

INSTRUMENTS OF THE **EUROPEAN UNION** IN FIGHTING **ORGANIZED CRIME**



Jelena Babić Barnes



BCSP Belgrade Centre
for Security Policy

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List of abbreviations and acronyms

AFIS	Anti-Fraud Information System
CEPOL	European Union Agency for Law Enforcement Training
CoEU	Council of the European Union
COSI	Standing Committee on Operational Cooperation on Internal Security
CSO	Civil Society Organisations
DG	Directorates General
DG HOME	Directorate-General of the European Commission: Migration and Home Affairs
EAW	European Arrest Warrant
EC	European Commission
EC3	European Cybercrime Centre (EC3)
ECA	European Court of Auditors
ECRIS	European Criminal Records Information System
ECRIS	TCN - European Criminal Record Information System for Third Country Nationals
ECTC	European Counter Terrorism Centre
EDPS	European Data Protection Supervisor
EEAS	European External Action Service
EES	European Entry/Exit System
EIO	European Investigation Order
EIS	Europol Information System
EJCN	European Judicial Cybercrime Network
EJN	European Judicial Network in Criminal Matters
EMCDDA	European Monitoring Centre for Drugs and Drug Addiction
EMPACT	European Multidisciplinary Platform against Criminal Threats
EMSC	European Migrant Smuggling Centre
EP	European Parliament
EPE	Europol Platform for Experts
EPPO	European Public Prosecutor's Office
ETIAS	European Travel Information Authorization System
EU	European Union
EU MS	European Union Member States
EUCPN	European Crime Prevention Network

eu-LISA	European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice
EUROJUST	European Union Agency for Law Enforcement Cooperation
EUROPOL	European Union Agency for Law Enforcement Cooperation
EUROSUR	European Border Surveillance System
FRONTEX	European Border and Coast Guard Agency
iOCTA	Internet Organised Crime Threat Assessment
IPA	Instrument for Pre-Accession Assistance
IPC3	Intellectual Property Crime Coordinated Coalition
ISF	Internal Security Fund
JHA	Justice and Home Affairs
JITs	Joint Investigation Teams
JPSG	Joint Parliamentary Scrutiny Group
LIBE	Committee on Civil Liberties, Justice and Home Affairs of the European Parliament
MASPs	Multi-Annual Strategic Plans
NCC	National Coordinator Centre
NEC	National EMPACT Coordinator
OAPs	Operational Action Plans
OC	Organised crime
OCTA	Organised Crime Threat Assessment
OGS	Organised criminal groups
OLAF	European Anti-Fraud Office
PIUs	Passenger Information Units
PNR	Passenger Name Records
REITOX	European Information Network on Drugs and Drug Addiction
SIENA	Secure Information Exchange Network
SIRENE	Supplementary Information Request at the National Entry
SIS	Schengen Information System
SOC	Serious Organised Crime
SOCTA	Serious and Organised Crime Threat Assessment
TFEU	Treaty on the Functioning of the European Union
VIS	Visa Information System
WB	Western Balkans

Introduction

The educational policy study “EU Anti-OC Instruments” is currently implemented by the Belgrade Centre for Security Policy as part of the project “Western Balkans Organised Crime Radar (WB-OCR)”, which aims to bridge the gap between the commitments made by the governments of the Western Balkans Six (WB6) in relation to tackling organised crime (OC) and the lacklustre performance of their policies on the ground.

The educational policy study presents to the wider public basic and up-to-date background information on policies, legislation, and institutional frameworks in which the EU conducts its anti-OC efforts.

The educational policy study is divided into three parts. The first chapter represents a short overview of the main EU anti-OC priorities and policies for the period 2018-2021. The following two chapters allow the reader to get acquainted with the EU institutional framework in the fight against OC and the main instruments the EU has developed to date. These instruments have been developed to help identify and overcome threats posed to the EU by serious and organised crime and strengthen cooperation between the EU Member States.

For each of the presented and explained institutions, instruments and policy solutions, the author has conducted a thorough review of EU legal acts that are in force in the Justice and Home Affairs policies of the EU. A review of the extensive research literature has been carried out as well, and recommendations for further reading on these topics are provided in the chapter “Reading List”, which represents an integral part of the policy study.

After each backgrounder, readers are provided with a list of official legislative frameworks connected with the respective institutions/instruments, and with official websites of these institutions and guidelines that could prove helpful for further research on these topics, such as programming documents, annual reports, infographics, statistical data and much more.

For further study, a set of three questions on the presented topic are also provided at the end of each backgrounder. They can serve as a starting point for devising a short test for interns and students, or as trivia for colleagues and friends who are interested in learning more about EU policies in the area of Justice and Home Affairs (JHA), with an emphasis on those dedicated to fighting organised crime.

Whatever you choose to do, we truly hope that you will find this short overview of EU anti-organised crime policies useful and helpful in your professional, academic or private endeavours.

Thank you for joining us on this short adventure through the main EU Anti-OC Instruments!

Author

EU Anti-OC Priorities

The EU anti-OC priorities 2018-2021

Since 1999, the aim of the EU has been to create an area of freedom, security and justice, and the objectives for the achievement of this priority are set in Title V of the Treaty of the Functioning of the European Union (TFEU). The area of freedom, security and justice was created to ensure free movement of persons and offer a high level of protection to its citizens. The policy areas under this priority include management of the EU's external borders, judicial cooperation in civil and criminal matters, police cooperation, asylum, immigration policies and fight against crime. The fight against crime focuses especially on terrorism, organised crime, cybercrime, sexual exploitation of children, trafficking in human beings and illegal drugs.

Within this context, in 2018 the EU prepared and adopted actions and steps to tackle organised crime (OC) which poses a serious threat to citizens, businesses, economy and the European society in general. These actions and steps provide an adequate response to the complexity of the situation and the diversity of threats facing the EU.

The Council Framework Decision of October 24, 2008 on the fight against organised crime (2008/841/JHA), defines organised crime as "structured association, established over a period of time, of more than two persons acting in concert with a view to committing offences which are punishable by deprivation of liberty or a detention order of a maximum of at least four years or a more serious penalty, to obtain, directly or indirectly, a financial or other material benefit."

The EU has developed strategic and legal frameworks to face OC challenges and has established specialised agencies to enhance cooperation between law enforcement, judicial and other competent authorities of EU Member States.¹

In 2018, the EU adopted the second multi-annual methodology entitled "The Policy Cycle", which coordinates measures that need to be implemented to fight serious and organised crime. The Policy Cycle is adopted for a period of four years to address the criminal threats the EU is facing and convert them into operational actions. The first four-year Policy Cycle was implemented in 2014-2017, and in May 2017 the Council of the European Union (CoEU) adopted Council Conclusions setting the EU's priorities to combat serious and organised crime in the period 2018-2021.

These Conclusions identify 10 EU priorities in the area of serious and organised crime for 2018-2021:

1. Cybercrime;
2. Trafficking in narcotics;
3. Smuggling of people into the EU;
4. Organised theft and burglary;

¹ Examples include EUROJUST - European Union Agency for Law Enforcement Cooperation, EUROPOL - European Union Agency for Law Enforcement Cooperation and CEPOL - European Union Agency for Law Enforcement Training. Additional information about these EU agencies are available on pages 11-17.

5. Smuggling of people within the EU;
6. Excise and VAT fraud;
7. Firearms trafficking;
8. Environmental crime;
9. Money laundering; and
10. Document fraud.

Identification of these criminal threats as priorities is based on intelligence and has been agreed upon at the political level, while emerging threats are constantly monitored in order to formulate an EU response.

How EU Policy Cycle works (EMPACT)

The Policy Cycle consists of four main steps. After EUROPOL presents one of its flagship reports – Serious and Organised Crime Threat Assessment (SOCTA)² and recommendations for action based on identified and assessed threats in the area of serious and organised crime, the Justice and Home Affairs (JHA) Ministers in the Council of the EU (CoEU) develop Multi-Annual Strategic Plans to set the basis for operational activities. These activities are implemented through annual Operational Action Plans in coordination with Member States and EU institutions and agencies. The Plans are regularly assessed by the CoEU to measure their achievements, while the European Commission performs a final independent evaluation at the end of a Policy Cycle.

What is EMPACT?

EMPACT is an *ad hoc* management environment for the development of activities, which helps to achieve the objectives and goals set in the Policy Cycle to fight serious and organised crime.

EMPACT is structured so as to:

- Ensure effective cooperation between Member States, law enforcement agencies, EU Institutions, agencies, bodies and relevant third parties;
- Address the prioritised threats of organised and serious international crime.

QUESTIONS:

1. How many priority areas are listed in the EU Policy Cycle 2018-2020?
2. How many steps are there within the EU Policy Cycle?
3. What is EMPACT?

² Additional information on SOCTA is available on page 27.

ONLINE RESOURCES:

[EU Policy Cycle Terms of Reference](#)

[Council conclusions on setting the EU's priorities for the fight against organised and serious international crime between 2018 and 2021](#)

[The EU fight against organised crime – official website of the Council of the EU](#)

[Infographic - EU fight against organised crime: 2018-2021](#)

[EU Policy Cycle – EMPACT – Official website of EUROPOL](#)

[2018 EMPACT Results](#)

EU Anti-OC Institutional Framework

European Commission: Directorate-General Migration and Home Affairs

The Directorate-General Migration and Home Affairs (DG HOME) is one of the 33 Directorates General (DG) of the European Commission (EC) organised as policy departments. This particular DG prepares and monitors the application of rules and practices at the EU level to increase cross-border cooperation on asylum, migration, border control, organised crime and terrorism.

The scope of work of DG Migration and Home Affairs aims at building an open and safer Europe so that people can live and work in a stable, lawful and secure environment and where the rights and security of both EU citizens and non-EU nationals are guaranteed.

What are the main areas of DG HOME work?

The work of DG Migration and Home Affairs is shaped around four main areas:

- **Building a common EU migration and asylum policy.** Work in this area is directed toward the development of a balanced and comprehensive EU migration policy aligned with the [Europe 2020 Strategy](#). Activities are dedicated to the creation of a wide set of rules concerning legal migration at the EU level, addressing irregular migration and trafficking in human beings and setting up a Common European Asylum System.³
- **Ensuring EU security.** Work in this area helps to build a safer Europe by fighting terrorism and organised crime, promoting police cooperation and preparing to swiftly respond to emerging crises. The EU actions include creating stricter rules against illicit trafficking of firearms, trafficking in human beings, and the revision of legislation on combating sexual abuse of children, sexual exploitation and child pornography.
- **External dimension and funding of the EU home affairs policy.** Work in this area is dedicated to the promotion of dialogue and cooperation with non-EU countries by working in partnership and jointly tackling common challenges. The goal is to strengthen the EU position as a reliable, active and pragmatic global player. The DG manages financial instruments that support concrete actions in home affairs.
- **Europe for Citizens.** By participating in this Programme, DG HOME contributes to citizens' understanding of the EU and enhances conditions for civic and democratic participation at the EU level.

³ Additional information about the Common European Asylum System is available at: https://ec.europa.eu/home-affairs/what-we-do/policies/asylum_en, accessed on May 7, 2020.

Each of these areas consists of specific policies that deal with:

- Legal migration and integration;
- Irregular migration and return;
- Common European asylum system;
- Schengen, borders and visas;
- Innovation and industry for security;
- Organised crime and human trafficking;
- Cybercrime;
- Crisis and terrorism;
- Police cooperation; and
- International affairs.

How is DG HOME organised and managed?

Each of the DGs, including Migration and Home Affairs, is headed by a Director General who is responsible to the relevant Commissioner in the EC appointed to a five-year term. DG HOME has six Directorates dealing with specific policy topics that fall under their purviews, specifically: Strategy and General Affairs; Borders, Interoperability and Innovation; Migration, Protection and Visa; Law Enforcement and Security; Migration and Security Funds, Financial Resources; and Financial Audit, Data Management and Risk Assessment.

The full Organisational Chart of the DG Migration and Home Affairs is available [HERE](#).

Also, the EU has established decentralised agencies in the area of home affairs in order to help EU Member States and their citizens with certain tasks and provide information and advice. These agencies – the European Border and Coast Guard Agency (FRONTEX); the European Union Agency for Law Enforcement Cooperation (EUROPOL); the European Union Agency for Law Enforcement Training (CEPOL); the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA); and EU Agency for large-scale IT systems, i.e. eu-LISA – also conduct activities related to preparing and taking decisions, overseeing operations and supporting policymaking.

Under the auspices of the DG HOME, there are several networks whose members can exchange views and information on specific home affairs policies, such as the Civil Society Forum on Drugs, the European Migration Forum, the European Migration Network, the Radicalisation Awareness Network and the Critical Infrastructure Warning Information Network. Members of the networks range from representatives of national administrations to representatives of civil society organisations (CSOs) and individual persons.

The budget for Home Affairs in the period 2014-2020 amounts to €10.52 billion. The largest part of these resources, €6.9 billion, supports the activities of the Asylum, Migration and Integration Fund and the Internal Security Fund, which finance actions supporting EU Home Affairs policies. The remainder of the funds €2.36 billion is reserved for the funding of the Home Affairs Agencies.

DG HOME and the Western Balkans

In relation to WB6, DG HOME carries out several important tasks and activities, which include: management of visa facilitation agreements; facilitation of border management cooperation between WB6 and the European Border and Coast Guard Agency (FRONTEX); effective border management; irregular migration and fighting migrant smuggling; activities related to counter-terrorism such as support of the network of counter-terrorism/security experts in EU delegations and operational cooperation through EU Agencies: European Union Agency for Law Enforcement Cooperation (EUROPOL), the European Union Agency for Law Enforcement Training (CEPOL); and the European Union's Agency for Criminal Justice Cooperation (EUROJUST).

QUESTIONS:

1. What is the scope of work of the Directorate General Migration and Home Affairs?
2. Name at least five different policies DG Migration and Home Affairs is in charge of.
3. Which two funds support the actions of EU Home Affairs policies?

ONLINE RESOURCES:

[Official website of DG Migration and Home Affairs](#)

[European Agenda on Migration](#)

[European Agenda on Security](#)

[Securing EU borders](#)

[Ylva Johansson, Commissioner, Home Affairs](#)

[Official DG Migration and Home Affairs Twitter page](#)

Committee on Civil Liberties, Justice and Home Affairs of the European Parliament (LIBE)

The Committee on Civil Liberties, Justice and Home Affairs (LIBE) is one of the 20 specialised standing committees of the European Parliament (EP). The mandate of the committees is to instruct the legislative proposals by preparing and adopting reports, proposing amendments on various acts discussed at the EP Plenary sessions and appointing teams to negotiate relevant legislation with the Council of the EU (CoEU). Moreover, on their own initiative these committees can adopt reports, organise different hearings with experts on specific topics, and analyse the work of other EU bodies and institutions.

The LIBE Committee is in charge of the legislation and democratic oversight of policies that enable the EU to create, improve and enhance the area of freedom, security and justice.

What are LIBE's main activities?

The specific activities and tasks of the LIBE Committee, defined in the Rules of Procedure of the EP, encompass:

- Ensuring full respect of the Charter of Fundamental Rights in EU territory;
- Further development of the area of freedom, security and justice, with special emphasis on measures related to:
 - Entry and movement of persons, asylum and migration;
 - Integrated management of the common borders;
 - Police and judicial cooperation in criminal matters, including terrorism; and
 - Development of a more coherent EU approach to criminal law;
- Responsibility for decentralised EU agencies in the area of home affairs (EMCDDA, EUROPOL, EUROJUST, and CEPOL), the Agency for Fundamental Rights, the European Public Prosecutor's Office, as well as other bodies and agencies in the same area.

How does LIBE work?

The LIBE Committee has 68 members and 66 substitute members, who elect a committee Chair and three Vice-Chairs from amongst themselves.

The full list of the Committee's members is available [HERE](#).

The Committee operates by interacting daily with the European Commission, the Council of the EU and in close cooperation with national Parliaments. Regular exchanges also take place with representatives from the judiciary, law-enforcement authorities, the EU justice and home affairs agencies, academics and the civil society.

All meeting documents, voting history and meeting minutes, as well as either streams or video recordings of meetings can be found on the official LIBE committee website. The site also offers a library of the Committee's documents and different events such as hearings, workshops and meetings with national Parliaments.

Since members of the LIBE committee are members of the EP, i.e. they are directly elected by citizens in EU Member States, the Committee strives to build a fruitful dialogue with all interested parties and particularly with citizens.

LIBE and the Western Balkans

In relation to WB6, besides taking an active part in EP activities regarding the enlargement policy, members of the LIBE Committee provide amendments, recommendations and reports to the CoEU related to the agreement between the EU and WB6 on actions carried out by the agencies in the area of home affairs (e.g. FRONTEX, EUROJUST). The Committee also closely monitors the progress of WB6 in policies that fall within its purview.

QUESTIONS:

1. What are the main tasks and activities of the European Parliament committees, including LIBE?
2. What are the measures that the LIBE Committee is undertaking in the area of freedom, justice and security?
3. Of which political group in the European Parliament is Chair of the LIBE committee a member?

ONLINE RESOURCES:

[Official website of the LIBE Committee](#)

[Rules of Procedures of European Parliament](#)

[Official website of the European Parliament](#)

Standing Committee on Operational Cooperation on Internal Security (COSI)

The Standing Committee on Operational Cooperation on Internal Security (COSI) is one of the preparatory bodies of the Council of the European Union (CoEU), which was established by Article 71 of the Treaty on the Functioning of the European Union (TFEU) and a separate Decision of the CoEU in 2010. COSI's objective is to facilitate, promote and strengthen the coordination of operational cooperation of EU Member States in the field of internal security. The concept of internal security encompasses addressing threats that have a direct impact on the lives, safety and well-being of the citizens (from crime prevention to natural and man-made disasters such as forest fires, earthquakes, floods and storms), where cooperation of law-enforcement and border authorities, judicial authorities and other services (health, social and civil protection sectors) is essential.

What are COSI's main activities?

To achieve this objective, COSI's activities are directed towards:

- Ensuring effective operational cooperation on EU internal security matters, including in areas covered by police and customs cooperation, border control and judicial cooperation in criminal matters;
- Evaluating the general direction and efficiency of operational cooperation; and
- Assisting the CoEU in reacting to terrorist attacks, or natural or man-made disasters, in line with the "[Solidarity clause](#)" set by TFEU in its Article 222.

Justice and Home Affairs Council of the European Union

The Justice and Home Affairs Council (JHA Council) is one of the 10 configurations of the Council of the European Union (CoEU), composed of the Ministers of Justice and/or Home Affairs of the EU Member States. The Justice and Home Affairs Council usually meets every three months and is devoted to developing cooperation and common policies on various cross-border issues, aiming to build an area of freedom, security and justice across the EU.

The Council is responsible for judicial cooperation in civil and criminal matters, asylum and immigration policies, civil protection and the fight against serious and organised crime and terrorism. The Council also deals with topics involving the Schengen area and civil protection. Ministers of justice cover judicial cooperation in both civil and criminal matters and fundamental rights, while ministers of home affairs are responsible, among other things, for migration, border management and police cooperation.

Together with the European Parliament, the Council adopts legislation aiming to ensure fundamental rights, securing free movement of people within the EU, and offering citizens a high level of protection.

How does COSI work?

Members of the COSI are officials of each EU Member State, coming from the Ministry of Justice or the Ministry of Interior, as well as representatives of the European Commission and the European External Action Service (EEAS). Along with representatives of other relevant bodies and institutions, representatives of the EU Agencies – EUROPOL, EUROJUST, FRONTEX and CEPOL can take part in COSI meetings as observers.

COSI is not involved in the preparation of legal acts, nor does it have a mandate to conduct operations which remain the responsibility of EU Member States.

COSI submits to the Council of the EU reports on activities that have been carried out, which are then forwarded to the European Parliament and the national Parliaments.

COSI and the Western Balkans

COSI's work regarding WB6 is interconnected with the work of the Political and Security Committee, another preparatory body of the CoEU. These two committees work together on tightening the links between the internal and external security of the EU (which incorporate strategies, policies and activities of EU in foreign and security policy – promoting peace and stability and cooperating with other countries and international organisations to overcome joint threats and challenges). The goal of the activities of these two bodies is to develop and enhance cooperation in the field of security and fight against organised crime in the WB6. They also advance the work of regional initiatives already in place in the WB to address common challenges in the areas of security and rule of law.

QUESTIONS:

1. The Standing Committee on Operational Cooperation on Internal Security (COSI) is a preparatory body of which EU institution?
2. Who are the members of the COSI?
3. Does COSI participate in the legislation procedure of the EU?

ONLINE RESOURCES:

[Official website of the COSI](#)

[Council Decision of 25 February 2010 on setting up COSI](#)

[Report to the European Parliament and national Parliaments on the proceedings of the COSI for the period July 2017 - December 2018](#)

[Official website of the Council of the European Union](#)

European Union Agency for Law Enforcement Cooperation (EUROPOL)

The European Union Agency for Law Enforcement Cooperation – EUROPOL supports Member States in preventing and combating all forms of international and organised crime, cybercrime and terrorism. Acting as the principal information hub, providing operational support and European policy solutions, EUROPOL aims to ensure an effective EU response to terrorism, drug trafficking, smuggling of humans, cybercrime and other organised crime activities. Other organised crime activities include:

- Trafficking in firearms;
- Child sexual abuse;
- Money laundering;
- Financial investigation:
- Corruption;
- Counterfeiting; and
- Asset confiscation and recovery.

EUROPOL was originally established on the basis of the Convention signed by EU Member States in 1995 and has been in operation since 1999. In 2010, EUROPOL became an EU agency that shaped its work around the main values: service, integrity, accountability, initiative, partnership and diversity.

EUROPOL has more than 1000 employees, 220 Liaison Officers and around 100 crime analysts. EUROPOL headquarters are at The Hague in the Netherlands.

What are EUROPOL's main priorities?

EUROPOL's Strategy is the frame of reference for its daily operations and its support for EU law enforcement cooperation.

The guiding strategic priorities are:

- To be the EU criminal information hub, making full use of data from an extensive network of partners;
- To deliver agile operational support;
- To be a platform for European policing solutions;
- To be at the forefront of innovation and research for law enforcement; and
- To be the model EU law enforcement organisation with robust performance, good governance and accountability, promoting diversity and staff engagement.

The strategic objectives are reflected and further detailed in EUROPOL's multi-annual Programming Document (the current issue covers the period 2020-2021).

What are the main services and forms of support offered by EUROPOL?

EUROPOL offers to national law enforcement agencies a full range of crime-fighting tools and methods: facilitating exchange of information, providing criminal analyses and threat assessments, and assisting and coordinating cross-border investigations and operational actions.

Unlike national police forces, EUROPOL does not have any autonomous investigative powers.

EUROPOL has developed three important platforms and databases for facilitating exchange of information and helping national decision-makers to identify priorities in the fight against organised crime and terrorism: the Secure Information Exchange Network Application (SIENA), the Europol Information System (EIS) and the Europol Platform for Experts (EPE).

The Operational Centre, which runs 24/7, is the hub for the exchange of data on criminal activity among EUROPOL, EU MS and third parties. This high security unit employs more than 30 specialists and analysts. Together with their services, EUROPOL offers forensic support to law enforcement agencies across the EU and supports Member States' law enforcement agencies in capacity building and training.

EUROPOL has improved its capabilities and has launched, in recent years, several centres that focus on specific threats facing the EU:

- European Cybercrime Centre (EC3) in 2013;
- European Migrant Smuggling Centre (EMSC) in 2016;
- European Counter Terrorism Centre (ECTC) in 2016;
- Intellectual Property Crime Coordinated Coalition (IPC3).

How is EUROPOL managed?

Like any EU agency, EUROPOL is managed based on a system of controls, checks and supervision of governance. The Management Board is the main governance body which provides strategic guidance and oversees the implementation of the Agency's tasks. It adopts annual and multi-annual work programmes and the annual budget, and implements governance responsibilities. Members of the Management Board include one representative from each Member State that takes part in the EUROPOL Regulation and one representative from the European Commission. Denmark has the status of an observer.

EUROPOL is headed by the Executive Director who is appointed for a period of four years by a unanimous decision of the CoEU for Justice and Home Affairs following the opinion of the Management Board. The Executive Director is assisted by three Deputy Directors who are also appointed by the CoEU for a term lasting four years.

The CoEU for Justice and Home Affairs is responsible for control and guidance of EUROPOL. Together with the European Parliament (EP), the CoEU approves EUROPOL's budget and adopts regulations related to its work. The EP plays an important role in

overseeing EUROPOL. The Joint Parliamentary Scrutiny Group (JPSG), composed of members of both the national parliaments (up to four members from each of them) and members of the EP (up to 16), is tasked with political monitoring of EUROPOL's activity.

EUROPOL is subject to oversight by the Standing Committee on Operational Cooperation on Internal Security (COSI), while the European Data Protection Supervisor (EDPS) provides assurance that all the rights of the individual are protected by the way that data held by EUROPOL are stored, processed and used. As regards financial oversight, EUROPOL's annual accounts are subject to an external audit carried out by the European Court of Auditors (ECA).

EUROPOL and the Western Balkans

The Western Balkans is a region of particular relevance for EUROPOL. Cooperation with this region has been prioritised over the years, leading to the conclusion of strategic and operational agreements with all of the WB6. Migrant smuggling, organised crime and terrorism remain key areas of common interest, together with the implementation of the above agreements and full use of already available mechanisms. The European Commission Communication from 2018 [“A credible enlargement perspective for and enhanced EU engagement with the Western Balkans”](#) proposed a reinforced engagement of EUROPOL with WB6 concerning security and migration. The Communication envisages the opening of three EUROPOL Liaison Offices in the WB (the first office was opened in Albania in September 2019, while the other two are planned for Bosnia and Herzegovina and Serbia) and further promotion of Joint Investigation Teams.

QUESTIONS:

1. Where are the headquarters of EUROPOL?
2. What are EUROPOL's main activities and services?
3. Who appoints the Executive Director of EUROPOL?

ONLINE RESOURCES

[Regulation establishing EUROPOL](#)

[Official website of EUROPOL](#)

[Interactive history of EUROPOL](#)

[EUROPOL's Strategy 2020+](#)

[EUROPOL's Statistic and Data](#)

[EUROPOL in Action](#)

[EUROPOL's Main Reports](#)

European Union Agency for Criminal Justice Cooperation (EUROJUST)

The European Union Agency for Criminal Justice Cooperation – EUROJUST supports judicial coordination and cooperation between national authorities in combating terrorism and organised crime affecting more than one Member State.

EUROJUST acts at the request of the competent authorities of the MS or on its own initiative. In some cases, it can act at the request of the European Commission (EC) or the European Public Prosecutor's Office (EPPO).

A discussion on the establishment of a judicial cooperation unit was first introduced at the European Council Meeting held in October 1999. The Council Decision was adopted, and EUROJUST was established in 2002. EUROJUST has since grown, as well as its operational tasks and activities in the area of European judicial cooperation. A new Regulation enhancing its work was adopted by the Council of the EU and the European Parliament in 2018. The headquarters of EUROJUST are in The Hague, in the Netherlands.

What are EUROJUST's mission and activities?

EUROJUST's mission is to develop and enhance judicial cooperation, coordination and mutual trust in the European Union's fight against organised cross-border crime.

The main EUROJUST tasks are to:

- Inform the competent authorities of the MS of investigations and prosecutions;
- Assist the competent authorities of the MS in ensuring the best possible coordination of investigations and prosecutions;
- Assist in improving cooperation between the competent authorities of the MS on the basis of EUROPOL's analyses;
- Cooperate and consult with the European Judicial Network (EJN) in criminal matters;
- Cooperate closely with the EPPO on matters relating to its competence;
- Provide operational, technical and financial support to MS cross-border operations and investigations;
- Support and sometimes participate in the EU centres of specialised expertise developed by EUROPOL and other EU institutions, bodies, offices and agencies;
- Cooperate with EU institutions, bodies, offices, agencies and networks established in the area of freedom, security and justice; and
- Support MS action in combating forms of serious crime.

In order to efficiently carry out its tasks, EUROJUST may ask that the competent authorities of the Member States concerned investigate or prosecute specific acts, or that they coordinate between these competent authorities. Furthermore, EUROJUST can set up a joint investigation team and provide it with information necessary for carrying out its tasks, or take special investigative measures or any other measure justified for the investigation or prosecution.

What are the main services and types of support offered by EUROJUST?

In all cases, EUROJUST ensures coordination of investigations by promoting information exchange and detecting cross-links between ongoing investigations. Furthermore, it helps to develop prosecutorial strategies and implement joint actions.

Over the years the number of cases has steadily grown. In 2018 EUROJUST had 6500 cases. In 2018 EUROJUST coordinated nearly 200 cross-border terrorism investigations and set up the European Judicial Counter-Terrorism Register.

EUROJUST hosts the European Judicial Cybercrime Network (EJCN). Furthermore, it offers support in protecting European borders by working on investigations in the area of migrant smuggling, which requires effective judicial cooperation both among the MS and with the origin, transit and destination countries outside Europe.

Having a unique position in the coordination of cross-border criminal investigations, EUROJUST provides support for the full use of EU judicial cooperation tools based on mutual recognition, such as the European Arrest Warrant⁴ and the European Investigation Order.⁵

In 2018 EUROJUST supported the use of nearly 1000 European Investigation Orders and the execution of more than 700 European Arrest Warrants.

How is EUROJUST managed?

The EUROJUST College is formed of the national members, one from each of the EU MS (with the exception of Denmark, which is not bound by the EUROJUST Regulation), including judges, prosecutors or other judicial professionals of equivalent competence. The College also includes a representative of the European Commission, and the Administrative Director who does not have any voting rights. The College elects EUROJUST's President for a term of four years, with a limit of two consecutive terms. The President oversees the work of the College. Two Vice-Presidents assist the President in exercising his/her duties. The Executive Board has six members; it assists with the management of the EUROJUST College but is not involved in its operational functions. The Administrative Director is the legal representative of EUROJUST and its administrative manager.

The European Parliament and national Parliaments of the MS play an important role in ensuring transparency and democratic oversight of EUROJUST. As for the Council of the EU, EUROJUST participates in the work of its relevant preparatory bodies, providing inputs during the decision-making process. In conducting its mission and tasks, EUROJUST works closely with other EU institutions, agencies and bodies.

4 Additional information about the European Arrest Warrant is available on page 47

5 Additional information about the European Investigation Order is available on page 49

EUROJUST and the Western Balkans

EUROJUST has facilitated approximately 200 joint criminal investigations between EU MS and WB6, and has established a framework for structural judicial cooperation within the region. Albania, North Macedonia, Montenegro and Serbia have cooperation agreements with EUROJUST, and have appointed Liaison Prosecutors stationed in EUROJUST headquarters. EUROJUST has contact points in Albania, Bosnia and Herzegovina, North Macedonia, Montenegro and Serbia. Since January 2015, 330 cases have been registered at EUROJUST, including participation in 14 Joint Investigation Teams (JITs).

QUESTIONS:

1. What is EUROJUST in charge of?
2. How many national members have seats at EUROJUST College?
3. Which WB6 have an appointed Liaison Prosecutor stationed in EUROJUST headquarters?

ONLINE RESOURCES:

[Regulation establishing EUROJUST](#)

[Official website of EUROJUST](#)

[EUROJUST Public Register](#)

[EUROJUST's 2018 Annual Report](#)

[EUROJUST's Multi-Annual Strategy 2019 – 2021](#)

[EUROJUST's organisational Structure](#)

European Union Agency for Law Enforcement Training (CEPOL)

The European Union Agency for Law Enforcement Training – CEPOL develops, implements and organises training for the police and other law enforcement officials. CEPOL contributes to a safer Europe by facilitating cooperation and knowledge-sharing among police officers in EU MS and some of the non-EU countries concerning issues based on the EU's security priorities and especially the EU Policy Cycle on organised crime. CEPOL was established in 2005 by a Council Decision which was amended by the CEPOL Regulation adopted by the Council of the EU and the European Parliament in 2015. Denmark is not subject to the CEPOL Regulation. CEPOL headquarters are in Budapest, Hungary, while the Liaison Office is located in Brussels, Belgium.

What are CEPOL's main priorities?

CEPOL offers innovative and advanced training courses and enhances cooperation between police authorities by bringing together a network of training institutes for law enforcement officials in EU MS. Furthermore, CEPOL supports these institutions in providing frontline training on security priorities, law enforcement cooperation and information exchange. CEPOL offers to law enforcement professionals an opportunity to grow personally and professionally through training and thus contribute to solving issues related to European security.

The main objectives of CEPOL are to:

- Support, develop, implement and coordinate training intended for law enforcement officials;
- Award grants to national training institutions for the implementation of their training portfolios;
- Cooperate with third countries within the framework of working arrangements;
- Train leaders, future leaders and trainers;
- Integrate research into its training.

What are the main services offered by CEPOL?

The portfolio of CEPOL's services includes:

- Residential training activities (courses, conferences and seminars);
- Online learning (webinars, online modules, online courses);
- Exchange programmes;
- The CEPOL European Joint Master Programme; and
- EU-level trainings in line with the EU Strategic Training Needs Assessment.

How is CEPOL managed?

CEPOL cooperates with different EU bodies, international organisations and third countries to ensure that the most serious security threats are tackled through a collective response.

CEPOL is headed by the Executive Director who is responsible to the CEPOL Management Board, which consists of representatives of both the EU MS and the European Commission. The Chair of the Management Board is a representative of one of the three MS that participate in the rotating presidency of the Council of the EU. CEPOL has dedicated National Units in each MS, providing information and assistance to law enforcement officials who wish to participate in CEPOL activities.

CEPOL and the Western Balkans

CEPOL has established Working Arrangements with WB6, and in the last few years it has organised and implemented numerous trainings, courses, webinars and exchange programmes on specific topics such as money laundering, migration, financial investigation and terrorism.

QUESTIONS:

1. What are CEPOL's main services?
2. Which EU Member State is not bound by the CEPOL Regulation?
3. Who is the Chair of the CEPOL Management Board?

ONLINE RESOURCES:

[Regulation establishing CEPOL](#)

[Official website of CEPOL](#)

[CEPOL's Organisational Chart](#)

[CEPOL's Annual Reports](#)

[CEPOL's Partners and Stakeholders](#)

European Border and Coast Guard Agency (FRONTEX)

By providing technical support and expertise, the European Border and Coast Guard Agency – FRONTEX helps EU Member States and Schengen Associated Countries⁶ to manage their external borders, harmonise border control across the EU and facilitate cooperation between border authorities in each EU MS. FRONTEX promotes, coordinates and develops European border management in line with the EU Fundamental Rights Charter and the concept of Integrated Border Management. The Agency was established in 2004 and is currently governed by the Regulation which was adopted in 2019 by the Council of the EU and the European Parliament. The headquarters of FRONTEX are in Warsaw, Poland.

What are FRONTEX's main priorities?

FRONTEX's mission is to ensure, together with the MS, safe and well-functioning external borders. The core tasks of FRONTEX are:

- To analyse data related to the situation at and beyond the EU's external borders to help identify migratory patterns and support MS with screening, debriefing, identification and fingerprinting of migrants;
- To coordinate and organise joint operations and rapid border interventions to assist MS at the external borders of the EU, including humanitarian emergencies and rescues at sea;
- To perform risk analyses and vulnerability assessments to evaluate the capacity and readiness of each MS to face challenges at external borders;
- To assist MS in forced returns of people who have exhausted all legal remedies concerning their stay within the EU;
- To support cooperation between law enforcement authorities, other EU agencies and customs at sea borders;
- To focus on preventing smuggling, human trafficking, terrorism and other cross-border crimes; and
- To offer expertise in the area of border control by developing training curricula and specialised courses for border guards across Europe.

FRONTEX does not have its own equipment or border guards. When coordinating joint operations, it depends on EU MS to provide border guards, vessels, aircraft and other resources. In all its areas of activity – operations, risk analysis, training, research and development, and returns – FRONTEX acts as a coordinator, setting up specialised networks between the EU and Schengen Associated Countries border authorities to develop and share best practices.

⁶ Associate members of the Schengen Area are: Iceland, Norway, Switzerland and Liechtenstein.

What types of support is FRONTEX offering?

FRONTEX supports EU Member States and Schengen Associated Countries in the management of EU's external borders and fighting cross-border crime. While regular border control is the exclusive responsibility of the MS, FRONTEX focuses its operational role on:

- Coordination of deployment of additional experts and technical equipment to border areas experiencing significant pressure;
- Building the capacity of the MS in various areas related to border control, including training and sharing of best practices.

How is FRONTEX managed?

FRONTEX is managed by the Executive Director, who is assisted by a Deputy Executive Director. The Executive and Deputy Executive Director are appointed by the Management Board.

The FRONTEX Management Board's main tasks are: to control the functions of the Agency, prepare the budget and verify its implementation and ensure that decision-making procedures are transparent. The Board is composed of representatives of the border authorities of the 26 EU Member States and two members of the European Commission. Representatives of Iceland, Norway and Switzerland (Schengen Associated Countries) participate at Board meetings but have limited voting rights.

According to its Regulation, FRONTEX is accountable to the Council of the EU and the European Parliament, while the European Commission oversees its work.

FRONTEX and the Western Balkans

As an important transit region, the Western Balkans is one of the Agency's first priorities. Working arrangements are in place with all WB6 and Status Agreements have been signed with Albania, Montenegro and Serbia. This allows assistance to these countries in border management, including carrying out joint operations and deploying teams in the regions of these countries that border the EU, subject to their agreement. These activities aim at tackling illegal immigration and cross-border crime, and can involve provision of increased technical and operational assistance at the border. Similar status agreements have been initiated with North Macedonia and Bosnia and Herzegovina, and are now pending finalisation. In May 2019, FRONTEX launched its first fully-fledged joint operation outside the EU, supporting Albania in border control.

QUESTIONS:

1. What is the mission of FRONTEX?
2. Does FRONTEX have its own equipment and border guards?
3. Where did FRONTEX launch its first joint operation outside the EU?

ONLINE RESOURCES:

[Regulation establishing FRONTEX](#)

[Official website of FRONTEX](#)

[FRONTEX's Programming Document 2019-2021](#)

[FRONTEX's 2018 Annual Report](#)

[FRONTEX's Public Access to Documents Registry](#)

[FRONTEX's Main Operations](#)

European Monitoring Centre for Drugs and Drug Addiction (EMCDDA)

The European Monitoring Centre for Drugs and Drug Addiction – EMCDDA provides the EU and its Member States with an overview of the European drug problems based on facts and data, and with a solid evidence base to support the drugs debate. Moreover, EMCDDA supports and helps professionals and practitioners who work in this field to identify best practices and avenues for new areas of research. The Agency was founded in 1993 by a Council Regulation and has been operational since 1995. The headquarters of the EMCDDA are in Lisbon, Portugal.

What are EMCDDA's main priorities?

The mission of EMCDDA is to provide factual, objective, reliable and comparable information concerning drugs and drug addiction in order to support evidence-based decisions and actions at the EU and Member State level.

To achieve this, the EMCDDA:

- Provides the EU and MS with information at the European level concerning drugs and drug addiction and their consequences;
- Collects, registers and analyses information on different trends on drug use or use of licit and illicit psychoactive substances;
- Offers information on best practices in EU MS and facilitates their exchange.

Gathered around the consensus that sound information is a prerequisite for developing effective policies in the drugs area, EMCDDA shapes its activities around its main values: scientific excellence; integrity and impartiality; customer focus and service orientation; and efficiency and sustainability.

What are the main services and types of support offered by EMCDDA?

Priority areas of EMCDDA activity include:

- Monitoring the state of affairs concerning the drug problem, as well as the emerging trends and solutions applied to drug-related issues;
- Assessing the risks of new psychoactive substances and maintaining a rapid information system; and
- Developing tools and instruments to facilitate the EU and MS's monitoring and evaluation of their respective drugs policies.

EMCDDA has developed infrastructure and tools that are necessary for collecting data across the MS in a uniform and harmonised manner. Data are collected by national focal points which, combined, form the European Information Network on Drugs and Drug Addiction (Reitox). EMCDDA works with partners at the EU, national, and international level, other international organisations, as well as partners from neighbouring and candidate countries.

How is EMCDDA managed?

The organisational structure of EMCDDA consists of the Directorate, which manages EMCDDA, and two statutory bodies - the Management Board and the Scientific Committee. The Management Board is the main decision-making body. It is composed of one representative from each EU MS, Norway and Turkey, two representatives from the European Commission and two representatives designated by the European Parliament. It meets at least once a year and elects its Chairman for a period of three years. The Scientific Committee, comprised of fifteen well-known scientists appointed by the Management Board, assists the Board and the EMCDDA Director by delivering opinions on scientific matters concerning EMCDDA activity. The EMCDDA Director is proposed by the European Commission and appointed by the Management Board for a renewable five-year period.

EMCDDA and the Western Balkans

EMCDDA supports the European Commission (EC) in the accession process and helps WB6 to prepare for their future participation in the work of the agency. So far, cooperation mainly took place within the framework of the technical cooperation project for IPA beneficiary countries. In February 2019, EMCDDA published a report dedicated to the region "Drug treatment systems in the Western Balkans: outcomes of a joint EMCDDA-UNODC survey of drug treatment facilities" in which it presented a summary of the key findings from drug treatment facility surveys carried out in 2017. The technical report "Drug use and its consequences in the Western Balkans 2006–14" was published in 2015 and was the first to provide insight into the drug-related problems faced by the region, based on available data gathered by a range of partners and the EMCDDA. EMCDDA also prepared National Drug Reports for WB6 for 2017, 2014 and 2013.

QUESTIONS:

1. What are the main values of EMCDDA?
2. What are the main activities of EMCDDA?
3. What is Reitox?

ONLINE SOURCES:

[Regulation establishing EMCDDA](#)

[Official website of EMCDDA](#)

[EMCDDA Best Practice portal](#)

[EMCDDA Strategy 2025](#)

[EMCDDA Programming Document 2020-2022](#)

[EMCDDA 2018 Annual Report](#)

[EMCDDA Publication Database](#)

[EMCDDA Statistical Bulletin](#)

European Anti-Fraud Office (OLAF)

The European Anti-Fraud Office – OLAF investigates fraud against the EU budget, corruption and serious misconduct within the EU institutions. It also develops anti-fraud policy for the European Commission (EC). Although it has an individual independent status while performing its investigative function, OLAF is part of the EC and falls under the responsibility of the Commissioner in charge of Budget and Administration (Mr. Johannes Hahn under 2019-2024 European Commission).

The European Anti-Fraud Office is the only EU body mandated to detect, investigate and stop fraud involving EU funds. It is also the primary body authorised to investigate corruption, and serious misconduct in general, of EU staff and members of EU institutions. OLAF plays an important role in assuring the integrity of EU staff, which is a precondition for efficient functioning of EU institutions.

What are OLAF's main activities?

To achieve its mission, OLAF:

- Conducts independent investigations into fraud and corruption involving EU funds;
- Investigates serious misconduct by EU staff and members of EU Institutions;
- Develops a sound EU anti-fraud policy.

OLAF opens investigations based on information that it receives from a wide range of private and public sources. These investigations are related to fraud, corruption and other offences that affect EU financial interests concerning:

- EU Budget revenues (mainly customs fraud);
- All other EU expenditures (spending involving structural funds, agricultural policy and rural development funds, direct expenditures, external aid to non-EU countries and illegally traded tobacco products and counterfeit goods);
- Misconduct by EU staff and members of EU institutions.

Once a case is opened, it can be classified as an internal investigation (administrative investigations within the EU institutions and bodies), an external investigation (administrative investigations outside the EU institutions and bodies) or a coordination case where OLAF contributes to investigations carried out by national authorities or other EU departments by facilitating the gathering and exchange of information and contacts. Upon completion of an investigation, OLAF draws up a report and the estimated financial impact of the damage. If necessary, OLAF's Director-General adopts recommendations regarding specific actions to be taken. These recommendations may be of a financial, judicial, disciplinary or administrative nature. Financial recommendations are addressed to EU institutions, bodies, offices or agencies, or to the competent authorities of Member States providing or managing EU funds. Judicial recommendations are addressed to the national prosecution authorities. Disciplinary recommendations are addressed to the authority having disciplinary powers in the EU institution or body concerned. Administrative recommendations are addressed to EU institutions, bodies, organisations or agencies and aim to address the weaknesses in administrative procedures or legislation.

In addition to its investigative work, OLAF contributes to developing a sound EU anti-fraud policy by supporting the preparation of EC legislative and regulatory initiatives with the objective of fraud prevention. Furthermore, OLAF helps the EC to develop and update anti-fraud strategies, raise awareness about fraud issues and provide different fraud prevention trainings and seminars.

OLAF's key stakeholders in the Member States are: national law enforcement, customs and judicial authorities. Individual citizens and private companies are also important stakeholders, as they are often the source of information on possible fraud that is provided to OLAF. In addition, OLAF works closely with the European Parliament and the Council of the EU.

How is OLAF managed?

OLAF is headed by the Director General, who is responsible to the Commissioner for Budget and Administration. The Director General is assisted by Directors of the four OLAF Directorates (Investigations I and II, Investigation Support, and Policy).

As regards investigative activity, OLAF's work is monitored by its Supervisory Committee, composed of five independent experts. To reinforce OLAF's independence, the Committee is also tasked with monitoring the implementation of the investigative function.

The full Organisational Chart of OLAF is available [HERE](#).

OLAF and the Western Balkans

The Stabilisation and Association Agreements signed between the EU and the WB6 allow OLAF to request assistance when conducting investigations in line with its mandate and purview.

QUESTIONS:

1. What is the mission of OLAF?
2. What types of investigations does OLAF conduct?
3. Who is in charge of monitoring OLAF's investigative activities?

ONLINE RESOURCES:

[Regulation establishing OLAF](#)

[Official website of OLAF](#)

[OLAF's Strategic Plan 2016-2020](#)

[OLAF's 2018 Annual Report](#)

[OLAF in Figures](#)

European Judicial Network in Criminal Matters (EJN)

The European Judicial Network in Criminal Matters – EJN is a network of national Contact Points dedicated to improving cooperation between the EU Member States in criminal matters. The EJN was established in 1998 with the aim of improving judicial cooperation between the EU MS on a legal and practical level for the purpose of combating serious crime, in particular organised crime, corruption, drug trafficking and terrorism. The work of the EJN was additionally reinforced by the adoption of the Council Decision in 2008. The EJN has a Secretariat, located at EUROJUST in The Hague in the Netherlands, which is responsible for EJN's administration.

What is the mission of EJN?

The EJN facilitates judicial cooperation in criminal matters by:

- Working as an active intermediary;
- Providing legal and practical information to competent local authorities;
- Providing support with requests for judicial cooperation;
- Creating a EU judicial culture; and
- Cooperating with other judicial networks, third countries and judicial partners to exchange expertise and best practices regarding investigation and prosecution of cybercrime.

How does EJM work?

The EJM is composed of Contact Points nominated by each of the Member States. These Contact Points come from authorities in charge of international judicial cooperation, judicial authorities and other competent authorities that deal with organised crime, corruption, drug trafficking or terrorism. The European Commission (EC) can nominate a Contact Point for the areas that fall within the sphere of EC competence.

Contact Points act as “active intermediaries” in facilitating judicial cooperation in criminal matters between the EU MS by:

- Assisting with establishing direct contacts between competent authorities;
- Providing legal and practical information necessary to prepare effective requests for judicial cooperation; and
- Promoting the organisation of training sessions on judicial cooperation.

Along with the Contact Point, each MS has also appointed a National Correspondent responsible for the internal functioning of the Network, and a Tool Correspondent, who is in charge of providing and updating information on the EJM website, including the electronic tools of the EJM.

The EJM Secretariat is responsible for the administration of the European Judicial Network.

EJM and the Western Balkans

The EJM has developed cooperation with and has Contact Points in WB6, both at the Office of the General Prosecutor and the Ministry of Justice, as well as - in some cases - other relevant authorities. The Contact Points of the WB6 participate frequently in EJM plenary meetings, which allows them to network and share experiences.

QUESTIONS:

1. What is the mission of the European Judicial Network in Criminal Matters (EJM)?
2. How does the EJM work?
3. Do representatives of WB6 participate in the work of EJM?

ONLINE RESOURCES:

[Decision establishing EJM](#)

[Official website of EJM](#)

[EJM's 2017-2018 Report](#)

[EJM Cooperation with non-EU countries and judicial networks](#)

European Crime Prevention Network (EUCPN)

The European Crime Prevention Network – EUCPN aims to support and connect practitioners at the local, national and European level and to promote crime prevention knowledge and practices among the EU Member States. EUCPN contributes to the development and promotion of a multidisciplinary and preventive approach to crime and the resulting feeling of insecurity at the European level. The EUCPN Secretariat is based in Brussels.

The Network was established in 2001 by a Council Decision. Its main goals are:

- To be a point of reference for the target groups of the Network (practitioners and policymakers at the local and national level, relevant EU and international agencies, organisations and working groups);
- To disseminate qualitative knowledge on crime prevention;
- To support crime prevention activities at the national and local level;
- To contribute to the EU policy and strategy of crime prevention; and
- To take part in various aspects of crime prevention with respect to the strategic priorities of the EU.

What are EUCPN's main activities?

EUCPN's activities are directed towards:

- Expanding the EUCPN database (good practices, policy, research);
- Developing crime prevention campaigns;
- Researching crime prevention;
- Creating different toolboxes, policy papers and newsletters;
- Representing the EUCPN externally and promoting crime prevention; and
- Organising meetings and workshops with experts and different stakeholders.

EUCPN defines and adopts activities for a period of one year, in line with strategic objectives. It organises an annual conference for sharing and disseminating experiences and knowledge of best practices in preventing crime and increasing safety and security in EU Member States.

How does EUCPN work?

The main body of the EUCPN is the Board of National Representatives, which consists of the Chair, the Executive Committee and National Representatives. Each Member State appoints one National Representative and one Substitute to take part at EUCPN's meetings. The Board meets at least twice a year and is in charge of approving the Network's strategic report, implementing the Annual Programme and adopting the

Annual Report. The Chair of EUCPN rotates every six months in line with the Presidency of the Council of the EU (CoEU). The Executive Board consists of two National Representatives (selected by the Board for a period of 18 months) and National Representatives from the previous, current and the two upcoming Presidencies of the CoEU. A representative of the European Commission attends the Executive Committee and the Board Meetings as an observer.

The EUCPN Secretariat provides general administrative, technical and analytical support to the EUCPN and represents it externally. The work of the Secretariat is supported by the Internal Security Fund (ISF), through the award of an action grant.

QUESTIONS:

1. What are EUCPN's main activities?
2. Who takes part in the work of the EUCPN Executive Committee?
3. How is the EUCPN Secretariat funded?

ONLINE RESOURCES:

[Decision establishing EUCPN](#)

[Official website of EUCPN](#)

[EUCPN's Work Programme 2020](#)

[EUCPN's Knowledge Centre](#)

European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA)

The European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice - eu-LISA is responsible for supporting the implementation of EU's Justice and Home Affairs policies by managing large-scale IT systems, especially in the fields of the asylum, border management and migration policies.

The Agency is dedicated to providing high quality and efficient IT services and solutions, continuously improving technological capacities in line with the needs of Member States and growing as a centre for excellence. The Agency was established by a Regulation of the Council of the EU and the European Parliament in 2011, and has become operational in 2012. The Agency's mandate was reinforced by a new Regulation in 2018. The headquarters of eu-LISA are in Tallinn, Estonia. It also has an operational centre in Strasbourg, France, a back-up site in Sankt Johann im Pangau, Austria, and a Liaison Office in Brussels, Belgium.

What are eu-LISA's main activities?

The Agency's main activities are:

- To manage operations of the second generation [Schengen Information System \(SIS II\)](#), the [Visa Information System \(VIS\)](#) and [EURODAC](#);
- To develop and run the [European Entry/Exit System \(EES\)](#), the [European Travel Information Authorization System \(ETIAS\)](#) and the [European Criminal Record Information System for Third Country Nationals \(ECRIS-TCN\)](#);
- To ensure the highest level of data protection and security of information;
- To research, develop and implement new systems;
- To provide training plans for national authorities on the technical use of IT systems; and
- To deliver timely and accurate statistics and information on the performance of the systems.

All activities are implemented in line with eu-LISA core values: accountability, transparency, excellence, continuity, teamwork and customer focus. These systems allow the continuous and uninterrupted exchange of data between the national authorities using them and they need to function and be operational 24 hours a day, 7 days a week.

How does eu-LISA work?

The structure of the Agency consists of the Management Board Executive Director and Advisory Groups. The Management Board is composed of the representatives of EU MS and the European Commission, while representatives of EUROJUST, EUROPOL and Schengen Associated Countries (Switzerland, Iceland, Norway and Liechtenstein) participate as observers. The Management Board appoints the Executive Director, who is the legal representative of the Agency, and the Deputy Executive Director.

The full organisational structure of eu-LISA is available [HERE](#).

eu-LISA and the Western Balkans

Since 2014, all Schengen States' consulates in the WB6 have been using the Visa Information System (VIS), the central database for the exchange of data on short-stay (up to three months) visas between authorities of Schengen States. The system affects only persons under the visa requirement. The new Entry-Exit system will register entry, exit and refusal of entry information on non-EU nationals crossing the external borders of the Schengen area. This system will be built by eu-LISA, together with the MS, and is expected to become operational in 2020.

QUESTIONS:

1. Which systems is eu-LISA in charge of?
2. Who participates as an observer at eu-LISA's Management Board meetings?
3. Where are eu-LISA's headquarters?

ONLINE RESOURCES:

[Regulation establishing eu-LISA](#)

[Official website of eu-LISA](#)

[eu-LISA Strategy 2018-2022](#)

[eu-LISA's Single Programming Document 2020-2022](#)

[eu-LISA's 2018 Activity Report](#)

EU Anti-OC Instruments

EU Serious and Organised Crime Threat Assessment (SOCTA)

The Serious and Organised Crime Threat Assessment - SOCTA is one of EUROPOL's strategic, flagship reports which serves to assess and prioritise threats, vulnerabilities and opportunities for crime. This report presents detailed analyses for practitioners, the law enforcement community, decision makers and the wider public of the threat that serious and organised crime poses to the EU. SOCTA identifies a number of high priority crime areas on which the operational response of the EU should focus.

How is SOCTA prepared?

The first SOCTA was published in 2013 in line with the new methodology developed in 2011-2012, which consists of qualitative and quantitative analysis techniques and a set of clearly defined indicators used to understand serious and organised crime. Five EU Organised Crime Threat Assessments (OCTAs) were prepared and presented earlier, in the period 2006-2011.

In order to prepare and introduce SOCTA, the process includes preparation and adoption of the methodology; collection of data; data analysis; drafting the SOCTA report; and drafting of the recommended priorities.

SOCTA analysis is focused on:

- Serious and organised crime areas in the EU;
- Organised criminal groups (OCGs) or individual criminals involved in criminal activities; and
- A set of factors in the broad environment that could shape the nature of serious and organised crime in the EU.

The result of the in-depth analysis of the threats the EU is facing is presented as a set of recommendations serving as a baseline for setting and defining priorities by the Council of the EU and the planning of operational actions.

SOCTA is the result of close cooperation between EUROPOL, Members States' law enforcement authorities, EU agencies and bodies, as well as the cooperation with international organisations and non-EU countries that have entered into strategic or operational agreements with EUROPOL.

SOCTA 2017

EUROPOL published the current SOCTA in 2017. It sets out the existing and expected developments related to serious and organised crime that the EU is facing and key groups and individuals active in criminal activities across the EU, and defines factors that shape the nature of serious and organised crime in the EU. This document identifies eight priority crime threats: cybercrime; drug production, trafficking and distribution; migrant smuggling; organised property crime; trafficking in human beings; criminal finances and money laundering; document fraud; and online trade in illicit goods and services.

SOCTA and the Western Balkans

The Ministry of the Interior of the Republic of Serbia published its first [Serious and Organised Crime Threat Assessment \(SOCTA\)](#) in 2015. The document was developed in line with the EUROPOL Methodology and it presents a strategic overview of serious and organised crime in the country, covering drugs, irregular migration, human trafficking, money laundering, corruption, economic crime, cybercrime and organised criminal groups. The Regional Serious and Organized Crime Threat Assessment for Serbia, Montenegro and North Macedonia was developed by the OSCE Mission in Serbia providing an extensive analysis of the current situation and trends and indicating the biggest threats in this part of the region.

QUESTIONS:

1. When was the first SOCTA developed?
2. Who participates in developing SOCTA?
3. What are the main priority threats that were defined in SOCTA 2017?

ONLINE RESOURCES:

[SOCTA Methodology](#)

[Official website of EUROPOL](#)

[SOCTA 2017 Report](#)

[SOCTA 2017 Online version](#)

[SOCTA 2013/OCTA Reports](#)

EU Internet Organised Crime Threat Assessment (iOCTA)

The Internet Organised Crime Threat Assessment - iOCTA is a EUROPOL report that presents key findings, emerging threats and trends in cybercrime impacting government, business and citizens across the EU. The report contains crucial recommendations for law enforcement and policy makers to help them effectively prepare and respond to cybercrime threats.

iOCTA is especially focused on crime areas that fall under the European Cybercrime Centre's (EC3) mandate:

- Cyber-dependent crime;
- Online sexual exploitation of children; and
- Payment fraud.

How is iOCTA prepared?

iOCTA is prepared by EC3, gathering contributions from experts of EUROPOL, EU Member States, law enforcement authorities from and outside of the EU, partners and stakeholders from private industry, the financial sector and academia.

The report is divided into chapters which are designed and prepared so as to:

- Describe key findings concerning a particular cybercrime area in the reporting year;
- Identify future trends and developments; and
- Provide recommendations.

iOCTA also presents a brief summary of geographic threats and cybercrime activities that encompass five continents.

iOCTA 2019

The 2019 iOCTA provides a description and analysis of the latest trends and the current impact of cybercrime within the EU in three focus areas of EC3's mandate. Together with these policy areas, the 2019 iOCTA also presented some additional ones: criminal abuse of the Dark Web; convergence of cybercrime and terrorism; and a chapter dedicated to cross-cutting crime enablers, factors that straddle more than one crime area but are not necessarily inherently criminal themselves (e.g. social engineering, money mules, criminal abuse of crypto-currencies).

QUESTIONS:

1. What is the main topic of iOCTA?
2. Who prepares the iOCTA?
3. How frequently is iOCTA published?

ONLINE RESOURCES:

[2019 iOCTA Report](#)

[All iOCTA Reports](#)

[European Cybercrime Centre \(EC3\)](#)

[Official website of EUROPOL](#)

EU Information Exchange Practices

Despite the fact that EU institutions and agencies are not charged with conducting autonomous investigations or operational law enforcement activities, as these are the obligations of Member States, efficient cooperation between law enforcement and other competent authorities of EU MS needed to be established and constantly upgraded to prevent and combat serious cross-border crime and terrorism within the EU.

The prerequisite for efficient cooperation is that national law enforcement and other competent authorities have timely access to correct, accurate and up-to-date information and criminal intelligence. With the information exchange practices in place, the competent authorities of MS can successfully and timely conduct activities and actions to prevent, detect and investigate criminal activities.

For the last couple of years, the EU sought to develop mechanisms and legal frameworks to support and facilitate cooperation between the MS that aimed to accomplish more in the area of home affairs, with an emphasis on cross-border crime and the fight against terrorism. The two Programmes adopted at the EU level – [The Hague Programme](#) (2005-2010) and the [Stockholm Programme](#) (2010-2015) - introduced priorities and practices for law enforcement information exchange as well as cooperation instruments.

These priorities, focused on the interests and needs of the citizens of the EU as well as on other persons for whom the EU is responsible when guaranteeing security in Europe, are:

- Promoting citizenship and fundamental rights;
- A Europe of law and justice;
- A Europe that protects;
- Access to Europe in a globalised world;
- A Europe of responsibility, solidarity and partnership in migration and asylum matters; and
- The role of Europe in a globalised world – the external dimension.

With cooperation from MS, the European Commission and EU agencies have developed and provided numerous tools that facilitate and enhance information exchange between law enforcement and other competent authorities.

This is a short presentation of the most common tools and mechanisms.

Passenger Name Record (PNR)

The Passenger Name Record was established by the Directive of the European Parliament and of the Council in 2016. It allows Member States to collect passenger data from the airlines and process them for the purpose of preventing, detecting, investigating and prosecuting terrorist offences and serious crime. The airlines collect data that are in line with their operating practices (i.e. reservations and check-in-

-processes) such as travel dates, itineraries, ticket information, contact details, travel agents, modes of payment, seat numbers and baggage information. The rules apply to flights arriving from third countries to Member States. The responsibility of MS is to establish specific entities responsible for the collection, storage and processing of PNR data - the Passenger Information Units (PIUs).

European Criminal Records Information System (ECRIS)

The European Criminal Records Information System was established in 2012 by the Council Framework Decision, and was amended by the Directive of the European Parliament and of the Council in 2019 with the aim of enabling efficient exchange of information between the MS regarding criminal convictions in the EU. This system provides judges, prosecutors and relevant administrative authorities in the MS with easy access to information on the criminal history of any EU citizen, no matter in which MS the person had been convicted in the past.

European Border Surveillance System (EUROSUR)

The European Border Surveillance System was established by the European Parliament and of the Council Regulation in 2013 to enhance cooperation between the MS and FRONTEX in improving situational awareness and reaction capabilities at external borders. This cooperation helps prevent cross-border crime and irregular migration, and includes all Schengen Area countries as well as Bulgaria, Romania and Croatia. National Coordination Centres (NCCs) are set up in all the MS to coordinate and exchange information between the authorities in charge of external border surveillance, other NCCs and FRONTEX.

Anti-Fraud Information System (AFIS)

The Anti-Fraud Information System is managed by the European Anti-Fraud Office (OLAF). It provides a crucial platform for exchanging customs anti-fraud information to support customs law enforcement in its fight against cross border crime within the framework of the Mutual Assistance Regulation. The system consists of custom IT applications designed to support cooperation of national authorities with each other and with the European Commission to implement EU customs and agricultural legislation.

Schengen Information System (SIS)

The Schengen Information System (SIS), established by the Council Decision of 2007, is an information sharing system used for security and border management in Europe. In the absence of internal border checks, SIS assists and helps the competent authorities across Europe to manage and preserve internal security. Competent national authorities, such as police or border guards, receive and enter information and alerts on persons and objects. This information does not concern just specific persons or objects, but can also include instructions on what to do when these persons/objects are found. SIS operates in 30 European countries, including 25 EU Member States (only Ireland and Cyprus are not yet connected to SIS), in four Schengen Associated Countries (Switzerland, Norway, Liechtenstein and Iceland) and in the United Kingdom.

Supplementary Information Request at the National Entry (SIRENE)

The Supplementary Information Request at the National Entries cooperation is a key element in the efficient functioning of the Schengen Information System (SIS). Each MS that operates the SIS needs to establish a SIRENE Bureau that will be in operation 24 hours a day, 7 days a week. This Bureau is responsible for any additional information exchange and coordination of activities connected to SIS alerts. Detailed rules and procedures on SIRENE cooperation are listed in the SIRENE Manual established by the [Commission Implementing Decision](#).

Secure Information Exchange Network (SIENA)

The Secure Information Exchange Network Application is a EUROPOL platform. Launched in 2009, it enables prompt communication and exchange of both operational and strategic data and information among EUROPOL's liaison officers, analysts and experts, Member States and third parties with which EUROPOL has cooperation agreements.

Prum Decision

The Prüm Decision is a Council Decision from 2008 which aims to improve cross-border cooperation between EU Member States' police and judicial authorities to combat terrorism and cross-border crime. This Decision sets up the provisions under which Member States grant each other access to their automated DNA analysis files, automated fingerprint identification systems and vehicle registration data.

Swedish Initiative

The Swedish Initiative is a Council Framework Decision from 2006 which provides a legal framework for simplifying the exchange of information and intelligence between law enforcement authorities of EU MS. The Initiative ensures that procedures necessary for cross border data exchanges of criminal information and intelligence are neither stricter nor more complicated than those that exist at the national level. Furthermore, it sets out the conditions for information exchange such as time limits and acceptable justifications if data are refused to be shared.

QUESTIONS:

1. How do EU Member States collect passenger data?
2. Which system allows the efficient functioning of the Schengen Information System (SIS)?
3. What is EUROSUR?

ONLINE RESOURCES:

[Directive establishing PNR](#)

[Council Framework Decision establishing ECRIS](#)

2019 Directive amending ECRIS

[Regulation establishing EUROSUR](#)

[Decisions establishing SIRENE cooperation](#)

[Official web portal of OLAF](#)

Schengen Information System - SIS

Council Decision establishing SIS II

[SIENA – official website of EUROPOL](#)

Prum Decision

[The Swedish Initiative](#)

European Arrest Warrant

The European Arrest Warrant – EAW is a legal procedure that allows simpler surrender and extradition procedures between EU Member States. The warrant issued by a judicial authority in one Member State is valid in the entire EU. This means that Member States cannot refuse to surrender their own citizen to the authorities of another Member State if that citizen has committed, or is suspected of having committed, a crime in another Member State. The European arrest warrant is a tool for judicial authorities to combat crime and terrorism more efficiently across the EU internal borders.

How does the EAW work?

The EAW operates in all EU Member States via direct contacts between judicial authorities. This mechanism is based on the principle of mutual recognition of the judicial decision, which means that a warrant will be implemented without discrimination and in the same way as if it had been requested by a respective national authority. The procedure accelerates the surrender of suspects or convicted criminals from one Member State to another in order for them to stand trial or serve a prison sentence in the Member State in which they had committed the crime.

The introduction of the EAW in January 2004 replaced the often long extradition procedures between Member States.

Since the European Arrest Warrant became operational, the judicial authority of the Member States has 60 days after arrest to decide about surrender, while if the person agrees to surrender the decision must be taken within 10 days. In some specific cases – if too much time has passed since the crime was committed and the suspect can no longer be prosecuted - the Member States can refuse to surrender a wanted person.

What are the requirements for issuing a European Arrest Warrant?

An EAW may be issued by a national judicial authority if a wanted person:

- Is accused of an offence for which s/he may have to serve a prison sentence of one year or more; or
- Has been sentenced to a prison term of at least four months.

Prior to issuing an EAW, judicial authorities in the Member States need to conduct a proportionality check. This means that national judicial authorities should evaluate and assess, for every case in question, the seriousness of the offence, the length of the sentence, and the costs and benefits of the execution of an EAW.

Persons subject to an EAW have specific procedural rights, but also fundamental rights that are guaranteed to them. Their procedural rights are notified to them in writing.

These rights include:

- The right to interpretation and translation during criminal proceedings;
- The suspects' right to be informed of their rights;
- The right to have access to a lawyer and the right of persons in custody to communicate with family members and employers;
- The right to legal aid; and
- Procedural safeguards for children.

QUESTIONS:

1. Who issues the European Arrest Warrant?
2. What are the requirements for issuing a European Arrest Warrant?
3. What are the procedural rights of a person subject to a European Arrest Warrant?

ONLINE RESOURCES:

Directive establishing European Arrest Warrant

[Commission Notice – Handbook on how to issue and execute a European arrest warrant](#)

[European arrest warrant in numbers 2005-2017](#)

European Investigation Order

The European Investigation Order – EIO is a legal instrument issued by a judicial authority in one Member State requesting another Member State to take one or more investigative measures on its own territory. The EIO was established by the Directive of the European Parliament and of the Council in 2014. It became operational in 2017 and is based on the principle of mutual recognition. This principle holds that the investigation will be conducted without discrimination and in the same way as if it had been requested by the authority of that Member State. All EU Member States, except Ireland and Denmark, are bound by this instrument.

How does the EIO work?

The EIO is intended to facilitate cross-border gathering of evidence in criminal cases by enabling one Member State to seek, in all the stages of criminal proceedings, evidence that is located within another Member State.

A Member State issuing an EIO must prepare it using a standard form and translate it to the language of the Member State executing the order. After receiving the EIO the competent authorities of the Member State have 30 days to recognise it and 90 days to conduct all investigative measures. All evidence obtained during the investigation or already in possession of the competent authorities will be provided, without delay, to the Member State which issued EIO.

Prior to initiating the EIO, the Member State needs to make sure that it is necessary and proportionate for the purpose of its proceedings, and that possible measures indicated in the EIO could have been ordered under the same conditions in its own territory.

Exceptions regarding the issuance of the European Investigation Order

The EIO is not to be requested in the following cases:

- Setting up of a Joint Investigative Team (JIT) and gathering of evidence within a JIT;
- Cross-border surveillance as referred to in the Convention implementing the Schengen Agreement;
- Freezing/seizure for the purpose of confiscation;
- Transfer of a person for the purpose of prosecution.

The Directive establishing the EIO also lists other exemptions related to information on previous convictions, returning of objects to the injured party, transfer of proceedings, confiscation, cooperation between the customs authorities and police-to-police cooperation.

QUESTIONS:

1. What is the European Investigation Order?
2. Which EU Member States are not bound by European Investigation Order?
3. What are the exemptions for issuing a European Investigation Order?

ONLINE RESOURCES:

[Directive establishing the European Investigation Order](#)

[Official website of EUROJUST – European Investigation Order](#)

[Competent authorities in EU MS, languages accepted, urgent matters and scope of the EIO Directive](#)

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