



Dear readers,

I am pleased to present the first issue of the Eurojust News, our quarterly newsletter, a new communication tool devised to inform Eurojust's stakeholders, and all those who have an interest in Eurojust, about our activities and achievements.

This issue is dedicated to the fight against terrorism, in line with the priorities set out for Eurojust by the European Council and the Commission. It features an article about our Counter-Terrorism Team and interviews with EU Counter-Terrorism Coordinator Gilles de Kerchove and Deputy Chief Public Prosecutor Armando Spataro, who spoke to us about their crucial role in the fight against this ever-growing phenomenon. You will also read about the development of Eurojust and how it grew from 1999 to the present day.

I hope you will enjoy reading Eurojust News. The Press & PR Service would be glad to receive feedback and any suggestions you may have at [info@eurojust.europa.eu](mailto:info@eurojust.europa.eu).

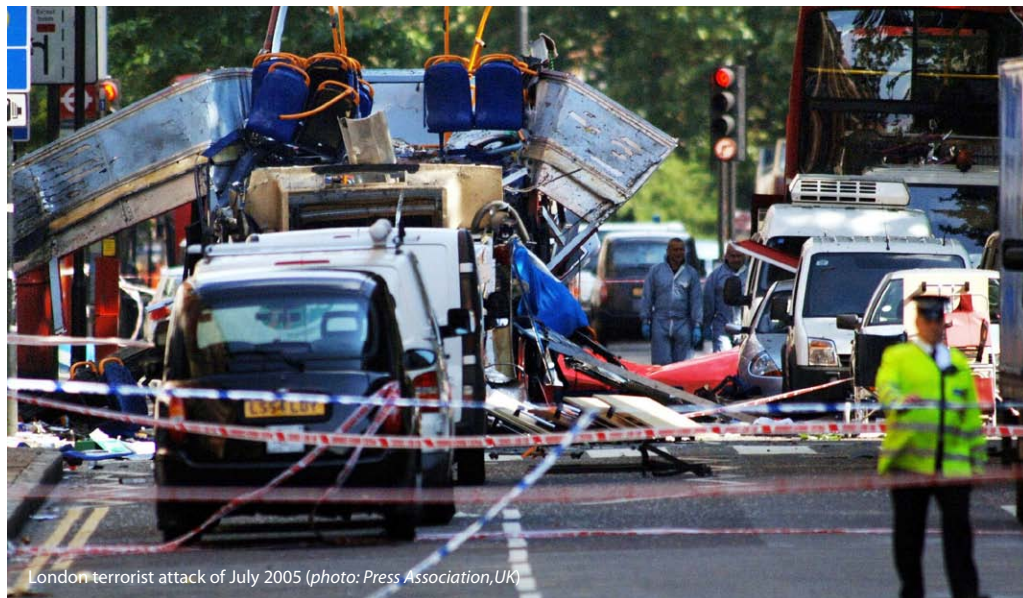
José Luís Lopes da Mota, President of Eurojust

## Counter-Terrorism Team

The Counter-Terrorism (CT) Team at Eurojust was set up in 2004 after the Madrid terrorist attacks that resulted in more than 290 deaths and many more casualties. The CT Team is chaired by Ms Michèle Coninx, National Member for Belgium and Vice-President of Eurojust.

**THE BEGINNINGS.** Anti-terrorism coordination meetings have been held since 2001, in the Pro-Eurojust phase, before Eurojust was officially set up as a European Union body. In June 2001, Pro-Eurojust brought together seven leading magistrates from different European countries dealing with terrorism, in par-

ticular with Islamist extremist radical terrorism (Al Qaeda). During the meeting, however, a lack of confidence between the experts from various countries became apparent: information was not readily shared with counterparts and therefore coordination was difficult to achieve. The members of Pro-Eurojust saw the need to



London terrorist attack of July 2005 (photo: Press Association, UK)

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examine the main reasons underlying this lack of trust, and launched a survey. The results of the survey showed great variety in the different Member States' experiences in counter-terrorism. Countries such as Belgium and the Netherlands had less experience, while Spain, Italy and the United Kingdom had been dealing with such issues for a long time and had already put in place relevant legislation. Different levels of experience made dialogue very difficult. A network for sharing experiences needed to be built up.

After 9/11, Pro-Eurojust asked decision-makers to take legislative initiatives to make coordination efforts possible. The fight against terrorism had understandably become a top priority, so after the New York and Washington attacks, Pro-Eurojust was asked to invite the then 15 EU Member States to Pro-Eurojust to discuss CT-related activities on a strategic level. Switzerland and the USA also joined. The meeting drew on the experience of the previous meeting of June 2001; some of the participants were already acquainted with one another and mutual trust was more easily achieved.

In general, the strategic meetings were very helpful in improving the way in which Europe was operating in this field and in encouraging cooperation between Member States. As a result of the first CT meeting of June 2001, suspects were ar-

rested in Spain in connection with the 9/11 attacks. The usefulness of the meetings could not be denied and they began to be held regularly.

**LEGISLATION.** The next stage was to start drafting relevant legislation. In 2002, a Council Framework Decision established for the first time a common approach to terrorism offences. It provided, amongst other things, a common understanding of terrorist offences, groups, and membership or leadership of terrorist groups. The Decision required introduction into national legislation in the Member States. Since 2003, all Member States have counter-terrorism legislation.

Through the strategic meetings organised by Eurojust since 2004 for networking and exchanging information, the trust and understanding among the EU Member States has grown considerably. These meetings have focused on legal issues, and followed up on legislation to see where it could be improved, which Member States are effective participants, and how to enhance the performances of those that are less effective.

**THE MEETINGS.** The activities of the Counter-Terrorism Team became

a more regular feature after the Madrid attacks, which brought about the realisation that there was still much work to be done, and more reasons to get better organised. The CT Team focuses on the organisation of strategic and tactical coordination meetings, and offers support with regard to operational meetings wherever needed. These involve the interaction with external partners such as Europol and the EU Counter-Terrorism Coordinator, and third States in specific regions such as the USA, Canada, Switzerland and the MEDA countries. Another point of concern is the financing of terrorism: a variety of criminal activities, from money laundering to organised crime, are employed to sponsor terrorism, within as well as outside Europe.

**CYBER-TERRORISM.** There is a lack of unanimity on the definition of the term cyber-terrorism. The CT Team defines cyber-terrorism as the use of information technology (computers, networks and the information stored therein) by terrorist groups and agents resulting in violence or threats of violence against persons or property, as well as the use of the internet as a tool to plan and coordinate terrorist attacks, to incite terrorism, to make propaganda for terrorist purposes and to recruit and radicalise people. First of all, it is necessary to find out who is recruiting on the internet, how the internet is used to communicate, and how attacks are planned and coordinated. The representatives active in the field of counter-terrorism in Europe admitted to being, in fact, quite powerless, both technically and legally, to cope with these phenomena.

Cyber-terrorism was specifically dealt with at the international conference in St Petersburg in May 2008, where the CT Team Chair, Ms Coninx, was one of the speakers. Subjects included the internet and other tools used by terrorists, and how terrorists can be prevented from taking advantage of the anonymity of these means of communication. At the St Petersburg conference, Ms Coninx promoted the new "Draft Framework Deci-



Counter-terrorism meeting held at Eurojust (photo: Eurojust)



CT Team Chair Michèle Coninx (photo: Eurojust)

sion regarding Provocation, Training and Recruiting by Terrorist Organisations”, giving examples based on Eurojust’s experience. For instance, she suggested that there should be a way to determine who is online in cybercafés.

Another area to be explored is telephony on the internet. Ms Coninx mentioned the need to set up a European-wide network of experts who can focus on search and detect codes used in e-mail traffic and chat rooms. Of course, these measures must be balanced against the protection of human rights and privacy laws in the different countries.

One initiative in this area is Europol’s ‘Check the Web’ portal, an interesting monitoring project that unfortunately cannot be accessed by Eurojust at this stage due to data protection restrictions. The portal focuses on Islamist extremist propaganda on the internet and contains a list of Islamist extremist websites, publications and claims of terrorist organisations, which are stored on the portal and are thus shared by counter-terrorism units of the 27 Member States.

The ‘Check the Web’ use policy has recently been updated to clarify that the descriptive summaries of Islamist extremist publications may also contain personal data. On 15 December 2009, a new version of the ‘Check the Web’ portal will allow the storage of audio and video files.

**ROLE OF THE CT TEAM.** The reason for having a CT Team at Eurojust is to divide tasks and devote attention to all aspects of the phenomenon. To ensure this, the CT Team supports colleagues in organising meetings and also organises meetings itself, interacts with counterparts in the EU, outside the EU and with judicial authorities from third States, and works towards building up sound expertise about specific terrorist activities.

The team also builds legal databases, covering both international and European/national legislation. Since 2005, Eurojust has managed to acquire a greater amount of information, as the Council Decision of 20 September 2005 obliges all Member States to designate National Correspondents for Terrorism, who must inform Eurojust of all terrorist activities in their country, from the first stages of interviewing suspects to the indictment stage, to European Arrest Warrants issued with regard to terrorism, to Mutual Legal Assistance requests and judgements. All this information must be transmitted to the concerned National Members of Eurojust. Once received, the information is processed by the Case Management Team and analysed, when necessary, by legal analysts. A judicial database has also been established at Eurojust, which has allowed the CT Team to contribute to Europol’s TE-SAT (Terrorism Situation and Trend) Report for the past three years. The CT Team, supported

by the Case Management Team, issues a quarterly Terrorism Convictions Monitor, which is produced by reviewing all open sources (e.g. newspapers, internet) related to terrorism judgements and by obtaining the original judgements from the National Correspondents for Terrorism. This work was undertaken because the information published by the press does not provide practitioners with vital judicial information, e.g. which criminal/terrorist offence; which legal basis; requested penalty; reasons for acquittal; what evidence was produced, and was it admissible? Examples of judgements in one country may be useful in another. Eurojust is at present the only institution providing this vital information to practitioners.

**STRATEGIC MEETINGS.** In addition to its support of actual casework, the CT Team also holds yearly strategic meetings. The most recent meeting took place on 17 June 2009 and focused on terrorism financing. The 27 National Correspondents for Terrorism were shown the TE-SAT Report and the Terrorism Convictions Monitor, both produced on the basis of their contributions. Two interesting and innovative judgements were presented, one on the Kurdistan Workers’ Party (PKK) and the other on the Liberation Tigers of Tamil Eelam (LTTE). Experts from the countries where the judgements took place spoke and Eurojust’s analysts provided insight into the analytical work performed. A memo on terrorism financing, produced by the CT Team, was also shared with the participants.

**TACTICAL MEETINGS.** The CT Team also supports an intermediate type of meeting, the tactical meeting. At tactical meetings, either a National Member or the College of Eurojust presents a terrorism problem that has arisen somewhere in the world. To find out whether this problem occurs in more areas, and therefore whether it would be useful to share best practice and expertise in this field, a questionnaire is prepared for the leading magistrates in matters of terrorism in the Member States. They are asked to verify whether investigations or prosecutions are ongoing relating to the problem; if difficulties are encountered and, if so, what kind (i.e. judicial, legal, practical, MLA-related); and if and how

they were solved. Depending on the answers, the CT Team invites practitioners with experience in the issue to give presentations at Eurojust. Practitioners operating in countries where there is no relevant experience may be invited as observers.

**TOPICS OF INTEREST.** The CT Team was very active in getting information on how the LTTE was funding its activities through crimes committed in Europe; this was the subject of a tactical meeting held in March. Another area of interest is the PKK; a seminar with Europol was held on 6 October. Team representatives also participated actively in the seminar on terrorism held last May in Prague, at the initiative of the EU Czech Presidency, which focused on terrorism in the Western Balkans. This is one of the priorities for Eurojust, as its external relations strategy specifically includes cooperation with the Western Balkan countries. During the years in which the CT Team has been

operational, it has made its work known and built a network based on trust. Good results are starting to be achieved. For example, this year's contribution to the TE-SAT was of good quality.

**A PROACTIVE APPROACH.** The approach the CT Team has been promoting since its beginnings is a proactive one. This is new to the world of prosecution, where by definition crime is reacted to, not prevented. New legislation such as that on recruitment, training and public provocation provides for this kind of preventive approach, making it possible to both disrupt criminal activities and achieve good trial results. The CT Team realises there is still a long way to go and much work to be done, and that in-depth knowledge of the mechanisms of terrorism in Europe and in the world should be acquired in order to tackle terrorism. The CT Team is already having some influence on decision-makers such

as the Justice and Interior Ministries in the Member States in terms of creating appropriate legislation. Last year, a representative of the CT Team went before the European Parliament to plead for an enlarged legal basis to tackle training, public provocation and recruitment of terrorists, as provided for in the Council of Europe Convention on the Prevention of Terrorism of May 2005, then transposed into an EU initiative (Council Framework Decision passed at the end of 2008), and now the Member States must implement the EU legislation in their national legislation.

What the CT Team has been doing at a judicial level is to inform decision-makers that the lack of a legal basis in this area creates a real problem, preventing crimes from being prosecuted. It will take two to three years to determine if the implementation of legislation took place and if cases are evolving in the right way, leading to appropriate judgements. ■

## Interview with Gilles de Kerchove, EU Counter-Terrorism Coordinator

**M**r Gilles de Kerchove was appointed EU Counter-Terrorism Coordinator on 19 September 2007 by EU High Representative Javier Solana. From 1995 to 2007, he was Director for Justice and Home Affairs at the EU Council Secretariat. In his new function, Mr de Kerchove coordinates the work of the Council of the EU in the field of counter-terrorism, maintains an overview of all the instruments at the EU's disposal, closely monitors the implementation of the EU counter-terrorism strategy, and ensures that the EU plays an active role in the fight against terrorism. Eurojust interviewed Mr de Kerchove in late June 2009 on the occasion of the celebration of almost two years as EU Counter-Terrorism Coordinator.

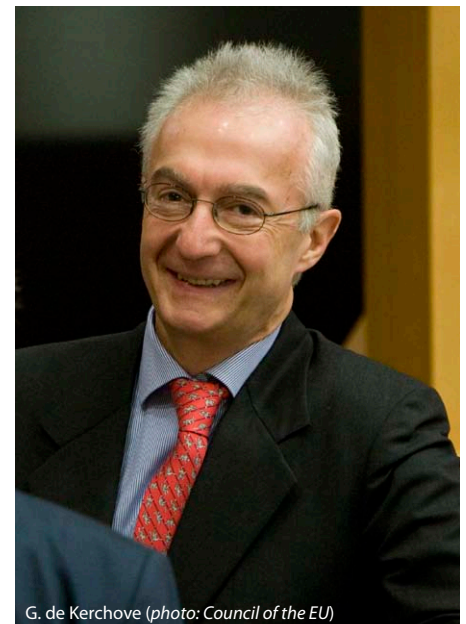
*Eurojust: How do you feel that things have gone so far? Did you have specific tasks when you started?*

GdK: I worked very closely with my predecessor, Gijs de Vries, and tried to help him. So I knew the job and its difficulties. You must work with three major institutions: the Commission, the Council and the European Parliament. You must try to coordinate these institutions and 27 Member States, play an active role in the media, and cover a very wide range of issues: from prevention to consequence management, protection of borders and critical infrastructure, police coordination and foreign policy. I chose to select and concentrate on a few priorities and key aspects, and I think it went rather well. The main challenge is to get the sup-

port of the key players and the Member States. You must work with police, intelligence, prosecutors and investigating magistrates, diplomats, colleagues from finance, transport and health - a very wide range - and get the support of the Ministers of the Interior, who are the leading contacts.

*Eurojust: What are your priorities?*

GdK: One of my top priorities was to create an environment conducive more involvement by Eurojust and Europol in CT work. The most important point in my first report was my emphasis on the need for much closer cooperation between the two organisations. At the time, Member States were negotiating the new Eurojust Decision and the transformation of the Europol Convention



G. de Kerchove (photo: Council of the EU)

into a Decision. This was the ideal moment for inserting similar provisions in both legislations, foreseeing a special relationship between Eurojust and Europol. Unfortunately, due to time pressure, ministers preferred not to amend the texts. But they did give a mandate to Eurojust and Europol to reinforce their cooperation agreement. A new coop-

eration agreement was adopted by the Council last month. This is good news, and I worked hard to bring this about. In my efforts to involve Eurojust and Europol more in CT work, I brainstorm regularly with the Counter-Terrorism Teams at Eurojust and Europol. In one example, also involving the USA, we discussed the possibility of receiving more information on returning jihadists.

In my last discussion paper, I focused on several points:

**1) How to increase information sharing.** Our first concern is to convince Member States to design a strategy. Much work has been done, but we lack a sense of direction. As a consequence, it is difficult to get the support of the EP, which feels that the EU is building a 'surveillance society'. We must increase data sharing, but remain proportionate, i.e. use a risk-based rather than a US-type approach. The most convincing example of progress in information sharing in the past three years is the adoption by the Council of legislation to mandate the provision of records from telecom operators and service providers of telephone conversations and e-mails.

The Commission suggests that it be possible to gain access to Passenger Name Records. Police have access to the visa information system and soon will have access to Eurodac. There is an obligation to feed information to both Eurojust and Europol on investigations/prosecutions related to terrorism and involving at least two Member States. I regularly monitor the way Member States implement this obligation. I am trying to develop the 'Check the Web' project at Europol. I am pushing the negotiation of an agreement with the USA on data protection as a precondition for sharing more information. I am convinced that in the long run we will need to share our 'watch lists' with the American authorities.

**2) Radicalisation and recruitment of terrorists.** For several reasons, we have not implemented the EU strategy sufficiently well. These are mainly Member State competences. There is not that much the EU can do except outline best practice. This is a very sensitive subject. We must avoid any suggestion that there is a

causal link between terrorism, religion and community. Many policies are relevant to the prevention of terrorism, but are not related to terrorism. If you overdevelop the terrorist dimension, there is a negative impact on the policy itself. You don't develop intercultural dialogue because you want to prevent people from getting involved in terrorist acts. Of course, by developing tolerance, you create an atmosphere that is more positive and therefore contributes to avoiding radicalisation. I found seven Member States ready to take the lead in the implementation of parts of this strategy: Germany for the internet, the UK for countering the single narrative, the Netherlands for the role of local authorities in prevention, Belgium and Sweden for developing community policing, Spain for the training of religious leaders, and Denmark for de-radicalisation and disengagement. I am also seeking financial support from the Commission, and am trying to inject momentum into the implementation.

**3) External dimension: how can we increase technical assistance to key countries for internal security?** We are concentrating on two main regions: Afghanistan/Pakistan and the Sahel (sub-Saharan Africa). I have also suggested that the Council add Yemen, as jihadists are moving to Somalia and Yemen from Afghanistan/Pakistan. Based on that and other threat assessments, I have recently visited these and other countries. We first identify the countries willing to work with the EU in the field of counter-terrorism and then mobilise Community funding. I have also been involved in discussions about the closing of Guantanamo. I recently travelled to Washington to start preparing a joint EU/US declaration on principles to be adopted in the fight against terrorism in 2010.

*Eurojust: What is the real motivation behind terrorism? Ideology? Influence? What is the trigger?*

GdK: There are many studies of the process of radicalisation leading to violence. All academic literature shows a complex evolution over time, several models and not one single profile. An attack such as 9/11, with direction and control from Al Qaeda in Afghanistan/Pakistan, planned over a long period of time, is today less



José Luís Lopes da Mota and Gilles de Kerchove meeting at Eurojust in March 2009 (photo: Eurojust)

likely than an autonomous cell operating rather quickly within the target country. Another, less-frequent, scenario is a disorganised cell in Europe composed of like-minded people making opportunistic decisions with little preparation. What is important is precise insight into the different processes, so that we can design the appropriate policy responses.

*Eurojust: Do you think, by gathering all this information, we can avoid terrorist attacks?*

GdK: I hope so. Much needs to be done by the intelligence services, more than for other types of crime. Both police and judicial authorities play a role in sharing information. Even during the trial phase, one can collect vital information for other investigations. The key is to get Eurojust and Europol more involved. There are currently two Europol Analysis Work Files on terrorism, and Eurojust has not been allowed to be involved in either of them. The mindset needs to be changed. This might take some time, but I am hopeful it will happen.

*Eurojust: To round up this conversation, how do you see the future?*

GdK: In relation to Eurojust, my relations with the CT Team and Ms Coninx are excellent. I am keen to involve Eurojust and Europol as much as I can, not just domestically but also outside the EU. I was

in Algeria recently, and I observed that we must develop in the coming months and years concrete police and judicial cooperation among third States from which we experience a serious threat, and also must develop tools like Eurojust and Europol. It will help both agencies and the Member States to have a wider framework for cooperation. My guess is that in the future the external dimension of justice and home affairs will develop considerably. I hope that both the involvement of the European Parliament and national parliaments will give a boost to the work of Eurojust and Europol. Eurojust is now, and Europol will be as of 2010, financed by the Community budget. That will involve the EP more in mon-

itoring their activities, and will help both agencies to develop. I am fairly confident on that front. Al Qaeda remains very important, but we need to focus on the next step, terrorism post-Al Qaeda.

*Eurojust: What can Eurojust and Europol do to assist Member States in coping with terrorist threats?*

GdK: This all depends on the Member States. I encourage them to involve Eurojust and Europol in every terrorism-related Joint Investigation Team.

‘We must develop tools like Eurojust and Europol.’

There is both a learning process and a confidence-building dimension to participation in a JIT. For me, the top priority is that Member States discover the added value of Eurojust and Europol and accept them in a JIT. The other priority is for Eurojust and Europol to improve even further the implementation of the Decision of 2005, which requires some work by Eurojust and also at the level of the Member States themselves, so that information is exchanged in real time and pre-digested. But that is more a question of logistics. ■

## Interview with Armando Spataro, Deputy Chief Public Prosecutor in Milan and coordinator of the counter-terrorism branch

Since 1975, Mr Armando Spataro has worked mainly as a public prosecutor in Milan. In the late 1970s and 1980s, early in his career, he focused exclusively on investigations of left-wing domestic terrorist groups, such as the Red Brigades. Throughout his career, Mr Spataro has gained experience in the fight against kidnappings, international drug trafficking and organised crime (mafia). From 1996 to 1988, he was a member of the Italian delegation to the Lyon group of experts on organised crime of the G8 countries. Mr Spataro is also an

expert in international cooperation and has written legal essays, articles and papers. He is currently the Deputy Chief Public Prosecutor and the coordinator of terrorism investigations, including radical Islamic groups, at the District Court of Milan.

*Eurojust: You have worked on several occasions with Eurojust and its teams. What can you tell us about your experience and the role played by Eurojust on the European scene?*

AS: I think that the most important result of the European Union poli-

cies in terms of countering organised crime and, in particular, international terrorism, has been the creation and consolidation of Eurojust, which is increasingly taking on a more proactive role and is hugely supportive of international cooperation and coordination, mostly when it comes to terrorism. Over the last few years, I have taken part in numerous meetings organised by Eurojust and have seen how easy it has become to immediately exchange relevant information after any major incident, to organise multilateral coordination meetings between the concerned judicial authorities of various countries and to execute satisfactory requests for judicial assistance.

Eurojust also makes it possible to widen knowledge and extend personal relations between members of the judiciary and police forces, something which is of great significance for successful counterterrorism. Italian judges, in particular, are already familiar with this type of collaboration and coordination, which has already been put into practice for domestic counter-terrorism (in the 1970s and 1980s) and anti-mafia activities (from the 1980s to the present day).

*Eurojust: Can you give us any specific examples of situations dealt with effectively thanks to the intervention of Eurojust?*



Armando Spataro (photo: Milan District Court)

AS: Plenty of Italian investigations can be cited, but I will limit myself to giving just a couple of important examples. In June 2004, an Egyptian citizen, who had been involved in the Madrid massacre of 11 March 2004, was arrested. The meeting organised by Eurojust between the judicial authorities of Italy, Spain, Belgium and France proved to be very valuable; the authorities devised together the strategies required to make the investigation a success and exchanged documents and evidence within a very short timeframe. This was also the case during a meeting with the German authorities, held in 2005 in The Hague, to discuss investigations into the so-called 'extraordinary renditions' (in practice, real kidnappings) of terrorist suspects, under investigation in various European States. On that occasion, Eurojust supported the need to respect basic human rights even in the fight against international terrorism.

More recently, and on many other occasions, Italian judges – and I believe those of all European States – have been able to see how having access to headquarters, a database and the entire Eurojust structure makes the concept of international collaboration a welcome reality.

*Eurojust: How do you see Eurojust's future?*

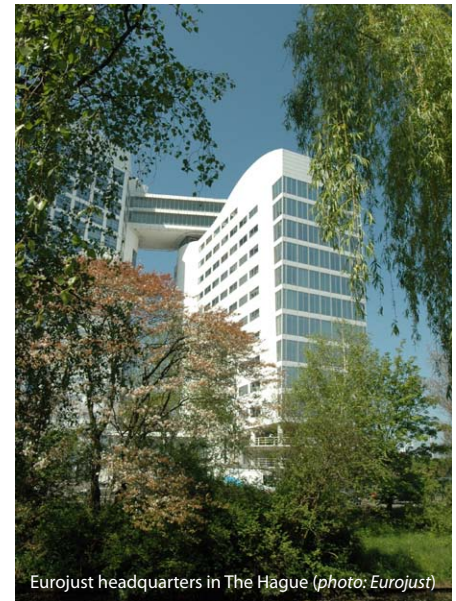
AS: I hope that the role played by Eurojust can be further consolidated. Work must be done to dismantle some EU Member States' view that the information at their disposal should only be made available to other States once domestic requirements have been fulfilled, and by means of lengthy bureaucratic procedures.

Eurojust must also help to ensure that Europe does not fall behind when it comes to fundamental rights. For example, I hope that Eurojust will strongly contest the unacceptable view that it is possible to use unverifiable evidence in terrorism proceedings that, in addition, cannot be made known to the accused because it comes from secret sources known only to information services, police forces and – possibly – also to public prosecutors and members of the judiciary. This choice is not compatible with the principles governing European democracies. ■

## Development of Eurojust

**E**urojust was established as a result of a decision taken by the European Council of Tampere, held in October 1999. The European Council held a special meeting dedicated to the creation of an area of freedom, security and justice in the European Union; this would be achieved by concentrating on establishing a more uniform immigration and asylum policy based on solidarity and on the reinforcement of the fight against trans-border crime by consolidating cooperation among authorities.

To reinforce the fight against serious organised crime, the European Council, in its Conclusion 46, agreed that a unit (Eurojust) should be set up, composed of national prosecutors, magistrates, or police officers of equivalent competence, detached from each Member State according to their own legal systems. On 14 December 2000, a provisional judicial cooperation unit was set up



Eurojust headquarters in The Hague (photo: Eurojust)

under the name Pro-Eurojust, operating from the Council building in Brussels. This was Eurojust's forerunner, whose purpose was to be a sort of round table of prosecutors from all Member States, where Eurojust's concepts would be tried and tested. Pro-Eurojust started work on 1 March 2001 under the Swedish Pre-

### Case example 1: Eurojust coordinates judicial action against Al Qaeda cell

In Belgium, a recruitment network for Al Qaeda was successfully prosecuted in 2007 and 2008. Five members of a group related to the first European female suicide bomber were tried. The defence brought several legal arguments for not charging suspects with international terrorism. Such arguments were based on Italian judgements by the judge of the preliminary hearing and a court of appeal, claiming that the various preparatory activities and logistical support provided by the five men to the suicide bomber should be seen as falling under international humanitarian law (*jus belli*).

In this case, Eurojust ensured judicial coordination between involved EU and non-EU States in August 2005. Furthermore, the execution of a large number of Letters of Request to non-EU States was facilitated via Eurojust channels. In 2007, Eurojust was again approached by the Belgian prosecutors for details about the judgements, on the basis of Council Decision 2005/671/JHA, whereby Member States are required to exchange information on convictions.

The analysts at Eurojust discovered that there had been a later supreme court ruling on the same case, stating that the aforementioned judge's interpretation of the crime of 'participation in an association aimed at international terrorism' was mistaken and that the impact of individual terrorist actions needed to be seen in the wider context of a terrorist organisation.

Eurojust provided the prosecutors with an analysis of the initial judgement by the court of appeal and the arguments of the supreme court, and drafted a memo for the Belgian Prosecution Office, which was used during the trial.

The five men were found guilty of being part of a terrorist cell that provided assistance to the Belgian woman who, on 9 November 2005, drove a vehicle-borne explosive device into an American convoy in Iraq; they were sentenced to up to ten years' imprisonment by the Criminal Court. The convictions were upheld on appeal, although lighter sentences were imposed.

sidency of the European Union. The attacks of 11 September showed that the phenomenon of terrorism was not limited to the national or regional sphere and that the fight against terrorism must be coordinated in the widest international context. This thought served as a catalyst to setting up a judicial coordination unit, and Eurojust was established in 2002 by Council Decision 2002/187/JHA. In the first half of 2002, during the Spanish Presidency of the EU, many important stepping stones were laid: the Eurojust Decision was published on 28 February, the Rules of Procedure were agreed upon in June, and the budget was released in May.

On 29 April 2003, Eurojust moved to its final seat, in The Hague. Shortly after its establishment, Eurojust faced the challenge of European Union enlargement: in May 2004, ten new National Members joined the College, and in January 2007, two more were added, bringing the total number to 27. Since the enlargement, Eurojust has been very active in working towards signing cooperation agreements allowing the exchange of judicial information and personal data. Agreements were concluded with Europol, Norway, Iceland, the USA, Croatia, OLAF, Swit-

Since 2000, Eurojust has grown tremendously and so have its operational tasks and involvement in European judicial cooperation.

zerland, and FYROM. Liaison prosecutors from Norway and the USA are permanently based at Eurojust. In addition to cooperation agreements, Eurojust also maintains a network of contact points worldwide.

Since 2000, Eurojust has grown tremendously and so have its operational tasks and involvement in European judicial cooperation. This is why more powers and a revised set of rules became necessary.

In July 2008, the French Presidency approved the new Council Decision on the Strengthening of Eurojust, which was voted on in December 2008 and published on 4 June 2009. The new Decision's purpose is to enhance the operational capabilities of Eurojust, increase the exchange of information between the interested parties, facilitate and strengthen cooperation between national authorities and Eurojust, and strengthen and establish relationships with partners and third States. ■

#### Case example 2: Eurojust coordinates arrests in five countries

In late 2007, Eurojust was requested to assist in halting a large-scale terrorist financing operation, initiated by the Prosecution Office and investigating magistrate in Milan, Italy, following investigations in Genoa. Several European Arrest Warrants were issued by the court in Milan. Eurojust was able to coordinate in a few days the simultaneous arrests in Italy, France, Romania, Portugal and the United Kingdom.

The suspects were members of a criminal organisation, specialising in forgery of residence permits, ID cards and passports. They also were involved in human trafficking and smuggling of cigarettes. All these actions were designed to collect funds to be used in terrorist actions. By trafficking in human beings, they also managed to smuggle members of their organisation into Italy.

The criminal organisation's goal was to commit terrorist actions in Italy, Afghanistan, Iraq and Arabic countries. They were well structured, with clearly defined roles for the different sections. There was a clear link to Al Qaeda. They were also involved in the recruitment and training of ' sleeper cells ' of future members in Iraq and Afghanistan. Documents found during the arrests showed manuals for making explosives and paramilitary training schemes.

With this action, Eurojust contributed to the successful execution of simultaneous arrests in five countries. Thanks to Eurojust's swift response, possible terrorist actions were avoided. The arrests and searches also provided more knowledge and insight into the structure of terrorist cells and avoided the recruitment of a large number of potential terrorists.

Eurojust President José Luís Lopes da Mota with Commission Vice-President Jacques Barrot (photo: Council of the EU)



## Colophon

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