

# Eurojust Consolidated Annual Activity Report 2021

21 June 2022

*Criminal justice across borders*

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## List of Acronyms

<b>ABM</b> Activity Based Management	<b>EUIPO</b> European Union Intellectual Property Office
<b>AOD</b> Authorising Officer by delegation	<b>Eu-LISA</b> EU Agency for operational management of large-scale IT systems in the area of Freedom, Security and Justice
<b>AWP</b> Annual Work Programme	<b>EuroMed</b> Euro-Mediterranean Partnership
<b>BCT</b> Business Continuity Team	<b>EUROPOL</b> European Union Law Enforcement Agency
<b>CAAR</b> (Consolidated) Annual Activity Report	<b>FRA</b> European Union Agency for Fundamental Rights
<b>CATS</b> Coordinating Committee in the area of police and judicial cooperation in criminal matters	<b>FRONTEX</b> European Border and Coast Guard Agency
<b>CC</b> Coordination Centre	<b>FTE</b> full-time equivalent
<b>CEPOL</b> European Union Agency for Law Enforcement Training	<b>FTF</b> foreign terrorist fighter
<b>CIF</b> Case Information Form	<b>IAS</b> Internal Audit Service
<b>CJEU</b> Court of Justice of the EU	<b>IberRed</b> Ibero-American Network of International Legal Cooperation
<b>CM</b> Coordination Meeting	<b>ICF</b> Internal Control Framework
<b>CMS</b> Case Management System	<b>ICT</b> Information and Communication Technology
<b>COPEN</b> Working Party on Cooperation in Criminal Matters	<b>IPC3</b> Intellectual Property Crime Coordinated Coalition
<b>COSI</b> Standing Committee on Operational Cooperation on Internal Security	<b>JHA</b> Justice and Home Affairs
<b>CTED</b> Counter-Terrorism Committee Executive Directorate	<b>JIT</b> Joint investigation team
<b>CTR</b> Counter Terrorism Register	<b>KPI</b> Key Performance Indicator
<b>D&amp;I</b> Diversity and Inclusion	<b>MAS</b> Multi-Annual Strategy
<b>DPO</b> Data Protection Officer	<b>MFF</b> Multi-annual Financial Framework
<b>EASO</b> European Asylum Support Office	<b>MLA</b> Mutual Legal Assistance
<b>EAW</b> European Arrest Warrant	<b>MoU</b> Memorandum of Understanding
<b>EC3</b> European Cybercrime Centre	<b>OAP</b> Operational Action Plan
<b>ECA</b> European Court of Auditors	<b>OLAF</b> European Anti-Fraud Office
<b>ECRIS-TCN</b> European Criminal Records Information System	<b>PIF</b> Protection of the EU Financial Interests
<b>ECTC</b> European Counter Terrorism Centre	<b>SAA</b> Strategic Action Area
<b>EDES</b> Early Detection and Exclusion System	<b>SIAP</b> Strategic Internal Audit Plan
<b>EDPS</b> European Data Protection Supervisor	<b>SIRIUS</b> Scientific Information Retrieval Integrated Utilisation System
<b>EFEC</b> European Financial and Economic Crime Centre	<b>SNE</b> Seconded National Expert
<b>EIO</b> European Investigation Order	<b>SPC</b> South Partner Countries
<b>EJCN</b> European Judicial Cybercrime Network	<b>SYSPER</b> Système de gestion du Personnel
<b>EJN</b> European Judicial Network	<b>THB</b> trafficking in human beings
<b>EJR</b> Eurojust Regulation	<b>UK</b> United Kingdom
<b>EMAS</b> EU Eco-Management and Audit Scheme	<b>UNODC</b> United Nations Office on Drugs and Crime
<b>EMPACT</b> European Multidisciplinary Platform against Criminal Threats	<b>USA</b> The United States of America
<b>EMSC</b> European Migrant Smuggling Centre	<b>WACAP</b> West African Network of Central Authorities and Prosecutors
<b>EPPO</b> European Public Prosecutor's Office	
<b>EU</b> European Union	

## Management Board's Analysis and Assessment

The College of Eurojust takes note of the Administrative Director's Consolidated Annual Activity Report (CAAR) 2021, including the Eurojust Final Accounts 2021. The College takes note of the Administrative Director's Declaration of Assurance thereto.

In assessing the CAAR 2021, the College of Eurojust makes the following observations:

- Eurojust has successfully achieved the objectives foreseen in the Annual Work Programme (AWP) 2021, with most of the Annual Objectives having been fully implemented as planned;
- Eurojust remained fully operational during the COVID-19 pandemic, however the continuous effect of the crisis affected negatively 12% of Eurojust Key Performance Indicators (KPIs);
- Eurojust achieved 73% of relevant and measurable 2021 KPIs, excluding those impacted by the COVID-19 crisis;
- Eurojust achieved 100% of relevant and measurable multi-annual (2019-2021) KPIs, excluding those impacted by the COVID-19 crisis;
- The number of cases referred to Eurojust continued to increase. In 2021, 10 105 cases were handled; 4 808 of them were newly opened, which represents a 15% increase compared to 2020, confirming the steady annual increase in registered cases;
- Eurojust supported 254 Joint Investigation Teams (JITs), and JIT funding amounted to EUR 1.16 M;
- All Internal Control Framework (ICF) Principles are present and functioning;
- No critical issues were highlighted by internal or external auditors;
- Eurojust achieved a rate of 99.97% of budget execution over a EUR 53.3M budget; and,

The College acknowledges the commitment of the organisation and its staff in adapting to a changing environment amidst a global health pandemic and staff constraints, and for continuing to seek efficiency gains to implement the AWP 2021.

The College of Eurojust notes that the Administrative Director has no issues meriting a reservation for the presentation of the annual accounts for the financial year 2021 to the Discharge Authority.

Based on the above observations, and in accordance with Article 48 of the Financial Regulation applicable to Eurojust, the College of Eurojust takes note of the Administrative Director's CAAR 2021. The CAAR 2021, together with its enclosed documents, shall be sent to the European Parliament, the Council, the European Commission and the Court of Auditors.

The Hague, 21 June 2022

Ladislav Hamran,  
President of Eurojust

## 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 2021, the 83 National Members, Deputies and Assistants were supported by 253.5 staff<sup>1</sup>.

The AWP 2021 is the last AWP 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 European Public Prosecutor's Office (EPPO). This report focuses on the implementation of the AWP 2021 and Key Performance Indicators (KPIs), the 2021 budget execution and staffing policies, and the implementation of internal controls.

Despite the continuation of the pandemic-related restrictions applied in 2021, Eurojust remained fully operational and ensured its support to national judicial authorities in the fight against cross-border organised crime and terrorism. COVID-19 continued affecting Eurojust's activities and related KPIs and as a result, 12% of the AWP 2021 KPIs were negatively impacted. Excluding the indicators impacted by the COVID-19 crisis, Eurojust **achieved 73%<sup>2</sup> of the 2021 KPIs and 100%<sup>3</sup> of the 2019-2021 KPIs.**

Eurojust maintained its position as the **EU centre for operational judicial cooperation and coordination**. Casework increased by 15% and Eurojust organised 457 Coordination Meetings (CMs) and 22 Coordination Centres (CCs). Eurojust supported 254 Joint Investigation Teams

<sup>1</sup> Headcount of temporary staff, contract staff and seconded national experts on 31/12/2021, including 0.5 for 1 staff member whose costs were covered 50% under the EU subsidy and 50% under the externally funded EuroMed Justice programme, 2 appointments made under article 38(2) of the Eurojust FR, 2 cost-free SNEs and not including offers sent.

<sup>2</sup> The percentage has been calculated over the 2021 AWP KPIs that were not impacted by the COVID-19 crisis, and that remained relevant, measurable and possible to assess in the course of 2021.

<sup>3</sup> The percentage has been calculated over the 2019-2021 KPIs that were not impacted by the COVID-19 crisis, and that remained relevant, measurable and possible to assess in the course of 2021.

(JITs), facilitated the execution of 1 193 European Arrest Warrants (EAWs) and enabled the use of 4 262 European Investigation Orders (EIOs).

Eurojust reinforced the operational cooperation with the EPPO since the latter became operational in June 2021, and supported several cases involving the EPPO, in particular by providing substantial legal and operational assistance in the facilitation of cooperation with EPPO non-participating Member States. The close cooperation with Europol continued, also within the framework of the **Phase II of the SIRIUS Project**.

Eurojust's Contact Points increased to 60 countries, following the participation of Costa Rica, Ecuador, El Salvador, Guatemala, Honduras, Panama, Paraguay and the Republic of Maldives. Eurojust stepped up its cooperation on criminal matters between the EU and its South Partner Countries (SPC) through its continuous support to the **EuroMed Justice Programme**.

During the year, Eurojust implemented key preparatory initiatives related to the Commission's Communication on the **Digitalisation of Justice** and the implementation of the new **Eurojust Case Management System (CMS)** and continued improving its existing systems supporting the operational processes.

The positioning as the **EU centre of judicial and legal expertise in criminal matters** was reinforced by Eurojust's active participation to EU bodies' working parties and expert groups, and through its deliverables in crime priority areas. Eurojust enhanced its strategic cooperation with partners in the Area of Freedom, Security and Justice through a strong collaboration with the Justice and Home Affairs (JHA) Agencies<sup>4</sup>, and by supporting and enhancing its operational and strategic cooperation with the European Judicial Network (EJN), the JIT network, the Genocide network and the European Judicial Cybercrime Network (EJCN).

Eurojust is a **dynamic and effective organisation** that identified opportunities for efficiency gains amidst the COVID-19 pandemic and expanded its strategic workforce planning function to ensure optimum allocation and flexibility of Eurojust's human resources. Eurojust applied the principles of **Activity Based Management (ABM)** by increasing the efficiency, data quality/integrity and usability of its ABB planning tool, further simplifying its budget structure, taking steps towards reintroducing an activity-recording tool and by continuing its gradual move from output to result KPIs. In 2021, Eurojust achieved a **99.97% of budget execution** over a EUR 53.3M budget.

More information on Eurojust's performance can be found in the [Annual Report 2021](#).

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<sup>4</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 MAS objective and the progress on the related KPIs. Eurojust continued reviewing and enhancing the setting and monitoring of KPIs to ensure that they remain measurable and relevant during the reporting period. As a result, Eurojust defined 59 KPIs in the AWP 2021.

The 2021 KPIs have been assessed as follows:

Key performance indicators		
Exceeded	Actual/Target <b>more than 100%</b>	<span style="color: blue;">●</span>
Achieved	Actual/Target at <b>100%</b>	<span style="color: green;">●</span>
Not achieved	Actual/Target <b>less than 100%</b>	<span style="color: red;">●</span>
N/A	Not measurable/relevant or, no target/baseline set	<span style="color: grey;">●</span>

In absolute terms, Eurojust achieved the following results:

- 36 KPIs (61%) were achieved or even exceeded.
- 20 KPIs (34%) were not achieved, due to the COVID-19 impact (7 KPIs), external factors outside of Eurojust's control (4 KPIs), ambitious initial targets (4 KPIs), adjusted organisational priorities (3 KPIs) and other factors currently being analysed or addressed (2 KPIs).
- 3 KPIs (5%) were deemed not measurable or possible to assess:
  - 1 KPI was not possible to be assessed for reasons beyond Eurojust's control.
  - 2 KPIs were added without target for baselining purposes.

Excluding the KPIs directly impacted by COVID-19 or deemed not measurable or possible to assess, Eurojust achieved 73%<sup>5</sup> of the 2021 KPIs.

During 2021, Eurojust further analysed the continuing and cross-organisational - yet varying - impact of the COVID-19 pandemic on its 2021 KPIs and adjusted the targets for nine annual KPIs, as part of an in-year revision of the AWP 2021<sup>6</sup>. The analysis and follow-up KPI target revision facilitated not only the implementation of the AWP 2021, but also the planning for future AWPs and the setting of the new multi-annual KPIs under the MAS 2022-2024.

Concerning the nine **multi-annual KPIs** set for the six multi-annual SAA relating to the MAS 2019-2021, their final results after the third reporting year indicate that:

- 8 KPIs (89%) were possible to assess throughout the MAS period, and 1 KPI (11%) was no longer possible to be measured in a resource effective way in 2021; and,
- Eurojust exceeded the targets for 6 KPIs (67%) demonstrating high results throughout the MAS period; yet, despite the very high result of 2019, it did not achieve the 2 KPIs (22%) related to the cooperation with Europol due to the COVID-19 impact in 2020-2021.

<sup>5</sup> Excluding 7 KPIs that were directly impacted by COVID-19, and the 3 KPIs that were deemed not measurable or possible to assess.

<sup>6</sup> As approved by the College on 12 October 2021. The initial targets are indicated in brackets throughout the document.

## 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	<b>1(a) Provide Quick and qualitative support to competent authorities</b>
KPI	<b>Maintain and/or improve the satisfaction levels of the Eurojust support to CMs</b>
Source of data	Feedback forms received from national authorities participating in CMs (satisfaction levels rated 1-4)
Baseline 2017	N/A
Target 2019-2021	Average satisfaction level 3 or more
2019 result	3.75
2020 result	3.4
2021 result	3.4
Result 2019-2021	3.5
Assessment	Exceeded

SAA	<b>1(b) Reinforce operational cooperation with partners</b>
KPI	<b>Increase the involvement of key partners in Eurojust operational activities (casework referrals and CMs)</b>
Source of data	Annual statistics
Baseline 2017	511 cases and 91 CMs with third States
Target 2019-2021	20% increase in casework and 40% increase in CMs with third States
2019 result	35% increase in casework (689 cases) and 52% increase in CMs with third states (138 CMs)
2020 result	67% increase in casework (854 cases) and 76% increase in CMs with third States (160 CMs)
2021 result	94% increase in casework (991 cases) and 104% increase in CMs with third States (457 CMs)
Result 2019-2021	65% increase in casework and 77% in CMs with third States
Assessment	Exceeded
Baseline 2017	53 cases and 108 CMs with Europol
Target 2019-2021	17% increase in casework and 12% increase in CMs with Europol
2019 result	83% increase in casework (97 cases) and 15% increase in CMs with Europol (124 CMs)
2020 result	30% decrease in casework (37 cases) and 2% decrease in CMs with Europol (106 CMs)
2021 result	19% decrease in casework (43 cases) and 11% increase in CMs with Europol (120 CMs)
Result 2019-2021	11% increase in casework and 8% increase in CMs with Europol
Assessment	Not achieved <sup>7</sup>

### Annual Activity 1.1 - Improve Eurojust's dynamic and quality support to judicial cooperation and coordination

#### 1.1.1 Support increased referral of quality cross-border crime cases, by offering comprehensive and tailor-made operational and legal expertise

In 2021, prosecutors from across the EU and beyond turned to Eurojust for assistance in 10 105 cross-border criminal investigations, an increase of 15% compared to the previous year. Just under half of the total number of cases, 4 808, were newly opened, in spite of the difficult circumstances imposed by the continuing pandemic. The remaining 5 297 cases represent ongoing cases, opened in previous years, which the Agency continued to support in 2021. This confirms a recent trend of cases referred to Eurojust that are increasingly complex and require

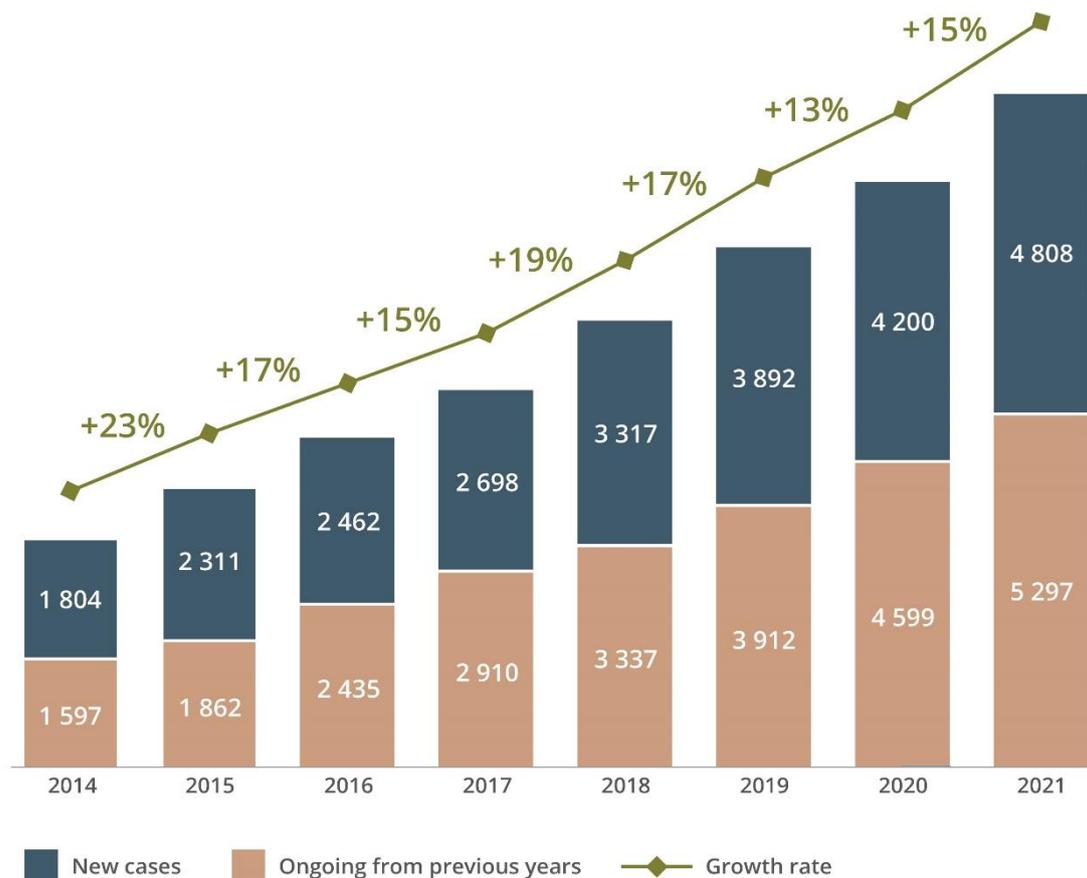
<sup>7</sup> Due to the COVID-19 impact on Eurojust's activities/priorities and despite the high results in 2019.

support over a longer period. Eurojust continued to strengthen operational cooperation and referral of cases by its Liaison Prosecutors, resulting in 290 new cases in 2021.

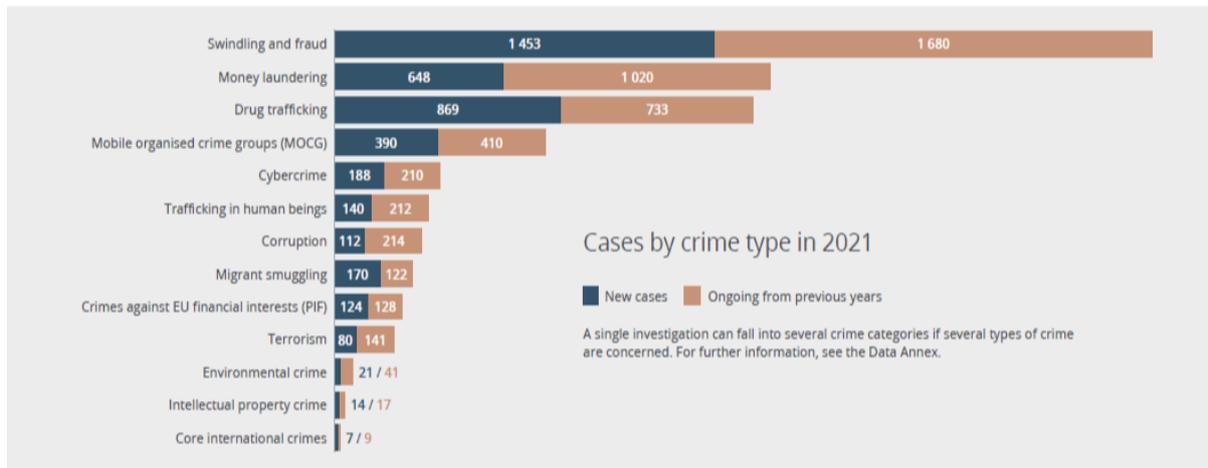
Eurojust remained fully operational despite the continuation of the pandemic-related restrictions applied in 2021, and supported dozens of cases related to the COVID-19 crisis. Throughout 2021, Eurojust and the EJM continued collecting information on the impact of national measures against COVID-19 on judicial cooperation between the EU Member States, Iceland and Norway. The compiled information and the analysis of the main practical and legal issues arising, was regularly issued to national authorities as a Council limited distribution document.

The [Impact of COVID-19 on Judicial Cooperation in Criminal Matters – Analysis of Eurojust’s Casework](#), a report published in May 2021, identified the difficulties resulting from the pandemic in the application of the most commonly used instruments of judicial cooperation, and the most frequently committed crimes that were directly linked to the pandemic. The report complements the Eurojust-EJM compilation on the impact of COVID-19 and describes the role Eurojust can play to resolve issues that arise in the work of prosecutors and judges. It also provides summaries of best practices, in case extraordinary measures need to be applied again.

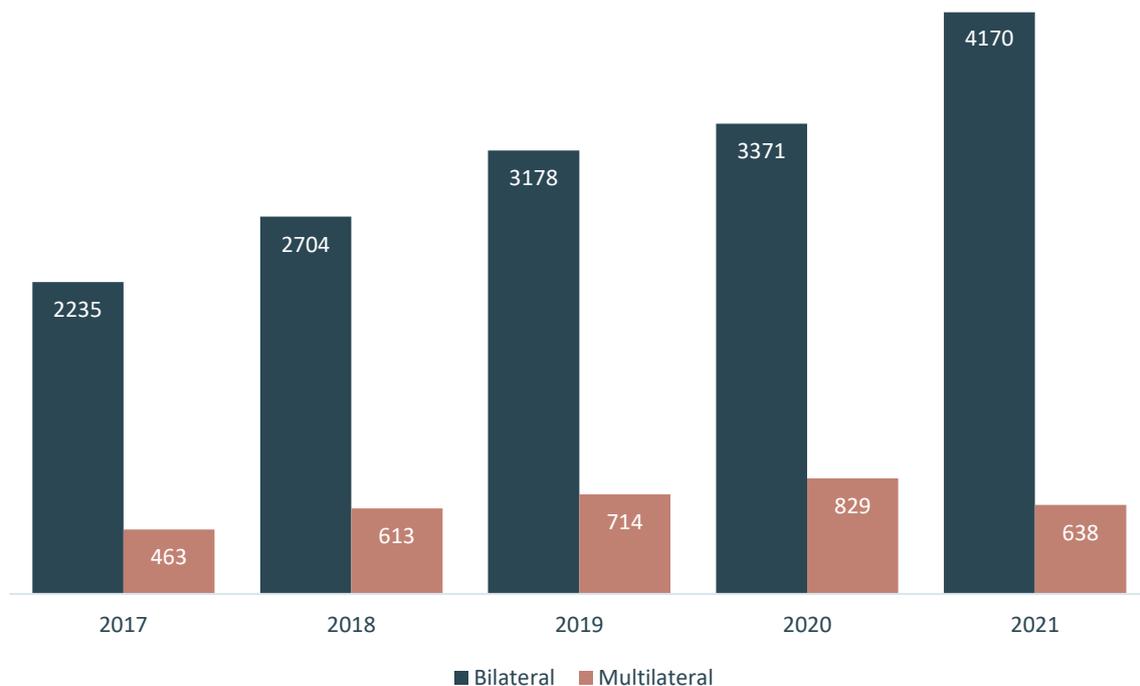
The 2021 casework is summarised below:



The overview of cases by crime type is presented below:



The overview of bilateral and multilateral cases was as follows:



Eurojust continued attracting complex cases<sup>8</sup> and the most notable examples are presented below. Additional information can be found in the [Eurojust Annual Report 2021](#).

- In January 2021, one of the world's most dangerous criminal infrastructures, created by the malware [EMOTET](#), was disrupted through global action, with the support of Eurojust, Europol, and judicial authorities and law enforcement officers worldwide.
- [Takedown of an international network of drug traffickers](#) by the French and Dutch authorities, with the support of Eurojust and Europol. The suspects were identified as a result of the evidence obtained from the previous French and Dutch-led investigation against the [EncroChat](#) network.

<sup>8</sup> Cases falling under priority crime areas or cases involving more than two Member States.

- [SKY ECC case](#), where judicial and law enforcement authorities in Belgium, France and the Netherlands enabled major interventions to block the further use of encrypted communications by large-scale organised crime groups, with the support of Europol and Eurojust.
- In July 2021, Eurojust coordinated the [dismantling of a large-scale Serbian marijuana trafficking network](#) operating from Spain. Across both countries, a total of 43 members of a Serbian organised crime group were arrested for their involvement in the production and distribution of marijuana and hashish, mainly destined for sale in Germany.
- [Successful taking down of criminal network committing high-volume cargo thefts from lorries](#). This was an EMPACT case solved with Eurojust support. A CC was set up and Eurojust facilitated the execution of 12 EAWs.
- Complex Spanish action against large-scale VAT fraud. Eurojust was able to set up a CC involving an action day only four days after the case's first CM took place. The Slovak Desk with the Spanish Desk enabled the Spanish authorities to issue a EAW only 2 hours after the information was shared. This led to the subsequent successful arrest of one of the suspects in the Netherlands.
- [Nearly 50 properties seized in action against money laundering in Italy and Spain](#). Eurojust set up a JIT in 2020 and a CC in March 2020 to prepare the joint actions, and organised CMs in 2020-2021 between the Italian and Spanish authorities to facilitate the case's coordination.
- [Access to VPN service used by ransomware groups cut off](#). Eurojust facilitated the judicial cross-border cooperation leading to the take down of the network. The Agency organised six dedicated CMs, aimed, inter alia, at verifying and solving legal issues related to the collection of data in the countries concerned, and set up a CC through which the operation was implemented on the ground by the various national authorities involved.
- In February 2021, [a network involved in the concealed employment of Moldovan nationals](#), working under false identities on building sites in France, was dismantled as the result of a Eurojust-supported JIT between the French, Romanian and Moldovan judicial authorities. During an action day, 38 persons were arrested, 11 bank accounts frozen, 15 luxury cars and EUR 100 000 in cash were seized. Eurojust supported the action day, and assisted in the execution of EIOs and requests for mutual legal assistance in coordination with the Moldovan authorities.
- In June 2021, a JIT set-up by Eurojust between the Italian and Romanian authorities took action against [a criminal network which exploited female victims for street prostitution in northern Italy](#). During an action day supported by Eurojust, eight suspects were arrested in both countries.
- [Syrian official sentenced to life for crimes against humanity with support of a JIT assisted by Eurojust](#). In cooperation with national investigators and prosecutors working on the case, a German-French JIT was set-up with the support of Eurojust and the Genocide Network in 2018. Eurojust and the Genocide Network supported the investigations and prosecution by providing long-term analytical assistance and the organisation of regular CMs to enable swift judicial cooperation between the German and French authorities.

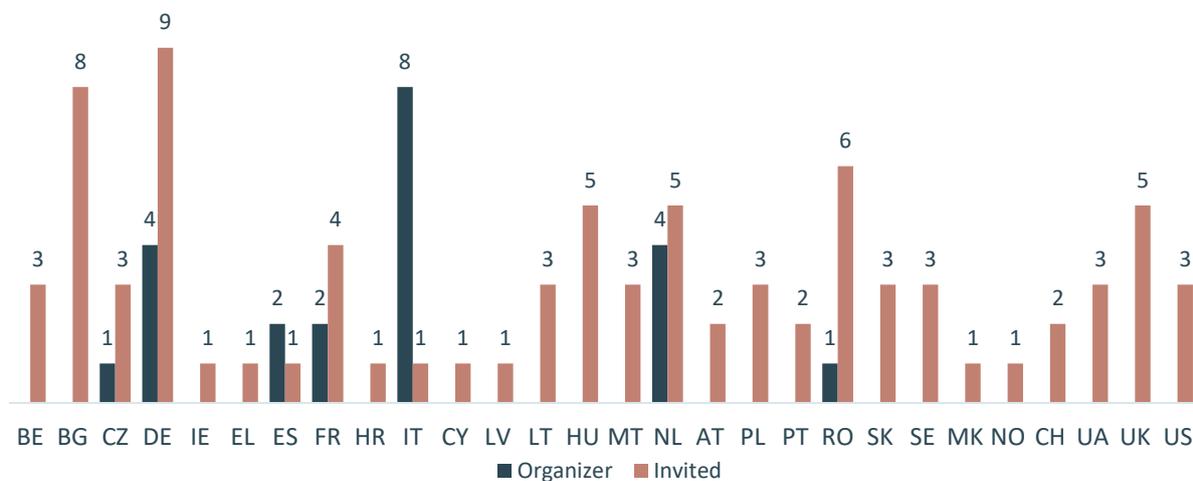
Eurojust continued to take steps to increase the referral of cases between Eurojust and EJM, with 44 cases referred to the EJM in 2021. Following the EJM peer evaluation, finalised in March 2021, the EJM adopted the *Handling EJM Requests: Catalogue of Best Practices*. The catalogue gives awareness and further guidance to the EJM contact points on the need to contact Eurojust if they consider that Eurojust would be in a better position to deal with a request.

Eurojust and the Genocide Network developed further their operational cooperation in bringing to Eurojust more core international crime cases through CMs and JITs. As an example, a new core international crime case was brought to Eurojust. The case concerned alleged crimes committed

by foreign terrorist fighters against the Yezidi population in Syria and Iraq. Following several Eurojust coordination meetings, attended also by the Genocide Network, a JIT between Sweden and France was established.

In 2021, Eurojust supported **457 CMs**, and **22 CCs** (compared to 371 CM and 19 CC in 2020), with videoconferencing and new hybrid solutions added to the traditional in-person meeting formats. As a measure taken to allow for limited and safe physical presence, one of the Eurojust CM rooms was equipped to also serve as a CC. This room was used on several occasions during the pandemic to ensure the continuity of vital support needed for these complex action days. The tools and services provided through these meetings and centres, proved crucial in ensuring justice for a large number of cases handled by Eurojust in 2021.

The table below provides an overview of involvement in CCs per country:



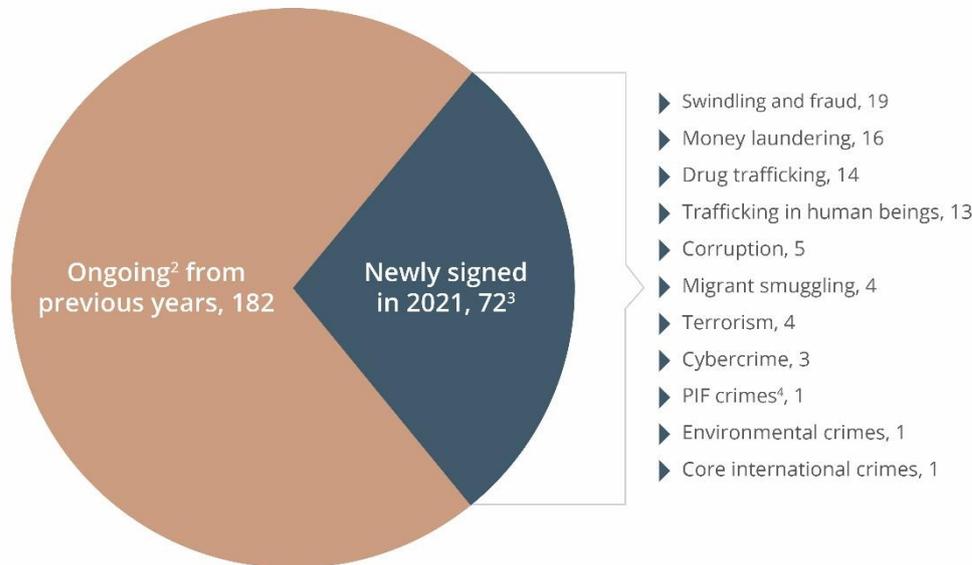
Eurojust also offers rapid responses, sometimes provided within hours, to support judicial authorities with time-sensitive cases. For cases that require immediate action, Eurojust's National Desks operate on-call services 24/7, 365 days a year. Such services include assisting national authorities to connect with the correct counterparts in other countries, understand the legal requirements and prepare judicial cooperation requests in line with national legislation. In 2021, Eurojust supported **1 928 cases through a rapid response**.

Judicial authorities in EU Member States are increasingly turning to Eurojust for expertise and assistance in the execution of **EAW**. In 2021, Eurojust facilitated the execution of EAWs related to 480 new cases and 713 ongoing cases.

The **EIO** has become an integral part of EU judicial cooperation and Eurojust's work since the transposition deadline for the directive passed in May 2017. In 2021, Eurojust dealt with 4 262 cases involving an EIO, and provided assistance to resolve issues concerning challenges with the execution of EIOs, for instance in relation to the hearing of suspects or accused persons via videoconference, or the interception of telecommunication

In 2021, Eurojust provided legal, financial and/or operational support to **254 JITs**. 72 new JITs were established in 2021, and 182 were ongoing from previous years. The JITs active in 2021 focused on a wide range of crime types, predominantly swindling and fraud, money laundering, drug trafficking and trafficking in human beings. An overview of the JITs supported in 2021 is presented below:

## JITs supported in 2021<sup>1</sup>



<sup>1</sup> Eurojust support to JITs includes financial and operational support. Of the 254 JITs supported, **104 were funded by Eurojust**.

<sup>2</sup> As of January 2022. 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.

<sup>4</sup> Crimes against the financial interests of the European Union for which Eurojust retains competence.

In 2021, 104 of the active JITs were also funded by Eurojust. The initial budget allocated to grants pertaining to financial assistance to JITs was EUR 1.94 million. As a direct consequence of the continuing COVID-19 impact, the demand for JIT funding and the number of cross-border judicial and law enforcement activities were slightly lower than at 2020. Throughout 2021, 191 funding applications were received and the final budget allocated was EUR 1.16 million. The funding covered costs for travel and accommodation, interpretation and translation, and the transfer of items seized during JIT operations. As part of its JIT funding activities, Eurojust also continued to lend equipment to JITs, such as mobile telephones, laptops, mobile printers and scanners.

To ensure the responsiveness of the JITs funding programme to practitioners' needs, Eurojust introduced changes to the funding mechanism throughout 2021, including new cost categories and funding without calls for proposals. Eurojust extended its financial support to cover new types of costs, including:

- travel, accommodation or interpretation costs for victims and witnesses;
- specialist expertise; and,
- purchase of low-value equipment (hardware, software).

Funding without calls for proposals aims to provide faster, targeted short-term grants, to urgent and/or unforeseen JIT operational activities, falling outside the scope of the regular Eurojust JIT funding scheme involving calls for proposals. Applications under this new funding scheme may be submitted anytime during the year and are processed quickly. This funding option addresses a need for increased flexibility in the support to cross-border investigations.

The new funding scheme was used seven times in 2021. Funds in the amount of EUR 32 610 were awarded and spent on various costs related to urgent operational actions within cross-border investigations.

Indicators	2019 result (baseline)	Target	2021 result	Progress	Source of data
Number of case referrals from Member states	3 528	4 251	4 485	●	Monthly report
Number of case referrals from Denmark	46	55	28	● <sup>9</sup>	Monthly report
Number of case referrals from countries with a LP	318	320 (377)	290	● <sup>10</sup>	Monthly report
Number of CMs	428	488	457	● <sup>11</sup>	Monthly report
Numbers of CCs	27	29	22	● <sup>12</sup>	Monthly report
Percentage of cases falling under priority crime areas	63	66	75	●	Monthly report
Number of deliverables in support of casework	800	777 (844)	781	●	Quarterly report
Number of new JITs supported	103	75(128)	72	● <sup>13</sup>	Monthly report
Percentage of new JITs that are funded	51	50	58	●	Monthly report
Number of cases referred from/to the EJN	120/28	126/29	139/44	●	Annual report

### 1.1.2 Enhance consistency and efficiency in support to cases, by drawing lessons and best practices from casework

Eurojust's dedicated team of lawyers and analysts provided legal advice, analysis and operational assistance in the most complex cases. The total number of cases directly supported by this team was 466 in 2021. More specifically, the team provided legal and analytical assistance to 70% of

<sup>9</sup> The result primarily reflects a decreasing trend in the past few years, which was not properly taken into account when the initial target was set for 2021.

<sup>10</sup> Despite the in-year target revision, this KPI was not achieved, mainly due to the COVID-19 impact on the demand for Eurojust's operational services.

<sup>11</sup> The result reflects mainly the COVID-19 impact on the demand for Eurojust's operational services.

<sup>12</sup> Idem.

<sup>13</sup> Idem.

CMs, all CCs and produced a total of 781 legal and analytical deliverables in direct support of casework.

Eurojust's working groups<sup>14</sup> continued to deliver expert advice for the improvement of judicial cooperation in EU priority crimes based on Eurojust's operational experience. In 2021, 79% of the working groups' work plans was achieved. In total, 26 strategic products were delivered, based on the analysis of 915 cases.

The list of 2021 products per responsible working group were as follows:

### ***Judicial Cooperation Instruments Team***

- [Case-law by the Court of Justice of the European Union \(CJEU\) on the Principle of ne bis in idem in Criminal Matters](#), containing information on 23 judgments and four ongoing cases;
- [Eurojust Written Recommendations on Jurisdiction](#), a [report](#) of results, and summary [leaflet](#), on the follow up given at national level to the Eurojust written recommendations under Article 4(2)(b) of the Eurojust Regulation, allowing national authorities to rely on a commonly held opinion of Eurojust supported by a reasoned legal assessment to prevent and/or solve conflicts of jurisdiction;
- [Report on Eurojust's Casework in the Field of the EAW](#), providing conclusions and recommendations to improve the use of EAWs, as well as examples of concrete, anonymised cases, which can help with the execution of warrants in future;
- [Case-law by the CJEU on the EAW](#), containing summaries of the CJEU's judgments reflecting the structure of the EAW Framework Decision, with the most recent edition containing analysis of 61 judgments and 11 ongoing cases; and,
- [Updated Questionnaire and Compilation on the Requirements for Issuing and Executing Judicial Authorities in EAW Proceedings pursuant to the CJEU's Case-Law](#). Eurojust and the EJM worked together on a compilation, providing information on the legal position of the public prosecutor within the national legal systems as well as the competent authorities to issue and execute EAWs.

### ***Economic Crime Team***

- [Eurojust Guidelines on how to prosecute Investment Fraud](#) provide practical guidelines for prosecutors, highlighting the support it can provide to Member States in managing a large number of victims from across the world, by helping to categorise them (as far as legally possible) and centralise proceedings at national and international level; and,
- [Report on the Eurojust's casework on environmental crime](#) presents Eurojust's activities and experiences in combating environmental crime, proposes solutions to improve judicial cooperation and increase the number of environmental crime cases coordinated at EU level. Lessons and best practices from environmental crime casework, as set out in the report, were widely disseminated among practitioners by contributing to online trainings, seminars, webinars and EMPACT-related meetings. Furthermore, they were used in as Eurojust's input to the revision of the Environmental Crime Directive.

### ***Anti-Trafficking Team***

- [Eurojust Report on Drug Trafficking](#), analysing recent complex cross-border drug trafficking cases referred to the Agency;

<sup>14</sup> The College is supported on its operational and Management Board activities by Working Groups that:

- prepare draft work plans establishing the objectives, projects and activities
- undertake tasks which are clearly defined and directly linked to the mandates received, in line with their annual work plans and carry out any other task assigned to them by the College
- function as preparatory bodies of the work of the College

- [Eurojust Report on Trafficking in Human Beings \(THB\)](#), analysing 91 THB cases and the results of 59 related JITs;
- [Factsheet](#) highlighting how Eurojust can support judicial authorities in the fight against THB;
- [Migrant Smuggling In Focus](#) booklet presents an overview of the use and legal nature in judicial proceedings of statements obtained from debriefed migrants at EU external borders, according to the legal frameworks of EU Member States and those countries with which Eurojust has a cooperation agreement;
- **Eurojust's Annual Meeting on Migrant Smuggling**, held in November 2021, with the attendance of practitioners from 28 countries, seven international organisations and members of the Migrant Smuggling Focus Group; and,
- Continued support of the **Migrant Smuggling Focus Group** via the organisation of two virtual workshops and the dissemination of a quarterly newsletter.

### **Cybercrime Team**

- [Cybercrime Judicial Monitor](#) number six, presents an overview of relevant legislative and case-law developments in the area of cybercrime, cyber-enabled crime and e-evidence in 2020. One chapter is devoted to the CJEU case-law related to data retention for the purposes of prevention and prosecution of crime; and,
- Contribution to the [Third report of the observatory function on encryption](#), which provides an up to date analysis of the technical and legal developments in relation to encryption. The report gives an overview of the impact of the criminal use of encryption and the challenges law enforcement and judicial authorities are faced with when investigating crimes.

### **Counter-Terrorism Team**

- Continuous collection of information on ongoing and concluded judicial counter-terrorism proceedings from EU Member States through the [European Judicial Counter-Terrorism Register](#) (CTR), aiming to identify potential links between judicial proceedings and coordination needs;
- [Eurojust Casework on Counter-Terrorism: Insights 2020–2021](#) report, building on Eurojust's experience in assisting cross-border counter-terrorism investigations and prosecutions, and in facilitating the exchange of information on judicial proceedings, and presenting the tangible results achieved (including seizures, arrests and convictions) thanks to Eurojust's coordination; and,
- Organisation of the **2021 Eurojust Meeting on Counterterrorism**. The meeting focused on the new EU legal framework for addressing the dissemination of terrorist content online, recent terrorist trends and cases of left-wing and right-wing extremism and terrorism, judicial and non-judicial responses to the threat posed by prison leavers, battlefield evidence and the Council of the EU's Counter-Terrorism Action Plan for Afghanistan. The meeting brought together national correspondents for Eurojust for terrorism matters and judicial practitioners from EU Member States and partner non-EU countries, as well as representatives of EU bodies and international organisations.

### **Working Group on Victims' Rights**

- [Report on Eurojust's casework on victims' rights](#), offering an overview of best practices to overcome victim related challenges in various EU priority crime areas;
- Elaboration of internal repository of victims' rights information;
- Contribution to the **evaluation of the Victims' Rights Directive** and participation in the Victims' rights platform by attending its meetings in February, June and December; and,
- Participation at the **COPEN meeting on the protection of victims of terrorism**.

### **European Judicial Cybercrime Network (EJCN)**

The EJCN gave input to Eurojust's [Cybercrime Judicial Monitor](#), covering legislative developments in the areas of cybercrime, cyber-enabled crime and electronic evidence. The EJCN also contributed to the judicial input given to the **Digital Evidence Situation Report** under the SIRIUS Project and to the **Third report of the observatory function on encryption**. The EJCN continues to promote judicial participation in the SIRIUS Project, with the production and dissemination of a leaflet directed to judicial authorities available in EN, ES, FR, IT and SK.

A quarterly Newsletter started to be shared with judicial authorities with information about the Network activities, including Eurojust cybercrime press releases and other relevant information on cybercrime and digital evidence.

### **Retaining of knowledge**

Eurojust continued its efforts to retain knowledge from casework 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. Following the College decision to extend the **Retaining of Knowledge Project** to all the Eurojust National Desks, Eurojust put in place the structure and the methodology allowing the identification of cases to be retained, their allocation to the administration for the drafting of the Case Information Form and their follow-up. By the end of 2021, 121 cases were identified to be included in the project.

Indicators	2019 result (baseline)	Target	2021 result	Progress	Source of data
Percentage of prioritised products in judicial cooperation and priority crime areas delivered according to the work plans set by the College's operational substructures	70	75	79		Quarterly report
Number of CIFs drafted to retain knowledge, best practices and lessons learned from cases	428	600	261	 <sup>15</sup>	Quarterly report
Number of operational topics on judicial cooperation issues	13	5 (13)	6		Quarterly report

<sup>15</sup> The result primarily reflects the introduction of a new approach regarding knowledge retention at Eurojust. This KPI has been adjusted accordingly in the draft AWP 2023.

### 1.1.3 Enhance digitalisation in the JHA area, through information exchange and interoperability solutions

In 2021, Eurojust implemented some preparatory initiatives related to the Commission's Communication on the **Digitalisation of Justice**. In particular, Eurojust:

- Initiated the market research for the definition and selection of the technical solution to implement the new Eurojust CMS;
- Followed up and contributed to Commission initiatives, such as the new legislative proposals for e-CODEX for the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters;
- Participated in the EU Taskforce on data exchange, led by the Commission, to support a common approach on hit/no hit link detection and improve interoperability between EU Agencies and bodies;
- Made progress in the discussions with DG JUST to include Eurojust in the workflow of e-Early Detection and Exclusion System (EDES) for the exchange of EIOs and Mutual Legal Assistance (MLA) with Member States especially in relation to the new legislative proposals for the digitalisation of judicial cooperation;
- Initiated a project to define and implement a structured and coordinated short-term approach for the connection with ECRIS-TCN and to support its statutory tasks and the role of contact point for third countries and international organisations; and,
- Initiated a project to define and implement a short-term solution for a more structured and systematic exchange of data with Europol based on a hit/no hit system including all modalities e.g. operational focus and process description.

Eurojust continued **improving its existing systems** supporting the operational processes. Actions included:

- Brexit related changes in all systems;
- Further enhancing compliance with data protection requirements;
- Creation of new CMS profiles (e.g. Casework Support profile, Link Review Support profile for the CTR and hit/no hit with Europol, analysis of cross-check profile for the hit/no hit with Europol and other JHA Agencies and EU bodies in the future etc.); and,
- Systematic updates and improvements of the JITs Portal and JITs System to reflect the changes in funding mechanism based on practitioners' needs and applicable legal framework, while ensuring that data protection requirements are taken into account.

Eurojust continued placing extra emphasis in ensuring that its processes and tools for processing operational and administrative data remain compliant with all applicable **data protection** provisions and European Data Protection Supervisor (EDPS) recommendations. The Eurojust Data Protection Officer (DPO) participated actively in the taskforce discussions on hit/no hit link detection and the ECRIS-TCN project.

In its efforts to continue embedding data protection by design and by default in all new processes and tools, the Eurojust DPO provided input to the changes in the CMS to implement the EJIR, including refinement of the specifications to bring them in line with data protection requirements, testing activities and awareness raising, in particular regarding the automatic deletion functionality, the link review profile, cross-checking of profile and the casework support profile for operations implemented in 2021. In addition, the Eurojust DPO had an active involvement in the discussions and workshops on the CMS market research.

The **EJN website** supports practitioners with information and tools for the facilitation of international judicial cooperation. With more than two million page views a year, the EJN website provides information on all types of EU cross-border procedures. The content of the EJN website is provided directly by the EU Member States (EJN Tool Correspondents) and the EJN Secretariat as per Articles 7 and 8 of the EJN Decision and Council Conclusions of 2010 and 2020. During 2021, the role of the EJN website was reinforced following the Council Conclusions of December 2020 on *The European Arrest Warrant and extradition procedures – current challenges and the way forward*. New and revamped users' functionalities were prepared (ATLAS, Fiche Belges) and security aspects were reviewed and strengthened. The ATLAS and other key sections of the EJN website continued to support the development and functioning of the e-EDES platform.

In 2021, the JITs Network Secretariat, together with Eurojust, continued to support the European Commission in ensuring that the future outlook of the **JIT collaboration platform** would be in line with the operational needs of JITs practitioners. This involved the facilitation of several consultation of key JITs stakeholders (including members of the College of Eurojust and JIT National Experts) to exchange views on the main functionalities of the future platform and on the future role of Eurojust and the JITs Network Secretariat in facilitating the day-to-day use of this tool by national authorities. These consultations have also taken place during the past few plenary meetings of Network. Most of the input gathered from the JIT practitioners has been included in the draft Regulation on establishing a collaboration platform to support the functioning of JITs published on 1 December 2021.

Indicators	2019 result (baseline)	Target	2021 result	Progress	Source of data
Percentage of ICT operational initiatives implemented in line with the work plan set by governing bodies	100	100	100	●	Quarterly report
Percentage of time that current CMS is fully operational	100	100	100	●	Quarterly report
Number of visits to EJN website	1 878 037	2 065 000	2 014 710	● <sup>16</sup>	Web statistics

## Annual Activity 1.2 - Continue developing operational cooperation with Eurojust's main operational partners

### 1.2.1 Develop operational cooperation with the EPPO

On 12 February 2021, Eurojust and the EPPO signed a [Working Arrangement](#), to implement in practice the modalities of cooperation put in place in their respective regulations. Among others, it regulates the exchange of information between the two organisations, and Eurojust's support to the EPPO with regard to judicial cooperation requests and decisions involving either third countries or Member States that do not take part in the establishment of the EPPO. Particular

<sup>16</sup> Although the initial target was set quite high (considering the 2019 baseline of 1 878 037 visits), 98% of it was met.

attention has been given to data protection, in close cooperation with the EDPS. The timely entry into force of this agreement allowed the two organisations to prepare adequately for their operational cooperation starting as of 1 June 2021, when the EPPO became operational.

Since June 2021, Eurojust supported several cases involving the EPPO, in particular providing substantial legal and operational assistance in the facilitation of cooperation with EPPO non-participating Member States. In September 2021, the EPPO participated for the first time in a CM at Eurojust. Eurojust assisted the setting up of the first JIT involving the EPPO, by providing legal support during the drafting of the JIT agreement and proposing solutions to new legal issues arising from the involvement of the EPPO in such a team. Together with Europol, EPPO, OLAF and 20 EU Member States, Eurojust participated in Operation Sentinel, targeting fraud, corruption, embezzlement and other crimes against COVID-19 EU recovery funds being offered under the framework of the NextGenerationEU initiative.

At the institutional level, the EPPO and Eurojust have agreed to establish Liaison Teams to enable seamless cooperation. The EPPO Liaison Team was set up and started working at Eurojust to deal with operational, institutional and strategic matters related to the EPPO. Eurojust adopted the Workflow for National Desks of Member States participating in the EPPO to deal with Protection of the EU Financial Interests (PIF) cases with a view to reporting the case to the EPPO. In addition, preparation for the implementation of the “EPPO Box”, an IT tool for the secure exchange of operational information between Eurojust and EPPO, started in 2021 and is ongoing.

Indicators	2019 results (baseline)	Target	2021 result	Progress	Source of data
Number of cases or requests for support received from the EPPO <sup>17</sup>	N/A	p.m.	N/A	●	Monthly report
Number of cases referred to the EPPO <sup>18</sup>	N/A	p.m.	N/A	●	Monthly report

### 1.2.2. Further develop operational cooperation with Europol

Europol and Eurojust continued their close cooperation in operational work, strategic and analytical projects. The main results and actions in 2021 are:

- Joining forces to increase awareness among national prosecutors on prosecuting with **EMPACT**. Eurojust participated to all EMPACT Operational Action Plans (OAP) and was (co) leader in nine EMPACT operational actions;
- **Eurojust-Europol Steering Committee meeting** on strategic and operational matters;
- Organisation of two working meetings in 2021 on ensuring the implementation of the **MoU on JITs Funding**. Both Agencies updated each other, among others, on the changes introduced by Eurojust to the funding mechanism and exchanged views on the impact of COVID-19 pandemic on the operational work. On several occasions, both Agencies consulted each other on possible instances of double funding. The joint leaflet on funding possibilities was updated in 2021 and re-published on the websites of both Agencies;
- Joint strategic and operational work with **Europol centres** and **Analysis Projects** continued (ECTC, IPC3, EC3, EMSC, EFEC). Eurojust contributed to the [EU Terrorism](#)

<sup>17</sup> Indicator added for baselining purposes only.

<sup>18</sup> Idem.

[Situation and Trend report 2021](#) by including statistical information on convictions and acquittals for terrorist offences, case illustrations and information on amendments to the terrorism-related legislation in EU Member States. In addition, Eurojust contributed to the [EU Serious and Organised Crime Threat Assessment 2021](#) and participated in planning for operational actions for the upcoming cycle;

- Eurojust continued to involve Europol in operational cases and CMs concerning terrorism and core international crimes. Eurojust was also invited to attend the annual meetings of Europol's Analysis Projects on terrorism and core international crimes. Europol participated in the **2021 Eurojust Meeting on Counter-Terrorism** in November. Cooperation with Europol's ECTC was also facilitated by the Eurojust SNE on counter-terrorism; and,
- A project on accountability principles in artificial intelligence, within the framework of the **Innovation Hub for Internal Security**.

As in 2020, the COVID-19 pandemic affected the implementation of some joint activities, such as the Eurojust-Europol exchange programme, which had to be cancelled.

2021 was the first year of the formalised partnership of Eurojust and Europol within the **Phase II of the SIRIUS Project**. Within the SIRIUS project, Eurojust contributed to the development of the following deliverables:

- Co-organisation of a three day SIRIUS Annual Conference bringing together representatives of law enforcement authorities, judiciary and industry in relation to intersecting topics of interest for the SIRIUS project. Eurojust was solely responsible for developing the content of the second day of the conference, where among others, Japanese, Swiss and US authorities presented the specificities of obtaining digital information from their respective jurisdictions;
- Development of e-learning webinars together with Europol and EJNI, available on European Union Agency for Law Enforcement Training's (CEPOL) e-learning platform;
- Presentation of the project to the representatives of judiciary in Finland, Morocco (in cooperation with UNODC), Spain, Switzerland, Tunisia (in cooperation with UNODC) and Ukraine, and during the Council of Europe's Octopus Conference;
- Development or updating of 21 service provider specific guidelines;
- Publication of the [SIRIUS EU Digital Evidence Situation Report](#);
- Development and publication of Eurojust's factsheets on EU e-evidence legislative package, the CLOUD Act, e-EDES, Interpol's e-MLA Initiative, UNODC's Secure Communication Platform and the principle of cost-reimbursement; and,
- Co-organisation together with UNODC, UN CTED, Europol and EJNI of a side-event in the margins of UN's Commission on Crime Prevention and Criminal Justice to present the updated version of the *Practical Guide for requesting electronic evidence*.

Indicators	2019 result (baseline)	Target	2021 result	Progress	Source of data
Number of cases with Europol	74	50 (105)	43	● <sup>19</sup>	Monthly report

<sup>19</sup> Despite the in-year target revision, this KPI was not achieved, mainly due to the COVID-19 impact on the demand for Eurojust's operational services.

Number of CMs with Europol	124	120 (140)	120		Monthly report
Number of CCs with Europol	0	1	7		Monthly report
Percentage of EMPACT OAPs that Eurojust participates	100	100	100		Annual report

### 1.2.3. Further develop operational cooperation with FRONTEX

In the course of 2021, Eurojust and Frontex resumed negotiations for a working arrangement allowing for the exchange of case related personal data following the adoption by FRONTEX of their new Data Protection Implementing Rules. The Eurojust DPO was actively involved in the negotiations and the consultation with the EDPS.

Indicators	2019 result (baseline)	Target	2021 result	Progress	Source of data
Percentage of FRONTEX transmissions of case-related information effectively followed up by Eurojust	N/A	100	N/A		Monthly report

### 1.2.4. Continue to develop operational cooperation with third countries and international organisations

In March 2021, the Council approved a mandate for the European Commission to start negotiations for international agreements on cooperation with Eurojust, between the EU and 13 third countries. The [Decision of the Council](#) opens the door for negotiations on agreements allowing for the exchange of operational information, including personal data, with Algeria, Argentina, Armenia, Bosnia and Herzegovina, Brazil, Colombia, Egypt, Israel, Jordan, Lebanon, Morocco, Tunisia and Turkey. The list is based on the **four-year strategy for cooperation with third countries and international organisations** prepared by Eurojust, and on Commission's recommendation submitted on 19 November 2020. Since March 2021, Eurojust has been supporting the Commission in preparing the ground for the opening of negotiations, and will participate as observer in such negotiations in the course of 2022.

Moreover, since the first year of its existence, Eurojust has relied on an ever-growing network of Contact Points in third countries. In 2021, Eurojust's total number of Contact Points grew to over 60, with the addition of Costa Rica, Ecuador, El Salvador, Guatemala, Honduras, Panama, Paraguay and the Republic of Maldives.

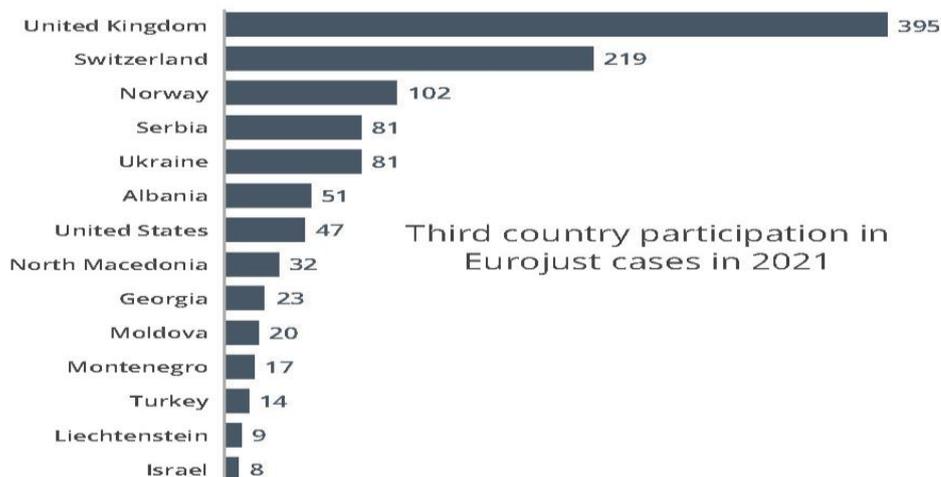
An overview of Eurojust's international network at the time of drafting of this report is shown below:

<sup>20</sup> For reasons beyond Eurojust's control, the process and measures to exchange information with FRONTEX were not in place by the end of 2021.



In January 2021, the United Kingdom (UK) appointed a Liaison Prosecutor and Assistants to Eurojust. In December 2021, Eurojust and the Home Office of the UK signed a Working Arrangement to ensure effective judicial cross-border cooperation in criminal matters. The Working Arrangement supports the implementation of Eurojust related provisions in the EU-UK Trade and Cooperation Agreement and outlines the practical and administrative details of the judicial cooperation between the two parties. In addition, Eurojust ensured that all UK initiated cases in the CMS were closed and that all related personal data were handled properly. Eurojust finalised a note on *Judicial Cooperation in Criminal Matters between the EU and the UK* and compiled, at the request of the Commission, an overview of questions from the National Desks about the application of the Trade and Cooperation Agreement between the EU and the UK.

The third country participation in Eurojust cases in 2021 is presented below:



The College mandated a working group, led by the DPO, to create a workflow regarding the assessment of data transfers to third countries or international organisations with whom Eurojust does not have a cooperation agreement. The final product was approved by the College in March 2021. A checklist and a request form for the assessment of transfers of personal data to third countries was prepared, as well as FAQs and information on the Eurojust intranet. In addition, presentations were organised for all staff as part of awareness raising.

**EuroMed Justice** brings together the most relevant stakeholders in the field of criminal justice, including representatives from the South Partner Countries (SPC), Eurojust, EJM, EU Member States, and other relevant EU and international organisations. Eurojust has hosted the EuroMed Justice Programme since mid-2020, making 2021 the first full year since its implementation at Eurojust. By February 2021, 14 Member States joined the programme and 10 became members of CrimEx, the high-level Experts Group in Criminal Matters of the SPC. This helped enhance cooperation within the Mediterranean region, establishing direct communication and making effective links among judicial authorities. Eurojust participated in the development of CrimEx analytical tools and the establishment of a EuroMed Judicial Network subgroups on cybercrime and migrants smuggling, and also provided guidance for the drafting of cross-regional strategies.

Eurojust participated in several **Council of Europe** working groups, e.g. the working group on emerging terrorist threats, the working group on the gathering of evidence from conflict zones for the purpose of criminal prosecution and the working group on the collection of best practices with regard to de-radicalisation, disengagement and social reintegration. The joint Eurojust-Council of Europe *C-PROC Workshop on International Cooperation in Cybercrime: Joint Investigation Teams/Joint Investigations* was held in October 2021.

Eurojust has been intensely involved in the EU-funded project **EL PACCTO** since its launch in 2017, and in 2021 these efforts yielded good results in the appointment of Contact Points from several countries in Latin America. Eurojust attended an online conference in March and a workshop in Lima in October, both organised by EL PACCTO, to discuss practical aspects of the collaboration with the partner countries, and possible ways of further intensifying the dialogue.

In an online meeting held in October 2021 with UNODC support, Eurojust and the West African Network of Central Authorities and Prosecutors (WACAP) agreed to appoint Contact Points as a first step towards fostering mutual trust and dialogue. The first contact made it possible to begin bilateral discussions with Nigerian authorities, and to consider inviting WACAP representatives to meetings of the Focus Group on Migrant Smuggling. For the first time, Single Points of Contacts from North African countries were invited to the annual Eurojust meeting on migrant smuggling in November 2021 with the financial support of EuroMed Justice.

In July 2021, the Council authorised the opening of negotiations by the Commission for a cooperation agreement between the EU and the **International Criminal Police Organization (ICPO-INTERPOL)**. The agreement is intended to provide the legal basis to authorise Eurojust, together with Europol, Frontex and the EPPO, to access relevant Interpol databases and exchange operational information. On November 2021, Eurojust and Interpol held a technical meeting to discuss future cooperation and identify areas for closer cooperation.

Lastly, throughout 2021, Eurojust has been developing a new 2022-2023 Strategy for enhancing strategic relations with third countries and international organisations, to define priority countries with whom there is a need to enhance strategic cooperation.



Indicators	2019 result (baseline)	Target	2021 result	Progress	Source of data
Number of cases involving third countries	689	758	991	●	Monthly report
Number of cases involving international bodies	87	50 (116)	80	●	Monthly report
Number of JITs involving third countries	53	65	83	●	Monthly report
Number of new third countries appointing a Eurojust contact point	6	2	8	●	Quarterly report
Number of new or revised cooperation instruments with third countries and international organisations in line with Eurojust's cooperation strategy	2	2	1	● <sup>21</sup>	Quarterly report

<sup>21</sup> Since the EJR became applicable, Eurojust is not in a position to negotiate its own cooperation agreements anymore and depends on the Commission to first conclude international agreements with the 13 third countries included in the four year strategy. The Commission has only recently started the first steps towards the negotiation with these third countries, and therefore Eurojust was unable to conclude any agreements.

## 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*

<b>SAA</b>	<b>2(a) Contribute to the EU internal security strategy and to measures concerning judicial cooperation in criminal matters</b>
<b>KPI</b>	<b>Number of Eurojust contributions to COSI documents</b>
Source of data	Eurojust registry of contributions to COSI requests
Baseline 2017	4 contributions (10% of requests)
Target 2019-2021	24 during the period 2019-2021
2019 result	5
2020 result	16
2021 result	18
Result 2019-2021	39
Assessment	Exceeded

<b>SAA</b>	<b>2(b) Reinforce strategic cooperation with key partners</b>
<b>KPI</b>	<b>Timely implementation of the agreed actions stemming from the regular meetings with strategic partners (Europol, EPPO, FRONTEX)</b>
Source of data	% of the actions implemented by Eurojust
Baseline 2017	N/A
Target 2019-2021	All actions implemented within agreed deadlines
2019 results	Europol: 81%, FRONTEX: N/A, EPPO: N/A
2020 result	Europol: 50%, FRONTEX: N/A, EPPO: 100%
2021 result	Not measurable <sup>22</sup>
Result 2019-2021	Not measurable
Assessment	Not applicable

### Annual Activity 2.1 - Provide advice and feedback to policy developments related to common internal security

#### 2.1.1 Enhance the judicial cooperation element in the EU policy cycle based on Eurojust's expertise in casework

In 2021, Eurojust continued to regularly participate to EU bodies' working parties and expert groups, making in total 30 official contributions. This consistent participation enhanced Eurojust's visibility and its important role of Eurojust in the security of the EU. In particular:

##### *COSI meetings*

Eurojust continued its dedication to the activities of COSI by better promoting the Agency and its capabilities and positioning Eurojust in the JHA arena, as well as by underlining the judicial component in the security chain, and taking an active part in a large number of documents (soft legislation) published by the Council.

In 2021, Eurojust attended 18 COSI-related meetings. The main topics discussed, in which Eurojust took an active role, included: the impact of the COVID-19 crisis on internal security and judicial cooperation in criminal matters, investigating and prosecuting COVID-19 related frauds, challenges to judicial cooperation posed by encryption and artificial intelligence, asset recovery

<sup>22</sup> In 2021, it became clear that it was no longer possible to measure - in a cost-effective way - the progress of this KPI. This is due to the increasing number of actors involved in the respective discussions/actions and the lack of a central monitoring system/process covering agreed actions with all strategic partners.

and financial investigations, the JHA Innovation Hub, and the JHA Agencies Network. The final report of JHA network activities in 2020 was endorsed by COSI in 2021, including the report coordinated by Eurojust on the role and activities of the JHA Agencies in protecting victims of human trafficking.

### ***COPEN meetings***

- Presentation of the *Note on Judicial Cooperation in Criminal Matters between the EU and the UK*;
- Compilation on the *Requirements for Issuing and Executing Judicial Authorities in EAW Proceedings* pursuant to the CJEU's Case-Law;
- Presentation of the update of the *Eurojust Overview of Case Law by the CJEU* on the EAW;
- Input on recent developments in the CJEU's case-law;
- Presentation of the *Report on The Impact of COVID-19 on Judicial Cooperation in Criminal Matters - Analysis of Eurojust's Casework*;
- Presentation of the *Report on Eurojust's Casework in the field of the EAW*;
- Presentation of the *Report on Eurojust Written Recommendations on Jurisdiction and follow-up at the national level*;
- Contribution on *CJEU judgment in Gavanozov II*;
- Presentation of updated Eurojust Overviews on the CJEU's case-law on the EAW and on the ne bis in idem principle, as well as the updated Joint Eurojust/EJN Compilation on the requirements for issuing and executing authorities in EAW proceedings under the CJEU's case-law; and,
- Presentation of the *Report on Eurojust's Casework on Environmental Crime*.

### ***Working Party on Terrorism meetings***

- Presentation of the 2019 Eurojust Report on Counter-Terrorism; and,
- Presentation of the Eurojust Memorandum on Battlefield evidence.

In April 2021, at the request of DG HOME, Eurojust provided a contribution to the evaluation of the Directive (EU) 2017/541 on combating terrorism. In September, Eurojust participated in an interview in the framework of a study on the necessity and feasibility of setting up of an EU Coordination Centre for Victims of Terrorism, accredited by DG JUST. In December, Eurojust participated in an interview in the framework of the *study Counterterrorism policies, measures and tools in the EU* carried out at the request of the European Parliament's Committee on Civil Liberties, Justice and Home Affairs.

In July 2021, Eurojust contributed to the [European Parliament's study on Impact of Organised Crime on the EU's financial Interests](#).

### ***EMPACT***

In 2021, Eurojust worked with national authorities and Europol to prepare the Agency contribution to the 2022-2025 EMPACT cycle, ensuring that the judicial dimension is fully represented in EMPACT operational actions. At the end of 2020, the Council tasked Eurojust and the EJN, with Europol's assistance, to deliver a communication campaign specifically addressing national judicial actors to raise awareness of the EU Policy Cycle/EMPACT and emphasise possible synergies/cooperation areas and examples of cooperation between law enforcement and prosecutors. This campaign, under the title *Prosecuting with EMPACT*, reached hundreds of prosecutors in the EU. Eurojust National Members participated in and organised several events,

during which they informed the judiciary from their countries about EMPACT and the possibilities for participation. Eurojust prepared a standard communication package to support these events and published [EMPACT-related information on the Eurojust website](#). Further actions included a presentation to the Eurojust College in June, and in the 57<sup>th</sup> plenary meeting of the EJN in October 2021.

On 8 September 2021, Eurojust hosted a [webinar with the title 'Prosecuting with EMPACT'](#). Four presenters from Eurojust, Europol and the European Commission took the floor to show various aspects of EMPACT and possibilities for prosecutors to work with the framework, including a specific Eurojust EMPACT case and the future plans for EMPACT. Overall, the campaign reached hundreds of prosecutors and judicial experts within a short period of time and laid the foundation for their informed participation in the next policy cycle.

Indicators	2019 result (baseline)	Target	2021 result	Progress	Source of data
Number of official contributions provided to EU bodies' working parties and expert groups (COSI, CATS, COPEN)	15	15	30		Quarterly KPI Report

## Annual Activity 2.2 - Improve alignment in cooperation with key partners

### 2.2.1 Increase synergies with EU Institutions and relevant JHA Agencies and bodies

In the course of 2021, Eurojust and **OLAF** continued enhancing their cooperation, also in light of the start of operations of the EPPO. Discussions regarding the possibility to conclude a new working arrangement have been initiated and meetings of the respective liaison teams continued throughout the year. Moreover, following the seminar Eurojust organised for OLAF investigators in 2020, OLAF led a similar seminar in 2021. It focused on operational matters, by providing a better understanding of OLAF's activities and the type of support it can provide to Eurojust cases. During the training, OLAF presented real case studies, its data analysis methods and its new Regulation, giving Eurojust an opportunity to discuss the future cooperation in the new legal and institutional PIF landscape.

Cooperation with **eu-LISA** was given special attention in the course of 2021, especially in the context of the many ongoing EU projects linked to the Digitalisation of Justice systems. Following a high level meeting between the President of Eurojust and the Director of eu-LISA, the Agencies met several times at working level to agree on all relevant areas of cooperation. As a result, a [Cooperation Plan 2021-2023](#) implementing the 2017 MoU between Eurojust and eu-LISA was concluded in October 2021. The plan outlines detailed practical modalities of mutual support between the two Agencies in several areas, including particularly access for Eurojust to eu-LISA's new large-scale IT system **ECRIS-TCN**, as well as the interoperability architecture that will strengthen the JHA domain. The plan also covers, amongst others, future cooperation in the context of the Digital Criminal Justice initiative and e-CODEX, a cross-border judicial tool. A questionnaire was circulated to the Eurojust National Desks, which will assist in creating a future workflow on the implementation of ECRIS-TCN, and in clarifying the resources required to implement it.

Eurojust participated in a meeting of the **CEPOL's** Knowledge Centre on Counter Terrorism in April 2021. Eurojust facilitated the sharing of CEPOL's questionnaire to analyse training needs in the area of counter-terrorism with the national correspondents for Eurojust for terrorism matters.

Eurojust continued being an active member of the **JHA Agencies network**, participating in several meetings and activities. In 2021, the JHA Agencies focused on two strategic topics: *JHA Turning Green* with an additional focus on *Digitalisation* as one of its important components. Furthermore, in 2021 the JHA Agencies Network continued the work on the priority topic of the "Assessment of the JHAAN", and Eurojust had the lead in finalising the 2020 Eurojust Presidency thematic priority on the protection of victims of human trafficking. Deliverables include the final Report on the JHA Agencies' Network activities in 2021 and an overview of the various cooperation initiatives among the Agencies. In addition, the Agencies signed one statement on the EU Green Deal and prepared a contribution to the Conference on the Future of Europe.

The network updated existing tools and published the joint paper [Environmental Crime - Actions taken by EU JHA Agencies](#), outlining all operational and strategic work JHA Agencies are doing in the crime area, the joint report on the [Identification and protection of victims of human trafficking](#) and the assessment report of the JHA Agencies Network covering the period 2010-2021.

Indicators	2019 result (baseline)	Target	2021 result	Progress	Source of data
Number of new or revised cooperation instruments with EU and JHA Agencies and bodies	0	2	3	●	Quarterly KPI Report
Number of shared initiatives with other Agencies in the framework of the JHA Agencies' network	29	25	30	●	Quarterly KPI Report

### 2.2.2. Further stimulate and explore the strategic involvement of the existing networks

#### *Consultative Forum*

Following the cancellation of the 2020 meeting of the Consultative Forum due to the COVID-19 pandemic, Prosecutors General and directors of public prosecutions from the EU met at Eurojust, on 14-15 October 2021 for their **15<sup>th</sup> Consultative Forum meeting**. The meeting took place in a hybrid format; 19 delegations attended in person, and seven via video conference. The Digitalisation of Justice and cooperation with the EPPO were the main themes, with the participation of European Chief Prosecutor Ms Laura Kövesi who addressed the Forum. Moreover, one session was devoted to the evaluation of the Consultative Forum, ten years after its establishment. An evaluation report is currently being finalised and follow up actions will be implemented in the course of 2022.

Eurojust supported and enhanced its operational and strategic cooperation with the EJNI, the JIT network, the Genocide network and the EJCNI, whose secretariat or support function Eurojust already hosts and ensured full operational continuity in their work in spite of the continuous effects of the COVID-19 crisis.

### ***Genocide Network***

Core international crimes committed in Syria since 2011 and the work done by the EU to ensure accountability was the main theme of the [2021 edition of the EU Day against Impunity](#) organised online. A video providing perspectives of Syrian victims and the civil society, prosecutors, national authorities and representatives of EU bodies and Agencies was launched via Eurojust's YouTube channel. Each speaker shortly presented challenges and successes of current and future trials in national courts, addressed victims' expectations, and explained why justice matters. The event gathered high attention and resulted in significant external outreach.

The **29<sup>th</sup> Genocide Network plenary meeting** was once again organised online with over 180 participants. The meeting focused on accountability for core international crimes committed in Syria and specifically the use of chemical weapons.

The **30<sup>th</sup> Genocide Network plenary meeting** took place in a hybrid format, with about 60 participants attending in person at Eurojust premises and about 100 additional participants joining online. The open session of the meeting focused on the cooperation of national authorities with the International Criminal Court (ICC) and United Nations investigative mechanisms (UNITAD, IIM and IIMM).

### ***European Judicial Network***

The **EJN** holds three plenary meetings per year to allow the EJN contact points to get to know each other and share experiences, particularly concerning the operation of the network and to provide a forum for discussion of practical and legal problems encountered by the Member States in the context of judicial cooperation.

The **42<sup>nd</sup> Regular meeting** of the EJN under the Portuguese Presidency was held online. The discussions focused on the application of the Regulation for Freezing and Confiscation and the consequences of the Petruhhin doctrine.

The **46<sup>th</sup> Plenary meeting** of the EJN took place online with discussions on the EAW, legislative needs for the gathering of e-Evidence and exchange of experiences on freezing and confiscation of assets under the new Regulation.

The **47<sup>th</sup> Plenary Meeting** of the EJN under the Slovenian Presidency was held in Ljubljana in October 2021. This meeting provided the opportunity for the EJN to explore the cooperation with the EJN contact points in the Western Balkan region. Additionally, the EJN discussed the developments of videoconferences in the judicial proceedings.

Other online events took place to continue facilitating judicial cooperation in criminal matters with particular focus on topics related to e-Evidence, impact of the CJEU case law and on cooperation with other judicial networks around the world.

### ***Joint Investigation Teams Network***

Eurojust continued its support to the organisation and outcome reports of the **17<sup>th</sup> Annual Meeting of the JITs Network**. This was the first hybrid annual meeting of the JITs Network, with the majority of the JIT National Experts present in The Hague and other Network stakeholders connected via videoconference. The meeting was coordinated and chaired by the JIT Network Secretariat, and supported by Eurojust and Europol. The focus was on *Securing the EU Beyond its Borders: JITs with third countries. New trends, challenges and opportunities*. JIT National Experts recognised the increasing importance of JITs with third countries and exchanged views on new trends, challenges and opportunities in this field. Eurojust gave an overview of its tools to support JITs with third countries. During the meeting, the JIT National Experts adopted the updated JIT Practical Guide, which has been changed to reflect the changes in the relevant legal framework and the operational experience of JIT practitioners in the past years. Eurojust contributed to the

update of the Guide by revising the text on Eurojust's support to JITs and by providing input to other relevant chapters.

The JITs Network Secretariat coordinated the revision of Appendix I to the JITs Model Agreement regulating the participation in the JITs by other participants, including Eurojust, Europol and OLAF. Eurojust revised the part of Appendix I specifically dedicated to the participation of Eurojust in JITs in accordance with the applicable legal framework. The Appendix I and the consolidated version of JIT Model Agreement were published in the Official Journal and on the Eurojust webpage in all EU official languages, allowing practitioners to directly use editable templates when preparing their JIT agreement.

### **European Judicial Cybercrime Network**

Eurojust continued its support to the **EJCN**, including the organisation of plenary meetings. During 2021, the EJCN held two Plenary Meetings with the participation of expert practitioners from Member States, Norway, Serbia and Switzerland and representatives of the EJC, Europol, Commission, Council of the EU, CEPOL, ECTEG and EU funded projects (EU CyberNet, LOCARD).

At its **10th Plenary Meeting** in June 2021, the EJCN presented its new Virtual Currency Guide for Judicial Authorities. During the Plenary meeting, practitioners discussed the topic of Cybercrime as a service and possible strategies to support victims in complex cybercrime cases.

During the **11th Plenary Meeting** in December 2021, the EJCN discussed the topic of Ransomware, in particular regarding the healthcare sector, mapping the judicial perspective of Ransomware in the EU, Norway and Switzerland. Challenges and best practices for cooperating with the private sector in relation to cyber-attacks were also discussed.

Indicators	2019 result (baseline)	Target	2021 result	Progress	Source of data
Level of satisfaction of Consultative Forum participants (1-5)	N/A	(≥) 3.2 (4) <sup>23</sup>	3.75	●	Survey
Number of Eurojust/EJN Network Secretariat joint products	3	3	6	●	Quarterly report
Number of Eurojust/JIT Network Secretariat joint products	1	2	1	● <sup>24</sup>	Quarterly report
Number of Eurojust/Genocide Network Secretariat joint products	3	2	3	●	Quarterly report
Number of JIT evaluations submitted to Eurojust	69	70	48	● <sup>25</sup>	Quarterly report

<sup>23</sup> The initial target was set to 4 out of 5 (80%), wrongly assuming a scale of 1-5 in the feedback forms. Since the actual scale was 1-4, the target was rescaled to 3.2 out of 4 (also 80%).

<sup>24</sup> The result includes the Eurojust contribution to the JIT Practical Guide. The other planned product (Guidelines on JITs with involvement of third States) was postponed to Q2 2022, due to external factors outside Eurojust's control.

<sup>25</sup> This KPI was not achieved, mainly because COVID-19 resulted in less evaluation meetings organised.

## Multi-annual strategic objective 3: Organisational development

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

SAA	3(a) Ensure effective organisational structure and processes
KPI	<b>Increase ratio of staff working on operational versus administration and support activities</b>
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	3.3 % increase of the resources devoted to operational activities Operational: 69.5%, Non-operational: 30.5% (Administrative support and coordination: 23.1%, Neutral: 7.4%)
2020 result	3.6 % increase of the resources devoted to operational activities Operational: 69.8%, Non-operational: 30.2% (Administrative support and coordination: 24%, Neutral: 6.2%)
2021 result	4% increase of the resources devoted to operational activities Operational: 70.2%, Non-operational: 29.8% (Administrative support and coordination: 23.7%, Neutral: 6.1%)
Result 2019-2021	3.6% increase of the resources devoted to operational activities
Assessment	Exceeded

SAA	3(b) Ensure excellent communication capacities
KPI	<b>Strategic Eurojust messages taken up by the main media outlets (on-line, print, AV channels)</b>
Source of data	Media monitoring/analysis of coverage
Baseline 2018 <sup>26</sup>	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 (44 400)
2020 result	4% increase (27 829)
2021 result	74% increase (46 698)
Result 2019-2021	48%
Assessment	Exceeded

### Annual Activity 3.1 - Improve Eurojust's organisational efficiency and ensure the smooth implementation of the Regulation on Eurojust, as well as relations with the EPPO

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

##### *Implementation of the Eurojust Regulation (EJR)*

The work initiated in 2020 concerning the establishment of new workflows between the College and the Executive Board and the revision of relevant College Decisions and internal workflows continued throughout 2021 and culminated in the adoption of two Decisions:

- *College Decision 2021-03 of 15 June 2021* adopting a workflow for the submission, revision and adoption of documents at Eurojust; and,

<sup>26</sup>2018 baseline used in absence of data in 2017.

- *College Decision 2021-04 of 15 June 2021* on Working Groups (previously called College Sub-structures), including revised mandates for all College Working Groups.

Additionally, discussions on two additional workflows were finalised in 2021, and led to the adoption of two new College Decisions in February 2022, namely:

- *College Decision 2022-02 of 22 February 2022* adopting a workflow on requests for support to external projects and studies; and,
- *College Decision 2022-03 of 22 February 2022* adopting a policy on Eurojust's contributions to stakeholders.

With the adoption of these last two decisions, the work of the Extended Working Group on the rules of procedures was finalised together with the *EJR Project*, which was closed at the end of 2021 following the implementation of most of the pending administrative changes following the application of the EJR.

### **Revision of the EJR**

In December 2021, the Commission presented a package of legislative initiatives on *Security and Justice in the Digital World* that includes a targeted revision of the EJR. The proposed amendments focus on the CTR, Eurojust's data processing environment and the Liaison Prosecutors' access to the CMS. A separate but linked proposal, is the proposal for a Regulation establishing a JITs Collaboration Platform.

In the framework of the Commission's preparatory work on the legislative proposal to amend the EJR, DG JUST shared with Eurojust a Discussion Note to gather the views and experiences of Eurojust as one of the main stakeholders concerned. In May 2021, a project team was set up to follow up on this reform, and in June the College approved the lines to take on Eurojust's position to the Commission's Discussion Note on the reform, which were largely reflected in the Commission's final proposal.

### **Cooperation with the EDPS**

In October 2021, a team from the EDPS performed an audit of Eurojust for the first time. The main topics of the inspection were transfers of operational data to third countries without a cooperation agreement, processing of personal data in the CMS by Liaison Prosecutors and the CTR. Technical discussions took place in parallel as to the IT infrastructure, security and ICT security. The inspection report had not been issued at the time of drafting of this report.

Indicators	2019 result (baseline)	Target	2021 result	Progress	Source of data
Percentage of implemented actions agreed in working arrangements with the EPPO	N/A	50	67		Quarterly report
Percentage of implemented actions required for the EJR	40	85	80	 <sup>27</sup>	Quarterly report
Percentage of EDPS recommendations implemented	N/A	85	33	 <sup>28</sup>	Quarterly report

<sup>27</sup> The result reflects implementation of 8 out of 10 actions foreseen in the EJR priorities action plan. From the other two actions, one was deprioritised and one is dependent on activities that were not finalised by the end of 2021.

<sup>28</sup> At the end of 2021, all pending recommendations related to data breach cases concerning the secure transmission of operational personal data (e.g. encryption) and their implementation depended on a College decision for which the process had not been finalised by the end of 2021.

### **3.1.2. Further improve Eurojust's organisational efficiency and flexibility to meet operational needs**

#### ***MAS 2022-2024***

On 12 October, the College approved Eurojust's [Multi-Annual Strategy for 2022-2024](#). The MAS defines Eurojust's mission and vision for the period ahead and sets out five high-level objectives for future work. Each of these strategic objectives is divided into action areas and linked to KPIs.

#### ***ICT developments***

Next to operating, cyber security and maintenance activities, several ICT projects were initiated in 2021, to better support the internal processes of the organisation and achieve administrative efficiencies. These projects include: e-signature, Cisco Meeting App, mobile device replacement, remedy implementation, library management system, WebEx Globe keeper and Teams roll out, email naming convention, E-recruitment tool, EJMAP tool (processing of missions) and EJART tool (resources planning) enhancements. In addition, Eurojust initiated a project to increase the number of available interpretation languages and enhance the users' experience when joining a Eurojust videoconference with more modern functionalities.

The expansion of the video conferencing solution enabled additional options for the exchange of information with national authorities, as physical CMs were still affected by the COVID-19 crisis. In total, Eurojust held 378 CMs via video conference, as opposed to 242 in 2020.

#### ***Activity Based Management***

Eurojust worked on further enhancing its ABB/ABC/ABM processes and tools through targeted improvements of its planning tool, taking steps to introduce an activity recording tool, further simplifying its budget structure, further improving the KPI reporting processes and continuing to move from output to result KPIs.

#### ***Evaluation of the 2019 reorganisation***

In 2021, Eurojust initiated the evaluation of the 2019 organisational restructuring, based on KPIs set prior to its implementation and on interviews with key staff responsible for the affected services and processes. Eurojust will use the results of the evaluation to further refine its structure and ensure it still serves the organisational goals in an effective and efficient way.

#### ***Staff engagement survey***

The *Eurojust Staff Engagement Survey 2021* was administered to 224 staff members between 15 and 29 March 2021. In total, 181 responses were received (81% response rate) which represents a very good result and is above the average of other EU Agencies. Temporary and contract agents that had been employed for at least 3 months before the launch date were included in the survey. The results provided meaningful insights to Eurojust regarding staff engagement.

Following the survey results, an action plan was proposed by a working group with participation from staff, the HR Unit and the Staff Committee. The action plan was endorsed by senior management and implementation started immediately and will continue throughout 2022.

#### ***Diversity and Inclusion (D&I)***

Eurojust strives to be an inclusive and diverse workplace and places strong emphasis on raising awareness of these values. Following the signing of the [Joint Statement of the Heads of Justice and Home Affairs Agencies on D&I](#), Eurojust took on the mission of recognising diversity amongst its staff and the importance of ensuring the well-being of every colleague.

To this end, Eurojust's management team adopted the *Eurojust's D&I Programme strategy* as a first step toward a more D&I-focused workplace. Subsequently, internal & public sites providing D&I-related information to staff and jobseekers were launched. Eurojust is poised to be a leader

in the D&I field amongst EU Agencies, and is co-chairing the EUAN Working Group on D&I. Under this Working Group, Eurojust launched an EU-wide D&I survey which saw 40+ Agencies/Joint Undertakings providing feedback regarding the D&I landscape in their respective workplaces. Following the survey, Eurojust carried out an analysis of the results, which was presented to the EUAN together with an action-plan proposal. Eurojust has also formed an informal D&I partnership with Netherlands-based Agencies (EMA and Europol) to share best practices and launch activities.

Indicators	2019 result (baseline)	Target	2021 result	Progress	Source of data
Percentage of ICT projects initiated based on a business case or cost-benefit analysis	N/A	100	100	●	Quarterly report
Percentage of ICF principles present and functioning	N/A	100	100	●	Quarterly report
Percentage of ICF baseline requirements implemented	N/A	70	99.98	●	Quarterly report
Percentage of staff satisfaction	N/A	60	58	● <sup>29</sup>	Survey
Percentage of timely implemented actions planned for 2021 to follow up on staff satisfaction survey results	N/A	90	100	●	Quarterly report

### Annual Activity 3.2 - Efficiently use communication capabilities to support operational and strategic goals

#### 3.2.1. Effectively communicate Eurojust's successes and added value to stakeholders

The **External Communication Action Plan 2020** was based on the Eurojust Strategy on External Communication and focused on five target audiences that are important to achieve Eurojust's strategic objectives: (i) EU policy makers, (ii) judicial practitioners, (iii) the local community in the City of Peace and Justice, (iv) potential recruits and (v) the general public. As other activity areas, the external communication plans were heavily impacted by the COVID-19 crisis, prioritising certain actions and making several plans impossible in their original form. The type of activities planned for 2020 were carried forward/continued also in 2021. In particular:

- Throughout 2021, Eurojust remained active across three social media platforms (Twitter, LinkedIn and YouTube). On Twitter, this resulted in 387 tweets, 1 680 000 impressions, 117 247 profile visits, 7 734 mentions and 2 594 new followers. The result for LinkedIn was 108 posts, 1 761 940 impressions, 31 173 profile visits, 9 470 reactions and 8 099 new followers. On YouTube, 43 new videos were published in 2021. Eurojust's 77 published videos had 264 185 impressions, 32 124 views and a watch time of 1 667 hours. In addition, Eurojust continued to update and improve its public website.
- Eurojust pursued distributing information to the general public via the distribution of press releases and news items. These actions resulted in over 15 000 direct mentions in

<sup>29</sup> In addition to 58% positive answers, 21% of answers were neutral, where Eurojust is making efforts to achieve a positive shift by the next survey.

online media. Eurojust also increased the number of direct contacts with media and interview requests.

- With the COVID-19 pandemic severely limiting the possibility for in-person events, Eurojust created or participated in online events for the public. The second **Eurojust Virtual Open Day** was held in October 2021, with 353 people from 40 countries and 54 nationalities signing up. After the live event, the recordings were made available on Eurojust's YouTube channel and embedded into a dedicated page on [the Eurojust website](#).
- Other relevant public events in which Eurojust participated were the *Feel at Home Fair* in The Hague in March and the online edition of the *Europe Day* in Brussels in May, where Eurojust was present with a 3D stand in the virtual building of the Commission.

The continuous impact of the COVID-19 crisis affected for a second year the implementation of **Eurojust's outreach strategy**, which aims to promote the work of Eurojust to the Member States. From the 80 planned study visits, allowing practitioners from the Member States to come to Eurojust to gain practical knowledge on its functioning, only seven were organised. The National Desks were able to organise only one of the six planned national workshops in 2021, to explain Eurojust's services and supporting role to national authorities and promote its tasks, responsibilities and added value.

On the other hand, the uninterrupted presence of the **Eurojust Liaison Officer in Brussels** continued to play an important role in strengthening partnerships and sharing of information with key actors in the EU internal security chain, including relevant partners in the European Commission, preparatory bodies in the Council of the EU, the LIBE Committee and JHA Agencies.

Indicators	2019 result (baseline)	Target	2021 result	Progress	Source of data
Number of visits to Eurojust website	N/A	300 000	266 043	<span style="color: red;">●</span> <sup>30</sup>	Web statistics
Number of media mentions of Eurojust (including social media)	44 400	30 000 (53 700)	46 698	<span style="color: blue;">●</span>	Quarterly Report
Number of outreach products delivered to target audiences	176	180	609	<span style="color: blue;">●</span>	Quarterly Report

### 3.2.2. Ensure organisational knowledge use, distribution and retention

In 2021, Eurojust published 42 public and 15 limited distribution reports, guidelines and meeting outcomes. These outputs were published on Eurojust's website, promoted through Eurojust's social media channels and distributed, as appropriate, to national authorities and EU partners.

Eurojust also published four editions of its quarterly Newsletter. With more than 1 000 subscribers, this channel provided a prime opportunity to successfully reach the Agency's key target groups (practitioners working in national authorities and EU policymakers) and keep them informed about the latest news, cases and publications, as well as other relevant topics and upcoming events at Eurojust. The newsletter was migrated to a new platform in 2021.

<sup>30</sup> Although the initial target was set without enough baseline data (as the new website went live only in 2020), 89% of it was met.

In 2021, Eurojust published its Annual Report in a 'digital-first' format for the first time. This online format allowed readers to engage with Eurojust's results and achievements interactively through responsive maps, charts and videos. The publication day also included a media briefing. In the spring of 2021, a dedicated social media campaign to present Eurojust's results based on the Annual Report 2020 was planned and rolled out, divided into specific categories and priorities, messages and content types.

Eurojust continued to maintain its internal **Knowledge Management Interface** database in 2021, adding over 900 new items.

Indicators	2019 result (baseline)	Target	2021 result	Progress	Source of Data
Number of consultations of knowledge management tools	1 763	1 900	1 937		Quarterly Report
Percentage of post-holders satisfied with internal communication	51	65	47	 <sup>31</sup>	Survey

<sup>31</sup> This result is as per the 2021 staff engagement survey. In June 2021, Eurojust put in place an action plan to address specific survey findings.

## Horizontal Objective: Provide effective and efficient recurring administrative services

To provide its core operational services, Eurojust has to carry out in a smooth manner a number of horizontal actions on a day-to-day basis. These include recurring administrative services related to infrastructure, facilities, management duties and other cross-cutting support functions.

Eurojust continued its efforts to provide excellent support services to support the operational work. The Agency enhanced its horizontal support to a growing number of external projects including the EuroMed Justice programme, the SIRIUS project and the EUIPO enhanced cooperation actions, through a number of concrete steps such as setting up a chargeback mechanism for other eligible expenses/standard costs in projects and creating a new guide for EuroMed external participants tailored to the stakeholders' needs.

Eurojust continued strengthening its data protection compliance. In line with the recommendations of the EDPS, a Register of Processing Activities was created on the Eurojust website in accordance with Article 57 of EJR. At the end of 2021, [82 records of processing activities](#) had been published on the Eurojust website. Throughout the year, three administrative and three operational requests for access to personal data were received and handled by the DPO.

Indicators	2019 result (baseline)	Target	2021 result	Progress	Source of Data
Delay in submission of draft programming document	0	0	10 days	● <sup>32</sup>	Quarterly report
Percentage of AWP KPIs achieved	71	70 (80)	65	● <sup>33</sup>	Quarterly report
Percentage of budget implementation	99.88	95	99.97	●	Quarterly report
Rate of outturn	99.88	95	99.7	●	Annual report
Percentage of cancellation of payment appropriations	0.62	(≤) 5	0.6	●	Annual report
Percentage of payments executed within legal deadlines	81.9	95	86.1	● <sup>34</sup>	Quarterly report

<sup>32</sup> Eurojust submitted its draft SPD 2022-2024 on 10 Feb 2021, i.e. 10 days after the statutory deadline of 31 January. In agreement with DG JUST, this delay was unavoidable due to the delayed communication of the Commission instructions for the Budget Circular 2022, following the late agreement on the MFF 2021-2027 in December 2020.

<sup>33</sup> Despite the in-year target revision, this KPI was not achieved, mainly due to the COVID-19 impact on the demand for Eurojust's operational services.

The result is calculated by dividing the total number of KPIs already met and/or exceeded, over the total number of 2021 KPIs after deducting this specific KPI and all those not applicable for monitoring in 2021 (i.e. not measurable, relevant or possible to assess).

<sup>34</sup> Eurojust increased significantly the payments executed within legal deadlines (82% within deadlines in 2020), without though meeting the 2021 target.

Number of audit findings related to reliability of annual accounts	0	(≤) 1	0		Annual report
Percentage of timely implemented actions planned for 2021 to address IAS recommendations and ECA observations	80	80	80		Quarterly report
Number of complaints under Article 90(2) of the Staff Regulations	2	(≤) 5	9	 <sup>35</sup>	Quarterly report
Vacancy rate	1.9	(≤) 2	1		Quarterly report

<sup>35</sup> The results include complaints received from internal and external parties, which are to a high extent outside Eurojust's control.

## Part II. (a) Management

### 2.1 Management Board

Throughout 2021, Management Board meetings were held through videoconference, at the same frequency as before the pandemic. Noteworthy decisions adopted were the updated rules on SNEs, rules implementing Regulation (EC) No 1049/2001 on public access to documents at Eurojust, the delegation of AIPN powers to the AD, the adoption of the charter of tasks and responsibilities of Eurojust's authorising officer, the setting up of a Complaints Committee, the workflow for the submission, revision and adoption of documents at Eurojust, the policy on external representation and the College Decision on Working Groups.

### 2.2 Major developments

#### *COVID-19 response*

In 2021, the COVID-19 crisis continued having a cross-cutting effect on Eurojust's operations. Eurojust's Business Continuity Team (BCT) continued to meet weekly to ensure any impact on Eurojust's work was addressed proactively and that the various organisational entities were debriefed on measures taken. The main issues discussed in 2021 were:

- Protective measures for staff working in the premises (e.g. masks, sanitisers, provision of self-tests to post holders etc.);
- Organising meetings with external visitors in a safe manner;
- Supporting staff in both personal as well as professional situations;
- Streamlining the implementation of tools required to support working from home;
- Monitoring the developments of the pandemic including implementation of the recommendations of the host state; and,
- Continuous communication with the host state regarding the special (travel) entitlements of Eurojust's post-holders.

Staff were teleworking for the majority of 2021. Eurojust moved to a 50% office presence from October 2021, however, rising case numbers in the Netherlands and the subsequent measures taken by the host state, forced Eurojust staff to continue teleworking as of November.

Throughout the year, a number of activities and initiatives were undertaken to assist post-holders in dealing with the COVID-19 pandemic. In particular:

- Financial support to lower graded staff for the purchase of ergonomic equipment;
- Provision of standard workspace equipment (screen, keyboard, mouse, web cam, headset and USB hub) to those post-holders that requested it;
- Online trainings;
- Online all staff meetings; and,
- Workshops organised with all teams to help them adapt to the volatile work situation and prepare them for the eventual return to the office.

The agency continued to closely monitor the impact of COVID-19 on the 2021 budget and AWP implementation and took some corrective actions in this respect such as budget transfers and an in-year revision of KPI targets for areas that continued to be impacted by COVID-19.

#### *MFF 2021-2027*

Even though the initial MFF 2021-2027 programming reinforced Eurojust's budget envelope, it did not include any increase of posts. While in 2021 the COVID-19 crisis continued opening some cost saving opportunities, the human resource constraints persisted. Eurojust has tried to

overcome its ever-growing human resource constraints and to continue its operations primarily through identifying efficiency gains and negative priorities and secondly through requesting resource reinforcements in excess of the MFF programming.

In the context of its strategy for efficiency gains (see Section 2.6), Eurojust has taken a number of initiatives to achieve a more efficient and effective use of its financial and human resources and accommodate the operational work growth. In 2021, Eurojust focused its annual audit of activities and related human resources on identifying the resource gaps linked to current and future activities. This audit highlighted that, despite the continuous efficiency efforts, the current level of FTE resources is not able to absorb neither new tasks and nor the expected growth in existing tasks during the MFF period. With its caseload ratio of staff/SNEs almost tripled from 2014 to 2021, the Agency has effectively reached the limits of efficiency gains. While it continues to seek for further efficiency gains across the organisation, these gains can only compensate for minor workload increases and temporary absences of staff.

Consequently, on annual basis, Eurojust has inevitably requested and lobbied for increases in its human and financial resources in excess of the initial MFF programming while still applying negative priorities to remain within the budget and establishment plan limits approved by the budgetary authority.

In recognition of these resource constraints, during the first two years of the current MFF period, the Commission and/or the budgetary authority already approved a total deviation of EUR 10.2 M from the initial MFF programming. This is primarily due to the transfer of EUR 9.5 M for Eurojust to commence its new CMS development as of 2021 and the additional posts granted in the 2022 budgetary process.

### 2.3 Budgetary and financial management

Eurojust's 2021 budget was voted in the amount of EUR 43.8 M, EUR 1.3 M less than Eurojust's request and actual needs, primarily concerning human resources. Consequently, the Agency assigned negative priorities to a number of activities of the 2021 AWP and further mitigated the staffing gap by recruiting additional contract staff using Denmark's yearly contribution.

Notwithstanding this, the COVID-19 pandemic continued to have a cross-cutting impact on the Agency's operations and expenditures in 2021. More specifically, COVID-19 restrictions continued to impact budget implementation due to a lower demand for Eurojust operational services (primarily JIT grants, CMs and Eurojust meetings, translations and missions) and the continuing use of new service modalities (e.g. virtual meetings). Through extensive net transfers of EUR 4.7 M (compared to EUR 5.1 M in 2020), these surpluses enabled Eurojust to invest in its ICT and physical infrastructure, to further upgrade it and better support the remote working arrangements, as well as in preparatory activities for implementing its new CMS.

During Q4 2021, to kick-start the new CMS implementation, the Commission transferred to Eurojust an additional amount of EUR 9.5 M in commitment appropriations and included further related funds under its new legislative proposal for revising the EJR. Therefore, through two amending budget processes, Eurojust's final budget for 2021 increased to EUR 53.3 M.

The Agency implemented 99.97% of this final budget, excluding external assigned revenue, with only EUR 18 000 unused, and cancelled only 2.6% of the EUR 6.2 M carried-over from 2020.

Title	Final budget (EUR)	Committed (EUR)	Committed / final budget (%)	Paid (EUR)	Paid / committed (%)
Title 1	23 091 667	23 090 997	100.00%	22 839 274	98.91%
Title 2	9 055 606	9 054 739	99.99%	6 775 465	74.83%

Title 3	21 150 426	21 134 394	99.92%	7 431 323	35.16%
Title 4	0	0	0	0	0
<b>Total</b>	<b>53 297 699</b>	<b>53 280 130</b>	<b>99.97%</b>	<b>37 046 062</b>	<b>69.53%</b>

Due to the continuing COVID-19 uncertainty, planned transfers were phased towards the end of the year which resulted in carrying-over to 2022 EUR 7 M of payment appropriations.

Furthermore, Eurojust reduced payment times with 86.1% of payments completed within deadlines (compared to 82% in 2020), yet not achieving the initial 2021 target of 95%. With the exception of budget transfers and payment times, the Agency achieved or exceeded all its key budgetary performance indicators and thus budget reductions will not be applicable for the 2023 budget.

More information can be found in the enclosed [2021 Report on the Budgetary and Financial Management](#).

### Procurement

An overview of the 2021 procurement activities is presented below:

Overview of procurement procedures for contracts above EUR 15K		
Type of procedure applied	Number of contracts signed	Value (EUR)
Open/restricted (including inter-institutional)	51	42 249 672
Low value	0	0
Middle value	5	572 899
Negotiated Point 11 (a-g)/ 12 (a-d) of Annex I of the Financial Regulation	4	1 179 350

Contracts above EUR 15 000 concluded in 2021 from negotiated procedures referred to in point 11 (a) to (g) and point 12 (a) to (d) of Annex I of the Financial Regulation are shown below:

Title	Contractor	Annex I of the Financial Regulation	Comments	Value (EUR)
Provision of occupational health services	Zorg van de Zaak	11.1(a)		375 000
Oracle services	Oracle Belgium BVBA	11.1(b)(ii) and (iii)	Inter-institutional procedure led by DG DIGIT	100 000
Provision of legal advice and legal representation on Human Resources matters	Ashurst Europe Srl	11.1(h)		400 000
Catering services	Vermaat Bedrijfsfhoreca B.V.		Competitive dialogue based on AD exception decision	304 350
				<b>1 179 350</b>

## 2.4 Delegation & 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, based on the Financial Regulation of Eurojust and the Eurojust Internal Control Framework, is appropriate to the importance and risks of the decisions to be taken and is used as a means to gain efficiencies where the risk is assessed to be low. The delegations are made without an end date but are revoked/amended whenever there is a need. Following the establishment of more externally funded projects supported by Eurojust, the 2020 Decision was amended in 2021. The list of budget lines delegated per financial actor is published on Eurojust's intranet.

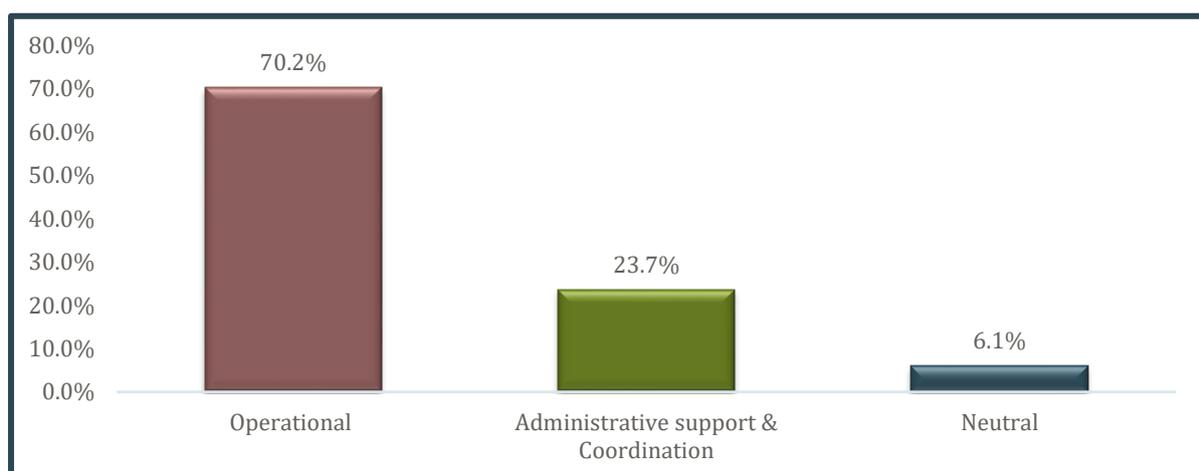
The controls are outlined in the AD decision on financial circuits and include one verification level for amounts <5 K and two verification steps (operational and financial) for amounts above. The ex-ante checks are performed according to a check list for commitments and payments available to all staff with an AOD role. In addition, Eurojust keeps a log of identified non-compliance events.

## 2.5 Human resources management<sup>36</sup>

Eurojust had 207 temporary staff posts authorised in 2021 same as in 2020. By 31 December 2021, Eurojust had filled 100% of its establishment plan, compared to 99% in 2020 resulting in an average vacancy rate of 1% throughout 2021.

Eurojust recruited 23 temporary and contract agents in 2021 through external recruitment procedures. 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 4.9 FTE throughout the year.

The increase in the percentage of staff allocated to operational roles is one of Eurojust's multi-annual KPIs. The eighth **job screening exercise** was conducted in January 2022, based on the Commission methodology. In total, 410 jobs<sup>37</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>36</sup> More information on Eurojust's staffing figures can be found in Annex IV.

<sup>37</sup>The job screening exercise includes members of the Desks (National Member, Deputy, and Assistant), Representatives, Participants, Liaison Prosecutors, Temporary and Contract staff, SNE, external consultants, interns and trainees present at Eurojust on 15 December 2021.

The jobs allocated to operational work are higher than in 2020 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 reorganisations 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 2021, Eurojust adopted the following implementing rules to the Staff Regulations:

- Executive Board Decision 2021-02 of 18 January 2021 on the application by analogy of Commission Decision C(2020) 4818 of 20 July 2020 amending Commission Decision C(2011)1278 of 3 March 2011 on the general implementing provisions for Articles 11 and 12 of Annex VIII to the Staff Regulations on the transfer of pension rights.
- Executive Board Decision 2021-11 concerning the probationary period, management trial period and the annual appraisal of the Administrative Director of Eurojust.

## 2.6 Strategy for efficiency gains

Actively seeking efficiencies by monitoring, assessing, and optimising Eurojust's services, processes and resource allocation is a key element of the MAS 2019-2021.

### **COVID-19**

The COVID-19 crisis continued opening efficiency gain opportunities. In 2021, Eurojust organised 83% of CM, all staff trainings and all selection procedures online, thus reducing significantly the related financial and human resource costs.

### **ABM**

Eurojust further enhanced its ABB/ABC/ABM processes and tools, through:

- Further streamlining its annual activity and budget planning, primarily through strengthening the link between the AWP and the unit plans of the individual organisational entities;
- Extending and improving the monitoring and reporting processes of the MAS and unit KPIs, based on the established best practices for the AWP KPIs;
- Gradually moving from KPIs measuring outputs to more advanced ones measuring results, by increasing the proportion of result KPIs from 22% in 2020 to 32% in 2021;
- Enhancing the Agency's cost accounting methodology and the efficiency of budget planning, implementation and reporting, through further simplifying the budget structure with a 21% reduction in the number of budget lines from 2021 to 2022;
- Taking steps to introduce an activity recording tool, aiming to fulfil Eurojust's reporting obligations related to the utilisation of human resources per activity in the AWP and refine human resources planning; and,
- Increasing the efficiency, data quality/integrity and usability of its ABB planning tool (EJ ART), through a number of system enhancements.

### **Categorisation and prioritisation of activities and resources**

Eurojust continued categorising its activities based on their underlying business need and prioritising them based on their level of impact on the achievement of the Agency's objectives. As a result, Eurojust was able to assign negative priorities in an informed way in its 2022 AWP. Setting negative priorities was necessary as the constant increase in Eurojust's workload in combination with a static establishment plan foreseen by the MFF 2021-2027 put an additional constraint in Eurojust's already stretched human resources.

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

Eurojust continued working on the development of new tools with the aim to increase efficiency of administrative and operational processes.

In 2021, Eurojust implemented Phase 1 of the **SYSPER** project, with the first modules of SYSPER going live in September 2021. SYSPER is the Human Resources Management Information System of the European Commission, designed to cover a broad range of HR processes. Eurojust (along with 51 other EU Agencies and Bodies) is now using SYSPER as its HR management tool, replacing its previous tool and allowing for a more streamlined and user-friendly experience. Subsequent modules, including digitalisation of personal files, will be implemented in the years to come and will yield further efficiencies and process automation.

As a pilot Agency, Eurojust supported the Commission to implement a new accounting and financial management system (**SUMMA**) to be rolled-out to the Commission and Agencies in the years to come. During 2021, Eurojust provided key user support in the different phases of the SUMMA programme implementation, from requirement analysis and specification to testing, data migration and roll out into production in 2022. The Agency also initiated a review of the related business processes.

Eurojust further enhanced its **Missions** processes and tools, through:

- Enhancing the missions management and approval tool (EJ MAP) to improve its usability and efficiency; and,
- Extending and improving Eurojust post holders' knowledge through refresher trainings and with the new Missions Toolbox, an online resource developed for post holders to access relevant information on guidelines, EJ MAP, how-to reference cards, training videos and training materials.

### ***Strategic Workforce Planning***

In 2021, Eurojust continued to expand the strategic workforce planning function to ensure optimum allocation and flexibility of Eurojust's human resources. Monthly meetings with senior management were used to address and anticipate staffing issues and a bi-annual HR Report and Dashboard ensured informed decision making.

In September 2021, Eurojust presented to the College an analysis of the number of staff and related skills needed to fulfil Eurojust's mandate and ambitions as per the MAS 2022-2024. The analysis demonstrated that a significant reinforcement of human resources is required to meet the challenges ahead linked to the Agency's sustainability<sup>38</sup>, modernisation<sup>39</sup>, cooperation<sup>40</sup> and professionalisation<sup>41</sup>. Since the new MFF does not account for any increase in staff, the growth of existing tasks and the undertaking of new activities can only be partially achieved through the redeployment of existing staff, reprioritisation of certain activities and outsourcing of tasks to the extent allowed by our budget. The analysis was supplemented with proposed interventions to address the staffing gap.

Due to the human resources constraints, coupled with an increased number of cases, Eurojust initiated a project aimed at analysing the national desk support model, assess its sustainability, explore alternative models for direct support services to the desks and propose actions to ensure

<sup>38</sup> Referring to the continuous impact of the EJRC and associated growth in workload.

<sup>39</sup> Encompassing all initiatives stemming from Commission's DoJ Communication and DCJ Study and overlapping with the new legislative initiatives expected to bring Eurojust additional tasks and resources.

<sup>40</sup> Covering the Eurojust's relationship with its partners and international network, for successfully implementing its four-year external cooperation strategy and enhancing its cooperation with existing partners.

<sup>41</sup> Covering the administrative overhead needed to support the expected workload growth, without risks of audit findings and issues of non-compliance with the Agency's legal obligations stipulated in the EJRC and the Eurojust FR.

the sustainability and efficiency of the model without compromising the operational activities of the desks. The work is currently ongoing.

### ***Zero based budgeting***

Eurojust continued to scrutinise its non-staff costs and categorise them based on whether there is a legal obligation to pay or they can be reduced through adjusting service levels and/or modalities. To this end, the Agency maintained a detailed, multi-annual overview of all specific cost elements.

### ***Shared-services***

In line with the call for Agencies to promote the use of shared services, Eurojust took the lead in the following inter-institutional procurements that were finalised in 2021:

Title	Other participating institutions	Value
Mobile telecommunication services	JRC Petten	€ 350,000

## **2.7 Assessment of audit and ex-post evaluation results during the reporting year and follow up of recommendations and action plans for audits and evaluations**

The number of audit activities for which Eurojust was required to participate in 2021 was considerably higher in comparison to previous years, confirming a trend of increasing yearly internal and performance audits and related assignments, stemming from the Internal Audit Service (IAS) and the European Court of Auditors (ECA). A summary of the main audit activities during 2021 is presented in the following sections.

### **2.7.1 Internal Audit Service (IAS)**

#### ***Limited review on the implementation of the new Internal Control Framework (ICF)***

IAS carried out a limited review of the Eurojust Internal Control Framework (ICF), adopted by the College of Eurojust on 10 December 2019. The review was carried out on 21 – 22 April 2020 and on 22 - 26 February 2021. The preliminary audit work included interviews with Eurojust post-holders and fieldwork including the submission by Eurojust of the requested documentation. The audit scope covered the definition of the internal control monitoring criteria, the identification of the internal control strengths and deficiencies and the assessment of the internal control system. The Final Audit Report was received on 7 May 2021, and contained one new Recommendation for Eurojust, namely to carry out an iCAT survey to strengthen the assessment of soft controls as part of the overall assessment of the ICF.

The Eurojust Action Plan to address this new Recommendation was submitted to IAS on 27 May 2021. The internal survey on soft controls is planned to take place in 2022 and its results will feed into Eurojust's ICF annual assessment 2022.

#### ***Limited Review on the implementation of the new Eurojust legal framework***

In accordance with the IAS Strategic Internal Audit Plan (SIAP) 2018 – 2020, in September 2020 IAS carried out the limited review of the new Eurojust legal framework. The scope covered aspects such as planning, governance, risk management and general compliance measures adopted by Eurojust in light of the final texts of the Eurojust and the EPPO Regulations. Following the preliminary work, the fieldwork took place between 21 and 25 September 2020. The resulting Final Audit Report was received by Eurojust on 19 January 2021, and included two new Recommendations, one concerning Eurojust's actions for implementing its own initiative on

operational tasks, and one on the need for Eurojust to update its risk management register, to incorporate the risk stemming from the new legal framework and drafting a risk mitigation strategy for this updated risk.

The Eurojust Action Plan to address these two Recommendations was submitted to IAS on 15 February 2021. The results of the monitoring of the Action Plan in Q4 2021 were provided to IAS via the Team Central database. For Recommendation I (actions for implementing Eurojust's own initiative on operational tasks), the two actions foreseen are ongoing and a reviewed target date for completion has been set at Q2 2022. For Recommendation II (risk management), the four actions foreseen were marked as completed, pending the IAS assessment for closure in Q1 2022.

### ***Audit on Cooperation with Europol***

The audit on cooperation with Europol was carried out in 2019. In 2020, Eurojust completed four out of the seven resulting Recommendations. During 2021, regular monitoring of the Eurojust Action Plan to implement the three pending Recommendations continued. By the end of 2021, the progress and status were as follows:

- *Recommendation I Eurojust's right of initiative to establish cooperation with Europol on case-related work:* sub-actions regarding negotiations with Europol for the revision or replacement of the current cooperation agreement remain 'on hold', pending entry into force of the new Europol Regulation and the targeted revision of the Eurojust Regulation, possibly to be completed in 2024. The foreseen actions for the revision of the Operations Manual have been planned to be completed by end 2022.
- *Recommendation II Internal Guidelines on operational cooperation through Europol's analysis projects:* although most actions have been successfully completed, IAS provided the following justification for keeping the Recommendation open in 2022: 'Eurojust has not yet drafted the guidelines addressed to the Contact Points to Analysis Projects and SNEs at Europol's centres, aimed at clarifying the division of common tasks and responsibilities, notably as regards the exchange of information with Europol concerning topics or cases where Eurojust could provide added value by encouraging judicial follow-up.' These actions have been planned to be completed by end 2022.
- *Recommendation VI Exchange programme:* The exchange programme has been started. The pending sub-actions are planned to be completed by end 2023.

### ***IAS full risk assessment 2022***

Every four years, the IAS carries out a full risk assessment of Eurojust's administrative processes. The results are used to establish the IAS SIAP for a three-year period. Preparatory work for the full risk assessment 2022 was initiated in Q4 2021, and the fieldwork was carried out in January 2022. The final SIAP 2022 – 2024 is expected to be finalised in Q2 2022.

### ***Follow-up note on state of play of outstanding recommendations from past audits***

Based on the results of the regular internal monitoring of the Eurojust Action Plans on the open Recommendations submitted to IAS in 2021, the IAS concluded that five out of ten Recommendations, resulting from three different audits, remained open at end 2021.

## **2.7.II European Court of Auditors (ECA)**

### ***Audit of the Eurojust Accounts 2020***

The ECA initiated the audit of the 2020 Eurojust accounts in October 2020, followed by a second audit mission between 29 March and 3 April 2021. The ECA Report on the Eurojust Accounts

2020<sup>42</sup> was issued on 29 October 2021. Eurojust received two Observations related to Procurement procedures, for which remedies have been already foreseen.

Regarding the pending ECA Observation from 2018:

*'The use of a negotiated procurement procedure was not justified. The framework contract, all related specific contracts and all payments made under these contracts are irregular'*

Eurojust has remedied the issue and the Court has considered the Observation completed.

A transcription of the Court's Opinion and Observations on Eurojust, as included in the ECA's Annual report on EU agencies for the financial year 2020, is presented below:

## **Opinion**

**3.27.4.** We have audited:

(a) the accounts of European Union Agency for Criminal Justice Cooperation which comprise the financial statements and the reports on the implementation of the budget for the financial year ended 31 December 2020, and,

(b) the legality and regularity of the transactions underlying those accounts, as required by Article 287 of the Treaty on the Functioning of the European Union (TFEU).

### **Reliability of the accounts**

#### **Opinion on the reliability of the accounts**

**3.27.5.** In our opinion, the accounts of Eurojust for the year ended 31 December 2020 present fairly, in all material respects, the financial position of the Eurojust at 31 December 2020, the results of its operations, its cash flows, and the changes in net assets for the year then ended, in accordance with its Financial Regulation and with accounting rules adopted by the Commission's accounting officer. These are based on internationally accepted accounting standards for the public sector.

### **Legality and regularity of the transactions underlying the accounts**

#### **Revenue**

#### **Opinion on the legality and regularity of revenue underlying the accounts**

**3.27.6.** In our opinion, the revenue underlying the accounts for the year ended 31 December 2020 is legal and regular in all material respects.

#### **Payments**

#### **Opinion on the legality and regularity of payments underlying the accounts**

**3.27.7.** In our opinion, the payments underlying the accounts for the year ended 31 December 2020 are legal and regular in all material respects.

**3.27.8.** The observations which follow do not call the ECA's opinion into question.

### **Observations on legality and regularity of transactions**

**3.27.9.** We observed a number of weaknesses in Eurojust's audited public procurement procedures. In one case, Eurojust signed a framework contract with a single economic operator. But the use of this sort of framework contract was not appropriate for the nature of the services required: the leasing of vehicles. As the vehicle-leasing market is subject to frequent fluctuations in price, Eurojust should have used a framework contract with reopening of competition in order to ensure that the required services were acquired as economically as possible.

<sup>42</sup> pp. 238 – 243 of the [ECA Annual Report on EU Agencies for the financial year 2020](#).

**3.27.10.** In another case, Eurojust signed a specific contract whose pricing deviated from the price lists attached to the original framework contract for digital forensics and incident response. Eurojust approved the invoice and made the payment to the contractor without noticing the discrepancy in the hourly pricing rate. This indicates weaknesses in Eurojust's internal controls: it demonstrated that no checks were made as to whether the specific contract and the invoiced amount corresponded to the actual terms of the service-level agreement. The excess amount paid (€3 600) is therefore irregular.

### ***Audit of the Eurojust accounts 2020 by the external auditors Ernst & Young***

Ernst & Young audited the final Eurojust annual accounts 2020. In their Opinion, issued on 16 June 2021<sup>43</sup>, the final annual accounts of Eurojust present fairly, in all material respects, its financial position as at December 31 2020, and the results of its operations and its cash flow, for the year then ended, and are prepared in accordance with its Financial Regulations, and, in accordance with the accounting rules adopted by the Commission's Accounting Officer.

### ***Audit of the Eurojust Accounts 2021***

The first mission to audit the 2021 Eurojust accounts was carried out in September 2021. The second mission to finalise the audit took place between 28 March and 1 April 2022. Results are expected in Q2 2022.

### ***Audit on Europol's support to Member States in combatting migrant smuggling***

In 2020, the ECA launched a performance audit on Europol's work on the migrant smuggling centre and the exchange of information with partners, such as Eurojust and Frontex, with the aim to assess the effectiveness of Europol's support to Member States in combatting migrant smuggling since 2016. Eurojust was consulted as partner through the exchange of information, replies to questionnaires and a meeting held via videoconference in June 2020. Following the ECA Preliminary Observations received by Eurojust in May 2021, Eurojust submitted its replies and comments to the Court on 16 June 2021. Further to the adversarial meeting with the Court on 30 June, Eurojust submitted its replies translated into all EU official languages to the Court in Q3 2021. The ECA [Special Report 19/2021 Europol support to fight migrant smuggling: a valued partner, but insufficient use of data source and result measurement](#), was published on 30 September 2021.

### ***Audit on the cybersecurity of EU institutions, bodies and Agencies***

In March 2021, the ECA requested Eurojust to provide replies to a standard questionnaire to gather relevant information on individual cybersecurity arrangements as well as cooperation arrangements between EU institutions, bodies and Agencies. Eurojust submitted its replies to the ECA questionnaire on 24 March 2021. The results of this audit work have not been received at the time of writing this report.

### ***Audit on blacklisting of economic operators***

In 2021, ECA carried out a performance audit on "blacklisting of economic operators", covering EDES, and how EU bodies use data on EU fund recipients to protect the EU budget from funds going to unreliable recipients. A key element of the audit referred to the availability of reliable data on EU fund recipients and exclusion grounds as defined by Article 136 of the Financial Regulation. ECA requested a virtual information meeting with Eurojust to get insight into applied

<sup>43</sup> Independent auditor's report on the Final annual accounts of the European Union Agency for Criminal Justice Cooperation for the year ended December 31, 2020. Ernst & Young, 16 June 2021.

potential good practices and methods used for collecting and analysing the above-mentioned data. The meeting covered aspects related to whether Eurojust blacklists economic operators (e.g. procurement), and whether National Desks access/use national databases in the course of operational work/handling of cases. The outcome of this audit work has not been received at the time of writing this report.

### ***Horizontal audit task on the effectiveness of the EU Agencies policies on conflict of interest***

Eurojust was selected amongst other EU Agencies to be part of this horizontal audit task, conducted in the context of the ECA's 2021 EU Agencies' audit. The objective was the assessment of the effectiveness of the existing rules and policies at Eurojust for the prevention of conflict of interest, when senior/managerial Agency staff leave the EU civil service. It also included the assessment of the sufficiency of safeguards (internal controls) for the protection of the Agencies' interests, against the 'revolving doors' phenomenon. Eurojust provided its replies to the ECA questionnaire and the documentation requested was submitted on 13 December 2021. The conflict of interest matter was also included in the ECA audit of the Eurojust 2021 Accounts.

## **2.8 Follow up of recommendations issued following investigations by the European Anti-Fraud Office (OLAF)**

OLAF made no recommendations to Eurojust in 2021.

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

### ***Discharge 2020***

In the context of the European Parliament Discharge for the financial year 2020, Eurojust provided its replies to the specific individual questions as follows:

- **Which measures has the Agency taken regarding the publication of CVs and declarations of interest of the members of the executive board, Agency presidency and administrative director on the Agency's website?**<sup>44</sup>

Eurojust publishes on its website the [declarations of interest of its National Members, the Commission representative in the Management Board, and that of the Administrative Director](#). Regarding the CVs, these are available in the Member States' sections of the Eurojust website.

- **Can the Agency provide further information regarding the progress made in respect of the recommendations of the internal audit service?**<sup>45</sup>

Based on the results of the follow-up audit of the progress achieved by Eurojust in 2020, the IAS concluded in its *Follow-up of outstanding recommendations from past audits in the European Union Agency for Criminal Justice Cooperation – Note on audit conclusions* of 26 January 2021 that the two recommendations from the audit on activity based management (2016), and four of the seven Recommendations from the audit on 'Cooperation with Europol' (2019) were adequately and effectively implemented by Eurojust before end of 2020, and have been therefore closed by IAS.

<sup>44</sup> § 20 Discharge 2019: "Deplores the fact that, by the end of February 2021, the CVs and declarations of interest of the members of the executive board, Agency presidency and administrative director are still not published on the Agency's website, in spite of an announcement that declarations of interest would be available online as of 15 February 2021; calls on the Agency to publish the CVs and declarations of interest and to report to the discharge authority on the measures taken in this regard"

<sup>45</sup> § 24 Discharge 2019: "Notes that the IAS issued seven recommendations, none of which were considered critical, from the audit on 'Cooperation with Europol', and that the action plan to implement the recommendations was submitted to the IAS in July 2019 and has been monitored quarterly; notes that the Agency has two open recommendations from the IAS as regards the audit on activity based management; notes that the Agency has submitted updated input on the progress achieved to the IAS, marking eight out of the nine outstanding recommendations implemented and ready for assessment by the IAS and final closure; calls on the Agency to report to the discharge authority on the progress made"

- **Can the Agency provide further information regarding the outstanding 2018 ECA's observation about the not justified use of a negotiated procurement procedure?**  
Regarding the ECA Observation from 2018 about the not justified use of a negotiated procurement procedure, following the Court's guidance, Eurojust ensures that similar procedures are more robustly and extensively justified in their supporting documentation. No expenditure was incurred under the framework contract concerned since, and the contract has in the meantime expired in May 2021. The Observation has been marked as 'Completed' by ECA in its *2020 Annual report on EU Agencies for the financial year 2020*<sup>46</sup>. Eurojust also provided replies and comments to the eighteen horizontal questions to all EU Agencies.

### **Updates on previous Discharge Action Plans (2017, 2018, 2019)**

In the context of the Discharge 2019, Eurojust submitted to the European Parliament on 14 July 2021 the *Administrative Director's Report to the Discharge Authority on the Action Plan to address the observations and comments made by the European Parliament in its discharge for the year 2019* addressing the Parliament's Observations.

Eurojust has continued to monitor progress of the actions foreseen in previous Discharges' Action Plans (2017 and 2018). The resulting updated Action Plans were submitted to the Parliament in July 2021, together with the Discharge 2019 Administrative Director Report and Action Plan.

### **2.10 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.

### **2.11 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 systematically examined the available control results and indicators, as well as the observations and recommendations issued by the IAS and the ECA.

## **Part II. (b) External evaluations**

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

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<sup>46</sup> [ECA 2020 Annual report on EU Agencies for the financial year 2020](#)

## Part III. Assessment of the effectiveness of the internal control systems

### 3.1 Effectiveness of the internal control systems

In accordance with Articles 30 and 45 of the Eurojust Financial Regulation<sup>47</sup>, the revised Eurojust Internal Control Framework (ICF), formulated on the basis of the Commission's framework (April 2017)<sup>48</sup>, was adopted by the Management Board on 10 December 2019<sup>49</sup>. Article 1 of this Decision foresees that the Administrative Director shall adopt the necessary measures to implement the revised Eurojust ICF as of 1 January 2020. In accordance with ICF Principles 16 and 17, Eurojust carried out the annual assessment of the implementation of the ICF in 2021.

#### *Methodology applied for the assessment of effectiveness of the internal control systems*

To carry out the ICF annual assessment 2021, Eurojust followed the steps outlined below, in line with previous years' assessments, best practice shared amongst EU Agencies, and the Commission's guidance:

- Assessment of Strengths and Deficiencies and review of progress on corrective measures foreseen by the Organisational Entities for the areas in need of improvement. The results have been recorded in the Eurojust Strengths and Deficiencies Register 2021.
- Assessment of secondary sources of data such as audit reports, OLAF reports, register of exceptions, Anti-Fraud Action Plan, and staff-related issues such as the results of the Eurojust Staff Engagement Survey 2021:

As regards the cost and benefits of controls in relation to the weaknesses that have been identified through the assessment of the Internal Control system, Eurojust is in the process of looking into the methodology for implementing this assessment.

#### *OLAF Reports*

In 2021, an investigation by OLAF was ongoing, following an anonymous complaint regarding allegations of irregularities in recruitment procedures submitted in May 2020. In 2022, OLAF reported that no irregularities were found. Part of the investigation is however still ongoing, and it is not possible to share more details until its conclusion. Eurojust continues to be strongly committed to the principles of legality and transparency.

#### *Register of exceptions*

The exception decisions are taken on a case-by-case basis and are duly justified in advance to their inclusion in the Register. In 2021, the Administrative Director adopted a strengthened internal workflow for the adoption of exception decisions and their registrations, together with a new template (exception request form) to better monitor the process. There were two general exception decisions, and eight exceptional COVID-related measures taken, most of them concerning teleworking arrangements and the return of staff to the office.

<sup>47</sup> College Decision 2019-09 of 17 September 2019 On the Financial Regulation applicable to Eurojust

<sup>48</sup> Communication to the Commission from Commissioner Oettinger *Revision of the Internal Control Framework C(2017) 2373 final*, Brussels 19.4.2017

<sup>49</sup> College Decision 2019-16 of 10 December 2019 adopting a revised Eurojust Internal Control Framework

### ***Eurojust's anti-fraud strategy***

Eurojust adopted a new anti-fraud strategy on 21 June 2021 after conducting a fraud-risk assessment in the first half of 2021, which confirmed that the risk of fraud in the Agency remains relatively low. The strategy contains an action plan and designates an anti-fraud contact point to monitor its implementation by regularly checking the state of play of specific foreseen actions with the involved actors.

The strategy contains five objectives:

1. Continue enhancing fraud awareness through efficient and targeted communication;
2. Continue raising awareness on ethics and integrity;
3. Continue raising awareness on internal procedures for reporting and handling potential fraud cases;
4. Focus on fraud-risks mitigation in identified risk areas of the Agency; and,
5. Identify process improvements.

These five objectives translate into concrete actions and continue those foreseen in previous years. Most of the actions regarding Objectives 1, 2 and 3 have become routine tasks in the different units across Eurojust:

- Information on the implementation of the anti-fraud strategy will be included in the Annual Report and in other strategic documents;
- Anti-fraud documents are being kept in a dedicated place on Eurojust's intranet. This repository will be significantly improved with the reshaping of the intranet that is currently taking place;
- The declarations of no conflict of interests of College Members, the Commission Representative and the Administrative Director are published on the Eurojust website. In 2021, 22 of them have been updated, three date from 2020 and one from 2022;
- Articles will be published in the Eurojust weekly once per trimester throughout 2022;
- Induction trainings include raising awareness on ethics, integrity and the anti-fraud strategy;
- A refresher training/awareness raising on ethics, integrity and whistleblowing took place in December 2021. The creation of an e-course on ethics in 2022 is being explored; and,
- ICT Security monitors throughout the year the effectiveness of existing measures to avoid information leaks.

As regards objective 4:

- Internal rules and procedures on inventory management have been drafted. However, these will need some further work as they are dependent on the transition to SUMMA;
- Work related to improvement policies in the field of Budget, Finance and Planning has started last summer and is in progress with the aim to improve mission provisions; and,
- Managers are responsible for giving clear guidance to staff members as to the use of sensitive data in Eurojust systems.

Actions related to objective 5 will be implemented in due course following at least one new risk assessment at the end of the validity period of the current strategy.

### **Staff Engagement Survey 2021**

Following the launch of the 2021 Staff engagement survey, the action plan proposed by a working group from staff, the HR Unit and the Staff Committee was endorsed by senior management. Implementation started immediately and work will continue throughout 2022.

### **Conflict of interest**

During 2021, Eurojust continued its efforts to make post-holders aware of the situations in which they need to produce a conflict of interest declaration. The Eurojust Standard Operating Procedure regarding conflict of interest had been advertised in the internal newsletter following its adoption in 2020 and all relevant forms are available in the intranet. In addition, conflict of interest was one of the topics of the Ethics training organised in 2021 for all Eurojust post-holders.

All candidates in Eurojust selections offered a position are invited to fill in a declaration of interests form, allowing the Appointing Authority to identify potential or actual conflict of interest in relation to the specific position offered and the appropriate measures to be adopted, if any. All newcomers are invited to fill in a form declaring the occupation of their spouse (if applicable) to ensure there is no conflict of interest between the spouse's employment and the staff members position. Similarly, staff that change position are requested to fill in the same form. In addition, all staff leaving Eurojust are requested by letter to fill in a form requesting permission to engage in an occupation for two years after leaving the service to ensure there is no conflict of interest between the future position and their employment with Eurojust.

### **Overall assessment of the ICF**

The results of the Strengths and Deficiencies assessment, together with the assessment of the other relevant sources of data, were used to determine the presence and effective functioning of the ICF Principles and Components.

## **3.2 Conclusions of assessment of the internal control systems**

Following the assessment of the above-mentioned sources of data, the following conclusions can be drawn regarding the implementation of the Eurojust ICF in 2021:

### **At the level of the Principles**

Most ICF Principles have been allocated Category 1 and 2<sup>50</sup>. In addition to strengths, the assessment of the specific monitoring criteria (Performance Indicators), set under the Baseline Requirements, indicated minor deficiencies under some Principles, for which corrective measures have been foreseen. All Principles are present and functioning.

### **At the level of the Components**

Correlations amongst Baseline requirements have been established to ensure that the ICF Principles operate in an integrated manner. As a whole, there are no critical deficiencies or a combination of major deficiencies that could severely reduce the likelihood of Eurojust achieving its objectives. All ICF Components have been assessed as effective and operating in an integrated manner within the ICF framework, and the system is overall effective with some improvements needed.

<sup>50</sup> Effectiveness of Principle:

- Category 1: The principle is present and functioning well
- Category 2: The principle is present and functioning but some improvements are needed
- Category 3: The principle is partially present and functioning, major improvements are needed
- Category 4: The principle is not present and functioning

### **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, reliable and complete.'*

*The Hague, 13 June 2022*

*Roberto Lenti*

*Head of the Resources Department*

## Part IV. Management assurance

### 4.1 Review of the elements supporting assurance

The information provided in this report stems from management's opinion and is based on results of self-assessments, follow-up of the Observations and Recommendations of the IAS, the Accounting Office and the lessons learned from the reports of ECA.

The Administrative Director has put in place the organisational structure and the internal control systems suited to the achievement of Eurojust's objectives and having due regard to the risks associated with the environment in which it operates. Eurojust has assessed that the ICF Components and Principles are present and functioning and has taken corrective measures to address minor or moderate deficiencies.

No significant weaknesses that may have a potential impact on the declaration of assurance of the Authorising Officer were identified and reported in any of the building blocks of this report and the information reported does not result in any major issues meriting a reservation:

- The internal control systems are overall effective and provide sufficient assurance to adequately manage the risks relating to the legality and regularity of the underlying transactions;
- The internal control systems provide sufficient assurance with regard to the achievement of Eurojust's objectives;
- No critical issues were highlighted by internal or external auditors; and
- No major issues were pointed out by the Authorising Officers by delegation.

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.

### 4.2 Reservations

No reservations were issued for the year 2021.

## 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, 13 June 2022*

Nikolaos Panagiotopoulos

Administrative Director

## Annexes

### Annex I. Core business statistics

#### Overview of cases in 2021 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 2021	Number of countries involved		Ongoing from previous years	New in 2021	Ongoing from previous years	Coordination meetings	Joint investigation teams
		2	3 or more					
Belgium	88	70	18	120	299	431	84	27
Bulgaria	146	143	3	127	224	229	22	7
Czech Republic	118	93	25	194	121	200	31	35
Germany	748	681	67	469	652	884	128	55
Estonia	48	34	14	42	63	86	13	9
Ireland	73	70	3	90	109	162	10	5
Greece	254	251	3	566	120	191	21	4
Spain	264	236	28	165	554	757	72	8
France	258	168	90	550	767	674	129	51
Croatia	50	46	4	21	94	124	2	-
Italy	516	423	93	534	391	573	105	53
Cyprus	62	61	1	45	74	203	3	1
Latvia	52	41	11	74	62	131	25	9
Lithuania	88	71	17	64	145	135	38	10
Luxembourg	26	24	2	50	84	159	2	-
Hungary	267	232	35	229	189	222	18	16
Malta	16	14	2	39	87	147	5	1
Netherlands	103	89	14	267	401	510	90	21
Austria	157	141	16	170	198	256	17	10
Poland	193	176	17	274	338	454	41	23
Portugal	139	114	25	92	120	177	9	1
Romania	230	197	33	178	290	292	64	46
Slovenia	203	168	35	133	72	100	9	6
Slovakia	110	105	5	123	108	194	11	20
Finland	80	70	10	58	54	95	15	11
Sweden	198	162	36	263	106	164	53	26
Denmark	28	28	-	50	70	141	7	8
<b>TOTAL</b>	<b>4515</b>	<b>3908</b>	<b>607</b>	<b>4987</b>	<b>*</b>	<b>*</b>	<b>*</b>	<b>*</b>

\* These columns cannot be summed up, since more than one National Desk can be requested to participate in a single case, and coordination meetings and JITs are often co-organised.

## Overview of cases in 2021 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 2021	Number of countries involved		Ongoing from previous years	New in 2021	Ongoing from previous years	Coordination meetings	Joint investigation teams
		2	3 or more					
Albania	21	21	-	-	30	58	19	10
Georgia	2	1	1	2	21	28	7	1
Montenegro	3	3	-	12	14	24	2	-
North Macedonia	8	7	1	11	24	34	3	-
Norway	60	54	6	101	42	78	21	12
Serbia	20	17	3	4	61	66	10	3
Switzerland	80	70	10	134	139	321	29	17
Ukraine	23	21	2	41	58	104	39	14
United Kingdom	71	63	8	-	324	724	64	19
United States	2	2	-	3	45	115	34	-
TOTAL	290	259	31	308	*	*	*	*

\* These columns cannot be summed up, since more than one National Desk can be requested to participate in a single case, and coordination meetings and JITs are often co-organised.

## Casework involving EIOs and EAWs in 2021

Judicial tools	New cases in 2021	Ongoing from previous years	Total
European Investigation Order (EIO)	2309	1953	4262
European Arrest Warrant (EAW)	480	713	1193

## Casework, meetings and joint activities in the priority crime areas, 2018-2021

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			
	2018	2019	2020	2021	2018	2019	2020	2021	2018	2019	2020	2021	2018	2019	2020	2021
SWINDLING AND FRAUD	1924	2263	2654	3133	87	112	91	111	51	66	72	73	7	12	8	11
MONEY LAUNDERING	1042	1266	1471	1668	94	138	101	115	50	75	71	61	6	6	7	5
DRUG TRAFFICKING	896	1003	1169	1602	78	80	87	107	42	51	50	48	-	2	4	1
MOBILE ORGANISED CRIME GROUPS	542	599	723	800	26	20	19	19	15	17	14	14	1	2	1	1
CYBERCRIME	218	247	334	398	28	34	45	66	10	17	21	16	2	3	1	5
TRAFFICKING IN HUMAN BEINGS	343	399	397	352	43	54	56	46	56	61	50	45	-	4	2	3
CORRUPTION	222	251	287	326	19	14	8	13	6	5	7	11	-	-	-	-
MIGRANT SMUGGLING	157	187	217	292	17	24	21	25	12	12	12	11	3	2	2	-
CRIMES AGAINST THE FINANCIAL INTERESTS OF THE EU (PIF CRIMES)	77	161	217	252	3	12	12	16	5	6	6	7	-	2	2	3
TERRORISM	190	222	217	221	20	24	12	9	12	8	7	9	-	-	-	-
ENVIRONMENTAL CRIME	38	41	51	62	6	8	6	11	4	6	6	6	-	1	-	1
INTELLECTUAL PROPERTY CRIME	19	23	27	31	1	3	3	-	2	2	2	1	-	1	2	-
CORE INTERNATIONAL CRIMES	-	-	12	16	-	-	2	6	-	-	-	1	-	-	-	-

\* The data contained in this table were extracted from Eurojust's Case Management System in January 2022. Due to the ongoing nature of cases, possible discrepancies with previously reported numbers may exist, and statistics may be updated in the future.

## Cases by crime type in 2021

Crime type	New	Ongoing <sup>1</sup>	Total	Projection <sup>2</sup>
SWINDLING AND FRAUD	1 453	1 680	3133	
MONEY LAUNDERING	648	1 020	1668	
DRUG TRAFFICKING	869	733	1602	
MOBILE ORGANISED CRIME GROUPS (MOCG) <sup>3</sup>	390	410	800	
CYBERCRIME	188	210	398	
TRAFFICKING IN HUMAN BEINGS	140	212	352	
CORRUPTION	112	214	326	
MIGRANT SMUGGLING	170	122	392	
PIF CRIMES <sup>4</sup>	124	128	252	
TERRORISM	80	141	221	
ENVIRONMENTAL CRIME	21	41	62	
INTELLECTUAL PROPERTY CRIME	14	17	31	
CORE INTERNATIONAL CRIMES	7	9	16	

 Upward trend    No major shift expected    Downward trend

<sup>1</sup> As of January 2021. Due to the ongoing nature of the cases, the figures in this column can change after the reporting period.

<sup>2</sup> The projection for 2022-2024 of the need for judicial cooperation in these crime areas is based on casework trends over the previous 5 years.

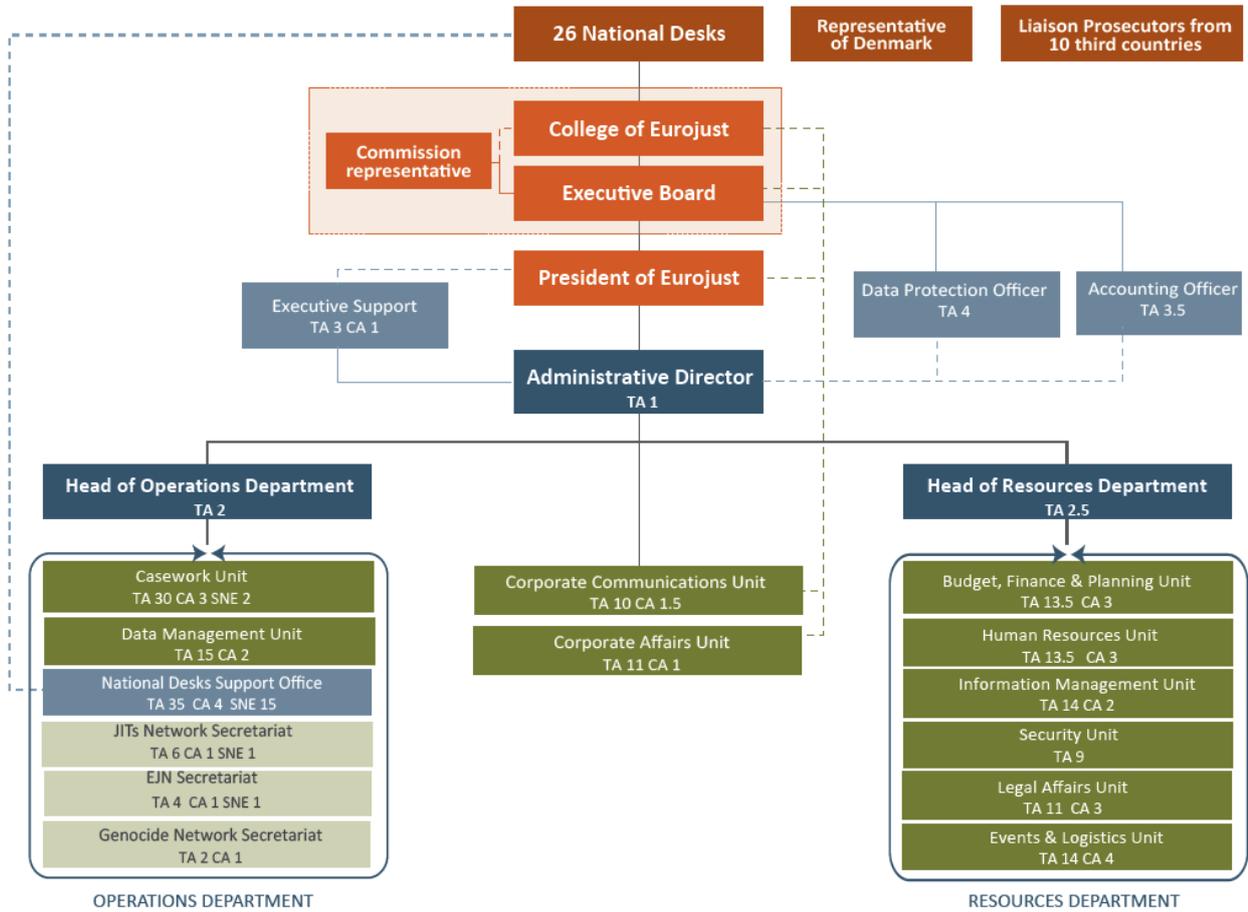
<sup>3</sup> Itinerant criminal networks operating across the European Union, usually specialised in crime areas such as burglary, robbery of armoured vehicles, and metal theft.

<sup>4</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 \(2021\)\*](#).

### Annex III. Organisational chart 31.12.2021<sup>51</sup>



<sup>51</sup> The figures are based on headcount as on 31 December 2021, including 2 appointments made under Article 38(2) of the Eurojust FR, 2 cost-free SNEs and not including offers sent.

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

### a. Eurojust Establishment Plan at 31 December 2021

Category and grade	Establishment plan 2021	Filled at 31.12.2021 <sup>52</sup>
	TA	TA
AD 14	1	1
AD 13	1	0
AD12	1	1
AD 11	5	3
AD 10	12	6
AD 9	22	17
AD 8	21	18
AD 7	29	13
AD 6	2	13
AD 5	6	20
<b>Total AD</b>	<b>100</b>	<b>92</b>
AST 9	1	1
AST8	0	0
AST 7	1	2
AST 6	5	9
AST 5	52	28
AST 4	48	39
AST 3		27
AST 2		9
AST 1		0
<b>Total AST</b>	<b>107</b>	<b>115</b>
<b>TOTAL</b>	<b>207</b>	<b>207</b>

Contract Agents	Authorised 2021	Engaged 2021 <sup>53</sup>
Function Group IV	12	10
Function Group III	11	14.5
Function Group II	7	6
Function Group I	0	0
<b>TOTAL</b>	<b>30</b>	<b>30.5</b>

<sup>52</sup> Figures are based on headcount as on 31 December 2021 and include offers sent. 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 4.9 FTE on average throughout 2021.

<sup>53</sup> Figures based on headcount as on 31 December 2021 and include 0.5 for 1 staff member whose costs were covered 50% under the EU subsidy and 50% under the externally funded EuroMed Justice programme.

**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 <i>Level 3</i>	TA	AD9	ADMINISTRATIVE SUPPORT/OPERATIONS
Head of Office <i>Level 3</i>	TA	AD7	ADMINISTRATIVE SUPPORT/OPERATIONS
Head of Secretariat <i>Level 3</i>	TA	AD7	ADMINISTRATIVE SUPPORT/OPERATIONS
Head of Sector <i>Level 4</i>	TA	AD7	ADMINISTRATIVE SUPPORT/OPERATIONS
Administrator <i>Level 5</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<sup>54</sup>

Job Type (sub) category	2020 (%)	2021 (%)
<b>Administrative support and Coordination</b>	<b>24</b>	<b>23.7</b>
Administrative Support	19.1	18.3
Coordination	4.9	5.4
<b>Operational</b>	<b>69.8</b>	<b>70.2</b>
Top Level Operational Coordination	3	2.9
Programme Management & Implementation	57.7	57.1
Evaluation & Impact Assessment	0	0
General operational	9.3	10.2
<b>Neutral</b>	<b>6.2</b>	<b>6.1</b>
Finance/Control	6.2	6.1
Linguistics	0	0
<b>Total</b>	<b>100</b>	<b>100</b>

### d. Gender representation<sup>55</sup>

Gender	Staff category	Official		Temporary		Contract		Total	
		Number	%	Number	%	Number	%	Number	%
Female	AD - FG IV			49	36	5	24	54	35
	AST - AST/SC - FG I/II/III			86	64	16	76	102	65
	<b>Total</b>	<b>0</b>	<b>0</b>	<b>135</b>	<b>67</b>	<b>21</b>	<b>69</b>	<b>156</b>	<b>67</b>
Male	AD - FG IV			38	57	5	53	43	56
	AST - AST/SC - FG I/II/III			29	43	4.5	47	33.5	44
	<b>Total</b>	<b>0</b>	<b>0</b>	<b>67</b>	<b>33</b>	<b>9.5</b>	<b>31</b>	<b>76.5</b>	<b>33</b>
<b>Grand total</b>		<b>0</b>	<b>0</b>	<b>202</b>	<b>100</b>	<b>30.5</b>	<b>100</b>	<b>232.5</b>	<b>100</b>

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

Gender	2016		2021	
	Number	%	Number	%
Female	3	38	3	33
Male	5	62	6	67

<sup>54</sup> Data on 15 December 2021.

<sup>55</sup> Data on 31 December 2021. The figures do not include the 5 offers send by 31 December 2021.

## f. Geographical balance<sup>56</sup>

Nationality	Staff in AD and FG IV categories		Staff in AST, AST/SC and Function Group I/II/III categories		Total	
	Number	% of staff in above categories	Number	% of staff in above categories	Number	% of total staff
Austria	1	1.0	2	1.5	3	1.3
Belgium	5	5.2	6	4.4	11	4.7
Bulgaria	3	3.1	8	5.9	11	4.7
Croatia	0	0.0	2	1.5	2	0.9
Cyprus	2	2.1	0	0.0	2	0.9
Czech Republic	2	2.1	3	2.2	5	2.2
Denmark	0	0.0	1	0.7	1	0.4
Estonia	4	4.1	2	1.5	6	2.6
Finland	1	1.0	6	4.4	7	3.0
France	7	7.2	7	5.2	14	6.0
Germany	5	5.2	7	4.4	11	4.7
Greece	7	7.2	4	3.0	11	4.7
Hungary	2	2.1	4	3.0	6	2.6
Ireland	1	1.0	2	1.5	3	1.3
Italy	12	12.4	11	8.1	23	9.9
Latvia	4	4.1	2	1.5	6	2.6
Lithuania	1	1.0	6	4.4	7	3.0
Luxembourg	0	0.0	0	0.0	0	0.0
Malta	0	0.0	1	0.7	1	0.4
Netherlands	9	9.3	23	17.0	32	13.8
Poland	3	3.1	3	2.2	6	2.6
Portugal	2	2.1	3	2.2	5	2.2
Romania	7	7.2	11.5	8.5	18.5	8.0
Slovak Republic	0	0.0	4	3.0	4	1.7
Slovenia	3	3.1	4	3.0	7	3.0
Spain	13	13.4	9	6.6	22	9.5
Sweden	3	3.1	2	1.4	5	2.2
United Kingdom	0	0.0	3	2.2	3	1.3
<b>Total</b>	<b>97</b>	<b>100</b>	<b>137.5</b>	<b>100</b>	<b>232.5</b>	<b>100</b>

<sup>56</sup> Data on 31 December 2021. The figures do not include offers sent by 31 December 2021.

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

Most represented nationality	2016		2021	
	Number	%	Number	%
Netherlands	33	14	32	14
Italy	20	9	23	10
Spain	22	10	22	9
Romania	19	8	18.5	8
<b>Total</b>	<b>94</b>	<b>41</b>	<b>96.5</b>	<b>41</b>

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

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

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

	General information					Financial and human resource impact				
	Date of signature	Total amount	Duration	Counterpart	Short description	Type of resources	2020		2021	
<b>Contribution agreements</b>										
EuroMed Justice programme	18 March 2020	5 000 000	3 years	European Commission – DG NEAR	The programme aims to enhance judicial cooperation between Member States and South Partner countries (Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Palestine and Tunisia).	Amount	CA	PA	CA	PA
							853 204	208 626	2 114 306	882 250
						Contract staff	2.6		6.5	
						SNE	0		0	
SIRIUS project	21 December 2020	1 265 436	3.5 years	European Commission Service for Foreign Policy Instruments and Europol	The project aims to further improve cross-border access to e-evidence by providing knowledge and tools to EU authorities through covering service providers located in foreign jurisdictions.	Amount	CA	PA	CA	PA
							0	0	309 581	191 291
						Contract staff	0		3	
						SNE	0		0	
<b>Service-level agreements</b>										
EUIPO enhanced cooperation actions	10 March 2021	750 000	4 years	EUIPO	The actions aim to improve operational cooperation with EUIPO and strengthen the fight against cross-border intellectual property crimes.	Amount	CA	PA	CA	PA
							N/A	N/A	31 250	31 250
						Contract staff	0		2	
						SNE	0		0	

## Annex VII. Environment Management

In 2021 Eurojust initiated the implementation of the EMAS (Environmental Management and Audit Scheme) / ISO 14001 compliance framework. The implementation was facilitated by a consultancy company and the following activities were defined:

- Gap analysis committee kick off and system introduction;
- Context and stakeholder analysis;
- Relevant legislation compliance obligations;
- EMAS / ISO 14001 compliance internal audit;
- Setting the process for collecting and evaluating environmental performance data;
- Environmental aspects assessment;
- Risks and opportunities identification, policy development, objective setting and action plans;
- Definition of roles and responsibilities;
- Developing competences, training and communication;
- Operational planning and emergency situations;
- Environmental performance monitoring;
- Relevant documentation control, internal audit and preventive and corrective actions;
- Setting up an environmental statement;
- Certification audit; and,
- Training and awareness raising.

In 2021, the focus was on the gap analysis, stakeholder's identification, legislation compliance review, environmental impact analysis, drafting the legal register and identifying the communication plan elements and the areas of training to be provided. The management structure was identified and a proposal for incorporating it into the Eurojust organigram was presented to Eurojust management.

As the EMAS / ISO 14001 framework was still work in progress, Eurojust has not yet set reduction targets on carbon emissions due to the limited human resources available for the task. The setting of CO<sub>2</sub> reduction targets is foreseen to take place in connection with the implementation of EMAS. Nevertheless, the COVID-19 crisis continuation in 2021 had an impact in lowering Eurojust's CO<sub>2</sub> footprint as there was significant reduction of the missions, physical meetings at Eurojust premises, visitors to Eurojust, and trainings with physical presence.

According to the information provided by Eurojust's energy providers, Eurojust's sources of energy are (approx.):

- Renewable energy ("green" electricity<sup>57</sup>, earth heating/cooling): 70%
- Nuclear: 0 %
- Thermo (gas): 30%

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<sup>57</sup> Electricity consumed is coming from 100% renewable sources: sun, wind and water.

## **Annex VIII. Final accounts 2021**

Enclosed.



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