maximum contribution authorised by this Decision are not considered to be substantial, provided that they do not significantly affect the nature and objective of the Annual Work Programme. This may include the increase of the maximum contribution authorised by this Decision up to 20%.

<sup>30</sup> The amounts presented reflect the estimated value of the contract over the envisaged maximum contract duration. The estimated values may change until the launch of the procedure as the needs become more accurately defined.

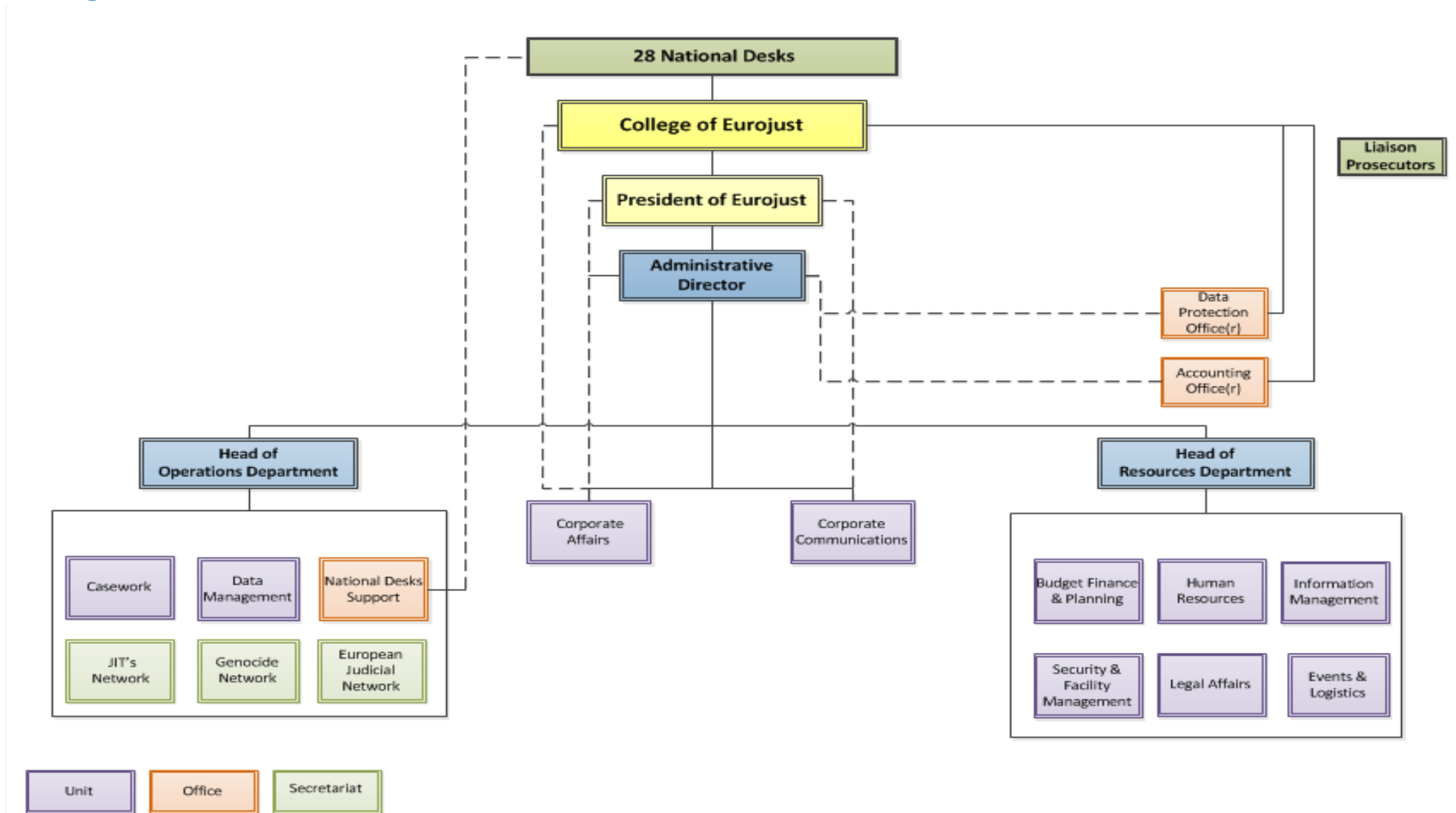
<sup>31</sup> The term 'indicative time for launch' refers to the dispatch of the contract notice.

### X-1. Organisation chart by 31 December 2017



01/01/2018

## X-2. Organisation chart from 2019



## XI. Eurojust grants

### Grants pertaining to financial assistance to joint investigation teams

#### a. Legal Context and General Objectives

Providing technical and financial support to JITs is part of Eurojust’s mission to stimulate and improve the coordination of investigations and prosecutions in cross-border criminal cases, as defined in Article 3 of Council Decision 2002/187/JHA of 28 February 2002 as last amended by Council Decision 2009/426/JHA of 16 December 2009 (the ‘Decision on Eurojust’). The relevant Budget Line for this activity is BL 3720.

According to Article 13(5) of the Eurojust Decision, National Members are informed of the establishment of a JIT and the results of the work of such teams, and, according to Article 9f, they shall be entitled to participate in JITs concerning their own Member State and should be invited to do so each time the JIT benefits from EU funding (Article 9f).

JITs are a heavily promoted and efficient judicial cooperation tool. These grants enhance the use of JITs by ensuring that financial and other organisational constraints linked to the cross-border nature of a case do not hinder the establishment and operational needs of a JIT. A further benefit comes from the ability of Eurojust, through its involvement in JITs and funding applications, to gain valuable information on the operation, needs and effectiveness of JITs as a whole. This information enables Eurojust to act as a central point of reference and to actively disseminate valuable feedback to national authorities and other stakeholders.

#### b. Action Grants

The grants provided under this heading co-finance cross-border investigative activities of JITs.

An overview of the exclusion, eligibility, selection and award criteria is provided below and will be further detailed in the calls for proposals. Eurojust reserves the right to modify, add or remove the below criteria if it considers such action necessary.

Type of action	Grant award for an action.
Financial provisions	<ul style="list-style-type: none"> <li>• Eurojust will financially support JITs with a projected total amount of EUR 1 442 000</li> <li>• A ceiling of EUR 50 000 has been set for each application</li> <li>• No pre-financing payments will be available</li> <li>• Eurojust will reimburse 95% of the total eligible costs under this procedure</li> </ul>
Timetable	Eight calls are currently foreseen for 2019 (one every 1,5 months).
Main selection criteria	<p>In accordance with Article 132(1) of the General Financial Regulation and Article 202 of the Rules of Application, proposals for action grants that meet the eligibility criteria will be further evaluated on the basis of the following selection criteria:</p> <ul style="list-style-type: none"> <li>• The applicant's operational and professional competency and</li> </ul>

	capacity to implement JIT activities
Formal requirements	<p>All applications received within the relevant application deadline will initially be assessed by Eurojust according to the following formal requirements:</p> <ul style="list-style-type: none"> <li>• completed application submitted via the appropriate medium;</li> <li>• copy of the signed JIT agreement (edited to exclude any identifying data), including possible extensions (unless a copy of the signed JIT agreement and an extension covering the action period of this call for proposals have already been provided in a previous application);</li> <li>• completed Financial Identification Form of a public institution of a State involved in the JIT (unless the application identifies at least one bank account of a public institution of a State involved in the JIT that is already known and acknowledged by Eurojust);</li> <li>• deadline for receipt of the application has been respected;</li> <li>• action for which the funding is sought is to be executed during the corresponding timeframe;</li> <li>• only one application for the same JIT to be submitted within one application deadline; and</li> <li>• a JIT that received funding within the framework of a call for proposals cannot apply for funding in the call for proposals that immediately follows (unless the application relates to exceptional urgent actions that do not overlap with the already awarded actions and could not have been anticipated in the framework of the previous application).</li> </ul>
Award criteria	<p>Eligible applications will be evaluated and ranked, taking into account the following award criteria:</p> <p>(1) investigation of a terrorist offence and/or of a crime identified as a priority in the Council conclusions on setting the EU's priorities for the fight against organised and serious international crime between 2018 and 2021;</p> <p>(2) number of States involved;</p> <p>(3) number of previous successful applications submitted to Eurojust by the JIT;</p> <p>(4) execution rate of previous grants awarded by Eurojust, if applicable;</p> <p>(5) complexity of the JIT; and</p> <p>(6) purpose of the actions and justification of estimates.</p> <p>A maximum of 10 points can be awarded for each criterion. Proposals attaining an individual score of 2 points or less for criteria 5 and 6 will not be considered for the award of a grant.</p>
Actions to be supported	<p>Through these grants, Eurojust provides support to the following actions:</p> <ul style="list-style-type: none"> <li>• meetings of the JIT, participation in investigative measures</li> </ul>



	<p>carried out in the territory of another State,</p> <ul style="list-style-type: none"><li>• interpretation during activities of the JIT, including during investigative measures, and translation of evidentiary material, procedural or case-related documents, and</li><li>• cross-border transfer of seized items, evidentiary material, or procedural or case-related documents.</li></ul> <p>Eligible costs related to these actions are the following:</p> <ul style="list-style-type: none"><li>• travel and accommodation costs,</li><li>• interpretation and translation costs, and</li><li>• transport costs.</li></ul> <p>Logistical support will also be provided through the loan of equipment (mobile telephones with communication costs included, laptops, mobile scanners and printers) for the duration of the JIT, including possible extensions.</p>
--	--

## Grants pertaining to Regional and National Meetings of the European Judicial Network Contact Points

### Legal Context and General Objectives

The Annual Work Programme of the EJM Secretariat for 2019 foresees the possibility of financial assistance to the organisation of national and regional meetings.

Article 4(1) of Council Decision 2008/976/JHA of 16 December 2008 on the European Judicial Network provides that the contact points may travel to meet other Member States' contact points.

The regional meetings of the EJM Contact Points are organised to help focus on problems that have a particular regional character, following the Vision Paper adopted during the 25th Plenary Meeting of the EJM contact points in Rovaniemi on 1 December 2006.<sup>32</sup>

The term 'regional' in this context should not be construed in a narrow geographical sense. EJM regional meetings may be organised by the Member States regardless of their geographic proximity or distance. Therefore, countries involved in the meetings do not necessarily need to be neighbouring States; third States might also participate.

The national meetings of the EJM Contact Points are included in the Conclusions of the 35th Plenary of the EJM of 28-30 November 2010.

The Member States are encouraged to provide support to their EJM Contact Points to organise regularly, at least once per year, working meetings between themselves and between themselves and the national judicial networks in criminal matters, if applicable.

The EJM Contact Points participating in these meetings are encouraged to provide information to the EJM Secretariat so that this information can be included in the Bi-Annual Report to the European Parliament, the Council and the Commission on its activities and management.

Information about the procedure on application for the financial assistance for the organisation of regional and national meetings is provided for in the *Guidelines on the European Judicial Network meetings*<sup>33</sup>, approved by the EJM on 16 February 2016.

<sup>32</sup> Document 16444/06 EJM 28.

### a. Action Grants

The grants provided under this heading shall co-finance EJNI regional and national meetings organised by a Member State.

An overview of the exclusion, eligibility, selection and award criteria is provided below and will be further detailed in the call for proposals:

<b>Type of action</b>	Grant award for a meeting of EJNI Contact Points
<b>Financial provisions</b>	<p>The EJNI will provide financial support for EJNI regional and national meetings up to a maximum of 95% of the eligible organisational costs (a maximum of EUR 5 000 per meeting). The foreseen total budget in 2019 for these grants is EUR 30 000.</p> <p>No pre-financing payments will be available.</p>
<b>Timetable</b>	Publishing the call for proposals is foreseen for January.
<b>Main selection criteria</b>	<p>The selection criteria should enable assessment of the applicant's ability to complete the proposed action or EJNI work programme.</p> <p>The application for financial assistance must be submitted by an EJNI contact point in his/her professional capacity to demonstrate the professional competencies required to organise the meeting.</p>
<b>Formal requirements</b>	<p>To be considered eligible, the application must contain the following points:</p> <ol style="list-style-type: none"> <li>Application submitted by the EJNI Contact Point from the Member State(s) organising the meeting;</li> <li>Written description of the purpose of the meeting and a draft agenda;</li> <li>Information about the participating Member States (and/or third States), estimated number of participants, and provisional venue of the meeting;</li> <li>Estimated date of the meeting;</li> <li>Budget estimate form; and</li> <li>Regional meetings must be organised with EJNI Contact Points of no less than three Member States, or two Member States and one third State.</li> </ol>
<b>Award criteria</b>	<p>The award criteria will be published in the call for proposals. Applications will be evaluated and points awarded in accordance with the award criteria.</p> <p>The topic of the meetings must contribute to the implementation of one or more of the following goals:</p> <ol style="list-style-type: none"> <li>To exchange information and best practice in judicial cooperation;</li> <li>To promote the work of the EJNI in the participating States;</li> <li>To promote the use of and training on the EJNI website in the participating States;</li> </ol>

<sup>33</sup> EJNI/2016/4 of 16 February 2016.



	<p>d) To increase networking among the judiciary in the participating States, and between the EJM Contact Points and the internal structures of the EJM in the participating States;</p> <p>e) To increase mutual information exchange about current legislative and institutional matters in the participating States, particularly in the field of criminal law and judicial cooperation in criminal matters; and</p> <p>f) To find solutions to difficulties arising from the implementation of EU instruments on judicial cooperation in criminal matters at regional or national level.</p> <p>An appointed evaluation committee will make recommendations to the Authorising Officer on the award decision. The Authorising Officer will provide an award decision, which will be adopted shortly after the evaluation. The successful Member States (beneficiaries) will be notified by the EJM Secretariat.</p>
<b>Actions to be supported</b>	<p>The EJM Secretariat will provide financial support up to a maximum of 95% of the eligible organisational costs of EJM regional meetings (organised for the EJM Contact Points of at least three Member States or two Member States and a third State) and of EJM national meetings (organised for EJM Contact Points of one Member State), with a maximum of EUR 5 000 per meeting.</p>



**Eurojust**, Johan de Wittlaan 9, 2517 JR The Hague, Netherlands

Phone: +31 70 412 5000 - E-mail: [info@eurojust.europa.eu](mailto:info@eurojust.europa.eu) - Website: [www.eurojust.europa.eu](http://www.eurojust.europa.eu)

Catalogue number: QP-AF-19-001-EN-N • ISBN: 978-92-9490-249-8 • ISSN: 2599-8889 • Doi: 10.2812/410523