



# Annual Report 2008



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## FOREWORD



The seventh Eurojust Annual Report presents information on its activities and also informs about the new developments and major achievements of the organisation in 2008.

Eurojust again made progress in its operational work and has reinforced its capacity to improve cooperation and stimulate coordination between the competent national authorities when dealing with serious cross-border crime. Eurojust has further developed its relations with national authorities and third States and has enhanced its cooperation with other European Union bodies, particularly Europol and OLAF.

I am delighted to report that during 2008 the number of cases referred to the College of Eurojust increased by 10% compared to 2007, reaching in total 1 193 cases.

The assessment exercise carried out after Eurojust's first five years of existence, the Communication of the Commission on the Future of Eurojust and the European Judicial Network, and the other related activities, which Eurojust detailed in its previous annual report, resulted at the beginning of 2008 in an initiative of fourteen Member States submitting a legislative proposal on the strengthening of Eurojust.

A significant date was 16 December 2008, when the Council of Ministers adopted the new Council Decision on the Strengthening of Eurojust, amending the Decision of 28 February 2002 setting up Eurojust.

The aim of the new Decision is to render Eurojust more effective. Its main objectives are the creation of a common basis of National Members' powers, the setting up of an emergency coordination mechanism, the improvement of exchange of information through Eurojust, the strengthening of cooperation between the National Members and the contact points of the European Judicial Network and the strengthening of cooperation with third States and other EU bodies and networks.

Eurojust is very enthusiastic about the progress made, and began at the end of 2008 preparatory work on implementing the new Eurojust Decision.

In 2008, the College of Eurojust welcomed four new National Members: Gérard Loubens (France), Laima Čekelienė (Lithuania), Ritva Sahavirta (Finland) and Aled Williams (United Kingdom). Allow me to thank those who left Eurojust in 2008 for their commitment and wish them every success in their new roles.

In 2008, the College also launched a selection procedure to recruit a new Administrative Director and recently appointed a successor. I would like to thank the former Administrative Director, Ernst Merz, and the Acting Administrative Director, Jacques Vos, for their work and commitment and for ensuring continued support to the College of Eurojust.

Much work has been done. Much more is still to be done to enable Eurojust to perform its tasks more effectively, to make use of unexploited potential and in particular to adopt a more proactive approach to assisting national authorities in their activities against cross-border crime.

I am confident that Eurojust has received the legal tools to improve its effectiveness and will, with the commitment of the Member States, succeed in addressing its objectives, not least by fulfilling the implementation process for the new Eurojust Decision.

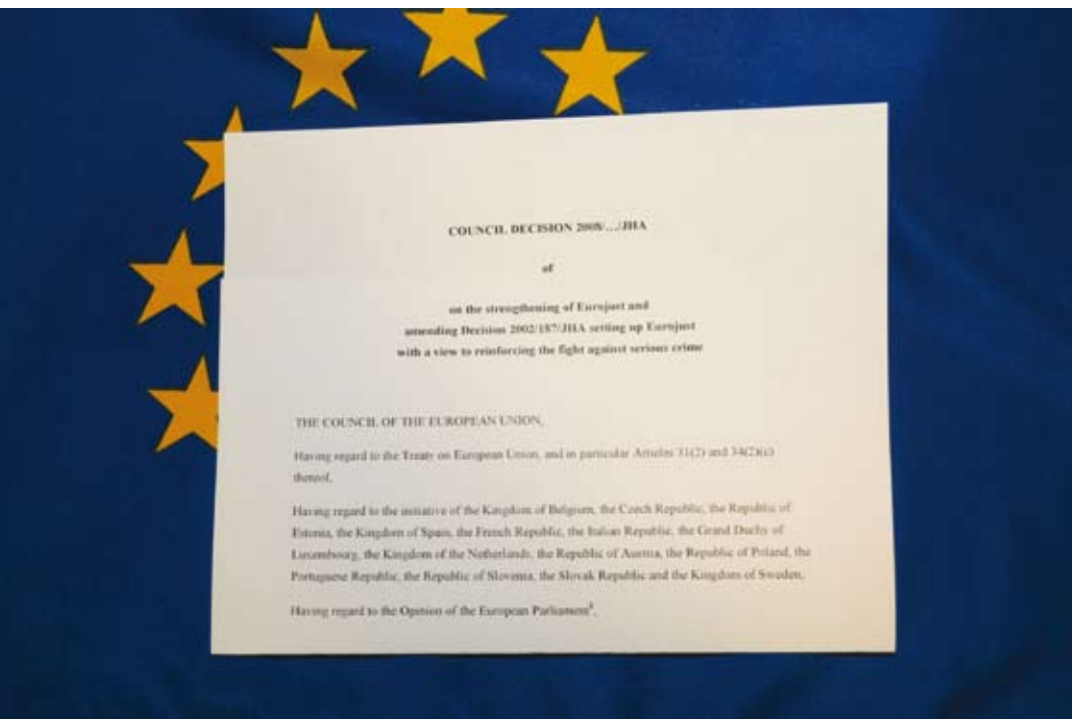


JOSÉ LUÍS LOPES DA MOTA  
President of Eurojust  
February 2009





Visit Vice-President Barrot to Eurojust



New Eurojust Decision



Press conference announcing agreement on new Eurojust Decision, July 2008



## 1 EXECUTIVE SUMMARY

This chapter provides a summary of all the main points made in this Annual Report for the year 2008 and is divided into three sections: Casework, External Relations and Internal Issues.

### Casework

- Eurojust experienced an increase in the number of cases referred to the College, with 1 193 new cases referred in 2008, representing an increase of 108 cases, or 10%, over 2007.
- In 2006, Eurojust introduced statistics on standard/complex cases and on classification of cases by objectives according to the Eurojust Decision, taking into account that a case may have been referred to Eurojust with more than one objective. The proportion of cases classified as standard or complex and classified by objectives follows the same pattern in 2008.
- Eurojust organised 132 coordination meetings attended by national authorities in 2008, 110 on our premises and 22 in the Member States. The number of coordination meetings significantly increased compared to 91 coordination meetings in 2007.
- Eurojust registered 50 different types of criminal activity in the cases referred to it in 2008. Of all these cases, as in 2007, drug trafficking and crime against property or public goods including fraud constitute the largest percentage.
- Eurojust organised a meeting of judicial authorities on "OCTA priorities and cross-border prosecutions". A report was submitted to the Council in May 2008.
- Eurojust became associated with a further six Europol Analysis Work Files (AWFs) in 2008, bringing the total to 12, and continued to develop its casework with Europol. The number of cases dealt with by Eurojust involving Europol and OLAF increased in 2008, in particular their participation in coordination meetings. Europol has been involved in 30 cases and participated in 24 coordination meetings and OLAF was involved in five cases and participated in three coordination meetings.
- In 2008, 12 requests were issued under Article 6(a) of the Eurojust Decision, an increase compared to previous years.
- In 2008, National Members asked their national authorities in 21 cases to consider setting up a Joint Investigation Team (JIT).
- In 2008, 237 cases were registered to facilitate the implementation of European Arrest Warrants (EAWs), including in the context of coordination activities. Four cases dealt with conflicting EAWs. A total of 28 cases of breach of time limits were reported to Eurojust in accordance with Article 17 of the Framework Decision on the EAW of 13 June 2002.
- Eurojust collects information on convictions and acquittals on terrorism based on open sources and provides analytical and statistical information. Referring to the Council Decision of 20 September 2005, Eurojust encourages the Member States to provide more information concerning prosecutions and convictions for terrorist offences.
- Eurojust appointed a Contact Point for Child Protection. A webpage has been set up and contains a description of the competences of the Contact Point, statistics on cases at Eurojust involving children and an e-mail address intended for contacts from law enforcement authorities and international organisations.
- In December 2008, the Council adopted the Decision on the Strengthening of Eurojust, amending the Eurojust Decision of 28 February 2002. The goal of the new Decision is to render Eurojust more effective. Chapter 5 informs you about the major areas to reinforce the role and capacities of Eurojust.
- In spite of positive developments, Eurojust considers that the potential of Eurojust is still not fully utilised, in particular in keeping a proactive approach to coordinating in more complex cross-border investigations and prosecutions with a view to assisting national authorities and achieving the best possible results.

- Eurojust believes that the full implementation of the Eurojust Decision of 2002 and the timely and coordinated implementation of the new Council Decision on the Strengthening of Eurojust will provide a solid basis and enable Eurojust to play a more effective role in assisting national authorities when dealing with serious cross-border crime.
- In November 2008, 70 post-holders within the administration moved to the Haagse Veste building, a temporary housing solution until the realisation of the final premises expected in 2014.
- Eurojust agreed on an external consultant to assist Eurojust with its Organisational Structure Review.

## External Relations

- The new Council Decision on the Strengthening of Eurojust reaffirms the privileged relations between Eurojust and the European Judicial Network, based on consultation and complementarity. Certain measures are to be implemented to ensure efficient cooperation between both organisations.
- A Memorandum of Understanding between Eurojust and Europol on the table of equivalence was signed and resulted in the operational use of the secure communication link between both organisations. A task force is currently reviewing the Cooperation Agreement signed in 2004 in view of improving the mutual exchange of information, especially regarding Europol AWFs.
- Eurojust and the European Anti-Fraud Office (OLAF) signed the practical agreement on arrangements of cooperation on 24 September 2008 to enhance cooperation and exchange of information.
- Eurojust signed cooperation agreements with Switzerland on 27 November 2008 and the former Yugoslav Republic of Macedonia on 28 November 2008.
- Main achievements regarding human resource management are the adoption of several key staff implementing rules embodying stronger staff policy, the preparation of the first annual appraisal exercise, the management and further completion of the Establishment Plan, and the adoption of a corporate training plan.
- A secure e-mail system was implemented in the Member States in 2008.
- The videoconference facilities at Eurojust have been further improved, allowing for simultaneous translation.
- A continuous and proper access to and use of the Schengen Information System (SIS) is of utmost importance for Eurojust when dealing with case-work and cooperation and coordination activities. Between December 2007 and December 2008, a total of 229 queries were made by Eurojust National Desks.
- The Case Management System (CMS) was enhanced on the basis of the results of the European Pool against Organised Crime (E-POC) III project and support to the operational work of the College continued, especially with the enlargement of the Case Management Team. A new version of the CMS was introduced and a further project, E-POC III+, was launched to improve the usability of the system.

## Internal Issues

- In May 2008, the Acting Administrative Director took over from the former Administrative Director, who left Eurojust. The selection procedure for a new Administrative Director started in 2008.
- Eurojust was originally granted a budget of € 20 million, increased by 4.8 million, representing a total operating budget of € 24.8 million, and executed 97% of its commitments. The European Parliament granted discharge to the Administrative Director for 2006.

## 2 OPERATIONAL ACTIVITIES

### Casework Statistics

Figure 1: Case Evolution 2002-2008

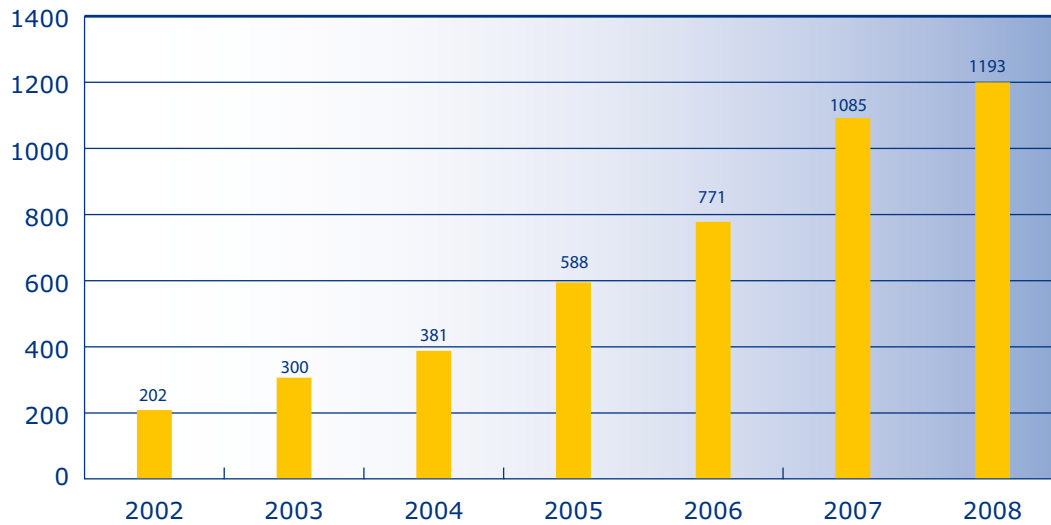
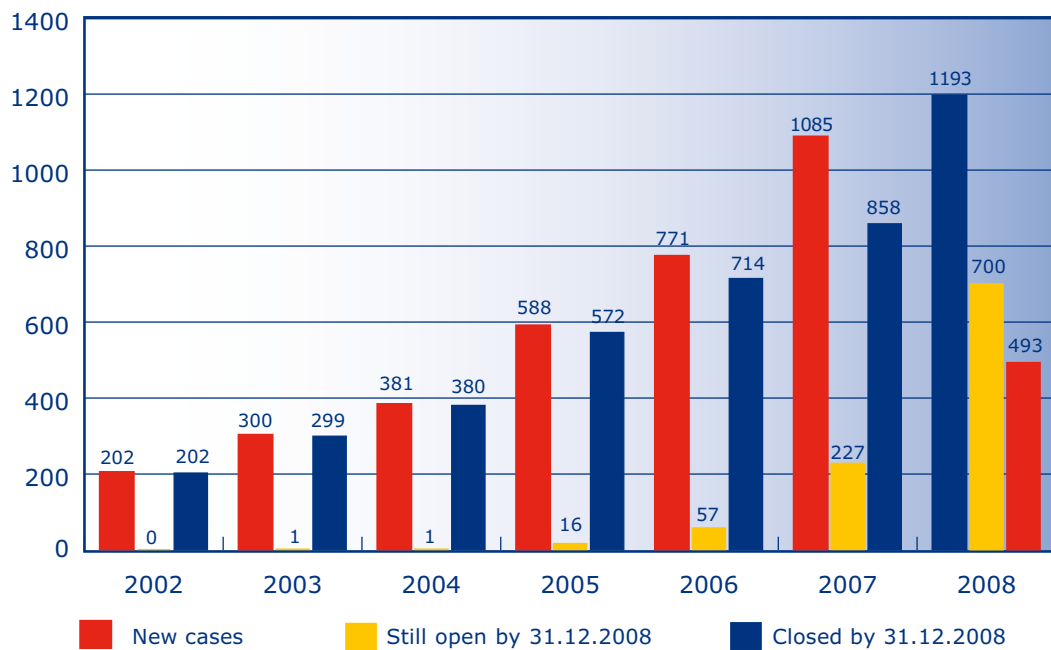


Figure 2: State of Play of Ongoing Cases 2002-2008



### Figure 1: Case Evolution 2002-2008

In 2008, Eurojust National Members registered 1 193 cases, an increase of 10% compared to 2007 (1 085 cases). These figures indicate the same trend as in previous years, although in spite of numerous ongoing efforts by the National Desks, the number of complex cases has decreased (see Figure 3).

It is worth mentioning that 1 153 cases deal with operational issues, while 40 cases were registered to provide support to and expertise on general topics related to each legal system or judicial questions or practicalities not involving the operational work of the College.

### Figure 2: State of Play of Ongoing Cases 2002-2008

Although 1 193 is the number of cases referred to Eurojust in 2008, this figure represents only a part of the work of the National Members. Figure 2 above provides a more accurate overview of the work of the College, as it refers to the number of cases still open, or closed during all the years of Eurojust's activity.

At the end of 2008, 1 002 cases covering the period 2003-2008 were still open, 700 of which were registered in 2008.

### Figure 3: Standard/Complex Cases 2007-2008

In 2006, Eurojust introduced a new classification system, defining cases as complex or standard, which provides a new way of describing the quality and nature

of the cases dealt with by Eurojust. On the basis of this classification, Figure 3 below shows that approximately 84% of the cases referred to Eurojust in 2008 involve a standard level of involvement and the remaining 16% require a higher level of involvement.

The distinction between standard and complex cases is based on an assessment of factors such as the number of countries involved and the nature of the assistance requested from, and tasks fulfilled by, Eurojust, the workload required of National Members of the involved countries, the seriousness of crimes, and the time elapsed between the provision of the requested help and its outcome. This distinction between standard and complex is also partly linked to the number of bilateral or multilateral cases and the need for coordination and/or cooperation.

### Figure 4: Bilateral/Multilateral Cases 2007-2008

It is important to emphasize that a bilateral case is not always a standard case. Eurojust's participation can be crucial for the improvement of cooperation and coordination of investigations or prosecutions between two countries, and the assistance provided and tasks fulfilled can be complex. In this respect, the combined efforts made by Eurojust in bilateral cases can be as significant as the work done in multilateral cases.

Figures 5, 6 and 7 below show in greater detail the analysis of the links between multilateral or bilateral cases and the objectives of Eurojust's involvement as stated in Article 3 of the Eurojust Decision:

1. In the context of investigations and prosecutions, concerning two or more Member States, of criminal behaviour referred to in Article 4 in relation to serious crime, particularly when it is organised, the objectives of Eurojust shall be:

(a) to stimulate and improve the coordination, between the competent authorities of the Member States, of investigations and prosecutions in the Member States, taking into account any request emanating from a competent authority of a Member State and any information provided by any body competent by virtue of provisions adopted within the framework of the Treaties;

(b) to improve cooperation between the competent authorities of the Member States, in particular by facilitating the execution of international mutual legal assistance and the implementation of extradition requests;

(c) to support otherwise the competent authorities of the Member States in order to render their investigations and prosecutions more effective.

2. In accordance with the rules laid down by this Decision and at the request of a Member State's competent authority, Eurojust may also assist investigations and prosecutions concerning only that Member State and a non-Member State where an agreement establishing cooperation pursuant to Article 27(3) has been concluded with the said State or where in a specific case there is an essential interest in providing such assistance.

3. In accordance with the rules laid down by this Decision and at the request either of a Member State's competent authority or of the Commission, Eurojust may also assist investigations and prosecutions concerning only that Member State and the Community. [emphasis added]

Figure 3: Standard/Complex Cases 2007-2008

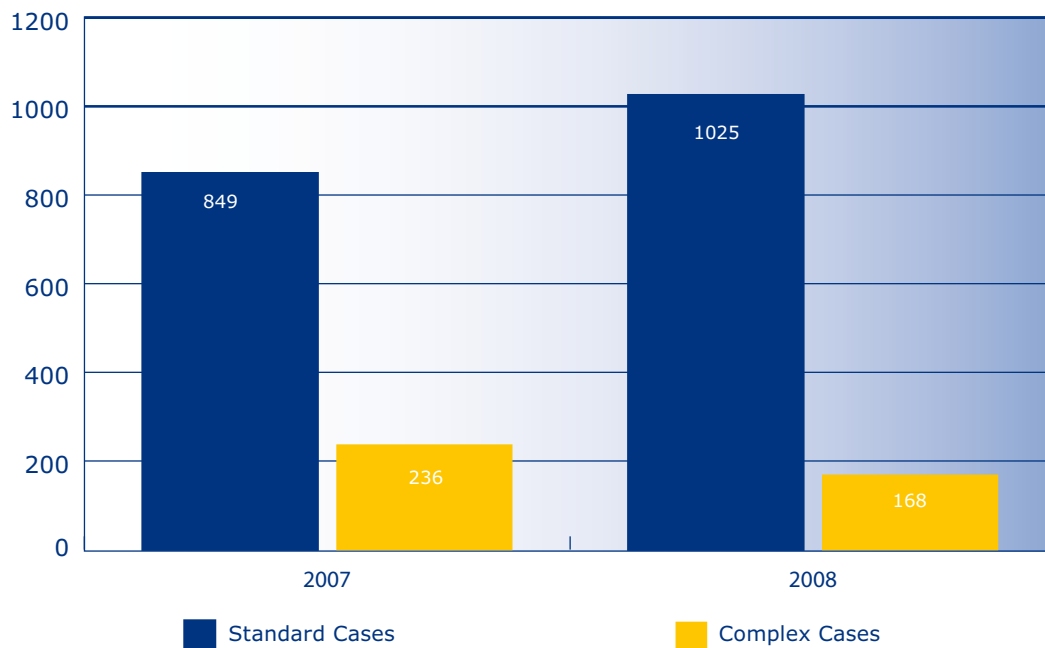


Figure 4: Bilateral/Multilateral Cases 2007-2008

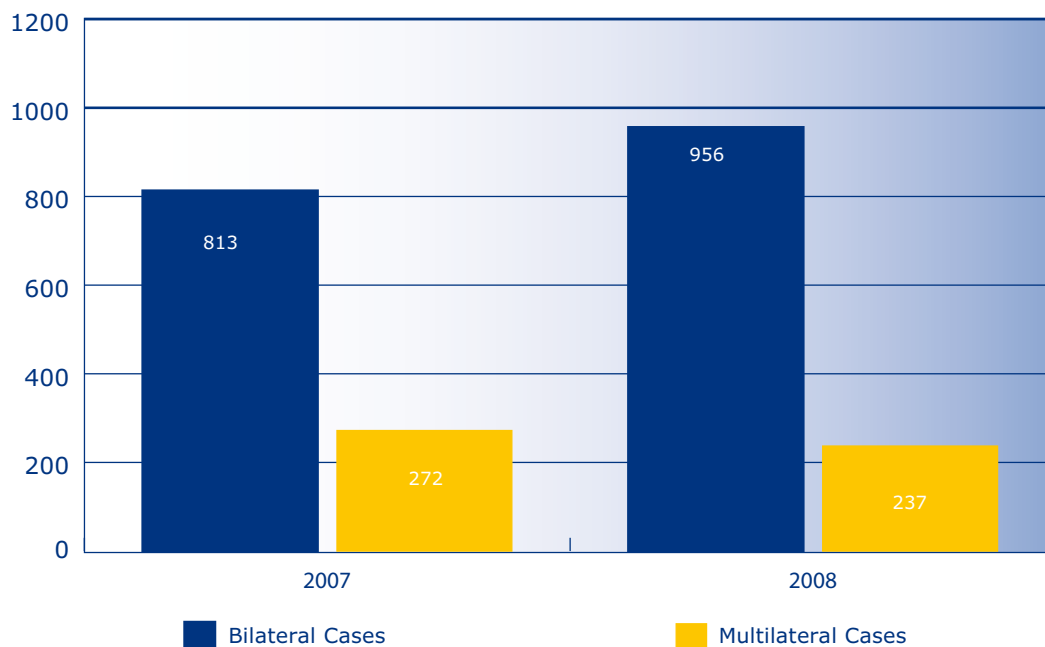


Figure 5 below shows an analysis of the total number of cases in 2007-2008 for each specific objective. A case may have been referred to Eurojust with more than one objective. The proportion of cases by objectives follows the same pattern as in 2007.

Figures 6 and 7 below refer to the links between the number of multilateral cases (Figure 6) and bilateral cases (Figure 7) and the objectives set up by the Eurojust Decision. In multilateral cases (proportionally),

there are more requests to assist coordination between the competent authorities of the Member States.

Concerning the involvement of the different National Desks in casework at Eurojust, Figure 8 below reflects the number of times that a National Desk took the initiative to register a case. Of the Member States, Bulgaria, Ireland, Italy, Cyprus, Malta and Austria showed an increase of 50% or more in registering cases in 2008.

Figure 5: Classification of Cases 2007-2008 by Objectives

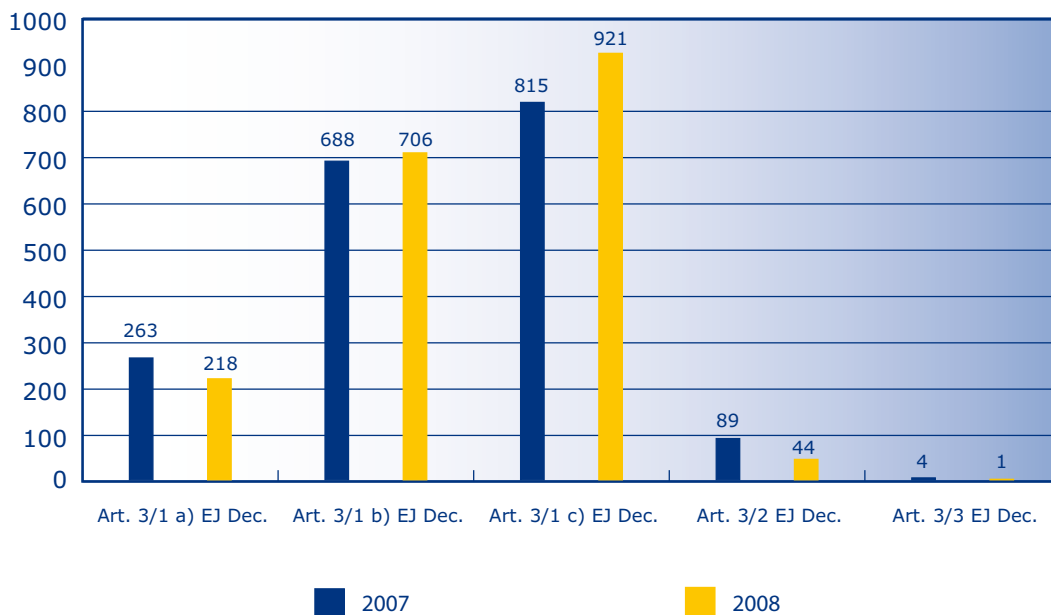


Figure 6: Multilateral Cases 2007-2008: Objectives (Art. 3 Eurojust Decision)

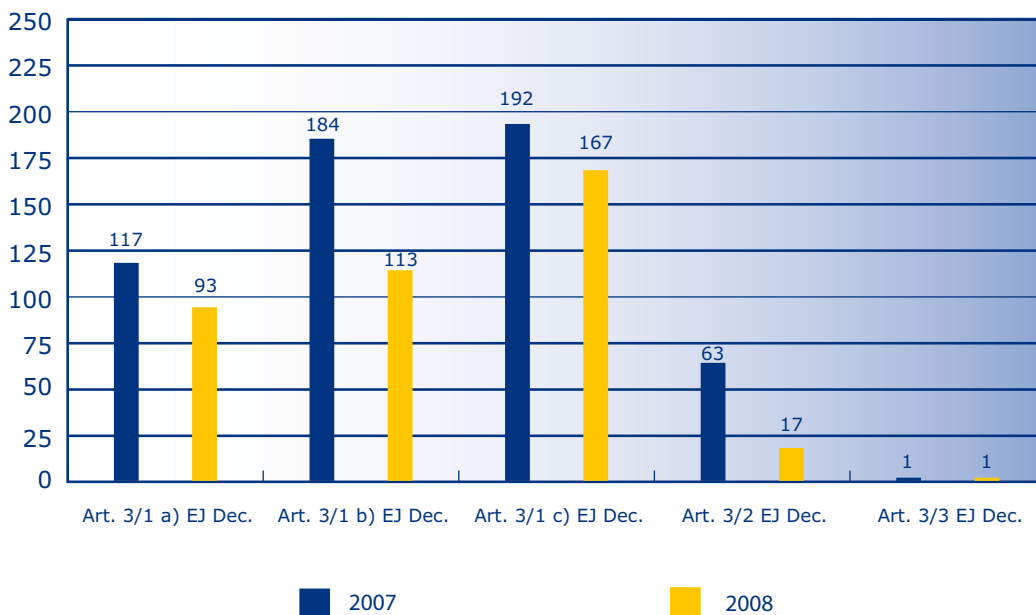


Figure 7: Bilateral Cases 2007-2008: Objectives (Art. 3 Eurojust Decision)

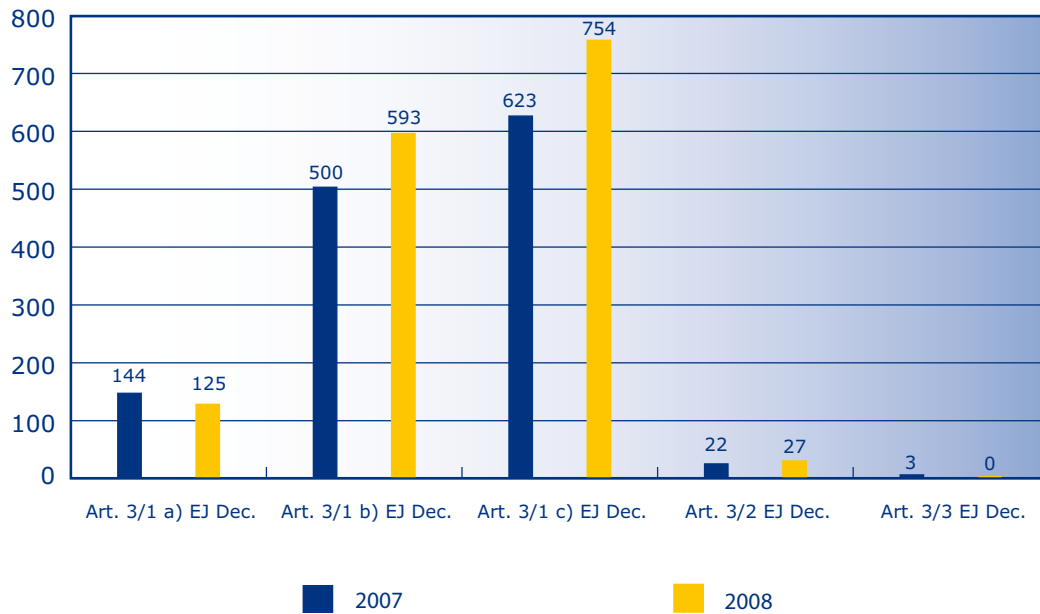


Figure 8: Requesting Countries 2007-2008

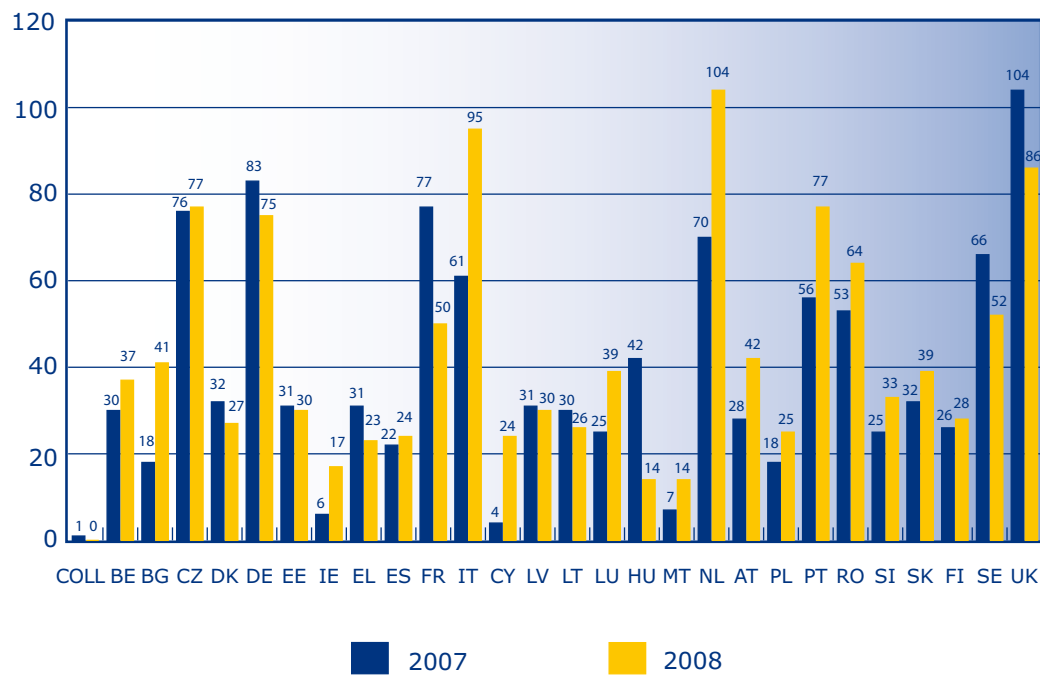


Figure 9 below shows the number of times that a National Desk was requested to provide assistance. Almost all Member States showed an increase in requests in 2008. Of the Member States, Latvia, Luxembourg, Malta and Slovenia showed an increase of 50% or more being registered in 2008.

Figure 10 below reflects the general main crime types as well as a more detailed analysis of the sub-crime types (marked in light blue and white).

Criminal activities dealt with by Eurojust followed a similar pattern as in previous years.

Eurojust registered 50 different types of criminal activities in 2008. One case can have links to several other crime types, and a National Member can identify subsidiary offences in addition to the main offence.

In general, referrals of all types of criminal activities increased in 2008. Drug trafficking and crime against property or public goods including fraud cases still represent the highest percentage of criminal activities referred to Eurojust.

Figure 11: Coordination meetings, known as level III meetings, are conducted at the invitation of one or more involved National Desks, and attended by the involved National Members, their Deputies and/or Assistants and the competent national authorities of the involved Member States.

The number of coordination meetings significantly increased, from 91 in 2007 to 132 in 2008, of which 110 took place at Eurojust and 22 in the Member States.

Of the coordination meetings held, most (84) involved between three and 14 countries.

Cases that required coordination meetings were mainly related to crime against property or public goods including fraud (53), drug trafficking (40), money laundering (18), crimes against life, limb or personal freedom (11), trafficking in human beings (8), and terrorism (6). One coordination meeting can relate to more than one type of crime.

Figure 9: Requested Countries 2007-2008

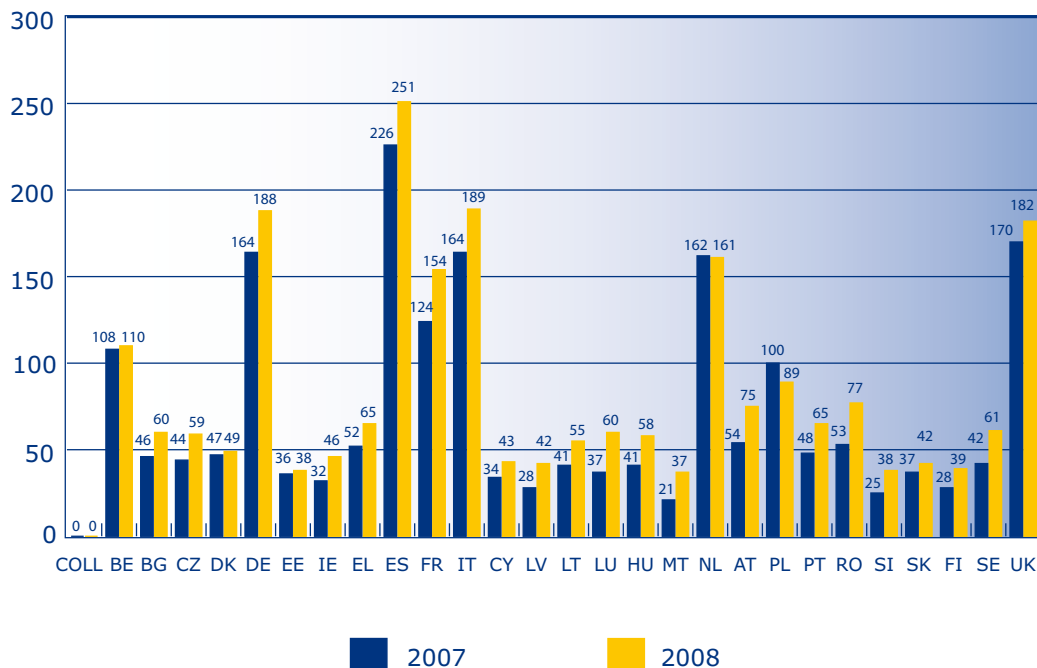
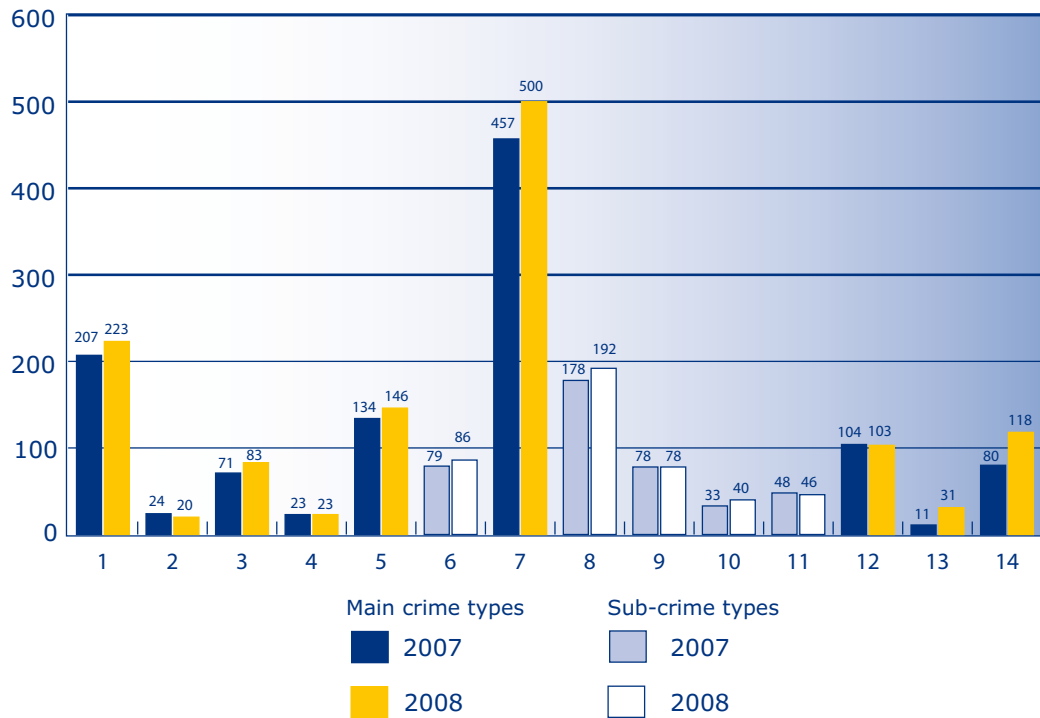




Figure 10: Main Crime Types 2007-2008



- |  |  |
|--|--|
| 1 Drug trafficking   | 8 Swindling and fraud  |
| 2 Illegal immigrant smuggling  | 9 Tax fraud  |
| 3 Trafficking in human beings  | 10 VAT fraud   |
| 4 Terrorism and crimes committed or likely to be committed in the course of terrorist activities | 11 Forgery of administrative documents and trafficking therein |
| 5 Crime against life, limb or personal freedom   | 12 Money-laundering and other related criminal offence         |
| 6 Murder   | 13 Cybercrime  |
| 7 Crime against property or public goods including fraud   | 14 Participation in a criminal organisation                    |

Figure 11: Coordination Meetings 2005-2008

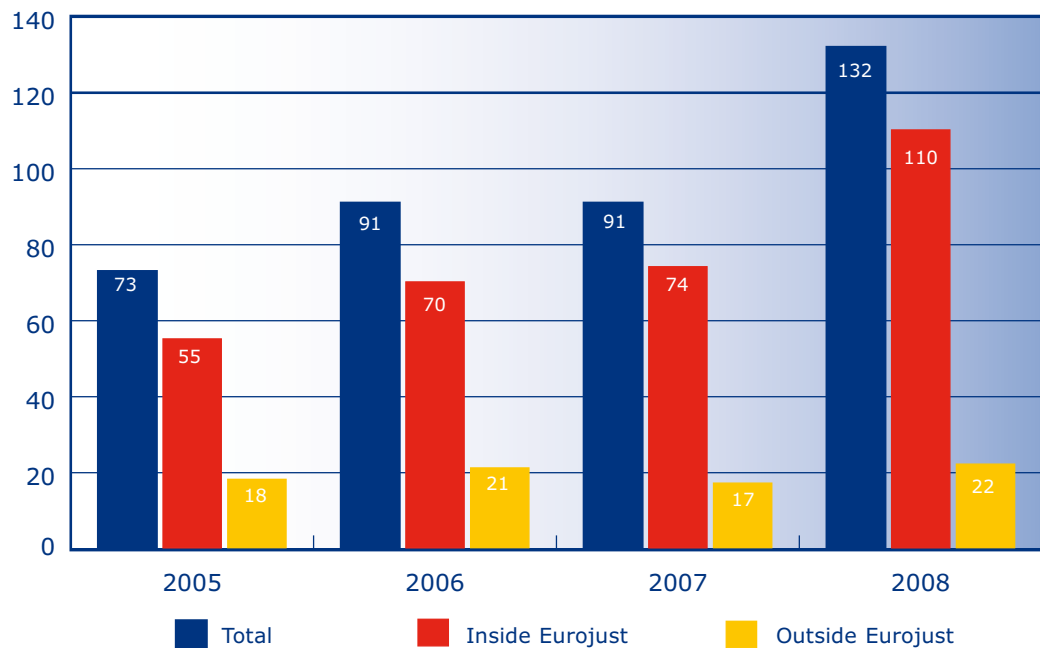


Figure 12: France, Italy and the UK as requesting countries organised a total of 66 coordination meetings, representing half of the number of coordination meetings for the entire year. France alone represented 25% of the requesting countries. Norway is included for the first time in 2008 statistics, as it organised five coordination meetings.

Figure 13: in 2008, Eurojust requested the involvement of third States on 141 occasions, compared to 117 requests in 2006 and 188 requests in 2007. Third States were involved in 39 coordination meetings.

Figure 14 below illustrates the involvement of other bodies within the European Union or other international organisations that were also requested in Eurojust operational cases and that took part in coordination meetings.

Figure 12: Coordination Meetings – Requesting Countries 2007-2008

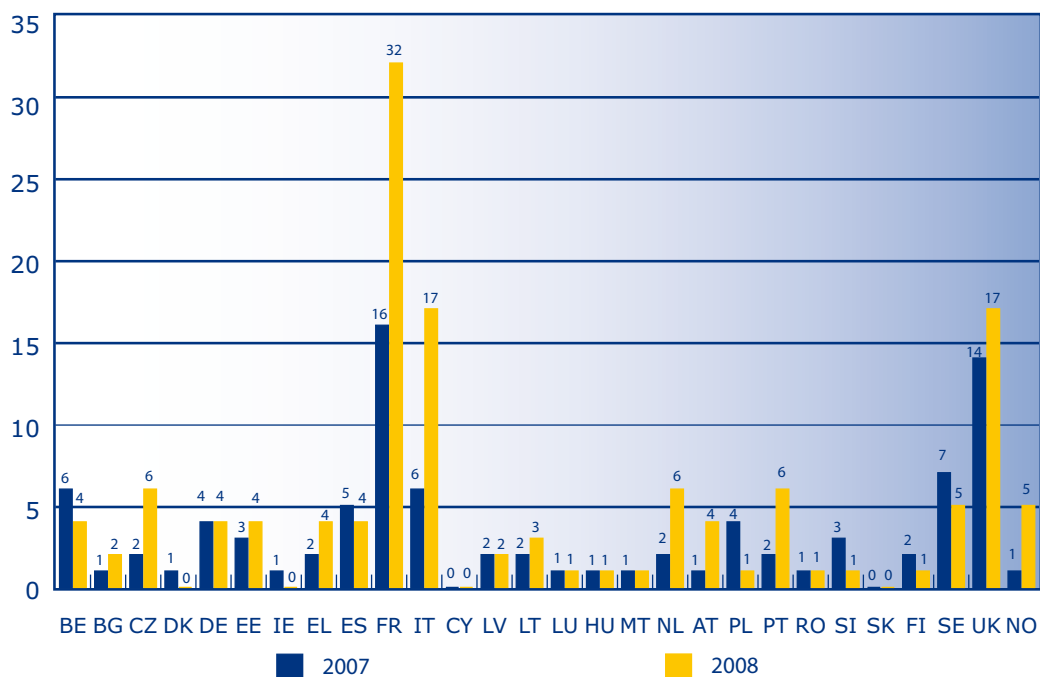


Figure 13: Coordination Meetings – Requested Countries 2007-2008

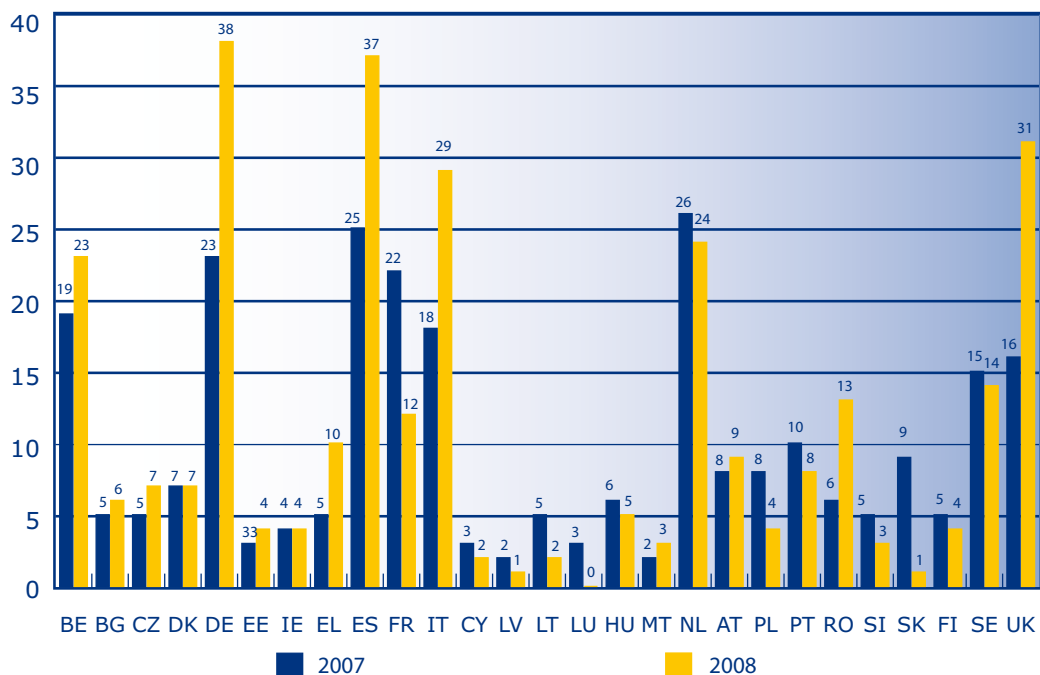


Figure 14: European Bodies and International Organisations

	2005	2006	2007	2008	Coordination meetings in 2007	Coordination meetings in 2008
<b>Europol</b>	6	7	25	30	12	24
<b>OLAF</b>	6	2	4	5	1	3
<b>European Council</b>	0	0	0	1	0	0
<b>IberRed</b>	1	1	0	0	0	0
<b>United Nations</b>	0	0	1	0	1	0
<b>Interpol</b>	0	0	1	1	0	1
<b>Nordic Police and Customs Cooperation</b>	0	0	1	0	0	0
<b>UNMIK</b>	0	0	0	1	0	1
<b>TOTAL</b>	13	10	32	38	14	29

### Requests re Articles 6(a) and 7(a) of the Eurojust Decision

#### ***During 2008, twelve case requests were issued under Article 6(a) of the Eurojust Decision.***

Eight requests were based on Article 6(a)(v). In two cases, the Italian Desk asked their national authorities to consider providing information. One case concerned fraud and money laundering and was initiated by Italy; the other case concerned fraud and was initiated by Slovenia.

In five requests, the Italian Desk asked the competent authorities to consider coordinating between the competent authorities of the involved Member States according to Article 6(a)(iii). Three cases involved fraud, one related to participation in a criminal organisation for illegal immigrant smuggling and another involved terrorism. The cases were initiated by Portugal, France, Italy and Denmark.

In another request, based on Article 6(a)(i), (iii) and (v), the Italian authorities were also asked to consider undertaking an investigation or prosecution of specific acts. The case was initiated by Spain.

Three requests were based on Article 6(a)(ii). The first request relates to a case of illegal immigrant smuggling where the Portuguese and Spanish Desks asked their authorities to accept that the Portuguese authorities were in a better position to undertake the prosecution of these acts, and to consider the possibility to ask

Eurojust to support further possible coordination. This recommendation was accepted.

The second request relates to a case of grievous bodily harm. The Spanish Desk asked their national authorities to accept that the Finnish authorities were in a better position to undertake the prosecution of these acts, and to transfer the proceedings. The case was initiated by Finland.

The third request relates to a kidnapping case where the Portuguese Desk asked their national authorities to accept that the Spanish authorities were in a better position to undertake the prosecution of these acts. The Portuguese Desk asked their national authorities to coordinate with the Spanish competent authorities and to consider asking Eurojust to support further possible coordination. This recommendation was accepted.

A final request, based on Article 6(a)(i), relates to a case of fraud, in particular counterfeiting and product piracy. The Italian Desk asked their national authorities to consider undertaking an investigation or prosecution of specific acts in a French case.

#### ***During 2008, no case requests were issued under Article 7(a) of the Eurojust Decision.***

Eurojust would like to highlight the importance of the proper use of Articles 6(a) and 7(a) as a possible means of reaching the quickest and most effective solutions to the prevention or settlement of conflicts of jurisdiction.

However, Eurojust needs to clarify that the actions described in Articles 6(a) and 7(a) were also agreed upon by national authorities when they attended coordination meetings.

### European Arrest Warrant

Eurojust has three main objectives in the field of EAWs:

- Facilitating the implementation of EAWs (Article 3 of the Eurojust Decision)
- Giving advice in event of concurring EAWs (Article 16 of the Council Framework Decision of 13 June 2002 on the European arrest warrant, 2002/584/JHA (hereinafter "EAW FD"))
- Receiving reports on breach of time limits (Article 17 of the EAW FD)

Below is a short overview of the work in these three areas.

#### 1. Cases on facilitating the implementation of EAWs

A total of 237 cases have been registered at Eurojust in 2008 to facilitate the implementation of an EAW. Only two cases concerned a general questionnaire; the

remaining cases were operational. Of the total amount, 107 cases are still ongoing.

In some cases, there is a need to ensure coordination in the implementation of EAWs when conflicting with national arrest warrants for the same types of criminal activities to ensure appropriate use of optional grounds for non-implementation of the EAW, particularly in cases of parallel investigations and prosecutions for the same act.

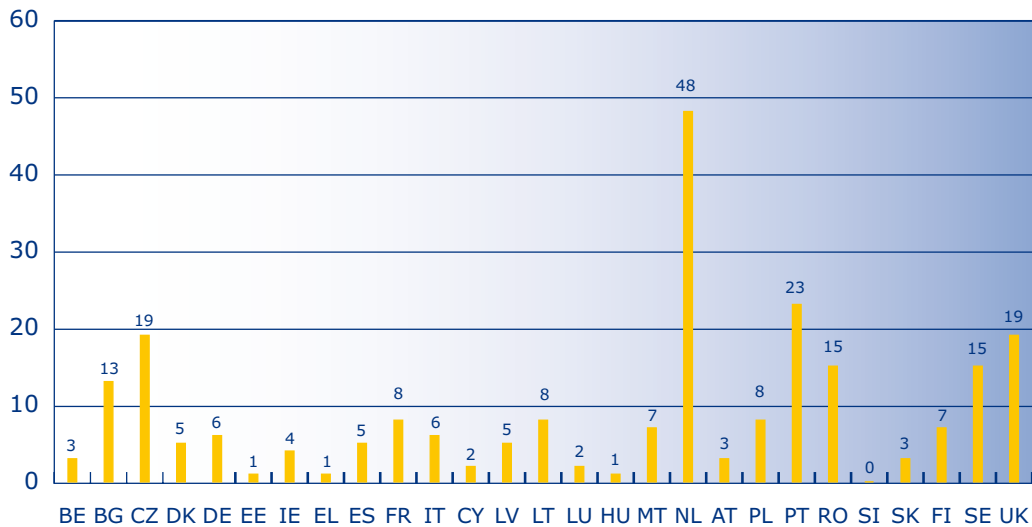
#### 2. Cases concerning Article 16 of the EAW FD

In 2008, there were four cases at Eurojust dealing with conflicting EAWs. Three cases were registered by Belgium (towards France, the UK, Luxembourg and Italy), and one by the Czech Republic (towards the UK).

#### 3. Cases concerning Article 17 of the EAW FD

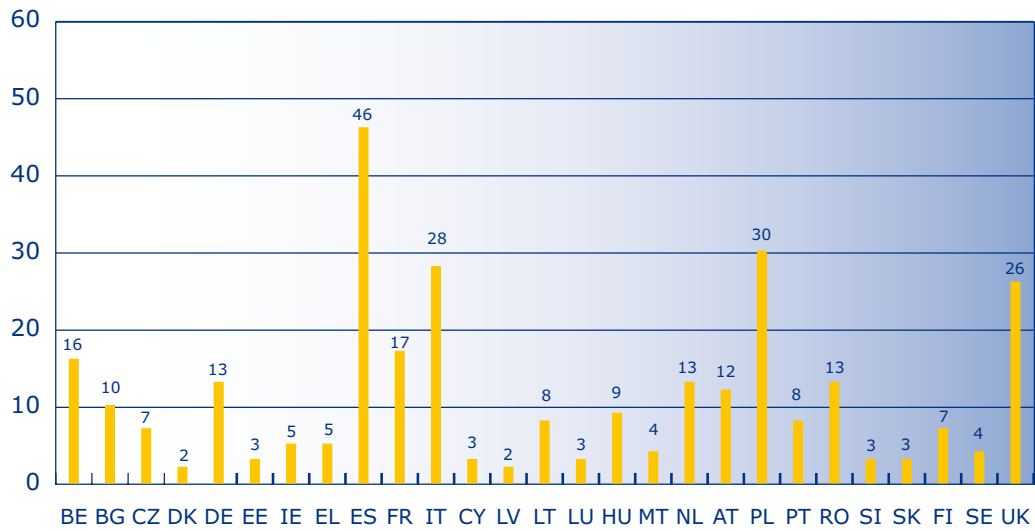
A total of 28 cases of breach of time limits were reported to Eurojust in 2008. Figure 17 below shows two diagrams with the distribution of cases involving Article 17 according to the country that referred the case to Eurojust (referring country, which can be the executing or issuing country) as well as the other countries involved.

Figure 15: Requesting Countries EAW Implementation 2008



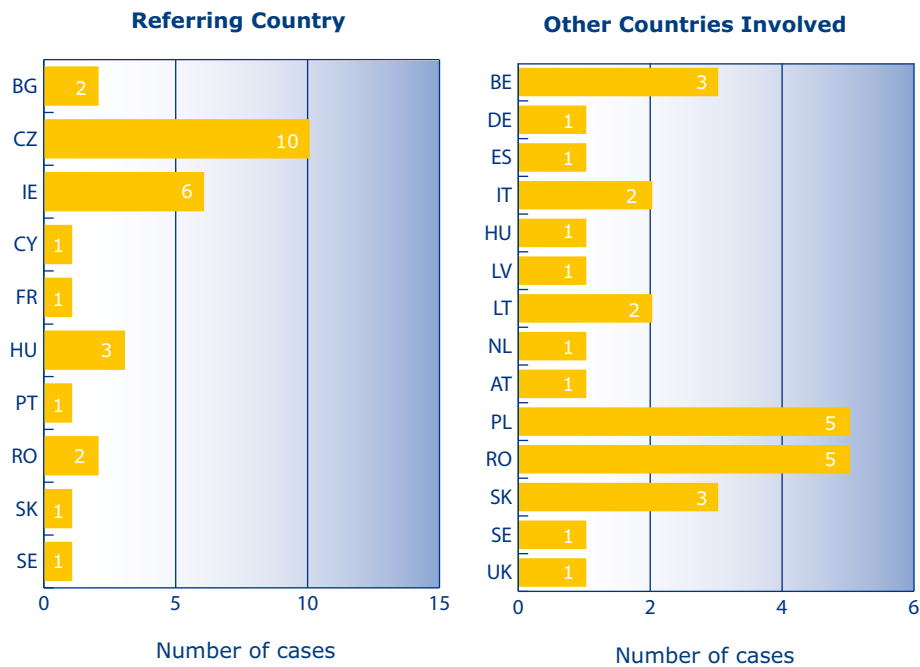
Among requesting countries, the Netherlands is the most frequently requesting.

Figure 16: Requested Countries EAW Implementation 2008



Spain is the most frequently requested country.

Figure 17: Article 17 Cases



The main reason indicated by the Member States for not being able to implement the EAW within the time limits laid down in Article 17 of the EAW FD was the fact that the issuing authority was requested to supply additional information and this process (receiving the request, extracting the information from the files, and translation) further delayed the proceedings.

Other reasons for not being able to implement the EAW within the time limits laid down in Article 17 included:

- the request to the issuing authority to supply a guarantee that the person will be returned to serve the sentence;
- delay in the delivery of the original version of the EAW;
- decision to surrender the requested person successfully appealed (also because certain information was missing in the issued warrant); and
- decision to surrender the requested person reached within the time limit, but the implementation prevented due to the state of health of the suspect or difficulties to summon him or her.

### Joint Investigation Teams

Practical experience and awareness of JITs among practitioners have been steadily increasing in recent years. In 2008, National Members asked their national authorities in 21 cases to consider setting up a JIT.

The possibility for Eurojust to obtain Community funding to co-finance JITs under the Commission Programme "Prevention of and fight against crime" is being explored; a further step was taken in 2008, when Eurojust (in its capacity as framework partner) was awarded a grant to co-finance JITs, the procedure for which is currently ongoing.

On 15 and 16 December 2008, Eurojust and Europol held the fourth meeting of the network of national experts on JITs, hosted at Europol's premises, and attended by experts from the Member States, OLAF, Eurojust and Europol, and representatives of the General Secretariat of the Council and the Commission.

This year, representatives from the USA also attended. Presentations were made by national JIT experts, and two workshops were held focusing on practical experiences of JITs, including awareness raising and evidence gathering. The facilitating roles of Eurojust and Europol were acknowledged and one of the main conclusions was that involvement of the police and the judiciary from an early planning and decision-making stage of setting up a JIT is important. The text of the Conclusions is contained in Council Document 17512/08 of 19 December 2008.

Eurojust and Europol also reported on their progress in producing and publishing a JITs manual. This manual supplements the existing Eurojust/Europol document, "Guide to EU Member States' legislation on JITs". The new manual was distributed to the JIT national experts and other participants during the seminar. The main purpose of this manual is to inform practitioners about the legal basis and requirements for setting up a JIT and to provide advice on when a JIT can be usefully employed. The manual also attempts to clear up possible misunderstandings about JITs, to encourage practitioners to make use of this relatively new tool that can add value to their investigations, and to generally help develop international cooperation in criminal matters. The manual seeks to draw upon shared practical experiences as well as material from seminars and meetings. As a living document, the manual will be updated regularly, particularly in response to practical casework experience.

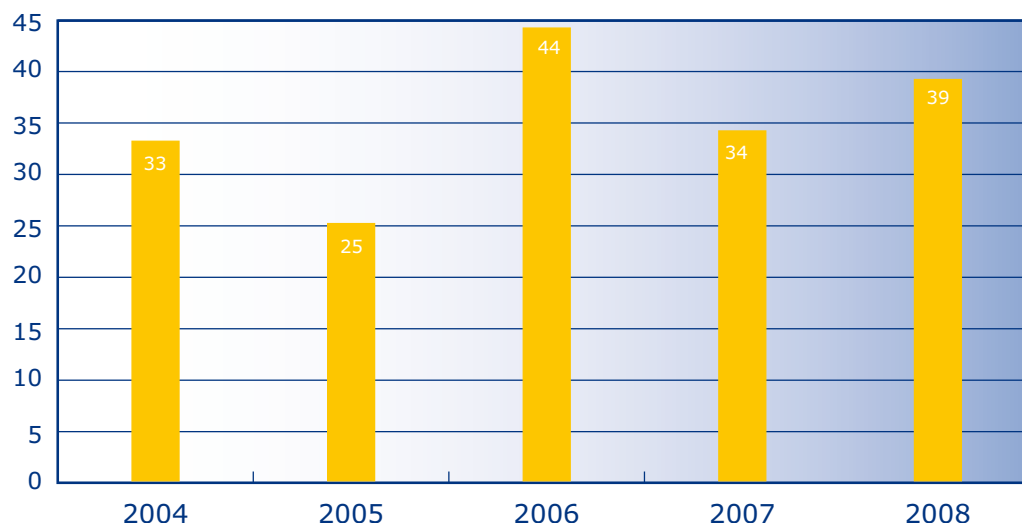
### Main Crime Areas

Below you will find information on specific criminal offences and activities connected to each of the following areas: Terrorism, Counterfeiting, Drug Trafficking, Trafficking in Human Beings, Money Laundering, Crime against Property or Public Goods including Fraud, Crime against Life, Limb or Personal Freedom, and Cybercrime.

These types of criminality involve a large number of cases. The effort to support national authorities in these cases has high priority for Eurojust.

## Terrorism

Figure 18: Terrorism Cases 2004-2008



Strategic and tactical meetings were organised in 2008 to promote and reinforce judicial cooperation among Member States in the field of counter-terrorism. These meetings also offer the possibility for the direct exchange of information and best practice.

Eurojust contributed (on the basis of contributions received from all 27 Member States' national authorities responsible for terrorism matters) to Europol's Terrorism Situation and Trend Report (TE-SAT 2008) and produced the first issues of the Terrorism Convictions Monitor, which gathers information on terrorism convictions and acquittals based on open sources and provides analytical and statistical information.

In 2008, collaboration with EU counterparts and cooperation with international organisations and third States increased.

Terrorism cases 2008	Total
Financing of terrorism	8
Terrorism and crimes committed or likely to be committed in the course of terrorist activities	23
Other types	8

Eurojust registered 39 new operational terrorism cases in 2008. Although the number of terrorism cases

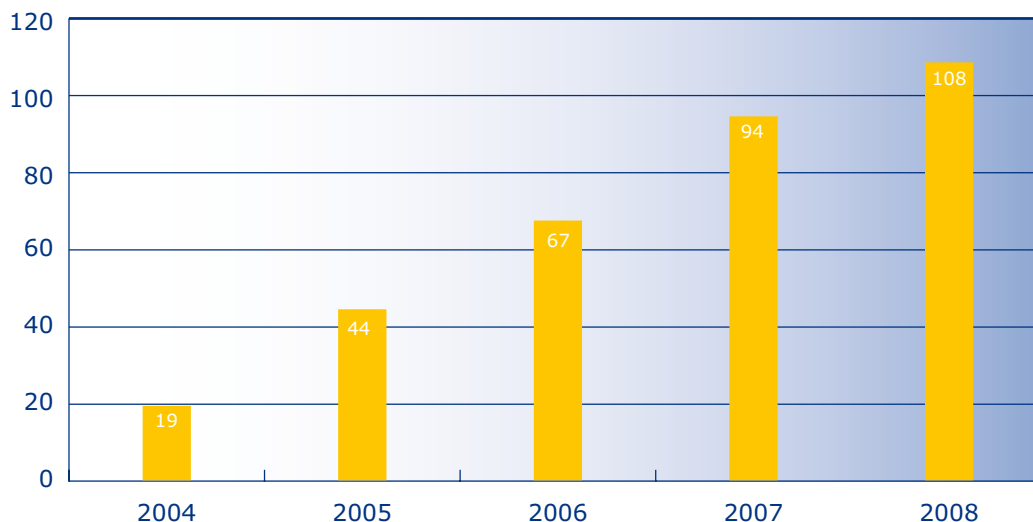
appears to be stable compared to the previous year, the cases involving financing of terrorism have increased. Spain, France and the UK were the most requested countries for terrorist cases, while five out of the six coordination meetings were organised by Italy.

Fundamentalist groups continue to be prevalent in the investigations referred to Eurojust, followed by separatist groups. This trend is confirmed also by the information on terrorism verdicts sent to Eurojust by the national authorities in the context of the Council Decision of 20 September 2005 on the exchange of information and cooperation concerning terrorist offences (2005/671/JHA).

Half of the submitted verdicts relate to fundamentalist terrorist groups (190 out of a total of 384 verdicts), while 148 verdicts refer predominantly to separatist groups. Only 10 Member States reported verdicts from court proceedings for terrorism: Belgium, Denmark, France, Germany, Ireland, Italy, the Netherlands, Spain, Sweden, and the UK. The results of court proceedings in 2008 show that the average sentencing in the Member States reporting convictions was slightly less than ten years. Noteworthy are the high conviction rates in Germany, France and Italy. The average acquittal rate has slightly decreased since 2007 (from 27% to 23%).

## Counterfeiting

Figure 19: Counterfeiting Cases 2004-2008



The number of counterfeiting cases referred to Eurojust continues to increase (108 new operational cases compared to 94 in 2007). The trend is particularly significant in relation to product piracy (France playing a major role in registering new cases) and forgery of money/means of payment cases (including six Euro counterfeiting cases).

Counterfeiting cases 2008	Total
Counterfeiting and product piracy	12
Forgery of administrative documents and trafficking therein	46
Forgery of money and means of payment	50

Accordingly, the number of coordination meetings organised by Eurojust on these matters has also increased (from four in 2007 to 15 in 2008). In 2008, Eurojust was associated with two Europol AWFs focusing on counterfeiting, leading to the involvement of Eurojust in the expert meetings held at Europol, and to the involvement of Europol in several of Eurojust's complex operational cases.

## Drug Trafficking

The disappearance of the majority of internal border checks has made the EU a more attractive market for

illegal drugs and has facilitated the acquisition and distribution of raw materials.

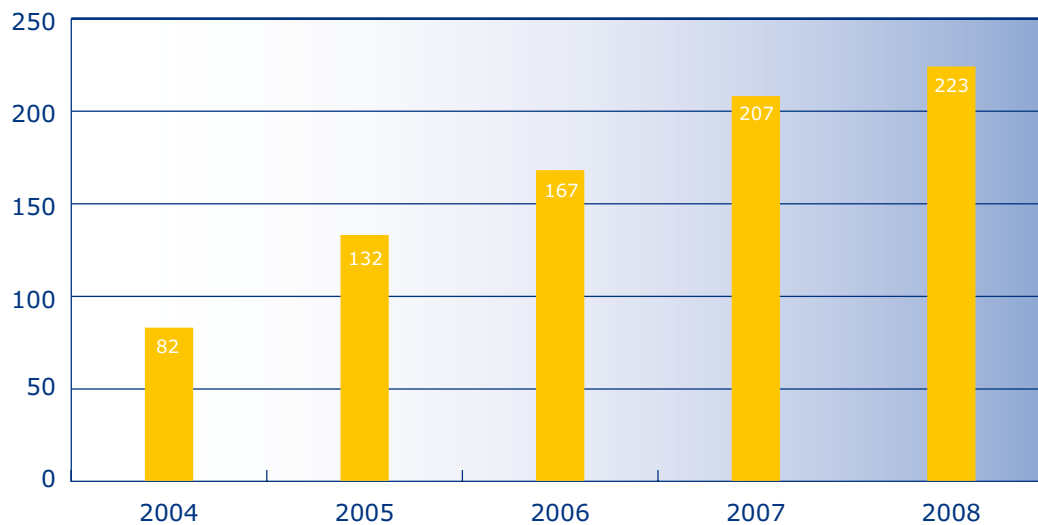
The geographical distribution pattern identified in 2007 continues in 2008 with the most requested countries being Spain, the Netherlands and Italy, closely followed by Germany, France, the UK and Belgium. The Dutch and the Italian Desks have significantly increased their casework (almost double in the case of Italy) as requesting countries, thus showing increased contacts between the national authorities of these countries and Eurojust. With reference to specific complex cases, an increased involvement of Nigerian criminal groups has been identified in Eurojust's casework.

The number of coordination meetings organised by Eurojust for drug trafficking cases almost doubled in 2008 (24 cases in 2007 and 40 cases in 2008), thus showing an increase of complex cases requiring coordination between the national authorities of several countries. Particularly interesting is the number of coordination meetings organised by the Italian Desk, which demonstrated a fivefold increase.

Eurojust supported the preparatory work for the new European Action Plan on Drugs for 2009-2012 organised by the Horizontal Working Party on Drugs



Figure 20: Drug Trafficking Cases 2004-2008



of the Council. The French Presidency insisted on the importance of Eurojust in the implementation of the new Action Plan, particularly regarding law enforcement cooperation in the EU.

### Trafficking in Human Beings

As highlighted in the Draft Conclusions setting EU priorities in the fight against organised crime based on the Organised Crime Threat Assessment (OCTA) 2007, smuggling and trafficking in human beings (THB) linked to illegal immigration should be among the main priorities. As a response, Eurojust held a strategic meeting on THB and witness protection in May 2008 in Portorož, Slovenia, with the support of the Slovenian Presidency. The goal of the meeting was an understanding of general criminal phenomena as well as the special mechanisms, standards and best practice that have or should be established and implemented to protect THB victims during investigations and prosecutions.

Figure 21: since 2004, THB has represented 5.7% of Eurojust's casework, with a total of 230 cases, and 6.9% of the casework for 2008, with a total of 83 cases (the majority referring to THB for the purpose of sexual

exploitation). It should be noted that these statistics do not include the cases of illegal immigrant smuggling (20 cases in 2008).

With the exception of 2006, the number of THB cases has increased by an average of 17 cases in comparison to the preceding year.

Romania, Bulgaria and Czech Republic are the most frequent requesting countries, while Italy and Spain are the most requested countries. The number of requests addressed to Italy has remained constant over the past two years (14 cases), while Spain has doubled its involvement as requested country for this type of crime from seven in 2007 to 14 in 2008.

The registration of THB cases in Bulgaria in 2008 has increased dramatically in comparison to the previous year (from one case to 12), while Romania continues to have the largest number of cases, but has not increased this number since 2007 (17 cases).

The number of coordination meetings dealing with THB cases has also increased in 2008, with a total of 8 coordination meetings.

Figure 21: Trafficking in Human Beings Cases 2004-2008

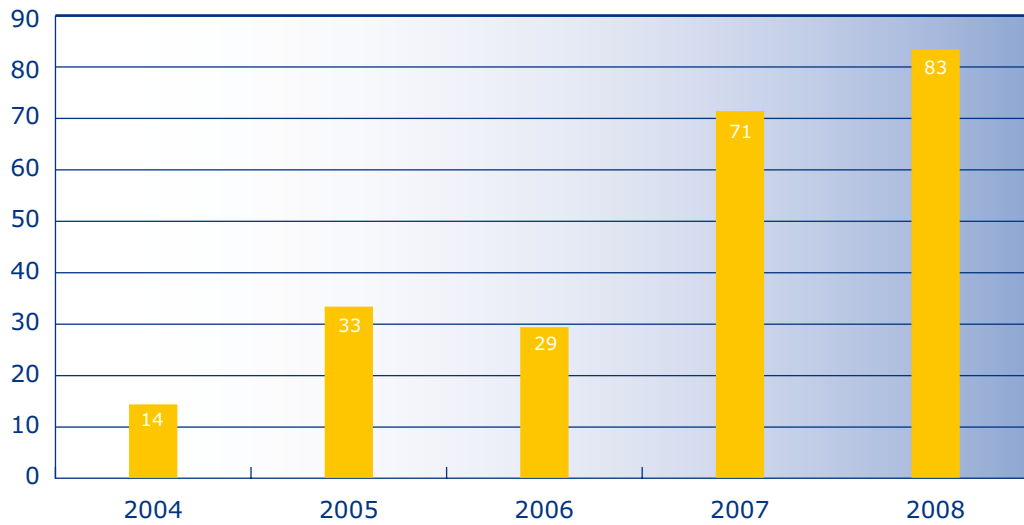
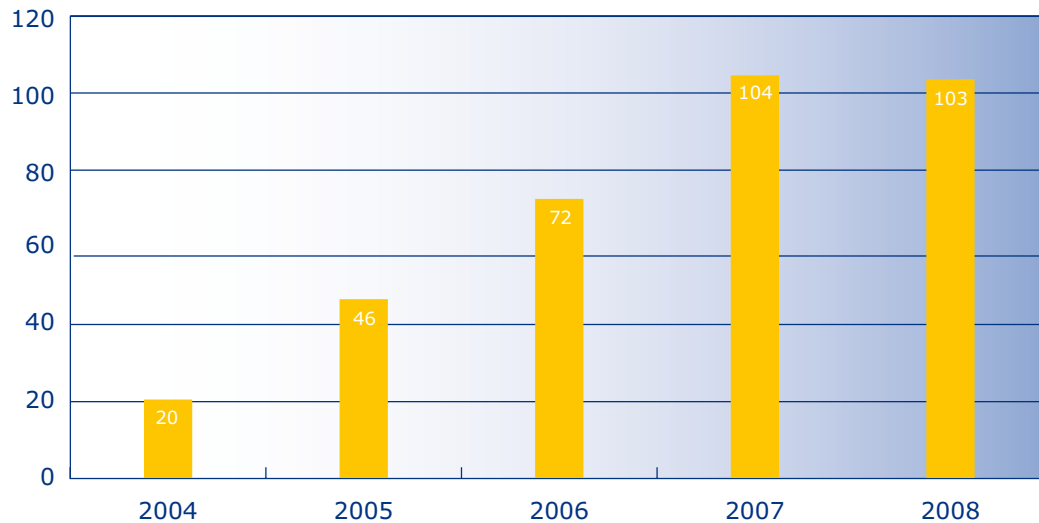


Figure 22: Money Laundering Cases 2004-2008



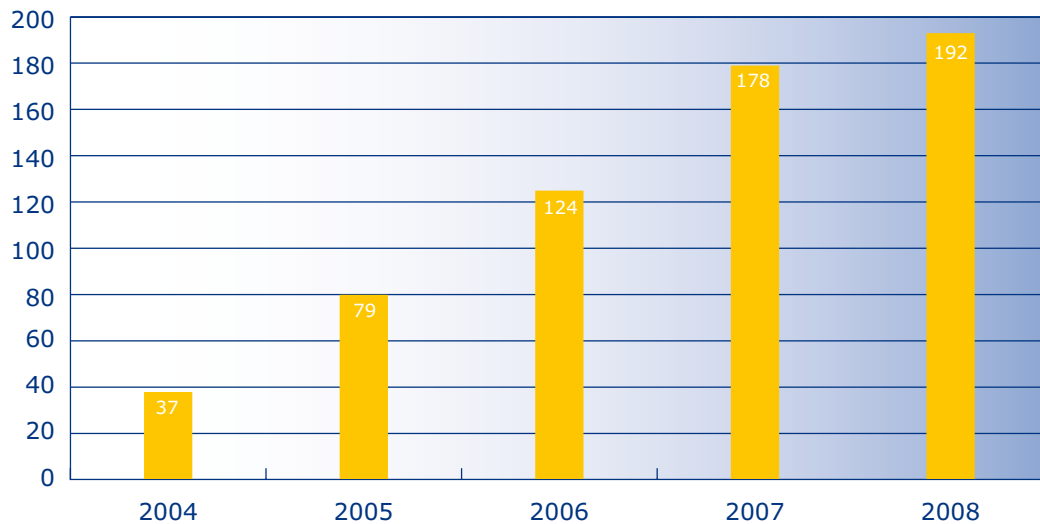
**Money Laundering**

Eurojust’s money laundering casework increased annually from 2004 to 2007 by an average of 28 cases. In 2008, the growth trend stopped, and a total of 103 money laundering cases were registered. Money laundering represents 8.5% of Eurojust’s total casework, with 345 cases registered since 2004. The number of money laundering cases registered in 2008 represents 8.6% of cases registered during the year.

In 2007, the countries that registered cases most frequently for this crime type were Portugal and Romania, with ten and eight cases, respectively. In 2008, Portugal registered the majority of these cases, closely followed by the Netherlands (17 and 14 cases, respectively).

The countries most requested in 2008 for money laundering cases were Spain and France, with 22 and 18 cases, respectively.

Figure 23: Swindling and Fraud Cases 2004-2008



The number of coordination meetings in 2008 also slightly increased, to a total of 18.

Eurojust was involved in one Europol AWF on money laundering.

### ***Crime against Property or Public Goods including Fraud***

Eurojust registered a total of 500 cases of Crime against property or public goods including fraud. These figures include cases registered in one (or more) of the following sub-categories: Organised robbery, Illicit trafficking in cultural goods, including antiques and work of art, Swindling and fraud, Racketeering and extortion, Counterfeiting and product piracy, Forgery of administrative documents and trafficking therein, Forgery of money and means of payment, Corruption, and the residual category Other types of crime against

property or public goods including fraud. Some sub-categories are commented on in the section entitled Counterfeiting. Statistics in this section focus on the category Swindling and fraud, which represents the major sub-category of this crime type.

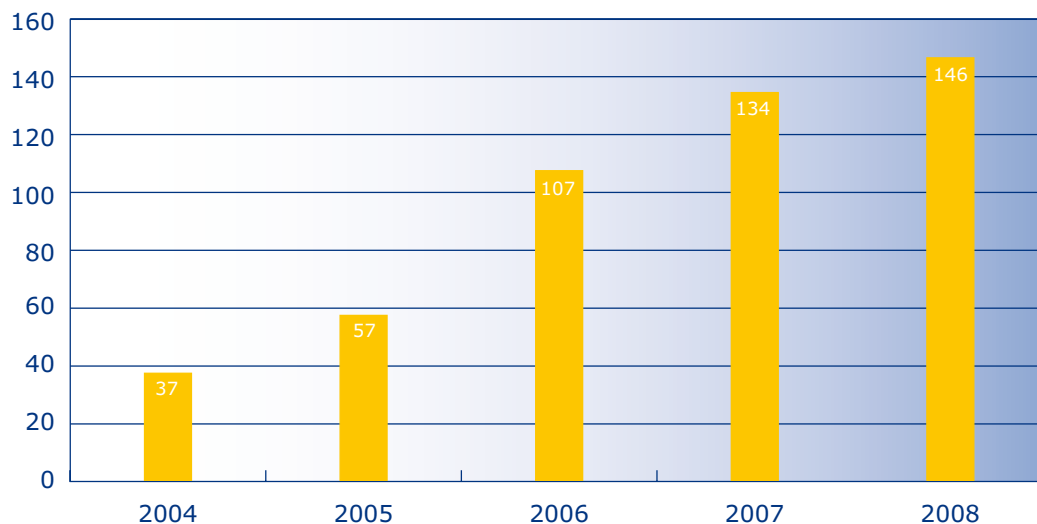
Figure 23: since 2004, Swindling and fraud cases, including tax fraud, computer fraud, advanced fee fraud, misappropriation of corporate assets and VAT fraud, have increased by an annual average of 40 cases. In 2008, this crime type constituted 16% of Eurojust's casework for the year, at 192 cases.

Eurojust organised 15 coordination meetings concerning swindling and fraud.

Eurojust was involved in one Europol AWF on carousel fraud.

## Crime against Life, Limb or Personal Freedom

Figure 24: Crime against Life, Limb or Personal Freedom Cases 2004-2008



Cases listed under the category Crimes against life, limb or personal freedom registered at Eurojust increased by approximately 9% compared to the previous year (12 more cases), reaching 146 registered cases in 2008.

This crime type includes the subcategories Murder, Grievous bodily harm and Kidnapping, illegal restraint and hostage-taking. The categories corresponding to Murder and Grievous bodily harm increased by seven and eight cases, respectively, compared to 2007, while Kidnapping, illegal restraint and hostage-taking decreased by three cases.

Crime against life, limb or personal freedom cases 2008	Total
Murder	86
Grievous bodily harm	47
Kidnapping, illegal restraint and hostage-taking	13

In reading these statistics, attention should be paid to the frequent association of these violent crimes with drug trafficking and THB cases.

Eurojust organised 11 coordination meetings concerning these cases in 2008, more than doubling the 2007 figure.

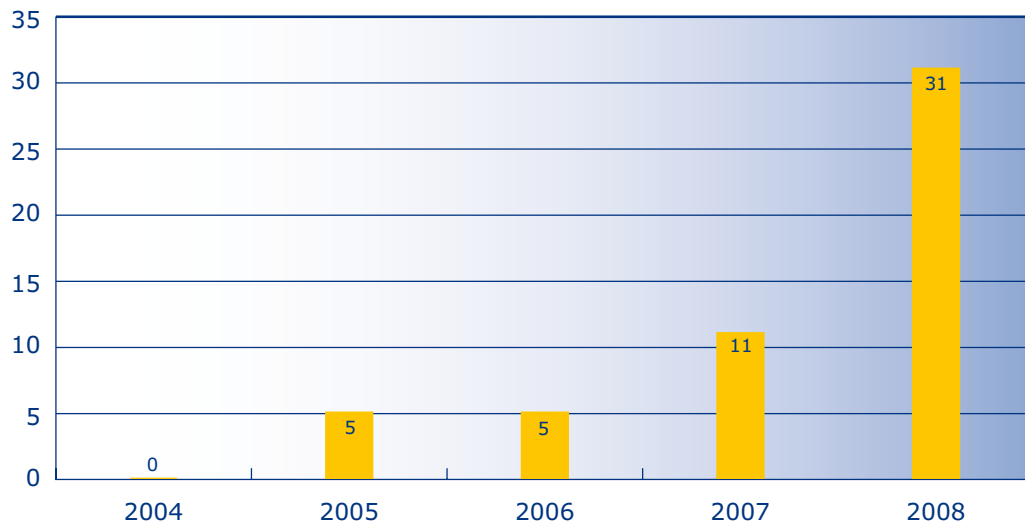
### Cybercrime

Figure 25: in 2008, 31 new cybercrime cases were registered in the CMS, a significant increase over 2007 (11 cases).

In 2008, the European Commission adopted a general policy on cybercrime to increase awareness in the Member States.

In October 2008, Eurojust held a strategic meeting on cybercrime in Athens, Greece, with the participation of all Member States, to provide information on the swift development and sophistication of cybercrime, to publicise Eurojust's work in this area, and to gain a better understanding of the existence, structure and objectives of the 24/7 network, the most important international police cooperation network on cybercrime, created with the overall guidance of the Council of Europe.

Figure 25: Cybercrime Cases 2004-2008



### Contact Point for Child Protection



In October 2007, at the informal JAI meeting in Lisbon, child protection was one of the main topics under discussion. During that meeting, the Belgian Minister of Justice proposed that Eurojust appoint a contact point for child protection issues. A few weeks later, Eurojust appointed the Eurojust Contact Point for Child Protection.

The role of the Contact Point is to coordinate information, collect and identify relevant best practice, and share practical experience gained in operational activities carried out in the context of cross-border investigations of cases concerning children. Child abduction, sexual abuse of children, trafficking in children and child pornography were identified as the main crime types of particular concern.

The Contact Point represents Eurojust in this field and has been participating in conferences and seminars with the dual tasks of raising awareness of its creation and ensuring that Eurojust has access to best practice in cases involving children. In addition, it follows the work of competent (European and international) bodies active in the field of child protection, namely Europol, Interpol and the United Nations Office for Drugs and Crime (UNODC), and provides advice to Eurojust National Members on casework involving children. In addition, the Contact Point maintains a constant and updated statistical overview of all child-related cases dealt with at Eurojust. For example, in cases concerning children, Eurojust's involvement increased steadily, from four cases in 2004 to 25 cases in 2008, with the UK, Italy, Romania and Sweden as the countries most often requesting assistance and Italy, the Netherlands, France and Germany as the countries that have been the most often requested. The most frequent crime types have been sexual abuse of children with 25%, followed by child pornography crime with 24% and THB involving children with 20%.

In 2008, the Contact Point intensified cooperation with Europol, Interpol and the European Commission, and established close contacts with the EU Coalition of Stakeholders against commercial sexual exploitation of children on the Internet. Moreover, the Contact Point launched a webpage that is accessible directly from the Eurojust website. The webpage contains a description of the competences of the Contact Point, statistics on

cases at Eurojust involving children and an e-mail address intended for contacts from law enforcement authorities and international organisations: [childprotection@eurojust.europa.eu](mailto:childprotection@eurojust.europa.eu)

### Evaluation of Casework

Through its work on specific cases, Eurojust gathers and disseminates information on obstacles, problems, best practice and solutions in judicial cooperation at meetings with national authorities and at its strategic meetings.

The strategic meeting on "OCTA priorities and cross-border prosecutions", organised by Eurojust on 21-22 February 2008, proved particularly successful in sharing the national authorities' perspectives on difficulties encountered in cross-border prosecutions. A full report was submitted to the Council in May 2008, whose main results were further confirmed through a three-month test period (from September to November 2008) during which Eurojust's National Desks were requested to fill in an evaluation form in the CMS for each case they closed.

Not surprisingly, delays, both in the execution of urgent investigative measures and in the exchange of information, are reported as obstacles in the international cooperation process. Eurojust National Members have confirmed this finding in their feedback on closed cases, indicating that, for many cross-border cases, mutual legal assistance (MLA) procedures take too much time. The reasons for these delays differ from case to case (depending on national legal systems, organisation, resources and prioritisation) and cannot be generalised.

Another obstacle identified by the national authorities was insufficient coordination in cross-border prosecution. Difficulties in coordinating the work of several officials in complex controlled deliveries were seen as impairing the effectiveness of judicial action against organised crime groups. Accordingly, and in agreement with the mandate expressed in the Eurojust Decision, the evaluation of casework exercise highlights coordination as a frequent motive for national authorities to contact Eurojust. Required action included finding links

between investigations, organising coordination meetings, referring cases to one of the involved countries and organising coordinated measures in several countries, such as arrests, house searches, controlled deliveries, interception of telephone communication, collection of DNA samples, witnesses' hearings, and simultaneous execution of several EAWs.

Notwithstanding the existence of many European and international legal instruments facilitating the harmonisation of differences between national criminal systems and legal practices, several examples of discrepancies leading to difficulties in cooperation were identified during the strategic meeting (e.g. differences in legislation on controlled deliveries, time limits for interceptions and protection of witnesses and their families). Furthermore, the full ratification of certain legal instruments for judicial cooperation is still pending (e.g. the 2000 Convention on Mutual Assistance in Criminal Matters). The evaluation of casework exercise further identified the following issues: the need for streamlined forfeiture procedures and dissimilar procedural requirements for the gathering of evidence. As regards the latter, reference should also be made to the conclusions of the JIT expert meeting in 2008: that rules vary in the Member States related to the gathering and admissibility of evidence; and that it would help if Member States create in their legislation possibilities to easily accept elements of proof that have been gathered according to foreign rules.

In addition to the above-mentioned legal obstacles, practical issues (e.g. language barriers in interceptions) and the lack of proactivity on the part of some Member States were perceived as playing important roles in delaying MLA. In the case evaluation exercise, the poor quality of letters of request leading to delays was also mentioned.

The general findings reported above deserve further study to identify the specific problems leading to delays/lack of cooperation in criminal matters and to make proposals for the improvement of judicial cooperation in criminal matters. To this end, Eurojust will continue working on improving its evaluation tools and its concepts for gathering and disseminating information related to judicial cooperation.

## Casework Illustrations Introduction

A selection of casework and contributions to complex national investigations is presented below, covering a wide range of serious cross-border crimes.

### **Case 1 – Terrorism financing**

#### *Delay in letters rogatory*

In 2006, Eurojust organised a coordination meeting to ensure the prompt implementation of several urgent letters rogatory in a case related to the financing of terrorism opened by Belgian judicial authorities and with links to Italy (money transfers).

Two main defendants (one was arrested in June 2006 and the other fled to Pakistan) were accused of setting up illegal trafficking of phone cards, the profits of which were supposed to be directed towards several terrorist groups in Pakistan.

The main obstacle identified in this case was the lack of a central anti-terrorism authority in Italy to which to address urgent requests for assistance.

The solution proposed during the coordination meeting in 2006 (sending the same letters rogatory to all potentially competent authorities) proved unsatisfactory, because a conflict of territorial jurisdiction arose and consequently the Supreme Court became involved.

The conflict was mainly caused because the same letter rogatory, sent to three Courts of Appeal, requested that several investigative activities be carried out in different territories and thus in different territorial competences. While one of the courts solved the problem by merely executing the part of the letters rogatory for which it was competent, the other two courts asked for clarifications to the Supreme Court, leading to a two-year delay in this urgent procedure.

### **Case 2 – Drug trafficking; controlled delivery**

#### *Swedish amphetamine trafficking group arrested*

Eurojust was involved in a case concerning trafficking of large amounts of amphetamines by a Swedish organised criminal group from the Netherlands

to Sweden, also involving Belgium, Germany and Denmark. Eurojust cooperated closely with the Nordic liaison officer in The Hague, who in turn facilitated cooperation between the Swedish, Dutch and Belgian police, while Eurojust facilitated cooperation between the judicial authorities.

The aim was to find the drug suppliers, organise a controlled delivery, seize the drugs and arrest the entire criminal network. A coordination meeting was held at Eurojust with representatives from Sweden, Denmark, Germany, the Netherlands, Belgium, Europol, and the Nordic liaison officer.

When nothing was found in a first warehouse search in the Netherlands, the Dutch authorities, whose resources were needed elsewhere, after discussion during the coordination meeting, were convinced that a second warehouse search and surveillance were needed. The next day, a large quantity of amphetamines was found. Dutch police installed technical equipment that made it possible to follow the actions of the suspects. The criminals loaded the goods on a lorry and drove from the Netherlands through Belgium, Germany and Denmark to Sweden while under police surveillance.

Excellent evidence was gathered and seven people were arrested in Sweden in July. In October, a Dutch citizen was arrested in the Netherlands and later surrendered to Sweden. Seven people are in custody. Nearly 200 kilos of drugs were seized.

### **Case 3 – Drug trafficking; money laundering**

#### *Eurojust facilitated the transmission of information and documents in a drug trafficking and money laundering case involving Moroccan authorities*

At the end of November 2007, Dutch police and judicial authorities requested assistance from the Dutch Desk in an investigation of a highly-organised network involved in extensive trafficking of drugs from Morocco to the Netherlands, and money laundering. Several letters rogatory needed to be executed quickly, and subsequently help with judicial coordination was requested.

The involved countries were the Netherlands, Spain, Morocco and later Switzerland. After two coordination meetings, an action plan was agreed upon. The

coordinated action took place in April 2008 in 26 different locations. Millions of Euros in bank accounts were frozen, real estate, cars and boats were seized in the four countries, and arrests were made. The network's assets for a two-year period are estimated to be € 36 million, a large amount of which is assumed to be laundered.

Thanks to the good, direct contacts of the colleagues at the involved National Desks with their home authorities and the newly established contacts in Morocco, especially the Belgian liaison magistrate in Morocco, the action and subsequent transfer of information and documents went smoothly.

#### **Case 4 – Weapons trafficking**

*Coordination of investigation and settlement of conflict of jurisdiction among four Member States*

Eurojust was asked to assist, in a weapons trafficking case, in the exchange of information and the coordination of investigations among four Member States by a French investigative magistrate.

In May 2008, a suspect in possession of several illegal weapons was arrested in France. The suspect had transported these weapons by order of another person, who had trafficked more than 350 weapons inside the Netherlands since 2006.

A coordination meeting took place at Eurojust in June 2008. In this meeting, with the support of the National Members involved, it was agreed to undertake parallel and coordinated investigations in Austria and Spain, where the weapons were sold. It was also agreed that the French prosecutor would transfer the case to the Dutch judicial authorities, who were in the best position to prosecute.

#### **Case 5 – Illegal immigrant smuggling**

*Eurojust, in cooperation with Europol, participated in successful dismantling of people-smuggling organisation*

Sixty-five people suspected of taking part in a large criminal people-smuggling network were arrested throughout Europe. The operation was conducted by

the Spanish national police with the support of Europol. In the course of the Spanish-led investigations, it soon became apparent that the criminal network had connections in at least 10 other EU Member States.

At the request of the Spanish investigating prosecutors and judges, Eurojust was asked to provide assistance in coordinating the execution of investigative measures in four Member States and to facilitate the MLA and the implementation of EAWs. In October 2008, two coordination meetings were held. In the course of these two meetings, an agreement was reached that the National Members involved should ask their national authorities to consider undertaking an investigation on the facts and suspects identified by the Spanish police. These requests were made by the Portuguese and Italian National Desks and were accepted by their national authorities.

Further coordination meetings were held, and an agreement was reached on the dates for simultaneous execution of arrests and requests for house searches. The joint operation was managed from Malaga. Representatives from Eurojust were sent to Spain to join Europol's mobile office, from which operations could be coordinated directly in the field.

#### **Case 6 – Illegal immigrant smuggling**

*Eurojust, in cooperation with Europol, assisted in exchange of information and coordination of arrests in Europe-wide immigrant smuggling network*

At the request of French investigative magistrates, Eurojust was involved in assisting in the exchange of information and the coordination of the investigations between nine Member States. A network recruited illegal immigrants in Afghanistan, China, Turkey, Bangladesh and Iraq and transported them to various European countries, such as Ireland, the UK, Norway and Sweden. Each of those who were smuggled is believed to have paid between € 10 000 and € 12 000.

As a result of the coordination put in place with the support of Eurojust, in June 2008, 75 people suspected of involvement in the network were arrested throughout Europe. The investigations and arrests took place in Belgium, France, Germany, Greece, Ireland, Norway, the Netherlands, Sweden and the UK. More than 1 300 police officers were involved.



This joint operation was initiated in Paris, where an international coordination centre, hosting liaison officers from several EU Member States, was set up by the French central office for the repression of illegal immigration and employment of foreigners without residence permits (OCRIEST). The French National Desk continuously stayed in direct contact with Paris and the other National Desks. Three meetings took place at Europol and three coordination meetings took place at Eurojust. In addition, Eurojust was responsible for the coordinated implementation of EAWs.

### **Case 7 – Fraud/skimming**

*Eurojust involved in coordination of information leading to the successful dismantling of a skimming network*

In August 2008, the Belgian Desk at Eurojust was informed about a criminal group involved in skimming, i.e. placing a device over the card slot of a public cash machine and installing a camera to record the pin code of credit and debit cards.

This network operated from Belgium but had links to other EU and non-EU countries such as Ireland, Italy, Germany, Spain, the Netherlands, Romania, Morocco, Canada and Australia.

Eurojust was asked to help with the coordination of the ongoing investigations in all countries involved. In September 2008, Eurojust held a coordination meeting to facilitate information exchange, disperse letters rogatory quickly and come to an agreement regarding a common date for simultaneous actions in the relevant countries.

In November 2008, these simultaneous actions took place in six countries, resulting in 34 house searches, 15 arrests and seizures of material, such as skimming software, laptops and false ID cards.

Thanks to the involvement and cooperation of Eurojust, and the collaboration with Europol, it was possible to have such a large-scale coordination of information exchange and international cooperation.

### **Case 8 – VAT carousel fraud**

*Eurojust supported German authorities in investigating a serious case of VAT carousel fraud by coordinating joint actions in the involved Member States*

In 2007, investigations commenced in Germany against 14 members of a criminal organisation suspected of VAT carousel fraud amounting to several million Euros. Eurojust coordinated joint actions in different EU Member States. In eight Member States (Cyprus, Austria, Italy, Czech Republic, Latvia, Lithuania, Spain and Denmark), search warrants were simultaneously and successfully executed.

In 2008, German authorities carried out further investigations of a criminal group of 19 suspected persons, working in responsible positions in different companies, suspected of having certified falsified accounts relating to fictitious disposals of electronic equipment to raise claims for VAT refunds. Eurojust played an important role in coordinating joint actions in the eight Member States involved. In May 2008, simultaneous actions were conducted based on search warrants issued by the German court. Eurojust led the coordination of the simultaneous execution of the letters rogatory in the different Member States with the attendance of investigators from the competent German tax investigation office.

The successful operation has led to the gathering of important evidence for further criminal investigations in Germany.

### **Case 9 – Cybercrime**

*Cybercrime case (fraud and child abuse on the internet) and the role of the Réseaux IP Européens*

Réseaux IP Européens (RIPE) and its Network Coordination Centre are concerned with the allocation of internet resources such as IP addresses. In 2008, UK authorities sought assistance in relation to cybercrime involving both fraud and child abuse on the internet. The Serious Organised Crime Agency (SOCA) in London had previously asked RIPE, based in Amsterdam, to remove an internet protocol (IP) range that was being used to target UK financial institutions for fraud and distribution of pornographic images of children.

A coordination meeting was held at Eurojust with representatives of SOCA, the Crown Prosecution Service, the Dutch police and National Prosecutor's Office. At the end of September, representatives from the UK attended a RIPE meeting in Amsterdam to discuss what measures could be taken to close down the offending IP addresses. Eurojust's involvement has

helped focus attention on the importance of exploring all possible avenues to deprive criminals of their internet resources.

### **Case 10 – Cybercrime**

*Coordination of execution of letters rogatory between four EU Member States and the USA with the support of a videoconference system*

In 2008, a coordination meeting took place at Eurojust in connection with two French cybercrime cases, involving, among others, Romania, Italy, the UK and the USA.

Fraud, with hundreds of victims, was committed by means of an online auction website. In these phishing cases, the website of a private company was used as a platform. The suspects used the illegally acquired identity of real sellers on this website, contacted the buyers and defrauded them by using the online payment system put in place by that company. Payment for the fictitious goods was made by French victims from French bank accounts. The money was then collected by the suspects, used as mules, in France, the UK and Hungary.

During the coordination meeting, the main aim of which consisted in facilitating and coordinating the execution of many letters rogatory, the US delegation exchanged information with the other participants via the Eurojust videoconference system, with simultaneous interpretation into English and French. This was the first videoconference with real-time interpretation at Eurojust.

### **Case 11 – European Arrest Warrant**

*Eurojust played a crucial role in facilitating an EAW for murder*

A Bulgarian suspect was arrested in Bulgaria for murder. An EAW was issued by a prosecutor in Sweden. The suspect appealed the surrender order. Bulgarian authorities stated that they would inform Eurojust and Sweden as soon as the decision concerning the

surrender came into force. The suspect's appeal was withdrawn, but due to a misunderstanding, neither Eurojust nor Sweden was informed until just 24 hours before the end of the 10-day time limit.

Due to excellent cooperation among the Swedish, Bulgarian, Czech and German Desks at Eurojust and the Nordic liaison officer in Sofia, Sweden managed to get all necessary decisions from the relevant authorities in different countries and to bring the suspect to Sweden before the expiration of the time limit. This outcome would not have been possible without the assistance of Eurojust.

### **Case 12 – European Arrest Warrant**

*Eurojust provided advice that led to extradition of murder suspects and avoided a conflict of jurisdiction between Germany and Italy*

A German citizen was murdered in Italy by co-nationals, who immediately left Italian territory and escaped to Germany. In order to fulfil the substantial legal principle of territoriality, the Italian prosecutor started his own investigations, to gather evidence abroad, and to arrest the suspects and to extradite them to Italy by the issuance of European Arrest Warrants.

In the execution of the requested measures (through telephone intercepts and surveillance), German criminal procedural law governed the investigations, but in order to present the evidence before the Italian court for the trial phase, collection of evidence needed to be done according to Italian criminal procedural law.

At the same time, a national investigation commenced in Germany to comply with the principle of nationality in homicide cases. Due to the actions of the German authorities, the suspects were arrested in Germany.

To avoid a conflict of jurisdiction, Eurojust provided advice that led to the German authorities accepting Italy as the venue for prosecution, the Italian EAW was executed, and the suspects were surrendered to Italy.





Eurojust National Members face the international press

### 3 ADMINISTRATION



Haagse Veste 1, new satellite office

#### General Developments

The administration continued its support of the operational work of the College. The Acting Administrative Director took over the management of the administration from the former Administrative Director, who left Eurojust in May 2008. The selection for a new Administrative Director was launched in 2008.

The recruitment procedure for two additional case management analysts was finalised in 2008. Seven case management assistants took up duties in 2008, and a procedure for the recruitment of another seven case management assistants was also launched. Eighteen seconded national experts (SNEs) worked at Eurojust during 2008.

In March 2008, both the Budget & Finance Unit and the Human Resources Unit temporarily moved to an interim location in The Hague. At the end of November 2008, 70 post-holders within the administration moved to the newly completed Haagse Veste (HV1) building, a temporary housing solution until the realisation of the final premises expected in 2014. The technical infrastructure and facilities for staff in the new building were procured and installed. HV1 contains a second server room, allowing Eurojust to implement redundancy for its most crucial services.

In 2008, Eurojust agreed on an external consultant to assist Eurojust in performing its Organisational Structure Review in 2009.

The Security Committee, formally established in 2007, remained active in 2008, meeting on a regular basis

and focusing on the implementation of the Eurojust Security Rules. The Security Committee also provided advice to the College and the Administrative Director on ICT security-related issues.

## Budgetary Management

Eurojust was granted an operating budget of € 24.8 million in 2008. It also carried forward just over € 420,000 for its AGIS-funded project relating to the Case Management System from 2007 and executed € 3.1 million of its carry forward budget from 2007. Eurojust executed 97% of its commitment appropriations for the operating budget and dramatically decreased its carry forward to 2009 by executing 85% of its payment appropriations. Eurojust received an amending budget in September 2008, increasing its originally granted budget of € 20 million by € 4.8 million following a request for extra funds to meet the costs of the second premises Eurojust occupied from the end of November 2008.

A total of approximately 6 500 transactions were processed during 2008. Eurojust closed its AGIS-funded project (E-POC III) in July 2008 and submitted its final report to the European Commission in October 2008. Eurojust also applied for further funding for E-POC IV (total project budget € 1 999 234, of which the European Commission is requested to contribute 70%) and funding for Joint Investigation Teams through the Criminal Justice Programme (total project budget € 316 473, of which the European Commission is requested to contribute 95%) to be implemented in 2009-2010.

Eurojust implemented a system for inventory management through ABAC (the European Commission's "accrual based accounting" system) Assets, which became operational towards the end of 2008. While this system adds to the workflow for transactions relating to assets, it fulfils the requirements of the Financial Regulation regarding asset management.

The Eurojust Financial Regulation was updated in line with the new framework Financial Regulation and was

sent to the European Commission for approval at the end of 2008. As in previous years, Eurojust's accounts were audited by the European Court of Auditors and received assurance of their integrity.

## Staff Management

During 2008, the Human Resources Unit has focused on four main issues: the adoption of several key staff implementing rules embodying stronger staff policy, the preparation of the first annual appraisal exercise, the management and further completion of the Establishment Plan, and the adoption of a corporate training plan.

Following the recommendation of the European Commission Internal Audit Service to reduce the number of interims at Eurojust, 58 posts were published, 2 564 applications were received, 441 invitations for interviews were sent out, 351 candidates were interviewed, and 55 post-holders were recruited. By the end of 2008, Eurojust employed 172 post-holders.

In the course of 2008, the Human Resources Unit underwent considerable restructuring to better provide services and to further reduce the need for interim staffing.

## New Functionalities and Facilities

In 2008, a secure e-mail system was implemented in the Member States for the transmission of case-related information between National Members and their national authorities.

The CMS was enhanced by the results of the E-POC III project, co-funded by the European Commission under the AGIS framework. In addition, Eurojust funded a further series of improvements and invested significant human resources in this process. The result is a major upgrade that will be delivered in 2009.

The videoconferencing facilities have been further improved. Eurojust can serve as a bridge between different technical systems in Member States. This capability has now been integrated into Eurojust's meeting facilities and can support simultaneous translation of videoconferences.

A continuous and proper access and use of the Schengen Information System (SIS) is of utmost importance for Eurojust's casework and cooperation and coordination activities. During the period between December 2007 and December 2008, there were a total of 229 queries to the system by Eurojust National Desks. Among several good outcomes from these queries, some National Desks stated that the operational information generated is checked in the SIS and, as a result, cross-checking with the national authorities has confirmed some hits at national level. The relevant information provided to the national authorities by those Desks facilitated, for example, the finding and further arrest of some EAW targets. In addition, the SIS provides full details concerning some cases where two or more EAWs were issued against the same target. This information has been very useful as support of the courts' decisions regarding which EAW

to implement. SIS is also very useful for conducting a quick search with no need of more formal requests to other National Members.

### Public Access to Documents

Article 2(1) of the Decision to Adopt Rules Regarding Public Access to Eurojust Documents, adopted by the College on 13 July 2004, provides that "[a]ny citizen of the Union, and any natural or legal person residing or having its registered office in a Member State, has a right of access to documents of Eurojust".

During the reporting period, Eurojust received no explicit requests for access to documents, but did receive one request for administrative information comprising personal data. Consequently, Eurojust applied its provisions on access to documents and its data protection rules. In an attempt to find the appropriate balance between the divergent interests at stake, Eurojust gave partial access to the applicant.



Eurojust's Heads of Units and Services (from left to right): Diana Alonso Blas, Data Protection Officer, Pavel Golob, Acting Head of Security, Facility Management, General Services and Events Unit, Andrea Toth, Acting Head of Budget & Finance Unit, Jacques Vos, Acting Administrative Director, Catherine Deboyser, Head of Legal Service Unit, Jon Broughton, Head of Information Management Unit, Fátima Martins, EJM Secretary, Carla Garcia Bello, Secretary to the College, Joannes Thuy, Press Officer, Yke Vranken Peeters, Acting Head of Human Resources Unit



## 4 EXTERNAL RELATIONS

### European Parliament, Council and Commission

Eurojust maintained close working relations with the European institutions. Two meetings were held at its premises with the EU Presidency (Troika), the General Secretariat of the Council and the European Commission. Discussions concerning the preparation for the implementation of the new Eurojust Decision took place. The General Secretariat of the Council and the European Commission were invited to participate in the Eurojust College brainstorming session on the impact of the new Eurojust Decision on the Strengthening of Eurojust.

Eurojust participates on a regular basis as an observer in the Multidisciplinary Group on Organised Crime (MDG), the Council Working Group on Legal Data Processing (E-Justice), and the Horizontal Working Party on Drugs. Eurojust is invited on an *ad hoc* basis to the meetings of the Article 36 Committee (CATS), the Working Group on Cooperation in Criminal Matters (COPEN), including the meetings of the COPEN-EAW Experts Working Party, the Customs Cooperation Working Party (CCWP), and the Working Party on Terrorism.

### EU Partners

#### **European Judicial Network**

Two highly significant events marked the year 2008 for the European Judicial Network (EJN). The Council adopted Decision 2008/976/JHA on the European Judicial Network on 16 December 2008. This Decision reinforces EJN's structure and its complementarity with Eurojust.

Eurojust was invited to the tenth anniversary of the EJN, where a document, the Madeira Declaration, was adopted. One of the main goals for the EJN is the strengthening of relations with Eurojust and other organisations.

A meeting between EJN Coordinators and the College of Eurojust took place on 27 October 2008. The purpose of the meeting was to start an informal discussion on the joint future of the EJN and Eurojust in light of the forthcoming Council Decisions on the Strengthening of Eurojust and the EJN, on the establishment of a Eurojust National Coordination System (ENCS) in EU Member States and the common tasks of both entities.

#### **Europol**

Significant advances were made in operational and strategic cooperation with Europol.

A channel for secure information exchange was introduced. Following the signing of the Memorandum of Understanding on the Table of Equivalence on 29 September 2008, the secure communication link between Eurojust and Europol became operational. Eurojust received 140 messages from Europol via the secure link during 2008. The operational value of the secure link would increase if current restrictions on its use by Eurojust National Desks and Europol liaison bureaux were removed.

Eurojust and Europol continued to work jointly on different projects regarding JITs (for more information on the manual on Joint Investigation Teams, see Joint Investigation Teams, Chapter 2).

Eurojust became associated with a further six Europol AWFs, bringing the total number of associations to 12. This development is encouraging, and it would be beneficial for Eurojust to become associated with all Europol AWFs in view of enhancing effective cooperation. To assist with the practicalities of cooperation, a living document, "Frequently Asked Questions (FAQs) on AWF Association", was drafted and agreed by Eurojust and Europol. The document clarifies the scope of association and the parameters of information exchange and defines Eurojust's added value.

Eurojust continued to develop its casework cooperation with Europol. In total, Eurojust involved Europol in 30 cases in 2008, resulting in a number of successful joint coordinated operations in Member States, in particular the dismantling of illegal immigration networks. In a notable example, Operation “Trufas”, Eurojust and Europol representatives worked together at the scene of operations in the involved Member State to coordinate police and judicial action (see case illustration 5, Chapter 2).

Eurojust’s contribution to Europol’s OCTA became more focused in 2008, with the inclusion of a new section dealing with the MLA aspects of fighting organised crime. Additionally, Eurojust organised a strategic meeting on OCTA priorities and cross-border prosecutions in February 2008 (see Chapter 2). Eurojust has advised Europol on questions regarding cross-border surveillance at the judicial level. Eurojust also contributed to the Russian Organised Crime Threat Assessment (ROCTA) issued by Europol.

At the same time, 2008 also saw an opportunity lost. Work on the new Europol Decision and changes to the Eurojust Decision offered the opportunity to include in the new texts provisions on the legal and structural

relationship between the two organisations. However, political agreement on the texts was reached at different times and this meant that it was not possible to provide that Eurojust and Europol should treat each other as privileged cooperation partners. For this reason, following the Council Statement approved in June 2008, a task force including representatives of Eurojust and Europol was set up to amend their 2004 Cooperation Agreement and to further improve the mutual exchange of information, especially regarding Europol AWFs. Both organisations worked together to present a joint draft text and explanatory note to the task force by the end of 2008. It is hoped that the agreement will be signed early in 2009.

### **European Anti-Fraud Office**

Eurojust fulfilled a key objective in 2008, in concluding by signature on 24 September 2008 the practical agreement on arrangements of cooperation between Eurojust and OLAF.

The practical agreement sets out the arrangements regarding operational cooperation between Eurojust and OLAF in the fight against fraud, corruption and other crimes affecting the financial interests of the European Community. It governs the working



Mr Brüner and Mr Lopes da Mota at signing ceremony for practical agreement on arrangements of cooperation between Eurojust and OLAF

arrangements for closer and enhanced cooperation and provisions for the exchange of general and personal data.

It is hoped that the agreement will stimulate more effective cooperation on operational cases of common interest. The opportunity must be taken where possible to overcome the obstacles to cooperation whether at national or institutional level.

Eurojust met its OLAF counterparts on four occasions during 2008 and made steady progress in identifying practical ways of improving cooperation.

Four exchange/study visits took place and improved awareness of the tasks and objectives of each organisation and areas of further cooperation. OLAF was involved in five cases, and attended three coordination meetings at Eurojust and one in a Member State.

The President of Eurojust and the Director General of OLAF, in accordance with established practice, met twice in 2008 to discuss the progress of joint objectives.

Eurojust and OLAF organised a joint conference on the international dimension of fraud and corruption that took place in The Hague on 3 and 4 March. Participants included prosecutors, judges and high-level officials from competent national authorities of all Member States as well as liaison prosecutors from the USA and Norway.

### ***Liaison Magistrates***

Eurojust continues its policy of encouraging contacts at the operational level with liaison magistrates.

Several coordination meetings organised by Eurojust were attended by the liaison magistrates to achieve better results on cases in which more than two countries were involved. Eurojust's experience shows that in many cases, liaison magistrates who are seconded by EU Member States to third States could help the operational work.

## **Networks**

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

A Memorandum of Understanding was signed with the European Judicial Training Network (EJTN) on 7 February 2008. Its aim is to increase the cooperation between both institutions by enabling secondments to Eurojust of practising or trainee judges and prosecutors from the Member States to familiarise the participants in the programme with Eurojust's tasks, functions and activities. Other forms of collaboration relating to judicial training may also be considered.

### ***Genocide Network***

Each year, the EU Presidency organises a meeting of the European network of contact points in respect of persons responsible for genocide, crimes against humanity and war crimes, the so-called Genocide Network, which was created as the result of a Council Decision of 13 June 2002.

These meetings, which have taken place since 2004 on the Eurojust premises, are attended by representatives from the Member States, the International Criminal Court (ICC), the International Criminal Tribunal for the former Yugoslavia (ICTY), the International Criminal Tribunal for Rwanda, Eurojust, the European Commission, the General Secretariat of the Council and Interpol.

Eurojust hosted the fifth meeting of the Genocide Network on 17 and 18 March 2008. During the meeting, a discussion on the location of the Secretariat of the Genocide Network in the frame of the discussions on the new Eurojust Decision took place.

## **International Organisations and Bodies**

### ***Eurojustice***

As in previous years, Eurojust was invited to attend the Eurojustice conference, this year held in Edinburgh

from 29 September to 1 October. The conference introduced the idea of creating a forum for EU Member States' prosecutors general and directors of prosecution authorities and thanked Eurojust for agreeing to provide support in the organisation of meetings of such a forum. According to the conclusions, Eurojustice could offer policymakers a wider basis for defining priorities and common trends in the field of criminal justice in the EU.

### **IberRed**

*La Red Iberoamericana de Cooperación Judicial* (IberRed), a network of contact points for judicial cooperation in Central and South American countries, is an important partner of Eurojust in tackling cross-border crime.

In June 2007, Eurojust agreed with representatives of IberRed to negotiate a Memorandum of Understanding (MoU). In 2008, negotiations on the MoU were conducted with IberRed, the negotiations now being at a final stage. The MoU with IberRed will be an important step in intensifying relations with the countries of Central and South America as the draft MoU provides *inter alia* for facilitation of direct contacts, exchange of experience, exchange of information of a non-operational nature and participation in strategic meetings. In 2008, six cases involving Central and South American countries have been brought to the College of Eurojust.

### **International Association of Prosecutors**

Eurojust is an institutional member of the International Association of Prosecutors (IAP), a world-wide prosecutorial community, which gathers prosecutors from more than 130 countries all over the world.

Within the context of the 8th IAP European regional conference on hate crime that took place in The Hague, a group of 50 prosecutors, judges and policy advisors visited Eurojust on 13 March to learn more about the coordination of investigations and prosecutions at EU level.

Eurojust also participated in the 13th IAP annual conference devoted to "New Technologies in Crime and Prosecution: Challenges and Opportunities" and in the general meeting, both held in Singapore on 27-31

August. Eurojust chaired the workshop on conflicts of jurisdiction on cybercrime and had the opportunity to strengthen contacts and networks with prosecutorial authorities from different countries in the fight against cross-border crime.

The current president of the IAP is François Falletti, who was the Eurojust National Member for France from 1 September 2004 until 31 July 2008.

### **Third States**

It is essential that Eurojust work with neighbouring countries and other partners around the world to combat organised crime. One of Eurojust's priorities in 2008 remains the strengthening of its relations with countries outside the European Union.

### **Contact Points**

In 2008, Eurojust had 31 contact points in 23 non-Member States and has been working regularly through these contact points on cases involving non-EU countries. The countries in which Eurojust has contact points are: Albania, Argentina, Bosnia & Herzegovina, Canada, Croatia, Egypt, FYROM, Iceland, Israel, Japan, Liechtenstein, Moldova, Mongolia, Montenegro, Norway, Russian Federation, Serbia, Singapore, Switzerland, Thailand, Turkey, Ukraine and USA.

### **Cooperation Agreements**

#### *Norway*

A cooperation agreement with the Kingdom of Norway was signed on 28 April 2005.

A Norwegian liaison prosecutor is seconded to Eurojust and participates regularly in the work of Eurojust and in cases involving Norway. In 2008, the Norwegian liaison prosecutor registered 30 cases, of which 29 were operational. The Norwegian liaison prosecutor organised five coordination meetings, and attended seven. Norway was the requested country in 24 cases.

### Iceland

An agreement with the Republic of Iceland was signed on 2 December 2005. In 2008, Eurojust worked on two cases involving Iceland. As Iceland has not seconded a liaison prosecutor to Eurojust, cooperation continues to take place through contact points.

### USA

Cooperation has improved greatly since the agreement between the USA and Eurojust was signed in November 2006. After the agreement came into force in January 2007, US authorities seconded a liaison prosecutor to Eurojust. This secondment is vital to the intensive cooperation between Eurojust and the US authorities. In 2008, the USA was involved in 27 cases and attended 11 coordination meetings. The US liaison prosecutor did not register any cases in 2008.

With a view to improving cooperation between the US authorities and Eurojust as well as Member States' national authorities and the US authorities, Eurojust, together with the USA and the Commission, organised a seminar in November 2008 on the application of the EU-US agreements on MLA and extradition. High-ranking participants from the US authorities, Member States' central authorities and Member States' judicial authorities attended. The goals of the seminar were raising awareness of the particularities of the USA's and Member States' legal systems and overcoming obstacles to practical cooperation.

### Croatia

After negotiations took place during 2007, an agreement with Croatia was concluded and approved by the Justice and Home Affairs Council on 9 November 2007. The agreement, which has not yet entered into force, provides *inter alia* for the possibility of seconding a Croatian liaison prosecutor to Eurojust. Four cases involving Croatia were put to the College in 2008.

The agreement enters into force when both parties notify each other in writing that all internal procedures have been completed.

### Switzerland

After Switzerland agreed in 2006 to open negotiations with Eurojust for a cooperation agreement, formal negotiations were conducted in 2007 and 2008. The agreement was signed on 27 November 2008 and provides *inter alia* for the possibility of seconding a Swiss liaison prosecutor to Eurojust. So far, cooperation with Switzerland continues to take place through contact points. In 2008, Switzerland was involved in 26 cases and attended 10 coordination meetings.

The agreement enters into force when both parties notify each other in writing that all internal procedures have been completed.



Signing ceremonies for cooperation agreements with Swiss Confederation (left) and former Yugoslav Republic of Macedonia (right)

#### *Former Yugoslav Republic of Macedonia*

As a candidate country, the former Yugoslav Republic of Macedonia was on Eurojust's priority list for agreements in 2008. After the country had put in place its data protection legislation, negotiations took place and were finalised in April 2008. A cooperation agreement was concluded on 28 November 2008. The agreement provides *inter alia* for the possibility of seconding a liaison prosecutor to Eurojust.

The agreement enters into force when both parties notify each other in writing that all internal procedures have been completed.

#### *Russian Federation*

After two rounds of negotiations with the Russian Federation in 2006, negotiations continued in 2008. At the meeting between the two delegations in July 2008, all the open issues, which are due to differences in the legal systems, were discussed. Some important issues remain unresolved, including those related to data protection. Further negotiations will be necessary to resolve these outstanding issues.

#### *Ukraine*

Negotiations, which had already commenced, could not proceed due to unresolved data protection issues. As soon as necessary progress is made, negotiations will continue.

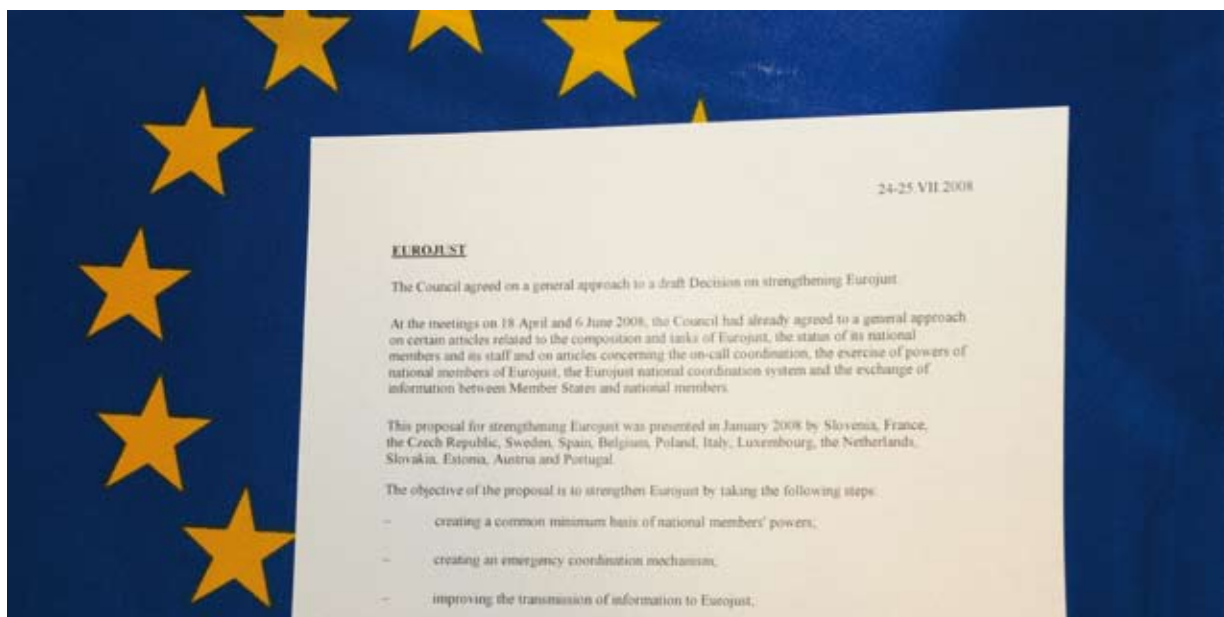
#### **Other Third States**

During 2008, Eurojust continued to develop its relations with other countries, in particular the Western Balkans, while contributing to ongoing EU regional projects and initiatives. Eurojust also hosted several study visits from countries all over the world. With the view to commencing formal negotiations of cooperation agreements, delegations from the following countries made study visits to Eurojust: Moldova, Montenegro, Israel, Liechtenstein and Cape Verde. Study visits of delegations from Serbia, Bosnia & Herzegovina and Azerbaijan have been discussed and planned for 2009. In 2008, Eurojust hosted prosecutors from Korea and Ukraine who came to Eurojust for a longer mission to learn more about Eurojust and its work. In November 2008, Eurojust hosted a tactical meeting with the MEDA countries (Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Palestinian Territories, Syria, and Tunisia) to improve judicial cooperation and to encourage MEDA countries to appoint contact points to Eurojust.



Tenth anniversary of the EJA, Madeira, Portugal

## 5 NEW EUROJUST DECISION



On 16 December 2008, the Council of Ministers adopted the Decision on the Strengthening of Eurojust, amending Decision 2002/187/JHA setting up Eurojust with a view to reinforcing the fight against serious crime.

Showing strong support for Eurojust and involving it as an observer in the discussions, the Council negotiated the new Decision in less than one year, following an initiative presented for discussion by a group of fourteen Member States at the beginning of the Slovenian Presidency in January 2008. The proposal followed detailed discussions on the future of Eurojust initiated in September 2006 with the Vienna seminar and continued in 2007 with the Commission Communication on the Future of Eurojust and the EJM and the Lisbon seminar.

Member States must bring their national law into conformity with the new Decision no later than two years after its publication in the Official Journal of the EU. With a view to stimulating a timely implementation in all Member States and coordinating implementation at national level, Eurojust, together with the EU Presidencies, the Council Secretariat and the European Commission, started working on the preparation of an Implementation Plan in the last quarter of 2008.

The new Eurojust Decision introduces five major areas to reinforce the role and capacities of Eurojust.

### 1. Improvement of Eurojust's Operational Capabilities

The status of the National Member is reinforced. The length of a National Member's term of office shall be at least four years and may be renewed.

In order to ensure continuous and effective contribution to the achievement of Eurojust's objectives, the National Member's regular place of work shall be the seat of Eurojust and the National Member shall be assisted by one deputy and by another person as an assistant.

An On-Call Coordination (OCC) able to receive and process requests for judicial cooperation at all times shall be put in place.

### 2. Strengthening of Eurojust's Powers

The tasks of Eurojust will increase. National Members acting on behalf of Eurojust are entitled to ask national authorities to take special investigative measures and/or any other measure justified for the purposes of the investigation or prosecution.

Eurojust acting as a College is given the power to issue written non-binding opinions to resolve cases of conflicts of jurisdiction, and also in cases where recurring refusals or difficulties concerning the execution of requests for judicial cooperation are reported to Eurojust, including regarding instruments giving effect to the principle of mutual recognition.

In order to create an equivalent level of powers for National Members, new provisions regulate the powers conferred on National Members in their capacity as national authorities.

They shall be at a minimum granted the power to receive, transmit, facilitate, follow up and provide supplementary information in relation to the execution of requests for judicial cooperation.

They shall be entitled to exercise, subject to agreement with the competent national authority, the following powers: issuing and executing requests for judicial cooperation, ordering in their Member States investigative measures considered necessary at coordination meetings organised by Eurojust, and authorising and coordinating controlled deliveries in their Member States. In urgent cases, where it is not possible to identify or to contact the competent national authority in a timely manner, the National Members are also entitled to authorise and coordinate controlled deliveries and execute requests.

When the granting of powers exercised in agreement with a competent national authority or in urgent cases is contrary to constitutional rules or fundamental aspects of the national criminal justice system, the National Member shall be at least competent to submit a proposal to the national authority competent for the carrying out of those powers.

### *3. Improvement of Exchanges of Information*

Member States must inform Eurojust of the cases in which at least three Member States are directly involved and for which requests for judicial cooperation have been transmitted to at least two Member States, and when one of the following alternatives applies: (a) there are factual indications that a criminal organisation is involved, (b) the case may have a serious cross-border dimension, or (c) the offence involved is one of the following: trafficking in human beings, sexual exploitation of children and child pornography, drug trafficking, trafficking in firearms, corruption, fraud affecting the financial interests of the European Communities, or counterfeiting of the Euro.

National Members are also entitled to receive information from their national authorities on the setting up of JITs, cases of conflicts of jurisdiction, controlled deliveries, and repeated difficulties or refusals regarding the execution of requests for judicial cooperation.

### *4. Reinforcement of Cooperation with National Authorities and EJM Contact Points*

With a view to reinforcing Eurojust's national base, the new Decision provides for the setting up of an ENCS to ensure the coordination of the work carried out by the national correspondent for Eurojust, the national correspondent for terrorism matters, the national correspondent for the EJM and up to three other contact points of the EJM, and the contact points of other European networks.

Other goals of the ENCS are: to ensure that the CMS receives information in an efficient and reliable manner; to assist in determining whether a case should be dealt with utilising the assistance of Eurojust or the EJM; to maintain close relations with the Europol National Unit; and to assist the National Member in identifying relevant national authorities for the execution of requests.

### *5. Enhancement of Relations with Privileged Partners and Third States*

The new Decision provides a legal framework to strengthen relations between Eurojust and other partners, such as the EJM, Europol, OLAF, Frontex, SitCen, and Interpol. It also foresees the incorporation into Eurojust's staff of the Secretariats of the Networks for Joint Investigation Teams and Genocide.

A new aspect is the possibility for Eurojust to second liaison magistrates to third States, subject to the conclusion of a cooperation agreement with those countries.

Finally, Eurojust is entitled to coordinate the execution of requests for judicial cooperation to and from third States, with the agreement of the Member States concerned.



## 6 FOLLOW-UP TO COUNCIL CONCLUSIONS

On 18 April 2008, the JHA Council adopted Conclusions on the sixth Eurojust Annual Report (EU Document 8062, 4 April 2008). The Council also formulated guidelines and tasks to be taken into consideration by Eurojust, the Member States, and others.

Below, as Eurojust has done since its Annual Report 2006, Eurojust has set out a commentary giving feedback on the implementation of the Council's Conclusions and more specifically on the key guidelines and tasks addressed to Eurojust.

Subject	Guidelines and tasks addressed to Eurojust	Status of implementation
<p>Figures on casework/caseload assessment</p>	<p>Focus on cases concerning serious, transnational crime requiring coordination.</p> <p>Contribute to discussions concerning the strengthening of Eurojust's capacities to coordinate the activities of the Member States' competent authorities.</p> <p>Continue the assessment of the quality of the cases.</p>	<p>Eurojust was invited to contribute to the negotiations of the amended Eurojust Decision. The COPEN working group visited Eurojust during the negotiations. The new Eurojust Decision includes improvements on the exchange of information and reinforcement of the cooperation with national authorities and EJM contact points, thereby enhancing Eurojust's ability to focus on and coordinate serious and multilateral criminal cases.</p> <p>The distinction between standard and complex cases was maintained and other statistics are also used to illustrate the nature and complexity of casework (see Chapter 2). The establishment of a new common Casework Guide is foreseen in the Work Programme 2009, possibly including guidelines for casework activities to be registered as temporary work files in the CMS which are not, in general, recorded today.</p>
<p>Use of Eurojust's powers under Articles 6 and 7</p>	<p>Maintain a proactive approach to coordinating investigations and prosecutions with a view to assisting national competent authorities to achieve the best possible results.</p>	<p>This year saw an increase in requests under Article 6(a). However, formal use of its powers was still only made by Eurojust in very few cases.</p> <p>The new Eurojust Decision includes improvements in the exchange of information and strengthening of the powers of the National Members and the College, thereby enhancing the possibility of a proactive approach to coordinating investigations and prosecutions.</p> <p>Eurojust's increased association with Europol's Analysis Work Files and the enhanced general cooperation between the two organisations provide the basis for better assisting the national authorities. Eurojust's nominated experts participated in operational meetings and mutual exchange of information. Europol analysts also participated in coordination meetings. Coordinated actions in complex cases have been agreed upon in several operations. Judicial support to Europol's Analysis Work Files has been recognised as being of the utmost importance to the proactive objectives of both Europol and Eurojust.</p>

<b>Subject</b>	<b>Guidelines and tasks addressed to Eurojust</b>	<b>Status of implementation</b>
	<p>Improve the analytical ability to process data with a view to playing a proactive role in stimulating cooperation and coordination of investigations and prosecutions between national judicial authorities or other competent authorities in the Member States.</p>	<p>The CMS allows for case-by-case cross-reference analysis. To improve data entry into the CMS, a new version of the CMS has been installed and the goal of a further project, E-POC III+, is to improve the usability of the software to allow an increased quantity and quality of data processing. New case management assistants have been recruited and training sessions were given to CMS users to improve data quality.</p> <p>The increased cooperation with Europol enables the development of analytical capacities that are complementary to the analysis of Europol, while ensuring the ability of Eurojust to fulfil its role in proactively stimulating international cooperation and coordination.</p>
New IT functionalities	<p>Make full use of IT functionalities such as videoconferencing systems and secure communication facilities with Europol and Member States to exchange information and enhance cooperation.</p>	<p>The member state connection project has extended the use of Eurojust secure e-mail facilities from the National Desks to authorities in the Member States, following a pilot project with Slovakia. In November 2008, 22 Member States had connections. This e-mail system allows for the transmission of documents in a secure, timely and efficient manner.</p> <p>Eurojust acquired the necessary hardware to provide sophisticated videoconferencing. The equipment was made available to the entire organisation. Simultaneous interpretation facilities can now be used in combination with the videoconferencing equipment.</p>
Evaluation and analysis of casework-related activities	<p>Exploit the potential to analyse casework-related activities.</p> <p>Disseminate expertise on existing best practice and on possible solutions among practitioners.</p>	<p>Cooperation between Eurojust and Europol on analytical data has increased both at a strategic and an operational level. The improved familiarity with each other's modes of operation has led to a better understanding of the different focus and complementary potential of analysis reports from Eurojust and Europol. Eurojust's strategic and operational analyses have concentrated on judicial cooperation issues and instruments, and on in-depth examination of judicial data. Eurojust is currently developing its evaluation tools and its concepts for dissemination of knowledge and best practice on casework and casework-related activities.</p> <p>In addition to the dissemination of knowledge and expertise at the coordination and tactical meetings organised by Eurojust, expertise and knowledge of best practice is communicated, for example, in the manual on JITs and at strategic seminars. Eurojust organised, amongst others, a joint strategic meeting on "OCTA priorities and cross-border prosecutions" in cooperation with Europol. The findings of this meeting in the final report specifically dealt with recurrent problems or obstacles to cross-border judicial cooperation. The conclusions of the report were sent to the Council in May 2008.</p>

Subject	Guidelines and tasks addressed to Eurojust	Status of implementation
	<p>Provide analysis to Europol as a contribution to the Organised Crime Threat Assessment (OCTA).</p>	<p>Eurojust contributed to Europol's OCTA with the inclusion of a section specifically dealing with MLA issues and based on the findings of the strategic meetings on OCTA.</p> <p>Eurojust's contributions to Europol's ROCTA and TE-SAT Report were also delivered, containing both a quantitative and a qualitative analysis of Eurojust's casework.</p>
<p>Networks of contact points on cybercrime and central contact point for missing persons</p>	<p>Coordinate with other international organisations or bodies acting in the relevant fields in order to avoid duplication and overlapping.</p>	<p>At a strategic meeting on cybercrime organised by Eurojust in Athens, representatives of the Member States, including national contact points for cybercrime, the USA, the European Commission, the UNODC, the Council of Europe, Europol and Cybex addressed issues related to cybercrime, allowing participants to gain greater insight into the existence, organisation and objectives of the 24/7 network, created with the overall guidance of the Council of Europe, and the complementary work of Eurojust in cybercrime cases.</p> <p>The role of the Eurojust Contact Point for Child Protection was defined by Eurojust in 2008 with a view to establishing close cooperation with other competent organisations and bodies in the field of child protection. The Contact Point has established cooperation with Europol, Interpol, the UNODC, the Commission and the EU Coalition of Stakeholders against commercial sexual exploitation of children on the Internet.</p>
<p>Third countries</p>	<p>Further develop external relationships and conclude cooperation agreements with third countries containing <i>inter alia</i> clear provisions on data protection.</p>	<p>Cooperation agreements were concluded with Switzerland and the former Yugoslav Republic of Macedonia in November 2008.</p> <p>Seminar on the preparations for entry into force of the agreements on extradition and MLA between the EU and the USA, organised by the USA, the European Commission and Eurojust, took place in November 2008.</p> <p>Negotiations with the Russian Federation are ongoing, and a meeting was held in July.</p> <p>Negotiations with Ukraine could not continue due to insufficient legislation on data protection.</p> <p>Eurojust hosted longer study visits of prosecutors from Ukraine and Korea.</p> <p>Liechtenstein, Montenegro, Cape Verde, the Republic of Serbia and Israel expressed their desire to start negotiations of cooperation agreements.</p> <p>Study visits with the objective of starting formal negotiations took place at Eurojust with delegations from Liechtenstein, Montenegro, Cape Verde and Moldova. All these countries are already on the priority list for negotiations in 2009.</p>

Subject	Guidelines and tasks addressed to Eurojust	Status of implementation
		<p>With a view to developing existing relationships, contacts with Bosnia &amp; Herzegovina intensified.</p> <p>A tactical meeting with MEDA countries was organised to improve judicial cooperation and encourage MEDA countries to appoint contact points to Eurojust.</p>
Eurojust - OLAF	Conclude working arrangements with OLAF.	A practical agreement on cooperation between Eurojust and OLAF was signed in September 2008.
Exchange of information between Eurojust and Europol	Further enhance the exchange of information.	<p>In addition to increased cooperation in Europol's Analysis Work Files and in general between the two organisations, following the Council Statement approved in June 2008, a task force including representatives of Eurojust and Europol has been set up by the EU Presidency to further improve the cooperation between Eurojust and Europol, especially in the context of Europol's Analysis Work Files, by amending the cooperation agreement. The two organisations have worked together and presented a joint draft text and explanatory note to the task force.</p> <p>With regard to Eurojust's association with Europol's Analysis Work Files, a joint guide based on the current legal framework and practical experience was drafted.</p> <p>In addition, best practice has been identified for the internal organisation at Eurojust, the nomination of contact points and the handling of Europol's Analysis Work Files' information by Eurojust's experts.</p> <p>The secure communication link became operational for the safe transmission of operational, strategic and technical information on the basis of the Europol-Eurojust Agreement.</p>
Eurojust - EJN	Further develop links at national level in order to better coordinate the respective activities.	The new Eurojust Decision includes <i>inter alia</i> the setting up of a new Eurojust National Coordination System at national level to strengthen relations between Eurojust and the EJN and to improve the coordination of their activities based on the principle of complementarity and to avoid any overlapping of efforts.
European Arrest Warrant (EAW)	Include information about data received from the Member States on breaches of time limits and the analysis of such data in the Annual Report.	Statistical data have been collected on the cases concerning the implementation of EAWs, and on breaches of time limits reported to Eurojust.

## 7 STRATEGIC OBJECTIVES AND ACHIEVEMENTS 2008

The strategic objectives set by the College for 2008 and 2009 are:

1. To ensure that on terrorism issues:

- Eurojust handles terrorism casework more effectively and structures are in place to encourage competent authorities in the Member States to supply all the terrorist information required under the relevant Council Decision to Eurojust.
- Eurojust is capable of processing and managing the terrorism information transmitted to it.
- Eurojust contributes to policy issues related to terrorism.

2. To improve casework by:

- Creating standardised procedures for casework.
- Setting up a Casework Measurement System.
- Creating a secure mobile communication facility.
- Creating a strong and secure ICT support environment for casework.
- Creating secure transmission links to national authorities in all Member States.

3. To increase the number of complex cases referred to Eurojust by the Member States.

4. To persuade the Member States to provide the Eurojust National Members with the appropriate support to enable them to handle casework and other responsibilities as National Members.

5. To structure and further develop cooperation between Eurojust and the EJM, Europol, and OLAF.

6. To conclude at least three formal cooperation agreements with non-European Union countries and international bodies, and enhance cooperation between Member States and non-European countries.

In the previous chapters, Eurojust has already reported on the achievements in the areas above in 2008.

The development of the CMS, the setting up of a secure e-mail connection in the Member States and the installation of videoconference facilities contribute to the implementation of the other objectives.

Moreover, the new Council Decision on the Strengthening of Eurojust will render Eurojust more effective and will at the same time offer a solid basis to further implement these objectives.

The new Eurojust Decision, amongst other things, includes improvements on the exchange of information, the strengthening of the powers of the National Members and the College, the reinforcement of the cooperation with national authorities and EJM contact points and the strengthening of cooperation with third States and other European Union bodies and networks, in particular the EJM, Europol, and OLAF.

The full implementation of the Eurojust Decision of 2002 and the implementation of the new Council Decision on the Strengthening of Eurojust will provide a solid basis for Eurojust to play a more effective role in assisting national authorities when dealing with serious cross-border crime and to achieve the objectives it has set for 2008 and 2009.

The objectives for the coming years will be integrated in the outlines for the years 2010-2014, focusing especially on the implementation of the new Eurojust Decision.



Visit Mr Jozias van Aartsen, Mayor of The Hague, to Eurojust



Visit Mr Jo Vandeurzen, Minister of Justice of Belgium, to Eurojust



Visit Prosecutors General of the Baltic States (from left to right): Mr Bundzis, Mr Janis Maizitis, Prosecutor General of Latvia, Mr Norman Aas, Chief Public Prosecutor of Estonia, Mr Sepp, Ms Čekelienė and Mr Algimantas Valantinas, Prosecutor General of Lithuania

## ANNEX 1

### **Eurojust's Mission, Tasks and Structure (according to Council Decision 2002/187/JHA)**

#### Mission and Tasks

Eurojust is a judicial cooperation body created to help provide a high level of safety within an area of freedom, security and justice. It was established as a result of a decision by the European Council of Tampere (15 – 16 October 1999) in order to improve the fight against serious crime by facilitating the optimal coordination of action for investigations and prosecutions covering the territory of more than one Member State with full respect for fundamental rights and freedoms.

On 14 December 2000, the Council of the European Union formally established the provisional judicial cooperation unit "Pro-Eurojust". Prosecutors from all the Member States tried and tested concepts to improve the fight against serious crime by facilitating coordination of action for investigations and prosecutions within the EU.

Pro-Eurojust started its work on 1 March 2001. Eurojust itself was set up by a Decision of 28 February 2002 as a body of the EU with legal personality (see Council Decision of 28 February 2002 setting up Eurojust with a view to reinforcing the fight against serious crime, 2002/187/JHA). Eurojust is the first permanent body established for judicial cooperation in the European legal area, and is financed through the EU's general budget.

Eurojust is monitored by an independent Joint Supervisory Body, ensuring that the processing of personal data is carried out in accordance with the Eurojust Decision. It also hears appeals lodged by individuals regarding access to personal information.

Eurojust stimulates and improves the coordination of investigations and prosecutions between the competent authorities in the Member States and improves the cooperation between the competent authorities of the Member States, in particular by facilitating the execution of international MLA and the implementation of extradition requests. Eurojust supports in any way

possible the competent authorities of the Member States in order to render their investigations and prosecutions more effective when dealing with cross-border crime.

At the request of a Member State, Eurojust may assist investigations and prosecutions concerning that particular Member State and a non-Member State, if a cooperation agreement has been concluded or if there is an essential interest in providing such assistance.

Eurojust's competence covers the same types of crime and offences for which Europol has competence, such as terrorism, drug trafficking, trafficking in human beings, counterfeiting, money laundering, computer crime, crime against property or public goods including fraud and corruption, criminal offences affecting the European Community's financial interests, environmental crime and participation in criminal organisations. For other types of offences Eurojust may assist in investigations and prosecutions at the request of a Member State.

Eurojust may ask the competent authorities of the Member States concerned:

- to investigate or prosecute specific acts;
- to coordinate with one another;
- to accept that one country is better placed to prosecute than another;
- to set up a Joint Investigation Team; or
- to provide Eurojust with information necessary to carry out its tasks.

Furthermore, Eurojust:

- shall ensure that the competent authorities inform each other on investigations and prosecutions of which it has been informed;
- shall assist the competent authorities in ensuring the best possible coordination of investigations and prosecutions;

- shall give assistance to improve cooperation between the competent national authorities, in particular based on Europol's analyses;
- shall cooperate and consult with the European Judicial Network (EJN), and make use of and contribute to the improvement of its documentary database;
- may, in accordance with its objectives, try to improve cooperation and coordination between the competent authorities, and forward requests for judicial assistance when they: (i) are made by the competent authority of a Member State, (ii) concern an investigation or prosecution conducted by that authority in a specific case, and (iii) necessitate its intervention with a view to coordinated action;
- may assist Europol, particularly with opinions based on analyses carried out by Europol; and
- may supply logistical support, e.g. assistance in translation, interpretation and the organisation of coordination meetings.

In order to carry out its tasks, Eurojust maintains privileged relationships with the EJN, Europol, the European Anti-Fraud Office (OLAF), and Liaison Magistrates. It is also able, through the Council, to conclude cooperation agreements with non-Member States and international organisations or bodies for the exchange of information or the secondment of officers.

## Structure

Eurojust is composed of 27 National Members, one from each of the European Union's Member States. These are seconded in accordance with their respective legal systems and are judges, prosecutors or police officers of equivalent competence.

Each National Member is subject to the national legislation of the appointing Member State as regards their status, which also determines the term of office, as well as the nature and extent of the judicial powers conferred on the National Member.

Several Member States have appointed Deputies and Assistants to help and replace their National Member. Some National Members are also supported in their day-to-day casework by Seconded National Experts (SNEs), who are seconded by their national authorities to assist in casework. SNEs are part of the Eurojust administration, but work closely with their National Desks.

The National Members form the College of Eurojust, which is responsible for the organisation and operation of Eurojust. Eurojust may fulfil its tasks through one or more National Members or as a College.

The College is supported by the administration. The Administrative Director is responsible for the day-to-day administration of Eurojust and for staff management.

Eurojust has established and implemented a system of thirteen teams and two consultancies, Cybercrime and Football Crime, which help National Members to make the best use of their time, skills and resources, to expedite decision-making and to better suit the changing shape and size of the organisation. This structure also allows members of the College to work together in small groups on specific topics and issues.

The teams draw on a wide range of experience and expertise from National Members, which is used to complete preparatory work on policymaking and other practical issues. These teams report and make recommendations to the College, which is responsible for taking final decisions.

The teams are composed of National Members, Assistants and SNEs, and are supported by members of the administration.

The role of the Eurojust Contact Point for Child Protection was approved by the College in January 2008 (see Chapter 2).



## ANNEX 2

"Eurojust shall be composed of one national member seconded by each Member State in accordance with its legal system, being a prosecutor, judge or police officer of equivalent competence."

The titles below refer to these functions according to Article 2(1) of the Eurojust Decision. Further information on National Members, Deputies and Assistants can be found on our website, [www.eurojust.europa.eu](http://www.eurojust.europa.eu)

### National Desks

#### Belgium



**Michèle Coninx** is Vice-President and National Member for Belgium. She is a prosecutor. She joined Pro-Eurojust in March 2001.

#### Bulgaria



**Mariana Ilieva Lilova** is National Member for Bulgaria. She is a prosecutor. She joined Eurojust in March 2007.

#### Czech Republic



**Pavel Zeman** is National Member for the Czech Republic. He is a prosecutor. He joined Eurojust in May 2004.



**Anna Richterová** is Deputy National Member for the Czech Republic. She is a prosecutor. She joined Eurojust in October 2008.



**Alice Havlíková** is Seconded National Expert for the Czech Republic. She is a prosecutor. She joined Eurojust in October 2008.

### **Left Eurojust in 2008**



**Jaroslava Novotná** was Deputy National Member for the Czech Republic from March 2007 until September 2008. She was a prosecutor.



**Katerine Weissová** was Seconded National Expert for the Czech Republic from June 2008 until September 2008. She was a prosecutor.



**Jana Zezulová** was Seconded National Expert for the Czech Republic from January 2008 until May 2008. She was a prosecutor.

### **Denmark**



**Lennart Hem Lindblom** is National Member for Denmark. He is a prosecutor. He joined Eurojust in September 2006.

### **Germany**



**Michael Grotz** is National Member for Germany. He is a prosecutor. He joined Eurojust in October 2007.



**Benedikt Welfens** is Deputy National Member for Germany. He is a prosecutor. He joined Eurojust in October 2006.



**Jörg Schröder** is Assistant to the National Member for Germany. He is a prosecutor. He joined Eurojust in January 2008.



**Veronika Keller** is Seconded National Expert for Germany. She is a prosecutor. She joined Eurojust in February 2008.

### **Left Eurojust in 2008**



**Susanne Stotz** was Assistant to the National Member for Germany from January 2005 until January 2008. She was a judge.

### **Estonia**



**Raivo Sepp** is Vice-President and National Member for Estonia. He is a prosecutor. He joined Eurojust in May 2004.



**Laura Vaik** is Seconded National Expert for Estonia. She is a prosecutor. She joined Eurojust in March 2008.

### **Ireland**



**Jarlath Spellman** is National Member for Ireland. He is a prosecutor. He joined Eurojust in June 2005.

## Greece



**Lampros Patsavellas** is National Member for Greece. He is prosecutor. He joined Eurojust in June 2005.

**Efstathios Tsirmpas** is Seconded National Expert for Greece. He is a special agent. He joined Eurojust in November 2008.

## Spain



**Juan Antonio García Jabaloy** is National Member for Spain. He is a prosecutor. He joined Eurojust in October 2006.



**María Teresa Gálvez Díez** is Deputy National Member for Spain since October 2008. She was Seconded National Expert until June 2008. She is a prosecutor. She joined Eurojust in November 2003.



**Santiago García-Noblejas** is Seconded National Expert for Spain. He is a police officer. He joined Eurojust in May 2008.

## France



**Gérard Loubens** is National Member for France. He is a prosecutor. He joined Eurojust in August 2008.



**Marie-José Aube-Lotte** is Deputy National Member for France. She is a prosecutor. She joined Eurojust in September 2006.



**Alain Grellet** is Deputy National Member for France. He is a prosecutor. He joined Eurojust in September 2007.



**Anne Delahaie** is Assistant to the National Member for France. She is a lawyer. She joined Pro-Eurojust in June 2001.

### **Left Eurojust in 2008**



**François Falletti** was National Member for France until July 2008. He was a prosecutor. He joined Eurojust in September 2004.



**Marie-Pierre Falletti** was Assistant to the National Member for France from September 2004 until July 2008. She was a lawyer.

### **Italy**



**Carmen Manfreda** is Deputy National Member for Italy. She is a prosecutor. She joined Eurojust in April 2004.



**Filippo Spiezia** is Deputy National Member for Italy. He is a prosecutor. He joined Eurojust in December 2007.

**Cristiano Ripoli** is Seconded National Expert for Italy. He is a police officer. He joined Eurojust in November 2007.

### **Left Eurojust in 2008**



**Cesare Martellino** was National Member for Italy until June 2008. He was a prosecutor. He joined Eurojust in June 2002.

### **Cyprus**



**Katerina Loizou** is National Member for Cyprus. She is a prosecutor. She joined Eurojust in September 2004.

### **Latvia**



**Gunārs Bundzis** is National Member for Latvia. He is a prosecutor. He joined Eurojust in April 2004.



**Dagmara Fokina** is Assistant to the National Member for Latvia. She is a prosecutor. She joined Eurojust in April 2004.

### **Lithuania**



**Laima Čekelienė** is National Member for Lithuania. She is a prosecutor. She joined Eurojust in March 2008.

### **Left Eurojust in 2008**



**Tomas Krusna** was National Member for Lithuania until March 2008. He was a prosecutor. He joined Eurojust in July 2006.

## Luxembourg



**Carlos Zeyen** is National Member for Luxembourg. He is a prosecutor. He joined Eurojust in September 2006.

## Hungary



**Ilona Lévai** is National Member for Hungary. She is a prosecutor. She joined Eurojust in May 2004.

## Left Eurojust in 2008



**Balázs Garamvölgyi** was Seconded National Expert for Hungary from July until December 2008. He was a prosecutor.

## Malta



**Donatella Frendo Dimech** is National Member for Malta. She is a prosecutor. She joined Eurojust in June 2004.

## The Netherlands



**Arend Vast** is National Member for the Netherlands. He is a prosecutor. He joined Eurojust in October 2007.



**Jolien Kuitert** is Deputy National Member for the Netherlands. She is a prosecutor. She was Deputy National Member from June 2002 until June 2008, and rejoined Eurojust in October 2008 as Deputy National Member.



**Thea Warmerdam** is Assistant to the National Member for the Netherlands. She is a legal assistant. She joined Eurojust in April 2008.



**Willette Smeenk** is Assistant to the National Member for the Netherlands. She is a prosecutor. She joined Eurojust in October 2008.

## Austria



**Ursula Koller** is National Member for Austria. She is a judge. She joined Eurojust in December 2005.



**Ulrike Kathrein** is Deputy National Member for Austria. She is a prosecutor. She joined Eurojust in December 2008.



**Lisa Horvatits** is Assistant to the National Member for Austria. She is a lawyer. She joined Eurojust in March 2008.

## Poland



**Mariusz Skowroński** is National Member for Poland. He is a prosecutor. He joined Eurojust in December 2005.



## Portugal



**José Luís Lopes da Mota** is President and National Member for Portugal. He is a prosecutor. He joined Pro-Eurojust in March 2001.



**António Luís Santos Alves** is Deputy National Member for Portugal. He is a prosecutor. He joined Eurojust in April 2004.



**José Eduardo Moreira Alves de Oliveira Guerra** is Seconded National Expert for Portugal. He is a prosecutor. He joined Eurojust in October 2007.

## Romania



**Elena Dinu** is National Member for Romania since January 2007. She is a prosecutor. She joined Eurojust in September 2006 as Liaison Magistrate.

## Republic of Slovenia



**Malči Gabrijelčič** is National Member for the Republic of Slovenia. She is a prosecutor. She joined Eurojust in July 2005.



**Gregor Žika Ševo** is Seconded National Expert for the Republic of Slovenia. He is a judge. He joined Eurojust in July 2008.

### **Left Eurojust in 2008**



**Jaka Brezigar** was Seconded National Expert for the Republic of Slovenia from January until July 2008. He was a judge.

### **Slovak Republic**



**Ladislav Hamran** is National Member for the Slovak Republic. He is a prosecutor. He joined Eurojust in September 2007.



**Ladislav Majerník** is Seconded National Expert for the Slovak Republic. He is a prosecutor. He joined Eurojust in October 2008.

### **Left Eurojust in 2008**



**Jana Kopernická** was Seconded National Expert for the Slovak Republic from June until September 2008. She was a prosecutor.

### **Finland**



**Ritva Sahavirta** is National Member for Finland. She is a prosecutor. She joined Eurojust in August 2008.



**Maarit Loimukoski** was National Member for Finland from August 2004 until July 2008 and rejoined Eurojust as Deputy National Member for Finland in August 2008. She is a prosecutor.



**Kaj Björkqvist** is Assistant to the National Member for Finland. He is a police officer. He joined Eurojust in December 2008.

#### **Left Eurojust in 2008**



**Taina Neira** was Deputy National Member for Finland until July 2008. She was a police officer. She joined Eurojust in December 2007.

#### **Sweden**



**Ola Laurell** is National Member for Sweden. He is a prosecutor. He joined Eurojust in September 2007.



**Annette von Sydow** is Deputy National Member for Sweden. She is a prosecutor. She joined Eurojust in September 2005.

#### **Left Eurojust in 2008**

**Leif Görts** was Seconded National Expert for Sweden from January until December 2008. He was a prosecutor.

#### **United Kingdom**



**Aled Williams** is National Member for the United Kingdom. He is a prosecutor. He joined Eurojust in July 2006.



**Phil Hicks** is Assistant to the National Member for the United Kingdom. He is a prosecutor. He joined Eurojust in June 2006.



**Vincent Lunny** is Assistant to the National Member for the United Kingdom. He is a prosecutor. He joined Eurojust in August 2008.



**Janine Wood** is Seconded National Expert for the United Kingdom. She is a prosecutor. She joined Eurojust in November 2008.

#### **Left Eurojust in 2008**



**Lynne Barrie** was Assistant to the National Member for the United Kingdom from October 2007 until August 2008. She was a prosecutor.

#### **Administrative Director**



**Jacques Vos** is Acting Administrative Director since May 2008.

#### **Left Eurojust in 2008**



**Ernst Merz** was Administrative Director. He left Eurojust in May 2008.

## Third States at Eurojust

### Liaison Prosecutors

#### Norway



**Kim Sundet** is the Liaison Prosecutor for Norway. He joined Eurojust in January 2007.

#### United States of America



**Mary Lee Warren** is the Liaison Prosecutor for the United States of America. She joined Eurojust in August 2007.



EU/US seminar on agreements between the EU and the USA, Zoetermeer, Netherlands



Strategic meeting on cybercrime, Athens, Greece



Marketing seminar, York, UK



Strategic meeting on THB and witness protection, Portorož, Slovenia





Vice-President Raivo Sepp, President José Luís Lopes da Mota, Vice-President Michèle Coninx

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