

# Investigation and prosecution of Cross-border and Organized Crimes



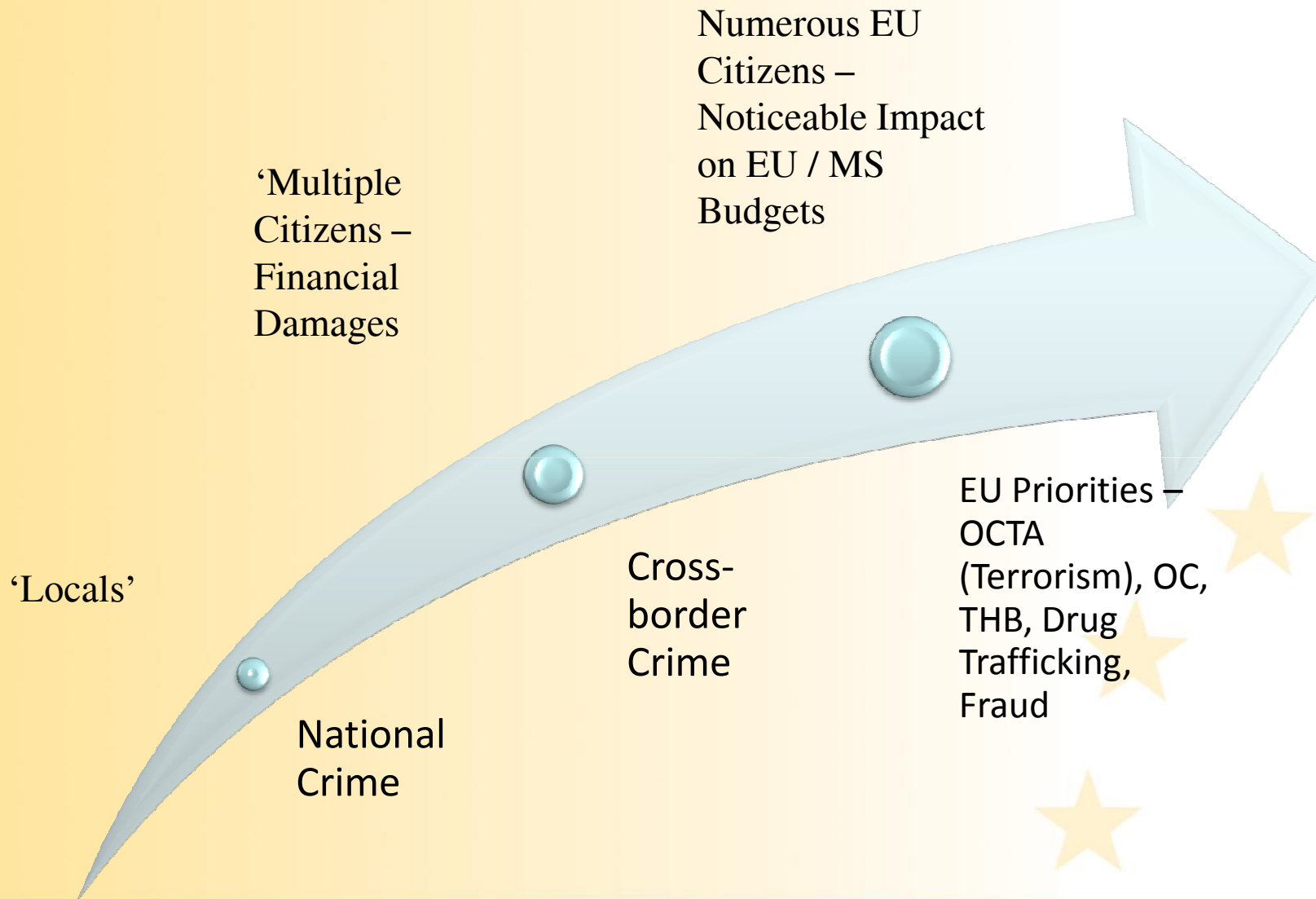
10 June 2011, Sunny Beach Bulgaria

Mariana Lilova

National Member for Bulgaria at Eurojust



# Why ?



## Actors at EU level



Eurojust



Europol



EJN



OLAF



# Actors

- Judicial Cooperation
- FD 2002, amended 2009
- EU Body

Eurojust



- Police Cooperation
- Created 1995
- 2009, new Legal Basis –EU Body

Europol



- Judicial Cooperation
- 'Informal Network'
- Created 1999

EJN



- Anti –Fraud Office
- Formalized 1999
- Part of the Commission

OLAF



# Actors

- Facilitating MLA & Extradition Requests
- Coordination of investigations

Eurojust



- 'Data-Sharing'
- Analysis
  - AWFs
  - OCTA & TESAT

Europol



- Contact Points
- Practitioner Focused
- 'Self-help'

EJN



- Crimes against the financial interest of the Union
- (Internal ) Investigations

OLAF



# Eurojust History



Nothing



2001 –  
Pro-  
Eurojust



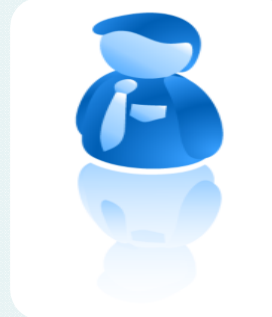
2002 –  
Eurojust  
Decision



2009 –  
Amended  
EJD



# Eurojust – Brief Introduction



European  
Judicial  
Cooperation  
Unit – 27  
National  
Members

Set up in  
2002 to  
improve the  
fight against  
serious cross-  
border  
crimes,  
especially  
when they  
are  
organised.

Coordinates  
actions  
concerning  
investigations  
and  
prosecutions.

Facilitates the  
cooperation  
between  
judicial  
authorities in  
the MS and  
third states

Centre of  
expertise in  
international  
judicial  
Criminal  
matters.



# Eurojust - Aims



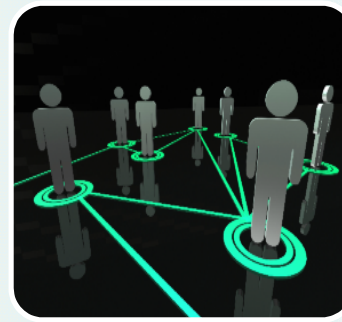
Improve co-operation between Competent Authorities in Member States

Art.3(1)(b)



Bring better co-ordination of cross-border investigations and prosecutions

Art. 3(1)(a)



Support otherwise

Art.3(1)(c)



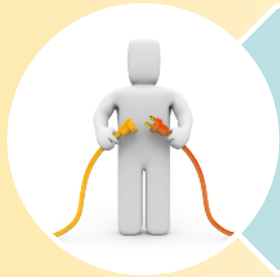
Also with 3<sup>rd</sup> States –with cooperation agreement or not

Art.3(2)





# Eurojust powers



## Powers

- Article 6 –EJ acting as NM
- Article 7 –EJ acting as a College



## 'Request'

- Undertaking of actions, coordinate, JITs
- (As College) Jurisdictional Conflicts'



## Take Action

- Ensuring coordination, information exchange
- Cooperate & consult with EJN, Eurojust, Europol

## Why Eurojust?



Removal of  
frontier  
controls in  
EU states



At least 30  
different  
legal systems



To improve  
action  
against cross-  
border crime



Existing  
Mutual legal  
Assistance &  
Extradition  
arrangement  
are often  
lengthy and  
uncertain

## Eurojust and the fight against serious organised cross-border crime

Eurojust supports cross-border investigations and prosecutions through co-operation and coordination (Art. 6 of the Eurojust Decision)

27 National Members assist their national authorities in the fight against serious organised cross-border crime by:

- Facilitating the execution of EAWs;
- Facilitating the execution of MLA requests;
- Coordinating initiatives (opening investigations, sharing information, adoption of common action plans, setting-up JITs and solving conflicts of jurisdiction, centralizing the prosecutions in one country or distributing them in different ones).



# The evolving Eurojust



Council Decision  
2002/187/JHA setting up  
Eurojust

Council Decision  
2009/426/JHA of 16  
December 2008 on the  
strengthening of Eurojust  
and amending Council  
Decision 2002/187/JHA:

- Aimed at reinforcing the fight against serious crime;
- Significant changes introduced in the legal framework of Eurojust that require substantial implementation efforts from both the Member States and Eurojust;
- Entered into force on 4 June 2009.

Implementation of the new  
Decision: Informal Working  
Group:

- Composition: Eurojust, the Trio Presidency, the Council Secretariat and the European Commission;
- Objectives: (1) to support a coordinated implementation approach between the Member States and (2) to enhance the dialogue between Eurojust and the Member States.

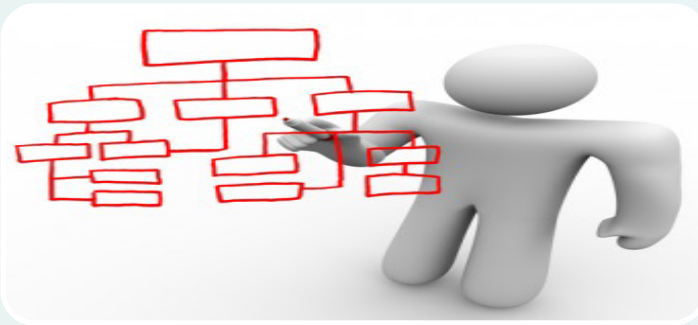


# Implementation of CD 2009/426/JHA



## On-Call Coordination (OCC):

- To receive and process requests at Eurojust at all times (be contactable 24/7);
- Member States' representatives in the OCC to be able to act 24/7.



## Setting up the Eurojust National Coordination System (ENCS):

- To be set up before 4 June 2011;
- To ensure the transmission of relevant information to Eurojust;
- To strengthen relations and operational co-operation between Eurojust and the European Judicial Network.



# Eurojust Operational Activities

According to the priorities set by the Council, Eurojust focuses on the fight against:

- Terrorism;
- Drug trafficking;
- Trafficking in human beings;
- Fraud;
- Corruption;
- Cybercrime;
- Money laundering and
- Other activities related to the presence of organised crime groups in the economy.



# Relations with Third Countries and Parties

## Liaison Prosecutors at Eurojust:

- Norway;
- Croatia;
- The United States of America.

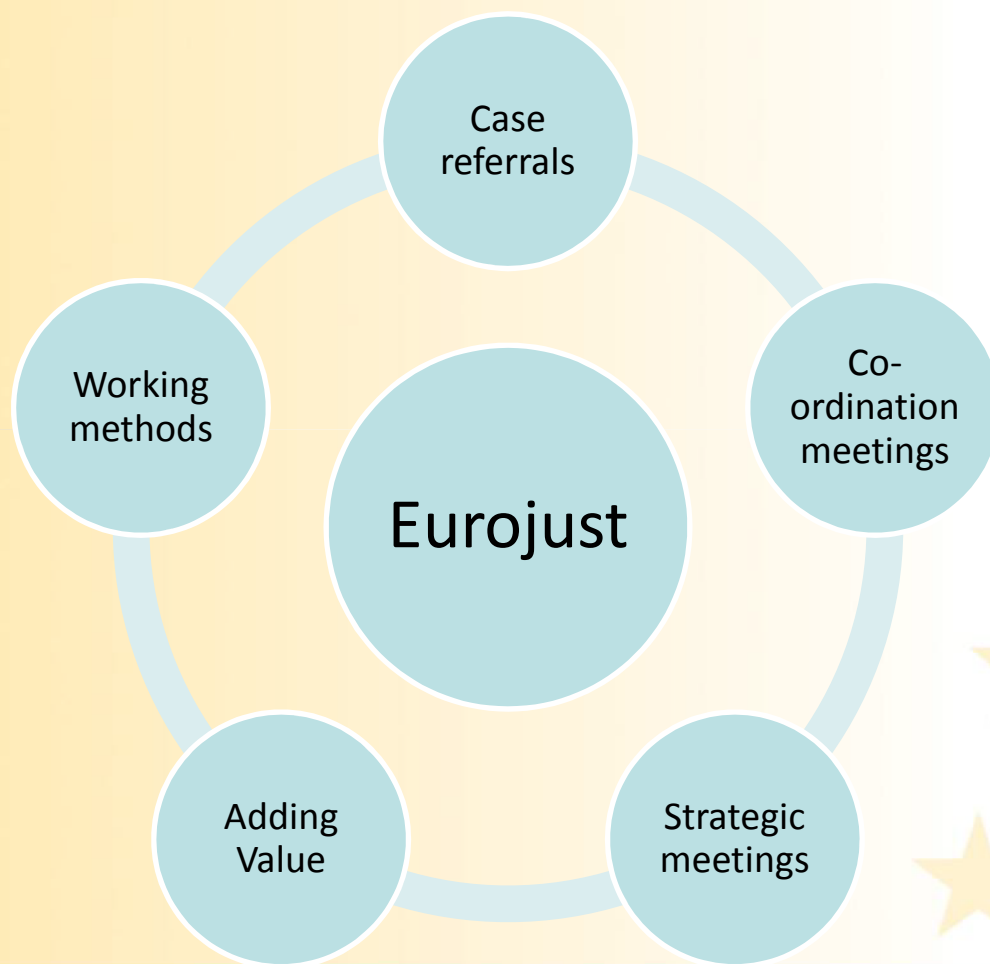
## Co-operation agreements/MoUs also with:

- Switzerland;
- FYROM;
- Iceland;
- Europol;
- European Judicial Training Network;
- OLAF;
- CEPOL;
- UNODC;
- Iber-RED.

Co-operation agreement negotiations with a number of other countries, incl. Albania



# How Eurojust Works





## Working at different levels

### Level 1

- Plenary Meeting of all 27 National Members
- Once each week

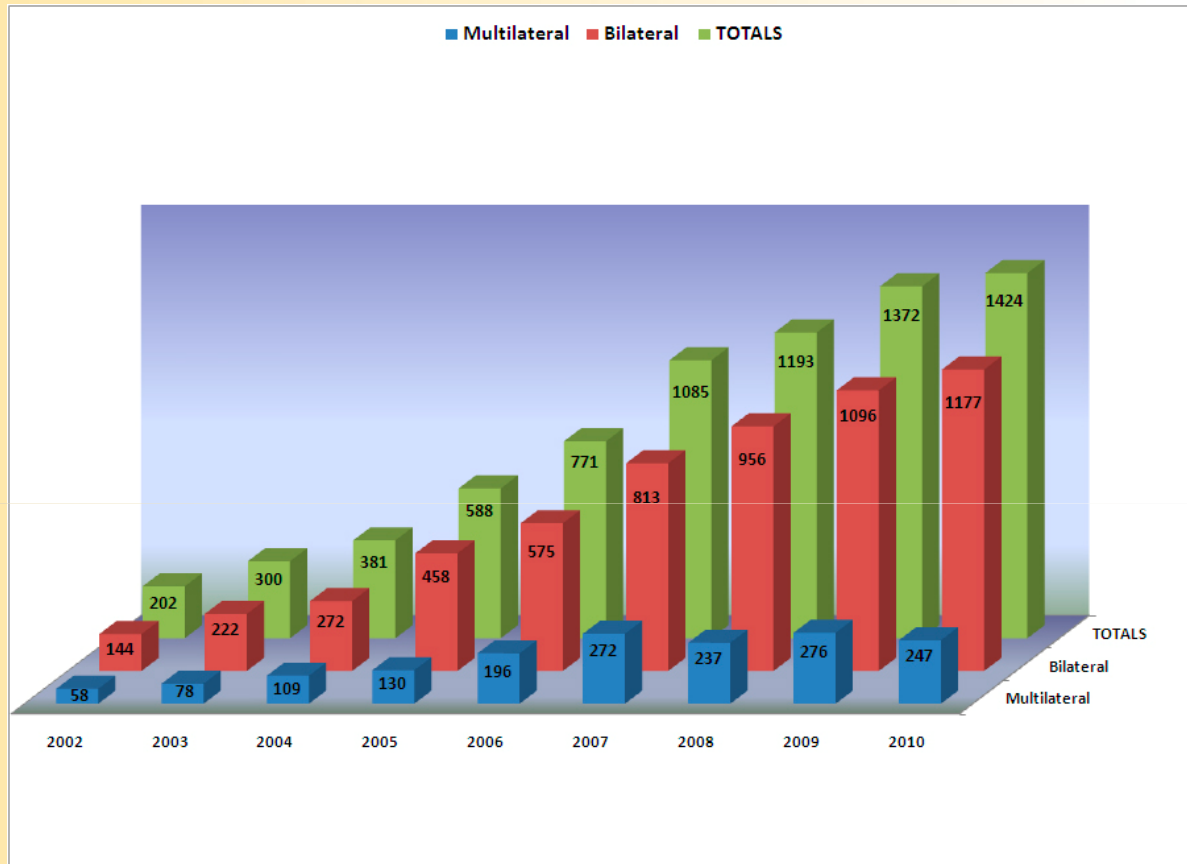
### Level 2

- Only those National Members involved in a case

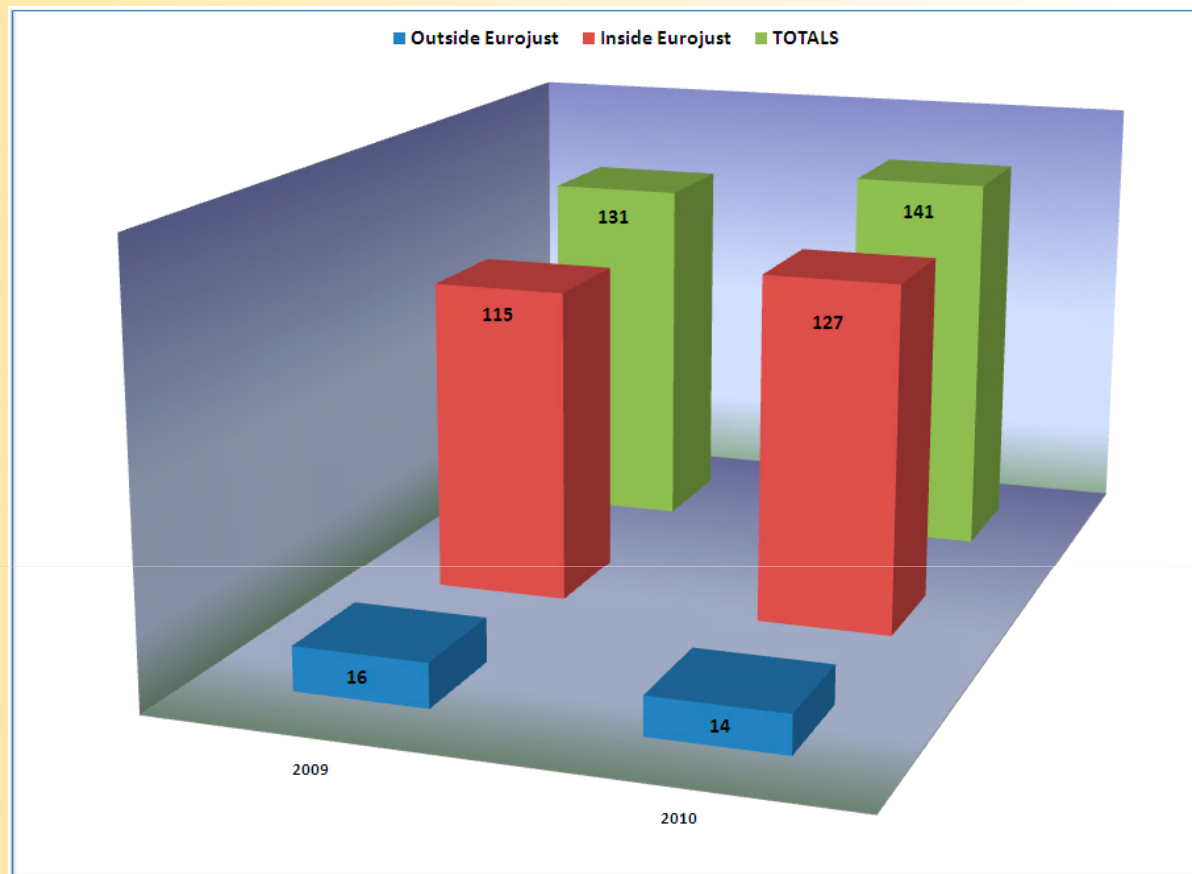
### Level 3

- Investigators & prosecutors dealing with a case

**Figure 1: Case evolution 2002 – 2010**



# Co-ordination Meetings



Thank you for your  
attention!



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