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# EUROJUST

## PROGRAMMING DOCUMENT

### Period 2017 – 2019

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## Table of Contents

|                                                                                                         |    |
|---------------------------------------------------------------------------------------------------------|----|
| Table of Contents .....                                                                                 | 2  |
| Foreward.....                                                                                           | 4  |
| List of Acronyms .....                                                                                  | 5  |
| Mission Statement.....                                                                                  | 7  |
| Section I    General Context.....                                                                       | 8  |
| External influencing factors: .....                                                                     | 8  |
| Internal influencing factors:.....                                                                      | 11 |
| Section II    Multi-annual Programming.....                                                             | 12 |
| 1.    Multi-annual Objectives .....                                                                     | 12 |
| 2.    Multiannual Programme .....                                                                       | 13 |
| 2.1    Strategic Action Areas .....                                                                     | 13 |
| Strategic Action Area 1 – Operational Work.....                                                         | 13 |
| Strategic Action Area 2– Strategic Work.....                                                            | 14 |
| Strategic Action Area 3– Organisational Development and Support .....                                   | 15 |
| 3.    Human and financial resource outlook for years 2017-2019 .....                                    | 16 |
| 3.1    Overview of the past and current situation.....                                                  | 16 |
| 3.2    Resource programing for 2017-2019.....                                                           | 18 |
| 3.3    Conclusion on evolution of resources compared to the Commission Communication<br>2014-2020 ..... | 27 |
| Section III    Work Programme 2017 .....                                                                | 31 |
| 1.    Executive Summary.....                                                                            | 31 |
| Approach.....                                                                                           | 32 |
| Budget 2017 Assumptions.....                                                                            | 33 |
| Operational Assumptions.....                                                                            | 33 |
| Technical Assumptions.....                                                                              | 33 |
| Re-prioritised activities from 2015 and 2016 .....                                                      | 34 |
| Strategic Action Area 1– Operational Work .....                                                         | 35 |
| Strategic Action Area 2 – Strategic Work.....                                                           | 40 |

|                                                                                                      |    |
|------------------------------------------------------------------------------------------------------|----|
| Strategic Area 3- Organisational Development.....                                                    | 43 |
| Annex I    Resources allocation per activity .....                                                   | 48 |
| Annex II    Financial Resources .....                                                                | 49 |
| Table 1 – Expenditures.....                                                                          | 49 |
| Table 2 – Revenue .....                                                                              | 51 |
| Table 3 – Budget Outturn and cancellation of appropriations .....                                    | 52 |
| Calculation Budget Outturn.....                                                                      | 52 |
| Annex III.   Human Resources (Quantitative) Table 2 – Multi-annual staff policy plan 2017-2019 ..... | 54 |
| Annex III    Human Resources (Qualitative) .....                                                     | 55 |
| Annex IV .....                                                                                       | 56 |
| Annex IV-A    Recruitment Policy .....                                                               | 56 |
| Annex IV-B    Appraisal of Performance and Reclassification/Promotion .....                          | 59 |
| Annex IV-C    Mobility Policy.....                                                                   | 62 |
| Annex IV-D    Gender and Geographical Balance .....                                                  | 63 |
| Annex IV-E    Schooling .....                                                                        | 65 |
| Annex V    Building Policy .....                                                                     | 67 |
| Annex VI    Privileges and Immunities .....                                                          | 70 |
| Annex VII   Evaluations.....                                                                         | 72 |
| Annex VIII   Risks.....                                                                              | 73 |
| Annex IX    Procurement Plan for 2017.....                                                           | 75 |
| Annex X    Organisation Chart.....                                                                   | 76 |
| Annex XI    Eurojust Grants.....                                                                     | 79 |

## Foreward

Eurojust presents its first Programming Document for the period 2017 to 2019 to the budgetary authorities. For the first time the Institutions and Agencies of the EU use this new format and Eurojust welcomes the opportunity to present all relevant aspects to its resource needs for the coming years in one consolidated document.

As in previous years, Eurojust was confronted in 2015 with a significant increase of 23 per cent in the number of cases referred by the competent authorities of the Member States (total number of cases in 2015 was 1792). At 31 October 2016, the total number of cases counted already 1878 and it is evident that this trend will continue in 2017 and beyond. This steep increase in operational demands is particularly challenging in times of frozen or even reduced budgets. The 2017 budget proposed by Eurojust reflects the operational needs which are evidenced by the constantly increasing figures in cases, coordination meetings and coordination centres organised and conducted by Eurojust.

In addition to this already demanding situation, Eurojust is called to contribute to the fight against new and/or emerging threats affecting the European Union and its citizens as a whole, mainly arising from terrorism and the phenomenon of foreign terrorist fighters, illegal immigrant smuggling and cybercrime. A meaningful response to these threats must include the judicial dimension and Eurojust is the only actor in the European landscape providing direct support to the judicial activities of the Member States. Without consequent investigations and prosecutions neither a conviction of perpetrators nor a sustainable freezing and confiscation of the assets obtained through the crimes can be ensured and without that a deterrent effect on the perpetrators to prevent that crimes are committed will not be established. Eurojust is making contributions to the investigation and prosecution of these new and serious crimes which are regularly committed across borders; however, it must be provided with the necessary resources to be able to deliver substantial results.

Eurojust will also further increase its cooperation with the other Agencies established in the area of freedom and security as well, within a current security context in the European Union, to strengthen them in the common fight against terrorism and serious cross-border crime which is a common goal for all actors in the European Union.

## List of Acronyms

|        |                                                                    |              |                                                                                                                                  |
|--------|--------------------------------------------------------------------|--------------|----------------------------------------------------------------------------------------------------------------------------------|
| ABAC   | Accounting system of the European Commission                       | eu-LISA      | European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice            |
| ABB    | Activity Based Budget(ing)                                         |              |                                                                                                                                  |
| ABM    | Activity Based Management                                          |              |                                                                                                                                  |
| AR     | Annual Report                                                      | EUNAVFOR MED | EU Naval Force Mediterranean                                                                                                     |
| AWP    | Annual Work Programme                                              |              |                                                                                                                                  |
| CA     | Contract Agent                                                     | EUROSUR      | European External Borders Surveillance System                                                                                    |
| CAAR   | Consolidated Annual Activity Report                                | FRA          | EU Agency for Fundamental Rights                                                                                                 |
| CEPOL  | European Police College                                            | FRONTEX      | European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union |
| CMS    | Case Management System                                             |              |                                                                                                                                  |
| COSI   | Standing Committee on Operational Cooperation on Internal Security | FTE          | Full Time Equivalent                                                                                                             |
| EU CTC | European Counter-Terrorism Coordinator                             | FTF          | Foreign Terrorist Fighters                                                                                                       |
| EASO   | European Asylum Support Office                                     | fyROM        | former Yugoslav Republic of Macedonia                                                                                            |
| EC3    | European Cybercrime Centre                                         | ICC          | International Criminal Court                                                                                                     |
| EDPS   | European Data Protection Supervisor                                | ICS          | Internal Control Standard(s)                                                                                                     |
| eHR    | Electronic Human Resource System                                   | J-CAT        | Joint Cybercrime Action Task Force                                                                                               |
| EJN    | European Judicial Network                                          | JHA          | Justice and Home Affairs                                                                                                         |
| EJTN   | European Judicial Training Network                                 | JITs         | Joint Investigation Teams                                                                                                        |
| eMS    | Electronic Management System                                       | JOT-MARE     | Joint Operational Team Mare                                                                                                      |
| EMCDDA | European Monitoring Centre for Drugs and Drug Addiction            | JSB          | Joint Supervisory Body                                                                                                           |
| EMPACT | European Multidisciplinary Platform against Criminal Threats       | KPI          | Key Performance Indicator                                                                                                        |
| ENCS   | Eurojust National Coordination System                              | MAS          | Multi-Annual Strategy                                                                                                            |
| EPPO   | European Public Prosecutor's Office                                | MENA         | Middle East, North African countries                                                                                             |
| eRec   | Electronic administrative performance monitoring tool              | MoU          | Memorandum of Understanding                                                                                                      |
| EU     | European Union                                                     | MLA          | Mutual Legal Assistance                                                                                                          |
|        |                                                                    | MFF          | Multi-annual Financial Framework 2014-2020                                                                                       |
|        |                                                                    | MSPP         | Multi-annual Staff Policy Plan                                                                                                   |
|        |                                                                    | OLAF         | <i>Office européen de Lutte Anti-fraude</i> (EU Anti-Fraud Office)                                                               |

|        |                                                                                                          |
|--------|----------------------------------------------------------------------------------------------------------|
| OSR    | Organisational Structure Review                                                                          |
| PIF    | <i>Protection des intérêts financières</i> (Protection of the financial interests of the European Union) |
| SLA    | Service Level Agreement                                                                                  |
| SNE    | Seconded National Expert                                                                                 |
| SOCTA  | Serious Organised Crime Threat Assessment                                                                |
| TA     | Temporary Agent                                                                                          |
| TE-SAT | Terrorism Situation and Trend Report                                                                     |

### **Business Units of Eurojust**

|     |                                            |
|-----|--------------------------------------------|
| BFP | Budget, Finance and Procurement Unit       |
| CAU | Case Analysis Unit                         |
| CLS | College Secretariat                        |
| CSU | Corporate Services Unit                    |
| DPO | Data Protection Office                     |
| EJN | EJN Secretariat                            |
| GEN | Genocide Network Secretariat               |
| HRU | Human Resources Unit                       |
| IMU | Information Management Unit                |
| JIT | JITs Network Secretariat                   |
| LS  | Legal Service                              |
| NDS | National Desk Support (Administrative/SNE) |
| OAD | Office of the Administrative Director      |
| OoP | Office of the President                    |
| PPR | Press & Public Relations Service           |

## Mission Statement

Eurojust's mission is to support and strengthen coordination and cooperation between national authorities in the fight against serious cross-border crime affecting the European Union.

Eurojust's vision, within the Area of Freedom, Security and Justice, is to develop and enhance judicial cooperation, coordination and mutual trust in the European Union in the fight against organised serious cross-border crime and terrorism and to ensure respect for the Rule of Law. Eurojust will achieve this by:

- Functioning as the centre for operational judicial expertise in the European Union, proactively fostering and facilitating the cooperation and coordination of the competent authorities of the Member States in serious cross-border crime cases, providing high-quality services and advice responsive to stakeholders' needs and achieving excellent operational results;
- Continuing to develop as the centre of judicial and legal expertise in the European Union, providing advice to stakeholders - based on operational experience, and input to European Union policy makers in matters of judicial cooperation;
- Acting coherently and complementarily to other agencies and bodies of the European Union, to contribute in the development of the European Area of Freedom, Security and Justice; and
- Continuing to develop and be recognised as an effective, efficient, highly professional, client-oriented and flexible organisation.

## Section I General Context

The Eurojust Multi-annual Strategy 2016-2018 (MAS) is based on an assessment of the influencing factors prevalent in 2014; however, since its adoption, some new developments should be considered that can impact the work of Eurojust. Therefore, in compiling Eurojust's Annual Work Programme (AWP) for 2017, the internal and external influencing factors have been re-evaluated in order to ensure robust annual programming and to retain the required flexibility to respond to different scenarios, emerging crime priorities or changing circumstances that may arise in 2017.

Influencing factors represent risks or opportunities which drive Eurojust's future strategic development:

### External influencing factors:

#### **New Eurojust Regulation**

The possible adoption and entry into force in 2017 of a new Regulation for Eurojust will require changes to the mandate, tasks, governance arrangements and policy making processes in the organisation. This will result in changes for the strategy and work programmes of 2017 and beyond.

#### **Establishment of an EPPO**

The proposed establishment of an EPPO (its physical and legal placement, competencies and jurisdiction as well as the interaction with current and future Eurojust, and the possible organisational arrangements) is likely to have a cross-cutting impact on Eurojust from 2018 onwards.

#### **New Data Protection arrangements**

The entry into force of a new data protection regime for Eurojust under its new Regulation and the possible impact of the Data Protection Package currently under negotiation may have far-reaching implications for Eurojust. As an example, the switch from supervision by the Joint Supervisory Body (JSB) of Eurojust to external supervision by the European Data Protection Supervisor (EDPS) will impact the operational work processes and the processing of personal data in the area of criminal justice cooperation with the national authorities.

#### **Strategic guidelines for legislative and operational planning within the Area of Freedom, Security and Justice 2014-2019**

In a policy context, and according to the EU Strategic Guidelines for legislative and operational planning in the area of freedom, security and justice 2014-2019 adopted by the European Council on 26/27 June 2014 and related communications from the European Commission<sup>1</sup>,

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<sup>1</sup> Communication from the European Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of Regions: "The EU Justice Agenda for 2020 – Strengthening Trust, Mobility and Growth within the Union" (COM (2014) 0144) and Communication from the European Commission to the European parliament, the Council, the Economic and Social Committee and the Committee of Regions: "An open and secure Europe: making it happen" (COM (2014) 154)

Eurojust has a major role to play in strengthening EU security. The Strategic Guidelines contemplate and demand a reinforced coordination role for Eurojust.

Additionally, following the renewal of the Internal Security Strategy 2010-2014 in June 2015, the European Commission issued a Communication<sup>2</sup> on the European Agenda on Security including an action plan for implementation that requires that Eurojust adopts new objectives for 2017 and beyond. These new objectives may be adopted in 3 main areas as forms of crime requiring response at EU level:

- **Illegal Immigrant Smuggling:** the Communication of the European Commission on a European Agenda on Migration<sup>3</sup> mentions Eurojust as a key player in the fight against smuggling and the support to the so called 'hotspots. Eurojust efforts in this area are ongoing since 2015.
- **Cybercrime:** Eurojust is expected to have a more comprehensive approach towards cybersecurity and cybercrime. Furthermore, the results of the 7th Round of mutual evaluations on the practical implementation and operation of the European policies on prevention and combating cybercrime will be soon presented to the Council with foreseeable actions for Eurojust.

Eurojust also supports the idea of the possible future establishment in 2016, of a Network of cybercrime prosecutors. The setting up of this new network is likely to have a major impact, since Eurojust will likely be requested to provide manifold support (e.g. legal, extranet, financial, management, administrative services).

Therefore, cybercrime will continue to be a priority at Eurojust also when almost all type of organised crime activities will increasingly thrive in a digital criminal underworld. Internet facilitated criminal activities increase the risk of a convergence between organised crime and terrorism.

- **Fight against Terrorism:** increasing demands towards Eurojust were agreed in the Justice and Home Affairs informal Council of 29/30 January 2015 and in the Council Conclusions on Counter-Terrorism of 15 February 2015. Additionally, in the aftermath of the terrorist attacks in Paris in January and November 2015, and considering the increasing threats coming from Foreign Terrorist fighters, prevention of radicalization and action to address the phenomenon is also within the activities of Eurojust.

It is important to underline that Eurojust will still implement other operational priorities set within the EU policy-cycle for organised and serious international crime for 2014-2017 within the framework of EMPACT and the adopted Operational Action Plans and Eurojust already considers how to address possible new priorities for 2018-2021.

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<sup>2</sup> Communication from the European Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of Regions: The European Agenda on Security (COM (2015) 185)

<sup>3</sup> Communication from the European Commission to the European parliament, the Council, the Economic and Social Committee and the Committee of Regions: A European Agenda on Migration (COM (2015) 240).

## Cooperation with third States

Eurojust is also expected to play an increasing role in reinforcing operational and strategic cooperation with third States including further reflection on posting Eurojust Liaison Magistrates in key third States<sup>4</sup>.

## Changes in legal framework of key strategic/JHA partners

The revision of the legal framework of key strategic partners and adjusted fields of action will potentially affect Eurojust's strategy in the coming years. This new landscape will offer additional opportunities for cooperation and strategic partnerships. In particular, the new regulation for Europol with expected entry into force in 2017 will require reinforced coordination and cooperation from 2017 onwards leading to new agreements with Europol to implement new provisions such as *inter alia* streamlining of JIT funding, exchange of information, coordination with EC3, the Counter-Terrorism Centre, Internet Referral Unit, JOT-MARE and J-CAT.

## The adoption of new legislative instruments at EU level in the area of judicial cooperation in criminal matters

With the adoption of new legislative instruments at EU level in the area of judicial cooperation in criminal matters, Eurojust will be required to gain expertise and effectively support the Member States in its implementation.

- **The Directive on the European Investigation Order** is to be transposed by Member States by 22 May 2017. Eurojust believes that the direct impact in casework will be noticeable as of 2017 and awareness raising activities for practitioners in the Member States will be organised
- **The Directive on Freezing and Confiscation** is to be transposed by the Member States by 4 October 2016. Therefore, already in 2016, Eurojust could play a more proactive role in supporting Member States in executing cross-border extended and non-conviction based confiscation orders.

## The Multi-Annual Financial Framework of the EU 2014-2020

The MFF 2014-2020 presents challenging resource limits for Eurojust. In a context of demands to improve the structure, governance, accountability, transparency, coherence and efficiency of the Agencies by the Common Approach on EU Decentralised Agencies and the Roadmap of the European Commission on the follow-up to the Common Approach of 19 December 2012, Eurojust is striving to achieve operational results and honour increasing operational demands.

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<sup>4</sup> Council Conclusions on Counter-Terrorism of 9 February 2015

## Internal influencing factors:

### **New Premises of Eurojust**

Eurojust will move to new premises in April 2017. The New Premises Programme is managing the extraordinary effort of the organisation to ensure business continuity and a successful and timely move. A Business Continuity Plan will be in force to ensure smooth transition to the new premises.

From 2016, Eurojust is the sole occupant of the current two buildings, following the relocation of the International Criminal Court to its new premises at the end of 2015. This interim situation impacts upon Eurojust's budget and resources, costs such as security previously covered by ICC now have to be met and staffed by Eurojust not only in the interim premises but also in the much larger new premises. The Host State has assumed the costs of the vacant parts of the interim premises and provided parking facilities to Eurojust; however the security, service and utility costs rise significantly for Eurojust in the absence of the cost share arrangements previously with the co-tenant.

The new premises will contribute to the improvement of the availability and quality of the coordination tools and increased use of video-conferencing. Furthermore, Eurojust College and Administration will be placed in one building again which will facilitate working relations

### **New Regulation on Eurojust**

Eurojust needs to develop an Action Plan for the implementation of the Regulation on Eurojust in order to prepare and respond to the upcoming legislative changes as soon as the final impact is known (expected in the course of 2017).

### **6<sup>th</sup> round of mutual evaluations**

Eurojust is currently implementing an Action Plan based on the recommendations addressed to Eurojust during the 6<sup>th</sup> round of mutual evaluations on the implementation of the Eurojust Council Decision. It is expected that high priority actions will be completed by the end of 2016, remaining medium and low priority actions that may require a longer time frame for completion. This Action Plan should be implemented until the new Regulation on Eurojust will enter into force.

### **Evaluation of Eurojust under Article 41a of the Eurojust Council Decision**

Eurojust is currently implementing an Action Plan based on the recommendations addressed to Eurojust by Ernst & Young in the report on the Evaluation of Eurojust under Article 41a of the Eurojust Council Decision. It is expected that most of the recommendations will be addressed by the end of 2016 and/or 2Q 2017..

## Section II Multi-annual Programming

### 1. Multi-annual Objectives

The MAS of Eurojust for the period of 2016 -2018 as adopted by the Management Board, defines the strategic objectives for each of the three strategic goals as follows:

|                                                    | STRATEGIC OBJECTIVES 2016-2018                                                                                |
|----------------------------------------------------|---------------------------------------------------------------------------------------------------------------|
| <b>GOAL 1 -<br/>OPERATIONAL<br/>WORK</b>           | 1.1 Strengthen the position of Eurojust as the centre for operational judicial cooperation                    |
|                                                    | 1.2 Provide dynamic and quality support to national authorities on judicial cooperation and coordination      |
|                                                    | 1.3 Operationally contribute to the European Union policy cycle for organised and serious international crime |
|                                                    | 1.4 Strengthen the operational information management capabilities of Eurojust                                |
|                                                    | 1.5 Reinforce operational cooperation with key partners                                                       |
| <b>GOAL 2 -<br/>STRATEGIC<br/>WORK</b>             | 2.1 Contribute to the improvement of European Union action in judicial cooperation in criminal matters        |
|                                                    | 2.2 Strengthen the pivotal role of Eurojust in joint investigation teams                                      |
|                                                    | 2.3 Strategically contribute to the European Union policy cycle for organised and serious international crime |
|                                                    | 2.4 Enhance strategic cooperation with stakeholders and partners in the Area of Freedom, Security and Justice |
| <b>GOAL 3 -<br/>ORGANISATIONAL<br/>DEVELOPMENT</b> | 3.1 Ensure timely internal preparation for implementing organisational change                                 |
|                                                    | 3.2 Ensure the delivery of excellent support services                                                         |

Eurojust did not adopt key performance indicators at the strategic level for its MAS 2016-2018. The assessment of progress and performance is thereby through KPIs of the corresponding annual organisational objectives determined for the annual programming as well as at the operational level of each unit and service objectives.

## 2. Multiannual Programme

### 2.1 Strategic Action Areas

In accordance with the guidelines to the Programming Document, terminology required in the programming document may be equated to that in use at the agency. In this context, Eurojust's strategic action can be equated to its three strategic goals containing the related strategic objectives, namely operational work, strategic work and organisational development and support.

#### Strategic Action Area 1 – Operational Work

Strategic Goal 1 adopted by the Management Board of Eurojust states

“Eurojust will function as the centre for operational judicial support in the European Union, proactively fostering and facilitating the cooperation and coordination of the competent authorities of the Member States in serious cross-border crime cases, providing high-quality services and advice responsive to stakeholders’ needs and achieving excellent operational results”

The multi-annual objectives in this regard define further the action areas

#### Strategic Objective 1.1 - Strengthen the position of Eurojust as the centre for operational judicial cooperation and coordination by

- Encouraging the referral of complex cross-border crime cases and relevant case-related information to Eurojust and offering operational and legal expertise, in particular on judicial cooperation and mutual recognition instruments such as Mutual Legal Assistance, the European Arrest Warrant, the European Investigation Order and joint investigation teams;
- Making full use of the possibilities offered by the Eurojust National Coordination Systems in the Member States.

#### Strategic Objective 1.2 – Provide dynamic and quality support to national authorities on judicial cooperation and coordination by

- Enhancing Eurojust's capabilities to provide an excellent response to requests for judicial cooperation and coordination;
- Facilitating operationally, financially and logistically the organisation of effective coordination meetings and judicial coordination centres providing follow-up support expeditiously;
- Promoting, financing and supporting the use of joint investigation teams;
- Developing mechanisms to share experience and best practice in effective casework handling and to provide operational feedback.

#### Strategic Objective 1.3 - Operationally contribute to the European Union policy cycle for organised and serious international crime by

- Supporting the operational priorities of the European Union and reporting on their effect on Eurojust's operational work;
- Pursuing an operational role in the support to the Operational Action Plans developed within the framework of the European Multidisciplinary Platform against Criminal Threats (EMPACT).

#### **Strategic Objective 1.4 - Strengthen the operational information management capabilities of Eurojust by**

- Developing and delivering a holistic approach, in conjunction with relevant partners and MS, to further streamline information exchange, data handling and judicial analysis capabilities.

#### **Strategic Objective 1.5 - Reinforce operational cooperation with key partners by**

- Continuing to develop operational cooperation, interaction and complementarities with the European Judicial Network, Europol, OLAF and other partners.

### **Strategic Action Area 2- Strategic Work**

Strategic Goal 2 adopted by the Management Board of Eurojust states

“Eurojust will continue to develop and be recognised as the centre of judicial and legal expertise in the European Union, providing advice to stakeholders based on operational experience in judicial cooperation in criminal matters”

The multi-annual objectives in this regard define further the action areas

#### **Strategic Objective 2.1 - Contribute to the improvement of European Union action in judicial cooperation in criminal matters by**

- Proactively delivering strategic advice, based on operational experience, to European Union decision and policy makers in the field of judicial cooperation in criminal matters;
- Regularly reporting identified obstacles to judicial cooperation, best practice and possible solutions to stakeholders;
- Actively promoting a common European approach to judicial cooperation, taking into account differences in the legal systems of the Member States of the European Union.

#### **Strategic Objective 2.2 - Strengthen the pivotal role of Eurojust in joint investigation teams by**

- Providing best practice and recommendations for the establishment and functioning of joint investigation teams based on practical experience and the findings of the evaluation of joint investigation teams;
- Ensuring the maximum use of the potential of joint investigation teams by securing funds to support such teams

#### **Strategic Objective 2.3 - Strategically contribute to the European Union policy cycle for organised and serious international crime by**

- Actively promoting the judicial and prosecutorial dimension of the fight against serious cross-border crime in the European Union;
- Actively contributing to the establishment of the strategic priorities of the European Union.

#### **Strategic Objective 2.4 - Enhance strategic cooperation with stakeholders and partners in the Area of Freedom, Security and Justice by**

- Maintaining privileged relations with the European Union Institutions in the area of criminal justice;

- Further exploring synergies and complementarities with the European Judicial Network, the European Network of Contact Points in respect of persons responsible for genocide, crimes against humanity and war crimes, the Network of National Experts on Joint Investigation Teams and the European Judicial Training Network;
- Prioritising and reinforcing strategic cooperation with other Justice and Home Affairs Agencies to produce a coordinated approach in this area;
- Fully engaging practitioners in European Union policy matters through providing support and facilitating the work of the Consultative Forum of Prosecutors General and Directors of Public Prosecution in the Member States of the European Union;
- Building strategic relationships with other European Union agencies or bodies and international organisations closely related to the field of work of Eurojust.

### **Strategic Action Area 3– Organisational Development and Support**

Strategic Goal 3 adopted by the Management Board of Eurojust states

“Eurojust will continue to develop and be recognised as an effective, efficient, highly professional, client-oriented and flexible organisation”

The multi-annual objectives in this regard define further the action areas.

#### **Strategic Objective 3.1 - Ensure timely internal preparation for implementing organisational change by**

- Ensuring full and smooth implementation of the Regulation on Eurojust, including the implementation of organisational changes that the establishment of the European Public Prosecutor’s Office may require of Eurojust;
- Promoting a strong and positive organisational culture, embracing change and innovation to face organisational challenges.

#### **Strategic Objective 3.2 - Ensure the delivery of excellent support services by**

- Increasing efficiency and flexibility in the deployment of human and financial resources to deliver quality services;
- Enhancing the harmonisation of all internal processes and procedures to streamline services;
- Optimising technological and physical infrastructure to meet business needs;
- Strengthening organisational capacity, management information, reporting and accountability;
- Enhancing internal and external communication, striving for a stronger corporate identity;
- Preparing the transition to the new premises of Eurojust as a joint organisational effort.

### 3. Human and financial resource outlook for years 2017-2019

#### 3.1 Overview of the past and current situation

##### 3.1.1 Staff population overview for 2015<sup>5</sup>

#### Non-statutory staff

- **National Desks**

The core operational activities of Eurojust are performed by 28 National Members, one from each of the European Union's Member States. National Members are seconded in accordance with their respective legal systems and are judges, prosecutors or police officers of equivalent competence. The National Members form the College of Eurojust, which is responsible for the organisation and operation of Eurojust. As at 31 December 2015, 26 National Members are appointed to Eurojust (Italy and Malta have not yet appointed new National Members to replace the ones that left in 2015). These National Members are assisted by 20 Deputy National Members, 20 Assistants and 2 non-deputising Assistants.

- **Liaison Prosecutors seconded to Eurojust by third States**

Eurojust hosts three Liaison Prosecutors from Norway, the USA and Switzerland. In January 2016, the Attorney General of the United States Department of Justice seconded to Eurojust a Cybercrime Prosecutor for a test period of 3 months. Eurojust expects continuity in this secondment to enhance cooperation, coordination and sharing of information and expertise in the fight against cybercrime.

- **Seconded National Experts**

Eurojust has 35 Seconded National Experts (SNEs) posts: 28 to support the work of the National Desks and seven to offer expertise in the Administration. The filling of the positions allocated to the National Desks is dependent on whether a Member State seconds an SNE to its National Desk at Eurojust. At 31 December 2015, 14 SNEs were seconded by their Member States to the National Desks. In addition, one National Expert is seconded to Eurojust as of July 2015 in order to represent Eurojust in the Cybercrime Centre established at Europol (EC3). To enhance occupancy of all SNE posts, those SNE posts which remain unused by the National Desks can be used by the Administration. In this context, an additional post was granted to the Administration and at 31 December 2015, the Administration has eight SNE positions occupied.

#### Statutory staff

- **Temporary Agents**

Eurojust had 205 temporary agent posts authorised in 2015. At 31 December 2015, 200 temporary agent posts were filled leading to a vacancy rate of 2.4%. On 31 December 2015, five

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<sup>5</sup> For detailed data on different staff categories please see table 1 in annex III. Information concerning recruitment policy, appraisal of performance and reclassification / promotions, mobility policy, gender and geographical balance and schooling is provided in Annex IV A-E.

temporary agent posts were vacant (see overview of vacant posts in chapter X - Organisation chart). Of the five vacant posts, three are earmarked for the 2016 post reduction exercise. Eurojust has incorporated in the 2016 Establishment Plan the final post reductions to achieve the 5% target agreed by the budgetary authority<sup>6</sup>. The low vacancy rate - despite the 4.6% turnover rate in 2015 - is mainly due to the efficient use of existing reserve lists to fill posts. Eurojust continues this proactive approach in 2016 in order to have up-to-date reserve lists for high turnover positions.

- **Contract Agents**

Eurojust had 22.5 FTE contract agents at 31 December 2015. Of these, five contract agents are replacing temporary agents on part time, long term sick leave, maternity and parental leave. One contract agent is engaged in tasks related to the move to the New Premises. Four additional contract agents will be recruited in the course of 2016 to support the new premises. The remaining contract agents are mainly providing additional capacity to meet the demands in the operational work areas of Eurojust or are engaged in project work related to core operations. Eurojust is currently exploring the possibilities offered under Article 38(2) of the Financial Regulations that allows the recruitment of temporary agents exceeding the number of temporary agent posts in the Establishment Plan in order to compensate for the effects of part time.

#### Others

- **Structural Service Providers**

Eurojust used a total of 8.26 FTE Structural Service Providers in 2015. Structural Service Providers are used in the areas of Information Management, Facility Management and Audio-visual Services. In 2015, Eurojust used 2.76 FTEs (consultants) for Facility Management and one FTE (consultant) for Audio-visual Services. External service providers are commonly used in the Information Management unit. For this purpose Eurojust has contracts to provide high level/ strategic advice, technical advice related to specific technologies, technical support related to products or services and support related to requirements analysis. 4.5 FTE consultants have been providing their services to IM throughout 2015, engaged mainly in project work related to the New Premises and ICT Support.

- **External staff for occasional replacement**

External staff for occasional replacement (interim staff) is engaged to cover long-term absences at the National Desks to meet the specific linguistic requirements (National Desk specific). In the Administration they are engaged exceptionally to cover urgent needs for additional expertise support in absence of temporary agents. By the end of 2015, seven FTEs were providing services at the National Desks and one FTE was replacing a long-term sick leave of a temporary agent in the Administration.

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<sup>6</sup> COM(2013)519 final

### 3.1.2 Expenditure for 2015

Below is an overview of the development of expenditures for period 2015-2017, highlighting that Eurojust's regular budget for 2017 2016 (excluding the ring-fenced budget for the new premises) is only €689,000 higher than.

*Amounts in thousands of euros*

| Budget Title                                          | Budget 2015   | Budget 2016   | Budget 2017   | Increase 2016-2017 | Increase 2016-2017 (%) |
|-------------------------------------------------------|---------------|---------------|---------------|--------------------|------------------------|
| <b>Title 1</b>                                        | 17,801        | 18,865        | 18,501        | (364)              | -2%                    |
| <b>Title 2 (excl new premises ring fenced budget)</b> | 7,518         | 9,499         | 10,471        | 973                | 10%                    |
| <b>Title 3</b>                                        | 8,399         | 8,196         | 8,277         | 81                 | 1%                     |
| <b>Regular' Operating Budget</b>                      | <b>33,718</b> | <b>36,560</b> | <b>37,249</b> | <b>689</b>         | <b>2%</b>              |
| <b>New premises ring-fenced budget (Title 2)</b>      | 100           | 6,980         | 11,130        | 4,150              | 59%                    |
| <b>Total Budget</b>                                   | <b>33,818</b> | <b>43,540</b> | <b>48,379</b> | <b>4,839</b>       | <b>11%</b>             |

### 3.1.3 Other information

For information concerning the Eurojust's recruitment policy, appraisal of performance and reclassification/promotions, mobility policy, gender and geographical balance and schooling see Annexes IV-A to IV-E

## 3.2 Resource programming for 2017-2019

### 3.2.1 Financial Resources

*Detailed data provided in Tables in Annex II*

### *Development of the Estimate of Revenue Expenditure for 2017*

The budget of 2017 reflects the requirements of Eurojust, a demand driven agency and is based on the budget assumptions for 2017 as adopted by the College. The budget for 2017 is presented in accordance with Activity Based Budgeting<sup>7</sup> (ABB) principles, based on the Annual Organisation Objectives (AOOs)<sup>8</sup> and the approved (budget) assumptions for 2017 adopted by the College<sup>9</sup>, which stem from the MAS 2016-2018.

<sup>7</sup> Establishing requirements as in article 29 of the Financial Regulation applicable to Eurojust (College Decision 2014-1)

<sup>8</sup> Annual Organisational Objectives for 2017, as approved by Presidency Team for the purpose of budget planning 2017

<sup>9</sup> adopted by the College on 15th July 2015; modified by way of Management Board decision XX, 22<sup>nd</sup> March 2016

Based on the AOOs and the budget assumptions, the Heads of Units and Services were requested to present their unit's objectives, plan their related activities and identify the required resources necessary to achieve the AOO's. Together with the input received from the College during the 1st and 2nd reading and additional College meetings of 08 and 15 March 2016 based on the Commission's feedback, the draft budget of Eurojust for 2017 amounts to €53,371,473. It should be noted that the costs for the New Premises budget in 2017 (€11.1 million) are consistent with the MFF projections and will represent the final tranche of the of the €18.4 million envelope.

However, the by the Commission's proposed budget for Eurojust was only €47,704,237. The result of the conciliation procedure provided Eurojust with an additional ten TA posts (5 reinstated and 5 new posts) and an additional €675,000 over the Commission's proposed Draft Budget 2017. This increase represents only part of the amount requested in the appeal to the budgetary authorities and thereby requires Eurojust to reduce its budgetary needs (activities) by almost €5 million and at the same time meet the financial obligations (or fixed costs) related to the premises transition (new and interim premises), increasing statutory obligations related to staff entitlements and maintaining an adequate budget to safeguard, as far as possible, the operational work within the remaining budget allocation.

The Final Budget 2017 stands at €48,379,237<sup>10</sup> including €11,130,000 ring-fenced for the New Premises building project finalisation.

The budget for 2017 deviated with the adjusted Commission's Financial Programming<sup>11</sup>. The Commission has been informed that these differences are caused by:

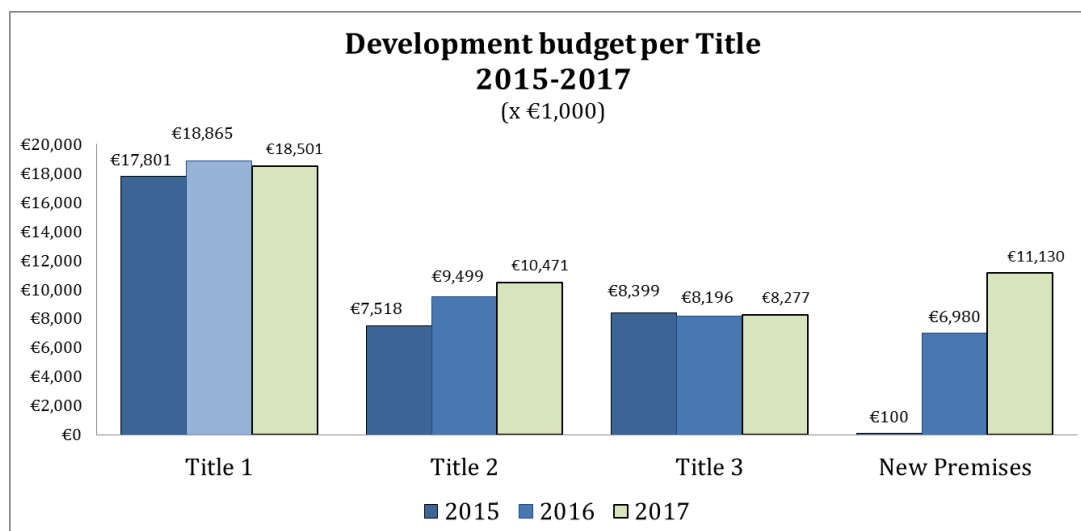
- the amending budgets for 2014 and 2015 and related cumulative effect of the staff costs adjustments in 2016 and 2017;
- the extraordinary (and unforeseen) costs related to the early departure of our co-tenant (the ICC) from the Interim Premises; the higher operating costs for the New Premises (2017);
- the significantly increased investments for JIT's funding since the 2014 baseline was established in the Programming.

Using the additional credits granted by the budgetary authorities, the budget of 2017 for title III proposed by the Commission has been supplemented for operational work (€500,000 increase on Coordination Meetings compared to voted budget 2016). This and other fixed costs have been met in part due to savings identified in respect of the new/interim premises costs (and the recently communicated delays in the delivery) and further by reducing significantly the budget for TA, CA, Interims (Title 1) and SNE (Title 3) as well as ICT developments and investments (Titles 2 and 3). In respect of the aforementioned reductions, it should be noted that the deficits will be managed through post vacancies and prioritisation of IT developments whilst taking account of any funds to be obtained from synergies or cost reduction initiatives in 2017.

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<sup>10</sup> Includes assigned revenue of prior year €597,000

<sup>11</sup> Original MFF as stated in COM(2013) 519 final, but adjusted and confirmed by Anne Poliart (DG Shared Services) in her email of 08 January 2016



The Establishment Plan comprises 208 TA posts, which reflects 5 reinstated posts (existing in 2016) and five new posts, namely the Cybercrime Network Officer, JI's Grant Coordinator requested by Eurojust and three posts granted by the budgetary authorities linked to three priority crime areas (terrorism, illegal immigration, cybercrime).

The staffing budget however is not sufficient to fill all 208 posts. As a consequence, Eurojust will operate within a constrained budget through the management of vacancies and in accordance with priorities.

The Programming Document reflects the final budget figures. It should be noted that a number of adjustments were necessarily made to the budget assumptions in order to reflect the lower voted budget and the additional posts granted by the budgetary authorities, namely:

- Increase number of TA posts (205 to 208);
- Reduction SNE (35 to 21)
- Reduction of Eurojust meetings (strategic/tactical) and related budget as concluded in the Working Group on Prioritisation and Reorganisation and Coordination Meetings.
- In respect of the Coordination Meetings, the final budget allocation allows for 265 Coordination Meetings (as budget assumptions 2018) as opposed to the 300 originally adopted by the College for the 2017 budget.

The Annual Work Programme section of the Programming Document, which serves as the Financing Decision for the budget, will be revised further in order to reflect changes to the activities stemming from the Working Group on Prioritisation and Reorganisation; the development priorities still to be determined by the ICT Steering Committee and related Programme Boards; as well as an update of eMS (budget planning tool). Where this represents a significant amendment it will be presented to the College for adoption in January/February.

### 3.2.2 Human Resources

#### *Staff population evolution<sup>12</sup>*

See also table 2, annex III.

#### Non-statutory staff

- **National Desks**

The number of National Members is expected to remain stable. The composition of each National Desk is decided by the Member State. The number of Deputy National Members and Assistants to the National Members has slightly dropped over the past years mainly due to austerity measures in the Member States. For 2017, Eurojust anticipates a rise of four new Deputy National Members and three new Assistants to the National Members.

- **Seconded National Experts**

Eurojust will retain 21 SNEs posts in 2017. The 21 SNEs are foreseen to support the increasing caseload at the National Desks and the Administration.

#### Statutory Staff

- **Temporary Agents**

The budgetary authority cut two posts from the establishment plan for 2016 on the AST2 grade but also added two new posts in the AD5 and AD6 grades. In addition, Eurojust has been granted an additional post of a liaison officer AD6 dealing with Illegal Immigrant smuggling issues in order to support Eurojust's operational and strategic projects and activities pertaining to this area. This post is retained in the 2017 establishment plan.

The envisaged post reductions for 2016 are incorporated in the 2016 Establishment Plan. The post reductions have been made at AST2 grade in order to secure the higher grading levels in the establishment plan for future developments at organisational level.

Eurojust has limited the reduction of its establishment plan to the 5% agreed by the budgetary authority. 4% of the reduction was already achieved in 2014 and 2015 (eight posts in total) and a further 1% (three posts) will be achieved in 2016. All the post cuts are in the areas of indirect support to core operations. Synergies and efficiency gains are being made through reorganisation and leverage of technology so as to overcome the post cuts. In addition, reallocation of staff through internal mobility procedures has already taken place ensuring an efficient distribution of posts and further strengthening of the operational work areas as far as possible. The net result of the 5% reduction in posts is a 14% reduction in the indirect support.

The establishment plan for 2017 already includes provisions based on the reclassification percentages per category and grade to secure the availability of grades for the reclassification

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<sup>12</sup> For detailed data on the staff population evolution see table 2 in annex III.

exercise of 2017. The percentages are in accordance with the multiplication rates for guiding average career equivalence<sup>13</sup>, and the figures are rounded downwards.

### **New requests for Temporary Agents**

Eurojust requests two new Temporary Agent posts for 2017.

Although Eurojust is facing the need to reduce staff by 5% until the end of 2016, it also experiences a considerable increase in cases (22.7% increases in 2015 over 2014) as well as in coordination meetings. Eurojust continues to seek efficiency gains however with a 14% reduction in the indirect support in order to preserve the operational capacity, there is less and less scope to absorb the additional operational demands which has resulted in increasing SNE requests as well as additional capacity through interim and CA posts.

This applies in particular to the area of Counter-Terrorism, Cybercrime and Illegal Immigrant Smuggling where Eurojust is increasingly called upon for coordination and strategic support by the EU Institutions. The potential creation of a Cybercrime Network anticipates the need for at least one AD6 post provide specialist support in this crime area.

In addition, the workload and key role of the Joint Investigation Teams (JITs) Network Secretariat in Eurojust's operational work has increased significantly and it is requested to strengthen the staffing of the JITs Network Secretariat through the conversion of the current CA posts to AD6 JITs Grant Coordinator.

The justifications for these posts are as follows:

#### *Cybercrime Officer: one AD6 post*

Since 2014, National Authorities have been expressing the need to set up a cybercrime network of prosecutors. Such a need was officially expressed in the context of the ITOM (Illegal Trade on Online Marketplaces) Project in May 2014. As a follow up, in November 2014 (in the margins of the Eurojust Seminar on cybercrime) the Dutch Prosecution Service organised at Eurojust a brainstorming session for practitioners to further explore the possibility to set up a judicial cybercrime network at EU level. The National Authorities present (from Belgium, Bulgaria, Czech Republic, Estonia, Spain, Finland, France, Germany, Malta, the Netherlands, Portugal, Romania Sweden and the United Kingdom), agreed on the need to establish such a network and on the activities that should be accomplished.

The Network should be opened to prosecutors and investigative judges, as well as other competent authorities dealing with cybercrime and/or e-evidence. It should also cooperate closely with EC3 and benefit of its technical expertise. The possibility to establish a Judicial Cybercrime Network has been referred to by the EU Counter-Terrorism Coordinator in a paper discussed during the COSI meeting of 20 January 2015 (DS 1035/15). A reference to the

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<sup>13</sup> Article 45§1 and §2 of the revised Staff Regulations, Annex I.B. Staff Regulations and Article 54 of the revised Conditions of Employment of Other Servants.

creation of a Cybercrime Judicial Network can also be found in a note from the EU Presidency to CATS of 5 February 2015 (ST 5917/15).

As a network of judicial authorities, it can benefit from the expertise of Eurojust in judicial cooperation in criminal matters, and could even facilitate the early involvement of Eurojust in cross-border cybercrime cases. Eurojust has already the experience of providing specialist support to other networks as well as the Consultative Forum and can build further capacity and specialist support in the area of Cybercrime. This additional specialist capacity together with the existing infrastructure will be sufficient in the first instance to support to the creation of a new network.

Activities could include the organisation of two meetings a year and follow-up, the collection of information such as case law, court decisions, legislation, its analysis and sharing with the Network's contact points, engaging in regular dialogue with the experts, and with the relevant EU Institutions, collecting information on training possibilities. Swift sharing of information and knowledge could be facilitated by a specific platform in the form of a secure website.

Eurojust does not currently have sufficient resources to provide dedicated support the set-up of such a Network. Therefore, a post for a Cybercrime Officer AD6 is requested.

#### *JITs Grant Coordinator: one AD6 post*

The JITs Network Secretariat has experienced a significant increase of activities related to acting as a centre of expertise on JITs at Eurojust in the last two years and this will continue with the Secretariat gaining knowledge about operation of JITs, particularly taking into account the output of JITs legislation and JITs evaluation projects. In addition, the Secretariat receives around 150 applications for JITs grants per year to be processed in 8 calls for proposals. For the moment these tasks are performed by a Contract Agent FGIV as initially they were considered of a temporary nature. Not only the fact that the new Regulation on Eurojust foresees JITs funding as one of the core missions of Eurojust but also the establishment of the funding in the regular budget of Eurojust since 2013 (after the expiry of the grant from the European Commission) indicates that JITs grant management has become a permanent task. The level of the funding which increases from €450,000 to €1.0 million currently also requires the organisation to ensure sufficient resources to manage the grant applications and awards.

Eurojust strives to ensure continuous expertise in the field of JITs grants and therefore requests a new post at an AD6 grade to be employed as JITs Grant Coordinator.

After submission to the Commission, the Commission proposed a reduction in the establishment plan of 7 posts, bringing the total to 198. The reductions were made at the following grades: 1 AD9, 1 AD7, 1 AD6, 3 AD5 and 1 AST4.

The budgetary authorities decided to increase the establishment plan to 208 posts. The Commission determined that the grades of these 10 new posts would be: 3 AD8, 3 AD7, 3 AD6 and 1 AD5.

The new posts will be used to provide support the priorities set out in the European Security and Migration Agendas and the Migration Action Plan (2015-2020). Special focus will continue to be placed on counter-terrorism, cybercrime and illegal immigrant smuggling.

- **Contract Agents**

Eurojust requests a total of 24.5 FTEs Contract Agents for 2017. This includes contractual obligations for 14 Contract Agents currently employed at Eurojust. Eurojust is also planning to extend eight Contract Agents whose contracts expire before or during 2017 based on current workload assumptions and increasing casework. Six of these Contract Agents are tasked with project/legal/support work related to the core operations of Eurojust and two assist with extra workload in the Administration.

*New requests for Contract Agents*

Eurojust is asking for 2.5 extra Contract Agent posts.

The following justifications are provided:

*Sole occupancy of Interim Premises: 2.5 FTEs (1 FTE FGII & 1.5 FTE FGIII)*

Five additional Contract Agents were requested in the 2016 budget (and not granted) related to the sole occupancy of the interim premises, following the relocation of the co-tenant (International Criminal Court) at the end of 2015. The additional five posts are required to assume tasks previously performed and financed by ICC staff (at the benefit of Eurojust) in order to ensure business continuity and the maintenance of minimum security and safety standards in accordance with prevailing threat assessments. These posts are needed until Q2 2017 when the move to the new premises will be completed and the interim premises restored to their original state. Two Contract Agents will assist the Security team and three Contract Agents will be complementing the existing team of Facilities Management in order to ensure maintenance of two interim buildings. As these Contract Agents will not be needed for the whole of 2017, their FTE aggregate requested is 2.5.

**Others**

- **Structural Service Providers**

The number of Structural Service Providers is expected to remain stable until Eurojust moves to the new premises in 2017. As of 2018 the number of consultants is expected to stabilise to 6 FTEs per year.

*Resource outlook over the years 2017-2019: future activities of Eurojust taking into consideration consequences on staff policy*

- **New Tasks**

Council Decision 2009/426/JHA of 16 December 2008 on the strengthening of Eurojust and amending Decision 2002/187/JHA setting up Eurojust with a view to reinforcing the fight against serious crime introduced with the new Article 27(a) the possibility for Eurojust to post Liaison Magistrates to third States. Eurojust will continue to build on the work foreseen for 2016 that will finalise the internal arrangements and identify the priority third States. Subject to the adoption of the policy in this regard, Eurojust will work towards implementation and

possible posting of Liaison Magistrates. It is envisaged that Eurojust may request the concomitant budgetary resources necessary to fulfil this task in the course of the 2018 budget cycle at the earliest.

Eurojust is further requested to contribute to the fight against new and/or emerging threats affecting the European Union and its citizens as a whole, mainly arising from terrorism and the phenomenon of foreign terrorist fighters, illegal immigrant smuggling and cybercrime to ensure that the necessary judicial dimension is supported as required. In this regard, although not introduced through a formal act of legislation, Eurojust is required to take action and it will do so, mainly through additional coordination meetings regarding cases in these three crime areas, through ensuring a constant exchange of best practices and strategies by the organization and financing of tactical meetings as well as regular missions to the Hotpots and regular exchange with the competent authorities in particular in Italy, Greece and Malta. It is vital to include the southern neighbouring countries to the EU in such dialogue.

The successful establishment of a network of experts from all Member States regularly meeting at Eurojust to discuss tactical and operational questions related to the juridical aspects of the fight against terrorism and the phenomenon of foreign terrorist fighters can serve as a model for the establishment of similar networks in the areas of illegal immigrant smuggling and cybercrime – in the latter area a particular need to strengthen the judicial dimension of this fight is evident and the secondment of a specialized Liaison Prosecutor from the United States to Eurojust especially for matters of fighting cybercrime further attests to the efforts required in this crime area. A network of judicial Cybercrime experts will require coordination and a seamless and steady link to the EC3 established at Europol and thus the 2017 budget proposal includes a request for one new post to provide this specialist and dedicated support to the representatives from the competent authorities of the Member States.

- **Growth of existing tasks**

Eurojust is independent in the exercise of its operational functions. Its core business (operational case-related and policy work) is entirely demand-driven and carried out by national (non-statutory) staff. The number and profile of non-statutory staff needed to perform the existing core tasks is decided by each Member State individually and the composition of National Desks varies per Member State.

As a demand driven organisation, with its cases referred by the Members States, Eurojust has seen year on year a steady and significant increase in its caseload of 13% in 2014 and almost 23% in 2015. The composition of the National Desks has remained relatively stable. The increase of non-statutory staff envisaged for 2016 is 15% compared to the Multi-annual Staff Policy Plan for 2015-2017. This reflects the fact that Eurojust experiences the continued growth of requests to support the Member States.

With the call to support the judicial dimension of the EU agendas on Migration and Internal Security, a sharp increase of more than 25% is anticipated in the coordination meetings alongside the regular increases in casework, which clearly impacts on the resources required for the direct and indirect support to the College in fulfilling Eurojust's mandate and strategic objective to provide dynamic and quality support to the Member States.

National Desks will continue to be available on a 24/7 basis via the On-Call Coordination system and strategic and tactical meetings, coordination meetings and coordination centres will continue to be an effective tool to support the national authorities in investigating and prosecuting cross-border criminal cases. The complexity of the work and need for specific language requirements at the National Desks will continue to demand specialised support and knowledge which cannot be easily leveraged by technology. The complexity lies in the coordination of the judicial activities that accompany cross-border investigations which bridge 31 different legal systems and 24 working languages giving the core activities a unique hybrid character.

The financing of Joint Investigation Teams through Eurojust's own budget will continue (EUR 1 million in 2016 and 2017 compared to EUR 500,000 in 2015). The demand for this assistance continues to increase annually and clearly demonstrates that this funding mechanism stimulates greater use of the cooperation instrument and supports cooperation between national authorities in the fight against criminal groups and networks. In 2015, the number of JITs supported financially was 68 compared to 67 in 2014 (as the funding remained static at €500K this is to be expected). The increase in the budget for 2016 has an impact not only the JITs Secretariat managing the applications and award decisions but on the budget and finance unit in terms of administrative support and control.

- **Efficiency gains**

It is clear that the increase of work and the concomitant needs of the National Desk, outlined above, impact on both the direct and indirect support areas in terms of increasing specialist, technical and administrative support requirements. This year on year increase has been absorbed through efficiency gains in the administration. Eurojust achieves the 5% post reduction with the 2016 budget proposal (resulting in a 14% reduction in the indirect support in order to maintain operational support resources) allowing the direct support to be strengthened with the additional working hours. However the capacity to absorb more than 30% increase in the workload has limits, hence the requests for reinforcement of posts in the 2016 and 2017 budget proposals.

In fact the budgetary authorities recognised that the additional demands on Eurojust required a special case exemption to the additional 1% post reduction for the redeployment pool, with a "deliberate top-up" to the 2016 Establishment Plan. Eurojust asserts that the same conditions prevail for the 2017 budget proposal and the need for commensurate resources and thus requests the maintenance of the "top-up" as well as two additional new posts.

In order to respond to the need to reduce 5% of the posts and at the same time meet the growing workload, Eurojust has implemented a number of College decisions, business process reviews and increased internal mobility to drive in efficiency and responsiveness, however with limits to the "more for less" model, Eurojust presents its case for additional resources in 2017. Notwithstanding this point, Eurojust will continue to exploit the earlier efficiency gains including:

- Changes to processes, priorities and/or provisions stemming from College decisions on operational and strategic work arrangements as well as business process review and the leveraging of IT developments.
- Work with inter-agency networks to coordinate developments, develop synergies or shared resource models and share costs eg, HR software and performance development network.
- Focus future IT developments on further synergies and efficiencies in core and administrative areas within the limits of the budget

Eurojust also maintains its intention to increase organisational flexibility and as such Eurojust aims to invest further in training to support wider skills profiles and/or internal mobility and thereby better meet fluctuating demands. Training (and the related budget) is a however a cornerstone of this concept.

- **Negative priorities/Decrease of existing tasks**

Eurojust's activities and actions are mainly demand-driven through the referral of cases of serious cross-border crimes to Eurojust by the competent authorities of the Member States – in this area Eurojust must and will take action with the highest priority. This means that even in the event of a shortfall of resources (mainly due to not granting the budget as requested) the support to the cases will be upheld.

Non case-related activities will be de-prioritized in this event and the activities and actions close to the casework, i.e. the Tactical Meetings have the second priority after the support to the cases. All other activities will be de-prioritized as appropriate to meet any shortfall.

- **Redeployment of resources in view of budgetary constraints**

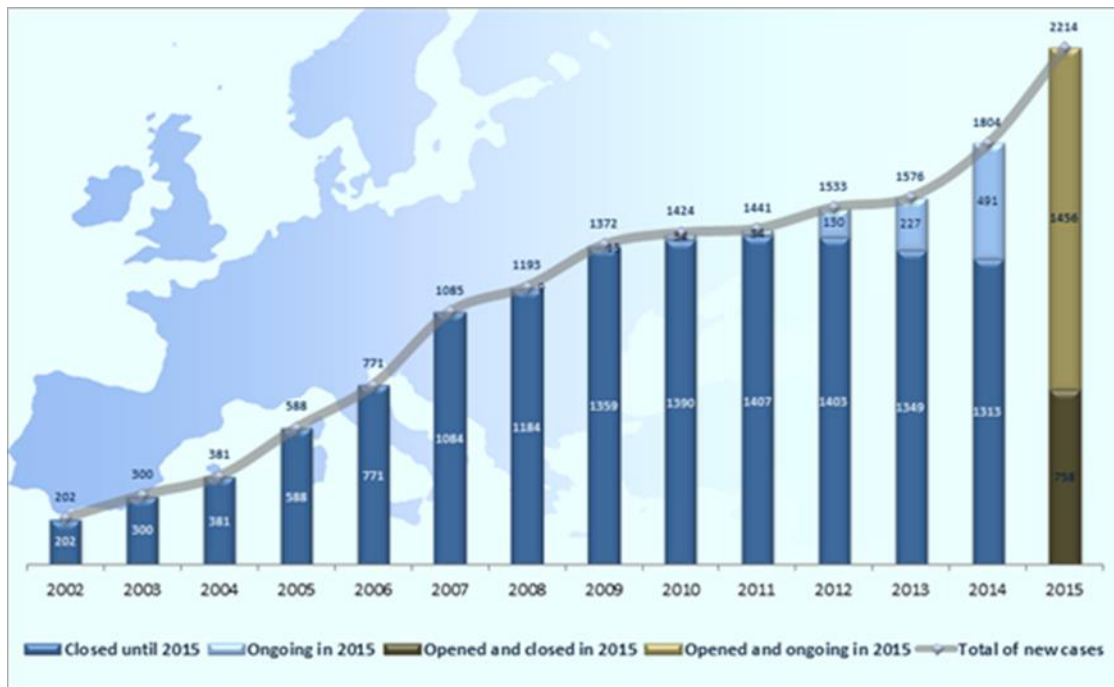
The Organisational Structure Review Programme (OSR) reached its full implementation in the course of 2014 with the alignment of posts and grades with the proposed organisational structure. Even before the completion of the OSR post migration, Eurojust conducted an analysis of the AD:AST ratios of Justice and Home Affairs agencies in the course of preparing the 2014 budget. It was identified that Eurojust had the lowest AD:AST ratio at 0.58 compared to an average of 2.3 for JHA agencies. Eurojust has a similarly unfavourable position in regard to senior AD posts; junior AD ratios with 0.57 compared with an average of 1.74 for other JHA agencies. Eurojust has through the post reduction exercise managed to redress in part this imbalance by reducing the number of posts in the AST categories in the Establishment Plan.

In the face of staff reductions and efficiency gains, particularly in the indirect support it will further be necessary to consider the enhancement of responsibilities within given functions, thus it can be envisaged that functions will grow in terms of key accountabilities and thus higher grades would be attributable to the positions.

In meeting the challenge of the 5% staff reductions, Eurojust has strengthened its internal mobility arrangements. For this reason Eurojust proposes to enhance its training budget in 2017 to better support the retraining and transfer of personnel and thus enhance flexibility and responsiveness within the organisation.

### **3.3 Conclusion on evolution of resources compared to the Commission Communication 2014-2020**

As a demand driven agency, Eurojust is facing an unprecedented increase in its operational workload (23% in 2015).



At the same time, the budgetary and human resources have been decreasing. Whilst efficiency gains have been made to offset the increasing costs and absorb the additional work, the budgetary and human resource capacity is now overstretched. In the face critical reductions made to Eurojust's budget for 2016, Eurojust is faced for the first time with the need to reduce the strategic work of the College and organisational development budgets to ensure that operational work will not be infringed and the unavoidable costs stemming from external factors and legal obligations can be met.

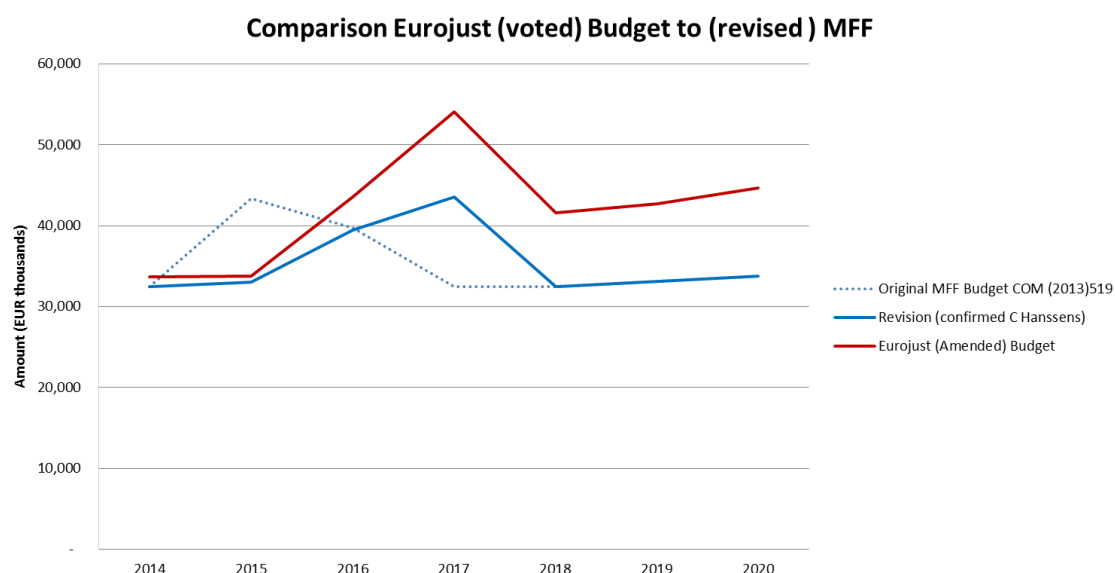
In view of the Commission's Communication, Eurojust's ceilings have been revised in 2015 budget cycle as a result of communication to DG Justice and DG budget on the revised plans for the tranches of the €18.4 million for Eurojust's new premises. *Ex post facto* revisions have also been made to reflect the final voted budgets of 2015 and 2016. However, no extrapolation is made in regard to the budgets of the successive years. The 2017 budget cycle foresees a mid-term review of the MFF, taking into account *inter alia* the consequences of the migration crisis and the "deliberate top-ups" made in the 2016 budget<sup>14</sup>.

Eurojust has been successful and supported in securing annual budgets (amending budgets) that exceed the European Commission's Programming due to:

- Additional caseload and operational work in particular relating to illegal immigrant smuggling (additional posts granted)
- Structural deficiencies in the original baseline (high vacancy rates, one-time penalties extrapolated across six years)
- Unforeseeable and unavoidable costs resulting from external factors (early relocation of co-tenant and rising interim premises costs, decentralisation of costs from the European Commission (European Schools, audit services))

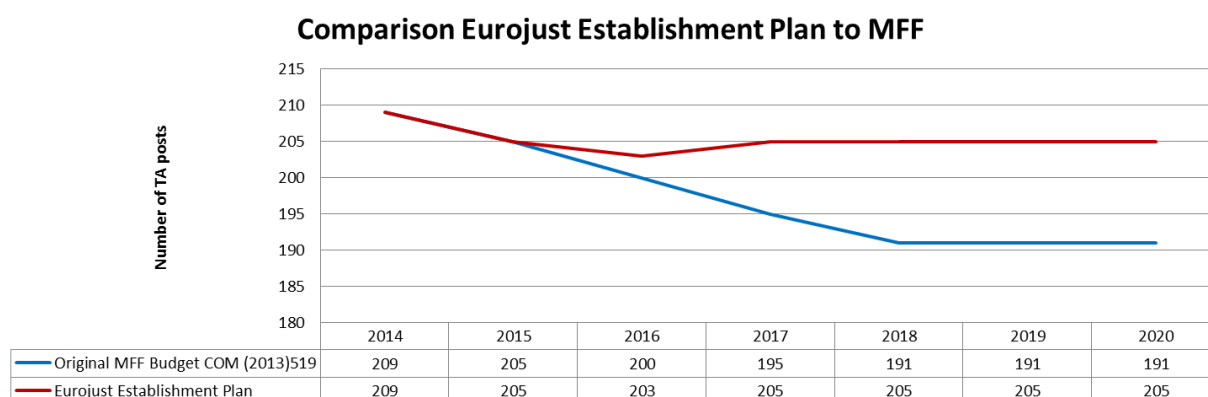
<sup>14</sup> Budget Circular for 2017 Agency Instructions, Brussels 17 December 2015

Eurojust is grateful for the support of DG Justice and the budgetary authority to examine case by case the annual needs of Eurojust's and vote annual budgets and establishment plans that better meet the needs of the agency. However, with no subsequent extrapolation or revision to the MFF for future years, the commonly accepted, cumulative and unavoidable budget deficits have to be reiterated and justified anew each year. As a result, there is ongoing reference to the original Programming ceilings in terms of budget and human resources, which are proven since 2014 to be insufficient to meet the demands on Eurojust.



It can be seen from the graphic above that the chasm between the Commission's Programming/MFF and Eurojust's voted/projected baseline budgets is growing and this only reflects the routine tasks, unavoidable costs and moderate assumptions on the increases in workload. The mid-term review provides an opportunity for Eurojust to work with DG Justice and secure a recalibration of the budget ceilings.

In regard to staffing, Eurojust achieves the 5% post reduction with the 2016 budget proposal and secured an exemption from the 1% redeployment pool levy on the basis of significant increases in the operational workload; this resulted in additional resources granted by the budgetary authority for the 2016 budget.



The foreseen review of the MFF is therefore timely also in respect of the staff resources of Eurojust, where deviations from the Commission's Programming have now arisen. In this respect the Budget Circular 2017 states:

*"The staffing levels of each agency will reflect the programming for 2017 of the Communication [MFF]. However account will be taken of the increases in the number of posts agreed in the budget 2016, as well as the posts allocated in 2015 and 2016 in relation to migration. In particular, the following elements will be considered:*

- *Migration response: the DB will consolidate the additional posts authorised in the budget 2016 for the agencies most concerned [...] EUROJUST, as a new policy development which **does not enter in the 5% staff reduction target** [...]*[emphasis added]
- *Outcome budget 2016: for the agencies with a decreasing number of posts [...] EUROJUST, the staff increases authorised in the budget 2016 are regarded as **deliberate top-ups which alter the target number of posts**"* [emphasis added]

Eurojust endeavours to secure a revision to the MFF that will redress the structural deficiencies and reset staffing targets and at the same time reflect the call to provide more assistance in the fight against serious cross border crime particularly the priorities of terrorism, human trafficking, illegal immigrant smuggling and cybercrime which increasingly pose real threats to freedom, security and justice in Europe. For the same reasons, Eurojust will continue to appeal to the budgetary authority to make a case by case consideration vis-à-vis the 1% redeployment pool levy for cruising speed agencies in light of the growth in the existing tasks.

## Section III Work Programme 2017

### 1. Executive Summary

Eurojust's mission is to support and strengthen coordination and cooperation between national authorities in the fight against serious cross-border crime affecting the European Union.

Eurojust is a unique, hybrid organisation. The National Members, serving Member States in judicial cooperation matters, are critical to the success of Eurojust in operational work. They provide strategic guidance to the organisation and participate actively in the preparation of operational and policy activities linked to the mandate and tasks of Eurojust. This involvement of Eurojust's College is managed through College Teams, created on the basis of the expertise of the National Members, or by the College. Additionally, the College is supported by the administration, which is fully associated with the core activities of Eurojust.

In this context, Eurojust's strategic vision to be the key player and centre of expertise at the judicial level is encapsulated in Eurojust's MAS 2016-2018 and its strategic objectives. In 2017, Eurojust will continue to focus on delivering high-quality and responsive judicial cooperation services to meet the needs of the Member States and strengthen its capacity as a Centre of Expertise as well as exploring further multiplier effects and synergies with its partners to increase outcomes in the Area of Freedom, Security and Justice.

In 2017, Eurojust will receive additional credits to support the final phase of construction of its new premises; however, increasing costs for related activities and the exploitation costs of the new building, which fall outside of the co-financing arrangements agreed by the budgetary authorities, are necessarily added to the "regular" budget of Eurojust. At the same time, Eurojust continues to forecast and maintain an accurate baseline for workloads, costings and staffing levels to ensure the optimum flexibility and efficiency in its deployment of resources in a highly demand driven environment.

National Members, Deputies and Assistants (estimated at 74 personnel in 2017) are not funded by the EU budget but directly by the Member States; however, they draw on other human and financial resources of Eurojust funded by the EU budget.

Within this framework, the Work Programme 2017 sets out the AOO's and KPIs for Eurojust. These AOO's are based on strategic and budget assumptions made for 2017 and build upon the achievements of 2015 and foreseen 2016. The respective Units and Services of Eurojust contribute the activities and attendant resources required to deliver on these objectives in supporting the work of the College and the National Desks; these activities serve as the Management Plan for performance review and reporting.

The MAS adopted by the College in May 2014 covers the period 2016-2018. The forthcoming change of Eurojust's legal basis with the adoption of a new Regulation on Eurojust is the key driver for Eurojust's future strategic development. As the Work Programme for 2017 has to be drawn up before the outcome of the legislative process on the Eurojust Regulation is known, Eurojust has based its budget on the assumption that the new regulation is not in force. It is therefore likely that modifications to both the organisation's Strategy and Work Programme may become necessary in the timeframe leading up to 2017 or within that year, as and when legislative changes may come into force.

The Work Programme provides the AOO's of the organisation, which in turn provide the basis for activity-based budget and resource programming. Eurojust's Work Programme and related resources concern activities related to the furtherance of the three strategic goals of the organisation, namely:

- **Strategic Goal 1 – OPERATIONAL WORK**

Eurojust will function as the centre for operational judicial support in the European Union, proactively fostering and facilitating the cooperation and coordination of the competent authorities of the Member States in serious cross-border crime cases, providing high-quality services and advice responsive to stakeholders' needs and achieving excellent operational results

- **Strategic Goal 2 – STRATEGIC WORK**

Eurojust will continue to develop and be recognised as the centre of judicial and legal expertise in the European Union, providing advice to stakeholders based on operational experience in judicial cooperation in criminal matters

- **Strategic Goal 3 – ORGANISATIONAL DEVELOPMENT**

Eurojust will continue to develop and be recognised as an effective, efficient, highly professional, client-oriented and flexible organisation

Based on the aforementioned assumptions and the AOO's, each Unit and Service prepares its respective Unit Plan of objectives, activities and KPIs and defines the human resources required in FTE terms as well as non-staff expenditure.

The Work Programme serves as a financing decision for expenditure pertaining to activities achieving the annual objectives. In this respect, all significant planned procurements and grants are contained in the annexes to the present document.

## Approach

Following the Joint Statement of the European Parliament, the Council of the European Union and the COM on EU Decentralised Agencies of 19 July 2012 containing the Common Approach on EU Decentralised Agencies, Eurojust has placed further emphasis on the development of tools and systems to embed ABB and ABM. In this respect, Eurojust has further enhanced its eMS to integrate strategic and annual planning, thus translating strategic objectives into annual operational objectives and the related activities from which human and non-staff resources can be determined. This facilitates annual and mid-term financial and human resource planning. Eurojust has developed KPIs at both the strategic and operational levels, improving its capacity to monitor and report on performance against both AOO's and strategic objectives.

The College will be kept informed of performance against objectives and a final summative assessment of progress will be presented in the CAAR of the Administrative Director for 2017.

The beneficiaries of Eurojust are the Member States; however, internally, Eurojust staff funded by the EU budget position themselves as service providers to the College and the National Desks in delivering judicial cooperation services. Whilst staff resources are recorded against the activities in eMS and subsequently recorded in eRec, it was decided by the College that the time of National Members' would not be monitored at this level. Broader estimations are therefore introduced for the work of the National Desks as follows:

- 70% to strategic goal 1 (operational work)
- 20% to strategic goal 2 (strategic work of College and College Teams)

- 10% to strategic goal 3 (accounting for time spent as Management Board and tasks of Presidency Team governing the organisation)

## Budget 2017 Assumptions

The assumptions underpinning the AWP 2016 are based upon known and/or estimated workload indicators. However, due to the budget reductions the budget assumptions were adjusted in order to reflect the lower voted budget and the additional posts granted by the budgetary authorities, namely:

- Increase number of TA posts (205 to 208);
- Reduction SNE (35 to 21)
- Reduction of Eurojust meetings (strategic/tactical) and related budget as concluded in the Working Group on Prioritisation and Reorganisation and Coordination Meetings.
- In respect of the Coordination Meetings, the final budget allocation allows for 265 Coordination Meetings (as budget assumptions 2018) as opposed to the 300 originally adopted by the College for the 2017 budget.

## Operational Assumptions

- i. No activities in support of the EPPO<sup>15</sup>
- ii. No entry into force of the new Eurojust regulation<sup>16</sup> in 2016
- iii. ~~300~~ 265 Operational Work Meetings of which:
- iv. 2000 case referrals
- v. ~~8~~ 6 Strategic meetings of which:
  - ~~2 Strategic meetings~~
  - ~~2 Strategic seminars~~
  - 4 Tactical meetings
  - 1 Consultative Forum – including a strategic seminar (Maltese & Estonian presidencies)
  - 1 Inauguration of the New Premises
  - ~~2 Ad Hoc meetings~~
  - Max. 2 Strategic Projects
- vi. An increased participation of third States in Coordination Meetings and JITs
- vii. Provide operational support for up to 115 JITs
- ~~viii. Max. 3 Marketing Seminars~~
- ix. ~~Max. 10 Eurojust Roadshows~~  
Not to organise any Marketing Seminars and Roadshows in 2017, repealing the College approval of 24 November 2015 concerning Marketing Seminars and Roadshows in 2017.
- x. Min. 2 Press briefings in Brussels
- xi. 2 Eurojust Newsletters maximum
- xii. Support to Networks: EJN, JIT Network Secretariat, Genocide Network Secretariat and potentially the creation of a Cybercrime Network

## Technical Assumptions

- i. Allocation of up to € 1.0 million budget for JITs financing (~~rising to €1.6 million by 2019~~)
- ii. 1.2% inflation - outsourced services & utilities

<sup>15</sup> No direct activities are expected in regard to strategic objective 3.1.1 since there is currently no legal basis for such support and variables are too uncertain for budgetary planning. Eurojust will present a supplementary/amended budget in the case that it is established in the intervening period that it is assigned the new task of supporting the EPPO activities. Eurojust will be unable to support the EPPO from the existing staff and budgetary resources.

<sup>16</sup> Eurojust activities will be limited to monitoring the legislative developments; in the case that the new regulation enters into force, Eurojust will submit an amended budget to reflect the new tasks and any significantly resource intensive activities that cannot be met from re-prioritisation of the planned activities for 2016.

- iii. ~~1.9% per annum indexation (2016 and 2017)~~  
Adjustement annum indexation for 2016-2017 NOT included in Budget 2017
- iv. ~~1.5% correction coefficient adjustment~~  
Adjustement correction coefficient NOT included in Budget 2017
- v. Final €11.1 million new premises costs (ring fenced budget)
- vi. One meeting of the Consultative Forum
- vii. Networks' Secretariats: Meetings for the Networks shall be reduced to the number legally required by the respective Council Decisions setting them up
- viii. Potential Cybercrime Network meeting (1)
- ix. ~~205~~ 208 TA posts
- x. Vacancy rate ~~2%~~ ; required to change to 4% due to budget reductions
- xi. 24.5 FTE for CA positions
- xii. ~~35~~ 21 SNE's (~~vacancy rate of 20% allowing 28 appointed SNE~~)
- xiii. ~~3 Liaison Prosecutors from third States~~
- xiv. 74 National Desk Staff
- xv. Max 450 internal ICT Users
- xvi. Max. 500 external ICT users
- xvii. Anticipation of Presidency Team. The College should consider increasing VIP visits (from 35%) and temporarily decline study visits (from 65%) until move to new premises
- xviii. Rise of videoconferencing

## Re-prioritised activities from 2015 and 2016

Until 2014 Eurojust was able to make efficiency gains that prevented the de-prioritisation of activities however, from 2014 budget shortfalls in Title I have meant that Eurojust has to mitigate potential deficits pending an amending budget. With the late arrival of the amending budgets (September- December) this necessarily postpones projects and other activities that can be rescheduled.

With the structural deficit remaining in the MFF and the shortfall in the 2016 budget, projects have been postponed and may be delayed into 2017. This prevents desirable changes in the IT tools that could ideally leverage more efficiency and more functionality thus these delays are in (technological) developments are at the costs of administrative efficiency and concomitant increase in operational capacity.

Due to budget constraints in 2015, some investments in hardware and projects were deferred to 2016 in order to meet the shortfall in Title 1. The 2016 budget has been re-prioritised in December 2015, principally delaying strategic work, projects and staff welfare and development objectives pending an amending budget submission.

## Strategic Action Area 1– Operational Work

### **Strategic Objective 1.1 - Strengthen the position of Eurojust as the centre for operational judicial cooperation and coordination:**

Building on the work of 2016, Eurojust will focus on increasing the visibility and awareness of its work at European and national level through its Annual Report, strategic and tactical meetings and operational and strategic reports as well as outreach programmes.

The College adopted a Multi-annual Awareness Raising Strategy in 2013, including marketing seminars and “roadshows”. The marketing seminars are meetings presenting Eurojust to the relevant authorities and officials in the Member States to improve awareness of and promote the tasks, work and added value of Eurojust. The “roadshows” are meetings or visits to regional and local prosecution services, investigating judges and/or law enforcement authorities in the Member States, organised regularly with the attendance of National Members, with the specific purpose of raising awareness of the operational added value of Eurojust and allowing a direct and personal approach towards practitioners.

Eurojust will focus on developing and providing practitioners with appropriate operational tools, such as practical guidelines and advisory overviews on the application of judicial cooperation and mutual recognition instruments based primarily upon the experienced gathered through Eurojust’s casework.

Eurojust will continue to encourage the use of the Eurojust National Coordination System considering the outcomes of the annual meeting of the National Correspondents of Eurojust. These regular meetings with the National Correspondents of Eurojust are organised in order to exchange best practice and information on the functioning of the ENCS. Eurojust will deliver design and requirements analysis and specifications for the connection of the ENCS to the Case Management System. The ENCS, by using the CMS and secure connections with the Member States, will help streamlining the transfer and exchange of information with Eurojust. In 2017, further efforts will be made to complete secure connections with the Member States. Support will be based on continued maintenance of the technological infrastructure for the ENCS and training on the use of the available technical tools. Eurojust will also continue to regularly update the so-called “Fiches Suédoises” by providing information on the current composition and functioning of the ENCS in every Member State.

### **Strategic Objective 1.2 – Provide dynamic and quality support to national authorities on judicial cooperation and coordination**

Eurojust provides a unique range of services pertaining to judicial cooperation and therefore makes an essential contribution to the Area of Justice, Freedom and Security.

Eurojust will continue to conduct effective coordination meetings and judicial coordination centres and ensure expeditious follow up in accordance with the needs of the Member States while striving to meet the priorities addressed by its stakeholders. The College and National Desks will receive targeted support by the administration to provide timely, high-quality assistance to the national judicial authorities in the coordination of investigations and prosecutions. Internal support services will be continuously refined to better assist the College and National Desks in meeting the increasing demands of Member States.

Eurojust will aim to increase the number of coordination meetings and coordination centres and effectively follow up on the agreements reached and other concrete measures arising as an

outcome of coordination meetings. Eurojust will use the mechanisms established in 2015 to assess coordination meetings in order to illustrate and enhance the added value of Eurojust's support. Robust arrangements will also be put in place to ensure the systematic identification and response to obstacles to referral and progress of cases.

Eurojust further expects the Operations Manual to be adopted in 2016, following the consultation with the College. Through describing the processes and procedures in the life-cycle of a case, the document aims to ensure consistent, high quality and cost-effective services for cases referred to Eurojust.

In 2017, Eurojust will continue to implement the Action Plan focussed on strengthening its services to the Member States in response to the recommendations stemming from the 6<sup>th</sup> round of mutual evaluations on the implementation of the Eurojust Council Decision and the Action Plan in relation to the Evaluation of Eurojust under Article 41a of the Eurojust Council Decision adopted in 2015.

In terms of ICT developments, Eurojust will enhance the extranet as a tool for practitioners to disseminate best practice and operational feedback in judicial cooperation. Eurojust will also support the strengthening of on-line resources for practitioners by contributing to the repository of case-law under the e-Justice programme.

### **Strategic Objective 1.3 - Operationally contribute to the European Union policy cycle for organised and serious international crime**

Within the EU Policy Cycle, Eurojust will utilise the privileged opportunity to work horizontally and maximise outcomes together with other EU actors, contributing to the implementation of the Operational Action Plans set for each of the EU crime priorities from a judicial perspective. Specific attention will remain during 2017 on operational activities related to Illegal Immigrant Smuggling, Counter-Terrorism and Cybercrime.

### **Strategic Objective 1.4 - Strengthen the operational information management capabilities of Eurojust**

Eurojust will focus on further enhancing the CMS (the newest version of the CMS provided an important update to allow recording the decisions of National Members on the basis of Article 19 of the Rules of procedure on the processing and protection of personal data at Eurojust), as well as case-related legal and analytical support services, products and data management, including knowledge retention, translation, interpretation, legal opinions, cross-matching results and operational feedback to Member States.

The further development and enhancement of case management and information exchange tools and services as well as training and mentoring in the use of these tools will increase synergies, the quality of data, and responsiveness to the needs of the College and external stakeholders. Further technical investments will also increase compatibility between Eurojust and Europol in respect of analytical tools and facilitate the exchange of information. The deliverables in this respect are enhanced CMS software with additional functionalities and increased interface with other analytical tools in a holistic context.

### **Strategic Objective 1.5 - Reinforce operational cooperation with key partners**

Timely and effective analysis of legislative and case-law developments as well as the identification of legal obstacles and effectiveness of legal instruments for judicial cooperation in

criminal matters, including inter alia fundamental rights, will enable Eurojust to respond to emerging priorities and coordinate with EU institutions and other actors.

Eurojust will strive to increase the multiplier effect of its work through the enhancement of reciprocal arrangements to increase the level of engagement of relevant EU partners in the operational work of Eurojust, systematically maximising outcomes and added value at EU level.

In this respect, building on the arrangements for cooperation with OLAF, the cooperation agreement with Europol, Memoranda of Understanding with EMCDDA, FRA, FRONTEX, EUNAVFOR MED (expected to be concluded in 2016), opportunities to enhance collaboration will continue to be explored to maximise operational added value and establish synergies in an effort to combat serious crimes through sharing data and knowledge capacity from a judicial dimension. Eurojust will work towards possibly negotiating a Memorandum of Understanding with EU-LISA.

In line with the final recommendations stemming from the 6<sup>th</sup> round of mutual evaluations, Eurojust will continue to build on the successes of joint operations with Europol, building trust and cooperation through its association with Europol Focal Points, and to support EC3 at Europol through a College Member present on the EC3 Programme Board, as well as the continuation of secondment of a Eurojust post-holder (Seconded National Expert) to the EC3. The creation at Europol of the Europol Counter-Terrorism Centre and the Internet Referral Unit will imply further involvement of Eurojust in the work of Eurojust in this area.

Eurojust will continue its work aimed at enhancing and strengthening operational cooperation with third States by effectively using the Eurojust Contact Points in third States, further exploring opportunities for posting Eurojust Liaison Magistrates to third States in accordance with the policy, internal arrangements and identified priorities to be adopted by the College of Eurojust. Eurojust expects having more Liaison Prosecutors of third States (currently three from Switzerland, United States and Norway) posted at Eurojust in the future (e.g. a Cybercrime Prosecutor from the US Department of Justice's Criminal Division sits in Eurojust since January 2016).

| Strategic objectives<br>2016-2018                                                                           | Proposed Annual Organisational Objectives 2017                                                                                                                                                                                                                                                                   | 2017 KPI                                                                                                                                                                           | % of Total Posts <sup>17</sup> | % Total Budget <sup>18</sup> |
|-------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|------------------------------|
| 1.1 Strengthen the position of Eurojust as the centre for operational judicial cooperation and coordination | 1.1.1 Implement awareness raising (outreach) actions based on (1) Policy on Marketing Seminars and Road Shows, (2) Awareness Raising Strategy for Eurojust in the Member States, (3) Eurojust Action & Information/Awareness Raising Plan on the 6RME, and (4) Eurojust's new approach to external communication | Increase in casework across all case categories                                                                                                                                    | 3%                             | 1%                           |
|                                                                                                             | 1.1.2 Enable and assist PR actioners by facilitating judicial cooperation and the use of mutual recognition instruments, overcoming legal obstacles and sharing best practices through providing guidance and feedback                                                                                           | Practical guidelines, case-law and advisory overviews, reports on application of judicial cooperation and mutual recognition instruments, based primarily upon Eurojust's casework | 4%                             | 4%                           |
| 1.2 Provide dynamic and quality support to national authorities on judicial cooperation and coordination    | 1.2.1 Conduct effective coordination meetings and judicial coordination centres and ensure expeditious follow up                                                                                                                                                                                                 | Full Implementation Operations Manual                                                                                                                                              | 33%                            | 19%                          |
|                                                                                                             | 1.2.2 Increase capacity building for cross-border tools to enhance operational and judicial cooperation                                                                                                                                                                                                          | - Increase in cases involving mutual recognition instruments (e.g. EAW, EIO);<br>- Number of 1st time applications of JITs                                                         | 3%                             | 3%                           |

<sup>17</sup> Includes temporary agents, contract agents and seconded national experts

<sup>18</sup> Includes the salary costs of the personnel attributed to each objective

| Strategic objectives<br>2016-2018                                                                             | Proposed Annual Organisational Objectives 2017                                                                                                                                                                                                                                   | 2017 KPI                                                                                                                                                              | % of Total Posts <sup>19</sup> | % Total Budget <sup>20</sup> |
|---------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|------------------------------|
| 1.3 Operationally contribute to the European Union policy cycle for organised and serious international crime | 1.3.1 Support the operational priorities of the European Union and report systematically on the contribution of Eurojust's operational work thereto.                                                                                                                             | Increase in casework                                                                                                                                                  | 2%                             | 1%                           |
| 1.4 Strengthen the operational information management capabilities of Eurojust                                | 1.4.1 Implement an holistic approach to further enhance judicial analysis capabilities                                                                                                                                                                                           | % of milestones achieved in CMS project development plan                                                                                                              | 2%                             | 1%                           |
|                                                                                                               | 1.4.2 Encourage the submission of Article 13 cases and provide feedback under Article 13a                                                                                                                                                                                        | Increase in Article 13 cases                                                                                                                                          | 0%                             | 0%                           |
| 1.5 Reinforce operational cooperation with key partners                                                       | 1.5.1 Enhance operational cooperation with Europol and other JHA Agencies in priority crime areas and action plans, including facilitation of exchange of information where appropriate                                                                                          | - Increase in reciprocal attendance of OM's EP at EJ CM's;<br>- Extent of exchange of information on operational activities;<br>- Joint CC's and joint Press Releases | 3%                             | 1%                           |
|                                                                                                               | 1.5.2 Maintain cooperation with and support to EJM, GEN Network Secretariat and the Consultative Forum                                                                                                                                                                           | - Action Plan for integrated approach                                                                                                                                 | 6%                             | 4%                           |
|                                                                                                               | 1.5.3 Strengthen operational cooperation with Third States, including arrangements for the possible posting of Eurojust Liaison Magistrates in third States, establishing judicial contact point and develop joint initiatives with relevant EU neighbours (e.g. MENA countries) | - Number of cases involving Third States                                                                                                                              | 2%                             | 1%                           |

<sup>19</sup> Includes temporary agents, contract agents and seconded national experts; rounded to whole percentages of the total posts

<sup>20</sup> Includes the salary costs of the personnel attributed to each objective; rounded to whole percentages of the total budget

## Strategic Action Area 2 – Strategic Work

### **Strategic Objective 2.1 - Contribute to the improvement of European Union action in judicial cooperation in criminal matters**

Eurojust will continue to build upon its portfolio of strategic reports resulting from its casework and strategic meetings in 2016 and 2017 and produce new and updated analyses of specific crimes, legal issues, and priority crime areas. Deliverables in this respect will include tri-annual updates to the Terrorism Conviction Monitor, the Drug Trafficking Report and Trafficking in Human Beings Report.

Eurojust will continue to analyse and report on its casework in its Annual Report. Based on these assessments, Eurojust may deliver opinions and proposals to its EU stakeholders for the improvement of judicial cooperation in criminal matters, as it has done for the mid-term review of the EU policy cycle in 2015 and for SOCTA and TE-SAT.

In 2017, Eurojust will build further on the evaluation of pilot projects and casework experience in its continued development as a Centre of Expertise in judicial matters. A new knowledge management strategy will ensure that all results of this work are easily shared amongst practitioners at Eurojust; it will also establish the basis for future expert reports. Accordingly, Eurojust will establish centres of judicial and legal expertise on crime related areas and on the use of judicial cooperation and mutual recognition instruments, in particular after the implementation of the Directive on the European Investigation Order.

The assessment of the pilot projects and establishment of Centres of Expertise on coordination meetings should allow the adoption of new initiatives for Centres of Expertise based on the concept of Centre of Expertise adopted by the College in 2013.

### **Strategic Objective 2.2 - Strengthen the pivotal role of Eurojust in joint investigation teams**

In light of the growing demand for financial assistance from the national authorities and the increase in Eurojust budget for this purpose in 2016, Eurojust proposes a significant increase in the level of funding to be able to provide quality support to cross-border investigations and prosecutions otherwise not supported by national budgets.

Eurojust will conduct a yearly evaluation of JITs supported and/or funded by Eurojust in order to collect best practices and assess the outcomes and added value of JITs.

### **Strategic Objective 2.3 - Strategically contribute to the European Union policy cycle for organised and serious international crime**

The further integration of the EU policy cycle into Eurojust's operational and strategic work in 2017 will complement the participation of Eurojust in COSI meetings, the contribution to EMPACT activities and the formulation of the Operational Action Plans.

### **Strategic Objective 2.4 - Enhance strategic cooperation with stakeholders and partners in the Area of Freedom, Security and Justice**

Eurojust will continue to analyse and assess its casework to identify legal issues, practical difficulties and lessons learnt in areas of judicial cooperation in criminal matters to provide strategic advice to EU stakeholders.

In order to be effective, cooperation between the various actors in the Area of Freedom, Security and Justice is required. With increased engagement and cooperation stemming from cooperation agreements, the multiplier effect can be optimised.

Eurojust will continue its contribution to the work of COSI to ensure inclusion of the judicial dimension of serious organised crime.

Eurojust supports the activities of three Networks through providing their respective Secretariats: the EJN, the Network for the investigation and prosecution of genocide, crimes against humanity and war crimes, and the JITs Network. Greater emphasis will be given to determining and supporting joint actions among the three Networks and Eurojust in the delivery of their respective mandates.

Eurojust will support the setup of a Cybercrime Network of Prosecutors and prepare a roadmap for the establishment of a Secretariat if so decided by the Council.

In 2017, Eurojust will continue its strategic collaboration with Europol, OLAF, FRONTEX, EMCDDA, CEPOL, FRA, EASO, eu-LISA and the EJTN. Eurojust will strive to increase reciprocal involvement of the various JHA actors in respect of strategic meetings and projects. Eurojust will endeavour to collaborate in particular with the other JHA agencies in priority crime areas including drug trafficking, trafficking in human beings and illegal immigration.

Eurojust will also continue to participate in networks including the JHA agencies, the Inter-Agency Legal Network and the various sub-groups of the EU Agencies Network to harmonise and develop common practices.

In support of practitioners, Eurojust will continue to contribute to training for judicial and law enforcement authorities, in cooperation with CEPOL and other EU counterparts and particularly with EJTN in respect of JITs and MLA.

Eurojust will host and support the meetings of the Consultative Forum of Prosecutors General and Directors of Public Prosecution to strengthen relationships with the national authorities in the strategic development and evaluation of Eurojust's work.

Eurojust will continue to focus on creating a wider network, building on the successful cooperation agreements signed with Iceland, Norway, the United States of America, Switzerland, Liechtenstein, Moldova and FYROM. Eurojust will continue to pursue cooperation arrangements with third States, as appropriate with regard to the cases and priorities encountered by Eurojust. The data protection requirements will continue to be a prerequisite for concluding cooperation agreements.

Eurojust will also maintain its membership of professional bodies, institutions and networks, such as the International Association of Prosecutors.

| Strategic objectives 2016-2018                                                                                | Proposed Annual Organisational Objectives 2017                                                                                                                                                                                                             | 2017 KPI                                                                                           | % of Total Posts <sup>21</sup> | % Total Budget <sup>22</sup> |
|---------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|--------------------------------|------------------------------|
| 2.1 Contribute to the improvement of European Union action in judicial cooperation in criminal matters        | 2.1.1 Casework evaluation of judicial cooperation in criminal matters to identify legal issues, practical difficulties and lessons learnt and provide strategic advice to EU stakeholders (practitioners, JHA agencies, policy makers)                     | Number of strategic Meetings, Strategic Seminars, Strategic Reports                                | 4%                             | 3%                           |
|                                                                                                               | 2.1.2 Develop operational knowledge-base and implement knowledge management                                                                                                                                                                                | The number of initiatives implemented                                                              | 1%                             | 1%                           |
| 2.2 Strengthen the pivotal role of Eurojust in joint investigation teams                                      | 2.2.1 Enhance the awareness and establishment of JITs between Member States as well as with Third States, incl. by increasing knowledge on national legislations, evaluating the use of JITs in individual cases and disseminate reports on best practice. | - Number of 1st time applications of JITs<br>- Level of participation in JIT Network Meetings      | 1%                             | 1%                           |
| 2.3 Strategically contribute to the European Union policy cycle for organised and serious international crime | 2.3.1 Prepare Eurojust's input to the new Policy cycle 2018-2021                                                                                                                                                                                           | Timely contributions to the reports                                                                | 0%                             | 0%                           |
|                                                                                                               | 2.3.2 Supporting activities (incl. evaluation of Eurojust involvement) related to judicial cooperation/expertise in the EU Internal Security Strategy and OAP's of the European Multidisciplinary Platform Against Criminal Threats (EMPACT)               | Increase of casework                                                                               | 0%                             | 0%                           |
| 2.4 Enhance strategic cooperation with stakeholders and partners in the Area of Freedom, Security and Justice | 2.4.1 Support the set-up of a Cybercrime Network and prepare a roadmap for the establishment of a Secretariat, if decided by the Council                                                                                                                   | Network established and a roadmap for the establishment of a Secretariat if decided by the Council | 1%                             | 0%                           |
|                                                                                                               | 2.4.2 Continue to support the Consultative Forum in line with College decision                                                                                                                                                                             | College decision on participation and support from Eurojust                                        | 0%                             | 1%                           |
|                                                                                                               | 2.4.3 Establish, review and enhance the implementation of cooperation agreements/ arrangements and MoUs with other EU Agencies, international organisations and relevant non-EU actors which are of strategic interest                                     | Number of new MoU/Cooperation Agreements, number of reviews                                        | 0%                             | 0%                           |

<sup>21</sup> Includes temporary agents, contract agents and seconded national experts

<sup>22</sup> Includes the salary costs of the personnel attributed to each objective

## Strategic Area 3- Organisational Development

### **Strategic Objective 3.1 - Ensure timely internal preparation for implementing organisational change**

Eurojust will remain flexible and responsive to new legislative proposals regarding Eurojust and its potential relationship with the EPPO. Eurojust will continue to monitor and analyse these developments and wider legislative proposals in the Area of Freedom, Security and Justice, providing timely and constructive input to the relevant stakeholders.

Eurojust will assess the implications of any new Regulation for Eurojust and prepare for its implementation, modifying as necessary its strategy and related AWP.

### **Strategic Objective 3.2 - Ensure the delivery of excellent support services**

In the face of continuing austerity measures, Eurojust, as other EU agencies, aims to find efficiency gains and respond to the anticipated increase in caseload from Member States with fewer staff resources. In this respect, Eurojust will be proactive in reviewing its organisational structure and business processes to identify further administrative synergies wherever possible and realign resources to bolster the operational support services.

In 2017, Eurojust will continue to build on the use of its management systems eMS, eRec and eHR and also ABAC to increase efficiency and improve management information on human resources and budgetary matters and also increase its performance management potential. Eurojust will also continue to work closely with the EU Agencies Network to enhance ABM tools and reports.

Eurojust places considerable importance on compliance with the data protection provisions and rules. The DPO will continue to monitor and advise the College on data protection matters affecting Eurojust. The follow-up of recommendations stemming from inspections performed by the JSB will continue to be addressed carefully.

Eurojust will also continue to focus on the effective implementation of Internal Control Standards, adapting and mapping business processes as necessary to strengthen compliance arrangements and enhance efficiency.

In 2017, Eurojust will build upon the system developed in 2015 to support the internal (and where applicable, external) benchmarking of performance to assess efficiency gains and support resource reallocations in the face of resource constraints. Business process review and the updating of service catalogues of all Units and Services will ensure that the organisation continues to develop in accordance with the priorities of the organisation in times of resource constraints.

Further, the organisation will build on the framework established in 2015 to support the automation and centralisation of management information in order to provide the College and the Administrative Director with an overview of real-time performance indicators. Alongside this, the risk management framework will be further developed to ensure that risks are identified, mitigated and managed effectively.

In 2017, Eurojust expects to have developed a resource capacity planning framework to improve the link between its strategy and core operations, and to balance Eurojust's resource supply with the demand for casework support at the national desks. During 2016 a thorough

diagnosis on the real customers' demand (National Desks expectations) will be elaborated; an effective resource management in conjunction with a streamlined resource demand planning will be developed to ensure each national desk (or Member State) receives the needed support to deliver the operational work successfully.

Investments in the infrastructure of the interim premises will be kept to a minimum pending the relocation to the new premises; however technological investments and developments will continue to be crucial to increasing efficiency for the organisation in the longer term. In addition to the aforementioned CMS developments, these projects include further eHR enhancements, organisational planning, budget and finance planning, and security and quality management. These developments will continue through in-house and external development to ensure that management information and financial, budget and HR services are technically optimised to the extent possible.

Eurojust will further strengthen its internal financial processes and procedures, streamlining workflows and focus on a high level of accuracy in financial forecasting and striving for continued high levels of execution of the budget, detailed cost accounting and unqualified audit reports.

Eurojust will continue to build its strategic and activity based management capabilities and reporting functions in 2017. Eurojust will embed new reporting requirements into existing processes such as the Combined Annual Activity Report and Programming Document.

Guided by its Communications Strategy, Eurojust will focus efforts on public information regarding its mandate, activities and results. A focus will be made on strengthening the use of modern communication platforms in its outreach campaign.

With the finalisation of the New Premises construction, 2017 will be an important milestone for Eurojust. The new accommodation will unite all staff in one building for the first time since December 2008 with all the synergies and social benefits that will bring.

Further investments in the new premises will be made in 2017 amounting to EUR 11.13 million of the EUR 18.4 million approved by the budgetary authority for the co-financing of the construction project. Emphasis will shift to the investments related to the internal preparation of the building and coordinating the relocation from the interim premises to the new premises in early 2017.

| Strategic objectives<br>2016-2018                                             | Proposed Annual Organisational Objectives 2017                                                                                                                            | 2017 KPI                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | % of Total Posts <sup>23</sup> | % Total Budget <sup>24</sup> |
|-------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|------------------------------|
| 3.1 Ensure timely internal preparation for implementing organisational change | 3.1.1 Develop Action Plan deriving from the potential entry into force of the new Regulation on Eurojust in 2018/2019, including the necessary transitional arrangements. | Making of the Action Plan                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 1%                             | 1%                           |
| 3.2 Ensure the delivery of excellent support services                         | 3.2.1 Sound Human Resources Management, Financial & Budget Management and Accounting                                                                                      | <ul style="list-style-type: none"> <li>- Competency Framework embedded in key HR processes;</li> <li>- 94% of the establishment plan posts (TA) filled;</li> <li>- Maximum 4% of staff leaving Eurojust,;</li> <li>- maximum 2% vacancy rate; average of 3 training days per staff member;</li> <li>- review of performance evaluation (CDR)</li> <li>- Minimum 97% of the total commitment appropriations;</li> <li>- Minimum 93% of the total commitment appropriations;</li> <li>- 99% of all payments executed after authorisation within 2 days;</li> </ul> | 13%                            | 9%                           |

<sup>23</sup> Includes temporary agents, contract agents and seconded national experts

<sup>24</sup> Includes the salary costs of the personnel attributed to each objective

|  |                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                     |     |     |
|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|
|  |                                                                                                                                                                                                                                                                                                                                            | - Maximum 2 audit recommendations on the liability of the accounts                                                                                                                                                                                                                                                                                                  |     |     |
|  | 3.2.2 Comprehensive risk & compliance management and effective follow-up to recommendations of internal and external audits                                                                                                                                                                                                                | - 100 % of internal audit recommendations ('critical' and 'very important') implemented within the deadline anticipated in the follow-up action plan.<br>- Not more than 2 audit recommendation on risk/compliance management                                                                                                                                       | 4%  | 2%  |
|  | 3.2.3 (1) Enhance facility management and general support to ensure office supporting, corporate and operational infrastructure availability; and<br>(2) Enhance management of ICT infrastructure and services to support high ICT project management accountability and availability of corporate and operational ICT systems (e.g. ENCS) | - Office supporting infrastructure availability superior to 95%,<br>- Overall corporate and operational infrastructure availability of 99%<br>- Office supporting infrastructure availability: system availability superior to 95% office hours (max of 103 hours of accumulated down time over the year);<br>- Corporate and Operational supporting infrastructure | 10% | 22% |

|  |                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                         |    |     |
|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|
|  |                                                                                                                                                                                                                                                                                                   | availability (websites, databases, web applications, security etc.): runs on a 14x7 basis with overall availability target of min. 99% availability (excl. planned maintenance windows) |    |     |
|  | 3.2.4 Sound organisational performance management based on robust forecasting and reporting tools including a methodology in the strategic programming to prioritize objectives and activities and ensure alignment of resources (incl. link to operational prioritisation approach if developed) | - Approach to planning & control (incl. prioritisation methodology) drafted;<br>- Implementation of resource allocation process                                                         | 1% | 1%  |
|  | 3.2.5 Develop a strategy and priority list towards Shared Services with other EU Agencies, a.i. Europol                                                                                                                                                                                           | - Strategy proposal and priority list                                                                                                                                                   | 0% | 0%  |
|  | 3.2.6 Implementation of the Communication Action Plan 2017                                                                                                                                                                                                                                        | % of implementation of Communication Plan                                                                                                                                               | 1% | 1%  |
|  | 3.2.7 Smooth transition to the new premises [including implementation of business continuity plans] with minimal disruption to operations                                                                                                                                                         | No loss of operational capacity                                                                                                                                                         | 5% | 24% |

## **Annex I      Resources allocation per activity**

Resource allocation per Annual Organisational Objective are subject to updating the eMS database and will be provided in January 2017.

## Annex II Financial Resources

(The below tables contain preliminary figures based on the submitted Budget Circular 2017 and are therefore subject to change upon the approval of the Financial Accounts of 2015)

**Table 1 – Expenditures**

| Expenditure                                                                 | 2016                      |                        | 2017                      |                        |
|-----------------------------------------------------------------------------|---------------------------|------------------------|---------------------------|------------------------|
|                                                                             | Commitment appropriations | Payment appropriations | Commitment appropriations | Payment appropriations |
| Title 1 - Staff expenditure                                                 | 18 864 895                | 18 864 895             | 18 501 262                | 18 501 262             |
| Title 2 - Infrastructure and operating expenditure (including new premises) | 16 478 686                | 16 478 686             | 21 601 302                | 21 601 302             |
| Title 3 - Operational expenditure                                           | 8 196 156                 | 7 696 156              | 8 276 674                 | 8 276 674              |
| <b>TOTAL EXPENDITURE</b>                                                    | <b>43 539 737</b>         | <b>43 039 737</b>      | <b>48 379 237</b>         | <b>48 379 237</b>      |

**Special note to Table 1:** Eurojust uses differentiated appropriations for grants related to JIT's. The amount shown in the Draft Budget 2017 reflects the commitment appropriation under budget line 3720 (Title 3).

Awaiting further instructions from DGBUDG/DGJUST on the reporting requirements of the differentiated appropriations, details of the breakdown between commitment appropriation and payments appropriation will be provided to the Commission through the Budget Circular 2017 in January 2017.

| EXPENDITURE                                               | Commitment appropriations |                   |                   |                   |                   |                   |                   |
|-----------------------------------------------------------|---------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
|                                                           | Executed Budget 2015      | Budget 2016       | Draft Budget 2017 |                   | VAR 2017/2016 (%) | Envisaged in 2018 | Envisaged in 2019 |
|                                                           |                           |                   | Agency request    | Budget forecast   |                   |                   |                   |
| <b>Title 1 - Staff expenditure</b>                        | <b>18,722,242</b>         | <b>18,864,895</b> | <b>19,959,482</b> | <b>18,501,262</b> | <b>-2%</b>        | <b>21,800,574</b> | <b>22,454,591</b> |
| Salaries & allowances                                     | 17,722,320                | 18,216,061        | 19,087,098        | 17,814,928        | -2%               | 20,825,310        | 21,450,069        |
| - Of which establishment plan posts                       | 16,850,643                | 17,469,448        | 18,234,955        | 17,162,785        | -2%               | 19,796,703        | 20,390,604        |
| - Of which external personnel                             | 426,677                   | 250,000           | 250,000           | 50,000            | -80%              | 400,000           | 412,000           |
| - Of which supplementary services                         | 445,000                   | 496,613           | 602,143           | 602,143           | 21%               | 628,607           | 647,465           |
| Expenditure relating to Staff recruitment                 | 162,035                   | 90,000            | 60,000            | 60,000            | -33%              | 60,930            | 62,758            |
| Mission expenses                                          | 60,535                    | 47,500            | 67,500            | 47,500            | 0%                | 67,500            | 69,525            |
| Socio-medical infrastructure                              | 90,519                    | 100,000           | 228,550           | 172,000           | 72%               | 227,834           | 234,669           |
| Training                                                  | 308,488                   | 200,334           | 260,334           | 160,334           | -20%              | 205,000           | 211,150           |
| External Services                                         | 306,289                   | 188,000           | 201,500           | 201,500           | 7%                | 366,500           | 377,495           |
| Receptions, events and representation                     | 4,454                     | 5,000             | 21,500            | 5,000             | 0%                | 7,500             | 7,725             |
| Social welfare                                            | 67,601                    | 18,000            | 33,000            | 40,000            | 122%              | 40,000            | 41,200            |
| Other Staff related expenditure                           | -                         | -                 |                   |                   |                   |                   |                   |
| <b>Title 2 - Infrastructure and operating expenditure</b> | <b>7,553,984</b>          | <b>16,478,686</b> | <b>22,793,302</b> | <b>21,601,302</b> | <b>31%</b>        | <b>8,174,842</b>  | <b>8,277,139</b>  |

| EXPENDITURE                                                                                                                                                | Commitment appropriations            |                   |                   |                   |               |                   |                   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------|-------------------|-------------------|---------------|-------------------|-------------------|
|                                                                                                                                                            | Executed Budget                      | Budget 2016       | Draft Budget 2017 |                   | VAR 2017/2016 | Envisaged in 2018 | Envisaged in 2019 |
| Rental of buildings and associated costs                                                                                                                   | 4,606,518                            | 6,503,000         | 8,859,000         | 7,744,000         | 19%           | 6,564,000         | 6,695,280         |
| <i>Of which extraordinary (non staff) costs related to Transition Period Interim Premises (Eurojust occupant of two buildings, when the ICC moves out)</i> | -                                    | 1,830,000         | 1,000,000         | 1,000,000         | -45%          | -                 | -                 |
| Information, communication technology and data processing                                                                                                  | 1,512,029                            | 1,489,702         | 1,124,217         | 1,239,217         | -17%          | 1,215,417         | 1,239,725         |
| Movable property and associated costs                                                                                                                      | 55,140                               | 53,500            | 99,500            | 69,500            | 30%           | 115,000           | 117,300           |
| Current administrative expenditure                                                                                                                         | 72,645                               | 82,700            | 83,700            | 63,700            | -23%          | 85,000            | 86,700            |
| Postage / Telecommunications                                                                                                                               | 110,915                              | 146,584           | 171,685           | 171,685           | 17%           | 135,425           | 138,134           |
| Meeting expenses                                                                                                                                           | -                                    | -                 | -                 | -                 |               | -                 | -                 |
| Running costs in connection with operational activities                                                                                                    | All Title 1 and Title 2 expenditures |                   |                   |                   |               |                   |                   |
| Information and publishing                                                                                                                                 | -                                    | -                 | -                 | -                 | -             | -                 | -                 |
| Studies                                                                                                                                                    | -                                    | -                 | -                 | -                 | -             | -                 | -                 |
| Other infrastructure and operating expenditure<br>[Including cost related to the New Eurojust Premises Project]                                            | 1,196,737                            | 8,203,200         | 12,455,200        | 12,313,200        | 50%           | 60,000            | -                 |
| <i>Of which 'Ring fenced' budget</i>                                                                                                                       | 189,998                              | 6,980,000         | 11,130,000        | 11,130,000        | 59%           | -                 | -                 |
| <b>Title 3 - Operational expenditure</b>                                                                                                                   | <b>7,493,604</b>                     | <b>8,196,156</b>  | <b>10,618,689</b> | <b>8,276,674</b>  | <b>1%</b>     | <b>9,505,267</b>  | <b>9,695,372</b>  |
| Meetings, seminars, trainings and representation                                                                                                           | 2,284,816                            | 1,945,000         | 2,789,000         | 2,183,925         | 12%           | 2,215,000         | 2,259,300         |
| Operational and experts missions                                                                                                                           | 1,740,252                            | 1,722,000         | 2,255,296         | 1,651,500         | -4%           | 1,651,500         | 1,684,530         |
| Public relations and publications                                                                                                                          | 161,223                              | 225,000           | 380,500           | 165,500           | -26%          | 378,500           | 386,070           |
| Data and documentation expenditures                                                                                                                        | 2,087,528                            | 2,633,256         | 3,018,493         | 2,571,649         | -2%           | 3,496,867         | 3,566,804         |
| Translation case work                                                                                                                                      | 86,500                               | 105,500           | 530,000           | 130,000           | 23%           | 130,000           | 132,600           |
| EJN projects, meetings and representation expenses                                                                                                         | 522,688                              | 400,000           | 464,000           | 416,000           | 4%            | 460,000           | 469,200           |
| JSB meetings and representation expenses                                                                                                                   | 26,673                               | 30,400            | 46,400            | 31,000            | 2%            | 30,400            | 31,008            |
| JITs grants, meetings and representation expenses                                                                                                          | 511,961                              | 1,055,000         | 1,055,000         | 1,052,100         | 0%            | 1,058,000         | 1,079,160         |
| Genocide meetings and other expenses                                                                                                                       | 71,963                               | 80,000            | 80,000            | 75,000            | -6%           | 85,000            | 86,700            |
| <b>TOTAL</b>                                                                                                                                               | <b>33,769,830</b>                    | <b>43,539,737</b> | <b>53,371,473</b> | <b>48,379,237</b> | <b>11%</b>    | <b>39,480,683</b> | <b>40,427,102</b> |
| <i>- Of which 'Ring fenced' budget of €18.4 million</i>                                                                                                    | 190,000                              | 6,980,000         | 11,130,000        | 11,130,000        | 59%           | 0                 | 0                 |
| <b>TOTAL 'Regular' Budget</b>                                                                                                                              | <b>33,579,830</b>                    | <b>36,559,737</b> | <b>42,241,473</b> | <b>37,249,237</b> | <b>2%</b>     | <b>39,480,683</b> | <b>40,427,102</b> |

**Table 2 – Revenue**

| Revenues        | 2016       | 2017       |
|-----------------|------------|------------|
|                 | Revenues   | Budget     |
| EU Contribution | 43,539,737 | 48,379,237 |
| Other revenue   | -          | -          |
| Total revenue   | 43,539,737 | 48,379,237 |

| REVENUES                                                                                                  | Revenues             |                   |                   |                   |                   |                   |                   |
|-----------------------------------------------------------------------------------------------------------|----------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
|                                                                                                           | Executed Budget 2015 | Budget 2016       | Draft Budget 2017 | Budget forecast   | VAR 2018/2017 (%) | Envisaged 2018    | Envisaged 2019    |
| <b>1 REVENUE FROM FEES AND CHARGES (including balancing reserve from previous years surplus)</b>          | -                    | -                 | -                 | -                 | -                 | -                 | -                 |
| <b>2 EU CONTRIBUTION</b>                                                                                  | 33,818,351           | 43,539,737        | 53,371,473        | 48,379,237        | -26%              | 39,480,683        | 40,427,102        |
| - Of which assigned revenues deriving from previous years 'surpluses'                                     | 410,000              | 591,000           | 597,000           | 597,000           | -                 | -                 | -                 |
| <b>3 THIRD COUNTRIES CONTRIBUTION (incl. EEA/EFTA and candidate countries)</b>                            |                      | -                 | -                 | -                 | -                 | -                 | -                 |
| - Of which EEA/EFTA (excl. Switzerland)                                                                   |                      | -                 | -                 | -                 | -                 | -                 | -                 |
| - Of which candidate countries                                                                            |                      | -                 | -                 | -                 | -                 | -                 | -                 |
| <b>4 OTHER CONTRIBUTIONS</b>                                                                              |                      | -                 | -                 | -                 | -                 | -                 | -                 |
| - Of which additional EU funding stemming from ad hoc grants (FFR Art.7)                                  |                      | -                 | -                 | -                 | -                 | -                 | -                 |
| - Of which additional EU funding stemming from delegation agreements (FFR Art.8)                          |                      | -                 | -                 | -                 | -                 | -                 | -                 |
| <b>5 ADMINISTRATIVE OPERATIONS</b>                                                                        | 54,588               | -                 | -                 | -                 | -                 | -                 | -                 |
| - Of which interest generated by funds paid by the Commission by way of the EU contribution (FFR Art. 58) | 4,320                | -                 | -                 | -                 | -                 | -                 | -                 |
| <b>6 REVENUES FROM SERVICES RENDERED AGAINST PAYMENT</b>                                                  |                      | -                 | -                 | -                 | -                 | -                 | -                 |
| <b>7 CORRECTION OF BUDGETARY IMBALANCES</b>                                                               |                      | -                 | -                 | -                 | -                 | -                 | -                 |
| <b>TOTAL</b>                                                                                              | <b>33,872,939</b>    | <b>43,539,737</b> | <b>53,371,473</b> | <b>48,379,237</b> | <b>-26%</b>       | <b>39,480,683</b> | <b>40,427,102</b> |

**Table 3 – Budget Outturn and cancellation of appropriations**

**Calculation Budget Outturn**

| Budget outturn                                                                     | 2013           | 2014           | 2015           |
|------------------------------------------------------------------------------------|----------------|----------------|----------------|
| Reserve from the previous years' surplus (+)                                       | -              | -              | -              |
| Revenue actually received (+)                                                      | 32,372,173     | 33,898,594     | 33,872,939     |
| Payments made (-)                                                                  | -29,051,786    | -30,096,272    | -30,109,211    |
| Carry-over of appropriations (-)                                                   | -4,656,808     | -4,256,427     | -3,700,127     |
| Cancellation of appropriations carried over (+)                                    | 280,948        | 533,911        | 525,194        |
| Exchange rate differences (+/-)                                                    | -40            | -5,875         | -846           |
| Adjustment for negative balance from previous year (-)                             | -              | -              | -              |
| Adjustment for carry-over of assigned revenue appropriation from previous year (+) | 1,465,657      | 517,146        | 9,701          |
| <b>TOTAL</b>                                                                       | <b>410,144</b> | <b>591,077</b> | <b>597,649</b> |

**Cancellation of appropriations**

|                                                             |             |
|-------------------------------------------------------------|-------------|
| <i>Cancellation of commitment appropriations:</i>           | EUR 48,522  |
| <i>Cancellation of payment appropriations for the year:</i> | EUR 48,522  |
| <i>Cancellation of payment appropriations carried over:</i> | EUR 525,193 |

**Justification**

**Budget outturn**

The late adoption of the amending budget (end September) caused activities to be postponed or reprioritised due to awaiting the final outcome of the Eurojust request for an amending budget.

The carry overs for title I-III (€ 3,700,127) decreased compared to 2014 (€ 4,256,427) which is thanks to a closer budget monitoring and forecast of amounts still to be paid. Still there is uncertainty on how much will be reimbursed to JIT grant beneficiaries, as budget implementation for this budget line will only be known after all claims have been received (in year N+1), scrutinised and paid. Another difficulty is to estimate how many external participants will claim reimbursements retroactively after attending operational meetings at Eurojust for meetings which took place end of 2015.

The cancellation of amounts carried forward has decreased marginally from 533,911 (2014) to 525,193 (2015).

For more information on the justification of cancellation of appropriations, please see below.

EUR 20,459 was added to the surplus to be returned to the Commission due to amounts reimbursed from the CdT reserves (reimbursed to all agencies in proportion to the amounts paid in prior years) – other income

**Cancellation of appropriations**

2015 C1: EUR 48,522

Cancellation of commitment and payment appropriations totalled EUR € 48,522.47, which represents only 0,14% of the total budget. Unused commitment appropriations were mostly a result of de-commitments in missions due to revised estimation of mission reimbursements, and some unused amounts in consultancy and hardware.

2015 C8: € 525,193:

Cancellations of carry forwards to 2015 were due to a low budget implementation of the grant reimbursements (due to grant holders submitting claims with lower eligible costs than expected), building service costs (which are only calculated retroactively by the Host State the following year), operational meetings and ICT consultancy costs.

The level of cancellations of 2015 and carried forward 2014 payment appropriations were only 1.5% , which is significantly less than the Commission's penalty threshold of 5%.

## Annex III. Human Resources (Quantitative) Table 2 – Multi-annual staff policy plan 2017-2019

Annex III. Table 1 - Staff population and its evolution; Overview of all categories of staff

| Staff Population                                                 |        | Actually filled as of<br>31.12.2014 | Authorised under<br>EU budget 2015 <sup>2</sup> | Actually filled as<br>of 31.12.2015 <sup>3</sup> | Authorised under EU<br>budget for year 2016 <sup>2</sup> | Draft budget for<br>year 2017 | Envisaged in 2018 | Envisaged in<br>2019 |
|------------------------------------------------------------------|--------|-------------------------------------|-------------------------------------------------|--------------------------------------------------|----------------------------------------------------------|-------------------------------|-------------------|----------------------|
| Officials                                                        | AD     | 0                                   | 0                                               | 0                                                | 0                                                        | 0                             | 0                 | 0                    |
|                                                                  | AST    | 0                                   | 0                                               | 0                                                | 0                                                        | 0                             | 0                 | 0                    |
|                                                                  | AST/SC | 0                                   | 0                                               | 0                                                | 0                                                        | 0                             | 0                 | 0                    |
| TA                                                               | AD     | 72                                  | 80                                              | 71                                               | 83                                                       | 93                            | 97                | 97                   |
|                                                                  | AST    | 127                                 | 125                                             | 129                                              | 120                                                      | 115                           | 123               | 123                  |
|                                                                  | AST/SC | 0                                   | 0                                               | 0                                                | 0                                                        | 0                             | 0                 | 0                    |
| <b>Total<sup>1</sup></b>                                         |        | <b>199</b>                          | <b>205</b>                                      | <b>200</b>                                       | <b>203</b>                                               | <b>208</b>                    | <b>220</b>        | <b>220</b>           |
|                                                                  |        |                                     |                                                 |                                                  |                                                          |                               |                   |                      |
| CA GF IV                                                         |        | 7                                   | 8                                               | 7                                                | 5                                                        | 5                             | 7                 | 7                    |
| CA GF III                                                        |        | 7                                   | 2                                               | 7                                                | 6                                                        | 8.5                           | 6                 | 6                    |
| CA GF II                                                         |        | 9                                   | 2                                               | 8.5                                              | 11                                                       | 11                            | 9.5               | 9.5                  |
| CA GF I                                                          |        | 1.9                                 | 3                                               | 0                                                | 1                                                        | 0                             | 0                 | 0                    |
| <b>Total CA<sup>4</sup></b>                                      |        | <b>24.9</b>                         | <b>15</b>                                       | <b>22.5</b>                                      | <b>23</b>                                                | <b>24.5</b>                   | <b>22.5</b>       | <b>22.5</b>          |
| SNE <sup>5</sup>                                                 |        | 24                                  | 35                                              | 23                                               | 35                                                       | 21                            | 21                | 21                   |
| <i>Structural service providers<sup>6</sup></i>                  |        | 6                                   | 6                                               | 8.26                                             | 8                                                        | 8                             | 6                 | 6                    |
| <b>TOTAL</b>                                                     |        | <b>253.9</b>                        | <b>261</b>                                      | <b>253.76</b>                                    | <b>269</b>                                               | <b>261.5</b>                  | <b>269.5</b>      | <b>269.5</b>         |
| <i>External staff for occasional<br/>replacement<sup>7</sup></i> |        | 7                                   |                                                 | 8                                                |                                                          |                               |                   |                      |

<sup>1</sup>Headcounts

<sup>2</sup>As authorised for officials and temporary agents (TA) and as estimated for contract agents (CA) and seconded national experts (SNE)

<sup>3</sup>Offer letters sent are counted as posts filled. By 31 December 2015 1 offer letter has been sent in relation to a vacant post.

<sup>4</sup>FTE

<sup>5</sup>FTE

<sup>6</sup>Service providers are contracted by a private company and carry out specialised outsourced tasks of horizontal/support nature, for instance in the area of information technology.

The following general criteria should be fulfilled: 1) no individual contract with Eurojust; 2) on Eurojust premises, usually with a PC and desk; 3) administratively followed by Eurojust (badge, etc.) and 4) contributing to the value added of Eurojust.

<sup>7</sup>FTE

## Annex III Human Resources (Qualitative)

Annex III. Table 2 - Multi-annual staff policy plan 2017 - 2019

| Category and grade  | Establishment plan in EU Budget 2015 |            | Filled as of 31.12.2015 |            | Modifications in year 2015 in application of flexibility rule |          | Establishment plan in voted EU Budget 2016 |            | Modifications in year 2016 in application of flexibility rule |          | Establishment plan in Draft EU Budget 2017 |            | Establishment plan 2018 |            | Establishment plan 2019 |            |
|---------------------|--------------------------------------|------------|-------------------------|------------|---------------------------------------------------------------|----------|--------------------------------------------|------------|---------------------------------------------------------------|----------|--------------------------------------------|------------|-------------------------|------------|-------------------------|------------|
|                     | Officials                            | TA         | Officials               | TA         | Officials                                                     | TA       | Officials                                  | TA         | Officials                                                     | TA       | Officials                                  | TA         | Officials               | TA         | Officials               | TA         |
| AD 16               | 0                                    |            | 0                       |            | 0                                                             |          | 0                                          |            | 0                                                             |          | 0                                          |            | 0                       |            | 0                       |            |
| AD 15               | 0                                    |            | 0                       |            | 0                                                             |          | 0                                          |            | 0                                                             |          | 0                                          |            | 0                       |            | 0                       |            |
| AD 14               | 0                                    | 1          | 0                       | 1          | 0                                                             |          | 0                                          | 1          | 0                                                             |          | 0                                          | 1          | 0                       | 1          | 0                       | 1          |
| AD 13               | 0                                    | 1          | 0                       | 1          | 0                                                             |          | 0                                          | 1          | 0                                                             |          | 0                                          | 1          | 0                       | 1          | 0                       | 1          |
| AD 12               | 0                                    |            | 0                       |            | 0                                                             |          | 0                                          |            | 0                                                             |          | 0                                          |            | 0                       |            | 0                       |            |
| AD 11               | 0                                    |            | 0                       |            | 0                                                             |          | 0                                          |            | 0                                                             |          | 0                                          |            | 0                       | 3          | 0                       | 4          |
| AD 10               | 0                                    | 7          | 0                       | 7          | 0                                                             |          | 0                                          | 9          | 0                                                             |          | 0                                          | 9          | 0                       | 8          | 0                       | 9          |
| AD 9                | 0                                    | 9          | 0                       | 9          | 0                                                             |          | 0                                          | 8          | 0                                                             |          | 0                                          | 10         | 0                       | 14         | 0                       | 18         |
| AD 8                | 0                                    | 20         | 0                       | 19         | 0                                                             |          | 0                                          | 22         | 0                                                             |          | 0                                          | 26         | 0                       | 32         | 0                       | 32         |
| AD 7                | 0                                    | 20         | 0                       | 19         | 0                                                             |          | 0                                          | 27         | 0                                                             |          | 0                                          | 30         | 0                       | 31         | 0                       | 27         |
| AD 6                | 0                                    | 18         | 0                       | 18         | 0                                                             |          | 0                                          | 12         | 0                                                             |          | 0                                          | 12         | 0                       | 5          | 0                       | 4          |
| AD 5                | 0                                    | 4          | 0                       | 4          | 0                                                             |          | 0                                          | 3          | 0                                                             |          | 0                                          | 4          | 0                       | 2          | 0                       | 1          |
| <b>Total AD</b>     | <b>0</b>                             | <b>80</b>  | <b>0</b>                | <b>78</b>  | <b>0</b>                                                      | <b>0</b> | <b>0</b>                                   | <b>83</b>  | <b>0</b>                                                      | <b>0</b> | <b>0</b>                                   | <b>93</b>  | <b>0</b>                | <b>97</b>  | <b>0</b>                | <b>97</b>  |
| AST 11              | 0                                    |            | 0                       |            | 0                                                             |          | 0                                          |            | 0                                                             |          | 0                                          |            | 0                       |            | 0                       |            |
| AST 10              | 0                                    |            | 0                       |            | 0                                                             |          | 0                                          |            | 0                                                             |          | 0                                          |            | 0                       |            | 0                       |            |
| AST 9               | 0                                    | 1          | 0                       | 1          | 0                                                             |          | 0                                          | 1          | 0                                                             |          | 0                                          | 1          | 0                       | 1          | 0                       | 1          |
| AST 8               | 0                                    |            | 0                       |            | 0                                                             |          | 0                                          |            | 0                                                             |          | 0                                          |            | 0                       |            | 0                       |            |
| AST 7               | 0                                    |            | 0                       |            | 0                                                             |          | 0                                          |            | 0                                                             |          | 0                                          |            | 0                       |            | 0                       | 1          |
| AST 6               | 0                                    | 1          | 0                       | 1          | 0                                                             |          | 0                                          | 2          | 0                                                             |          | 0                                          | 3          | 0                       | 4          | 0                       | 7          |
| AST 5               | 0                                    | 17         | 0                       | 14         | 0                                                             |          | 0                                          | 19         | 0                                                             |          | 0                                          | 24         | 0                       | 34         | 0                       | 39         |
| AST 4               | 0                                    | 48         | 0                       | 48         | 0                                                             |          | 0                                          | 62         | 0                                                             |          | 0                                          | 54         | 0                       | 51         | 0                       | 47         |
| AST 3               | 0                                    | 42         | 0                       | 42         | 0                                                             |          | 0                                          | 25         | 0                                                             |          | 0                                          | 22         | 0                       | 17         | 0                       | 15         |
| AST 2               | 0                                    | 16         | 0                       | 16         | 0                                                             |          | 0                                          | 11         | 0                                                             |          | 0                                          | 11         | 0                       | 16         | 0                       | 13         |
| AST 1               | 0                                    |            | 0                       |            | 0                                                             |          | 0                                          |            | 0                                                             |          | 0                                          |            | 0                       |            | 0                       |            |
| <b>Total AST</b>    | <b>0</b>                             | <b>125</b> | <b>0</b>                | <b>122</b> | <b>0</b>                                                      | <b>0</b> | <b>0</b>                                   | <b>120</b> | <b>0</b>                                                      | <b>0</b> | <b>0</b>                                   | <b>115</b> | <b>0</b>                | <b>123</b> | <b>0</b>                | <b>123</b> |
| AST/SC 1            | 0                                    |            | 0                       |            | 0                                                             |          | 0                                          |            | 0                                                             |          | 0                                          |            | 0                       |            | 0                       |            |
| AST/SC 2            | 0                                    |            | 0                       |            | 0                                                             |          | 0                                          |            | 0                                                             |          | 0                                          |            | 0                       |            | 0                       |            |
| AST/SC 3            | 0                                    |            | 0                       |            | 0                                                             |          | 0                                          |            | 0                                                             |          | 0                                          |            | 0                       |            | 0                       |            |
| AST/SC 4            | 0                                    |            | 0                       |            | 0                                                             |          | 0                                          |            | 0                                                             |          | 0                                          |            | 0                       |            | 0                       |            |
| AST/SC 5            | 0                                    |            | 0                       |            | 0                                                             |          | 0                                          |            | 0                                                             |          | 0                                          |            | 0                       |            | 0                       |            |
| AST/SC 6            | 0                                    |            | 0                       |            | 0                                                             |          | 0                                          |            | 0                                                             |          | 0                                          |            | 0                       |            | 0                       |            |
| <b>Total AST/SC</b> | <b>0</b>                             |            | <b>0</b>                |            | <b>0</b>                                                      |          | <b>0</b>                                   |            | <b>0</b>                                                      |          | <b>0</b>                                   |            | <b>0</b>                |            | <b>0</b>                |            |
| <b>TOTAL</b>        | <b>0</b>                             | <b>205</b> | <b>0</b>                | <b>200</b> | <b>0</b>                                                      | <b>0</b> | <b>0</b>                                   | <b>203</b> | <b>0</b>                                                      | <b>0</b> | <b>0</b>                                   | <b>208</b> | <b>0</b>                | <b>220</b> | <b>0</b>                | <b>220</b> |

## Annex IV

### Annex IV-A Recruitment Policy

Eurojust has a set of comprehensive staff selection procedures in place covering all the key stages of the process. The aim of selection procedures is to recruit staff that best fit the job profile in a timely and transparent manner. The engagement and use of Temporary and Contract Agents, and procedures for their recruitment and selection, are laid down in the respective implementing rules and policies adopted by Eurojust.

#### Temporary agents

##### *Entry grades*

Temporary agents, who will take up long-term positions, will, as a rule, be recruited at the levels indicated below, in order to permit a long term career perspective:

- AST1 to AST4 for the AST category;
- AD5 to AD8 for the AD category.

Temporary Agents for managerial positions at the level of Head of Unit are normally recruited at the level of AD10. According to the complexity of the tasks and the level of expertise required, a level above AD10 may be recruited.

In all cases, and before publishing any posts, all options are carefully evaluated in order to match function grade and responsibilities appropriately.

The diagram below shows the type of key functions and the respective entry grades:

| AD |                                                             | AST |                                   |
|----|-------------------------------------------------------------|-----|-----------------------------------|
| 16 |                                                             | 11  |                                   |
| 15 |                                                             | 10  | Senior Technical Expert/Assistant |
| 14 | Director                                                    | 9   |                                   |
| 13 | Head of Operational Support                                 | 8   |                                   |
| 12 |                                                             | 7   |                                   |
| 11 |                                                             | 6   |                                   |
| 10 | Head of Unit                                                | 5   |                                   |
| 9  |                                                             | 4   | Technical Experts / Assistants    |
| 8  | Head of Service/Sector/<br>Senior Officers/Experts/Advisors | 3   | Assistants                        |
| 7  | Head of<br>Sectors/Coordinators/Officers/<br>Advisors       | 2   |                                   |
| 6  |                                                             | 1   |                                   |
| 5  | Officers                                                    |     |                                   |

##### *Temporary Agents on long term employment*

Temporary Agents on long term employment (Art. 2(f) CEOS) may be offered a fixed-term contract of three to five years. The criteria for identification of long-term posts are the following:

- Posts covering tasks of a permanent nature as resulting from the mandate and business plan of the Agency;
- Posts ensuring continuous expertise in a specific field.

The first renewal may be for up to 5-years. Any subsequent renewal is for indefinite period. The general considerations that are taken into account for contract renewal include:

- confirmation of Eurojust' future human resources allocation by the Budgetary Authority;
- the requirement for the specific post;
- an examination of the specific competences of the jobholder, and
- a review of the performance of the staff member.

#### *Temporary Agents on short term employment*

The Administrative Director is employed on a short-term contract with a fixed period not exceeding five years with a possibility of one renewal for another fixed period not exceeding five years.

The post of European Judicial Network Secretary is a short-term contract with a fixed period of four years. The contract may be renewed only once for an additional four years with no possibility of becoming indefinite.

### **Contract agents**

Contract Agents are employed for short/medium term. The criteria used to identify the need to recruit/maintain such category of staff are the following:

- Reinforcement of existing capacities in support and administrative functions when necessary, in particular outside the operational support business of Eurojust;
- To work on specific, time-limited projects;
- To fill gaps during long-term absences of Temporary Agents;
- Exceptionally, to reinforce capacities in areas of work where a specific competence profile is needed for a limited time period.

In general, Contract Agents are offered an initial fixed-term contract not exceeding three years. Their contracts may be renewed for a second fixed-term period, not exceeding three years. Any subsequent renewal for an indefinite duration is exceptional. The diagram below shows the type of key functions and the respective entry grades:

| CA     |                                                                             |
|--------|-----------------------------------------------------------------------------|
| FG IV  | Administrative, advisory, specialist and equivalent technical tasks         |
| FG III | Executive tasks, drafting, accountancy and other equivalent technical tasks |
| FG II  | Clerical or secretarial tasks, office management and other equivalent tasks |
| FG I   | Manual and administrative support-service tasks                             |

## **Seconded national experts<sup>25</sup>**

The use of Seconded National Experts (SNEs) at Eurojust is regulated by College Decision 2013-6 (08/10/2013) on the implementing arrangements for the secondment to Eurojust of national experts. SNEs are used for highly specialised positions at National Desks and in operational support areas.

SNEs working at the National Desks are selected and nominated by the home authorities. Their nomination is authorised by Eurojust who facilitated their arrival/departure.

SNEs working in the Administration are selected through a Selection Procedure similar to the one for TA and CA posts. Their contract length varies according to the needs of each position.

## **Structural service providers<sup>26</sup>**

A number of structural service providers are recruited in the Information Management Unit and the Corporate Services Unit to provide specific expertise in the development of key projects such as the New Premises Project.

A slight increase in the use of external service providers will be required to facilitate the development of the new premises for the period 2016-2017. In 2018 the use of external service providers should return to the normal levels. Framework contracts are being established with selected providers for a maximum period of 4 years.

IMU has recently outsourced the software development for Eurojust in view of post reductions. Thus structural service providers will continue to be on site for testing and commissioning in accordance with business needs.

## **Interim staff**

Eurojust continues to limit its dependency on interim staff and uses them in exceptional cases only. Interims may provide administrative support at the National Desks where absences/vacancies have to be temporarily filled with specific language requirements, ICT support and general assistance work in the Administration. The contract length varies according to the needs of each position but the maximum contract length is one year.

Eurojust has a 4 year framework contract (2013-2017) with local Interim Agencies.

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<sup>25</sup> NB SNEs are not employed by the agency.

<sup>26</sup> NB Structural service providers are not employed by the agency.

## Annex IV-B Appraisal of Performance and Reclassification/Promotion

**Table 1 - Reclassification of temporary staff / promotion of officials\***

| Category and grade  | Staff in activity at 01.01.2014 |            | How many staff members were promoted / reclassified in 2015 |           | Average number of years in grade of reclassified/ promoted staff members |
|---------------------|---------------------------------|------------|-------------------------------------------------------------|-----------|--------------------------------------------------------------------------|
|                     | officials                       | TA         | officials                                                   | TA        |                                                                          |
| AD 16               |                                 |            |                                                             |           |                                                                          |
| AD 15               |                                 |            |                                                             |           |                                                                          |
| AD 14               |                                 | 1          |                                                             |           |                                                                          |
| AD 13               |                                 | 1          |                                                             |           |                                                                          |
| AD 12               |                                 |            |                                                             |           |                                                                          |
| AD 11               |                                 |            |                                                             |           |                                                                          |
| AD 10               |                                 | 3          |                                                             | 1         | 4 years 3 months                                                         |
| AD 9                |                                 | 5          |                                                             | 1         | 3 years*                                                                 |
| AD 8                |                                 | 15         |                                                             | 1         | 4 years                                                                  |
| AD 7                |                                 | 11         |                                                             | 3         | 2 years 4 months*                                                        |
| AD 6                |                                 | 27         |                                                             | 1         | 6 years 6 months                                                         |
| AD 5                |                                 | 5          |                                                             | 2         | 3 years 2 months*                                                        |
| <b>Total AD</b>     | <b>0</b>                        | <b>68</b>  | <b>0</b>                                                    | <b>9</b>  |                                                                          |
| AST 11              |                                 |            |                                                             |           |                                                                          |
| AST 10              |                                 |            |                                                             |           |                                                                          |
| AST 9               |                                 | 1          |                                                             |           |                                                                          |
| AST 8               |                                 |            |                                                             |           |                                                                          |
| AST 7               |                                 |            |                                                             |           |                                                                          |
| AST 6               |                                 |            |                                                             |           |                                                                          |
| AST 5               |                                 | 2          |                                                             | 1         | 3 years                                                                  |
| AST 4               |                                 | 25         |                                                             |           |                                                                          |
| AST 3               |                                 | 58         |                                                             | 11        | 4 years 2 months                                                         |
| AST 2               |                                 | 45         |                                                             | 6         | 3 years*                                                                 |
| AST 1               |                                 | 4          |                                                             |           |                                                                          |
| <b>Total AST</b>    | <b>0</b>                        | <b>135</b> | <b>0</b>                                                    | <b>18</b> |                                                                          |
| AST/SC 1            |                                 |            |                                                             |           |                                                                          |
| AST/SC 2            |                                 |            |                                                             |           |                                                                          |
| AST/SC 3            |                                 |            |                                                             |           |                                                                          |
| AST/SC 4            |                                 |            |                                                             |           |                                                                          |
| AST/SC 5            |                                 |            |                                                             |           |                                                                          |
| AST/SC 6            |                                 |            |                                                             |           |                                                                          |
| <b>Total AST/SC</b> | <b>0</b>                        | <b>0</b>   | <b>0</b>                                                    | <b>0</b>  |                                                                          |
| <b>Total</b>        | <b>0</b>                        | <b>203</b> | <b>0</b>                                                    | <b>27</b> |                                                                          |

\*high capital of reclassification points for the period 2004-2012 when Eurojust did not have a Reclassification Policy in place.

**Table 2 - Reclassification of contract staff**

| Function Group | Grade | Staff in activity at 01.01.2014 | How many staff members were promoted / reclassified in 2015 | Average number of years in grade of reclassified/promoted staff members |
|----------------|-------|---------------------------------|-------------------------------------------------------------|-------------------------------------------------------------------------|
| <b>CA IV</b>   | 18    |                                 | No CA staff were reclassified in 2015                       | N/A                                                                     |
|                | 17    |                                 |                                                             |                                                                         |
|                | 16    |                                 |                                                             |                                                                         |
|                | 15    |                                 |                                                             |                                                                         |
|                | 14    |                                 |                                                             |                                                                         |
|                | 13    |                                 |                                                             |                                                                         |
| <b>CA III</b>  | 12    |                                 |                                                             |                                                                         |
|                | 11    |                                 |                                                             |                                                                         |
|                | 10    |                                 |                                                             |                                                                         |
|                | 9     |                                 |                                                             |                                                                         |
|                | 8     |                                 |                                                             |                                                                         |
| <b>CA II</b>   | 7     |                                 |                                                             |                                                                         |
|                | 6     | <b>0</b>                        |                                                             |                                                                         |
|                | 5     |                                 |                                                             |                                                                         |
|                | 4     |                                 |                                                             |                                                                         |
| <b>CA I</b>    | 3     |                                 |                                                             |                                                                         |
|                | 2     |                                 |                                                             |                                                                         |
|                | 1     |                                 |                                                             |                                                                         |
| <b>Total</b>   |       | <b>0</b>                        |                                                             |                                                                         |

### Performance Appraisal

Eurojust appraises all staff annually. The annual performance appraisal exercise is conducted at the beginning of each year and the reference period runs from 01 January to 31 December of the year before. All staff members who were in active service for a continuous period of at least one month during the reference period will have to be appraised. Probationary staff are assessed respectively in accordance with Articles 14 or 84 of CEOS.

The appraisal system aims to evaluate the staff member's efficiency, competencies and conduct in the service. Eurojust adopted a new Competency framework in June 2015. The framework forms a common, transparent reference across the organisation and provides fair and unbiased criteria for recruiting, assessing, retaining and developing staff members. Three units (Human Resources, Legal Service and Corporate Services Unit) used the framework as a pilot and the lessons learned were included in the final adopted version.

A presentation was given to senior managers on competencies and competency management. The framework was communicated to staff and managers via “Lunch and Learn” conferences in an effort to familiarise them both with the competency framework and its content.

Eurojust plans to embed the competency framework in all HR processes (recruitment, probation, performance appraisal, learning and development) with the aim to design and apply competency based HR processes by the end of 2016. All forms will be redesigned and the related policies and guides will be reviewed to include the new elements.

The 7<sup>th</sup> annual performance appraisal exercise took place in 2015. 99% completed Career Development Reports (CDRs) were received by 31 December 2015.

The new implementing rule on appraisal will be adopted in the course of 2016.

### **Reclassification**

Eurojust adopted the Decision on Reclassification of Temporary Agents in June 2012. A reclassification exercise is organized every year and carried out after the evaluation exercise foreseen by the Yearly Performance Appraisal Decision. The first reclassification exercise took place in 2012. As of 2016, Eurojust will adopt the new decision on general implementing provisions regarding Article 54 of the CEOS. Up until and including 2015, only Temporary Agents were subject to reclassification. Contract agents will be able to take part in the reclassification exercise as of 2016 as Eurojust will adopt the decision on general implementing provisions regarding Article 87 (3) of the CEOS.

## Annex IV-C Mobility Policy

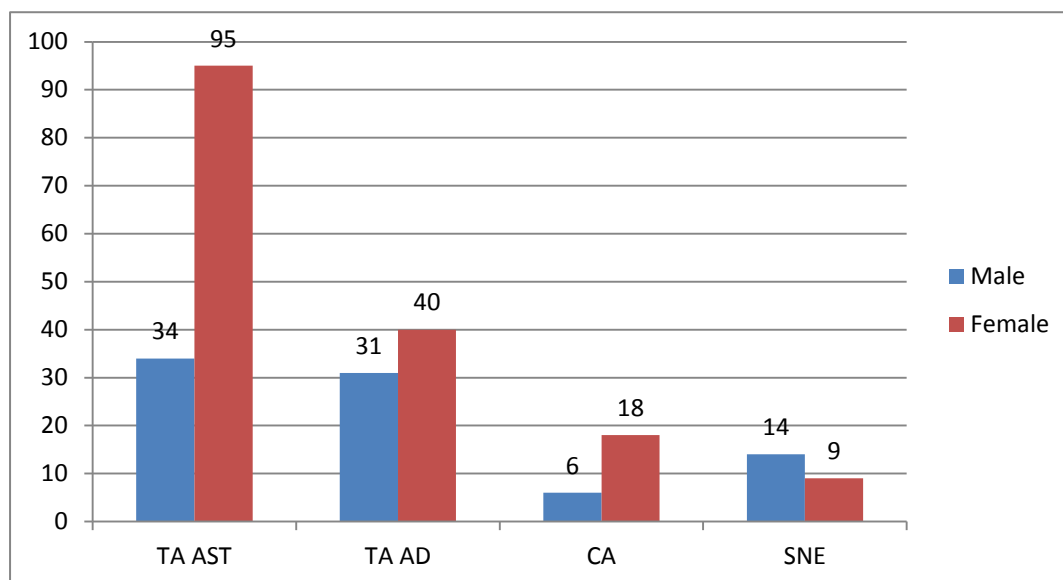
Eurojust's Internal Mobility Policy has been adopted by Decision of the Administrative Director in June 2014. Mobility is open to all posts of temporary or contract agents but is restricted to posts at the same grade. In principle candidates must have been in their current post for at least two years and the internal mobility takes the shape of a transfer in the interest of the service (Article 7(1) SR). The procedure follows the same steps as an external recruitment procedure with a call for the expression of interest (a vacancy notice), an internal mobility board (a selection board) and possibly a reserve list. Since the adoption of the internal mobility policy, 5 procedures have been carried out, 4 in 2014 and 1 in 2015.

Eurojust acceded to the agreement on the creation of the Inter Agency Job Market (IAJM) on 28 January 2008. This constitutes one of three avenues to recruit temporary agents, as provided for by article 4(3) of the Eurojust Decision on General Implementing Provisions governing the Engagement and Use of Temporary Agents. Even though the possibility exists since 2008, to date the IAJM has not been used for Eurojust selection procedures. This may change in the future, with the new draft implementing rule on the procedure governing the engagement and use of temporary staff under Article 2(f) of the CEOS, which has a separate chapter dedicated to filling a post through mobility between Union agencies.

| Posts filled in 2015             |               |          |              |         |
|----------------------------------|---------------|----------|--------------|---------|
| <i>Staff are recruited from:</i> |               |          |              |         |
| TA's                             |               |          |              |         |
| Total                            | Public Sector | Agencies | Institutions | Private |
| 11                               | 1             | 9        |              | 1       |
| CA's                             |               |          |              |         |
| Total                            | Public Sector | Agencies | Institutions | Private |
| 10                               | 1             | 8        |              | 1       |
| Total TA + CA                    |               |          |              |         |
| Total                            | Public Sector | Agencies | Institutions | Private |
| 21                               | 2             | 17       |              | 2       |
| 100%                             | 9.5%          | 81%      |              | 9.5%    |

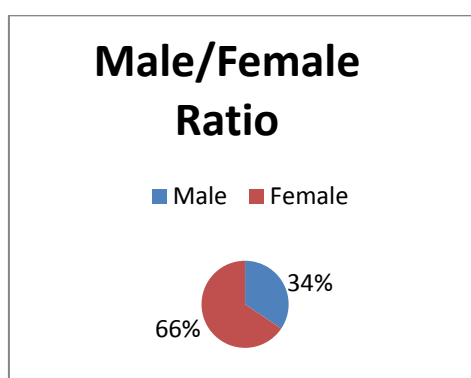
#### Annex IV-D Gender and Geographical Balance

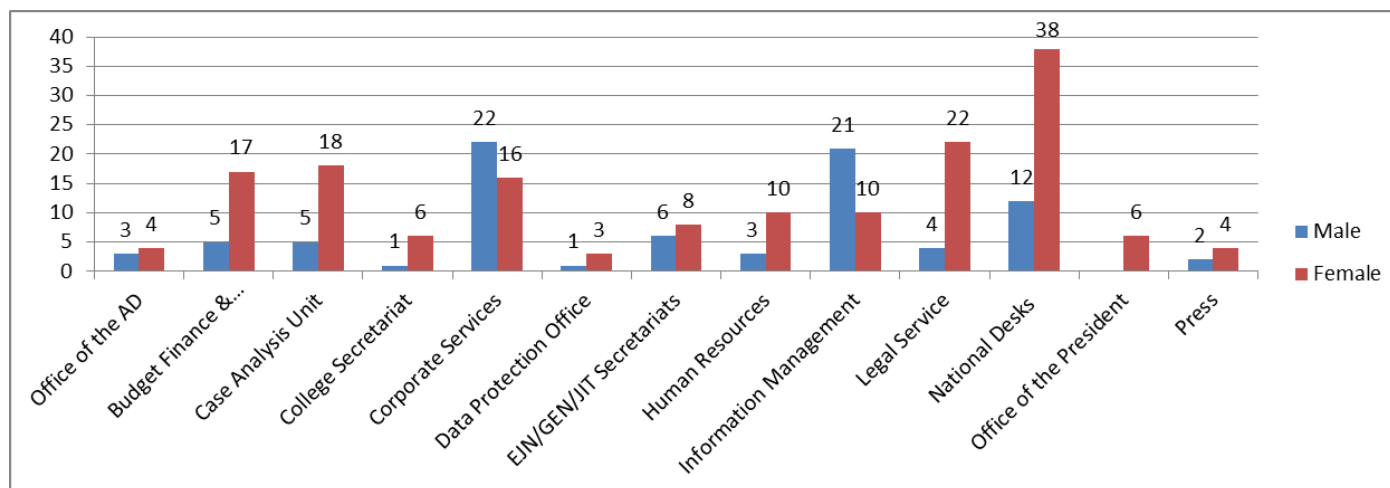
The gender balance at Eurojust is characterised by a high percentage of females in AST functions as per the graph below:



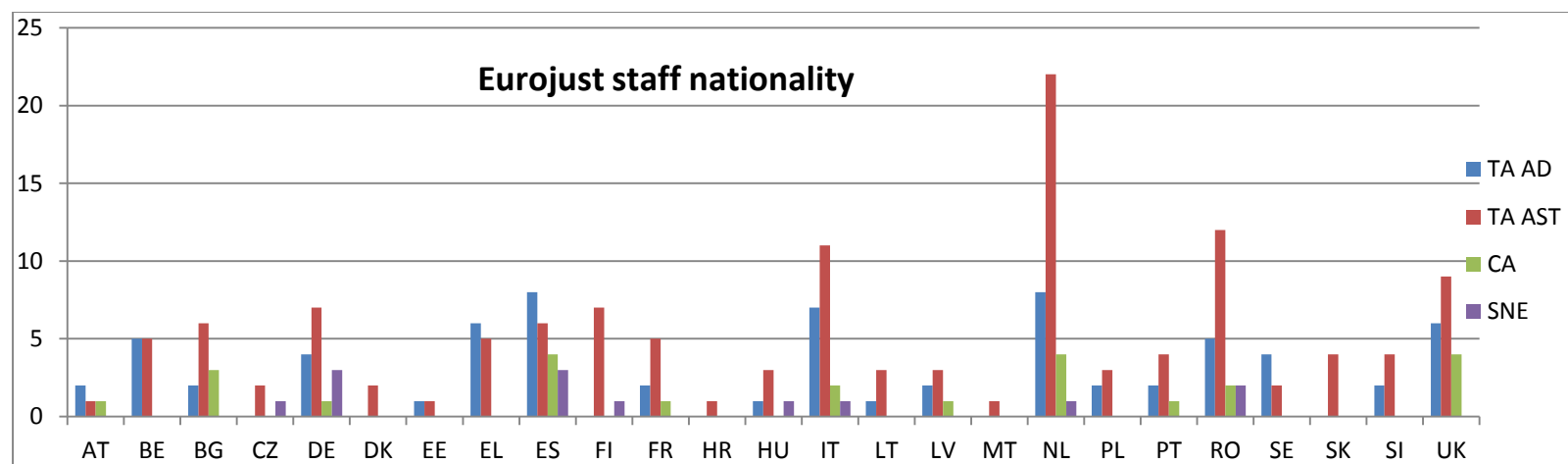
This discrepancy is explained by the structure and job profiles of each unit. Units with a high number of administrative assistants (e.g. National Desks) are predominantly staffed by women while in units with more technical roles (e.g. Corporate Services) the majority of employees are men. This is also reflected in the applications that Eurojust receives for published vacant posts. For administrative/secretarial posts the applications are predominately from females while for technical posts the candidates are mainly male.

The staff gender distribution in Eurojust in 2015 is shown below by unit and for the organisation as a whole.





The geographical breakdown of Eurojust staff by function can be seen below. Eurojust does not use nationality quotas when filling vacant posts. Since the agency is based in Holland, Dutch employees are the most represented followed by Romanian, Italian and Spanish. Eurojust does not currently employ staff with Cypriot or Irish nationality.



#### Annex IV-E    Schooling

The establishment of the European School of The Hague was agreed in 2011 and the school opened its doors to children in Nursery years 1 and 2 and Primary years 1 and 2 in school year 2012/2013. The setting-up of this school is gradual and the school sections are being offered according to the following timeline:

|                |                                      |
|----------------|--------------------------------------|
| September 2012 | Nursery (N1, N2)<br>Primary (P1, P2) |
| September 2013 | Primary (P3, P4, P5)                 |
| September 2014 | secondary (S1, S2, S3)               |
| September 2015 | secondary (S4)                       |
| September 2016 | secondary (S5)                       |
| September 2017 | secondary (S6)                       |
| September 2018 | secondary (S7)                       |

The school is based in the International Zone within The Hague.

The School is an accredited European School which, although not forming part of the network of European Schools organised by the intergovernmental organisation ‘The European Schools’, still offers a European education that meets all the pedagogical requirements laid down for European Schools. It is set within the framework of the Dutch national school network and thus remains outside the legal, administrative and financial framework to which the European Schools are compulsorily subject.

When the school opened it started with three language sections: English, Dutch and Spanish. Since then there have been developments in the offerings of language sections. In September 2014 the school opened a German and a French Nursery class as well as a French Primary 1 & 2 class. The new sections are envisaged to grow every year. A Spanish language section is not foreseen in the secondary school programme and secondary classes were opened in the English, Dutch and French section. The children currently in the primary classes of the Spanish section will integrate into these language sections.

For the school year 2015-2016, 51 children of Eurojust Staff have been registered in the school. In addition, 7 children of SNE’s and National Members have enrolled.

The Mandate and Service agreement between the Commission and the European School was signed by Europol on 28 May 2014. The Contribution Agreement between the European School The Hague and the Commission was signed by the European School the Hague on 17 July 2014. Eurojust’s estimates on the number of children of Eurojust staff that will attend the school are based on the actual circumstances of the staff. This estimate is further based on the gradually

widening provision for the European School the Hague and a conservative extrapolation of actual situation of staff in the current 2015/16 school year, rather than an assumption all children will attend. This projection includes reductions for *inter alia* children residing outside of the Hague and Dutch nationals unlikely to use the European School, known withdrawals of children from the European School, children benefitting from school allowances of the organisations of the other parent and children for which there is currently no language stream at the European School. The final figure obtained is inflated by 1.5% in order to take into consideration children of future employees enrolling in the school. Based on the estimated number of children, Eurojust is making the necessary budgetary provisions for the reimbursement of the fees to the Commission as per the process explained in the MSA.

For the years 2017-2019 the forecasted number of children and related budget estimates are as follows:

| SCHOOL YEAR | ESTIMATED NUMBER OF PUPILS | TOTAL BUDGET |
|-------------|----------------------------|--------------|
| 2017/2018   | 90                         | € 602,143    |
| 2018/2019   | 89                         | € 694,347    |
| 2019/2020   | 104                        | € 748,618    |

The European School adds to the education facilities currently provided in The Hague. Children of Eurojust staff currently attend the International School, the British School Netherlands, the French Lyceum, the German International School or the American School. Alternatively they may attend Dutch schools, based on parental choice. However, since the setting-up of the Accredited European School of The Hague and therefore the reduction of the education allowance, most of the international schooling possibilities became out of reach for the majority of the Eurojust staff.

## Annex V Building Policy

|                                          | Name, location and type of building                                     | Name, location and type of building                                     | Name, location and type of building | Other Comment                                                                                                                                                                                                           |
|------------------------------------------|-------------------------------------------------------------------------|-------------------------------------------------------------------------|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Information to be provided per building: | Maanweg 174, The Hague, B-wing                                          | Saturnusstraat 9, The Hague, floors 6-8                                 | New Premises, Johan de Wittlaan     |                                                                                                                                                                                                                         |
| Surface area (in square metres)          | 8,694 m2                                                                | 6,104 m2                                                                | 18,515 m2                           |                                                                                                                                                                                                                         |
| Of which office space                    | 6,763 m2                                                                | 3,786 m2                                                                | Parking 8,450 m2                    |                                                                                                                                                                                                                         |
| Of which non-office space                | 1,931 m2                                                                | 2,318 m2                                                                |                                     |                                                                                                                                                                                                                         |
| Annual rent (in EUR)                     | No rental costs incurred - Service/maintenance costs EUR 100,000 (est.) | No rental costs incurred – Service/maintenance costs EUR 140,000 (est.) | EUR 2,713,678 prices 2015           | Service costs New Premises: EUR 550,000.00 year                                                                                                                                                                         |
| Type and duration of rental contract     | Lease – ends 31/07/17                                                   | Lease – ends 31/07/17                                                   | Lease – <b>20</b> years             | In 2017 all 3 premises are in use by Eurojust, Maanweg 174 and Saturnusstraat 9 until end of lease expected 31/07/17. Eurojust pays rent only for New Premises and service/maintenance costs for all 3 premises in 2017 |
| Host country grant or support            | n.a.                                                                    | n.a.                                                                    | n.a.                                |                                                                                                                                                                                                                         |
| Present value of the building            | n.a.                                                                    | n.a.                                                                    | n.a.                                |                                                                                                                                                                                                                         |

The exceptional situation relating to Eurojust Premises requires additional budget in 2017 for EUR 2 392 000 to cover:

- a) the move to the New Premises and the **higher operating costs** (April-December 2017) and
- b) the final costs for occupying (and leaving) the Interim Premises (January-March 2017)

Both items are covered and included in Eurojust's 'Regular' budget for 2017.

### Justification A - move to the New Premises and the higher operating costs (April-December 2017):

Eurojust intends to keep the 'service levels' for staff and visitors of Eurojust the same as the current minimum required standard to perform day-to-day work. However, the move to the new premises will have an (budgetary) impact to cost of utilities and maintenance services. Reasons for this are:

- a) a bigger building (in total more m2 for office space, meeting rooms and shared areas) and another layout of the ICT infrastructure and security measurements.
- b) **Eurojust can no longer benefit from the generous agreement to pay only 30% of the maintenance and utility costs (70% was paid by the ICC) but will have to pay the actual costs.**

It needs to be highlighted that these exploitation costs are not included in the separate 'ring-fenced' budget envelope of €18.4 million provided for the realization of the New Premises project.

Overall, this extraordinary (and exceptional) situation forces Eurojust to increase its Title 2 expenditures considerably: **the annual (estimated) increase of our Title 2 costs will amount €2.4 million for each year from 2018 onwards**, compared to the baseline used for the MFF calculations (as reflected in Eurojust budgets for period 2013-2015).

Eurojust can off-set part of the additional exploitation costs by using the freed-up consultancy costs that will stop with the finalization of the building project (approx. €1.3 million per year as of 2018) which are currently funded from Eurojust's 'Regular' budget. Nevertheless, without adjusting the MFF 2014-2020 accordingly, Eurojust will have find an additional €1.1 million to €1.4 million per year (or in total another of €3.7 million for 2018-2020) from its 'regular' budget for this change in building operating costs due to the move to the New Premises.

*Eurojust estimated building related exploitation costs for 2015-2020 <sup>27</sup>:*

| (Amounts x €1,000)                                                                | Current | Transition period |        | New premises |         |         | Total deviation/shortfall from MFF2014-2020 |
|-----------------------------------------------------------------------------------|---------|-------------------|--------|--------------|---------|---------|---------------------------------------------|
|                                                                                   | 2015    | 2016              | 2017   | 2018         | 2019    | 2020    |                                             |
| <b>Total building exploitation costs</b>                                          | €4,750  | €6,484            | €9,418 | €7,140       | €7,283  | €7,429  |                                             |
| per m <sup>2</sup>                                                                | €315    | n/a               | n/a    | €385         | €393    | €401    |                                             |
| <b>Additional costs</b> compared to current situation                             | €0      | €1,733            | €4,668 | €2,390       | €2,533  | €2,678  |                                             |
| <b>Off-set by Eurojust 'Regular' budget</b> (freed-up building consultancy costs) |         |                   |        | -€1,300      | -€1,300 | -€1,300 |                                             |
| <b>Difference:</b> not included in the MFF 2014-2020                              |         |                   |        | €1,090       | €1,233  | €1,378  | €3,701                                      |

<sup>27</sup> The amounts contain preliminary figures based on the submitted Budget Circular 2017 and are therefore subject to change

It is obvious that this information was not on-hand nor included at the time of the establishment of the MFF2014-2020. However, the unavoidable increase in building operating costs due to the move to the new Eurojust premises should be sufficient justification to adjust the MFF ceilings accordingly.

**Justification B - final costs for occupying (and leaving) the Interim Premises (January-March 2017):**

- Eurojust plans to leave the Interim Premises in April 2017, so the costs for building maintenance, security and utilities for both the Arc and the Haagse Veste building (including the parking area) for the period January-March 2017 need to be included in the 2017 budget;
- Not only the costs for the security of the Arc building, lease, maintenance and utilities of office space occupied by Eurojust need to be paid, but also the costs for use of the common areas, which were **previously** shared with and **paid by our co-tenant**;
- Eurojust can no longer benefit from the generous agreement to pay only 30% of the utility costs (70% was paid by the ICC) but will have to pay the actual costs.

Breakdown increases in 2017 (compared to 2016):

- Security services: €570k
- ICT Security projects: €250k
- Cost for cleaning and waste disposals: €553k
- Water, gas, electricity and heating (utilities): €517k
- Other building operating expenditures (rent, maintenance and related Project Management costs for the new premises): €342k
- Building Insurances: €50k

## Annex VI Privileges and Immunities

| Agency privileges                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Privileges granted to staff                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Protocol of privileges and immunities /diplomatic status                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Education / day care                                                                                                                                                                                                                                                                                                                                                              |
| <p>The privileges and immunities of the agency are based on the Seat Agreement between Eurojust and the Netherlands, the Agreement on Privileges and Immunities between Eurojust and the Netherlands and on Protocol No7 annexed to the EU Treaty.</p> <p>Within the scope of its official activities, Eurojust is exempt from: import taxes and duties, motor vehicle tax, tax on passenger motor vehicles and motorcycles, value added tax paid on goods and services supplied on a recurring basis or involving considerable expenditure, excise duties included in the price of alcoholic beverages and hydrocarbons such as fuel oils and motor fuels, real property transfer tax, insurance tax, energy tax, tax on water mains, and any other taxes or duties of a substantially similar character as the taxes provided for above.</p> | <p>The privileges and immunities of Eurojust post-holders are based on the Seat Agreement between Eurojust and the Netherlands, the Agreement on Privileges and Immunities between Eurojust and the Netherlands and on Protocol No7 annexed to the EU Treaty. Two different regimes apply:</p> <p>National Members, Deputies and Assistants as well as the Administrative Director and Heads of Units/Services and their family members are granted 'AO' status by the host state. This status provides for certain VAT exemptions, exemption from excise duties for alcoholic beverages, tobacco products and fuel.</p> <p>'AO' status also provides for exemption from tax on cars and motorcycles (BPM) as well as the road tax (MRB) for two cars registered on the post-holder's name at the same time.</p> <p>Other staff members, which are granted 'BO' status by the host state, are entitled to exemption from BPM and MRB for one car registered on their name during the first ten years from the date of taking up employment.</p> <p>'BO' status also grants an exemption from excise duties for motor vehicle fuel for the first year of taken up employment at Eurojust.</p> | <p>Eurojust staff receives an education allowance regarding the school fees staff has to pay for the education of its children. Day-care or financial assistance for day-care costs is not provided as this is private matter of staff members.</p> <p>Eurojust reimburses in full the tuition fees of staff whose children are studying at the European school in The Hague.</p> |

| Agency privileges                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Privileges granted to staff                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Protocol of privileges and immunities /diplomatic status                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Education / day care |
| The Host State authorities exercise, as far as it is within their competence, and to the extent requested by the Administrative Director on behalf of the College, the respective powers to ensure that the Headquarters is supplied, on fair conditions and on equitable terms, with the necessary services including, among others, electricity, water, sewerage, gas, post, telephone, telegraph, local transportation, drainage, collection of refuse, fire protection and snow removal from public streets. | <p>Eurojust post-holders are exempted from VAT for the purchase of cars.</p> <p>For staff members with 'BO' status, this exemption applies only for one car at the same time during the first ten years of taking up employment.</p> <p>Eurojust post-holders enjoy an exemption from import duties for durable goods.</p> <p>For staff members with 'BO' status, this exemption only applies at the time of their first installation which has been defined as the first year after taking up employment.</p> |                      |
| The Dutch Government shall permit Eurojust to communicate freely and without a need for special permission, for all official purposes, and shall protect the right of Eurojust to do so. Eurojust and its National Members shall have the right to use codes and to dispatch and receive official correspondence and other official communications by courier or in sealed bags which shall have the same privileges and immunities as diplomatic couriers and bags.                                             | Additional exemptions include, inter alia, duties in relation to water authority charges, municipal tax on second homes, dog licences and tax for installations on public land or water.                                                                                                                                                                                                                                                                                                                       |                      |

## **Annex VII   Evaluations**

Article 41a of the Council Decision 2009/426/JHA on the strengthening of Eurojust required that the College of Eurojust shall commission an independent external evaluation of the implementation of the 2008 Eurojust Council Decision and the activities carried out by Eurojust every five years. In line with Article 41a, Eurojust appointed the consulting firm EY (formerly Ernst & Young) to conduct the independent external evaluation in July 2014.

The evaluation ran from September 2014 to June 2015 and was conducted in three sequential phases. The final phase of the evaluation was focused on processing and analysing the data collected and formulating conclusions and recommendations, which resulted in the EY Final Report on the Evaluation of the Eurojust Council Decision and the activities carried out by Eurojust, issued on 30 June 2015.

By end 2015 the College of Eurojust had approved the internal Action Plan for the implementation of the Recommendations of the Evaluation of Eurojust under Article 41a of the Eurojust Council Decision, which includes Actions to be put in place across the organisation during 2016 and 2017.

## Annex VIII Risks

| No. | Risk Title and Description | Risk Type | Residual Risk Level<br>(1 lowest - 5 highest) | Risk Response<br>(Avoid/Transfer/Reduce/Accept) | Action Plan Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----|----------------------------|-----------|-----------------------------------------------|-------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1   | <b>New Premises</b>        | External  | 3                                             | Reduce                                          | <ul style="list-style-type: none"> <li>• Conduct regular meetings with the Host State on the New Premises project progress;</li> <li>• Raise the awareness of the Host State for the financial implications of project delays;</li> <li>• Prepare a contingency plan for ensuring uninterrupted real life support in the current premises.</li> </ul>                                                                                                                |
| 2   | <b>Interim Premises</b>    | External  | 4                                             | Reduce                                          | <ul style="list-style-type: none"> <li>• Raise the awareness of the Host State for the financial implications of New Premises project delays;</li> <li>• Raise the awareness of the Budgetary Authority for the necessity of additional funding for the Interim Premises during the transition period.</li> </ul>                                                                                                                                                    |
| 3   | <b>Retention of staff</b>  | Internal  | 3                                             | Reduce                                          | <ul style="list-style-type: none"> <li>• Raise the awareness of the budgetary authority on the current most unfavourable ratio of AST posts to AD posts in Eurojust;</li> <li>• Endeavour that Eurojust remains a career organisation despite reductions in the establishment plan;</li> <li>• Earmark lower grade AST posts to meet reduction requirements;</li> <li>• Ensure that annual reclassification exercises are used to the appropriate extent.</li> </ul> |

| No. | Risk Title and Description | Risk Type | Residual Risk Level<br>(1 lowest - 5 highest) | Risk Response<br>(Avoid/Transfer/Reduce/Accept) | Action Plan Summary                                                                                                                                                                                                                                                                                                                                                                                 |
|-----|----------------------------|-----------|-----------------------------------------------|-------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4   | <b>JITs funding</b>        | External  | 3                                             | Reduce                                          | <ul style="list-style-type: none"> <li>Continue and intensify the dialogue with the budgetary authority regarding the problems related to the inclusion of the funding for Joint Investigation Teams (JITs) in the financial envelope with the aim to find a sustainable solution;</li> <li>Further improve the methodology used for forecasting of the JITs' demand for future funding.</li> </ul> |
| 5   | <b>Case load</b>           | External  | 3                                             | Reduce                                          | <ul style="list-style-type: none"> <li>Mitigate through intensified priority planning by the College the resource constraints resulting from an increase of the number of cases referred to Eurojust by the competent authorities of the Member States due to new criminal phenomena such as e.g. illegal immigrant smuggling</li> </ul>                                                            |
| 6   | <b>Budget amendments</b>   | External  | 3                                             | Reduce                                          | <ul style="list-style-type: none"> <li>Continue and intensify the dialogue with the budgetary authority regarding the funding requirements resulting in a need for amended budgets;</li> <li>Ensure that legal requirements resulting from existing contracts are met as a priority.</li> </ul>                                                                                                     |

## Annex IX Procurement Plan for 2017

In 2017, Eurojust estimates that the global budgetary envelope<sup>28</sup> reserved for procurement will be approximately 40-45% of Eurojust's overall expenditure. Within the global budgetary envelope reserved for procurement, Eurojust purchases its goods and services via procurement channels as appropriate, predominantly via framework contracts. As at September 2015, Eurojust has approximately 178 active framework contracts.

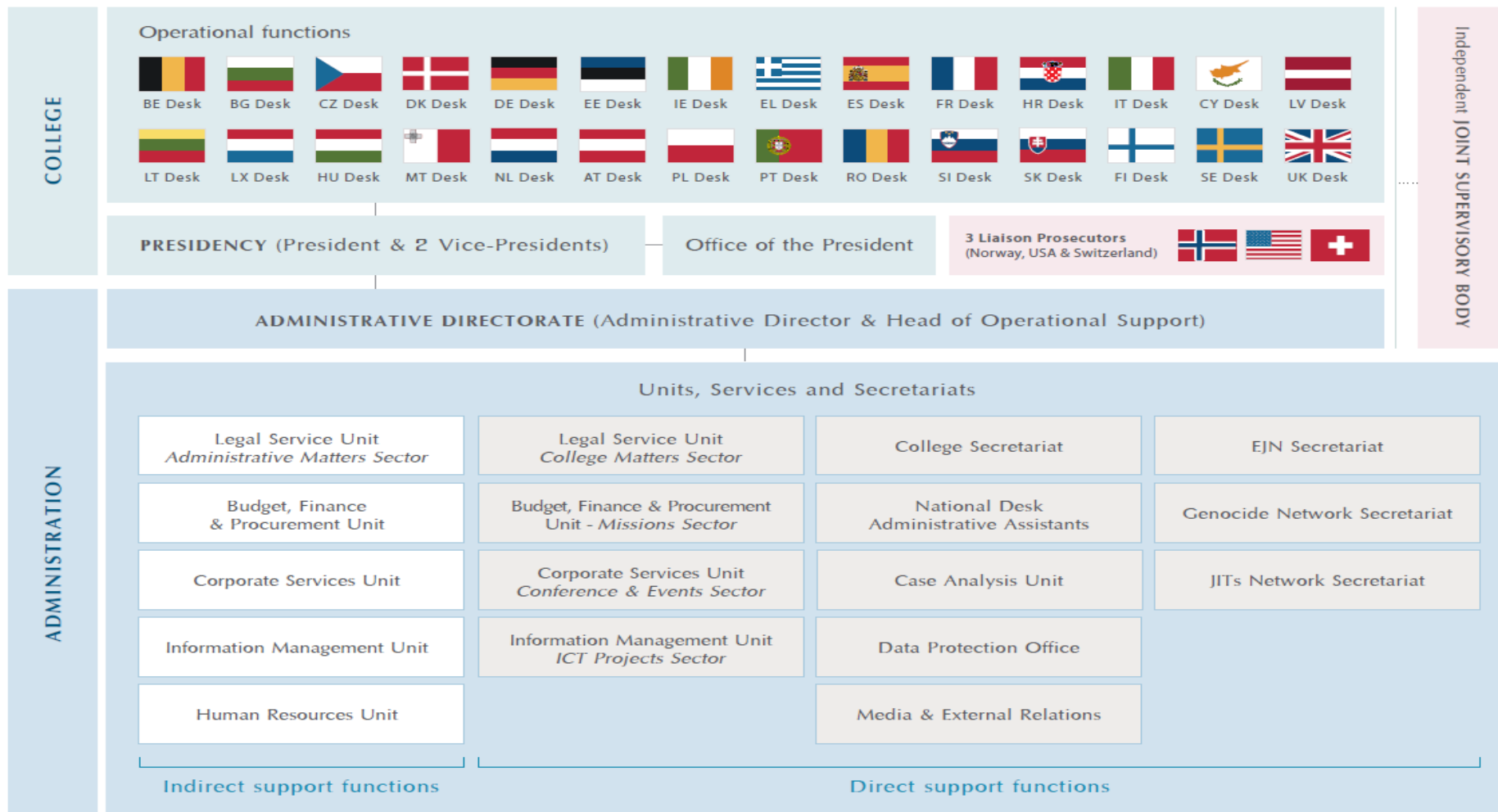
| Indicative list of the major procurement initiatives in terms type of contracts and subject in generic terms                                                                                                 | Indicative estimated value of the contract (for the whole contract duration) <sup>29</sup> | Indicative time for launching the procurement procedures <sup>30</sup> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|------------------------------------------------------------------------|
| Specific contracts under Eurojust's active framework contracts and contracts resulted from low value procurement procedures. These contracts are meant to cover the ongoing administrative/operational needs | As necessary and within to the allocated funds                                             | Contracts spread over 2017                                             |
| Framework contract for computer systems and related services                                                                                                                                                 | 7.0M                                                                                       | Q4 2016-Q1 2017                                                        |
| Framework contract for audio-visual equipment and services                                                                                                                                                   | 0.7M                                                                                       | Q4 2016-Q1 2017                                                        |
| Framework contract for insurance broking services                                                                                                                                                            | 0.4M                                                                                       | Q1-Q2 2017                                                             |
| Framework contract for vehicles                                                                                                                                                                              | 0.5M                                                                                       | Q1-Q2 2017                                                             |
| Framework contract for security and safety consultancy                                                                                                                                                       | 0.4M                                                                                       | Q2-Q3 2017                                                             |
| Framework contract for external catering and associated venue services                                                                                                                                       | 1.5M                                                                                       | Q3-Q4 2017                                                             |
| Framework contract for ICT consultancy                                                                                                                                                                       | 3.5M                                                                                       | Q2-Q3 2017                                                             |
| Framework contract for stationery and promotional materials                                                                                                                                                  | 0.5M                                                                                       | Q4 2017-Q1 2018                                                        |
| Framework contracts resulted from inter-institutional calls for tenders or from joint procurement procedures with a Member State or an international organisation                                            | As applicable and according to the estimated needs for the (framework) contract duration   | Depends on the leading contracting authority                           |

<sup>28</sup> Cumulative changes to the allocations to the specific actions not exceeding 20% of the maximum contribution authorised by this Decision are not considered to be substantial provided that they do not significantly affect the nature and objective of the Annual Work Programme. This may include the increase of the maximum contribution authorised by this Decision up to 20%.

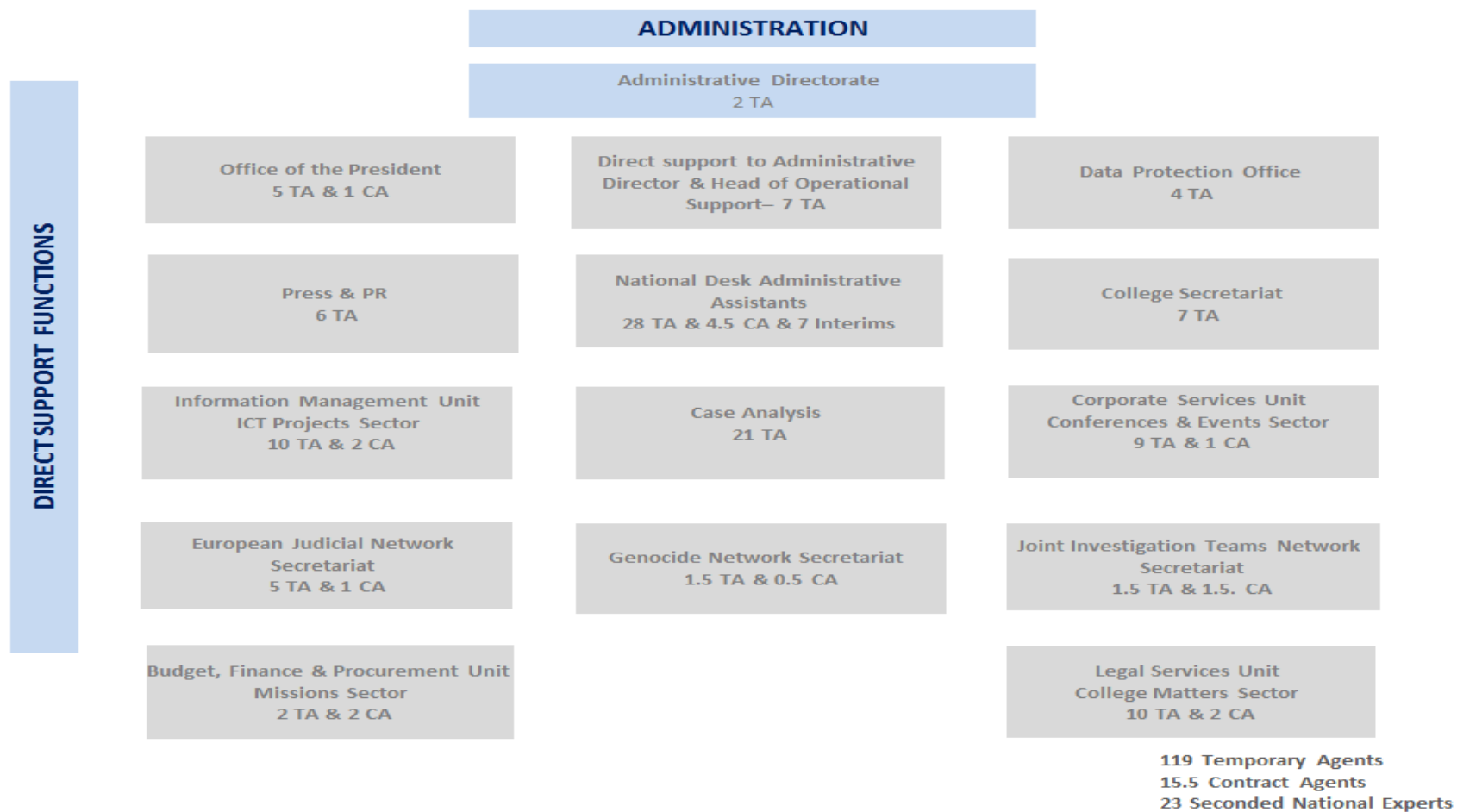
<sup>29</sup> The amounts presented reflect the estimated value of the contract over the envisaged maximum contract duration (eg, the total value of the framework contract for 4 years). These estimated values are subject to change until the launch of the procedure as the needs will be more accurately defined.

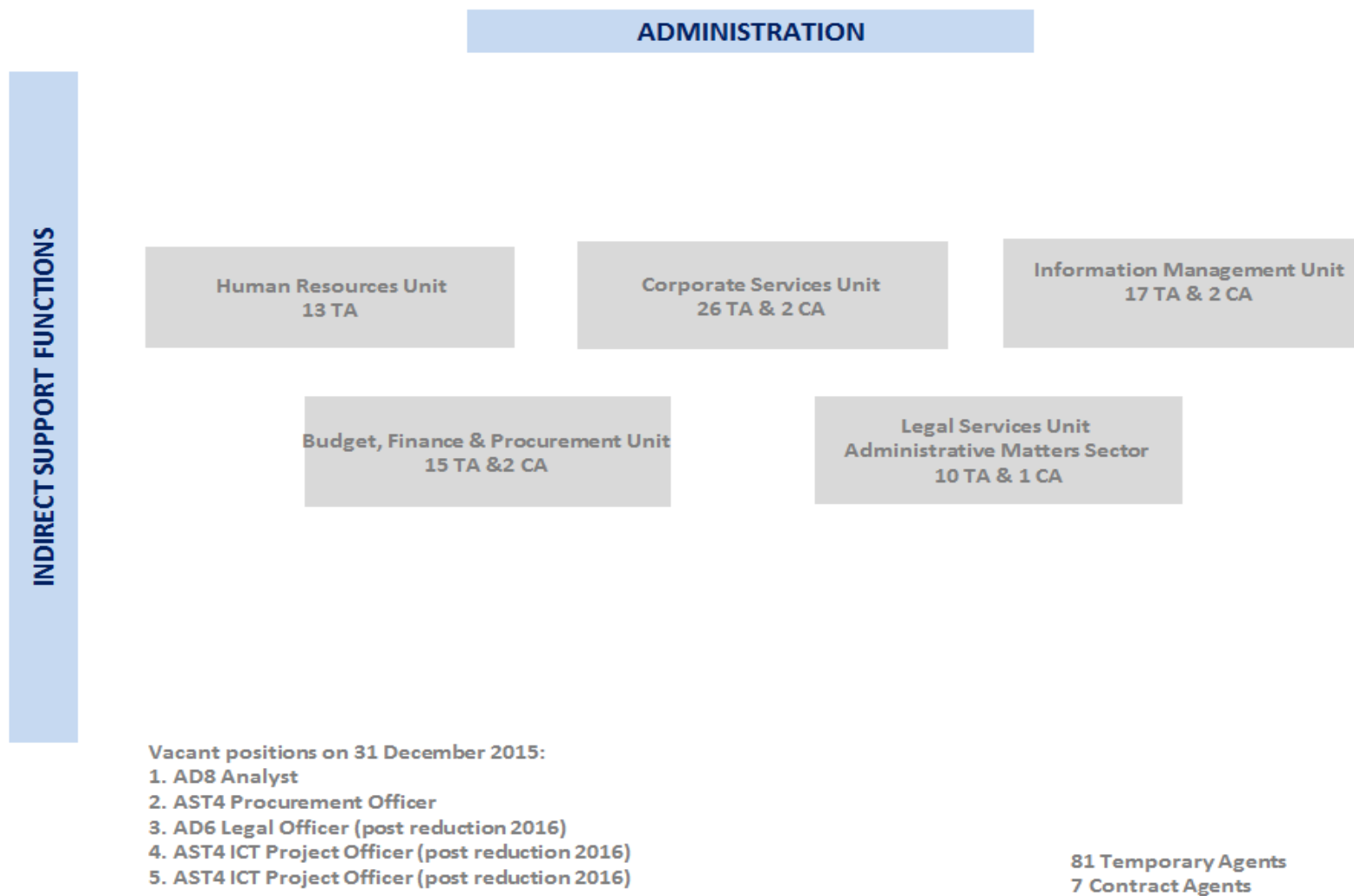
<sup>30</sup> The term "indicative time for launch" refers to the placement of specific contract (in case of specific contracts under the active framework contracts), dispatch of the invitation to tender/ contract notice (in case of new direct / framework contracts).

## Annex X Organisation Chart



\* Analytical information related to the organisational chart is provided in the following pages





## Annex XI Eurojust Grants

### Grants pertaining to financial assistance to Joint Investigation Teams

#### a. Legal Context and General Objectives

Providing technical and financial support to JITs is part of Eurojust's mission to stimulate and improve the coordination of investigations and prosecutions in cross-border criminal cases, as defined in Article 3 of Council Decision 2002/187/JHA of 28 February 2002 as last amended by Council Decision 2009/426/JHA of 16 December 2009 (the "Decision on Eurojust"). The relevant budget line for this activity is BL 3720.

According to Article 13(5) of the Decision on Eurojust, Eurojust National Members are informed of the establishment of a JIT and the results of the work of such teams and, according to Article 9f, they shall be entitled to participate in JITs concerning their own Member State and should be invited to do so each time the JIT benefits from Union funding (Article 9f).

JITs are a heavily promoted and efficient tool of judicial cooperation. This grant enhances the use of JITs by ensuring that financial and other organizational constraints linked to the cross-border nature of a case do not hinder the establishment and operational needs of a JIT. A further benefit comes from the ability of Eurojust, through its involvement in JITs and funding applications, to gain valuable information on the operation, needs and effectiveness of JITs as a whole. This enables Eurojust to act as a central point of reference and to actively disseminate valuable information to national authorities and other stakeholders.

#### b. Action Grants

The grants provided under this heading shall co-finance cross-border investigation activities of JITs.

An overview of the exclusion, eligibility, selection and award criteria is provided below and will be further detailed in the calls for proposals. Eurojust reserves the right to modify, add or remove the below criteria if it considers necessary to do so.

|                                |                                                                                                                                                                                                                                                                                                                                                                                                                            |
|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Type of action</b>          | Grant award for an action                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Financial provisions</b>    | <ul style="list-style-type: none"><li>• Eurojust will financially support JITs with a projected total amount of EUR 1 000 000</li><li>• A ceiling of EUR 50 000 has been set for each application</li><li>• No pre-financing payments will be available</li><li>• Eurojust will reimburse 95 % of the total eligible costs under this procedure</li></ul>                                                                  |
| <b>Timetable</b>               | Eight calls are currently foreseen for 2017 (one every 1,5 months)                                                                                                                                                                                                                                                                                                                                                         |
| <b>Main selection criteria</b> | <p>In accordance with Articles 132 (1) of the General Financial Regulation and Article 202 of the Rules of Application, proposals for action grants which meet the eligibility criteria will be further evaluated on the basis of the following selection criteria:</p> <ul style="list-style-type: none"><li>• The applicant's operational and professional competency and capacity to implement JIT activities</li></ul> |
| <b>Formal requirements</b>     | All applications received within the relevant application deadline will initially be assessed by Eurojust according to the formal requirements:                                                                                                                                                                                                                                                                            |

|                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                | <ul style="list-style-type: none"> <li>• Completed, signed and initialled application form</li> <li>• Copy of the signed JIT agreement, including possible extensions ;</li> <li>• Completed Financial Identification Form of a public institution involved in the JIT;</li> <li>• Deadline for receipt of the application respected ;</li> <li>• Action for which the funding is sought to be executed during the corresponding timeframe ;</li> <li>• Only one application per JIT within one application deadline (no separate Member State applications) ; and</li> <li>• A JIT that received funding within the framework of the last call for proposals cannot apply for funding in the call for proposals that immediately follows.</li> </ul>                                                                                                                                                                                                                                                    |
| <b>Award criteria</b>          | <p>Eligible applications will be evaluated and ranked, taking into account the following award criteria:</p> <ul style="list-style-type: none"> <li>• Investigation of a crime identified as a Eurojust and SOCTA priority by the most recent Council Conclusions;</li> <li>• Number of States involved;</li> <li>• The extent to which a JIT has previously benefitted from Commission or other sources of EU funding;</li> <li>• Purpose and aim of the JIT;</li> <li>• Details on action to be funded; and</li> <li>• Previous Eurojust grant execution rates (where applicable)</li> </ul> <p>A maximum of 10 points can be awarded for each criterion. Proposals attaining an individual score of 2 points or less for criteria related to the purpose and aim of the JIT and the details on action to be funded will not be considered for the award of a grant.</p>                                                                                                                               |
| <b>Actions to be supported</b> | <p>Through these grants, Eurojust provides support to the following actions :</p> <ul style="list-style-type: none"> <li>• meetings of the JIT, participation in investigative measures carried out on the territory of another State,</li> <li>• interpretation during activities of the JIT, including during investigative measures and translation of evidentiary material, procedural or case-related documents, and</li> <li>• Cross-border transfer of seized items, evidentiary material, procedural or case-related documents.</li> </ul> <p>Eligible costs related to these actions are the following:</p> <ul style="list-style-type: none"> <li>• Travel and accommodation costs,</li> <li>• Interpretation and translation costs, and</li> <li>• Transport costs.</li> </ul> <p>Logistical support will also be provided through the loan of equipment (mobile phones with communication costs included, laptops, mobile scanners and printers) for a renewable duration of six months.</p> |

## Grants pertaining to Regional and National Meetings of the European Judicial Network Contact Points

### a. Legal Context and General Objectives

The Annual Work Programme of the EJM Secretariat for 2017 foresees the possibility of financial assistance to the organisation of national and regional meetings.

Article 4(1) of the Council Decision 2008/976/JHA of 16 December 2008 on the European Judicial Network provides for that the contact points may travel to meet other Member States contact points.

The regional meetings of the EJM Contact Points are organized to help focus on problems that have a particular regional character, following the Vision Paper adopted during the 25th Plenary Meeting of the EJM contact points in Rovaniemi on 1 December 2006.<sup>31</sup>

The term “regional” in this context should not be construed in a narrow geographical sense. EJM regional meetings may be organised by the Member States regardless of their geographic proximity or distance. Therefore, countries involved in the meetings do not necessarily have to be neighbouring States and third States might also participate.

The national meetings of the EJM Contact Points are included in the Conclusions of the 35th Plenary of the EJM of 28-30 November 2010.

The Member States are encouraged to provide support to their EJM Contact Points to organise regularly, at least once each year, working meetings between themselves and between themselves and the national judicial networks in criminal matters, where applicable.

The EJM Contact Points participating in these meetings are encouraged to provide information to the EJM Secretariat so that this information can be included in the Bi-Annual Report to the European Parliament, the Council and the Commission on its activities and management.

Information about the procedure on application for the financial assistance for the organisation of regional and national meetings is provided for in the *Guidelines on the European Judicial Network meetings*<sup>32</sup>, approved by the EJM on 16 February 2016.

### b. Action Grants

The grants provided under this heading shall co-finance EJM regional and national meetings organised by a Member State.

An overview of the exclusion, eligibility, selection and award criteria is provided below and will be further detailed in the call for proposals:

|                             |                                                                                                                                                                                                                                                                                         |
|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Type of the action</b>   | Grant award for a meeting of EJM Contact Points                                                                                                                                                                                                                                         |
| <b>Financial provisions</b> | The EJM will provide for financial support of EJM regional and national meetings up to a maximum of 95% of the eligible organisational costs (a maximum of EUR 5 000 per meeting). The total budget for these grants is 50 000 EUR.<br><br>No pre-financing payments will be available. |
| <b>Timetable</b>            | Publishing the call for proposals is foreseen for December/ January.                                                                                                                                                                                                                    |

<sup>31</sup> Document 16444/06 EJM 28.

<sup>32</sup> EJM/2016/4 of 16 February 2016.

|                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|--------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Main selection criteria</b> | <p>The selection criteria should enable to assess the applicant's ability to complete the proposed action or EJM work programme.</p> <p>The application for financial assistance must be submitted by an EJM contact point in his/her professional capacity in order to demonstrate the professional competencies required to organise the Meeting.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Formal requirements</b>     | <p>In order to be considered eligible, the application must contain the following points:</p> <ul style="list-style-type: none"> <li>a) The application must be submitted by the EJM contact point from the Member State(s) organising the meeting;</li> <li>b) Written description of the purpose of the meeting and a draft agenda;</li> <li>c) Information about the participating Member States (and/or Third States), estimated number of participants, and provisional venue of the meeting;</li> <li>d) Estimated date of the meeting;</li> <li>e) Appropriately completed budget estimate form;</li> <li>f) Regional meetings must be organised with EJM contact points of no less than: 3 (three) Member States, or 2 (two) Member States and 1 one Third State.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Award criteria</b>          | <p>The award criteria will be published in the call for proposals. Applications will be evaluated and points awarded in accordance with the award criteria.</p> <p>The topic of the meetings must contribute to the implementation of one or more of the following goals:</p> <ul style="list-style-type: none"> <li>a) To exchange information and best practices of judicial cooperation;</li> <li>b) To promote the work of the EJM in the participating States;</li> <li>c) To promote the use of and for the training on the EJM website in the participating States;</li> <li>d) To increase networking among the judiciary in the participating States, and between the EJM contact points and the internal structures of the EJM in the participating States;</li> <li>e) To increase the mutual information exchange about current legislative and institutional matters in the participating States, in particular in the field of criminal law and judicial co-operation in criminal matters;</li> <li>f) To find solutions to difficulties arisen in the implementation of EU instruments on judicial cooperation in criminal matters at regional or national level.</li> </ul> <p>An appointed evaluation committee will make recommendations to the Authorising Officer on the award decision. The Authorising Officer will provide an award decision, which will be adopted shortly after the evaluation. The successful Member States (beneficiaries) will be notified by the EJM Secretariat.</p> |
| <b>Actions to be supported</b> | <p>The EJM Secretariat will provide financial support up to a maximum of 95% of the eligible organisational costs of EJM regional meetings (organised for the EJM Contact Points of at least three Member States or two Member States and a third country) and of EJM national meetings (organised for EJM Contact Points of one Member State), a maximum of EUR 5 000 per meeting.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |