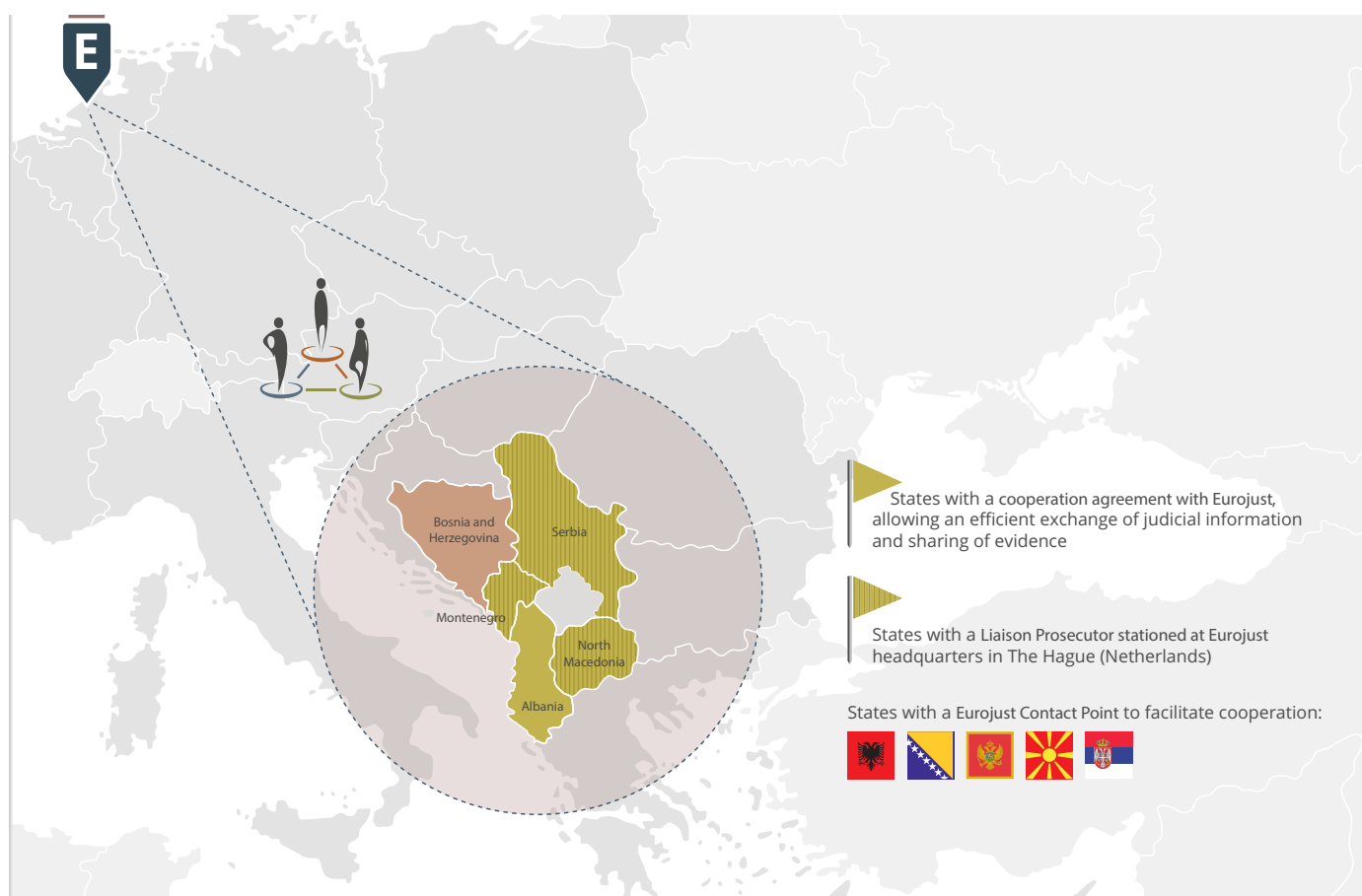


EUROJUST AND THE WESTERN BALKANS REGION

To strengthen operational and strategic cooperation with the Western Balkan region, Eurojust, the European Union Agency for Criminal Justice Cooperation, has signed **cooperation agreements with four Western Balkan countries: Albania, Montenegro, North Macedonia and Serbia.** These cooperation agreements unlock the possibility of safely and efficiently exchanging judicial information and sharing evidence. They also allow these states to benefit from practical cooperation tools offered through Eurojust

to prosecute serious transnational crime cases. Strategic cooperation also takes place with **Bosnia and Herzegovina and Kosovo***, particularly through involvement in various Pre-Accession Assistance (IPA) projects. The Liaison Prosecutors (LPs) from Montenegro, North Macedonia and Serbia were seconded to Eurojust in 2017, 2018 and 2020, respectively. On the following pages, they describe the mutual benefits of working in The Hague and what they hope to achieve in their terms as LPs.



*This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ opinion on the Kosovo declaration of independence.



Montenegro

The cooperation agreement between Montenegro and Eurojust was signed in 2016. The Montenegro Supreme State Prosecutor's Office appointed its first Liaison Prosecutor (LP), Ms Jelena Lučić Đaletić, to Eurojust in September 2017. According to Ms Đaletić, 'the agreement reflects the highest degree of trust between Eurojust and Montenegro. Indeed, Eurojust is helping us to be part of a participatory story at the EU level.'

One of the key benefits of a cooperation agreement is that LPs can liaise directly with National Members at Eurojust. 'Direct communication with these representatives, as well as representatives from third countries, significantly increases the efficiency in cases of mutual legal assistance (MLA). The process used to be slow. The Ministry of Justice had to send a letter of request to its counterpart in a foreign country. But if you look at the number of cases we are involved in now, that can only be seen as a tangible result.'

Ms Đaletić also points out that the efficiency of the National Desks and Contact Points in collecting information and accelerating international procedures results in more thorough investigations of criminal cases.

'Two particular cases come to mind,' Ms Đaletić says, 'where Eurojust's assistance was invaluable. These were two complex and important cases in Montenegro, cases we initiated with the National Members of Cyprus and Croatia. The replies we received to our requests, which we submitted to the competent judicial authorities of Cyprus and Croatia, were crucial to progressing criminal proceedings and were the basis for organising a coordination meeting at Eurojust with Cyprus.'

Initially, participating in joint investigation teams (JITs) was a challenge for the Office of Montenegro at Eurojust for administrative reasons. 'The Law on Mutual Legal Assistance in Criminal Matters was amended last year in Montenegro to specify the legal provisions for forming JITs.

During that process, we requested and received the assistance of the JITs Network Secretariat at Eurojust. So hopefully we will be involved in JITs supported by Eurojust in the coming period,' Ms Đaletić says. Overall, the Prosecution Office of Montenegro and Eurojust have both evaluated the cooperation between Eurojust and Montenegro as highly successful.



“ *The agreement reflects the highest degree of trust between Eurojust and Montenegro. Indeed, Eurojust is helping us to be part of a participatory story at the EU level.* ”

Jelena Đaletić
LIAISON PROSECUTOR FOR MONTENEGRO



North Macedonia



“ *One of Eurojust's strongest points is that it functions like an open forum. People have the opportunity to not only share experiences but also pose questions, introduce new ideas and provoke discussions.* **”**

Lenche Ristoska
LIAISON PROSECUTOR FOR NORTH MACEDONIA

North Macedonia was the first country from the Western Balkans to sign a cooperation agreement with Eurojust, in 2008. In 2018, Ms Lenche Ristoska was appointed the country's first Liaison Prosecutor (LP). Already at the time of signing, North Macedonia wanted to become an EU Member State. 'We were working towards harmonising legislation at the time. We signed the agreement with Eurojust around the same time as with Europol, so these were parallel processes of involving the country in EU institutions,' Ms Ristoska says.

North Macedonia initially liaised with Eurojust through Contact Points. Though this form of cooperation yielded some results, the requests for assistance were far and few between. 'The number of cases has been gradually increasing since I was appointed Liaison Prosecutor, however,' Ms Ristoska says. 'Being here at Eurojust is opening up opportunities and enabling me to transfer knowledge back home and let my national authorities know what possibilities are available to them. In fact, in 2019, they began seeking assistance from Eurojust for their own cases for the first time. And my colleagues here at Eurojust know there is someone from North Macedonia they can call, and as a result, they are initiating more cases towards Macedonia. So it is a two-way street.'

According to Ms Ristoska, one of the aims in the near future is enhanced cooperation between North Macedonia and Eurojust by stationing a permanent LP in The Hague. She currently works part-time as an LP as she still has obligations as a prosecutor in North Macedonia. But a permanent posting would make it easier to increase the outreach to prosecutors and judges in her home country and raise awareness of the value of Eurojust and cross-border cooperation. 'Not only that, but I would also like to inform my national authorities of the latest developments, not only in terms of international legal cooperation but also other areas such as e-evidence, cybercrime and terrorism. My hope is that providing them with relevant information will eventually influence legislation in North Macedonia so it becomes more aligned with European standards.'

On a more personal note, Ms Ristoska would like to share some of her ideas and research that she has been conducting on her own behalf. 'One of Eurojust's strongest points is that it functions like an open forum. People have the opportunity to not only share experiences but also pose questions, introduce new ideas and provoke discussions. I hope that some of my contributions can lead to solutions to legal problems.'



Serbia

Eurojust and Serbia signed a cooperation agreement in November 2019, with Serbian Liaison Prosecutor (LP) Ms Gordana Janicijevic taking up her duties at Eurojust in March 2020. According to Ms Janicijevic, ‘enhancing cooperation with Eurojust has been a top priority of the Serbian Public Prosecutor’s office for a long time in an effort to strengthen the coordination of judicial cooperation with EU Member States’.

Formal negotiations to enter into a cooperation agreement were initiated in 2019, though Serbia and Eurojust had been working together for more than ten years through Contact Points. The cooperation agreement became official once the EU and Serbia were able to harmonise their data protection rules following Serbia’s adoption of a new data protection law.

Ms Janicijevic is convinced that the cooperation agreement will make it easier to tackle some of the challenges confronting Serbia in its fight against cross-border crime. ‘We face challenges similar to other countries when it comes to international judicial cooperation. Sometimes it is difficult for our authorities to get information from their counterparts in other countries, as more than one institution may be dealing with requests for mutual legal assistance. In such

cases, communicating with our colleagues abroad can be hindered by the language barrier, and the translation of evidence can pose problems due to a lack of financial resources. The cooperation agreement will remove many of these barriers.’

The agreement will allow Serbia to benefit even more from Eurojust’s key judicial cooperation tools, namely coordination meetings, coordination centres and joint investigation teams (JITs). ‘There has been a steady increase in the number of requests to the Public Prosecutor’s Office in Serbia,’ Ms Janicijevic explains. ‘Serbia initiated or participated in 27 coordination meetings between 2015 and 2020, and so far, 8 JITs have been signed between Serbia and the Member States.’

This number will certainly increase now that Serbia has seconded an LP to Eurojust. ‘Given the previous caseload,’ Ms Janicijevic says, ‘I am certain that this cooperation agreement and Serbia’s presence at Eurojust will enhance our already excellent cooperation in fighting serious transnational crime. I expect even closer cooperation with all the countries represented at Eurojust, an increased exchange of information and much more efficient coordination. I believe this will benefit not only my country but also the other countries involved.’



“*Serbia’s presence at Eurojust will enhance our already excellent cooperation in fighting serious transnational crime.*”

Gordana Janicijevic
LIAISON PROSECUTOR FOR SERBIA

Eurojust: supporting national authorities through international partnerships

Eurojust, the European Union Agency for Criminal Justice Cooperation, is a unique hub based in The Hague, the Netherlands, where **national judicial authorities work closely together** to fight serious cross-border crime.

While much of Eurojust's work focuses on serious crime taking place within the EU borders, there is also a rising demand for operational support in tackling serious cross-border crimes that involve third (non-EU) countries. **Close cooperation** with EU partners, third countries and international organisations is, therefore, crucial in addressing the challenges of more complex crimes arising from globalisation and digitalisation, particularly

in the fields of illegal migration, trafficking and counterterrorism. These challenges include differences in national legislation, deviating standards of data protection, language barriers and contrasting local and legal cultural practices.

As a facilitator of cross-border judicial cooperation, Eurojust plays a key role in promoting effective and lasting **working relationships** between national authorities in Member States, EU partners, third countries and international organisations. Eurojust also supports networks that not only enhance the Agency's expertise in judicial cooperation matters and in specific crime areas but also strengthen its ties with judicial authorities.

Third countries - International agreements and working arrangements provide an opportunity for close cooperation between national authorities of Member States and third countries. Liaison

Prosecutors seconded to Eurojust work side by side with the National Members, with access to Eurojust's operational tools. The Agency also has a network of Contact Points in more than 50 third countries.

EU partners - Eurojust maintains close relationships with key actors in the European Union's institutional structure, including the European Commission, the European Parliament, the Council and the European External Action Service. Furthermore, Eurojust works closely with other EU agencies and bodies in the Justice and Home Affairs (JHA) domain, such as Europol, the European Anti-Fraud Office (OLAF), Frontex and the European Public Prosecutor's Office (EPPO).

Networks - Eurojust hosts and supports the secretariats of the European Judicial Network (EJN), the Joint Investigation Teams Network (JITs Network), the Genocide Network and the European Judicial Cybercrime Network (EJCN). Eurojust also cooperates with other judicial networks, such as the Ibero-American Network of International Legal Cooperation (IberRed).

International organisations - Eurojust also works with international organisations such as the International Criminal Police Organization (Interpol), the United Nations Office on Drugs and Crime (UNODC) and the International Criminal Court (ICC).

“Through its close-knit international network, Eurojust is giving prosecutors across Europe quick access to more than 50 jurisdictions around the world.”



Eurojust, Johan de Wittlaan 9, 2517 JR The Hague, Netherlands
Phone: +31 70 412 5000 - E-mail: info@eurojust.europa.eu - Website: www.eurojust.europa.eu
Follow Eurojust on Twitter, LinkedIn and YouTube @Eurojust

PDF: Catalogue number QP-03-20-655-EN-N ISBN 978-92-9490-506-2 DOI 10.2812/48304