

A joint investigation team (JIT) is one of the most advanced tools used in international cooperation in criminal matters, comprising a legal agreement between competent authorities of two or more States for the purpose of carrying out criminal investigations. Made up of prosecutors and law enforcement authorities as well as judges, JITs are established for a fixed period, typically between 12 and 24 months, such as is necessary to reach successful conclusions to investigations.

Providing operational, legal and financial support to JITs is a key part of Eurojust's mission, together with enabling access to the expertise of the JITs Network.

Since 2005, the Agency has supported national authorities in the setting up and running of JITs, and has provided funding from 2009, while also taking a leading role in promoting JITs and developing awareness and understanding around the tool and its use:

Wide-ranging operational support – Eurojust assists the JIT partners during the initial setting-up of JITs as well as during the entire lifecycle of the tool, providing a wide range of legal, operational and logistical support, including the arrangement of coordination meetings between the partners.

Financial support – The JIT partners can request financial support from Eurojust to facilitate the day-to-day operations of the JIT through the reimbursement of travel and accommodation expenses, as well as costs for interpretation and translation, and the transfer of items. To address the increased need for communication between JIT members, as well as the possible lack of facilities and infrastructure, Eurojust can also loan equipment such as smartphones and laptops to JIT members.

Expertise of the JITs Network – Eurojust supports the JITs Network, a network of relevant national experts, who encourage and promote best practice in the use of JITs. Eurojust also hosts the JITs Network Secretariat, which supports and stimulates the activities of the JITs Network.

Evaluation of JITs – Following the closure/expiry of a JIT, Eurojust and the JITs Network Secretariat help the JIT partners evaluate its performance, to enable improvements in the application of the tool. The JITs Network Secretariat collects and publishes this feedback in the form of reports, such as JIT Evaluation Reports.



“ *Joint investigation teams broaden the perspective of a prosecutor and an investigator. When you work with people from different legislative backgrounds, you understand better why they execute certain measures, and why they cannot execute others. The biggest added value of a JIT is the building of mutual trust as a basis for the next cooperation. ... A JIT agreement is a contract designed to make your life easier.* ”

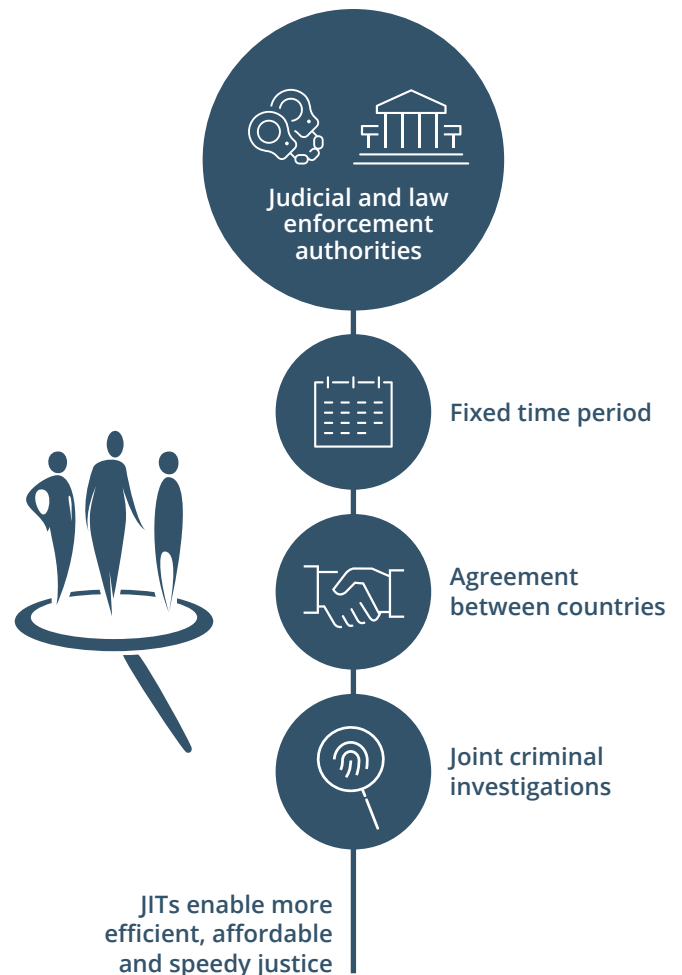
Maja Veber Šajn, JITs national expert for Slovenia
on the occasion of the meeting of the JITs Network at Eurojust in June 2018

Fast, efficient, affordable: how JITs facilitate judicial cooperation

In complex and time-sensitive cross-border investigations, speed and efficiency are of the essence. However, in many cases, the operational needs of the authorities involved are not fully met by the traditional channels of mutual legal assistance. Direct cooperation and communication between authorities is the most efficient method of handling the increased sophistication of organised criminal activities. JITs offer national authorities in different States a flexible framework that is relatively quick and easy to establish and enables the respective authorities to participate in the investigation in a mutually beneficial way.

Once a JIT has been set up, the partners can directly exchange information and evidence, cooperate in real time and jointly carry out operations. Further, JITs allow for practitioners to be present during investigative measures on each other's territories, and to therefore share their technical expertise and human resources more efficiently. Direct contacts and communication enable the JIT members to build personal relations and trust, leading to faster and more efficient cooperation.

The financial support provided by Eurojust and/or other EU agencies to JITs is another important benefit to national authorities, reducing the impact on national budgets of costs incurred due to the transnational dimension of cross-border cooperation.



How Eurojust supports JIT partners during a case

Eurojust supports the use of JITs during the entire lifecycle of a cross-border investigation:

1. Planning



The decision to set up a JIT often takes shape at Eurojust. Once parallel or linked investigations have been identified by the National Desks at Eurojust, and the case has been registered, Eurojust may organise a coordination meeting between the involved States. During the meeting, Eurojust helps authorities assess the suitability of the case for the purpose of establishing a JIT. The setting up of JITs can also be agreed upon without, or prior to, a coordination meeting.

2. Setting up the JIT



Next, Eurojust supports the national authorities in setting up the team, by assisting in the drafting of JIT agreements and helping the partners navigate differences in procedural laws and reach agreement on key areas of cooperation and working methods. In establishing a JIT, practitioners are able to make use of supporting tools, jointly developed by the JITs Network, Eurojust and Europol (see page 4 for further information).

3. The operational phase



Throughout the operational phase of a JIT, Eurojust works with the JIT partners to ensure the smooth running of joint investigations, providing legal and practical support. In particular, Eurojust helps to identify and resolve issues, coordinate investigative and prosecutorial strategies between the partners, and enable the coordination of joint operations. For example, by organising and hosting coordination meetings and setting up coordination centres.

JITs FUNDING

The financial support given to a JIT can help overcome financial constraints related to cross-border investigations. Of the 270 JITs Eurojust supported in 2019, 149 received funding. Eurojust does not finance individual JITs in their entirety but assists by reimbursing the costs of three common areas of expenditure: 1) travel and accommodation, 2) interpretation and translation, and 3) transfer of items (procedural documents, evidence or items seized during JIT operations). Eurojust may also loan equipment, such as mobile telephones, laptops, mobile printers and scanners, to the involved authorities.

4. Evaluation



Following the closure/expiry of a JIT, those involved are encouraged to evaluate its performance. The feedback provided is important in improving the use and functioning of JITs and for establishing best practice for future use of the tool. The JITs Network has developed a JIT evaluation form for this purpose.



SUPPORTING TOOLS FOR JITs

Eurojust, in cooperation with other Justice and Home Affairs (JHA) agencies, makes available several tools to help national authorities plan, set up and operate JITs, which include:

JIT model agreement

Updated in January 2017, a model agreement for setting up a JIT (the 'JIT model agreement') is available in all EU languages to facilitate practitioners in setting up JITs. The agreement can be downloaded from the Eurojust and Europol websites and used as a template.



JITs Practical Guide

A further supporting tool for practitioners is the JITs Practical Guide developed by the JITs Network in cooperation with Eurojust, Europol and OLAF, to provide information, guidance and advice to practitioners on the formation and operation of JITs.



JIT evaluation reports

The JITs Network Secretariat periodically publishes JIT evaluation reports that provide an overview of the best practices and lessons learnt as reported by the JIT practitioners working with JITs. In the Second and Third Evaluation Reports, the findings of the JIT national practitioners were complemented with Eurojust's experience in supporting JITs.



JITs Funding Portal

Eurojust operates an online tool, the JITs Funding Portal, through which national authorities can securely submit funding applications for JITs.



The growing role of JITs in cross-border investigations

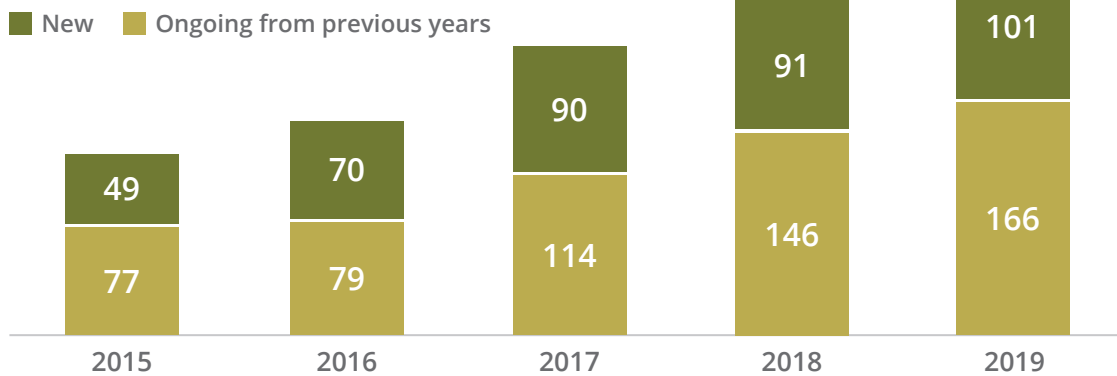
As demonstrated by Eurojust's casework, the added value of JITs has resulted in the tool being progressively incorporated into the prosecutorial strategies of the Member States. In 2019, Eurojust supported 270 JITs, including 103 that were established during 2019, and 167 that were ongoing from previous years, representing an increase of 214 % compared with 2015.

Although JITs are still predominantly used in bilateral cases, Eurojust's casework and subsequent case evaluations show that the tool successfully supports investigations with a multinational dimension, with a sizeable number of JITs involving more than two States.

In recent years, Eurojust's involvement in JITs has led to successful outcomes across a wide range of cases, including priority crime areas as defined by the Council of the European Union, such as terrorism, cyber-crime, migrant smuggling, drug trafficking and trafficking in human beings (THB). The often complex and fast-moving nature of such cases makes the speed and flexibility enabled by JITs especially advantageous.

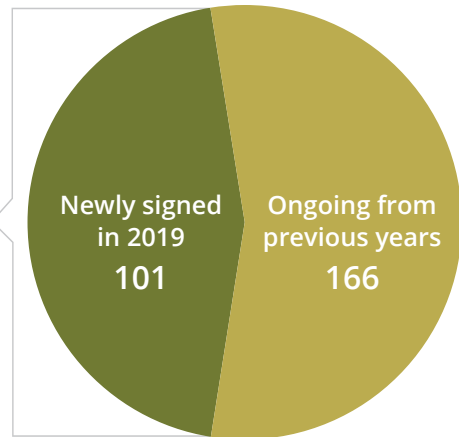
The criminal organisations involved are typically highly mobile, with targets often moving across borders at speed; the involved authorities must be just as agile when tracking and building cases against suspects.

JITs supported by Eurojust, 2015-2019

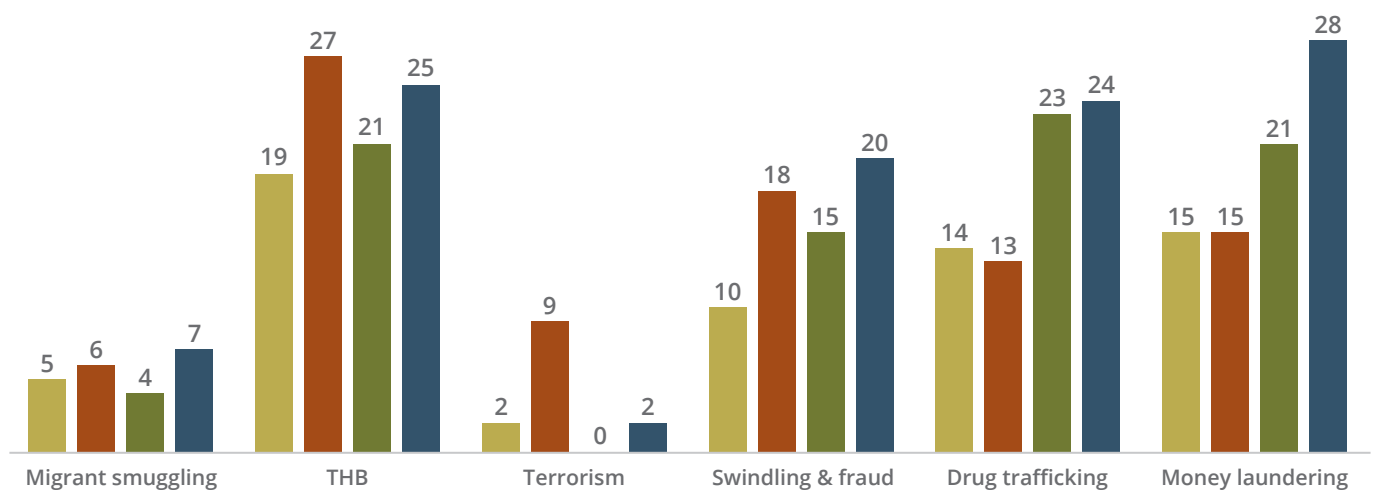


JITs supported in 2019*

- Money laundering: 28
- Trafficking in human beings (THB): 25
- Drug trafficking: 24
- Swindling and fraud: 20
- Cybercrime: 8
- Migrant smuggling: 7
- Crimes involving mobile organised crime groups: 6
- Crimes against EU financial interests: 4
- Terrorism: 2
- Environmental crime: 2
- Corruption: 1



* A single JIT can cover more than one crime type



Newly signed JITs supported by Eurojust, by crime type

2016 2017 2018 2019

Note: The data reflected in these charts was extracted from Eurojust's Case Management System on 19 June 2020. Due to the ongoing nature of cases, these numbers may change after the reporting period.

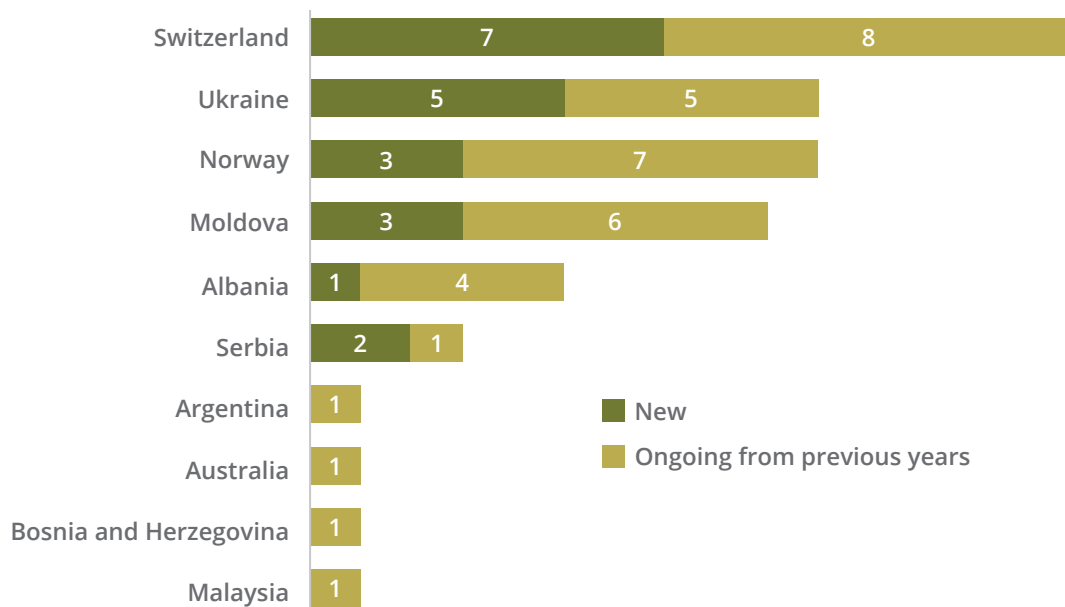


The use of JITs in investigations involving third States

JITs are increasingly recognised by practitioners from EU Member States as a valuable option for judicial cooperation with non-EU States. While the operation of such JITs may present specific features or deviate from usual EU practice, the tool is sufficiently flexible to allow practical adjustments and still function efficiently.

Indeed, as experience in using the mechanism has grown, the number of newly established JITs involving third States supported by Eurojust has increased significantly, rising from 3 in 2016 to 20 in 2019. The Third JIT Evaluation Report includes a chapter devoted to Eurojust's experience in JITs with third States.

JITs with 3rd States in 2019



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How Eurojust supports JITs in tackling cross-border crime



JANUARY 2019 A JIT supported by Eurojust and Europol enabled national authorities in Ukraine and Belgium to take down an illegal online marketplace for the **illegal trade of hacked computer systems**. Eurojust funded the JIT, which was agreed between Belgium, Ukraine, Eurojust and Europol, at the beginning of 2018 and renewed in early 2019. The JIT partners, who included judicial and law enforcement professionals from both countries, were able to coordinate their efforts to identify and apprehend the perpetrators, which in turn facilitated a close working relationship with the US authorities involved in the investigation. In this way, the partners were able to strike a devastating blow against the organisers of the marketplace and send a clear message to cybercriminals around the world.



JULY 2019 The financial and operational support provided by Eurojust to a JIT led to the dismantling of an organised crime group (OCG) involved in **sexual exploitation and money laundering across several States**. Through the JIT, Eurojust financed the deployment of nine Spanish police officers to Malta, Romania and Finland as part of a joint action day coordinated at its premises in The Hague, which led to the execution of three European Arrest Warrants (EAWs), as well as multiple house searches, seizures, asset confiscations and freezing of accounts. Eurojust also guided the JIT partners through legal obstacles arising during the case, for example by advising on jurisdictional issues and helping to reach an agreement on the best place to prosecute those accused.



JUNE 2019 The setting up of a JIT between the Italian and Romanian authorities paved the way for a successful investigation into an OCG suspected of **trafficking human beings for sexual exploitation**. In a joint action day, coordinated by Eurojust, eight suspects were placed under preventive measures in Italy, with a further three suspects being targeted in Romania. 18 house searches were also carried out, and more than EUR 70 000 in assets and cash were seized. It was the first time two National Members at Eurojust submitted to the Italian and Romanian competent authorities a formal Joint Request that triggered the initiation of an investigation and the setting up of a JIT.



SEPTEMBER 2019 The judicial cooperation facilitated by a JIT proved instrumental in an investigation targeting an international criminal network involved in the **trafficking of 167 people for labour exploitation**. The JIT, which was set up with Eurojust's support, helped the French and Bulgarian authorities to safely and swiftly exchange vital information on the national investigations, and agree on and implement a common strategy. The resulting operation mobilised more than 80 French investigators, as well as several Bulgarian police officers, resulting in the arrest and subsequent trial of four suspects.



The JITs Network

The **Network of National Experts on Joint Investigation Teams (JITs Network)** was established in 2005 to facilitate the work of practitioners, as well as to encourage the use of JITs and contribute to the sharing of experience and best practice in using this tool.

Each Member State appoints one or more national experts to the Network, which represents the judicial (prosecutors, judges, Ministries of Justice) and law enforcement (police officers, Ministries of Interior) dimensions of a JIT. At a national level, the experts act as 'contact points' whom practitioners wishing to set up a JIT can address. As members of the Network, they have expertise in the functioning of JITs in their country and have access to information concerning the practicalities of JITs with other Member States. Institutional bodies such as Eurojust, Europol, OLAF, the European Commission and the Council of the EU have also appointed contact points to the JITs Network.

Since 2005, the JITs Network Secretariat has organised annual meetings of the JITs Network with support from Eurojust and Europol. The meetings provide a forum for the Member States and relevant EU institutions to share experience and challenges and propose solutions from a practitioner's point of view.

The Secretariat

Hosted by Eurojust since 2011, the JITs Network Secretariat supports, promotes and stimulates the activities of the JITs Network. Since July 2013, the JITs Network Secretariat is also in charge of the management of Eurojust's JITs funding programme. The Secretariat makes a significant contribution to JIT training activities conducted – inside and outside the EU – in partnership with the European Police College (CEPOL), the Academy of European Law (ERA) and the European Judicial Training Network (EJTN).



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Print: *Catalogue number* QP-03-20-408-EN-C *ISBN* 978-92-9490-469-0 *DOI* 10.2812/929110
PDF: *Catalogue number* QP-03-20-408-EN-N *ISBN* 978-92-9490-468-3 *DOI* 10.2812/90656