

Joint Investigation Teams – way of functioning + case studies



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Joint Investigation Teams

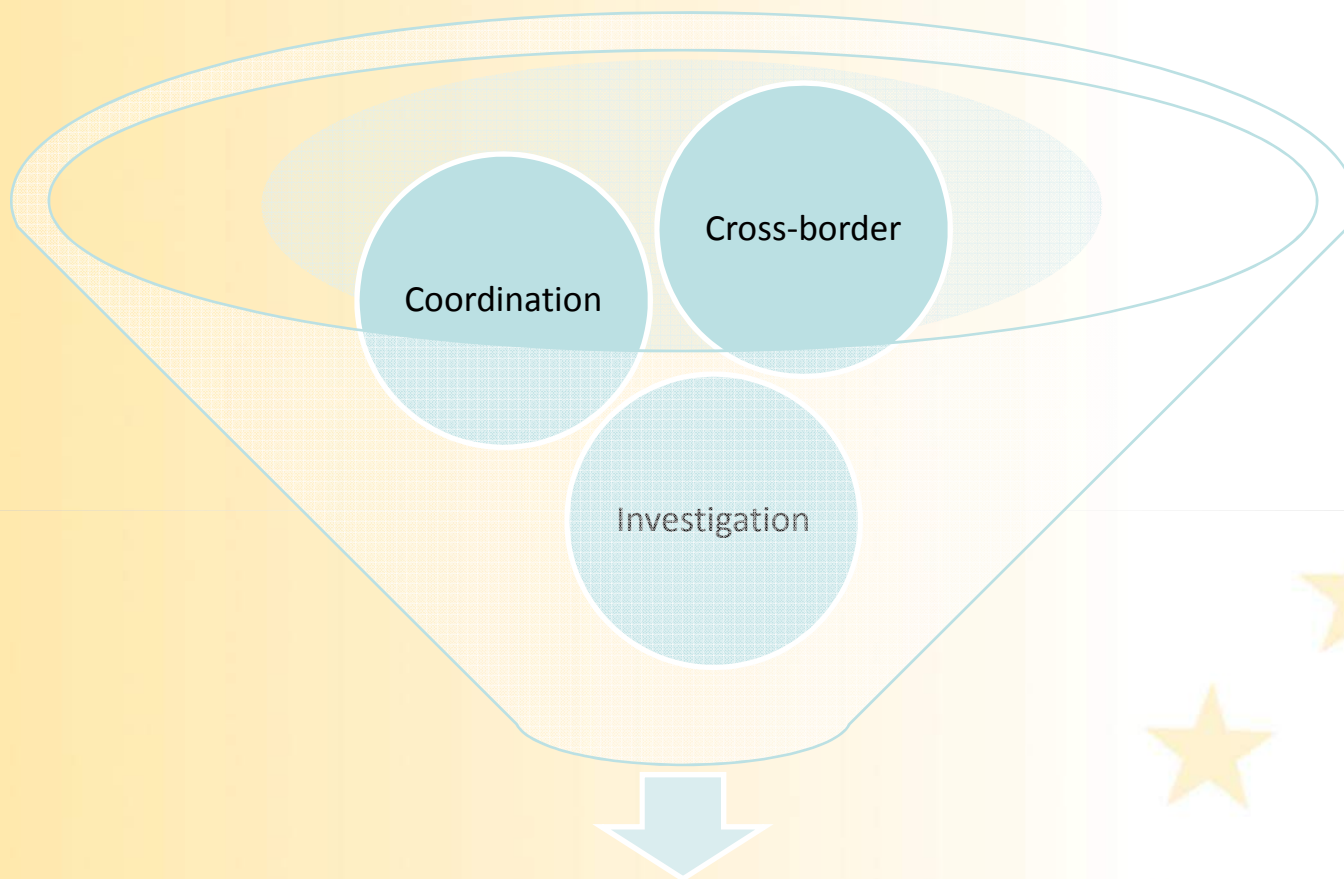
Basics

Specifics

Help

Case studies

Basics



+ Agreement = JIT

Purpose of a JIT



Reduce /
Eliminate
MLA
Requests



Swift &
Efficient
Investigations



Saving time



No
jeopardizing
of
investigation



Sharing
Information



JIT Potential

Perform actions in
other State

Request activity from
home authorities

Seconded
Officers may:

Be present during
actions

Share information from
their home authorities

The idea behind the concept of JIT



Desire to Act
concisely
against
Terrorism
and OC



MLA
Convention



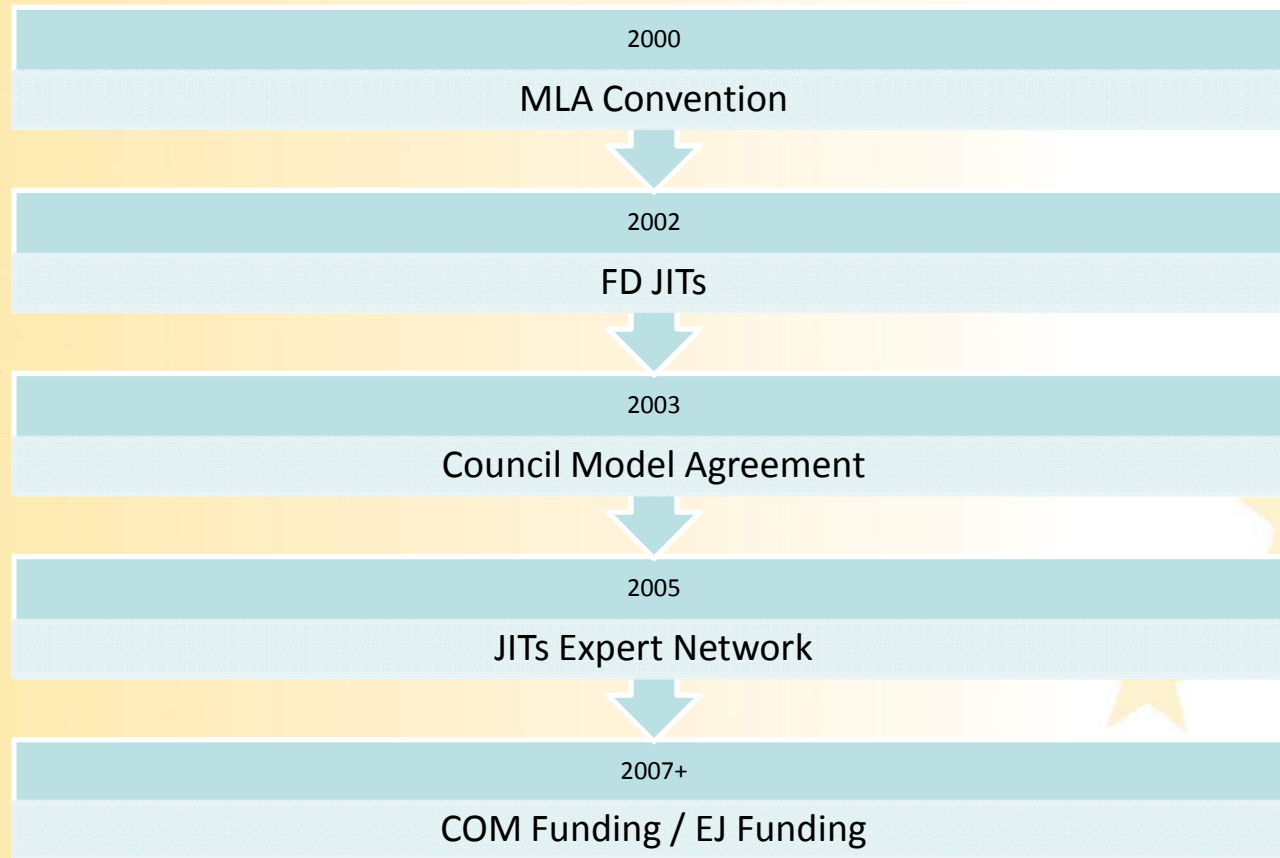
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Framework
Decision on
JITs



Evolution of JITs



Definitions



JIT = Joint Investigation Team, set-up by an agreement, for a specific purpose, for a limited amount of time

Art.13(1) MLA



Seconded Members= Members of the JIT acting / present o/s of their State

Art.13(4) MLA



Participants=Parties who are not a member of the JIT, but participating in it

Art.13(12) MLA



The Agreement

JIT Agreement

TO THE MODEL AGREEMENT ON THE ESTABLISHMENT OF A JOINT INVESTIGATION TEAM

Participants in a JIT

Agreement with Europol/Eurojust/the Commission, OLAF, bodies competent by virtue of provisions adopted within the framework of the Treaty, other international bodies or third countries

1. Parties to the arrangement

Name of the law party to the agreement that is not a Member State

Name of the law party to the agreement that is not a Member State (if there is more than one)

and

Name of the law competent agency/administration of a Member State as a party to the agreement

and

Name of the second competent agency/administration of a Member State as a party to the agreement

1. and ...

have agreed that the following persons from Member States of the parties to the agreement that are not Member States will participate in the joint investigation team, established by agreement on ... (date and place of the agreement to which this appendix is attached).

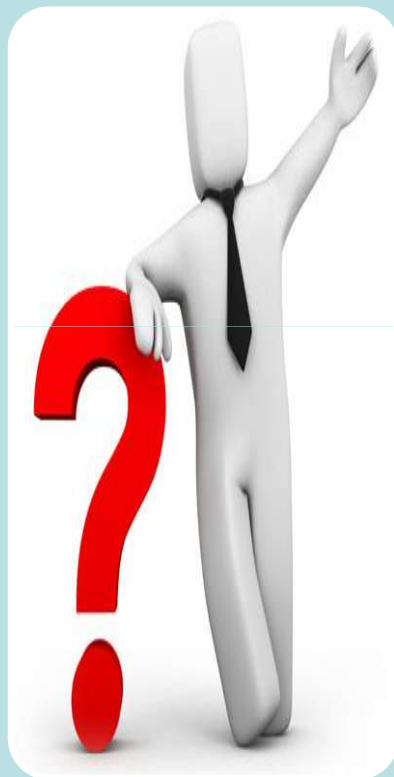
2. Participants in the JIT

The following persons will participate in the JIT:

- Parties
- Purpose of the JIT
- Duration
- Member States where it will be operational
- JIT Leader(s)
- Members of the JIT
- Europol / Eurojust participation
- Evidence
- General Conditions
- Amendments
- Costs
- Fire Arms
- Special Arrangements
- Language of communication



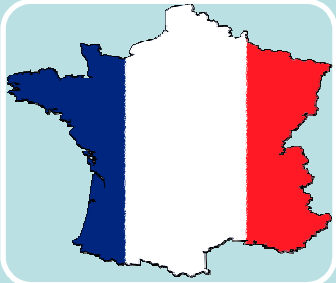
JITs Help



- [Eurojust website](#)
- [Europol website](#)
- [JIT Manual](#)
- Guide to MS Legislation
- JIT Expert Network



Bulgarian experience



In 2008 French police has found out criminal activities on French territory of an organized criminal group involving several Bulgarian citizens.



Europol has been asked to provide the French police and prosecution authorities with analytical information concerning the international dimension of that criminal network –how long and where the criminal organization has carried out criminal offences of the type concerned/skimming/.



With a close cooperation of the Bulgarian police it was found out that the Bulgarian citizens are in Bulgaria by the time being and money laundering activities on the Bulgarian territory were detected.



The French desk at Eurojust registered the case towards several EU MS and asked the Bulgarian desk for a level 2 meeting.



The questions on MLA facilitation, possible execution of EAW against the Bulgarian citizens were discussed. The competent Bulgarian prosecutor's office was identified, the MLA request was respectively transmitted and its execution was ordered. The presence of French officials was asked to be permitted during the MLA execution in Bulgaria.



Immediately after the execution of the requested seizures in Bulgaria EAW procedures were launched and the suspects were arrested. There was enough evidence found to launch an investigation in Bulgaria on money laundering as well as for charging the suspects with money laundering under the Bulgarian case. The operation was provided with the technical support of Europol.



Meanwhile the French authorities found out that 2 Bulgarian citizens have been sentenced in two of EU countries involved for some of offences committed in their territory. At the same time the French authorities after the consultation with the French desk at Eurojust recognized the need to establish a JIT with the Bulgarian authorities.

The idea was consulted with the Bulgarian desk at Eurojust and a coordination meeting level 3 was scheduled at Eurojust in order to discuss the frame of the future JIT.

During the level 3 meeting information on the state of play of the French and Bulgarian investigations was exchanged and the text of the draft JIT agreement was discussed and agreed. The draft was sent to the French MoJ as far as the provisional principal approval was needed . After the provisional approval the next meeting was organized in Bulgaria and the agreement was signed by the competent French and Bulgarian authorities. Under the JIT agreement FR and BG authorities collected and analyzed evidence and planned the future activities.



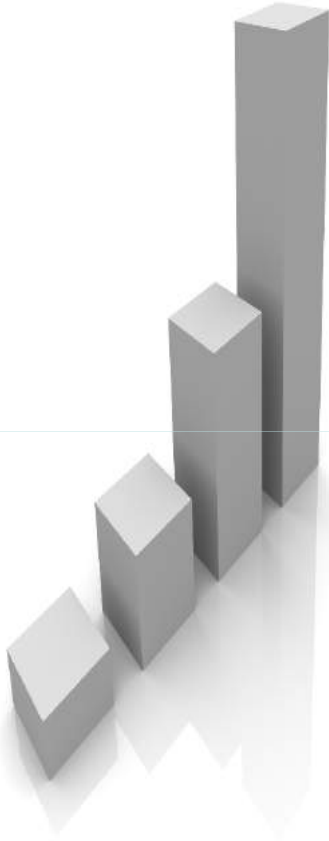


Before being surrendered to France the suspects were charged also under the BG investigation with money laundering. For the need of confiscation provided by the Bulgarian Penal Code the BG authorities took the necessary measures for freezing property and assets of the suspects in Bulgaria



4 Annexes to the initial JIT agreement were consulted and exchanged through Eurojust, as well as additional consultations , information on the case and additional request for surrender.

Conclusions on the case



- **Fast exchange of evidence without MLA requests**
- Permanent consultation due to the presence of French /Bulgarian prosecutors at Eurojust at the same time and place
- Flexible use of procedural terms on both French and Bulgarian investigations
- Technical support by Europol even if not mentioned further in the JIT agreement
- Gathering evidence in a relatively short time
- Logistical and financial support from Eurojust





SPANISH / BULGARIAN JIT

- Forged euro banknotes were apprehended in Spain.
- Their origin was traced to Bulgaria.
- Spain registered a case in Eurojust.
- It turned out that Bulgarian authorities are already investigating an OCG producing those same forged euro banknotes.



Establishment of the JIT

- With the assistance of Europol and Eurojust a mutual decision was reached for the establishment of a Spanish/Bulgarian JIT.
- Primary objectives:
 - Locating the printer
 - Tracing the BITMAP code
 - Finding the print-shop for offset printing of banknotes
 - Revealing and gathering evidence for the criminal activity of the OCG and its dismantling.



Methods of investigation:

Listing the members of the OCG in both states.

Creating circumstances for infiltration into the OCG and usage of undercover officers and special intelligence means.

Verification of the incoming information.

Information exchange within the JIT and coordinated teamwork.

Analysis of the incoming information from the investigation under the supervision of the Prosecutor's Offices in both states.



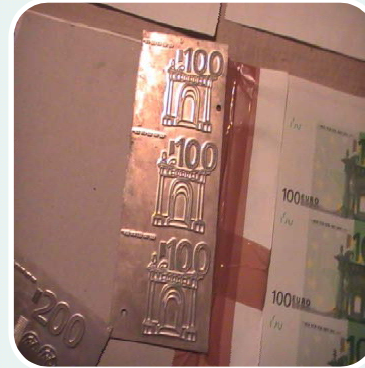
Realization:



On 24.06.2009 a decision in the JIT for neutralization of the OCG was taken



The realization was made on 24 and 25.06.2009 in Bulgaria and Spain.



Arrests and house searches were made simultaneously in both countries , which lead to equally good results

- 17 persons arrested in BG
- 5 persons arrested in ES



Thanks to the successful coordination more than 500 000 forged EURO banknotes with face value of 100, 200 and 500 were seized





Many sheets of paper with images of banknotes with different face value in various making phases/ cutting, putting hologram signs, printing serial numbers on the banknotes/.



Paper and foil for forged money were seized.



Conclusion



The establishment of the JIT, facilitated by Eurojust and Europol, working in both EU member states simultaneously, gave the opportunity to dismantle the OCG having its criminal activities across borders.



Only the joint work and efforts of the law enforcement on international level and close cooperation at the judicial level can oppose the increased growth of OCGs acting worldwide.



The JIT is one of the most advanced tools that can be used from the law enforcement units, providing speed for the investigation and firm evidences that can be used by the partners in the JIT.



Eurojust has the means to facilitate and fund JITs thus to help the proactive investigation of international OCGs





- The considerations of JIT establishment started at different stages of investigations
- Although the idea for establishment of the JITs was initiated from different authorities, the outcome was positive in both cases-the criminal groups were dismantled and an evidence admissible in all the countries-participating in the JITs was gathered
- There were no problems neither with the leadership, nor with the media, because the information was given to them in the frame of limits which were “healthy” for the investigations



Earlier involvement of Europol and Eurojust in the JIT establishment

- Can ensure close contacts between the competent national law enforcement and judicial authorities,
- Can contribute to avoiding possible conflicts of jurisdictions
- Can provide the investigations with better results

Recently several JITs were established to deal with THB and drug trafficking cases

THB and drug trafficking cases are the ones which are most suitable crime types areas for the establishment of JITs

Cooperation with third-countries is useful in trafficking cases.

An added value could be brought for all the countries involved.



Thank you for your
attention!



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