Investigation and prosecution of Cross-border and Organized Crimes

10 June 2011, Sunny Beach Bulgaria
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Why?

Numerous EU Citizens – Noticeable Impact on EU / MS Budgets

‘Multiple Citizens – Financial Damages

‘Locals’

Cross-border Crime

National Crime

EU Priorities – OCTA (Terrorism), OC, THB, Drug Trafficking, Fraud
Actors at EU level

- Eurojust
- Europol
- EJN
- OLAF
Actors

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

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

**EJN**
- Judicial Cooperation
- ‘Informal Network’
- Created 1999

**OLAF**
- Anti-Fraud Office
- Formalized 1999
- Part of the Commission
Actors

- **Eurojust**
  - Facilitating MLA & Extradition Requests
  - Coordination of investigations

- **Europol**
  - ‘Data-Sharing’
  - Analysis
    - AWFs
    - OCTA & TESAT

- **EJN**
  - Contact Points
  - Practitioner Focused
  - ‘Self-help’

- **OLAF**
  - Crimes against the financial interest of the Union
  - (Internal) Investigations
Eurojust History

- 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 cooperation between Competent Authorities in Member States
  - Art.3(1)(b)

- Bring better coordination of cross-border investigations and prosecutions
  - Art. 3(1)(a)

- Support otherwise
  - Art.3(1)(c)

- Also with 3rd 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**


- 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

- Case referrals
- Working methods
- Co-ordination meetings
- Adding Value
- Strategic meetings
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

- Outside Eurojust: 115 in 2009, 127 in 2010
- Inside Eurojust: 16 in 2009, 14 in 2010
- TOTALS: 131 in 2009, 141 in 2010
Thank you for your attention!

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