



# Eurojust Consolidated Annual Activity Report 2019

23 June 2020

*Criminal justice across borders*

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## List of Acronyms

<b>ABM</b> Activity Based Management	<b>EU</b> European Union
<b>AOD</b> Authorising Officer by delegation	<b>EU ATC</b> European Anti-Trafficking Coordinator
<b>AWP</b> Annual Work Programme	<b>EU IPO</b> European Union Intellectual Property Office
<b>CAAR</b> (Consolidated) Annual Activity Report	<b>EUROMED</b> Euro-Mediterranean Partnership
<b>CC</b> Coordination Centre	<b>EUROPOL</b> European Union Law Enforcement Agency
<b>CEPOL</b> European Union Agency for Law Enforcement Training	<b>FRA</b> European Union Agency for Fundamental Rights
<b>CIF</b> Case Information Form	<b>FRONTEX</b> European Border and Coast Guard Agency
<b>CJM</b> Cybercrime Judicial Monitor	<b>FTE</b> full-time equivalent
<b>CM</b> Coordination Meeting	<b>GLACY</b> Global action on cybercrime
<b>CMS</b> Case Management System	<b>IAS</b> Internal Audit Service
<b>COSI</b> Standing Committee on Operational Cooperation on Internal Security	<b>ICF</b> Internal Control Framework
<b>CTR</b> Counter Terrorism Register	<b>ICS</b> Internal Control Standards
<b>EAW</b> European Arrest Warrant	<b>IPC3</b> Intellectual Property Crime Coordinated Coalition
<b>ECA</b> European Court of Auditors	<b>JHA</b> Justice and Home Affairs
<b>EC3</b> European Cybercrime Centre	<b>JIT</b> Joint investigation team
<b>ECTC</b> European Counter Terrorism Centre	<b>JSB</b> Joint Supervisory Body of Eurojust
<b>EDPS</b> European Data Protection Supervisor	<b>KMI</b> Knowledge Management Interface
<b>EEAS</b> European External Action Service	<b>KPI</b> Key Performance Indicator
<b>EIO</b> European Investigation Order	<b>MAS</b> Multi-Annual Strategy
<b>EJCN</b> European Judicial Cybercrime Network	<b>MFF</b> Multi-Annual Financial Framework
<b>EJN</b> European Judicial Network	<b>MoU</b> Memorandum of Understanding
<b>EJTN</b> European Judicial Training Network	<b>OAA</b> Objectives to the Annual Activities
<b>EMSC</b> European Migrant Smuggling Centre	<b>OLAF</b> European Anti-Fraud Office
<b>EMPACT</b> European Multidisciplinary Platform against Criminal Threats	<b>SAA</b> Strategic Action Area
<b>ENCs</b> Eurojust National Coordination System	<b>SIRIUS</b> Scientific Information Retrieval Integrated Utilisation System
<b>ENPE</b> European Network of Prosecutors for the Environment	<b>SYSPER</b> Système de gestion du Personnel
<b>EPPO</b> European Public Prosecutor's Office	<b>TCM</b> Terrorism Convictions Monitor
	<b>TE-SAT</b> Terrorism Situation and Trend Report
	<b>THB</b> trafficking in human beings

## Management Board's Analysis and Assessment

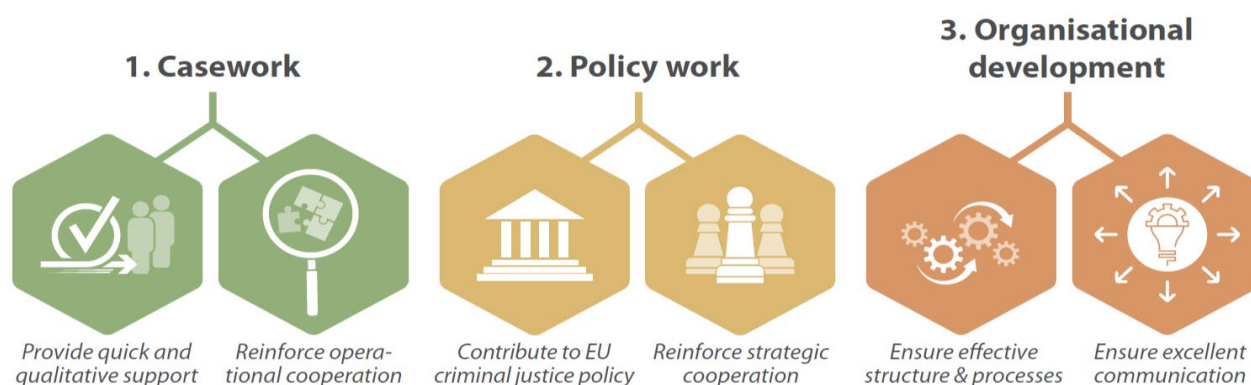
See *Eurojust College Assessment of the Consolidated Annual Activity Report 2019*, enclosed.

### Executive Summary

Eurojust is the European Union Agency for Criminal Justice Cooperation.

Eurojust's mission is 'serving justice across borders for a safer Europe'.

Eurojust's vision is to become the European Union (EU) leading partner in bringing criminals to justice and a key player in ensuring a more secure world. Eurojust will achieve this vision through the following strategic action areas (SAA):



The [Eurojust Regulation](#), applicable from 12 December 2019, reinforces Eurojust's successful core concept of supporting the national authorities in their investigations and prosecutions. The National Members, serving the competent national authorities in criminal judicial cooperation matters, provide strategic guidance and participate actively in the operational and policy activities linked to the mandate of Eurojust. In 2019, the 81 National Members, Deputies and Assistants were supported by 239 staff<sup>1</sup>.

The Annual Work Programme (AWP) 2019 is the first one under the [multi-annual strategy \(MAS\) 2019-2021](#). Eurojust's MAS 2019-2021 is a flexible and future-oriented tool supporting the development of Eurojust, in view of the application of the Eurojust Regulation and the establishment of the EPPO.

This report focuses on the implementation of the AWP 2019 and Key Performance Indicators (KPIs), the 2019 budget execution and staffing policies, and the implementation of internal controls.

Eurojust **achieved 71%<sup>2</sup> of the 2019 KPIs** and made a steady progress towards achieving its multi-annual KPIs.

Eurojust's position as the **EU centre for operational judicial cooperation and coordination** was strengthened by the 17% increase in the number of cases, the 19% increase in the number of coordination meetings and the further development of judicial cooperation tools. Eurojust supported 270 Joint Investigation Teams (JITs), facilitated the execution of 1,277 European Arrest Warrants (EAW) and enabled the use of nearly 2,146 European Investigation Orders (EIO). Eurojust reinforced its operational cooperation with its partners and third States through a 15% increase in the number of common cases and by concluding cooperation agreements with Georgia and Serbia. In addition, the

<sup>1</sup> Headcount of temporary staff, contract staff and seconded national experts on 31/12/2019.

<sup>2</sup> The percentage has been calculated over the 2019 AWP KPIs that were relevant, measurable and possible to assess.

network of Eurojust Contact Points increased from 47 to 52 countries, following the participation of Armenia, Belarus, China, Uruguay and San Marino.

The positioning as the **EU centre of judicial and legal expertise in criminal matters** was reinforced by Eurojust's active participation in the Standing Committee on Operational Cooperation on Internal Security (COSI) meetings and related activities and through its deliverables in all crime priority areas. Eurojust enhanced its strategic cooperation with partners in the Area of Freedom, Security and Justice through a strong collaboration with all the Justice and Home Affairs (JHA) agencies<sup>3</sup> and continued to explore synergies with judicial networks. Eurojust promoted the added value of the judicial response in the fight against serious cross-border crime by participating in the European Multidisciplinary Platforms against Criminal Threats (EMPACT) activities.

Eurojust continued its efforts to remain a **dynamic and effective organisation** by implementing a new organisational structure and continuing the development of **strategic workforce planning** to ensure that Eurojust has the right workforce to achieve its mandate. Through an audit and categorisation of all Eurojust activities in 2019, Eurojust achieved clarity and transparency on the allocation of human resources across all activities. This supports the forecasting of the future staffing needs and serves as the foundations for a new staffing strategy. Eurojust continued to apply the principles of **Activity Based Management (ABM)** by improving its planning tools and enhancing the setting and monitoring of KPIs.

Eurojust strengthened its external **communication capabilities** resulting in the publication of 120 press releases and news items, the organisation of three press events and a press conference on the launch of the Counter Terrorism register (CTR).

In 2019, Eurojust achieved a **99.88% budget execution**, over a EUR 38.91 M budget.

Supplementary information on Eurojust's performance can be found in the [Annual Report 2019](#).





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<sup>3</sup> The JHA agencies' network consists of nine agencies: CEPOL, EIGE, EU-LISA, Eurojust, Europol, FRA, EASO, EMCDDA and FRONTEX.

## Part I. Achievements of the year

This section provides an overview of the main annual achievements under each multi-annual strategic objective and the progress on the related KPIs. Eurojust defined 90 KPIs in the AWP 2019. This represents a reduction of 24% compared to the AWP 2018.

The 2019 KPIs have been assessed as follows:

Key performance indicators		
Exceeded	Actual/Target <b>more than 100%</b>	
Achieved	Actual/Target at <b>100%</b>	
Not achieved	Actual/Target <b>less than 100%</b>	
N/A	Not measurable/relevant or, no target/baseline set	

In absolute terms, Eurojust achieved 51% of the 90 annual KPIs. However, of these KPIs:

- 13 (14%) were deemed as not measurable (8) or not relevant (5) and thus were not monitored;
- 12 (13%) could not be assessed in terms of their achievement due to the way their target had been defined, although they were otherwise measurable and relevant.

The achievement rate of the 65 KPIs that were relevant, measurable and possible to assess is 71%.

Regarding the KPIs whose target was not achieved, 31% was due to reasons outside of Eurojust's control. Eurojust will re-evaluate the use of these KPIs in future AWP. Additionally, 2 % of non-achieved KPI refer to projects that have been deferred to 2020.

Eurojust set for the first time KPIs for the 6 multi-annual SAA relating to the MAS 2019-2021. These KPIs are measured against a 2017 baseline and their progress is reported below<sup>4</sup>.

<sup>4</sup> The new template for the CAAR, communicated to Eurojust on 24 April 2020, provides that for each KPI Eurojust should indicate the source of data. Due to the late communication of the template, it was only possible to indicate the source of data for the multi-annual KPIs.

## Multi-annual strategic objective 1: Casework

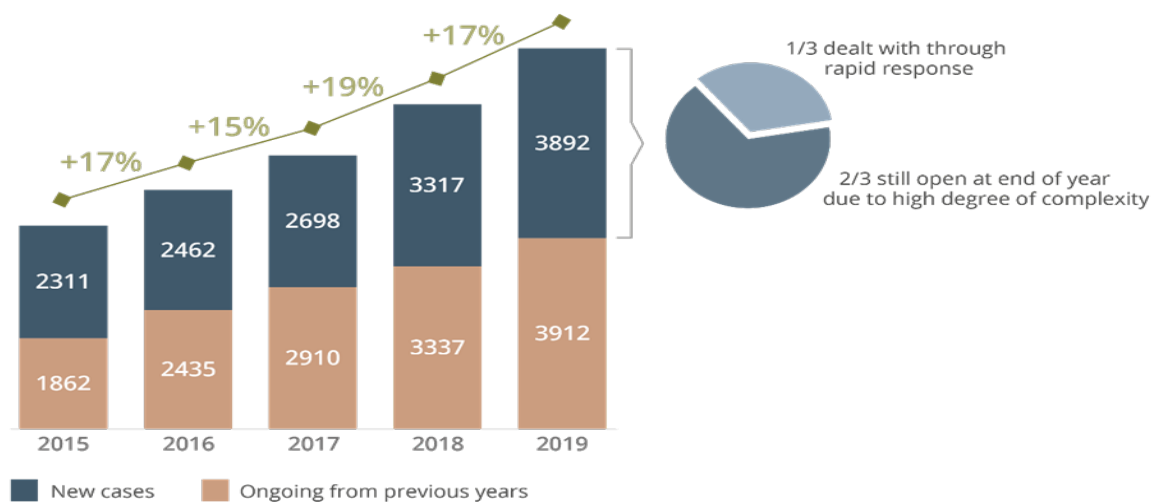
*Eurojust functions as the European Union centre for international judicial cooperation and coordination between competent authorities in serious cross-border crime cases*

SAA	1(a) Provide Quick and qualitative support to competent authorities
KPI	Maintain and/or improve the satisfaction levels of the Eurojust support to coordination meetings
Source of data	Feedback forms received from national authorities participating in coordination meetings (satisfaction levels rated 1-4)
Baseline 2017	N/A
Target 2019-2021	Average satisfaction level 3 or more (>75%)
2019 Result	3.75
Progress	Target achieved
SAA	1(b) Reinforce operational cooperation with partners
KPI	Increase the involvement of key partners in Eurojust operational activities (casework referrals and coordination meetings)
Source of data	Annual statistics
Baseline 2017	511 cases and 91 coordination meetings with third States
Target 2019-2021	20% increase in casework and 40% increase in coordination meetings with third States
2019 Result	35% increase in casework (689 cases) and 52% increase in coordination meetings with third States (138 coordination meetings)
Baseline 2017	53 cases and 108 coordination meetings with Europol
Target 2019-2021	17% increase in casework and 12% increase in coordination meetings with Europol
2019 Result	52% increase in casework (97 cases) and 14% increase in coordination meetings with Europol (124 coordination meetings)
Progress	Target exceeded

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

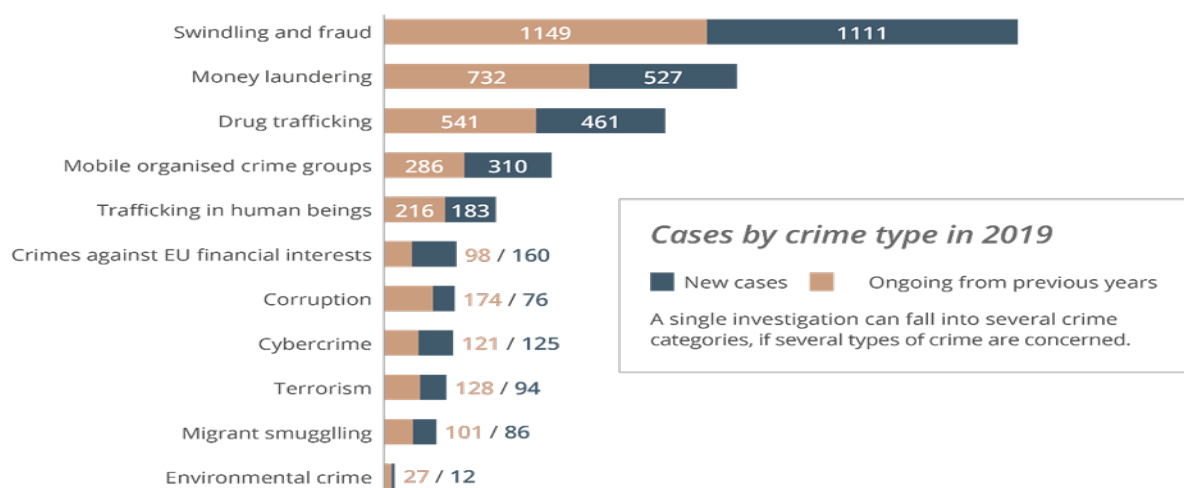
#### 1.1. Keep encouraging referrals of more complex cross-border crime cases by offering comprehensive and tailor-made operational and legal expertise and reinforcing the sharing of experience and best practice

During 2019, prosecutors from across the EU turned to Eurojust for assistance in **7,804 cross-border criminal investigations**, an increase of 17% compared to 2018. About half of these - 3,892 - were new cases opened during 2019, a 9% increase in new cases compared to 2018. The other 3,912 cases were ongoing from previous years, reflecting a growing level of complexity in cross-border criminal investigations, which increasingly last more than one year. Approximately one third of the cases that were newly registered during the year were also solved before the year ended, while two thirds remained active. This confirms the recent trend of cases referred to Eurojust becoming more and more complex and requiring support over longer periods. The 2019 casework results are summarised below:



Combined number of cases opened by National Members representing the EU Member States at Eurojust and by Liaison Prosecutors representing States with a cooperation agreement with Eurojust

Eurojust's casework is demand-driven. The overview of cases by crime type is presented below:



Eurojust facilitated the execution of EAWs related to new 703 cases and 574 ongoing cases and supported the use of EIOs related to 1423 new cases and 723 ongoing cases.

Eurojust provided **financial and/or operational support to 270 JITs**, which is a 35% increase in the level of support to JITs since 2017. Out of the 270 JITs, 148 were funded by Eurojust. **Eurojust's financial assistance to JITs** amounted to EUR 1.44 M in 2019.



An overview of the JITs supported in 2019 is presented below:

### JITs supported in 2019<sup>1</sup>



<sup>1</sup> Eurojust support to JITs includes financial and operational support. Of the 270 JITs supported, 148 were funded by Eurojust.

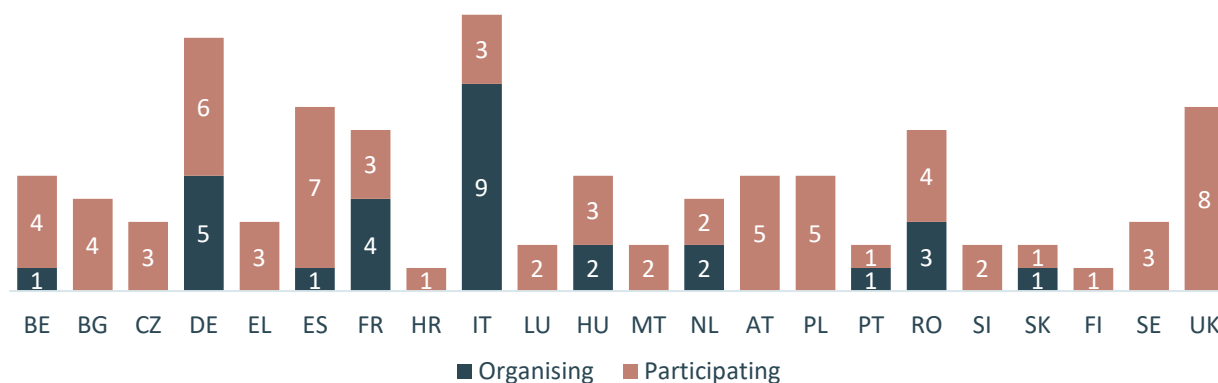
<sup>2</sup> As of January 2020. Due to the ongoing nature of the cases, these figures may change after the reporting period.

<sup>3</sup> One JIT can deal with more than one crime type.

The increase in casework was accompanied by a **19% increase in the number of coordination meetings (CMs)**. In total, Eurojust National Members and Liaison Prosecutors organised 428 CMs.

Complex coordinated operations may result in the planning of a **Coordination Centre (CC)** with coordinated interventions in the countries involved in the case. CCs are supported in real time from Eurojust's coordination centre, with operational outcomes linked to complex investigations ranging from different types of financial crime, migrant smuggling, trafficking in human beings, cybercrime and drug trafficking. In 2019, Eurojust marked an important milestone in support of CC: the **100<sup>th</sup> CC** was organised since 2011, when the first one took place. The CC concept was created to ensure continuous contact between judicial authorities during an action day, where measures, such as arrests, searches and seizures need to be executed simultaneously in several countries at the same time. Eurojust offers national authorities access to a permanent infrastructure to monitor action in the field in real time and help solving new legal issues that often arise during the action. The deployment of this tool is resource-consuming, as it involves a detailed preparation of the joint action, including agreement on the prosecution strategy, overviews of targets and related (judicial cooperation) measures, monitoring their execution and follow up. The use of this tool has been increasing exponentially since 2011. **In 2019 a new record was achieved, with 27 CCs organised (3 co-organised, 1 organised by Switzerland), 10 more than the year before.**

The table below provides an overview of Member State involvement in CCs:



Eurojust has a dedicated team of lawyers and analysts who provide legal advice, analysis and operational assistance in the most complex cases. The total number of **cases directly supported by this team increased by 40%** (from 468 cases supported in 2018 to 655 in 2019). Direct support to CMs increased by 8% (from 279 in 2018 to 300 in 2019). A total of **800 deliverables in direct support were produced in 2019, compared to 604 deliverables in 2018**, representing a 32% increase. The highest increase was in support to the most complex cases (e.g. legal advice on judicial cooperation issues and analytical case notes with overviews of targets or mutual legal assistance requests). This type of deliverables **increased by 43%** compared to the previous year (334 complex deliverables vs 233 in 2018).

Throughout 2019, Eurojust provided practitioners with the following judicial cooperation tools:

- The Eurojust **Guidelines for deciding on competing requests for surrender and extradition.**
- The **Report on Eurojust's Casework in Asset Recovery.**
- **The Questionnaire on the concept of "issuing judicial authority" in the EAW.**
- **The 9th round on Mutual Recognition.** Eurojust provided input to the definition of the scope and the questionnaire and will participate as an observer to all evaluation visits.
- The opening of 10 operational topics at the request of National Desks on the use of mutual recognition instruments (EAW, EIO, freezing orders, etc.) and other judicial cooperation issues (conflicts of jurisdiction, ne bis in idem, etc.).

Indicators	2017 result (baseline)	Target	2019 result	Progress
Number of CM	302	390	428	●
Numbers CC	17	15	27	●
Number of Article 6 & Article 7 recommendations	Article 6: 24 Article 7: 0	Consistent with year-on-year variation (in %) of overall caseload (CMS data)	Article 6: 18 <sup>5</sup> Article 7: 0 <sup>6</sup>	●
Written legal advice and analytical case notes provided to cases supported by Eurojust	192	12% increase	334 (74% increase)	●
% of cases falling under Eurojust priority crime areas	64%	10% increase	63% (1.6% reduction)	●
JITs supported	200 (113 from previous years, 87 newly signed)	10 % increase	270 (35% increase)	●
JITs newly established	80	10 % increase	103 (29% increase)	●
JITs applications	253	10 % increase	300 (19% increase)	●
Funded JITs	128	10 % increase	148 (16% increase)	●
% of JITs supported by Eurojust that also benefit of financial support	82.6%	85 %	53 %	●
Number of JITs evaluations received	27	10 % increase	69 (155% increase)	●

<sup>5</sup> These 18 instances relate to only 9 cases. The real number of Art 6 recommendations is likely to be larger since not all National Desks formally report instances. This KPI will not be used in the future.

<sup>6</sup> Art 7 recommendations are generally considered a last-resort option. Occurrence has been zero for years. This KPI will not be used in the future.





## 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

**Digital Criminal Justice** refers to a **fast, reliable and secure information exchange infrastructure in the field of judicial cooperation** between national authorities, Eurojust and other JHA agencies. Eurojust presented a first general outline of the need for Digital Criminal Justice across the EU to ensure a safer Europe at the JHA Council of 6 and 7 December 2018. The European Commission, in close cooperation with Eurojust, has initiated an in-depth study in July 2019, which is currently in progress. The objective of the Digital Criminal Justice study is to understand the technical and legal challenges faced in judicial cooperation and to identify potential solutions to enhance the possibilities for legal professionals working in the field of criminal justice. The study contains an assessment of existing solutions at EU level and the technical, legal and financial analysis for implementation with a focus on delivery within the next 5 years, including a revamp of Eurojust's Case Management System (CMS).

On 1 September 2019, the CTR was established at Eurojust on the basis of Council Decision 2005/671/JHA on the exchange of information and cooperation concerning terrorist offences. The CTR is an operational tool that centralises key judicial information on judicial counter terrorism (CT) proceedings from EU Member States to establish links in proceedings against suspects of terrorist offences. Its main objective is to identify potential links between judicial CT proceedings and possible coordination needs. The CTR is part of Eurojust's CMS. It operates on a 24-hour basis, and provides proactive support to national judicial authorities. This information enables prosecutors to coordinate more actively and to identify the suspects or networks that are being investigated in specific cases with potential cross-border implications. In the first months of operation, the CTR spurred a sharp increase in information sharing on counter terrorism procedures provided by the Member States.

In addition, Eurojust has been continuously improving the **funding tool for JITs**. Some of the developments and changes introduced are in line with the new requirements of the Eurojust Regulation. Further analysis of new modules of the JIT funding tool (Claim module, Reporting module and Statistics module) continued throughout 2019.

Eurojust continued to improve its capabilities for knowledge retention from casework by using the Case Information Form (CIF) to collect, store and access information containing no personal data in relation to Eurojust cases in a structured and systematic manner. The aim is to enable National Desks to draw from the experience, lessons learned, and best practice and ultimately to increase Eurojust's role as a centre of expertise in judicial cooperation in criminal matters. In 2019, a total of 428 CIFs were created and/or modified with new data in 2019, compared to 281 in 2018. The noticeable increase is partly due to the introduction of a pilot project to retain knowledge at Eurojust. Nine National Desks participated to the pilot and with the support of the Casework Unit, systematically created CIFs to retain lessons learned on the most relevant cases. While the overall project will be evaluated in 2020, the impact on the creation of Case Information Forms (CIFs) was considerable (77% more CIFs were created compared to the previous reporting period).

Indicators	2017 result (baseline)	Target	2019 result	Progress
Number of initiatives taken to implement the redesigning of the CMS	100% of those envisaged in CMS Annual Work Plan	100% implementation of the CMS Board Annual Work Plan	Not relevant <sup>7</sup>	
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	100%	
Launching of new components of the JIT-PS by target date	JIT Portal and 1 tool launched	Completion of other components by target date	100% <sup>8</sup>	
Increase in the percentage of CIF produced	242	10% increase	428 (77% increase)	

### 1.3 Explore a more operational role for the Eurojust National Coordination System (ENCS) in Member States

The ENCS has so far been established in 25 Member States. The number of secure network connections remained unchanged in 2019, with 14 Member States currently connected to the secure network. All Member States without a secure network connection were contacted and while no new secure network connection was established, work was carried out towards the connection of two new countries. This organisational objective has been revised in future AWP's with a focus on the ongoing efforts to further streamline the digital exchange of information between Eurojust and the Member States.

<sup>7</sup> This KPI was deemed not relevant since in 2018-2019 Eurojust investigated possible options for a new CMS system and the improvement of the existing system was not a priority.

<sup>8</sup> JIT v1.1 was installed in production 17/6/2019 as per initial plan.

Indicators	2017 result (baseline)	Target	2019 result	Progress
Number of new MoUs on secure connections	No new secure network connections requested by MS	No target set	0 <sup>9</sup>	●
Implementation of 100% of new SNCs within 6 months of the MOU being signed	N/A	No target set	0 <sup>10</sup>	●
Number of interviews/questionnaires conducted for the assessment of the ENCS in MSs	0	No target set	0 <sup>11</sup>	●

## 2. Continue developing operational cooperation, interaction and complementarities with Eurojust's main operational partners

### 2.1 Further develop operational cooperation with JHA agencies, particularly Europol and FRONTEX, to provide a European multidisciplinary response to criminal phenomena

Operational cooperation with partners such as Europol and OLAF is very important for the fulfilment of Eurojust's mandate. Eurojust's operational cooperation with partners in 2019 is summarised below:



<sup>9</sup> The KPI final result cannot be assessed due to lack of baseline/target.

<sup>10</sup> The final KPI result cannot be assessed due to lack of baseline/target.

<sup>11</sup> The related activity was deprioritised.

## Operational cooperation with Europol

Eurojust and Europol have continued their operational cooperation based on their complementary mandates throughout 2019. The two agencies had several common operational cases and systematically attended each other's operational meetings.

In addition, the following achievements are worth highlighting:

- Eurojust appointed Contact Points to 29 Europol Analysis Projects to facilitate cooperation and exchange of information at both operational and strategic level.
- Eurojust SNEs' presence in the European Cybercrime Centre (EC3) and the European Counter Terrorism Centre (ECTC) contributed to closer cooperation in fighting cybercrime and terrorism.
- Eurojust's SNE presence at IPC3, so far a pilot project, has enhanced closer cooperation in fighting intellectual property crime.
- Pursuant to the Eurojust-Europol MoU on JITs funding, two meetings were organised on how to streamline the exchange of information in order to avoid double funding of JITs, how to ensure full implementation of the Internal Audit Service (IAS) recommendations and how to draft a common leaflet explaining practitioners the different funding options offered by both agencies.
- Eurojust joined the newly created Analysis Project Dark Web of Europol, established for assisting the Member States in fighting the criminal use of the Dark Web.

## Operational cooperation with the European Anti-Fraud Office (OLAF)

In 2019, OLAF was closely involved in ten Eurojust cases, including several large food fraud investigations uncovering large scale trade in fake olive oil, compromised fish and production of apple juice from rotten fruit. Consequently, OLAF's attendance to Eurojust's CMs and JITs increased fourfold. Eurojust and OLAF liaison teams were formed and stayed in close contact throughout the year to further strengthen cooperation.

## Operational cooperation with the EUIPO

EUIPO and Eurojust are exploring the possibility of providing earmarked financial support to cases involving IP crime, including the support of JITs. In 2019, there were six active JITs with EU partners and Members investigating intellectual property crimes.

Indicators	2017 result (baseline)	Target	2019 result	Progress
Initiatives to implement the exchange of information with FRONTEX by target date	2	4	1 <sup>12</sup>	●
Initiatives to implement the exchange of information with	20	10% increase	1 <sup>13</sup>	●

<sup>12</sup> In July 2019, FRONTEX suggested the suspension of negotiations for concluding a working arrangement between FRONTEX and Eurojust, waiting for the adoption and implementation of the new FRONTEX Regulation.

<sup>13</sup> Eurojust and Europol have agreed on one initiative/project with a broad scope. Although the implementation of the exchange of information is proceeding, the way this KPI is defined leads to the target not being met. This KPI will not be used in the future.

Europol by target date				
% of Europol's participation in CM	35.7%	10% increase	29%	●
% of Europol's participation in CC	41.1%	10% increase	7.40%	●
Number of JITs jointly supported by Europol and Eurojust	N/A	No target set	Not relevant	●
Launching of the evaluation of the JITs funding coordination arrangements between Eurojust and Europol by target date	N/A	Q4 2019	Q4 2019	●
Number of Eurojust cases with the involvement of Europol	40	No target set	74 <sup>14</sup>	●

## 2.2 Continue to explore synergies and the operational involvement of judicial networks

In June 2019, Eurojust and the **European Judicial Network (EJN)** published new **guidance on the practical application of the EIO**. The note, which will be regularly updated, identifies best practice related to the four main phases of the lifecycle of an EIO (issuing, transmission, recognition and execution phase). It also looks into issues related to the scope of the EIO directive and its use vis-à-vis other co-existing legal instruments, the competent authorities, the content, form and language to be used and the use of specific investigative measures. In addition, Eurojust and the EJN worked together on guidance to practitioners on handling the consequences of the judgments by the Court of Justice of the EU regarding the competence to issue an EAW and the independence of the EPPO. Additionally, Eurojust and the EJN published a **joint report and assessment of allocation of cases to Eurojust and to the EJN**. The report highlights recent experiences, difficulties and best practice, and makes recommendations on which institution is best placed to provide assistance.







Eurojust continued its support to the organisation and outcome reports of the **JITs Network** annual meeting which took place in June. The topic of this year's meeting was JITs in cybercrime cases: challenges and opportunities. Through plenary sessions and workshops, JITs practitioners and experts exchanged views on some of the most common legal and practical difficulties encountered in the setting up and operation of JITs in cybercrime, which may still hinder their wider use. These plenary sessions and workshops were complemented by information about Europol's support for investigations and JITs, including cybercrime cases. The meeting was organised in close cooperation with experts from the **European Judicial Cybercrime Network (EJCN)**.

Eurojust has enhanced its cooperation with the EJCN also with regard to operational activities, including cases brought to Eurojust at the initiative of the EJCN case-building sub-group. Eurojust organised the two plenary meetings of the EJCN, where experts discussed practical solutions to deal with challenges such as the takedown of malicious domains, direct cross-border access to electronic evidence and spontaneous exchange of evidence in cross-border cybercrime investigations and other questions on how to apply existing legal provisions to a globally connected environment.

<sup>14</sup> The final KPI result cannot be assessed due to lack of baseline/target.



Eurojust supported the **Genocide Network's** two plenary meetings on the EU financial instruments for national capacity building in fighting impunity and on the practically elaborated cumulative prosecution of foreign fighters for terrorism related offences and war crimes. Additionally, Eurojust supported a workshop on victims' rights, organised by the Genocide Network and civil society. In 2019, the Genocide Network organised the **4th EU day against impunity** for genocide, crimes against humanity and war crimes in cooperation with the European Commission, the Romanian EU Presidency and Eurojust. Eurojust and the Genocide Network ensured close cooperation in building and supporting national cases in core international crimes. Similarly, joint work continued in exploring usability of the battlefield information as evidence in court proceedings.

Indicators	2017 result (baseline)	Target	2019 result	Progress
Number of common products/services between JITs Network and Eurojust	6	10% increase	15 (150% increase)	
Number of JIT Network evaluations supported by Eurojust and the JIT network	18	10% increase	9	
Number of cases referred by EJM Contact Points to Eurojust	N/A	No target set	28 <sup>15</sup>	
Reports and other publications from the EJM regarding international cooperation in criminal matters, drafted in collaboration with Eurojust	2	3	5	
Publications and reports to share expertise on JITs, elaborated by the JITs Network Secretariat	3	4	6	
Expert papers on investigating and prosecuting core international crimes, elaborated by the Genocide Network Secretariat in collaboration with Eurojust coordination	3	10% increase	1	

<sup>15</sup> The final KPI result cannot be assessed due to lack of baseline/target.

arrangements between Eurojust and Europol by target date				
Web traffic of the EJM website	1,788,607	5% increase	Not measurable <sup>16</sup>	●
Web traffic of the JET website	1,593	15% increase	>2,215 <sup>17</sup>	●
Web traffic of the GEN website	8,526	10% increase	11,479 (35% increase)	●

### 2.3 Continue to develop operational cooperation with third States, including through use of Eurojust Contact Points

In 2019, Eurojust continued to expand its international network of contact points which form an efficient gateway for prosecutors across the EU to access 52 jurisdictions worldwide. The total number of **Eurojust Contact Points in third States** increased to 96, including 6 new third States in 2019.

Over the years, Eurojust has concluded **cooperation agreements with 12 countries** which unlock the possibility to systematically exchange operational information, including personal data. In 2019, three cooperation agreements were concluded. On 29 March 2019, Eurojust signed a new cooperation agreement with **Georgia**, to strengthen the fight against cross-border organised crime in the European Union and South Caucasus. This is the first agreement between Eurojust and a state from that region and it is expected to foster operational and strategic cooperation and allow a swift and safe exchange of information and evidence. A Liaison Prosecutor will be appointed in the near future. The cooperation agreement between Eurojust and the **Republic of Albania** that was signed on 5 October 2018, entered into force on 1 November 2019 following the successful fulfilment by Albania of all data protection requirements. Albania has expressed the intention to subsequently second a Liaison Prosecutor to Eurojust. Finally, on 12 November 2019, Eurojust signed a cooperation agreement with **Serbia**, the fourth cooperation agreement Eurojust signs with a Western Balkan country. This cooperation agreement entered into force on 11 December 2019 and a Liaison Prosecutor is posted at Eurojust since March 2020.

An overview of Eurojust's international network is shown below:

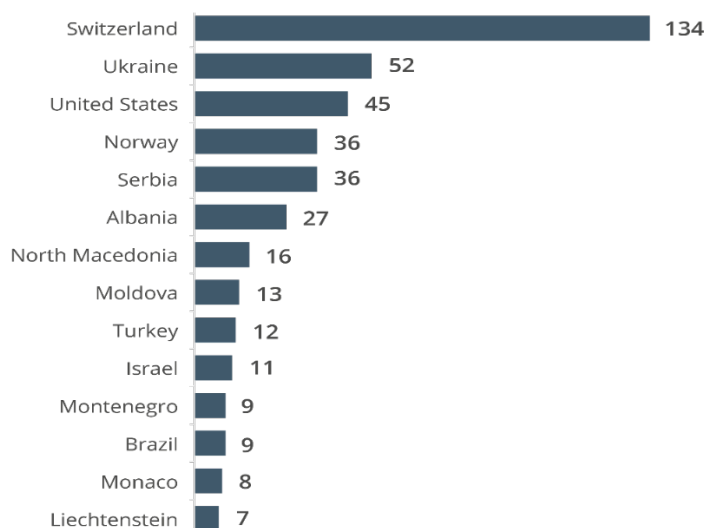
<sup>16</sup> Due to technical issues, the final KPI result could not be measured.

<sup>17</sup> Due to technical limitations, the result of September 2019 is used for the final 2019 outcome.



The third State participation in new Eurojust cases in 2019 is presented below:

Third State participation in Eurojust cases in 2019



Countries with a **Liaison Prosecutor** can also take the initiative to open Eurojust cases towards other countries. In 2019, the Swiss Liaison Prosecutor opened 150 cases, followed by Norway (68 cases) and Ukraine (22 cases). In August 2019, the United States posted a second Liaison Prosecutor to Eurojust, specialised in cybercrime and Switzerland posted a second Liaison Prosecutor, with experience in international mutual legal assistance.

The **Eurojust Regulation** aligns Eurojust's external relations with the principles of the Treaty of Lisbon. Eurojust no longer has the ability to autonomously negotiate and conclude cooperation agreements. In accordance with Article 52(1) of the Regulation, every four years Eurojust prepares a cooperation

strategy in consultation with the Commission specifying the third States and international organisations with which there is an operational need for cooperation. Thereafter, the Commission either issues a decision that a third State or an international organisation ensures an adequate level of data protection, or negotiates international agreements providing for adequate safeguards in this respect. Eurojust remains competent to negotiate and conclude working arrangements to set out the modalities to implement the agreements or adequacy decisions. The **four-year strategy**, including a proposed list of priority third States and international organisations, is currently in consultation with the European Commission.

Indicators	2017 result (baseline)	Target	2019 result	Progress
Cases involving third States	280	No target set	689 <sup>18</sup>	●
Cases involving international bodies	43	No target set	87 <sup>19</sup>	●
Number of JITs in which third States participated	15	10% increase	53 (253% increase)	●
Number of additional Eurojust Contact Points appointed in third States	4	10% increase	26 (650% increase)	●
Number of new Eurojust Contact Points appointed in third States for the first time	1 (42 in total)	10% increase	9 (Armenia, Belarus, China, San Marino, Somalia, Uruguay)	●
Number of new cooperation agreements	0	10% increase	2 <sup>20</sup>	●

<sup>18</sup> The final KPI result cannot be assessed due to lack of baseline/target.

<sup>19</sup> The final KPI result cannot be assessed due to lack of baseline/target.

<sup>20</sup> The initial target was not correctly defined. It should have been an absolute number, rather than a % increase.

## Multi-annual strategic objective 2: Policy Work

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

SAA	2(a) Contribute to the EU internal security strategy and to measures concerning judicial cooperation in criminal matters
KPI	Number of Eurojust contributions to COSI documents
Source of data	Eurojust registers contributions to COSI requests
Baseline 2017	4 contributions (10% of requests)
Target 2019-2021	24 during the period 2019-2021
2019 Result	5
Progress	In progress
SAA	2(b) Reinforce strategic cooperation with key partners
KPI	Timely implementation of the agreed actions stemming from the regular meetings with strategic partners (Europol, EPPO, FRONTEX)
Source of data	% of the actions implemented by Eurojust
Baseline 2017	N/A
Target 2019-2021	All actions implemented within agreed deadlines
2019 Result	81% of the actions implemented within agreed deadlines <sup>21</sup>
Progress	Target not achieved

### 3. Deliver advice and reports, based on operational experience, to the European Union

#### 3.1 Reinforce strategic contribution in priority crime areas and instruments of judicial cooperation

Based on its operational experience, Eurojust continued to deliver expert advice and policy proposals for the improvement of judicial cooperation in EU priority crimes. The summary of reports/initiatives in crime areas in 2019 is as follows:

##### Terrorism

- The **Eurojust Meeting on CT** focusing on the way forward for the CTR, non-jihadist terrorism and the return of foreign terrorist fighters and their families from Syria. Meeting participants included the Eurojust national correspondents for terrorism matters and specialised counter-terrorism prosecutors from Member States, Norway, Switzerland and the USA, representatives of the European Parliament and Office of the EU Counter-Terrorism Coordinator (EU CTC), the European Commission, Europol, FRONTEX and INTERPOL, as well as representatives from the National Desks and Liaison prosecutors at Eurojust.
- Eurojust's continuous work on **battlefield information**, in close cooperation with the United States. Prompted by the EU CTC, Eurojust initiated the collection of experiences of national authorities on the use of battlefield information, for the purpose of updating Eurojust's 2018 Memorandum on Battlefield Evidence.
- Publication of the **Terrorism Convictions Monitor (TCM)**, providing an overview of terrorism-related convictions and acquittals throughout the EU and an analysis of jurisprudence experience.

<sup>21</sup> The 2019 result reflect only the actions agreed by Eurojust and Europol within the Eurojust-Europol Steering Committee. For that, 9 out of 11 agreed actions were implemented on time. Concerning FRONTEX, all 8 actions agreed have been put on hold until the new FRONTEX regulation and in particular their new regime on data protection is implemented. Concerning the EPPO, one meeting took place in 2019.

- Publication of the **2018 Eurojust Report on Counter-Terrorism** providing insight into Eurojust's assistance in coordinating and facilitating international judicial cooperation in terrorism cases, the exchange of information on the basis of Council Decision 2005/671/JHA and common challenges and best practice in the criminal justice response to terrorism.
- Eurojust's annual contribution to the **TE-SAT Report**, including statistical information on judicial proceedings on terrorism, case examples, and summaries of amendments in national legislation.
- Eurojust's participation as a speaker in CEPOL training courses on counter-terrorism matters.

### Cybercrime

- Eurojust's regular contribution to the activities of the European Commission in the area of cybercrime, particularly in its work on **e-evidence, data retention and encryption**.
- Organisation of the **GLACY conference** together with the Council of Europe where over 100 experts discussed how to deal with cross-border investigations of online sexual violence against children on the dark net.
- Publication of the **5<sup>th</sup> Cybercrime Judicial Monitor (CJM)** highlighting recent legislative developments and case law in relation to cybercrime, cyber-enabled crime and e-evidence. This edition took an in-depth look at the handling of cryptocurrencies in investigations and judicial proceedings.
- Publication, together with Europol, of the Joint report on the observatory function on encryption and the 2<sup>nd</sup> update of the joint paper on Common Challenges in Combating Cybercrime.
- Continuous work as co-partner with Europol and member of the Advisory Board on the **Scientific Information Retrieval Integrated Utilisation System (SIRIUS) Project**. Eurojust is responsible for the judicial dimension of the project, managing the Judicial Forum on the Europol Platform for Experts, contributing to knowledge-based deliverables and training activities, and promoting the project.
- Organisation together with Europol of the annual **SIRIUS conference**, where over 300 judicial and law enforcement authorities from 40 countries, and representatives from Google, Microsoft, eBay, Cloudflare and Twitter addressed challenges when conducting Internet-based investigations.

### Migrant smuggling and trafficking in human beings (THB)

- An in-depth case report analysing investigations of sham marriages, to be published in 2020.
- Active participation in the migrant smuggling inter-service working group created by the European Commission in 2019.
- Continuous analysis of relevant national judgements in the field of THB and of cases in which Eurojust provided support.
- Continuous operational cooperation with Europol in the context of EMPACT priority against facilitation of illegal immigration and exchange of strategic information with the European Migrant Smuggling Centre (EMSC). In 2019, Eurojust participated in 19 Operational Actions and was co-leader in three others, covering the main migrants smuggling routes to the EU.
- Continuous operational cooperation with the United Nations Office on Drugs and Crime by supporting the launching of the pilot initiative to foster international cooperation against THB and migrant smuggling through Liaison magistrates.

- Continuous cooperation with CEPOL by participating in the training dedicated to EU national law-enforcement and the judiciary on financial investigation linked to facilitation of illegal immigration. In addition, participation to the Operational Training Needs Analysis workshops to identify training needs in the fight against migrant smuggling.
- Continuous cooperation with EUROMED Justice and with the EJTJ through study visits to Eurojust with dedicated sessions on the fight against migrant smuggling and THB.
- Regular contact with EU counterparts, inter alia the EU Agency for Fundamental Rights (FRA) and the European Anti-Trafficking Coordinator (EU ATC). The EU ATC met the College of Eurojust in April. In June, Eurojust participated as panel member in the meeting dedicated to the launch of the FRA guide on child trafficking.
- Participation in the migrant smuggling inter-service working group and in the implementation of the Action Plan of the European Commission in 2019.

### Drug trafficking

- An analysis of Eurojust's casework on drug trafficking to be published in 2020.

### Environmental Crime

- Organisation of the Annual Conference of the **European Network of Prosecutors for the Environment (ENPE)** at Eurojust as a joint Eurojust/ENPE meeting.
- An analysis of Eurojust's casework in environmental crime in 2014 – 2018 to be published in 2020.
- Written contributions to the remaining country visits within the **8<sup>th</sup> Round of Mutual Evaluations (RME)**.
- Continuous contribution to the development of the draft **Guidance on strategies for combating environmental crimes and other related breaches** within the EU Environmental Compliance and Governance Forum and the EU Action Plan on Environmental Compliance and Governance.

### Intellectual Property (IP) Crime

- Hosting the 2<sup>nd</sup> high-level meeting on joint strategy related to IP crime together with the EUIPO. The two agencies are exploring the possibility of providing earmarked financial support to Eurojust in cases involving IP crime, including the support of JITs. In 2019, there were six active JITs involving EU partners and Member States investigating IP crimes.
- Organisation of the Annual Meeting of the European IP Prosecutors Network.
- Organisation of the meeting of the EU-China IP Prosecutors Best Practice Group on the current challenges in IP rights cases.
- Participation in the Europol IP Crime Conference.
- Participation in the EUIPO organised Judges Symposium in Alicante.
- Participation in the Internet Protocol TV & Card-Sharing Conference.

### Money Laundering & corruption

- Preparation of an analysis of Eurojust's casework on money laundering to be published in 2021.
- Preparation of an analysis of Eurojust's casework on corruption to be published in 2020.



Indicators	2017 result (baseline)	Target	2019 result	Progress
Number of mandates and assignments given to Eurojust in EU legislative and policy documents	42	No target set	92 <sup>22</sup>	●
Level of completion of deliverables accepted by the College by target date	n/a	75%	Not relevant <sup>23</sup>	●
Level of participation of Eurojust in EMPACT priorities	all	all	all	●
Number of written formal and informal contributions to EU draft legislation delivered by target date	4	5% increase	1	●
% of written formal and informal contributions to EU draft legislation accepted by the EU institutions	80%	No target set	Not measurable <sup>24</sup>	●

### 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

As a centre of expertise in judicial cross-border cooperation, Eurojust stays in close contact with key actors in the EU internal security chain, including the European Commission, the COSI in the Council of the EU, the LIBE committee in the European Parliament and with partner JHA EU agencies.

In 2019 Eurojust participated in all COSI-related meetings by making verbal contributions and presentations and regularly providing contributions to policy documents and papers which were published as Council Documents on various topics of cross-cutting nature. This uninterrupted and consistent participation enhanced Eurojust's visibility and demonstrated the important role of Eurojust in the security of the EU.





As co-leader in several Operational Action Plans within **EMPACT**, such as for criminal finances, asset recovery, money laundering, fraud, migrant smuggling, drug trafficking, environmental crime and cybercrime, Eurojust contributed to a solid judicial dimension in the operational response within this programme throughout 2019.

<sup>22</sup> The KPI final result cannot be assessed due to lack of baseline/target.

<sup>23</sup> This is a duplication with KPI above (OAA 1.1) "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)".

<sup>24</sup> It is not possible to count informal contributions and is difficult to quantify the acceptance of the formal contributions.



Indicators	2017 result (baseline)	Target	2019 result	Progress
Number of written formal and informal contributions delivered by target date	4	5% increase	15 (275% increase)	
% of written formal and informal contributions accepted by the EU institutions	90%	10% increase	100% (11% increase)	
Number of topics where Eurojust intervened at EU institution policy meetings	3%	10% increase	Not measurable	
Number of invitations to Eurojust for participation in policy meetings	31	10% increase	Not measurable	
Increase in the number of references to Eurojust in EU documents	80%	5% increase	Not measurable <sup>25</sup>	

#### 4. Security and Justice, exploring possible synergies and coordinated responses to identified threats

##### 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

Since 2010, Eurojust is an active member in the **JHA agencies' network**. The network's aim is to increase cooperation and synergies in areas of common interest and it plays an important role in implementing the EU priorities in the area of freedom, security and justice. In 2019, the JHA agencies focused on interoperability, foreign terrorist fighters, hybrid threats, innovation, and EU funding and good governance in the area of JHA. Deliverables include the final Report "EU JHA agencies' cooperation in 2019" and an overview of the various cooperation initiatives among the agencies. Two infographics on JHA agencies cooperation instruments with third countries and on the involvement of JHA agencies in EMPACT were also produced. In addition, the agencies made two joint Statements, on the Charter of Fundamental Rights and on Diversity and Inclusion. The network updated existing tools and published the 2019 version of the digital brochure on the JHA agencies.

As of September 2019, the College of Eurojust approved the temporary deployment of a Liaison Officer in Brussels for a period of 10 months. The main objective of this project is to enhance Eurojust's visibility

<sup>25</sup> Currently, Eurojust does not have the capacity to monitor this KPI effectively, as it is difficult to differentiate in EU documents the references to the work of Eurojust and other references (e.g. appointment of a National Member or Deputy).

in Brussels, bringing the agency closer to the European Commission, the Parliament, the Council and all other JHA agencies, that already have a permanent presence in Brussels via their Liaison Officers. The project will be evaluated in 2020 to assess its preliminary results and allow the College to take a decision concerning its continuation.

### **Strategic cooperation with Europol**








Since the judiciary and police play complementary roles in criminal investigations, Europol and Eurojust continued their close cooperation both in operational work and in analytical projects. A summary of the 2019 activities is listed below:

- Eurojust initiated a Pilot Project to fulfil the commitments in the Memorandum of Understanding (MoU) between Eurojust, Europol and European Union Intellectual Property Office (EUIPO) with the aim to strengthen the fight against Intellectual Property Crime (IPC) and to enhance the cooperation between Europol and Eurojust in that field. The Pilot Project has been concluded with benefits on all sides and Eurojust, Europol and EUIPO are presently working on a formalised way of pursuing the goals of the enhanced cooperation.
- A joint report of the observatory function on encryption, the first of its kind, responds to the need to continuously explore and assess the technical and legal challenges posed by the criminal use of encryption to hide illicit activities.
- Eurojust, Europol and the Audio-visual Anti-Piracy Alliance, representing the industry of protected audio-visual content, joined forces to tackle audio-visual piracy via IPTV networks. During a two-day seminar hosted at Eurojust, more than 70 judicial and law enforcement authorities from EU Member States and representatives from the two EU agencies discussed how to close the technical knowledge gap between national authorities and organised crime groups.
- Eurojust and Europol worked closely to ensure smooth implementation of the MoU on the joint establishment of rules and conditions for financial support to JITs activities. The conclusions of the 15<sup>th</sup> Annual JIT meeting were published as a Council document in November 2019.
- The sub-group established by the Steering Committee to focus on reciprocal hit/no hit access and secure communication, met several times in 2019 to discuss the requirements for establishing indirect access to information and preparing a proposal for the way forward.
- Launch of a new format of the Eurojust-Europol exchange programme.
- Conclusion of a MoU on the new Europol satellite building, an opportunity to further strengthen cooperation between Eurojust and Europol and a good example of shared services.

### **Strategic cooperation with FRONTEX**

In the course of 2019, FRONTEX informed Eurojust that negotiations for the conclusion of a working arrangement and preparations thereof should be put on hold until FRONTEX had adopted its new implementing rules on personal data under their new founding instrument.

Eurojust continued the analysis of the legal implications stemming from the new FRONTEX Regulation in comparison with the Eurojust Regulation, in particular regarding the exchange of operational information. Eurojust kept high level contact with FRONTEX in order to resume the negotiations at an appropriate time and involved FRONTEX at working level to explore potential future synergies in operational cases.

Indicators	2017 result (baseline)	Target	2019 result	Progress
Number of meetings for the negotiation of a cooperation agreement with FRONTEX	0	2	5	
Number of actions stemming from the Steering Committee meetings held with Europol	0	2	2 meetings 9 actions implementing agreements of previous Steering Committees	
Number of joint policy initiatives with FRONTEX	2	No target set	Not relevant <sup>26</sup>	
Number of joint policy initiatives with JHA agencies and EEAS	4	10% increase	29 (625% increase)	
Number of shared trainings	11	10% increase	29 (164% increase)	
Number of new strategic cooperation agreements	0	10% increase	0	
Number of new memoranda of understanding	2	10% increase	0	
Joint press releases with JHA agencies	9	10% increase	11 (22% increase)	

#### 4.2 Further explore the strategic involvement of the existing networks and Contact Points, especially in the identification and sharing of best practice

In December 2019, the 3<sup>rd</sup> JIT Evaluation Report was finalised providing an overview of 99 evaluation forms received by the JITs Network Secretariat from November 2017 until November 2019. Close interaction was ensured between Eurojust and the JITs Network Secretariat so as to include Eurojust's experience in supporting JITs with third States, information on the status quo, and the main lessons learned and best practices. To further collect best practices in the use of JITs and assess their outcome, Eurojust, together with the JIT Secretariat, continued to support evaluation meetings, collect JIT evaluation forms completed by national authorities, assess the national case – law related to JITs and assess Eurojust's experience in this field.









To ensure wider distribution of the **Guidelines on JITs involving third States** prepared by the Network Secretariat and Eurojust, the document was published as a Council LIMITE document. The Guidelines are available for practitioners at the JITs Restricted Area. A check list on setting up JITs with third States, translated into all EU official languages, is published on the Eurojust website.

<sup>26</sup> The KPI final result cannot be assessed due to lack of baseline/target.

A **Joint Paper** prepared by Eurojust, the EJNI, the Genocide Network Secretariat, the JIITs Network Secretariat and the EJCNI, aiming at coordination and finding synergies in their work, was endorsed by the Council in Conclusions in June 2019.

In the annual **Consultative Forum** meeting at Eurojust, Prosecutors General of the EU Member States focused on operational challenges and activities in the fight against the global threats represented by cybercrime and on how to cooperate in an increasingly digital world. The importance of establishing a clear roadmap towards digitalization of the chain of criminal proceedings in the EU was emphasised allowing for efficient information and evidence sharing, in an automated, structured and secure manner. Other topics included the optimisation of digital information sharing and the exchange of e-evidence and how to address the issues of loss of location and loss of data in criminal cases due to the borderless nature of cybercrime.

In February 2019, Eurojust hosted the **Euro-Mediterranean Partnership (EuroMed) Forum of Prosecutors General** which aims to enhance international judicial cooperation between EU Member States and South partner countries<sup>27</sup>. In July 2019, the Commission granted Eurojust EUR 5 M for the implementation of the **EuroMed Justice Programme** for 2020 -2022. In 2019, Eurojust carried out all the preparatory work for the signature of the contribution agreement between Eurojust and DG NEAR that was concluded in March 2020.

Indicators	2017 result (baseline)	Target	2019 result	Progress
Drafting conclusions of Consultative Forum meetings by target date	1 month after the meeting	1 month after the meeting	<1 month after the meeting	
Completion of the joint JIIT evaluation report by target date	N/A	Q4 2019	End of 2019	
Number of Network contributions related to judicial cooperation instruments (JCI) and related topics	JITs: 6 EJNI: 17 GEN: 2	JITs: 10% increase EJNI: remain stable GEN: remain stable	JITs: 13 (116% increase) EJNI: 17 GEN: 5 (150% increase)	JITs:  EJNI:  GEN: 
Number of joint strategic activities between Eurojust and the network Secretariats hosted at Eurojust	JITs: 8 EJNI: 3 GEN: 2	JITs: 10% increase EJNI : remain stable GEN: remain stable	JITs: 12 (50% increase) EJNI: 3 GEN: 3 (50% increase)	JITs:  EJNI:  GEN: 

<sup>27</sup> South partner countries are Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, the Palestinian Authority and Tunisia.

## Multi-annual strategic objective 3: Organisational development

### *Eurojust is a dynamic and effective organisation*

SAA	3(a) Ensure effective organisational structure and processes
KPI	Increase ratio of staff working on operational versus administration and support activities
Source of data	Eurojust annual job screening exercise
Baseline 2017	Operational: 63.5%, Non-operational: 36.5% (Administrative support and coordination: 29.4%, Neutral: 7.1%)
Target 2019-2021	Increase by 3% resources devoted to operational activities (Align the Agency with the European Commission 2017 results: Operational: 66.2%, Non-operational: 33.8%)
2019 Result	Operational: 69.5%, Non-operational: 30.5% (Administrative support and coordination: 23.1%, Neutral: 7.4%)
Progress	Target exceeded
SAA	3(b) Ensure excellent communication capacities
KPI	Strategic Eurojust messages taken up by the main media outlets (on-line, print, AV channels)
Source of data	Media monitoring/analysis of coverage
Baseline 2018	26,840
Target 2019-2021	Increase of the percentage of media that have been proactively informed by Eurojust news and that have taken up at least one key message
2019 Result	65% increase
Progress	In progress

### 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

#### 5.1 Ensure smooth implementation of the organisational changes stemming from the new Regulations on Eurojust and the EPPO

On 12 December 2019, with the application of the Eurojust Regulation as its new legal basis, Eurojust officially became the **European Agency for Criminal Justice Cooperation**. Throughout 2019, Eurojust ensured that all major impact changes brought by the new legal framework were timely implemented, with a particular focus on the following achievements:

- The **new Rules of Procedure for Eurojust**.
- The **new rules on data protection**, adapted to the revised EU legal framework and data protection regime. Eurojust organised information sessions to all post-holders and ensured the readiness of the necessary materials and forms for the implementation of the new provisions. In addition, Eurojust established data protection correspondents in every unit to increase the knowledge in the organisation and allow better harmonisation of activities. Eurojust has published on its website a notice about the processing of operational data by Eurojust as well as the records and notices developed under the new data protection regime.
- The **four-year cooperation strategy specifying third States and international organisations** with which there is an operational need for cooperation, currently under consultation with the Commission.
- The **cooperation agreement with Denmark**, since Denmark opted out of the Eurojust Regulation. Instead of a National Member, it provides for a Representative of Denmark and

potentially a Deputy and an Assistant, who may attend College meetings as an observer without voting rights and may exchange information with the National Desks.

- The setting up of an **Executive Board**, chaired by the President of Eurojust and composed of the Vice-Presidents of Eurojust, the representative of the European Commission on the Management Board and two other members of the College on a two-year rotation system. The Executive Board assists the College in its management functions, oversees the preparatory work carried out by the Administrative Director on administrative matters for adoption by the College and takes administrative decisions when explicitly provided for in the Eurojust Regulation. An extended working group on the Rules of Procedure is currently working to define the exact competences and working methods of the Executive Board and will align all internal workflows and structures to streamline decision-making.
- **The preparatory work for implementing the relationship between Eurojust and the EPPO**, based on mutual cooperation within their respective mandates and competences, and the development of operational, management and possibly administrative links.
- The **alignment of budget planning timelines and deliverables** to the new Eurojust Regulation and the new Financial Regulation.

### College sub-structures

Eurojust carried out an evaluation that resulted in a set of actions to improve the efficiency and working methods of College sub-structures. A second evaluation assessed the impact of the new governance structure of Eurojust on the sub-structures' mandate and functioning. As a result, the mandate of the Advisory Group on Budget and Finance ended on 12 December 2019 and all its competences were transferred to the Executive Board. The mandates of all the other College Sub-structures will be revised and updated to mirror the new governance structure.

Indicators	2018 result (baseline)	Target	2019 result	Progress
Requested input is provided in a timely and comprehensive manner	0	10% increase	Not measurable	●
Organisational changes implemented by target date	Reorganisation of the Administration completed in 2017 with the creation of 3 new offices and a new operational unit.	>40%	100%	●
Tasks carried out for the preparation of the Brainstorming workshop on the strategic vision of EJ MAS 2022 – 2024 by the target dates	2 brainstorming workshops and adoption of MAS 2019-2021	100% completion of preparatory tasks	1 <sup>28</sup>	●

<sup>28</sup> The related activity was deferred to 2020.

## 5.2 Further strengthen Eurojust's organisational capacity to improve efficiency and flexibility in the deployment of resources to meet operational needs and deliver quality services

### Reorganisation

Phase II of Eurojust's organisational restructuring was completed in January 2019. In the course of 2019, Eurojust consolidated the new structure by providing training to staff in their new roles and facilitating workshops to assist the new units in defining their mission statements.

### Internal communications

At the end of the year, Eurojust conducted an exercise (interviews, focus groups, survey) to evaluate satisfaction with internal communications with a view to strengthen the flow of information within the organisation. The results and action plan will be presented in 2020.

### Strategic workforce planning

In 2019, Eurojust continued to develop a strategic workforce planning function to ensure optimum allocation of Eurojust's human resources and to have a better basis for medium and long-term decision-making. Eurojust performed a thorough audit of all activities and the resources allocated to these. The result of the audit was summarized in fact sheets and presented to senior management as a basis for (multi-annual) resource planning and reporting. Through this exercise, Eurojust achieved a clear view on the allocation of human resources and a basis to forecast future staffing needs. This allows Eurojust to identify negative priorities and reassign resources.

Following this exercise, a first draft of the HR strategy for 2022-2024 has been completed and it will be finalised in 2020 in parallel with the deliberations on the new multi-annual strategy.

In parallel, activity indicators were developed to ensure more accurate predictions regarding future staffing needs. An **inventory of existing skills** together with a **projection of the future skills needed** is currently under development to ensure full utilisation of staff skills and take informed decisions to address future skill gaps.

### Activity-based management (ABM)

Eurojust has continued applying the principles of ABM and enhanced its planning and reporting through the roll-out of its new electronic planning system (EJ ART). Eurojust introduced regular reporting on the progress of annual and multi-annual KPIs' to senior management, including the KPIs recommended by the Commission for assessing the results achieved by the Administrative Director.

Following the request of the JSB to suspend the use of the Eurojust time recording tool, used for recording and reporting the utilisation of human resources, an action plan to implement the Joint Supervisory Body (JSB) recommendations was presented in 2019. With the transfer of the supervision from the JSB to the EDPS, a first meeting was held with the EDPS to discuss time recording at Eurojust. It was agreed that Eurojust will redraft the scope, purpose and specifications of the tool and, after obtaining approval from the EDPS, the tool would be re-launched.

### ICT developments

In 2019, Eurojust dedicated resources to maintain and ensure the compliant operation of ICT systems and services, thereby ensuring business continuity. Eurojust also dedicated resources to ICT projects aiming to implement solutions to increase efficiency in administrative and operational processes.

Activities to ensure the compliant operation of ICT systems and services included, upgrading and preparing the Eurojust ICT infrastructure and client devices for teleworking, deploying new firewalls, and introducing redundancy in the load balancers. Eurojust also carried out several activities in preparation for future implementation, including analysis projects for identity and access management, new public key infrastructure, enterprise data architecture and e-signature and stamping.



Activities carried out by Eurojust, which enabled on-site development of operation systems included the building and implementation of tools for continuous integration and deployment, centralising source code management through the deployment of Azure DevOps, and the deployment of new technical environments for on-site developers.

Projects completed to improve operational and administrative efficiencies included the development and deployment of EJ ART (activities & resources tool), the development of EJ MAP (mission's approval & planning tool), deployment of Perspective/Resolver (security management), adding new features to HR tools, requirements analysis and development environment preparation for the new Eurojust website.

In order to ensure a secure work environment, Eurojust deployed a secure Wi-Fi solution, a solution to process EU classified information, new secure multi-functional printers and adapted all relevant systems to comply with the new Eurojust Regulation and the new Eurojust visual identity.

Indicators	2017 result (baseline)	Target	2019 result	Progress
Targeted budget and finance processes reviewed	100%	90%	Not relevant <sup>29</sup>	●
Budget implementation	100%	more than 98%	99.88%	●
Vacancy rate	3%	2%	1.9%	●
Well-being activities for staff	0.24 days/staff member	0.40 days/staff member	0.18 days/staff member	●
Percentage of high level risks identified in the IAS risk assessment	9%	less than 5%	3 high level risks: 2 completed fully and 1 partially <sup>30</sup>	●
Number of critical & important recommendations made by IAS	n/a	less than 2%	No new critical or important IAS recommendations in 2019. 2 IAS recommendations rated Important remain open	●
Level of implementation of IAS recommendations	n/a	100%	9 recommendations remain open <sup>31</sup>	●
% Annual work programme implemented	100%	100%	71% <sup>32</sup>	●
Projects have a detailed project plan specifying timelines, milestones and resources	100%	100%	100%	●



<sup>29</sup> The KPI is deprioritised due to Eurojust's recent reorganisation.

<sup>30</sup> KPI is not properly defined. For next year Eurojust will measure the number of high level risks instead of the percentage.

<sup>31</sup> For more information on the open recommendations refer to part 2.5.1.

<sup>32</sup> The percentage has been calculated over the 2019 AWP KPI that were relevant, measurable and possible to assess.



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	Not available	0%	0%	
% satisfaction feedback with internal communications	n/a	Not target set	51% <sup>33</sup>	






## 6. Further invest in developing a solid reputation based on operational and strategic results and on the trust of Member States

### 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

In 2019, Eurojust implemented the **External Communication Action Plan 2019**. Activities included:



- **Media relations:** the publication of 120 press releases and news items, the organisation of three press events at Eurojust (Football leaks, a weapons smuggling case and fraud with pay TV) and a press conference in Brussels on the launch of the CTR.
- **Social media outreach:** The corporate Twitter and LinkedIn accounts were updated at least every second day with in total over 500 social media posts and were monitored daily for reactions and engagement.
- The introduction of a **new visual identity**.
- The production of various print and online publications and videos for specific target audiences, including a quarterly newsletter.
- The preparations for a new public website.
- Participation in the EU Protects campaign of the European Commission, and open days of the EU institutions in Brussels and international organisations in The Hague.
- College approval of new **guidelines on preparation of press releases and press events**.

<sup>33</sup> The KPI final result cannot be assessed due to lack of baseline/target.

Indicators	2017 result (baseline)	Target	2019 result	Progress
Number of case illustrations published	40	10% increase	71 (78% increase)	
Eurojust web exposure (total number of visits) <sup>34</sup>	448,136	10% increase	649,106 (45% increase)	
Number of communications distributed via the dedicated distribution lists to key stakeholders	116	10% increase	Not measurable <sup>35</sup>	
Number of meetings held with key stakeholders to promote Eurojust	320	Reach 90% identified key stakeholders	Not measurable <sup>36</sup>	
Number of joint outreach activities with key stakeholders to promote Eurojust	11	10% increase	12 (10% increase)	

## 6.2 Continue to ensure organisational knowledge retention

The Knowledge Management Interface (KMI) was continuously updated with 260 new products and 19 trainings on the use of the database were organised. In addition, a survey was conducted on the use and possible improvements of the KMI.

Indicators	2018 result (baseline)	Target	2019 result	Progress
% of Eurojust products timely included in KMI	45%	95%	95%	
A structured archive in place, in line with the retention policy	n/a	100% of agreed milestones implemented	Project not started <sup>37</sup>	

<sup>34</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>35</sup> Following EJ 2019 reorganisation, there was no process established for measuring this KPI.

<sup>36</sup> This KPI cannot be measured because it is not properly defined.

<sup>37</sup> Project was deprioritised for 2019.

## Part II. (a) Management

### 2.1 Management Board

In 2019, the College of Eurojust held nine Management Board meetings. The most significant items adopted by the Management Board were the new rules of procedure of Eurojust, the data protection rules of procedure following the application of the Eurojust Regulation and the new data protection framework, the revised Eurojust Internal Control Framework (ICF), the whistleblowing guidelines and the Financial Regulation of Eurojust.

### 2.2 Major developments

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

The new EU Multi-annual Financial Framework will influence Eurojust's ability to respond to the increasing challenges in the area of security and justice and to accommodate the operational work growth. The first Commission proposal indicates a significant shortfall compared to Eurojust's projected needs and is far below the level of the 2020 budget. Throughout 2019, Eurojust advocated for the need to be provided with the necessary resources to fulfil its mandate in the security chain.

#### UK notification to withdraw from the European Union

Eurojust monitored the negotiations and identified the areas of impact and possible scenarios regarding cooperation with the UK after the entry into force of the withdrawal agreement. In 2019, the UK initiated 2% and was involved in 13% of the cases at Eurojust. The UK was the fifth country with the largest number of cases assisted by Eurojust. This level of cooperation is expected to continue, while the complexity of cases between Member States and the UK will likely increase.

### 2.3 Budgetary and financial management<sup>38</sup>

Eurojust's 2019 budget was EUR 38.1 M, EUR 471 K less than the 2018 budget and EUR 3 M less than Eurojust's 2019 request. Consequently, Eurojust assigned negative priorities to a number of activities of the 2019 AWP. Eurojust submitted an amending budget request to the Commission to meet the shortfall in respect of temporary and contract staff salaries. Pending the outcome of this request, mitigating measures were put in place, delaying a number of activities. In October, the Commission approved a transfer of EUR 777 K to cover the salary deficit, which was incorporated into an amending budget together with the pro-rata contribution of Denmark for its representative status under the new Eurojust Regulation.

Of the EUR 38.9 M final budget<sup>39</sup>, Eurojust implemented 99.88% with only EUR 45 K unused. In order to ensure optimal budget execution, there were six budget transfer exercises, 42% less compared to 2018. An amount of EUR 3.7 M of non-differentiated commitment and payment appropriations were carried over to 2020. From the 2018 carry-overs in the amount of EUR 4.7 M, only 4.75% were cancelled.

The unparalleled growth in key operational areas, exceeding all initial budget assumptions, did not require a significant budget transfer to Title 3 due to lower expenditure regarding Seconded National Experts and the limited development of new ICT operational systems, pending Eurojust's participation in the Commission's Digital Criminal Justice study.

<sup>38</sup> More information can be found in the [Report on the budgetary and financial management \(2019\)](#) which is enclosed.

<sup>39</sup> Since Denmark's contribution was not received by 31 December 2019, it is not included in the final budget figure for the Report on Budgetary and Financial Management for 2019, unless stated otherwise.

An overview of the 2019 procurement activities is presented below:

Overview of procurement procedures for contracts above EUR 15 000 <sup>40</sup>		
Type of procedure applied	Number of contracts signed	Value (EUR)
Open/restricted (including inter-institutional)	19	4 802 834
Low value	3	42 574
Middle value	2	286 500

## 2.4 Delegation and sub-delegation of the powers of budget implementation to Eurojust staff

The Administrative Director of Eurojust, acting as Authorising Officer, delegates his powers to Authorising Officers by Delegation (AOD). The delegation of powers is based on the Financial Regulation of Eurojust, is appropriate to the importance and risks of the decisions to be taken and are used as a means to gain efficiencies where the risk was assessed to be low. The delegations are made without an end date but are revoked/amended whenever there is a need. The list of budget lines delegated per financial actor is published on Eurojust's intranet.

The controls are outlined in the AD decision on financial circuits and include one verification level for amounts <5 K and two verification steps (operational and financial) for amounts above.

The ex-ante checks are performed according to a check list for commitments and payments available to all staff with an AOD role. In addition, Eurojust keeps a log of identified non-compliance events.

## 2.5 Human resources management<sup>41</sup>

Eurojust had 208 temporary staff posts authorised in 2019, one post less than in 2018. The Commission did not accept Eurojust's request for 217 posts to cover an anticipated increase in workload and further reduced Eurojust's establishment plan. By 31 December 2019, Eurojust had filled 98.1% of its establishment plan, compared to 99% in 2018. In accordance with Article 38(2) of the Financial Regulation applicable to Eurojust, two appointments have been made to offset the effects of part-time work that was on average 4 FTE over the period 2014-2019.

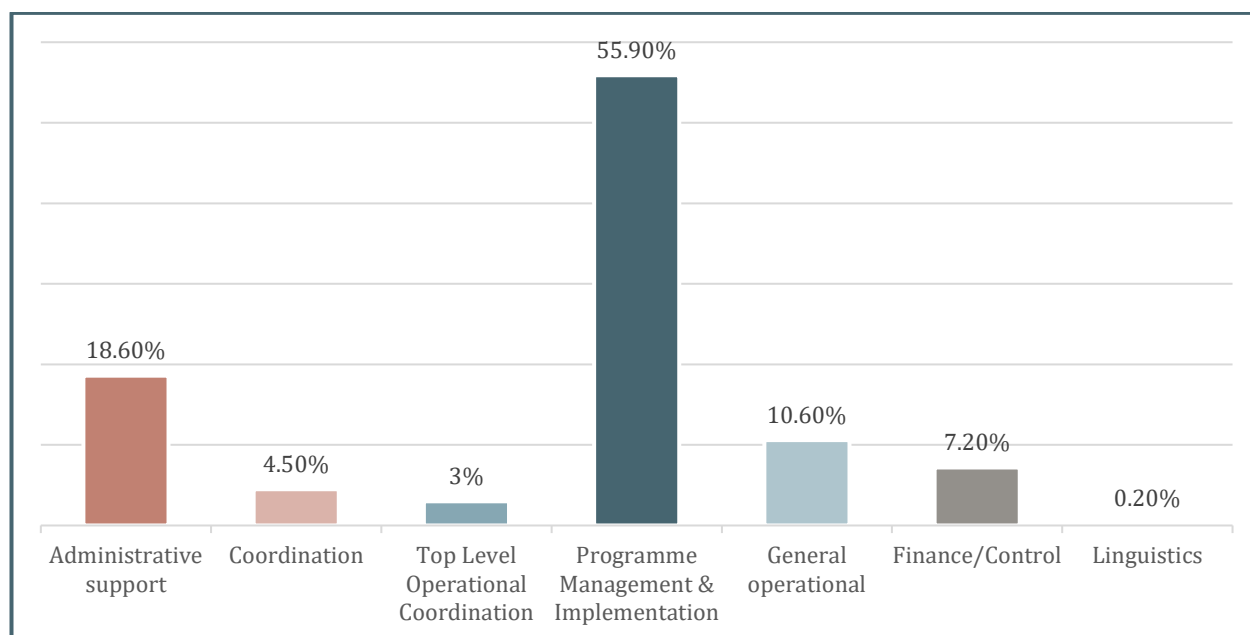
Eurojust recruited 17 temporary and contract agents in 2019 through external recruitment procedures. The vacancy rate on 31 December 2019 was 1.9%, compared to 1% in 2018.

The increase in the percentage of staff allocated to operational roles is one of Eurojust's multi-annual KPI. The sixth **job screening exercise** was conducted in December 2019, based on the Commission methodology. In total, 377 jobs<sup>42</sup> were evaluated based on their organisational role, job title/description and job purpose. The exercise resulted in the following categorisation of Eurojust jobs:

<sup>40</sup> No contract above EUR 15,000 from negotiated procedures referred to in point 11 (a) to (g) and point 12 (a) to (d) of Annex I of the Financial Regulation were concluded in 2019.

<sup>41</sup> More information on Eurojust's staffing figures, entry level for posts, gender evolution and geographical balance posts can be found in Annex IV.

<sup>42</sup> The job screening exercise includes members of the Desks (National Member, Deputy, and Assistant), Temporary and Contract staff, SNE, external consultants, interns and trainees present at Eurojust on 15 December 2019.



The jobs allocated to operations are 4% higher than in 2018 and the highest from the beginning of the exercise. This continues the trend from the last years of increased deployment of staff to operational roles. In addition, the recent reorganisation had a significant effect in increasing the percentage of jobs in the operational category. More information regarding the evolution of the job screening results can be found in Annex IV.

In 2019, Eurojust adopted model rules for the following **Commission Decisions implementing the Staff Regulations**:

- Commission Decision C (2013)8979 of 16 December 2013 on types of post and post titles (College Decision 2019-11); and
- Commission Decision C (2017)6760 of 16 October 2017 on the general provisions for implementing Article 79 (2) of the CEOS, governing the conditions of employment of contract staff employed by the Commission under the terms of Articles 3a and 3b thereof (College Decision 2019-11).

## 2.6 Strategy for efficiency gains

Improving efficiency and flexibility in the deployment of human and financial resources is a core part of the 2019-2021 MAS. Faced with an increased workload combined with a stringent budgetary climate, Eurojust is seeking internal efficiencies through a constant review of processes and structures and through automation. The aim is to respond to the growing demands while maintaining high-quality services.

### Organisational structure review

Following phase I of Eurojust's organisational restructuring focusing on the strengthening of the operational function, Eurojust implemented phase II of its reorganisation. The result was the refinement of the operational services and the restructuring of administrative and support services. In particular, the development of operational ICT tools moved to the Operations Department to create a direct link between demand and supply. Within the Resources Department, all budgetary, planning, monitoring and reporting activities were centralised to simplify the processes and to put the right emphasis on ABM and performance reporting. All administrative services linked to the logistical aspects of operational

work were also centralised to improve coordination and the overall service levels. The procurement and contract management functions were merged to create synergies regarding legal issues on contract management. Finally, in view of the adoption of the Eurojust Regulation and the creation of the Executive Board, Eurojust's governance-related structures were merged to ensure efficiency gains and synergies.

The efficiencies gained through the reorganisation were evident in Eurojust's ability to implement a big part of the 2019 AWP despite not being granted all requested posts and experiencing an additional cut in the establishment plan. The restructuring led to a significant increase of staff allocated to operational roles, evidenced by the 2019 job screening exercise.

### **Zero based budgeting**

Building on the 2018 zero based budget review, Eurojust is able to analyse its non-staff costs and categorise them based on whether there is a legal obligation to pay and whether their level can be reduced by optimising services. Eurojust maintains a better overview of all cost elements and is able as a result to have an efficient allocation of funds in non-staff budget areas.

### **Shared-services**

In line with the call for agencies to promote the use of shared services, Eurojust took the following steps:

- Conclusion of a MoU on the new Europol satellite building.
- Discussion on the future sharing of medical services with Europol.
- Joint procurements as follows:
  - 2018/EJ/10/PO - Conference and promotional materials (Eurojust and EMA)
  - 2019/EJ/03/PO - Internet and landline (Eurojust, JRC Petten, EMA and Europol)
  - 2019/EJ/07/PO - Leasing of vehicles (Eurojust and Europol)
  - EMA/2018/05/ST - Temporary Agency Workers (EMA)

### **Business process reengineering and service optimisation**

In 2019, Eurojust continued its review of internal processes to increase efficiency, optimise service quality, cut costs, reduce the overall FTE effort and ultimately reinforce the resources assigned to operational priorities. In particular, Eurojust took steps towards:

- The rationalisation of the facility management services including the decentralisation of storage management, the shifting of certain postal services to the off-site contractor and the merging of the asset management tool with existing software; and
- The redistribution of some routine security and safety tasks within the organisation and the outsourcing of tasks requiring specific technical/professional certifications to external contractors.

From the above actions, a net gain of 2 FTE is expected in 2020.

Eurojust worked on the development of new tools with the aim to increase efficiency of administrative and operational processes namely:

- EJ ART, a new tool for activity and resource planning.
- EJ MAP, a new tool to process mission requests.
- eSignature & Stamping tools analysis.
- SUMMA pilot project, the new budget management, accounting and treasury platform of the Commission.

- SYSPER, the Commission's information system for the management of human resources.

These tools are expected to increase efficiency and service levels in the short to medium term. Introduction of these tools will lead to automation of the underlying processes.

## 2.7 Assessment of audit and ex-post evaluation results

### 2.7.1 Internal Audit Service (IAS)

Eurojust has nine outstanding recommendations issued by the IAS, two on ABM and seven on the cooperation with Europol. The recommendations regarding ABM are:

**Recommendation 4.1.:** Explore the possibilities of further development of ABM: To facilitate the reporting on planned actions throughout the year and in the CAAR, Eurojust should examine the possibility to implement actual cost reporting based on the structure and format of the planned activity costs and it should explain deviations (compared to planned actions) per activity in terms of costs, FTEs, etc. Further development of ABM would facilitate the performance reporting and will align the AWP with actual results highlighted in the CAAR.

In 2019, Eurojust strengthened its Activity Based Budgeting capabilities by introducing a new tool (EJ ART) to prepare its draft AWP for 2021. This tool was identified as best practice in the agencies' Performance Development Network.

**Recommendation 4.2.:** Reporting in the CAAR concerning the actual use of resources should be better aligned with the AWP: The resources utilised during the year should be disclosed in the CAAR following – to the extent possible – the same structure as in the AWP.

Following a JSB inspection in March 2018, the use of Eurojust's time recording tool was suspended. In 2019, Eurojust drew up an action plan to respond to the JSB observations. The data protection supervision has been taken over by EDPS and Eurojust is currently discussing the way forward to implementing a new time recording tool. Once time recording is in place, Eurojust will be able to report on the resources utilised, validate its activity and resources planning, and ensure the efficient and effective implementation of the annual work programme.

### Audit on Cooperation with Europol

After the preliminary visit in 2018, the IAS carried out the audit mission "*Cooperation with Europol in Eurojust*", in 2019 with the objective was to assess the effectiveness and efficiency of the internal control system put in place by Eurojust to ensure cooperation with its counterpart. Europol was involved, to the extent necessary, in the planning and fieldwork stages, through interviews with Europol representatives.

The resulting Final Audit Report contained seven accepted recommendations, none of which were considered critical. The recommendation '*Eurojust's right of initiative to establish cooperation with Europol on case-related work*', was marked as very important. The main results and relevant cross-cutting issues were communicated by the IAS to Europol.

The Eurojust Action Plan to implement the recommendations was submitted to IAS in July 2019 and has been monitored quarterly.

### IAS Strategic Internal Audit Plan (SIAP) 2018 - 2020

The SIAP 2018 – 2020 originates from the full risk assessment performed by IAS in 2017. In Q4 2019 Eurojust provided IAS with information on recent developments in order to assess the need to introduce new audit topics or to prioritise the remaining audit topics for 2020. Amongst others, topics covered included mitigating actions to address Brexit implications, the reorganisation of the administration, the new legal framework applicable to Eurojust (Eurojust Regulation and Financial Regulation), the review of the Internal Control System and the review of high-risk processes identified by IAS in 2018.



## **Eurojust Action Plan on High Risk Processes**

In 2019, Eurojust reported to IAS the implementation of most actions foreseen, including the approval by the Management Board of its Business Continuity Plans, the new External Communications Policy, the Outreach Strategy, and the adoption of an Anti-Fraud Policy and related Action Plan.

### **2.6.2 Joint Supervisory Body (JSB)**

In September 2019, a final inspection was carried out by the JSB before its supervisory role was taken over by the EDPS, from 12 December 2019. This inspection aimed at assessing the overall handling of personal data at Eurojust, with a specific focus on the recommendations made in its last inspection report of March 2018. These recommendations related in particular to Eurojust's CMS and to human resources tools, including the introduction of SYSPER and the use of the time recording tool.

The inspection concluded that the JSB recommendations were being taken seriously at Eurojust and there is a general awareness of the importance of diligent conformity with the rules concerning the handling of personal data. In the JSB's view, Eurojust, because of its special role and responsibility for a just and safe society, should excel when it comes to the fundamental right of the protection of personal data. The JSB, more than ever, saw its interlocutors from Eurojust confronted with insufficient budgets and inadequate resources, struggling to keep the systems up to date with the required policy and technical levels and ambitions.

The JSB took note of the major effort being made by Eurojust's Data Protection Officer to carry out comprehensive internal training and to update rules and work processes to be ready for the introduction of the Eurojust Regulation and the new data protection rules. The JSB was also consulted in the drafting phase of the rules of procedure on the protection and processing of personal data at Eurojust to be adopted under the new Regulations and issued two opinions on these rules.

In 2019, the permanent members of the JSB met four times and held one plenary meeting of the appointees in The Hague. Eurojust regularly updated the JSB on the ongoing work of the Administration. In accordance with Articles 26 (2) and 26a (2) of the former Eurojust Decision, Eurojust reported regularly to the JSB on the status of negotiations between Eurojust and third States and parties. The JSB issued favourable opinions on the draft agreement on cooperation between Eurojust and the Republic of Serbia and the draft agreement on criminal justice cooperation between Eurojust and Denmark.

During 2019, Eurojust received nine requests from data subjects for access to their personal data, based on Article 19 of the former Eurojust Decision and Article 21 of the former Rules of Procedure on the Processing and Protection of Personal Data at Eurojust and one request under the new Eurojust Regulation 2018/1727. This figure represents an increase over 2018, when five requests were received.

The JSB received four case-related appeals. In two of the cases, it was not necessary to have a hearing, as Eurojust in one case agreed to inform the appellant that there was no personal data concerning him at Eurojust and in the other case Eurojust agreed to close the case and delete the data. The JSB's decisions in the other two cases upheld the original decisions of Eurojust.

### **2.6.3. European Court of Auditors (ECA)**

#### **ECA Report on Eurojust Accounts 2018**

Following the audit mission on the Eurojust Accounts 2018, audit work continued throughout the informal and adversarial procedures along the first half of 2019, which concluded with the Eurojust formal reply to the Court's Observations submitted on 19 July 2019. The translations into the official EU languages of the Eurojust replies to the preliminary observations of 2018, processed by Eurojust, were provided to the Court on 8 July 2019, well in advance of the set deadline of 31 August 2019. The final ECA Annual Report on EU Agencies for the financial year 2018, including the Court's observations and the statement of assurance provided to the Parliament and Council, was published by the Court on 15 October 2019.



In parallel to the finalization of the audit of the Accounts 2018, the notification letter initiating the preparatory work for the audit of Eurojust Accounts 2019 was received on 12 July 2019. The audit field work was carried out on 4 – 8 November 2019. Audit work on the 2019 Accounts has not resulted in any findings and the Annual Accounts have been signed off by the Executive Board of Eurojust.

### **ECA Audit on EU Agencies performance**

In 2019, the Court launched an in-depth audit on the EU agencies performance, examining the fit for purpose of their initial design, the effectiveness of their performance accountability arrangements, and whether their purpose is periodically re-assessed. The main auditees were the EU Agencies and Commission services, namely the Secretariat-General and DG BUDG, who share the responsibility for the horizontal coordination of the EU Agencies, as well as the partner DGs of the EU Agencies. The Court carried out audit visits to 16 Agencies and several Commission DGs. For Eurojust, the Court carried out a desk review and a remote survey amongst its main internal and external stakeholders, including the Eurojust National Members and their national authorities and national correspondents, the ENCS and the Data Protection Officer.

### **ECA surveys**

During 2019, ECA launched other two surveys on cross-Agency issues, namely the *Survey on the Agencies' Internal Control Frameworks and sensitive posts' policies*, and the *Survey on Interims and IT Consultants*. Eurojust submitted timely replies to both surveys.

## **2.8 Follow up of observations from the Discharge authority**

On 4 March 2019, the European Parliament granted discharge to the Administrative Director in respect of the implementation of Eurojust's budget for the financial year 2017. The Administrative Director submitted on 23 July 2019 his Report on the measures taken by Eurojust in light of the Parliament's observations and comments accompanying the discharge decisions. The Action Plan (Annex IX) is monitored quarterly to ensure implementation. The Discharge 2018 procedure is ongoing.

## **2.9 Environment management**

Eurojust is part of the EU Greening Network and aims at embracing green procurement in all its tender procedures. The Eurojust building received the sustainability label "very good" and Eurojust monitors the energy and water consumption trends with the aim to adjust practices and reduce consumption. In addition, Eurojust recycles reusable items and office supplies, and promotes the use of electronic alternatives to paper. More information on Eurojust's environment management can be found in Annex VII.

### **2.10 Assessment by management**

Eurojust conducts its operations in compliance with applicable laws and regulations, in an open and transparent manner and meeting the expected high level of professional and ethical standards.

Eurojust has adopted internal control standards (ICS), based on international best practice, to ensure the achievement of policy and operational objectives. The Administrative Director has put in place the organisational structure and the internal control systems suited to the achievement of the policy and control objectives, in accordance with the standards and having due regard to the risks associated with the environment in which it operates.

Eurojust has assessed the effectiveness of its key internal control systems during the reporting year and has concluded that the ICS are effectively implemented. In addition, Eurojust has systematically

examined the available control results and indicators, as well as the observations and recommendations issued by the IAS and the European Court of Auditors.

In conclusion, management has reasonable assurance that, overall, suitable controls are in place and working as intended, risks are being appropriately monitored and mitigated, and necessary improvements and reinforcements are being implemented. The Administrative Director, in his capacity as Authorising Officer, has signed the Declaration of Assurance.

## Part II. (b) External evaluations

The College of Eurojust commissioned an independent external evaluation of the implementation of the 2008 Council Decision on Eurojust and of its activities. The evaluation was conducted by an external consulting firm during September 2014 - June 2015 and resulted in several recommendations for Eurojust's consideration and implementation. These were all implemented by the end of 2018.

Following the entry into force of the Eurojust Regulation, and as foreseen in Article 69, by 13 December 2024 the Commission is expected to commission an evaluation of the implementation and impact of the Eurojust Regulation, and the effectiveness and efficiency of Eurojust and its working practices.

## Part III. Internal control

### 3.1 Effectiveness of internal control systems

#### Internal Control Standards (ICS) Self-Assessment 2018

In 2019, Eurojust carried out the assessment of the implementation of its ICS in 2018, taking as baseline the results of the self-assessment for the year 2017. The results included a set of internal recommendations on gaps identified, which will be taken into account for the implementation and assessment of the state of the internal controls in 2019. The assessment was carried out through desk reviews and individual interviews with all organisational entities, and was submitted to the Internal Audit Service (IAS) in July 2019.

The Eurojust **Risk Management Policy** was adopted on 18 October 2018. An assessment of all risk management registers was carried out in Q4 2019. The Eurojust risk management register, finalised in January 2020 in connection with the planning process for the year 2021, includes foreseen critical risks of the organisation reflected in the AWP 2021. The three critical risks foreseen in the AWP 2019, staff turnover, caseload and difficulties in forecasting JIT demands due to unpredictability of operational needs, were addressed in accordance with the mitigating measures foreseen in the Action Plan (Annex IX of the Eurojust SPD 2019 – 2021, enclosed).

Following the entry into force of the Eurojust Regulation in 2019, the review of the **Eurojust Anti-Fraud Strategy** is ongoing, foreseen to be completed in 2020. The review of the **Eurojust Whistleblowing Guidelines** is ongoing and expected to be finalised in 2020. A draft **Code of Ethics**, currently under discussion, will be adopted in 2020 by the College and will include declarations of interest, in addition to the declarations of absence of conflict of interest.

#### Internal Control Framework (ICF)

Following the adoption of the Eurojust new legal framework, the College adopted the revised Eurojust Internal Control Framework (ICF) in 2019<sup>43</sup>. Measures to implement the ICF are underway in 2020. The

<sup>43</sup> College Decision 2019-16 of 10 December 2019 adopting a revised Eurojust Internal Control Framework.

revised ICF, based on the Commission's ICF, enables Eurojust to achieve its objectives through a consistent performance management approach and provides reasonable assurance of:

- effectiveness, efficiency and economy of operations;
- reliability of reporting;
- safeguarding of assets and information;
- prevention, detection, correction and follow-up of fraud and irregularities; and
- adequate management of risks relating to the legality and regularity of financial transactions, taking into account the multiannual character of programmes.

Shifting to a principle-based approach, the ICF consists of five Components and seventeen Principles, flexibility for management and the organisational entities to adapt to their specific context, while ensuring a consistent implementation and assessment reporting thereof. The ICF Components<sup>44</sup> are interrelated and must be present and functioning at all levels of the organisation. The Principles underpinning each component are further specified through baseline requirements, providing guidance on actions to be implemented for the internal controls to be considered effective. These constitute the minimum standards referred to in Article 45 of the Eurojust Financial Regulation.

### 3.2 Conclusions of assessment of internal control systems

Based on the evidence collected it can be concluded that the Eurojust ICS were effectively implemented in 2019 as Eurojust complies overall with its ICS and corresponding requirements. This conclusion is supported by the evidence reviewed and the updated measures that have been taken. A summary of the outcome is presented in the table below.

Eurojust Internal Control Standard (ICS)		Compliant Y/N/Partially
1	Mission	Y
2	Ethical and organisational values	Y
3	Staff allocation and mobility	Y
4	Staff development	Y
5	Objectives and Performance Indicators	Y
6	Risk Management Process	Y
7	Operational Structure	Y
8	Processes and Procedures	Y
9	Management Supervision	Y
10	Business Continuity	Y
11	Security, Fire and Safety	Y
12	ICT Security	Y
13	Document Management	Y
14	Information and Communication	Y
15	Accounting and Financial Reporting	Y
16	Evaluation of Activities	Y
17	Assessment of Internal Control Systems	Y

<sup>44</sup> Control environment, Risk assessment, Control activities, Information and communication, and Monitoring activities.

### 3.3 Statement of the Director in charge of risk management and internal control

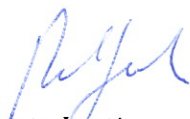
*I, the undersigned,*

*In my capacity as Head of the Resources Department, in charge of risk management and internal control,*

*Declare that in accordance with the Management Board Decision 2019-16 on the Eurojust Internal Control Framework, I have reported my advice and recommendations on the overall state of internal control in the Agency to the Administrative Director.*

*I hereby certify that the information provided in the present Consolidated Annual Activity Report and in its annexes is, to the best of my knowledge, accurate and complete.'*

*The Hague, 17 June 2019*



*Roberto Lenti*

*Head of the Resources Department*

## Part IV. Management assurance

### 4.1 Review of the elements supporting assurance

The information reported in this Report stems from management's opinion, based on results of self-assessments, follow-up of the observations and recommendations of the IAS, the Accounting Office the JSB, as well as lessons learned from the reports of ECA.

This approach provides sufficient guarantees as to the completeness and reliability of the information reported and results in a complete overview of the Eurojust budget.

The information reported does not result in any major issues meriting a reservation, as shown by the key arguments for the assurance:

- Full compliance with the Eurojust ICS;
- No critical issues highlighted by internal or external auditors; and
- No major issues pointed out by the Authorising Officers by delegation.

Taking into account the above, the conclusions of the review of the elements supporting assurance and the expected corrective capacity of the implemented controls and those to be implemented in subsequent years, a conclusion can be drawn that the internal control systems implemented by Eurojust provide sufficient assurance to adequately manage the risks relating to the legality and regularity of the underlying transactions. Furthermore, a conclusion can be drawn that the internal control systems provide sufficient assurance with regard to the achievement of the other internal control objectives.

### 4.2 Reservations

No reservations were issued for the year 2019.

## Part V. Declaration of assurance

*'I, the undersigned,*

*Administrative Director of Eurojust,*

*In my capacity as authorising officer for the operating (administrative) budget and authorising officer by delegation for the operational budget,*

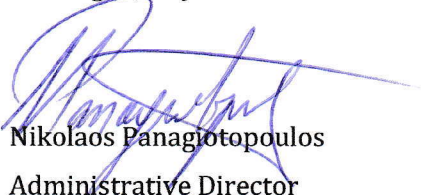
*Declare that the information contained in this report gives a true and fair view.*

*State that I have reasonable assurance that the resources assigned to the activities described in this report have been used for their intended purpose and in accordance with the principles of sound financial management, and that the control procedures put in place give the necessary guarantees concerning the legality and regularity of the underlying transactions.*

*This reasonable assurance is based on my own judgement and on the information at my disposal, such as the results of the self-assessment, ex-post controls, the work of the Internal Audit Service and the lessons learnt from the reports of the Court of Auditors for years prior to the year of this declaration.*

*Confirm that I am not aware of anything not reported here which could harm the interests of Eurojust.'*

*The Hague, 17 June 2019*



Nikolaos Panagiotopoulos  
Administrative Director

## Annexes

### Annex I. Core business statistics

#### Overview of cases in 2019 involving Member State National Desk

MEMBER STATE National Desk	Cases initiated by the National Desk				Participation in cases initiated by other Desks		Participation in joint activities/meetings	
	New in 2019	<i>Number of countries involved</i>		Ongoing from previous years	New in 2019	Ongoing from previous years	Coordination meetings	Joint investigation teams
		2	3 or more					
<b>COLLEGE</b>	<b>1</b>	-	1	<b>5</b>				
Belgium	74	51	23	90	187	329	82	31
Bulgaria	160	148	12	191	177	176	21	8
Czech Republic	119	107	12	195	125	140	34	30
Denmark	46	42	4	101	76	136	31	15
Germany	383	331	52	259	562	670	125	45
Estonia	38	30	8	27	33	65	13	7
Ireland	48	43	5	60	75	111	16	2
Greece	208	204	4	353	115	164	20	3
Spain	190	162	28	145	428	566	93	14
France	238	181	57	370	395	477	137	52
Croatia	75	70	5	14	91	105	7	-
Italy	374	285	89	382	350	409	106	49
Cyprus	10	10	-	21	74	202	9	-
Latvia	51	44	7	24	64	115	25	9
Lithuania	40	30	10	38	80	119	20	12
Luxembourg	14	13	1	49	74	136	6	-
Hungary	207	169	38	126	120	176	25	16
Malta	6	6	-	32	64	107	5	2
Netherlands	162	134	28	176	292	440	120	28
Austria	183	163	20	158	206	240	29	11
Poland	172	156	16	147	293	314	47	25
Portugal	116	105	11	91	106	145	23	2
Romania	171	139	32	178	251	295	76	55
Slovenia	151	134	17	82	80	79	15	8
Slovakia	142	136	6	120	114	173	12	26
Finland	49	46	3	33	43	73	12	7
Sweden	146	122	24	151	86	129	35	16
UK	69	59	10	124	451	515	96	75
<b>TOTAL</b>	<b>3643</b>	<b>3120</b>	<b>523</b>	<b>3742</b>	<b>*</b>	<b>*</b>	<b>*</b>	<b>*</b>














## Overview of cases in 2019 involving Liaison Prosecutors

LIAISON PROSECUTOR	Cases initiated by the Liaison Prosecutor				Participation in cases initiated by other Desks		Participation in joint activities/meetings	
	New in 2018	Number of countries involved		Ongoing from previous years	New in 2019	Ongoing from previous years	Coordination meetings	Joint investigation teams
		2	3 or more					
Montenegro	2	2	-	1	10	10	1	-
North Macedonia	5	3	2	-	16	14	3	-
Norway	68	59	9	50	37	62	24	10
Switzerland	150	127	23	115	134	282	49	15
Ukraine	22	19	3	4	55	47	23	9
USA	2	-	2	-	47	101	25	-
<b>TOTAL</b>	<b>249</b>	<b>210</b>	<b>39</b>	<b>170</b>	<b>*</b>	<b>*</b>	<b>*</b>	<b>*</b>

## Casework, meetings and joint activities in the priority crime areas, 2016-2019

Crime types	Cases (sum of new cases and ongoing cases from previous years)				Coordination meetings				Joint investigation teams (sum of newly established JITs and ongoing JITs from previous years)				Coordination centres / action days			
	2016	2017	2018	2019	2016	2017	2018	2019	2016	2017	2018	2019	2016	2017	2018	2019
TERRORISM	124	178	191	222	18	14	20	24	6	13	12	8	-	1	-	-
CYBERCRIME	151	176	219	246	13	9	28	35	8	7	10	17	-	1	2	3
MIGRANT SMUGGLING	133	153	157	187	12	15	17	24	11	14	12	12	-	2	3	2
SWINDLING AND FRAUD	1462	1643	1929	2260	44	75	87	112	38	46	52	63	5	7	7	12
MONEY LAUNDERING	760	869	1044	1259	66	86	94	137	36	44	49	73	4	5	6	6
DRUG TRAFFICKING	620	724	901	1002	41	40	78	81	25	29	42	53	1	4	-	2
TRAFFICKING IN HUMAN BEINGS	206	289	344	399	33	57	43	53	31	51	56	62	-	-	-	4
CRIMES AGAINST THE FINANCIAL INTERESTS OF THE EU (PIF CRIMES)	135	144	159	258	11	14	13	17	2	2	11	8	1	3	2	2
ENVIRONMENTAL CRIME	12	19	36	39	-	3	6	8	-	2	4	6	-	1	-	1

## Cases by crime type in 2019

Crime type	New	Ongoing <sup>45</sup>	Total	Projection <sup>46</sup>
SWINDLING AND FRAUD	1111	1149	2260	
MONEY LAUNDERING	527	732	1259	
DRUG TRAFFICKING	461	541	1002	
MOBILE ORGANISED CRIME GROUPS (MOCG) <sup>47</sup>	310	286	596	
TRAFFICKING IN HUMAN BEINGS	183	216	399	
PIF CRIMES <sup>48</sup>	160	98	258	
CORRUPTION	76	174	250	
CYBERCRIME	125	121	246	
TERRORISM	94	128	222	
MIGRANT SMUGGLING	86	101	187	
ENVIRONMENTAL CRIME	12	27	39	

<sup>45</sup> As of January 2019. Due to the ongoing nature of the cases, the figures in this column can change after the reporting period.

<sup>46</sup> The projection for 2019-2021 of the need for judicial cooperation in these crime areas is based on casework trends over the previous 5 years.

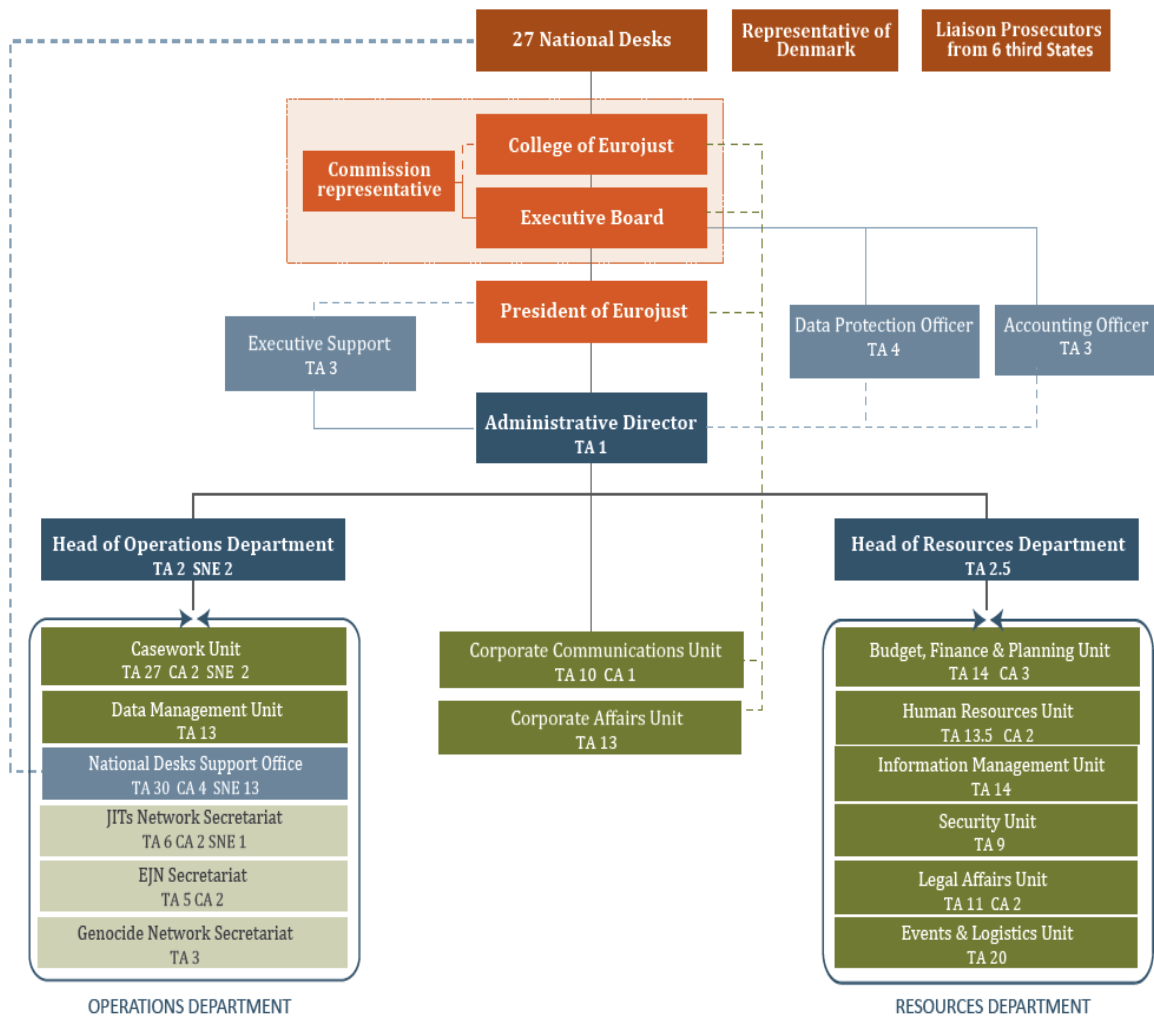
<sup>47</sup> Itinerant criminal networks operating across the European Union, usually specialised in crime areas such as burglary, robbery of armoured vehicles, and metal theft.

<sup>48</sup> Crimes against the financial interests of the European Union for which Eurojust retains competence.

## **Annex II. Statistics on financial management**

Information on statistics on financial management can be found in the [\*Eurojust Report on Budgetary and Financial Management \(2019\)\*](#).

## Annex III. Organisational chart



31/12/2019

## Annex IV. Establishment plan and additional information on Human Resources management

### a. Eurojust Establishment Plan at 31 December 2019

Category and grade	Establishment plan 2019	Filled as of 31.12.2019 <sup>49</sup>
	TA	TA
AD 14	1	1
AD 13	1	
AD 11	5	2
AD 10	12	4
AD 9	22	15
AD 8	21	16
AD 7	32	16
AD 6	4	18
AD 5	3	8
<b>Total AD</b>	<b>101</b>	<b>80</b>
AST 9	1	1
AST 7	1	
AST 6	5	7
AST 5	52	24
AST 4	48	33
AST 3		42
AST 2		16
AST 1		1
<b>Total AST</b>	<b>107</b>	<b>124</b>
<b>TOTAL</b>	<b>208</b>	<b>204</b>

Contract Agents	Authorised 2019	Engaged 2019 <sup>50</sup>
Function Group IV	6	2
Function Group III	5	7
Function Group II	5	8
Function Group I	0	0
<b>TOTAL</b>	<b>16</b>	<b>17</b>

<sup>49</sup> Figures are based on headcount as on 31 December. In accordance with Art. 38(2) of the Eurojust Financial Regulation, 2 appointments have been made to offset the effects of part-time work and specifically the part-time loss of 4 FTE on average throughout 2019. On 31 December 2019, 2 temporary staff were on unpaid leave, however only one post is counted as filled in accordance with Art 13(1) College Decision 2016-11 on measures concerning unpaid leave.

<sup>50</sup> Figures based on headcount as on 31 December.

**b. Information on the entry level for each type of post**

Key functions	Type of contract	Function group, grade of recruitment	Function dedicated to administrative support or operations
<b>Core Functions</b>			
Head of Department <i>Level 2</i>	TA	AD12	ADMINISTRATIVE SUPPORT/OPERATIONS
Head of Unit/Head of Office <i>Level 3</i>	TA	AD9-10	ADMINISTRATIVE SUPPORT/OPERATIONS
Head of Secretariat <i>Level 3</i>	TA	AD8	ADMINISTRATIVE SUPPORT/OPERATIONS
Head of Sector/Sr Officer/Advisor <i>Level 4</i>	TA	AD8	ADMINISTRATIVE SUPPORT/OPERATIONS
Head of Sector/Officer <i>Level 5</i>	TA	AD6-AD7	ADMINISTRATIVE SUPPORT/OPERATIONS
Officer <i>Level 6</i>	TA/CA	AD5/FGIV	ADMINISTRATIVE SUPPORT/OPERATIONS
<b>Operational Functions</b>			
Head of Casework	TA	AD9	OPERATIONS
Head of Data Management	TA	AD9	OPERATIONS
Sr Judicial Cooperation Officer	TA	AD8	OPERATIONS
Judicial Cooperation Officer	TA	AD5	OPERATIONS
Judicial Cooperation Assistant	TA	AST3	OPERATIONS
<b>Support Functions</b>			
Head of Human Resources	TA	AD9	ADMINISTRATIVE SUPPORT
Head of Budget, Finance & Planning	TA	AD9	ADMINISTRATIVE SUPPORT
Head of Information Management	TA	AD9	ADMINISTRATIVE SUPPORT
Administrative Assistant	TA/CA	AST2/FGII	ADMINISTRATIVE SUPPORT/OPERATIONS
Clerk	TA/CA	AST/SC1-2/FGI	ADMINISTRATIVE SUPPORT/OPERATIONS
<b>Special Functions</b>			
Data Protection Officer	TA	AD8	ADMINISTRATIVE SUPPORT
Accounting Officer	TA	AD7	ADMINISTRATIVE SUPPORT
Secretary to the College	TA	AD6	OPERATIONS

### c. Job screening/benchmarking against previous year results

Job Type (sub) category	2014 (%)	2015 (%)	2016 (%)	2017 (%)	2018 (%)	2019 (%)
<b>Administrative support and Coordination</b>	<b>29.01%</b>	<b>28.17%</b>	<b>28.8%</b>	<b>29.4%</b>	<b>26.8%</b>	<b>23.1%</b>
<i>Administrative Support</i>	24.79%	24.23%	24%	23.9%	22.4%	18.6%
<i>Coordination</i>	4.22%	3.94%	4.8%	5.5 %	4.4%	4.5%
<b>Operational</b>	<b>62.82%</b>	<b>63.66%</b>	<b>63.5%</b>	<b>63.5%</b>	<b>65.5%</b>	<b>69.5%</b>
<i>Top Level Operational Coordination</i>	6.20%	3.66%	3.75%	5.5%	4.4%	3%
<i>Programme Management &amp; Implementation</i>	41.69%	43.38%	46.15%	45%	48.1%	55.9%
<i>Evaluation &amp; Impact Assessment</i>	0%	0%	0%	0%	0%	0%
<i>General operational</i>	14.93%	16.62%	13.6%	13%	13 %	10.6%
<b>Neutral</b>	<b>8.17%</b>	<b>8.17%</b>	<b>7.7%</b>	<b>7.1%</b>	<b>7.7%</b>	<b>7.4%</b>
<i>Finance/Control</i>	7.61%	7.61%	7.47%	6.6%	7.1%	7.2%
<i>Linguistics</i>	0.56%	0.56%	0.26%	0.5%	0.6%	0.2%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

### d. Gender representation

Gender	Staff category	Temporary		Contract		Total	
		Number	%	Number	%	Number	%
Female	AD and FG IV	48	34%	2	15%	50	32%
	AST/SC and FG I/II/III	93	66%	11	85%	104	68%
	Total	141	69%	13	76%	154	70%
Male	AD and FG IV	32	51%	0	0%	32	48%
	AST/SC and FG I/II/III	31	49%	4	100%	35	52%
	Total	63	31%	4	24%	67	30%
<b>Total</b>		<b>204</b>	<b>100%</b>	<b>17</b>	<b>100%</b>	<b>221</b>	<b>100%</b>



**e. Gender evolution over 5 years of the middle and senior management**

	2015		2019	
Gender	Number	%	Number	%
Female	3	38	6	46
Male	5	62	7	54

**f. Geographical balance (table on 31/12/2019 statutory staff only)**

	Staff in AD and FG IV categories		Staff in AST/SC and FG I/II/III categories		Total	
Nationality	Number	% of staff	Number	% of staff	Number	% of total staff
Austria - AT	1	1%	2	1%	3	1%
Belgium - BE	4	5%	6	4%	10	5%
Bulgaria - BG	3	4%	7	5%	10	5%
Croatia - HR	0	0%	2	1%	2	1%
Cyprus - CY	0	0%	0	0%	0	0%
Czech Republic - CZ	2	2%	2	1%	4	2%
Denmark - DK	0	0%	2	1%	2	1%
Estonia - EE	4	5%	1	1%	5	2%
Finland - FI	2	2%	6	4%	8	4%
France - FR	4	5%	5	4%	9	4%
Germany - DE	5	6%	6	4%	11	5%
Greece - EL	5	6%	7	5%	12	5%
Hungary - HU	1	1%	3	2%	4	2%
Ireland - IE	1	1%	1	1%	2	1%
Italy - IT	8	10%	12	9%	20	9%
Latvia - LV	3	4%	3	2%	6	3%
Lithuania - LT	1	1%	4	3%	5	2%
Luxembourg - LU	0	0%		0%	0	0%
Malta - MT	0	0%	1	1%	1	0%
Poland - PL	2	2%	3	2%	5	2%
Portugal - PT	1	1%	3	2%	4	2%
Romania - RO	7	9%	13	9%	20	9%
Slovak Republic - SK	0	0%	4	3%	4	2%
Slovenia - SI	2	2%	5	4%	7	3%
Spain - ES	10	12%	10	7%	20	9%
Sweden - SE	4	5%	2	1%	6	3%
Netherlands - NL	11	13%	26	19%	37	17%
United Kingdom - UK	1	1%	3	2%	4	2%
<b>Total</b>	<b>82</b>	<b>100%</b>	<b>139</b>	<b>100%</b>	<b>221</b>	<b>100%</b>

**g. Geographical balance (evolution over 5 years of the most represented nationality)**

Most represented nationality	2015		2019	
	Number	%	Number	%
The Netherlands	33	14	37	17
Italy	22	10	20	9
Spain	20	9	20	9
Romania	19	8	20	9
<b>Total</b>	<b>74</b>	<b>41</b>	<b>97</b>	<b>44</b>

## **Annex V. Human and financial resources by activity**

Due to the temporary suspension of the use of the Eurojust time recording tool in mid-2018, the actual consumption of human resources per activity cannot be provided.

## **Annex VI. Contribution, grant and service level agreements**

No contribution, grant or service level agreements were concluded by Eurojust in 2019.

## Annex VII. Environment Management

Eurojust aims to become an ISO 14001/EMAS<sup>36</sup> certified organisation. With this certification, it will be able to calculate its carbon footprint and CO<sub>2</sub> emissions and take corresponding measures to reduce them.

Eurojust is part of the EU Greening Network that discusses issues related to the EMAS certification and environmental management in EU organisations.

Eurojust aims to embrace green procurement in all its tender procedures while trying to find a balance between “sustainable” contracts and their cost consequences, by taking measures such as increasing use of sustainable products in cleaning and catering contracts.

The Eurojust building received the sustainability label “very good”, based on:

- Sustainable demolition of the previous building on the site of its new premises;
- Use of ground water for cooling and heating the building;
- Maximum insulation of the building’s shell in order to optimise climate control;
- Use of recycled materials for construction purposes;
- Promotion of public transport for business travel and commuting; and
- Installation of videoconferencing with the aim of reducing business travel.

Eurojust monitors the energy and water consumption trends with the aim to adjust practices and reduce consumption. Furthermore, the agency strives to reduce the amount of the waste it generates by using recycled and reusable items; and promoting the use of electronic alternatives to paper. In 2019, Eurojust started using recycled paper for copying and printing and ensured that all office supplies are manufactured from recycled products.

## **Annex VIII. Final accounts 2019**

Enclosed.

## Annex IX. Eurojust Action Plan to address the European Parliament's observations and comments on the discharge for the year 2017

Performance	
European Parliament Observation	
Strongly encourages Eurojust to further develop cooperation projects with the other institutions, bodies, offices and agencies of the Union, in the field of justice and home affairs.	
Eurojust Action	Status
Participation in JHA Agencies Network and Chairmanship of the Network in 2020.	<b>Implemented</b>
New initiative together with the Commission on digital criminal justice, to allow judicial authorities to connect in a secure way to send and receive (sensitive) information in criminal cases.	<b>Ongoing</b>
Preparatory work for negotiations of Working Arrangements with FRONTEX.	<b>Ongoing:</b> On hold since July 2019 due to changes in the FRONTEX legal framework.
Indirect access to each other databases (hit no hit) with Europol (Project set up, first progress report available, 2 solutions provided: short and long term).	<b>Ongoing:</b> Work has continued on the business case but with limited progress due to conflicting priorities and questions on the practical implementation of the indirect database access.
Cooperation with the EPPO (Project set up).	<b>Ongoing:</b> The EPPO Project has been set up.
Revision of practical agreement with OLAF dated 2008 in the context of their new Regulation and EPPO.	<b>Ongoing:</b> New cooperation possibilities are being explored based on the 2008 Cooperation Agreement. Work is postponed until there is clarity about the new legal basis of OLAF.
Joint consultation COM, Europol, OLAF, EPPO and Eurojust to identify synergies.	<b>Planned:</b> for 2020-2021.
EuroMed Justice Programme hosted at Eurojust in 2020 (in cooperation with DG Near).	<b>Ongoing:</b> Contribution Agreement signed.
SIRIUS Project with Europol.	<b>Ongoing:</b> Eurojust allocated 1.2 FTEs to the project in 2019. Since 2019, the Commission has been considering the expansion of the project, with a financial reinforcement and Eurojust becoming co-beneficiary of the funding and implementing partner within the Contribution Agreement. Eurojust and Europol jointly tabled an <i>Action Fiche</i> proposing the extension of the duration of the project until the end of 2023, and an additional funding of EUR 3,5M, of which EUR 1,18M to be allocated to Eurojust. After the approval of the Annual Action Programme 2020, the Contribution Agreement between the Commission, Eurojust and Europol is expected to be signed.
Staff policy	
European Parliament Observation	
Welcomes the Court's suggestion that Eurojust publish <b>vacancy notices</b> on the website of the European Personnel Selection Office in order to increase publicity; understands Eurojust concerns regarding translation costs.	
Eurojust Action	Status
Since June 2019, Eurojust is advertising vacancies on the website of the European Personnel Selection Office (EPSO), according to the new possibility offered by EPSO to publish the title in all EU official languages with a link to the full text only in English.	<b>Implemented</b>



European Parliament Observation	
Encourages Eurojust to consider adopting a fundamental rights strategy, including a reference to fundamental rights in a code of conduct that could define the duties of its staff and training for staff; setting up mechanisms ensuring that any violation of fundamental rights is detected and reported, and that risks of such violations are swiftly brought to the attention of a fundamental rights officer, reporting directly to the management board to ensure a certain degree of independence vis-à-vis other staff, in order to ensure that threats to fundamental rights shall be immediately addressed, and that a constant upgrading of the fundamental rights policy within the organisation; developing a regular dialogue with civil society organisations and relevant international organisations on fundamental rights issues; making compliance with fundamental rights a central component of the terms of reference of the collaboration of the Eurojust concerned with external actors, including in particular members of national administrations with whom it interacts at operational level.	
Eurojust Action	Status
On 12 November 2019, Eurojust, together with the other JHA Agencies, signed the Joint Statement on Fundamental Rights.	Ongoing
Prevention and management of conflicts of interests and transparency	
European Parliament Observation	
Regrets that the Eurojust's policy is to publish declarations of absence of conflicts of interest rather than declarations of interest for the Administrative Director and the members of the management board; calls for the publication of <b>declarations of interests</b> .	
Eurojust Action	Status
Following College approval of the Eurojust Code of Ethics, the declarations of interest will be published.	Ongoing
European Parliament Observation	
Asks Eurojust to provide details on <b>whistleblowing</b> cases in 2017, if any, and on how they were handled; underlines the importance of awareness-raising and training of staff as means of fostering a positive and trusting environment in which whistleblowing is an accepted part of the corporate culture.	
Eurojust Action	Status
Eurojust adopted Guidelines on Whistleblowing in 2019. Training was provided in the course of 2019 in implementation of an action plan requirement of the updated Eurojust Anti-Fraud Strategy (College Decision 2018-19). An awareness session was organised for Eurojust staff at the end of 2019.	Implemented
European Parliament Observation	
Regrets that the recommendation issued by the Court in 2010 to reconsider the definition of respective roles and responsibilities between the Administrative Director and the College of Eurojust to avoid overlap of responsibilities resulting from the Founding Decision was still open at the end of 2017; acknowledges that addressing this issue is not under Eurojust's control but was under consideration by the co-legislators in the context of the review of Eurojust's mandate; welcomes the adoption of Regulation (EU) 2018/1727 of the European Parliament and of the Council <sup>51</sup> and expects that these issues are resolved with the new structure and the clarification of roles and responsibilities therein, including the new executive Board.	
Eurojust Action	Status
The Eurojust Regulation is in force and a working group was created to prepare a proposal for College approval.	Ongoing
Other comments	
European Parliament Observation	
Acknowledges that Eurojust successfully completed the move to its new premises in June 2017 with no loss of operational capacity and that all necessary financial, security, legal and other practical arrangements were made in a timely manner; notes that regarding the investments in new premises planned for 2017,	

<sup>51</sup> Regulation (EU) 2018/1727 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust), and replacing and repealing Council Decision 2002/187/JHA (OJ L 295, 21.11.2018, p. 138)

EUR 11 130 000, were committed and EUR 8 790 000 (79%), had been paid by 31 December 2017; calls on Eurojust to report to the discharge authority on further developments in that regard.

#### **Eurojust Action**

The carry forward of EUR 2 339 809 concerned predominantly costs to be invoiced retroactively by the Host State in 2018, including those related to planned changes and aftercare related matters, as well as the redelivery costs of the former premises. In 2018, all but EUR 73 000 of these carried over commitments were delivered and paid, the most significant part of which (EUR 61 832), related to the planned changes that were not executed by the Host State.

This cancellation reflects 0.4% of the total ring-fenced budget (EUR 18 400 000) for a major construction project that was delivered with negligible delay and within originally estimated costs.

#### **Status**

**Implemented**



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