



Support study for the Evaluation of the implementation and impact of Regulation (EU) 2018/1727 of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust), and of the effectiveness and efficiency of Eurojust and its working practices

Support study – JUST/2023/JCOO/CRIM/0127

Final Report

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**Evaluation of the implementation
and impact of Regulation (EU)
2018/1727 of 14 November 2018 on
the European Union Agency for
Criminal Justice Cooperation
(Eurojust), and of the effectiveness
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Abstract

This study aims to inform the European Commission's evaluation of the Eurojust Regulation. It examined and assessed the implementation of the Regulation over the period 12 December 2019 to 1 May 2024 in line with the Commission's Better Regulation Guidelines. The study generated a significant body of evidence through a review of documentation, stakeholder consultations, including interviews, surveys, and focus groups, and the development of detailed case studies.

It was found that Eurojust has been effective in its core activity of supporting and strengthening coordination and cooperation between national investigating and prosecuting authorities and has added significant value, well beyond what could have been achieved by the Member States alone. While some challenges were identified, the Agency's activities in other areas were also well received overall, and its activities are generally considered to be coherent with other initiatives. Eurojust's work was found to be broadly relevant to the needs of the EU in the field of judicial cooperation in criminal matters, both over the evaluation period and looking to the future.

However, in a timeframe where the Agency has received significant budget increases, Eurojust has faced extensive challenges regarding its internal organisation that have hindered the effectiveness and efficiency of its operations. These include inefficient decision-making structures and processes leading to inefficient use of resources, a lack of clear vision and leadership, as well as risks related to accountability and conflicts of interest. Addressing these issues could deliver significant efficiency and some effectiveness gains.

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Acronyms/abbreviations

Acronym	Definition
AAP	Arab Association for Prosecutors
ABB	Activity-Based Budgeting
ABC	Activity-Based Costing
ABM	Activity-Based Management
AD	Administrative Director
AIAMP	Ibero-American Association of Public Prosecutors
AWP	Annual Work Programme
APA	Africa Prosecutors Association
BoRP	Board on Relations with Partners – a Working Group of the College, Eurojust
CA	Competent Authorities
CAAR	Consolidated Annual Activity Report
CASC	Judicial Cooperation Network for Central Asia and Southern Caucasus
CATS	Informal Coordinating Committee in the area of police and judicial cooperation in criminal matters
CC	Coordination Centres
CEA	Cost-Effectiveness Analysis
CEPOL	European Union Agency for Law Enforcement Training
CIC	Core International Crimes
CICED	Core International Crimes Evidence Database
CIF	Case Information Form
CM	Coordination Meetings
CMS	Case Management System
CoE	Council of Europe
COPEN	Working Party on Cooperation in Criminal Matters
COSI	Operational Cooperation on Internal Security
CSDP	Common Security and Defence Policy
CTR	Counter-Terrorism Register
DG HOME	Directorate-General for Migration and Home Affairs
DG JUST	DG Justice and Consumers
DPR	Data Protection Rules
EAW	European Arrest Warrant
ECA	European Court of Auditors
ECRIS	European Criminal Records Information System
EDPS	European Data Protection Supervisor
EEA	European Economic Area
e-EDES	e-Evidence Digital Exchange System
EFSA	European Food Safety Authority
EFTA	European Free Trade Association
EJ ART	Eurojust Activities & Resources Tool
EJCN	European Judicial Cybercrime Network
EJ MAP	Eurojust Missions' Approval and Planning System
EJN	European Judicial Network
EJR	Eurojust Regulation (EU) 2018/1727
EJTN	European Judicial Training Network
EIO	European Investigation Order
EMJ	EuroMed Justice
EMN	European Migration Network
EMPACT	European Multidisciplinary Platform Against Criminal Threats
EMSC	European Migrant Smuggling Centre
ENCS	Eurojust national coordination systems
EP	European Parliament
EPPO	European Public Prosecutor's Office
EU	European Union

Acronym	Definition
EUCPN	European Crime Prevention Network
EU CTC	EU Counter-Terrorism Coordinator
EUDA	European Union Drugs Agency
EUIPO	European Union Intellectual Property Office
Eurojust	EU Agency for Criminal Justice Cooperation
Europol	European Union Agency for Law Enforcement Cooperation
EQ	Evaluation Question
EQM	Evaluation Questions Matrix
eu-LISA	European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice
FRA	European Union Agency for Fundamental Rights
FRONTEX	European Border and Coast Guard Agency
GDPR	General Data Protection Regulation
GENVAL	Working Party on General Matters including Evaluation
GSC	General Secretariat of the Council
HICP	Harmonised Index of Consumer Prices
Iber-RED	Ibero-American Network of International Legal Cooperation
IBOA	EU institutions, bodies, offices and agencies
ICC	International Criminal Court
ICF	Internal Control Framework
ICPA	International Centre for the Prosecution of the Crime of Aggression against Ukraine
ICPO-Interpol	The International Criminal Police Organization
IIIM	International, Impartial and Independent Mechanism
IL	Intervention logic
IP	Intellectual Property
IPC	Intellectual Property Crime
JHA	Justice and Home Affairs
JIT	Joint Investigation Team
KPI	Key Performance Indicators
LED	Law Enforcement Directive (EU) 2016/680
LIBE Committee	European Parliament Committee on Civil Liberties, Justice and Home Affairs
MAS	Multi-Annual Strategy
MASO	Multi-Annual Strategic Objective
MENA	Middle East and North Africa
MLA	Mutual Legal Assistance
MoU	Memorandum of Understanding
NDA	National Desk Assistant
NM	Eurojust National Member
OCC	On-Call Coordination
OLAF	European Anti-Fraud Office
SAA	Strategic Action Areas
SEAJust	South East Asia Justice Network
SNE	Seconded National Experts
SOCTA	Serious and Organised Crime Threat Assessment
SPD	Single Programming Document
TA	Temporary Agents
TCA	EU-UK Trade and Cooperation Agreement
THB	Trafficking in Human Beings
TEU	Treaty on European Union
TFEU	Treaty on the Functioning of the European Union
UNITAD	United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL
UNODC	United Nations Office on Drugs and Crime
WBCJ	Western Balkans Criminal Justice

Executive Summary

Objectives and scope of the evaluation support study

According to Article 69(1) of the Eurojust Regulation (EJR), the European Commission “shall commission an **evaluation of the implementation and impact of [the EJR], and the effectiveness and efficiency of Eurojust and its working practices**” by 13 December 2024.

The **purpose** of this study was to support the Commission in meeting this legal obligation through the delivery of research that achieves **four objectives**:

- **Objective 1:** Examine whether the EJR has been completely and correctly implemented.
- **Objective 2:** Assess the performance of Eurojust and its working practices in line with the Commission’s Better Regulation Guidelines and the evaluation concepts of effectiveness, efficiency, relevance, coherence and EU added value.
- **Objective 3:** Analyse the Agency’s use of existing resources, identifying any significant obstacles and their causes.
- **Objective 4:** Indicatively identify areas that might need revising within the EJR, in line with the competences attributed to Eurojust by Article 85 TFEU, to serve as a foundation for a possible future revision of the EJR.

The study examines all internal and external tasks, functions and activities implemented by Eurojust in the period from 12 December 2019 (the EJR date of application) to 1 May 2024.

Methodology and tools

To achieve the objectives of this evaluation support study, four main tasks were conducted: (i) establish the intervention logic; (ii) design the analytical framework and tools, including a detailed evaluation matrix and consultation strategy; (iii) conduct the necessary quantitative and qualitative data collection and analysis, and (iv) elaborate replies to the evaluation questions and prepare a comprehensive report with conclusions and areas for improvement.

As part of the data collection, 117 semi-structured interviews were conducted with stakeholders from the following groups: representatives of Eurojust, covering National Members, deputies, assistants, third country liaison prosecutors, and members of the administration; EU institutions, bodies, offices, agencies (IBOAs) and networks operating in the justice, home affairs and anti-fraud fields; policymakers and practitioners from the EU Member States and third countries; international organisations; and other independent experts in the field. Two cross-country focus groups were also conducted with national practitioners from EU Member States and third countries.

Further depth was added to the evidence base through two online surveys with: (i) members of Eurojust national desks and third country liaison prosecutors, which received 79 total (and 37 complete) responses; and (ii) members of the Eurojust national coordination systems in the EU Member States, as well as other national level practitioners and policymakers, which received 365 total (and 251 complete) responses. The evaluation team also conducted a study visit to Eurojust’s headquarters, observed two Eurojust-hosted meetings, and produced three in-depth case studies on Eurojust’s operational support to cross-border cases, cooperation with third countries, and proactive functions. Desk research, covering Eurojust’s internal and planning documents, as well a wider policy and strategic documents, was also conducted.

Main findings, conclusions and areas for improvement

The EJR was designed to drive the evolution of Eurojust from a “third pillar” Unit based on inter-governmental cooperation to a fully-fledged EU Agency. In fact, the core overarching objective of the EJR and thus of Eurojust remained consistent – to contribute to the effective and efficient fight against serious cross-border crime, primarily by providing cooperation and coordination support, at the request of Member States, to the investigation and prosecution of cases within their competence. The Agency’s organisation and governance structure also remained largely unchanged.

The EJR introduced targeted changes in Eurojust’s functions, organisational structure and governance to address identified challenges, align Eurojust’s legal framework to EU norms for decentralised agencies, and ultimately achieve key objectives:

- **Improve the organisation of Eurojust** to: (i) tackle a range of internal challenges, including the high administrative burden on Eurojust National Members when acting as a College, barriers to effective leadership, and a problematic accountability framework due to the supervisory, executive and operational role of the College; and (ii) align Eurojust’s working practices to the [EU Common Approach on EU decentralised agencies](#), the Treaty of Lisbon, and the revised EU data protection regime. To achieve this, the EJR created a two-level governance structure through the set-up of an Executive Board, amended the tasks and functions of the College to focus on operational rather than administrative matters, and introduced a revised data protection regime.
- **Support EU Member States in the investigation and prosecution of cases.** In this regard, the EJR enhanced Eurojust’s operational capabilities (e.g. by providing the Agency with the ability to act on its own initiative) and increased information exchange between Eurojust and the Member States. The Agency’s role and competences in the field of core international crimes also increased over the evaluation period (primarily through the amendments to the EJR introduced by [Regulation \(EU\) 2022/838](#)).
- **Cooperate with EU and international partners.** In particular, the EJR covered the relationship between Eurojust and the newly created EPPO, while enhancing the focus on engagement with third countries. This was seen as important to facilitate coordination and cooperation in the increasingly global context of judicial cooperation in criminal matters and to align the allocation of competences for concluding international agreements with the Treaty of Lisbon.

Eurojust has implemented the EJR in line with its interpretation of the legal text. This was driven by a detailed internal assessment of the requirements introduced by the new legal framework and a related action plan, with implementation achieved through a combination of: (i) structural changes, such as amendments to Eurojust’s internal legal framework; and (ii) wide-ranging, targeted amendments to activities and working practices (e.g. drafting a model working arrangement for establishing strategic cooperation with third parties).

Although Eurojust has made significant progress towards most objectives of the EJR, in part through further professionalisation of its operations, the **Agency still faces a range of challenges, with varying, and in some cases significant, implications for the full and complete implementation of the Regulation and in turn for the functioning and performance of the Agency.** These include: (i) different, and a lack of binding, interpretations of certain EJR provisions that are considered to be unclear (e.g. on the role of the Executive Board versus the College and the distinction between operational, strategic and administrative matters); (ii) differences in cultures and approaches across Eurojust national desks and Member State systems for judicial cooperation in criminal matters (e.g. on issues such as what types of requests Eurojust should support and the set-up of the Eurojust national coordination system (ENCS) in each Member State); and (iii) the scope of the Agency’s activities, as certain EJR provisions (e.g. on the posting of liaison magistrates) have not been implemented, while

Eurojust has conducted additional activities not provided for by the EJR (e.g. involvement in externally funded projects).

To what extent was the Eurojust Regulation successful and why?

Eurojust has been very effective in supporting and strengthening coordination and cooperation between national investigating and prosecuting authorities. This is driven primarily by the quality and relevance of Eurojust's practical and logistical support to operational tasks. Such activities, including the facilitation of JITs, coordination meetings and coordination centres, are at the centre of this success, with further value provided to practitioners by Eurojust support to the identification of relevant counterparts in other Member States and third countries, and allowing them to discuss cases in their own languages.

Another **key strength of Eurojust lies in the cooperation it facilitates with other partners.** The Regulation introduced several provisions on Eurojust's cooperation with its partners, within the EU (IBOAs, the EPPO, OLAF, Europol, networks) and externally (international organisations, third countries). Overall, feedback suggests that, **while a few challenges exist** (e.g. to ensuring effective information sharing, updating the Eurojust-Europol cooperation agreement), **cooperation with EU partners is progressing and is generally coherent.**

Significant developments have been achieved regarding cooperation with third countries. Between 2019 and 2023, the number of third country liaison prosecutors posted at Eurojust doubled from six to 12 and the Agency's global network of third country contact points grew from 52 to 72. This led to a 52% increase in cases with third countries over this period, with representatives of third countries, including liaison prosecutors, highlighting the value of Eurojust for enabling and facilitating coordination and cooperation with the national authorities of EU Member States on cross-border crime. This is further illustrated by the nature of successful investigations involving third countries and supported by Eurojust, such as a [large-scale anti-mafia operation](#) involving Italian, Brazilian and Swiss authorities that led to the arrest of a member of an organised crime group and the freezing of assets worth EUR 50 million.

The **role of Eurojust when acting on its own initiative** represents an area where the Agency has potential to provide further added value. However, particularly considering proactivity in operational (as opposed to strategic) work, the actions of Eurojust were found to be limited across the evaluation period, albeit less visible due to the nature of current working practices and supporting tools (i.e. proactive operational actions were often not recorded as such due to the functioning of Eurojust's case management system and ways of working).

Concerning **strategic and policy work**, which has both proactive and reactive dimensions that support knowledge sharing and retention at a strategic and policy level, Eurojust has performed well overall. Whilst some stakeholders expressed minor concerns regarding the utility of certain Eurojust products (National Members) and the extensive engagement with policy initiatives (EU IBOA representatives), national practitioners highlighted the value brought by many of Eurojust's published outputs – in particular, those focused on EU-level criminal law and judicial cooperation matters, such as overviews of case law by the Court of Justice of the EU on the European Arrest Warrant (EAW).

However, while the Agency's work clearly provides significant value, particularly to national practitioners, the evaluation has found that **Eurojust's organisational structure negatively affects its effectiveness and efficiency, with an overarching sense that more could be achieved with the same resources.** This is even more pertinent in a context where the Agency has seen its budget increase significantly over the evaluation period (53.8% increase in revenue between 2019 and 2023). While this reflects the additional tasks taken on by Eurojust, as well as inflationary pressures, the evaluation has found **significant scope for improvements in the efficiency of the Agency's use of resources.** The key considerations in this regard are now explained.

The organisation of Eurojust is the main area in which the evaluation identified limitations affecting the Agency's work and effectiveness. The distinction between operational, managerial, strategic, and administrative tasks, and the related responsibilities of the College and the Executive Board, are considered unclear under the EJR.

While Eurojust has technically implemented the provisions of the EJR in this area (e.g. by establishing the Executive Board), there is a lack of legal clarity and binding interpretation on the distinction between operational, managerial, strategic and administrative tasks, as well as differing interpretations amongst stakeholders. This meant that the decisions on the division of roles and responsibilities between Eurojust's governance and decision-making bodies fell to the Agency, and specifically the College. In this context, **Eurojust has taken insufficient action to amend its governance and decision-making culture, and the related structures, systems and processes, to achieve the EJR's intended goals.** In fact, it has generally continued its pre-EJR approach in this regard, with the same challenges persisting.

This situation has led to **inefficient and lengthy decision-making processes**, especially when responsibilities between bodies overlap. The internal organisation is cumbersome, complex and hard to navigate, resulting in duplicative, multi-layered decision-making processes. This is exacerbated by a **lack of clear vision and leadership**, which stems from the collegiate nature of the Agency's Management Board (i.e. the College). This is limiting Eurojust's ability to operate as a modern, agile organisation, with particular impacts on the ability to react swiftly to unforeseen events. It also creates **risks for accountability and conflicts of interest**, as the College (as the Management Board), takes decisions that affect the daily working conditions and benefits of the National Members that compose the College.

In this context, the **current operation and format of the Executive Board does not play its envisioned role of supporting the College and reducing the administrative burden on National Members.** This was found to be a product of:

- The **blurred areas of responsibility for the College, the Executive Board and the Administrative Director**, stemming from divergent opinions on what should be considered as operational versus administrative matters. While many National Members did see a need to reduce the work of the College on administrative matters, the collegiate nature and leadership challenges noted above have led to an inability to substantively change the situation. As such, tensions remain between the general desires of the College to reduce the administrative burden on National Members, whilst maintaining decision-making control across many domains, including on administrative matters.
- The **composition of the Executive Board**, and in particular the current rotation system. The commitment of National Members to the Executive Board varies considerably based on their availability, interest, or understanding of planning and administrative matters. This can undermine the role of the Executive Board.

Further complexity is added by **Eurojust's two-track structure** – combining the College and national desks with the Eurojust administration. The distinction between the tasks of the national desks and the administration in operational work is not always clear, which can also lead to inefficiencies. It is also exacerbated by the inherent tension in having two categories of staff operating in the same organisation, with different management structures, lines of accountability and career paths.

Another key factor that impacts Eurojust's effectiveness and efficiency is the **lack of clarity, as well as the impact of different national practices, on what case requests Eurojust should support.** The evaluation found that national desks have different working methods and cultures, and this affects Eurojust's body of casework. Some national desks accept requests made by their colleagues at national level, regardless of whether the case is complex or requires collaboration through the Agency (as opposed to other mechanisms). Others more proactively inform their colleagues that other channels of cooperation are available, pointing

them towards the EJN and encouraging them to use Eurojust only for more complex and/or urgent cases requiring multi-national coordination.

One of the related challenges, which is common to the evaluation of justice-related matters, is the way in which Eurojust can demonstrate its impact, beyond the volume of its casework. In this sense, the nature of the Agency's work in supporting cooperation and collaboration is not conducive to clear result indicators. Furthermore, the time it takes for cases to proceed through the justice system means that it is nearly impossible for the Agency to communicate on possibly relevant metrics, such as the number of people convicted, the value of assets or illegal goods seized or frozen, once a final judicial decision has been made.

Other hindering factors include IT and digital tools in the Agency not being state of the art, in particular the existing Case Management System. However, Eurojust has implemented several steps in recent years to improve the situation.

How did the Eurojust Regulation make a difference?

Eurojust provides clear value beyond what Member States could achieve alone. The Agency's success in addressing the needs of investigating and prosecuting authorities in the Member States is linked to its position as part of a wider EU ecosystem of judicial cooperation in criminal matters. Eurojust and the European Judicial Network (EJN) together have been instrumental in increasing the use of judicial cooperation instruments, in particular European Investigation Orders (EIOs) and EAWs, by national prosecutors and investigative judges. The current set up adds value to national practitioners, even though it may not be the most efficient from the Agency's perspective.

In some Member States, the lack of knowledge amongst national practitioners of the support Eurojust offers still limits the ability to realise the Agency's full potential. In this respect, the work of the ENCS in each Member State, as well as practitioners specialising in judicial cooperation, are instrumental in raising awareness about the benefits of the Agency's support.

Is the Eurojust Regulation still relevant?

The **Agency's core activities are very relevant to investigating and prosecuting authorities in Member States involved in cross-border cases.** With the increase in the number of cases, as well as developments in the types of crime with a cross-border dimension that face national prosecutors and investigative judges, the relevance of the Agency's operational work is increasing. The rationale for the Agency's other activities received some challenge from some National Members and EU IBOAs. These activities are seen as secondary, with some stakeholders stating that they risked diverting resources from Eurojust's core operational work.

Over the evaluation period, the **Agency has taken on additional tasks of great relevance to the evolving needs of the EU**, most prominently establishing the Core International Crimes Evidence Database (CICED), as per [Regulation \(EU\) 2022/838](#), and the International Centre for the Prosecution of the Crime of Aggression against Ukraine (ICPA). There was a clear demand from certain countries for the Agency to be involved in supporting the EU response to the Russian war of aggression against Ukraine, and the work undertaken is purely operational. However, while not questioning the relevance of these new tasks, some National Members raised concerns regarding their potential impact on the Agency's perceived independence. This situation further highlights the challenges stemming from the dual nature of Eurojust and its National Members, being independent from an operational perspective, but playing an important role in the EU policy and strategy ecosystem for judicial cooperation in criminal matters.

1. Introduction

This document presents the **final report** of the support study for the **Evaluation of the implementation and impact of the Regulation (EU) 2018/1727 of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust), and of the effectiveness and efficiency of Eurojust and its working practices**. This evaluation support study¹ is being conducted for DG Justice and Consumers under Framework Contract JUST/2020/PR/03/0001 for Evaluation, Impact Assessment and Related Policy Support Services in the Justice and Consumers Policy Areas.

The **purpose** of this final report is to present:

- The **intervention logic** for Regulation (EU) 2018/1727 (hereafter, the Eurojust Regulation or EJR).
- The **analytical framework**, and the **methodology** applied, including any limitations and associated responses/implications.
- An **assessment of the *de jure* and *de facto* implementation of the EJR** by Eurojust over the evaluation period.
- **Responses to all evaluation issues/questions** (as detailed in Annex 2) and overall conclusions on each evaluation criterion.

1.1 Evaluation objectives and scope

Article 69(1) of the EJR stipulates that the European Commission “shall commission an **evaluation of the implementation and impact of [the EJR], and the effectiveness and efficiency of Eurojust and its working practices**” by 13 December 2024, while indicating that the evaluation should also **consider the future of Eurojust’s mandate** and related financial implications.

The **purpose** of this study contract is therefore to support the Commission in meeting this legal obligation through the delivery of research that achieves **four objectives**:

- **Objective 1:** Examine whether the EJR has been completely and correctly implemented by both Eurojust and the Member States.
- **Objective 2:** Assess the performance of Eurojust and its working practices in relation to its objectives and tasks, as well as the overall impact of the EJR on the problems it was set out to solve. In line with the Commission’s BRG, the evaluation will examine questions within the criteria of effectiveness, efficiency, relevance, coherence, EU added value.
- **Objective 3:** Analyse the Agency’s use of existing resources, identifying any significant obstacles and their causes.
- **Objective 4:** Indicatively identify areas that might need revising within the EJR, in line with the competences attributed to Eurojust by Article 85 TFEU, to serve as a foundation for a possible future revision of the EJR.

In terms of **scope**, this support study covers the period from 12 December 2019 (the EJR date of application) until 1 May 2024. Geographically, it covers all Eurojust’s activities, including its cooperation with competent authorities in participating Member States, its cooperation with Denmark, and its cooperation with third countries (in particular, Switzerland, the USA, the UK,

¹ The term ‘evaluation’ is used in this report to reflect the evaluative nature of the work undertaken. However, this is a support study, providing the main research to underpin the Commission evaluation (staff working document).

Ukraine and countries from the Western Balkans) and international organisations. For neighbourhood countries, particular attention is paid to countries where cooperation is supported through specific projects.

The implementation of the digital justice initiative at Eurojust, including the renewal of the Case Management System (CMS) and the set-up of secure digital information channels as provided by Regulation (EU) 2023/2131, is excluded from the evaluation as it is still in the process of technical implementation.

1.2 Methodological overview and challenges

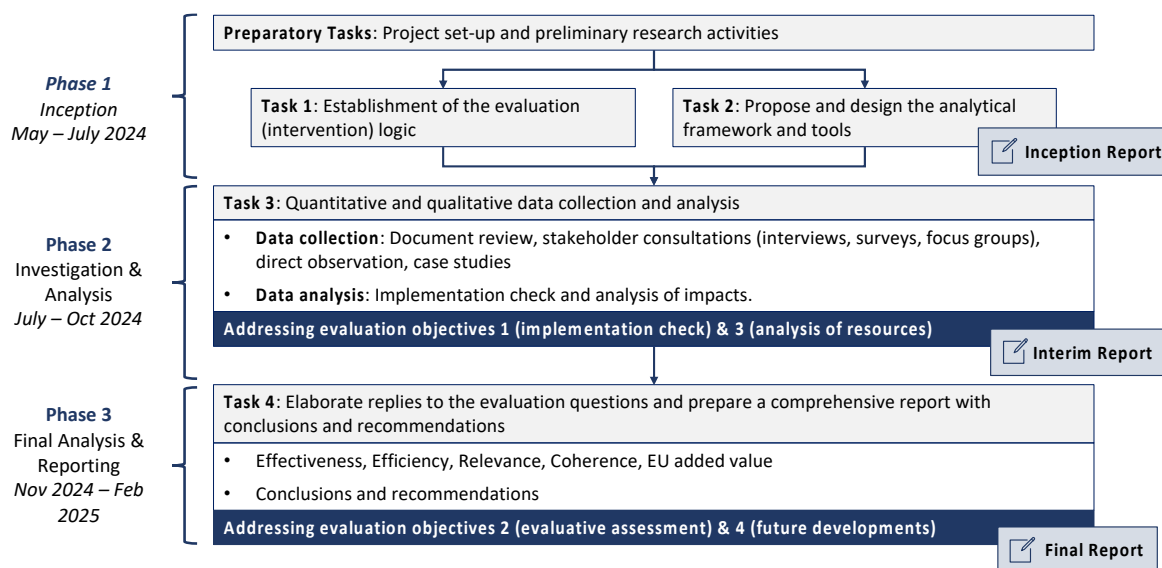
The objectives of this evaluation support study were achieved through the completion of **four overarching tasks**, comprising **two preparatory tasks** and **two research tasks**:

- **Preparatory tasks.** These two tasks underpinned all the above objectives and aimed to ensure that the methodological and thematic foundations of the evaluation support study were developed and agreed in collaboration with DG JUST.
 - **Task 1:** Establishment of the evaluation (intervention) logic. This task aimed to ensure a common understanding between the evaluation team, DG JUST and Eurojust of the intervention logic of the EJR, including **detailing the expected logic of the EJR at the time of its adoption and entry into application.**
 - **Task 2:** Design of the relevant analytical framework and tools. This task aimed to finalise the methodological approach and develop the tools necessary to conduct the research under Tasks 3 and 4. In particular, a detailed evaluation matrix, as presented in Annex 2, was developed and refined in collaboration with DG JUST.
- **Research tasks.** These two tasks were sequential and were initiated following the completion of the preparatory tasks.
 - **Task 3:** Quantitative and qualitative data collection and analysis. This task aimed to collect and triangulate all the data and generate the analytical outputs on the implementation and effects of the EJR that are necessary to develop evidence-based judgements on all evaluation issues under Task 4. These research activities contributed directly to the achievement of Objective 1 and Objective 3:
 - **Document and qualitative data review** relevant to the implementation of the EJR and the functioning of Eurojust.
 - **Targeted consultation with relevant stakeholders**, including (i) semi-structured interviews; (ii) online survey with national desks and third country liaison prosecutors; (iii) online survey with other Member States and third country national stakeholders; (iv) cross-country focus groups; (v) direct observations; and (vi) three case studies.
 - **Analytical activities** focused on mapping and assessing the implementation of the EJR, including: (i) analysing legal and policy issues; (ii) analysing Eurojust's use of financial and human resources; and (iii) analysing Eurojust's objectives, activities and outcomes.
 - **Task 4:** Elaborate replies to the evaluation questions and prepare a comprehensive report with conclusions and areas for improvement. Under this task, all the evidence gathered to answer each evaluation question across the five key evaluation criteria (effectiveness, efficiency, relevance, coherence and EU added value) was triangulated, before a set of legislative and non-legislative areas for improvement were developed. These research activities contributed to the achievement of Objective 2

and Objective 4. This was supported by two validation workshops, conducted with Eurojust's College on 11 February 2025 and the management team of Eurojust's administration on 20 February 2025.

These tasks were delivered across **three distinct project phases**, framed by key milestones (meetings and deliverables). The phases are visualised in the below figure.

Figure 1: Workplan – Visual illustration



The evaluation encountered several **challenges**, which were mitigated to the extent possible by the evaluation team in cooperation with DG JUST, Eurojust and other stakeholders:

- **Interview programme:** Firstly, due to the timing of the interview programme over the summer period, as acknowledged in the inception phase, stakeholders were largely non-responsive in August 2024. Although this was true across most stakeholder groups, it was a particular challenge for the internal Eurojust stakeholders, who made up 50% of the interview cohort (~59 interviews). As a result, the team was required to conduct a significant number of interviews in a short space of time towards the end of the planned timeframe for the interview programme. In this context, the planned site visit to the Hague was also delayed against the initial project plan, which contributed to this compressed timeframe; at Eurojust's request, the site visit was postponed from mid-September 2024 to 30 September – 2 October 2024. This had a knock-on effect on the timelines for the two online surveys, as well as the analytical activities for the interim and draft final reports. However, regular contact was maintained with DG JUST on this point, highlighting the challenge and agreeing mitigation measures.

In addition, the study team faced initial difficulties in identifying and contacting national-level stakeholders, in particular magistrates at the national level. This challenge was largely alleviated through the proactive support of the EJM secretariat, as well as targeted desk-based searches.

In total, **117 semi-structured interviews were conducted** with stakeholders from the following groups: Eurojust, covering National Members, deputies, assistants, liaison prosecutors and members of the administration; EU institutions and OLAF, as well as other bodies, agencies, offices and networks operating in the justice and home affairs field (including the European Commission, the European Parliament and the Council, Europol, the EPPO, FRA, Frontex, and CEPOL); policymakers and practitioners from the EU

Member States and third countries; international organisations; and other independent experts in the field.

- **Online surveys:** Two surveys were conducted, with: (i) members of Eurojust national desks and liaison prosecutors (*survey #1*); and (ii) members of Eurojust national coordination systems in the EU Member States, as well as other national level practitioners and policymakers (*survey #2*). The intention was to finalise the survey questionnaires in mid to late August, based on initial feedback from the interview programme, with a view to launching both surveys at the beginning of September. However, due to the abovementioned challenges with the interview programme, there was limited interview feedback with which to update the survey questionnaires in this timeframe. Moreover, the compressed timeframe for the interviews with Eurojust personnel made it challenging for the evaluation team to update the survey questionnaires (i.e. due to the volume of interviews in key weeks).

Survey #1 received a total of 79 responses, 37 of which were complete responses, from a possible target population of approximately 100. Considering the nature of the population, this response rate was lower than expected; drivers of this low response rate included concerns amongst respondents regarding the attribution of responses to individuals based on personal data, and an assumption that those who had contributed to the interview programme did not need to complete the survey. In collaboration with DG JUST and Eurojust, we took a number of measures to reassure the target respondents that their submissions would be treated confidentially, and that they would deliver added value to the evaluation beyond their interview contributions.

Survey #2 received a total of 365 total responses, 251 of which were complete responses; well above the target of 180. A significant number of survey #2 respondents were from Romania (30% of total responses, with 90 of 251 complete and 21 of 114 partial responses). Following a dedicated analysis, this was not considered to be the result of an organised campaign, as no repeating response patterns were identified besides the large number of 'I can't say' responses submitted by this group, as discussed below. In addition, while representatives of third countries contributed to the research via the interviews and cross-country focus groups, survey #2 did not receive any responses from this stakeholder group.

Across both surveys, certain questions received a large number of 'I can't say' responses. For survey #2, as detailed further in Annex 3 (stakeholder consultation synopsis report), many of these were submitted by Romanian respondents, thereby reducing the overall influence of this stakeholder group on the results. In most cases, this is most likely attributable to a lack of awareness or knowledge regarding the question at hand. Depending on the nature of the question and the type of respondent, this can be indicative or it can add no/limited value to the analysis. As such, the analysis of survey data includes the 'I can't say' responses where relevant and clearly indicates whether they have been included or not.

Moreover, the surveys were designed to enable comparisons on key questions. The reporting of results for some questions, therefore, combines data from the two surveys to provide an overall position across a broader stakeholder population before disaggregating where relevant.

- **Direct observations:** The evaluation team had proposed to attend and observe up to 5 in-person meetings or events, where Eurojust was the host or a key participant. A range of different options were discussed with Eurojust, including meetings of the College and the Executive Board, and meetings of relevant expert groups or networks (e.g. EJN, JIT Network, Genocide Network, etc.). However, the then President of Eurojust interpreted the confidentiality requirement of Eurojust's Rules of Procedure (Art. 5(4)) as prohibiting the

participation of the evaluation team in meetings of the College and the Executive Board. This provision requires College meetings – and, by analogy, Executive Board meetings – to be private and for discussions to be confidential. To mitigate this challenge, key interviews were conducted and/or focused on the functioning of the College and the Executive Board, including its practices as regards meetings.

As a result, it was only possible to attend and observe two meetings hosted by Eurojust – a Meeting of the JIT Network on 23-24 October 2024 and a Meeting of the Genocide Network on 13 November 2024. That is, no meetings regarding the internal administration, functioning or governance of the Agency were able to be attended or observed. However, the evaluation team was invited to present a summary of the preliminary evaluation findings to the College as part of a validation workshop on 11 February 2025. This provided the evaluation team with the opportunity to observe the dynamics of the College.

- **Cross-country focus groups:** A small number of cross-border focus groups were planned, with the aim of bringing together national practitioners involved in cross-border cooperation to understand the challenges they face and the extent to which the EJR addresses them, any practical issues relating to these cases, as well as the value that Eurojust delivers in such cases. As for the surveys, finalising the method for the cross-country focus groups was dependent on the initial data collection activities, in particular the interviews and the engagement of national level stakeholders. However, given the delays experienced in the interview programme, and their impact on obtaining relevant national level contacts, the hosting of the focus groups was delayed to January 2025, with the agreement of DG JUST. One focus group took place on 14 January 2025 and focused on the impact of Eurojust for national practitioners. The second focus group, which took place on 21 January 2025, focused on collaboration with third countries.

Overall, the consultation delays did not have an impact on the overall evidence base collected, which comprises a strong body of views on all relevant research issues across all relevant stakeholder groups. Further detail on the consultation results is presented in Annex 3.

1.3 Report structure

This report consists of the following sections:

- Section 2 presents the **intervention logic** for the Eurojust Regulation, as adopted in 2018, responding to the question ‘What was the expected outcome of the intervention?’.
- Section 3 presents an **analysis of the *de jure* and *de facto* implementation of the EJR**, responding to the question ‘How has the situation evolved over the evaluation period?’
- Section 4 presents the **findings across all evaluation issues** covered by the **effectiveness, efficiency and coherence criteria**, responding to the overarching question ‘To what extent was the Eurojust Regulation successful and why?’
- Section 5 addresses the question ‘How did the Eurojust Regulation make a difference?’, detailing the **findings on the evaluation criterion of EU added value**.
- Section 6 addresses the question ‘Is the Eurojust Regulation still relevant?’, detailing the **evaluation findings on the relevance criterion**.
- Section 7 presents the **conclusions** of the evaluation.

These sections are supplemented by Annexes containing: a list of sources (Annex 1); the analytical frameworks, including the evaluation matrix, used to guide the study (Annex 2); the stakeholder consultation synopsis report (Annex 3); an analysis of financial and human resources, including detailed budgetary data tables (Annex 4); cost-benefit tables (Annex 5);

the three case studies (Annex 6); a comparative legal analysis on the EJR and Council Decision (Annex 7); tables summarising the multi-annual strategic objectives (Annex 8); and a descriptive analysis of Eurojust's cooperation with EU and international partners (Annex 9).

2. What was the expected outcome of the intervention?

This section sets out the intervention logic (IL) of Eurojust and the EJR at the time of its inception in 2018-2019. This is an iteration of the intervention logic presented in the inception report, taking into account: (i) changes deriving from the evaluation team's evolving understanding of the Agency; and (ii) feedback from stakeholders having been involved in the drafting and adoption of the EJR.

This section seeks to provide an overview of the needs leading to the creation of the Agency, the problem drivers affecting those needs, the objectives of the EJR (at three different levels), the activities which the Agency was to undertake in order to achieve those objectives, as well as the outcomes (outputs, results and impacts) the Agency was expected to achieve in order to address the needs identified, and beyond this, affect the problem drivers.

The intervention logic serves as a tool to:

- Compare the **intended causal links** between the planned intervention and what has happened since the creation of the Agency (and in particular identify any area where the effects have been less prevalent, as well as unintended consequences).
- Develop a **shared understanding of the needs, objectives, activities and outcomes** of the Agency against which the evaluation criteria will be assessed.

2.1 Historical and policy context

The idea of setting up a body at European level supporting coordination and cooperation between national investigating and prosecuting authorities emerged in the 1990s. In its conclusions from its meeting in Tampere summit of 1999 (the Tampere Programme), the Council agreed on the need to set up Eurojust as a 'Unit' *"composed of national prosecutors, magistrates, or police officers of equivalent competence, detached from each Member State"*, who should have the task of *"facilitating the proper coordination of national prosecuting authorities and of supporting criminal investigations in organised crime cases"*.²

Before Eurojust was formally set up, ministers of justice agreed during the Marseille JHA Council in 2000 to informally send one judge each to Brussels. Hosted in the Council building, these judges had an important role in discussing how the Unit would operate once established, including the format of the Eurojust College.³

Eurojust was formally established by Council Decision in 2002 as a "Unit" constituting a "body of the Union" overseen by the Council, following the inter-governmental approach of the Third Pillar "Police and Judicial Cooperation in Criminal Matters" under the Maastricht Treaty. Following the adoption of the Treaty of Lisbon, Eurojust fell under the "Area of Freedom, Security and Justice" Title of the TFEU, a policy domain entirely under the community method decision-making.⁴

This shift away from the Pillar system led to the need to adapt the structure of Eurojust to reflect the new legal framework. In 2012, a study on how to strengthen Eurojust was commissioned. Shortly afterwards, the Commission published an Impact Assessment Accompanying the Proposal for a Council Regulation on the establishment of the European

² Tampere European Council, presidency conclusion, available at: https://www.europarl.europa.eu/summits/tam_en.htm

³ Gilles de Kerchove, *A short history of the creation of Eurojust*, in *20 years of EUROJUST: EU judicial cooperation in the making – a collection of anniversary essays*, 2022.

⁴ Mitsilegas, Valsamis, *EU Criminal Law after Lisbon – Rights, Trust and the Transformation of Justice in Europe*, 2016, pp 5-6.

Public Prosecutor's Office which also covered Eurojust. The role and responsibilities of the EPPO and Eurojust were debated.

In July 2013, the European Commission submitted a proposal to the European Parliament and the Council for a new regulation on Eurojust to provide a 'single and renovated legal framework for a new **Agency** for Criminal Justice Cooperation (Eurojust)', the legal successor of Eurojust as established in 2002. After extensive negotiations, the European Parliament and the Council adopted the Regulation on the European Union Agency for Criminal Justice Cooperation in November 2018. Eurojust evolved from a 'Unit' to a fully-fledged 'Agency.'

At the time the EJR was adopted, the policy context was therefore complex, with different political priorities, leading to the EJR being adopted without a dedicated Impact Assessment (IA). Documents such as the Study on the strengthening of Eurojust (2012), the evaluation of Eurojust (2015)⁵, and the IA for the creation of the EPPO are therefore important inputs when reconstructing the intervention logic of the EJR at the time of adoption.

Other entities (agencies, bodies and offices) in the field of justice and home affairs and OLAF

Eurojust was envisaged as part of **an ecosystem of agencies, bodies and offices at EU level**. Each of them has a particular role, and interacts with the operations of Eurojust; they include:

- **Europol**, the European Union Agency for Law Enforcement Cooperation serves as a centre for law enforcement co-operation, expertise and criminal intelligence. Its tasks include the analysis and exchange of information, such as criminal intelligence; co-ordination of investigative and operational actions as well as participation in joint investigation teams;
- The **EPPO's** task is to investigate and prosecute criminal offences affecting the financial interests of the Union that are provided for in the PIF Directive⁶. These include, inter alia, several types of fraud, including VAT fraud with damages above EUR 10 million=, money laundering, corruption and inextricably linked offences to them. The EPPO is also competent for offences regarding participation in a criminal organisation if the focus of the criminal activity is to commit PIF offences;
- **OLAF**, the European Anti-fraud office is included here, although it is not a JHA Agency. It has a hybrid status. It conducts administrative investigations into fraud, corruption and any other illegal activity affecting the financial interests of the European Union and into serious matters relating to the discharge of professional duties constituting a dereliction of the obligations of EU staff members or Members of EU Institutions, Bodies, Offices and Agencies (IBOAs), liable to result in disciplinary or, as the case may be, criminal proceedings. OLAF is independent when it carries out its investigative functions although it is set up as a Directorate-General of the Commission.
- **National level organisations**, in each Member States, a number of organisations and offices exist, dealing with crimes for which Eurojust is also responsible.

⁵ EY, Evaluation of the Eurojust Council Decision and the activities carried out by Eurojust, June 2025, available at: https://www.eurojust.europa.eu/sites/default/files/assets/eurojust_evaluation_implementation_eurojust_council_decision_final_report_2015_en.pdf

⁶ Directive (EU) 2017/1371 on the fight against fraud to the Union's financial interests by means of criminal law, available at : <https://eur-lex.europa.eu/eli/dir/2017/1371/oj/eng>

Data protection

Given the nature of Eurojust's activities and the importance of information exchange, the EU data protection regime is an important contextual element of the EJRC. This includes in particular:

- The Eurojust data protection regime, consisting of Regulation (EU) 2018/1725 (the EUDPR) for processing of administrative personal data and in particular Chapter IX of the EUDPR for processing of operational personal data, in conjunction with specific data protection rules in the Eurojust Regulation, as well as in internal Eurojust rules.
- The comparison of the Eurojust data protection regime with the Law Enforcement Directive (EU) 2016/680, as well as with the data protection regimes of other EU JHA Agencies, in particular Europol, the EPPO and OLAF. The **European Data Protection Supervisor (EDPS)** is the supervisory authority in charge of monitoring whether EU institutions, bodies and agencies' respect the right to privacy and data protection when they process personal data. It is particularly important to assess the EDPS tasks and powers in respect of Eurojust.

2.2 Implementation context. Baseline – where we were

Eurojust was therefore a fully functioning 'Unit' before the adoption of the EJRC in 2019. In 2018, the last full year before the EJRC entered into force, it hosted 79 National Members, Deputies and Assistants, supported by 238 staff. The number of cases being dealt with by Eurojust had steadily increased from 200 new cases in 2002 to 3,317 in 2018. In the same year, Eurojust has organised 359 coordination meetings and 17 Coordination centres and provided support to 235 JITs, 85 of which had been established that year and 121 of which were funded by the Unit. These figures are considered points of comparison, or the baseline for the evaluation.

These figures however only provide part of the real picture of Eurojust's work at the time. The 2015 evaluation of the Agency reported that National Members found that the cases they were involved in were increasing in complexity and increasingly multilateral, even though the majority of cases referred to Eurojust were still bilateral ones, accounting for 83.4% of all new cases in 2018.

In 2018, the Agency had a budget of EUR 38.6 million and had 313 post-holders. Ninety-one of those were seconded national experts, with the remaining 222 being staff members of the administration. In terms of third country cooperation, Eurojust hosted six liaison prosecutors, had cooperation agreements with nine countries and had contact points in 47 third states.

From the perspective of internal organisation, the College was made up of one National Member per Member State; the Commission did not have a representative sitting in the College. The College was responsible for all decisions linked to the functioning of the Unit. The College was the *de facto* Management Board of the Unit.

Data protection provisions in the Council Decision reflected the position before the adoption of the comprehensive data protection regime, in particular the General Data Protection Regulation (GDPR), the Law Enforcement Directive (LED) and the Data Protection Regulation for EU institutions, bodies, offices and agencies (EUDPR)⁷. The provisions were therefore less detailed.

⁷ Regulation (EU) 2016/679, Directive (EU) 2016/680, and Regulation 2018/1725 respectively.

2.3 Problem drivers and needs

At the time the EJR was adopted, it was gradually being understood that some problems in the field of EU criminal justice cooperation might need a European approach to tackle them effectively. The response to cross-border crime within the EU was being hampered by a lack of cooperation between judicial authorities in the Member States. This was partly due to inefficient and sporadic cooperation, but also the result of the lack of a structured and formalised cooperation and coordination in investigations and prosecutions. Eurojust was designed to help reinforce the fight against organised crime, simplify and enhance coordination between Member States at the investigation and prosecution stages. The main differences between Eurojust as a Unit under Council Decision 2009/426/JHA and as an Agency according to the EJR include:

- From a governance point of view, changes include: the creation of an **Executive Board** (Art. 6(c))⁸ and the reform of the composition of the College. The Administrative Director's (AD) role is specified (Art. 18); Art. 20(3)(b) each Member State shall set up a Eurojust national coordination system (ENCS) to ensure coordination of the work carried out.
- The EJR introduces a **new data protection regime**, adapted to the revised EU legal framework on data protection (**Art. 26** and following): application of both Regulation 2018/1725 to the processing of administrative personal data, with a new chapter IX on operational personal data as '*lex generalis*' and the Eurojust Regulation as '*lex specialis*' with regard to the processing of operational personal data. Chapter IX of the EJR refers to the processing of operational personal data by Union bodies, offices and agencies when carrying out activities which fall within the scope of Chapter 4 or Chapter 5 of Title V of Part Three TFEU. The EDPS became responsible for the oversight of Eurojust's compliance with relevant data protection rules.
- A **new relationship between Eurojust and the European Public Prosecutor's Office** (EPPO) based on mutual cooperation within their respective mandates and competences is foreseen in the EJR (**Art. 2**).

A full assessment of the difference between the Council Decision and the EJR is presented in Annex 7.

The drivers identified below relate to: i) the lack of mutual trust and differences in legal regimes between Member States' investigating and prosecuting authorities; and ii) trends in the nature and location of crime, often linked to the increased ease of circulation between Member States. They include:

- Issues affecting **trust between investigating and prosecuting authorities** (both at Member State and Third Country level) – Mutual trust between Member States can be described as being *founded on a presumption of compliance with rules on the protection of fundamental rights which are commonly accepted by Member States, offering a common denominator that renders different approaches equivalent*.⁹ In criminal matters, the lack of trust between investigating and prosecuting authorities could affect the efficiency and timeliness of cases.
- **Diverse criminal justice systems, experience, and approaches** to tackling serious cross-border crime in Member States and Third Countries. Differences between Member States in investigative measures, admissibility of evidence, the principle of equality of arms in transnational investigations, pre-trial detention regimes and alternatives to detention,

⁸ References to articles refer to the EJR, except where explicitly mentioned.

⁹ Ermioni Xanthopoulou, 'Mutual trust and rights in EU criminal and asylum law: Three phases of evolution and the uncharted territory beyond blind trust', (2018), 55, Common Market Law Review, Issue 2, pp. 489-509, available at: <https://kluwerlawonline.com/journalarticle/Common+Market+Law+Review/55.2/COLA2018034>

and national procedures to assess detention conditions and surrender led to delays and ill-execution of requests. These are only some of the impacts of this diversity in approach.¹⁰

- **Growing diversification into multi-crime/polycriminal activities** – Europol’s 2017 SOCTA report found that 45 of the OCGs reported were involved in more than one criminal activity, a sharp increase since the previous SOCTA report was published in 2013.¹¹
- **Increased globalisation/Internationalisation of cross-border crime** – the SOCTA report also pointed out that 7 out of 10 OCGs were typically active in more than three countries, highlighting the internationalisation of criminal groups and the tendency of OCGs to operate from Member States where the fight against crime is seen as less effective, or with lower minimum sanctions.¹²
- **Increased growth and sophistication of crime** – whether due to emerging technologies (leading, for example, to increased production and yield of drugs), increased sophistication of types of crimes such as economic crimes and migrant smuggling, and increased efficiency of and uptake of technological tools such as cyphered communications, and the used of the darknet.¹³

Based on those problems, the EJR sought to address the needs of specific stakeholder groups:

- **National investigating and prosecuting authorities in the EU** – arguably Eurojust’s main target group, as their work is meant to be simplified by the existence of the Agency;
- **National investigating and prosecuting authorities in third countries** – due to the cross-border nature of the criminal activity mentioned in the problems above, prosecutors and investigating authorities from third countries are also an important target group.

Beyond these, institutions, bodies, offices and agencies of the Union, national authorities are also stakeholders of the Agency, some of which are mentioned in the EJR.

The needs the Agency was expected to address are to:

Improve the operational efficiency of Eurojust. One of the issues emerging out of the shift from a pillar-based system to a community one was that Eurojust was set up as an intergovernmental ‘Unit’ but had to evolve into becoming a fully-fledged EU Agency. The 2015 evaluation pointed to the ambiguity in articles relating to governance, leading to ‘leeway in interpretation’. Leadership of Eurojust and the role of the College were particular areas of concern. The status of the president with “*limited responsibilities*” was seen as having the propensity to “*restrict the effective leadership exercised and the ability to set clear priorities*”. The role of the College and its members was also seen as conducive to a problematic accountability framework, due to their supervisory, executive and operational roles.¹⁴ This need stemmed from the set-up of Eurojust under the Council Decision and should therefore be seen as a new need. The next three, are in continuity with the Council Decision.

- **Improve cooperation and coordination between the investigating and prosecuting authorities of Member States and third countries.** Due to the cross-border nature of many criminal cases, there was a need to ensure cooperation between prosecuting and investigating authorities of different Member States to ensure the successful prosecution

¹⁰ See Selier, E. and Weyemberg, A, Criminal procedural laws across the European Union – A comparative analysis of selected main differences and the impact they have over the development of EU legislation, report for the LIBE committee, 2018, available at: [https://www.europarl.europa.eu/RegData/etudes/STUD/2018/604977/IPOL_STU\(2018\)604977_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2018/604977/IPOL_STU(2018)604977_EN.pdf)

¹¹ Europol, SOCTA report 2017, available at: <https://www.europol.europa.eu/socta/2017/>

¹² Europol, SOCTA report 2017

¹³ Europol, SOCTA report 2017

¹⁴ EY, Evaluation of the Eurojust Council Decision and the activities carried out by Eurojust, 2015, PP72-78.

of certain cases, as well as to avoid parallel investigation (With possible legal concerns about the principle of double jeopardy – *ne bis in idem*).

- **Improve cooperation in criminal justice matters.** Strengthening Eurojust was part of a series of measures aimed at creating an EU-level security architecture. This reflected a need to improve cooperation in criminal justice matters and cooperation with other organisations such as Europol and the EPPO.
- **Improve support for enforcement and judicial oversight for crimes with a cross-border dimension.** The successful enforcement of the law relies on the articulation of police and judicial cooperation. With the development of an agency for law enforcement cooperation (Europol), there was a need to ensure enhanced cooperation with judicial authorities as well as coherent judicial follow-up to coordinated law enforcement activities.

2.4 Objectives

In the context of Eurojust, and of the purpose of this evaluation, these levels of objectives can be translated into:

- **General objective** – This is the objective linked to the problems identified, i.e. to contribute to the effective and efficient fight against serious cross-border crime. This objective should be understood in the context of the Agency's role within the ecosystem of judicial cooperation in criminal matters.
- **Specific objectives** – This is the objective of Eurojust as set out in Article 85 TFEU and linked to the three dimensions of Eurojust's work to be undertaken: (1) based on requests from Member States; (2) on Eurojust's own initiative; and (3) at the request of the EPPO.

Operational objectives – the operational objectives are not presented in the IL diagram but are listed in Article 4 of the EJR. To achieve these objectives, Article 4 of the EJR established a number of operational functions of Eurojust, which can be translated into specific objectives to achieve the general one. These can be grouped under the following headings:

- **Support Member States** in the investigation and prosecution of cases – Supporting, informing and assisting Member States and Member States' Competent Authorities in undertaking a number of tasks relating to cooperation and coordination.
- **Cooperate with EU IBOAs, networks etc.** – Cooperating with the EJN, EJTN, the EPPO, Europol, OLAF, other EU institutions, bodies, offices and agencies (EU IBOA).
- **Cooperate with third countries** to facilitate coordination and cooperation.
- **Improve the organisation of the Agency.**

In terms of the operations of the Agency, one of the objectives relates to turning the Agency into a proper 'lisbonised' Agency¹⁵.

2.5 Inputs and activities

Given the lack of an impact assessment developed prior to the adoption of the EJR, inputs and activities were never set out in detail.

¹⁵ The Treaty of Lisbon introduced fundamental changes underpinned the development of EU law in the field of criminal law and justice. With the disappearance of the 'third pillar' covering justice and home affairs, one of the two areas which where decision were taken according to the inter-governmental principle, some Council bodies, including Eurojust, became EU Agencies, thus under the supervision of the European Commission.

These refer to the legal framework, policy guidelines, financial and human resources necessary. The actual inputs used by Eurojust across the evaluation period are outlined in section 3.

The activities to achieve these objectives are grouped under similar headings to the operational objectives, reflecting the tasks Eurojust was meant to undertake in relation to these headings. Beyond this, some activities are to be undertaken by other actors than Eurojust, mainly Member States' national authorities, the European Commission, European Parliament and Council, as well as the EDPS.

Support Member States. The core operational functions Eurojust had to perform for Member States are set out in Art 4(1). These activities are largely in line with what Eurojust was already doing under the Council Decision. They are to:

- Inform competent authorities of the Member States (CA) of relevant investigation and prosecutions – Art. 4(1)(a);
- Assist CAs in ensuring the best coordination of investigations and prosecutions – Art. 4(1)(b);
- Assist in improving cooperation between the CAs in particular on the basis of Europol's analysis – Art. 4(1)(c);
- Provide operational, technical and financial support to cross-border cooperations and investigations, including JITs – Art. 4(1)(f);
- Support MS' action in combatting forms of serious crimes – Arts. 4(1)(i,j);

Cooperation with EU institutions, bodies, offices and agencies (IBOA) (Art. 47(3)) and networks (Art. 48). Eurojust was designed to have a deepened cooperation with Europol (Art. 49), the EPPO (Art. 50), OLAF (Art. 51(2)) and Frontex (Art. 51(3)). The aim of this was to ensure seamless cooperation between different bodies and agencies working in similar areas.

Through its work in supporting cooperation between Member States' competent authorities, the Agency was seen as being in a unique position to provide support to certain networks. Prior to the adoption of the EJR, a number of **networks** had been set up. Eurojust, as the only EU agency responsible for criminal justice, was seen as the natural hub for supporting or hosting networks such as the European Judicial Network – EJNI (Art.48), European Judicial Training Network – EJTN (Art. 51), the Joint Investigation Team – JIT network and other networks involved in judicial cooperation in criminal matters (Art.48).

Cooperation with third countries. Criminal organisations do not operate solely on the territory of Union Member States, indeed, they can often enhance their activities by operating partly from third countries or operating solely from third countries on matters affecting the EU (such as money laundering, networks, cybercrime etc.). Cooperation with investigating and prosecution authorities from outside the EU was seen as an important element of Eurojust's work. Cooperation was expected to take the form of:

- **Posting liaison magistrates** in third countries (Art. 53);
- Coordination the execution of **requests for judicial cooperation** issued by a third country (Art. 54);
- **Hosting liaison prosecutors** from third countries (Art. 54a)¹⁶;
- Concluding **working arrangements with third countries** (Art. 47(a) and Art. 52);

¹⁶ Liaison Prosecutors were not mentioned in the EJR until the 2003 modification. However, cooperation agreements contained the possibility for third countries to have an LP at the seat of Eurojust.

- Establishing and maintaining **cooperation with third country** authorities and international organisations (Art. 52(1));
- Designating **contact points in third countries** (Art. 52(3)).

According to the EJR, other stakeholders are to undertake specific activities:

- **Member States** must, among other tasks:
 - Appoint (second) a prosecutor, a judge or a representative of a judicial authority with competences equivalent to those of a judge or prosecutor as **national members** in accordance with their legal system on the basis of a proven high level of relevant, practical experience in the field of criminal justice (Art. 7).
 - Set-up a **national coordination system** to facilitate the carrying out of Eurojust's tasks within the Member State' (Art. 20(7)).
- Respond to Eurojust when the Agency has asked CAs to undertake certain tasks (Art. 4(6)).
- Exchange relevant information amongst themselves and with Eurojust in certain cases (Art. 21).
- The **European Commission** has, among others, the following tasks;
 - To be a member of the College (Art. 10) and Executive Board (Art. 16);
 - Provide an opinion on the annual and multi-annual accounts (Art. 15), and budget (Arts. 61 and 63);
 - Work in consultation with Eurojust on a cooperation strategy with third countries (Art. 52).
- The **Council of the European Union** and the **European Parliament** are to:
 - Receive Eurojust's programming documents (Art.15), annual report (Art. 67(1));
 - Receive the evaluation of the Eurojust Regulation (Art. 69(2));
 - Ask questions to the president of Eurojust following their election and, subsequently, once a year, as long as they do not refer directly or indirectly to concrete actions taken in relation to specific operational cases (Art. 67 (1)(2)).
- The **EDPS** shall be responsible for:
 - Monitoring and ensuring the application of the provisions of this Regulation and Regulation (EU) 2018/1725 (Art. 40(1));
 - Acting in close cooperation with national supervisory authorities (Art. 40(5));
 - Dealing with complaints from the data subject (Art. (40(2)).
- **National parliaments** are to receive Eurojust's annual reports (Art. 67(1)). The president is to appear once a year for a joint evaluation of activities with the European Parliament and national parliaments within the framework of an interparliamentary committee meeting.

2.6 Outcomes

The first level of outcomes (outputs) is often measured and reported on by the Agency on an annual basis. These are discussed in greater detail in section 3. They relate to the activities

undertaken by the Agency, including coordination meetings (mentioned in Art. 4(3)(b), support for JITs (Art. 4(1)(f)), ‘products’, such as reports, policy paper, and guidelines (Art. 5(2)(j)).

Once again, given the lack of an impact assessment, the outcomes of the EJR were not set out explicitly. However, the results and impacts of the Agency are linked to the needs and problem drivers identified in sections 2.2 and 2.3 above. Expected **results** and impacts included:

- Greater **operational efficiency** of the Agency, primarily as a result of the creation of an Executive Board which was expected to unburden the College from non-operational work.
- Improved **cooperation and coordination between investigating and prosecuting authorities** through activities and outputs (such as coordination meetings, support for JITs, support to Member States etc.
- **Improved cooperation with IBOAs, networks and the EPPO.**¹⁷

2.7 Legal framework of the EJR

[Council Decision 2002/187/JHA](#) formally established Eurojust as an EU body with legal personality, with the aim of improving and supporting coordination between the competent authorities of the EU Member States with regard to judicial cooperation in criminal matters. The Decision provided Eurojust with competence in investigations and prosecutions concerning at least two EU Member States in relation to serious crime.

Under the 2002 Council Decision, Eurojust had two main tasks: (i) promoting coordination between the competent authorities of the relevant EU Member States; and (ii) facilitating the carrying out of requests and decisions relating to judicial cooperation in criminal matters. The 2002 Council Decision was amended twice:

- [Decision 2003/659/JHA](#), which aimed to align Eurojust with the budgetary and financial rules applicable to EU bodies and agencies.
- [Decision 2009/426/JHA](#), which aimed to equip Eurojust with the means to improve the fight against serious crime, and introduced a wide range of amendments:
 - Introduced the requirement for Eurojust to set up an On-Call Coordination (OCC) system.
 - Added the right for Eurojust’s College to issue non-binding opinions related to conflicts of jurisdiction and recurrent refusals.
 - Harmonised provisions on the status and powers of National Members (NMs) covering issues such as the term of office and powers of NMs, including the types of registers to which NMs should have access.
 - Established the Eurojust national coordination system (ENCS), mandating each Member State to designate correspondents for Eurojust and set up an ‘ENCS’ to coordinate the work of different national correspondents and contact points.
 - Established the Eurojust case management system (CMS), building on the provisions on index and temporary work files (TWF) in the 2002 Decision, and complemented by provisions on authorised access to personal data and confidentiality.

¹⁷ COM(2013) 535 final, Proposal for a Regulation on the European Union Agency for Criminal Justice Cooperation (Eurojust), p48.

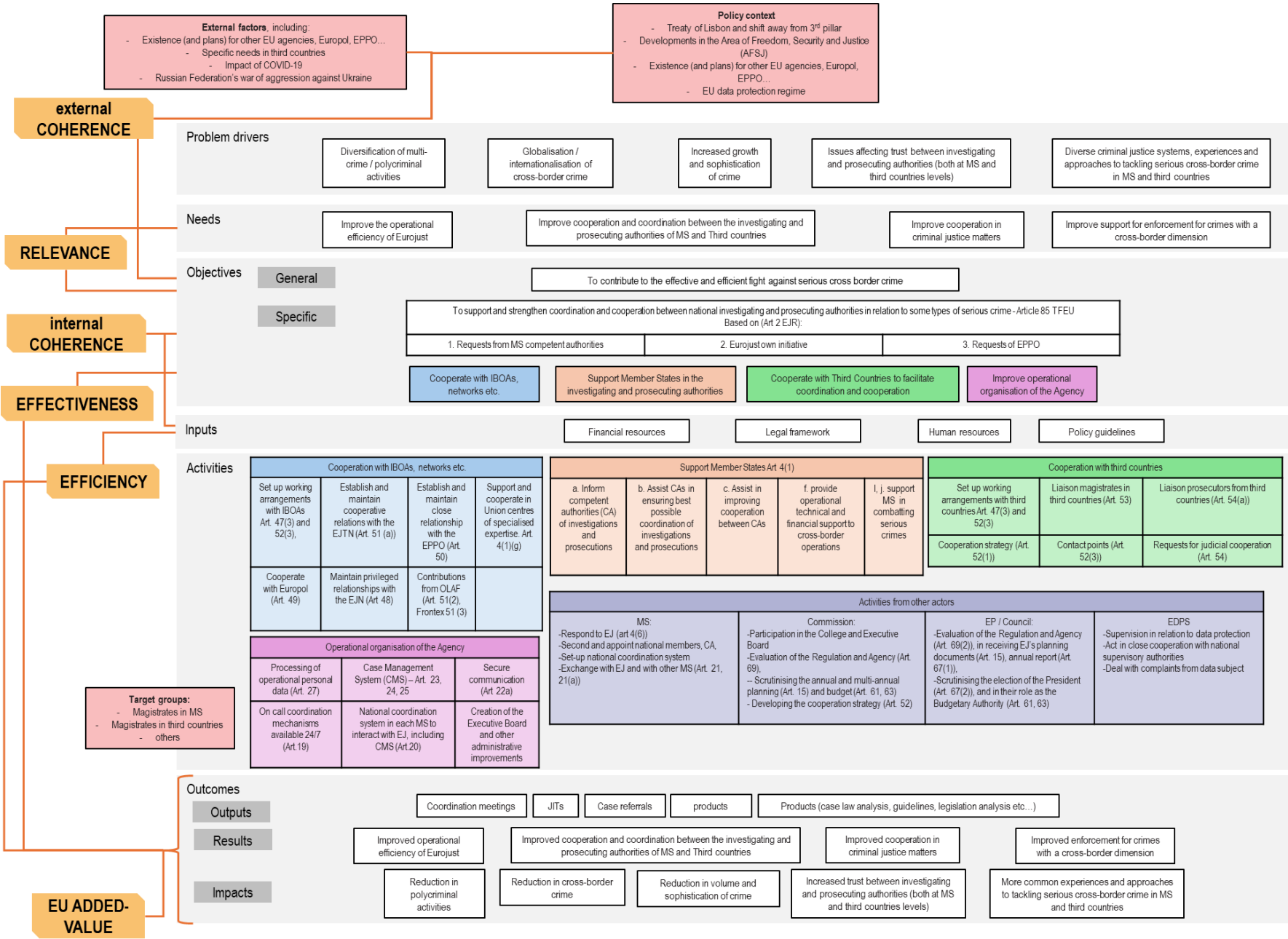
- Extended Eurojust's relations to formally cover Europol, OLAF, Frontex, and the Council's Joint Situation Centre, while also expanding its provisions on relations with third States and international organisations.

In November 2018, [Regulation \(EU\) 2018/1727](#) was adopted, which repealed and replaced Council Decision 2002/187/JHA. The Regulation **established Eurojust as the European Union Agency for Criminal Justice Cooperation** (Eurojust). As a Regulation, the EJR became directly applicable in the Member States on 12 December 2019 without the need for national transposing acts. However, certain provisions leave room for Member State interpretation and decisions. In summary, the main changes introduced by the new legal basis included:

- **Enhanced operational capabilities and increased information exchange** between Eurojust and the Member States.
- **Amended governance structure** through the establishment of an Executive Board (EB) to assist the College, and changes to the composition, tasks and functions of the College.
- **New data protection regime**, adapted to the revised EU legal framework on data protection.
- **Alignment of Eurojust's external relations** with the principles introduced in this field by the Treaty of Lisbon.
- **Strengthened role of the European and national parliaments** in the democratic oversight of Eurojust's activities.
- **New relationship between Eurojust and the EPPO.**

Since it was adopted in 2018, the EJR has been amended twice:

- On 1 June 2022, [Regulation \(EU\) 2022/838](#) entered into force, giving the Agency the legal possibility to store, preserve and analyse evidence on international crimes.
- On 31 October 2023, [Regulation \(EU\) 2023/2131](#) entered into force, with the aim of enhancing the fight against terrorism in the EU via measures to improve digital information exchange in terrorism cases and enhance Eurojust's digital infrastructure. However, the provisions of this amendment are out of scope for the evaluation support study as, while they were adopted in the period within scope (12 December 2019 to 1 May 2024), they are still being implemented.



3. How has the situation evolved over the evaluation period?

This section **examines the implementation of Eurojust's activities over the evaluation period**. In line with the intervention logic (chapter 2), it first examines the set-up and organisation of Eurojust (section 3.1), explaining the Agency's approach to governance and decision-making, planning, prioritisation and reporting, objective-setting, use of resources, and other dedicated activities to improve organisational efficiency. This sub-section also covers the data protection regime implemented by Eurojust.

On this basis, and with a detailed understanding of how Eurojust functions internally, the section turns to focus on the Agency's externally-facing activities, functions and tasks. Specifically, this examines support to Member States, cooperation with EU partners and cooperation with international partners.

Across these areas, the sub-sections seek to answer specific research questions on implementation detailed in Annex 2.

3.1 Organisation of Eurojust

This section examines the organisational structure of Eurojust, indicating the key components, roles and responsibilities of the different governance, decision-making and managerial actors, before presenting the Agency's approach to defining its objectives, as well as planning and prioritising its activities over the evaluation period. Other activities taken to align Eurojust's operating framework to the provisions of the EJR and improve its efficiency are also outlined. This includes the activities taken to adapt the Agency's data protection regime to the provisions of the EJR and the revised EU legal framework for data protection.

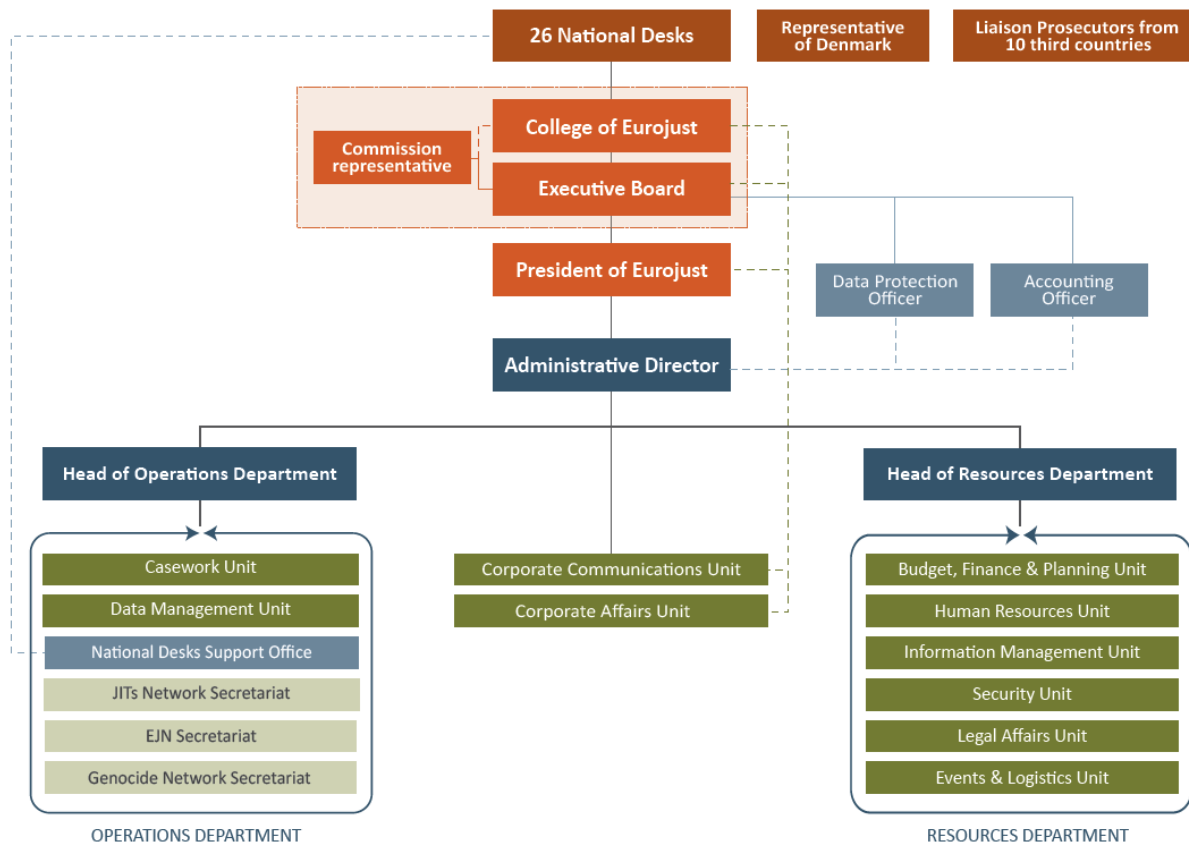
Across these elements, the key changes introduced by the EJR and the resulting changes to Eurojust's operating framework are detailed.

3.1.1 Governance and decision-making

Eurojust's governance and decision-making structures, roles and responsibilities are established by a range of provisions within the EJR. In particular, Chapter II concerns the structure and organisation of Eurojust, including specific sections on National Members (NMs), the College, the Executive Board (EB) and the Administrative Director (AD). These core provisions are supplemented by standalone rules that assign responsibilities to these elements of Eurojust's structure. For instance, Art. 5 sets out the role of the College in relation to the exercise of operational and other functions, while Art. 61-62 place responsibilities related to the establishment and implementation of the Eurojust budget on the Administrative Director and Executive Board.

To implement these provisions, Eurojust operates a two-track organisation, comprising: (i) the 26 national desks, headed by NMs appointed by their competent authorities; and (ii) the administration, headed by the AD.

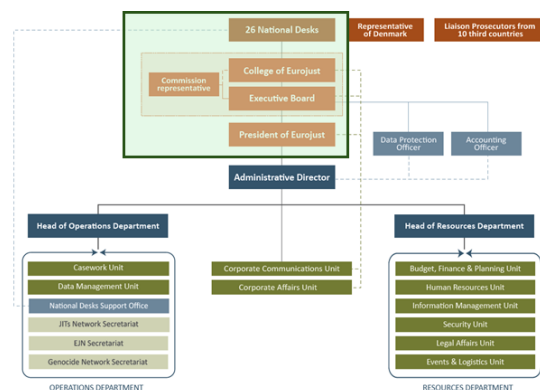
Figure 2: Eurojust organisational structure



College and Executive Board

The key decision-making bodies in this context include the College of Eurojust, the EB, the College Working Groups, and the management team of the administration.

Together, the NMs form the **College**, the organ in charge of making operational and operational-related decisions. The most senior executive function is that of the Eurojust President, a NM elected by their peers for a four-year term (renewable once). The President is assisted by two Vice-Presidents, who are also elected from among and by the College to serve four-year terms. The College is responsible for the organisation and operation of Eurojust. When exercising its management functions, the College also includes a representative of the European Commission. The college meets approximately 40 times per year and is responsible for adopting the Single Programming Document, the Annual Activity Report, the Agency's budget and working arrangements with partners. The College is also responsible for adopting the Rules of Procedure, which supplements the EJR by providing further detail on the organisational workings of the Agency. College meetings include an operational segment, where decisions are made on matters such as opening and closing cases, as well as other agenda items where more administrative or strategic discussions take place.



The College retains a **dual operational and managerial role under the EJR**, including its role as Eurojust's Management Board. However, the **EJR amended the tasks and functions of the College**. A key objective of these changes, as well as the introduction of the EB (discussed below), was to improve the operational efficiency of the Agency by addressing the perceived ambiguity of governance-related articles in the Council Decision and addressing issues highlighted in the 2015 evaluation of Eurojust, such as 'leeway in interpretation', challenges to effective leadership, a problematic accountability framework due to the supervisory, executive and operational roles of the College, and high administrative burden on NMs. In addition, the College is composed of prosecutors from the Member States, who have varied levels of managerial and administrative experience, as well as different priorities.

In this context, the **EJR introduced both general and specific changes targeting the College's focus on operational versus administrative tasks**. Most prominently, Art. 5(1) EJR, supplemented by Recitals 17-18, **clearly sought to focus the College on "operational issues** and any other issues that are directly linked to operational matters", while **reducing its involvement in administrative matters**.

On more specific matters, the **EJR also shifted the role of the College in a range of contexts**. For instance, the College's role changed from 'producing' the budget (based on a draft drawn up by the AD) and 'preparing' an annual report to 'adopting' these outputs following drafting by the AD and review by the EB. The AD is also no longer obliged to report to the College on the implementation of the budget.

In addition to reducing the administrative responsibilities of the College through these specific changes, the EJR also **provided mechanisms for the College to delegate administrative work**, by introducing the right to assign additional administrative tasks to the AD and the EB.

However, while trying to reduce the administrative burden on the College, the **EJR also extended the cases in which Eurojust shall act as a College**. These new responsibilities included administrative tasks, thereby acting against the stated objective and introducing internal incoherence within the EJR. Examples, as per Art. 5(2)(j-l), are: adopting rules for the prevention and management of conflicts of interest; adopting reports, policy papers, guidelines pertaining to the operational work of Eurojust, whenever those documents are of a strategic nature; and taking any decision that is not expressly attributed to the Executive Board by this Regulation.

To the same aim, the EJR **established the Executive Board (EB)** to assist the College with administrative tasks and decision-making. The EB consists of Eurojust's President, its two Vice-Presidents, a representative of the European Commission and two other College Members designated on a two-year rotation system (as explained in the below box). While Art. 16(1) explicitly states that the EB shall not be involved in the operational functions of Eurojust (as referred to in Articles 4 and 5), it **"shall be responsible for taking administrative decisions to ensure the proper functioning of Eurojust"**. Prominently, as per Art. 16 EJR, this includes:

- (i) taking certain decisions directly, such as adopting an anti-fraud strategy, financial rules, and implementing rules of the Staff Regulations;
- (ii) acting as an intermediary with the role of reviewing key programming and planning documents (e.g. the draft annual budget, the draft annual report, Eurojust's programming documents) prepared by the AD before submitting them to the College for adoption; and
- (iii) other issues, such as assisting and advising the AD on the implementation of College decisions, appointing accounting and data protection officers, and establishing or modifying internal administrative structures.

The EB was formally established on 20 January 2020, with the rules for its functioning set out in Chapter II of the [Rules of procedure](#) (RoP). Chapter I of the RoP details provisions on the functioning of the College, while the Financial Regulation aligned Eurojust's internal legal

framework with the EJR on issues such as the establishment of the budget. The overarching measures taken by Eurojust to implement the EJR are introduced in the below table.

Table 1: Overview of Eurojust activities to implement the EJR

Eurojust – Key Measures Taken to Implement the EJR

The first step taken by Eurojust following the adoption of the EJR was to assess the requirements of the new legal framework. Specifically, Eurojust's Institutional Affairs Office (IAO) reviewed the text of the EJR against the Council Decision and prepared a briefing note for the College's Advisory group on organisational development (AGOD) (31 October 2018) that mapped all legal changes. This note, the findings of which are presented in Annex 7, categorised each change according to a three-tier system based on an assessment of the degree of implementation action required – (i) significant degree of implementation; (ii) relatively small degree of implementation; and (iii) no action required or solely formalisation of existing practice.

On this basis, Eurojust prepared an action plan to list and monitor implementing activities. For each provision, the action plan details the envisaged implementing activity or recommendation, the responsible and lead parties, and the status of implementation (including whether the provision requires recurrent action), as well as any additional specifications (e.g. related College or EB Decisions), target dates for implementation, and comments.

As of April 2024, Eurojust reported, through its Action Plan, that it was implementing its responsibilities in line with most one-off and recurrent EJR provisions, with only a small number of provisions subject to ongoing implementing activities. These include issues such as the implementation of the provisions on own initiative (Art. 2(3)) and the delegation of powers from College to the EB through the preparation of specific workflows.

While the specific activities undertaken to implement most EJR provisions are discussed throughout this section, a few overarching implementing activities were taken. Namely, a core Eurojust mechanism for implementing the EJR was the amendment of the Agency's internal legal framework. This includes:

- [Rules of procedure](#) (RoP), which set out rules for the College, the EB and the Administrative Director (AD). The RoP were adopted, as per Art. 5(5) and Recital 17 EJR, by the College on 20 December 2019 and subsequently amended on 24 July 2020 to allow online meetings during the COVID-19 pandemic.
- [Rules of procedure on the processing and protection of personal data at Eurojust](#) (or Data Protection Rules, DPR). Adopted by the College on 20 December 2019, and in line with Art. 17 RoP, the DPR contain separate rules governing the processing and protection of personal data at Eurojust. This document is complemented by the [Rules of procedure on restrictions of certain data subject rights in relation to the processing of personal data](#), pursuant to Art. 25 of Regulation (EU) 2018/1725.
- [Financial Regulation](#). As set out in College Decision 2019-09, was adopted on 17 September 2019, this document lays down the essential financial rules for Eurojust, aligning the Agency's practices with Commission Delegated Regulation (EU) 2019/715 on the framework financial regulation for the bodies set up under the TFEU and Euratom Treaty and referred to in Art. 70 of Regulation (EU, Euratom) 2018/1046.
- [Decision concerning investigations conducted by OLAF](#) (2020 Decision) establishes the terms and conditions for internal investigations at Eurojust in relation with the prevention of fraud, corruption and any illegal activity detrimental to the interests of the Union as adopted by the College on 15 July 2020.

Beyond updating Eurojust's internal legal framework, activities taken to implement EJR provisions were wide-ranging, spanning Eurojust's entire internal workings. For instance, these activities included: drafting a model working arrangement for establishing strategic cooperation with third parties (October 2020; Art. 47 EJR); preparation and conclusion of working arrangements with the

EPPO (February 2021; Art. 3, 13(3), 16(8), 50) and OLAF (March 2024; Art. 51); or adopting a new budget planning workflow (March 2020; Art. 61).

However, **while Eurojust’s RoP and Financial Regulation are technically aligned to the EJR, a combination of factors has resulted in implementation challenges for governance and decision-making over the evaluation period that reflect the pre-EJR challenges.** As explained further in the below table, these factors include the in-built vagueness of certain EJR provisions, and the decisions taken by Eurojust to interpret and implement these provisions. In addition, as further detailed in section 4.1.1, the full implementation of some articles of the EJR has not been achieved. The challenges include the lack of clarity regarding the role of the EB compared to the College and the distinction between administrative and operational matters. Table 2, below, illustrates the main challenges and issues that have been identified as linked to the implementation of governance and decision-making provisions.

Table 2: Implementation challenges – Governance and decision-making

Establishing the Executive Board

Many of the tasks undertaken by the Executive Board were previously covered by the Advisory Group on Budget and Finance, a sub-structure of the College. It ended in December 2019, with all its competences transferred to the EB. Therefore, the organisational changes in the governance of the Agency appear to have mainly been reflected in shifting the competences of a sub-group of the College to the EB.

Concerning the two-year rotation system, Art. 16(4) EJR on the structure of the EB states that two other members of the College, besides the President and Vice-President, shall be designated to the EB on a two-year rotation system. This provision leaves the decision on how the two-year rotation system shall be set-up to Eurojust, to be detailed in its rules of procedure (RoP).

Art. 10 of Eurojust’s RoP outlines the system by which the two-year rotation order shall be determined – i.e. drawing lots to determine the Member State that will be the starting point for the rotation system with the list based on the EU Protocol List.

While technically aligned to Art. 16(4) EJR, many Eurojust personnel, including NMs, highlighted concerns around the effectiveness of this system, stating that it does not consider whether the NM selected has the relevant skills, experience, capacity or interest in participating in the EB. As a result, NMs with reportedly little interest in the work of the EB have been required to participate, which risks negatively impacting the productivity and effectiveness of the EB. The implications of this are discussed further in section 4 of this report.

Responsibilities for administrative versus operational matters

The EJR leaves room for interpretation regarding the respective responsibilities of the College and EB for administrative and operational matters. In this context, the College has reportedly taken a broad understanding of the phrase “any other issues directly linked to operational matters”, with many NMs stating that lots of issues seen as administrative by other stakeholders do have an inherent link to operational work. An example is the planning of missions that are not directly tied to specific cases, such as travelling to a third country with the aim of sharing information on Eurojust’s work and/or progressing negotiations for a working arrangement.

While this broad approach does not appear to align with the intentions of the EJR – i.e. to tackle the Agency’s operational efficiency challenges – it can be argued that this approach is supported by the specific functions to be performed by the College, as outlined in Art. 5(2). For instance, the following provisions can enable College to take responsibility on issues that are not directly linked to operational work:

- Point (c) permits College action “*where a general question relating to the achievement of its operational objectives is involved*”.
- Point (j) covers “*adopting reports, policy papers, guidelines for the benefit of national authorities and opinions pertaining to the operational work of Eurojust, whenever those documents are of a*

strategic nature”.

- Point (l) covers “taking any decision which is not expressly attributed to the Executive Board by this Regulation or which is not under the responsibility of the Administrative Director”.

This situation is further complicated by additional factors, such as the composition of the College, the rules on the management of College meetings, and the operations of College Working Groups.

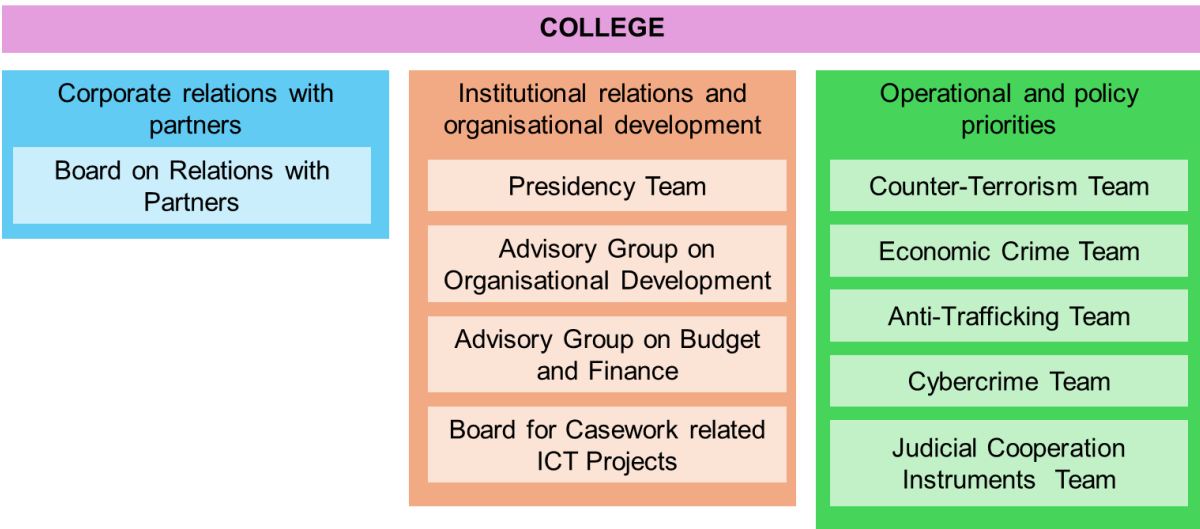
The RoP do not provide additional clarity as to what the “administrative decisions” mentioned in the EJR should cover. As a result, the College has continued to take responsibility for decision-making on issues that are not directly linked to operational work. The implications of this for the Agency’s efficiency and effectiveness are detailed in section 4 of this report.

College Working Groups

Members of the College can participate in working groups to help them work on specific topics (relations with partners, organisational development, etc). As noted above, these working groups do not feature in the EJR, but are a continuation of legacy, pre-EJR substructures.

Following the adoption of the EJR, the College streamlined its working groups. In 2021, the College adopted a decision on Working Groups, revising their mandates. As of 2024, ten Working Groups were in existence, under three pillars.

Figure 3: College working groups



The first pillar comprises one working group, the **Board on Relations with Partners** (BoRP), which focused on relations with: (i) third states, international organisations and bodies; (ii) Europol, Frontex, OLAF and the EPPO; (iii) Council working parties (COSI, CATS) and other EU agencies or bodies; and (iv) networks.

The second pillar concerns **institutional relations and organisational development**. The Presidency Team, comprised of the President and the two Vice Presidents, was mainly responsible for ensuring the roles and responsibilities of the President are upheld and supported. The Advisory Groups on Organisational Development (AGOD) and on Budget and Finance provided additional scrutiny and preparatory work for the College in matters of organisational development, budgeting and planning. Finally, the Board for Casework related Projects steered the work of the IT function of the Agency in projects such as CMS development.

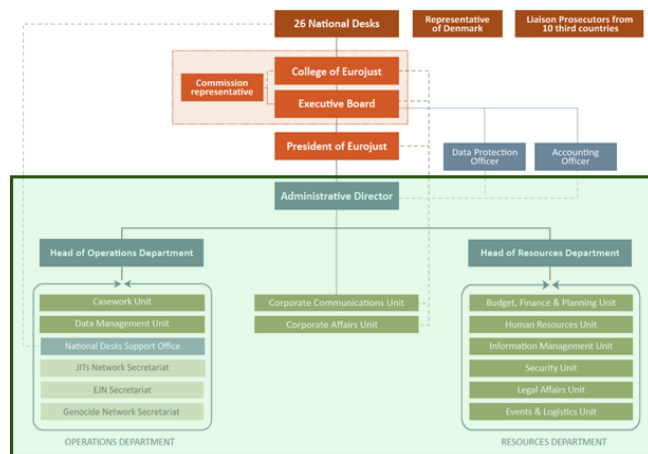
The third pillar comprises five working groups with a focus on **specific crime types**. The working groups in these areas have responsibility for a range of activities specific to each crime type. For instance, the Counter-Terrorism Team took on responsibility for monitoring the implementation of the Counter-Terrorism Register (CTR), coordinating the annual Eurojust Counter-Terrorism Meeting, and developing strategic outputs.

These working groups play an important role in objective-setting, planning and resourcing for the Agency. Through College Decision 2021-04 of 15 June 2021, the planning cycle of the College working groups and the procedure to propose and prioritise internal projects was formalised, with the aim of ensuring compliance with Eurojust's new governance structure and alignment with Eurojust's new planning cycles. This is primarily done through the preparation of: (i) annual workplans by each working group covering regular activities, projects proposed and the estimated resources per task; (ii) dedicated project proposals for each new project; and (iii) activity reports.

Eurojust Administration

Eurojust's administration is headed by the **Administrative Director (AD)**, who is appointed by the College. The AD is responsible for the day-to-day administration of Eurojust, in line with the EJRC, College decisions and Eurojust programming documents, etc.

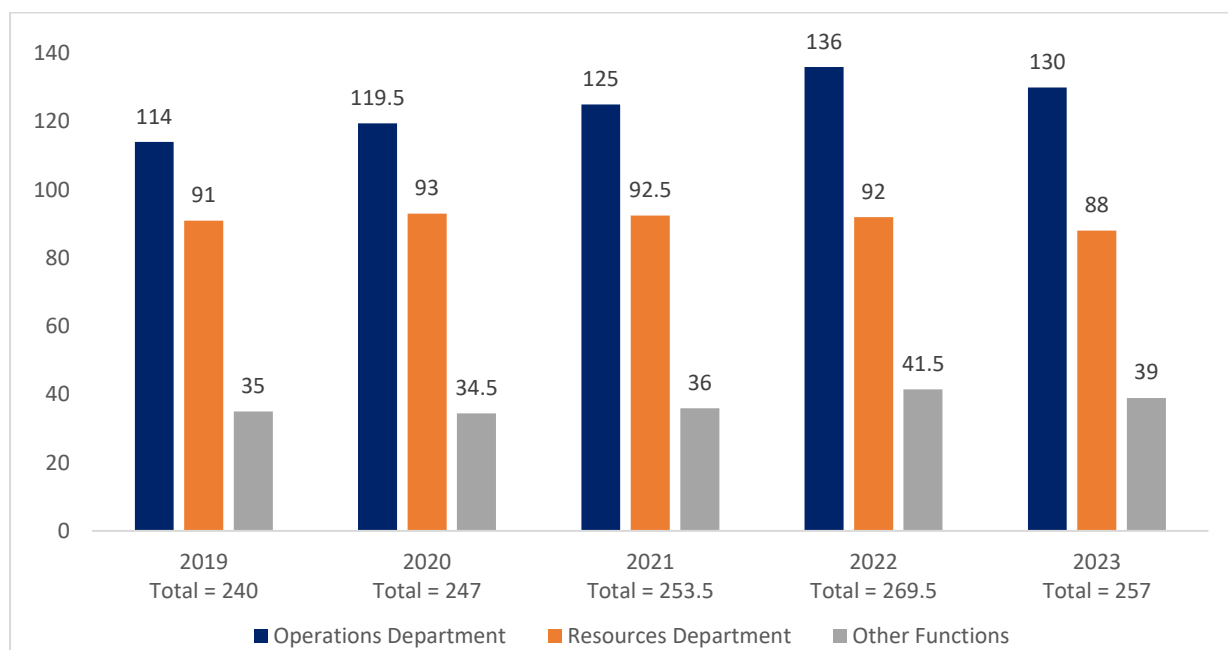
The **Administration** is currently comprised of two main departments: the **Operations Department**, and the **Resources Department**. Two units (Corporate Communication, and Corporate Affairs) sit separate to this structure, report directly to the AD, and support the work of the College and EB. Figure 4, below, illustrates the number of staff per Department in the period 2019-2023.



The **Operations Department** comprises the Casework Unit and Data Management Unit (in charge of the CMS). In addition, the secretariats of the three independent networks hosted by Eurojust (JITs Network, EJN, Genocide Network) are in the Operations Department. The National Desk Support Office, which coordinates the work of National Desk Assistant (NDAs), is also part of this department.

The **Resources Department** comprises the Units responsible for all the logistical and resource-focused aspects of the administration. This includes Budget, Finance and Planning, HR, Information Management (not related to case management), Security, Legal Affairs, and Events and Logistics.

Figure 4: Number of staff per Department (2019-2023)



Source: CAARs 2019-2023, Annex III. Figure prepared by the study team.

Eurojust National desks

National Desks are the most important element of Eurojust regarding national level coordination and interactions with Eurojust. National Desks are headed by the National Members, who can be supported by one deputy and one assistant. Member States may decide that the deputy and assistant have their regular place of work in their country, rather than at the seat of Eurojust – 6 deputy national members and 12 assistants across 10 MS are based partially or completely in their home countries.

National Members, as well as their deputies and assistants, are appointed and contracted by their national competent authorities. Contract terms, including remuneration, are borne by the Member States. National Desks receive additional support from NDAs, who are Eurojust staff working for the desks, but remunerated by Eurojust and under line management from the National Desk Support Office. This issue is discussed in greater detail in section 4.1.

While the EJR became directly applicable in the Member States on 12 December 2019 without the need for transposing acts, **certain provisions within the Regulation leave room for decisions of the Member States**. This includes elements of the provisions on the status (Art. 7 EJR), powers (Art. 8) and access to national registers (Art. 9) of NMs. The findings regarding the adaptation of national law and working practices across the Member States in this context are summarised in the below table.

Table 3: Overview of national laws implementing the EJR

Analysis of select national laws implementing the EJR

As Member States were not required to transpose the EJR, they were also not required to communicate comprehensive information on its implementation at the national level, to the Commission or to Eurojust. Instead, building on similar provisions introduced by the 2009 Council Decision, the EJR contains a series of standalone requirements to notify the College/Eurojust and in some cases the Commission. These include:

- Appointment of NMs, deputies, assistants, as per Art. 7(3). Notification to Eurojust and the Commission.
- Decision for the deputy NM or Assistant or both to have their regular place of work in the Member State instead of at the seat of Eurojust, as per Art. 7(2). Notification to the College.
- Any additional powers granted to NMs in accordance with national law, as per Art. 8(2). Notification to the Commission and the College.
- Decision on the extent of CMS access granted to ENCS members, as per Art. 25(3). Notification to Eurojust and the Commission.

Beyond these points, the EJR and the Council Decision diverge in one key area regarding notification. Art. 41 of the 2009 Council Decision required Member States to notify Eurojust and the Council of the designation of ENCS members. On this basis, the Council was tasked with maintaining an updated list of ENCS members, making their names and contact details available to all Member States and the Commission. However, this Article was repealed by the EJR.

Under the Council Decision, Eurojust supported this notification obligation by developing and maintaining “*fiches suédoises*” to monitor and provide information on the setting up and functioning of the ENCS in each Member State. From 2011-2017, Eurojust reported updating the fiches at least once a year based on information collected from the competent national authorities via the Eurojust national desks and other sources.

However, according to Eurojust, only seven notifications were sent by Member States to the Council or Eurojust regarding the composition of the ENCS in 2018-2019. Coupled with the removal of the notification requirements from the EJR, and data protection concerns, Eurojust concluded in 2020 that the maintenance of the “*fiches suédoises*” should be discontinued.

In this context, there is no existing repository of up-to-date information on national laws implementing the Eurojust Regulation, considering the composition of the ENCS in each Member State but also other issues such as the status and powers of the NMs.

As a result, information on the applicable laws was collected for this study directly through a combination of targeted consultations (with Eurojust NMs, national practitioners / policymakers) and desk-based research. However, given the priorities of this evaluation support study, and the additional evidence collected from national-level stakeholders and Eurojust NMs on the practical workings of national-level systems to implement the EJR, the information collected represents a convenience sample comprising high-level information on 23 EU Member States¹⁸ and a more in-depth examination of nine Member States (AT, EE, FI, FR, DE, IT, LU, PL, SE). The Member State selection focused on geographical balance, the inclusion of the most active EU Member States within Eurojust, and a combination of Member States that have and have not aligned their national legislation to the EJR.

The key findings of the comparative analysis of Member State national laws supplementing the Eurojust Regulation are as follows. At a general, structural level:

- Of the 23 Member States covered, 21 have relevant legislation that implements provisions related to Eurojust (AT, BE, CZ, EE, FI, FR, DE, EL, HU, IE, IT, LV, LT, LU, NL, PL, PT, SK, SI, ES, SE). Two Member States do not have such legislation (CY, HR).
- From the 21 Member States with relevant legislation, 13 have updated their legislation since the adoption of the EJR (AT, EL, ES, FI, FR, DE, IE, IT, LT, LU, LV, SE, SI). Contrastingly, eight Member States are still operating under the legal frameworks adopted to transpose the Council Decision (BE, CZ, EE, HU, NL, PL, PT, SK). For the nine Member States examined in depth, four contain the provisions on Eurojust in a dedicated law (FI, DE, IT); six include the provisions as part of an overarching law (AT, LU, PL, SE) or the Criminal Procedural Code (EE, FR).
- Two of the nine Member States (including LU, ES) require their NMs to submit an annual report. In Luxembourg, for instance, Art. 75-1 of the law of 7 March 1980 states that national member shall submit an annual report to the Minister of Justice and the State Prosecutor General on his

¹⁸ This covers all EU Member States except Bulgaria, Malta and Romania.

or her activities within Eurojust.

Specifically on the status, powers and access to national registers of NMs:

- Status and powers of national members. The interviews with Eurojust personnel highlighted a range of interpretation challenges related to Art. 7 and 8 EJR. Specifically, certain provisions within these articles are quite broad in nature, leaving decisions on interpretation to the MS:
 - Art. 7(6) states that NMs shall be appointed based on “a proven high level of relevant, practical experience in the field of criminal justice” without providing any definition or guidance on what is meant in this regard. This becomes more relevant in the context of the above discussions on governance, as the EJR does not require NMs to have experience of a managerial or administrative nature.
 - Art. 8 lacks clarity on whether the powers of the NM derive from the EJR or the national law in their MS, as it directly provides for certain powers, while leaving the possibility for NMs to derive additional powers from national law. While Art. 8(2) permits MS to grant NMs with additional powers, it does not provide any definition or guidance on what additional powers may be granted. In fact, while these additional powers should be notified by the MS to the Commission and the College, NMs interviewed for this study reported that no additional powers have been notified to the College and it is unclear if this is due to no additional powers being granted by Member States or a lack of notification. Related to this, a challenge was highlighted by some NMs that, when they take up their position at Eurojust, they are no longer active members of the judiciary in their home country according to national law. While the NMs who highlighted this had not experienced any difficulties in practice, it risks creating differences in powers between NMs and impacting the way NMs engage with other NMs and the College (e.g. whether NMs act in an independent manner, or as a representative of their home authority).

In this context, all nine MS refer to the national member, deputies and assistants, as referred to in Art. 7 EJR, while the Italian national law also refers to an ‘Italian operational structure at Eurojust’. In most Member States, however, there is only generic reference to the status of NMs, supplemented by specific additional aspects in different countries. This is the case in AT, EE, FI (reference to status and/or experience), FR (reference to status and term of office), DE, LU, SE (reference to status and location). In PL, reference is made only to the location. On the other hand, the Italian provisions are fully aligned with Art. 7 of the Regulation apart from the term of office for NMs and Deputies of 5 years, which is not specified in the IT national law.

On the powers of national members: four of the nine MS (AT, EE, FI, LU) implement only some aspects of Art. 8 in national law (AT: only 8(1)(b); EE only art. 8(1)(a) and (d); FI: 8(1)(a); LU: Art. 8(3) and (4)). In some Member States (FR, DE) there is no reference to specific aspects (FR: Art. 8(1)(b) and (c); DE: Art. 8(1)), while all aspects appear to be implemented in IT.

- Considering access to national registers, four of the nine MS have no formal implementation of Art. 9 EJR (EE, AT, FI, SE) in law, whereas Art. 9 is implemented in IT and PL. In FR, the provision is general, with no reference to the specific registers listed in Art. 9; partial implementation also occurs in LU.

In practice, the survey of national desk members found that indirect access to these registers is more common (58.2% across all options listed in Art. 9 EJR, 47 of 98 respondents). Access is most restricted and usage is lowest for DNA registers (68.8% with only indirect access, 11 of 16; 70% never used DNA registers, 13/20). A balance of direct and indirect access was identified across the other register types, while use was varied – investigation, criminal records and other registers were most commonly used (at least once a quarter by more than 40% of respondents).

3.1.2 Planning, prioritisation and reporting

The **processes and systems for planning, prioritisation and reporting** are key to Eurojust’s operating framework. The EJR ensured alignment with the Common Approach in this regard, including on annual and multi-annual programming (Art. 15), the establishment and

implementation of the Agency's budget (Art. 61-62) and reporting (Art. 67). As indicated above, these core requirements are supplemented by specific provisions on the responsibilities of different Eurojust bodies (College, EB) and actors (AD, Data Protection Officer), as well as external stakeholders (e.g. European Data Protection Supervisor). These rules are supplemented by the RoP, the Eurojust Financial Regulation¹⁹, and the framework financial regulation. The budget available is set out in the EU Multiannual Financial Framework (MFF).

Planning, prioritisation and reporting

Eurojust's core activities in this context include:

- **Multi-annual planning.** Eurojust establishes Multi-Annual Strategies (MAS) that establish Eurojust's vision, mission and strategic objectives for three-year periods. The MAS is not based on a legal requirement, but seen as a best practice for organisational management, given the requirement for a multi-annual work programme is laid down in Art. 15(4) EJR. Two MAS, covering the periods 2019-21 and 2022-24, are relevant for this evaluation support study.

The purpose of the MAS is to help set the Agency's vision and objectives for a longer period than the Single Programming Document (SPD) and serves as a framework under which the more detailed activity and resource plans are set out in the SPD and Annual Work Programmes (AWP). The MAS is purposely based on a fixed period in contrast to the rolling nature of the SPD. Key elements of the MAS are the definition of Multi-Annual Strategic Objectives (MASOs) and Strategic Action Areas (SAAs), which guide the Agency's activities over the three-year MAS period. Activities set out in the SPD (and related KPIs) are linked back to the MASOs and SAAs, thereby allowing for discussions on the SPD to focus on more operational activities and objectives, rather than having annual discussions on the Agency's vision and strategy.

In terms of responsibilities, the process for the adoption of the MAS 2022-24 was (formally) coordinated by the Executive Support Team, with extensive work on the content undertaken by the Budget, Finance and Planning Unit. This process ensured the maximum alignment with the activity and resource planning process.

Eurojust's MAS are approved by the College through a separate process from the overall planning cycle. From a planning perspective, the MAS should be approved before the adoption of the first year for the rolling SPD covering that period. As an example, the MAS 2022-24 was adopted by the College before the SPD planning process for 2022 could formally start (covered by the 2022-24 SPD).

- **Annual programming.** Eurojust produces an SPD for each calendar year. The SPDs cover three-year periods on a rolling basis and provide the detailed plans for implementation, including AWP based on the principles of Activity-Based Budgeting (ABB), according to which each activity (or group of activities) is planned and budgeted. From a strategic perspective, the activities planned in the SPD/AWP are linked to the MASOs and objectives linked to the SAAs outlined in the related MAS.

As per the EJR, the annual programming documents are prepared by the AD, reviewed by the EB, and adopted by the College. However, as noted above, the College working groups also implement their own processes and systems for planning, prioritisation and reporting.

Under the direction of the AD, the Budget, Finance & Planning Unit is responsible for planning the activities undertaken by the Agency in this context. Once adopted, the AD is responsible for implementing the annual work programme. The annual programming

¹⁹ College Decision 2019-09 of 17 September 2019 On the Financial Regulation applicable to Eurojust, available at: <https://www.eurojust.europa.eu/sites/default/files/EJLegalFramework/College-Decision-2019-9-Financial-Regulation.pdf>

documents are shared with the European Parliament, the Council, the Commission, the EPPO, and national parliaments.

- **Annual reporting.** Eurojust prepares an Annual Report and a Consolidated Annual Activity Report (CAAR). Concerning data protection, the Eurojust Data Protection Officer (DPO) is required to prepare annual reports regarding the processing of personal data by Eurojust, and the European Data Protection Supervisor (EDPS) is required to report on its supervisory activities in relation to Eurojust.

While the preparation of these documents is **largely in line with the Commission's common approach** on EU decentralised agencies, codified in the framework financial regulation,²⁰ a number of **implementation challenges** have been identified.

A notable organisational development challenge experienced by Eurojust over the evaluation period concerned the **alignment between the objectives, planning and resourcing of these College working groups with the Eurojust's planning process**, following the principles of activity-based planning, activity-based budgeting and activity-based management, and in line with the formal planning and programming processes stipulated in the EJR (e.g. Art. 15 on annual and multi-annual programming).

On an annual basis, the planning process for the SPD/AWP is led by the AD and conducted based on inputs from Eurojust's units, as well as the College working groups. However, the approach of the working groups in this regard evolved over the evaluation period. Primarily, as noted above, the planning cycle of College working groups was slightly revised and streamlined through College Decision 2021-04 of 15 June 2021.

The College working groups initially drafted activity reports, although they varied in size, level of detail and extent to which they set up or reported clear goals. As of 2022, each working group conducted a planning exercise setting out objectives, activities to be carried out over the subsequent two years, in line with the timeframe of the SPD, as well as estimates of the resources (in terms of human resource and budget) required to undertake the planned activities.²¹ Each of the College working groups sets out their priorities and needs for the purpose of planning. In practice, this takes the form of a 10–15-page document that nominally links activities to MASOs and SAAs.

However, given the powers of the College, through the decisions taken by the working groups, the **process can result in inconsistencies**. The activities planned by College working groups may not be in line with the activities foreseen as part of the AWP, stemming from the MAS. Interviewees mentioned situations where College members acting in their capacity as members of a substructure set out priorities conflicting with those adopted by the College when acting as the structure adopting the AWP. As a result, and due to the very time-consuming nature of the process, a new planning process was devised and put in place from 2024 (see box).

Eurojust's administration, in cooperation with the College is putting in place a new Planning and Prioritisation Process. It is being rolled out from 2024 to set out clearer workflows and ensure each of the working groups follows an agreed template and timeline to streamline the process. In addition, the horizontal support services (the administration) are undertaking a process of setting high, medium and low priorities to help with the planning process. *However, this new workflow falls outside the scope of this evaluation.*

In addition, there is a **discrepancy between EJR and the Financial Regulation regarding the dates for the circulation of the draft SPD**. A draft of the SPD must be sent to the Commission, the Parliament and the Council by 31 January according to Art. 40 of the Financial

²⁰ Commission delegated regulation (EU) 2019/715, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32019R0715>

²¹ Each Working Group filled a template 'annual planning college sub-structures' document starting for the 2023-24 period.

Regulation.²² The EJR stipulates that the final draft estimate is to be sent to the Commission by 31 March of each year – Art. 61(3) EJR²³. The Commission has until 1 July to provide its opinion on the SPD (Art. 32(7) EJFR), following which the College must adopt it by 30 November (Art. 15(1) EJR).

On reporting, questions were also raised as to **why Eurojust publishes two annual reports**. The common approach (Section V) advises that agencies should produce one single Annual Report, including information such as the implementation of the AWP, budget and staff policy plan, management and internal control systems. This is aligned to the CAARs produced annually by Eurojust. Eurojust also prepares an Annual Report, which provides more of an external view of the activities of the Agency and is largely based on inputs from the College's working groups. While the common approach permits exceptions to the production of one single Annual Report, some interviewees questioned the value of the second Eurojust Annual Report, particularly with a view on efficiency, reflecting that this document is more akin to communication/marketing material and is a product of legacy College priorities, whilst others saw it as a useful communication tool.

Objectives of the Agency

As indicated above, Eurojust operationalised the objectives of the EJR through the MASOs and SAAs detailed across the two MAS documents relevant to the evaluation period (2019-21 and 2022-24). The below figure illustrates the MASOs and SAAs across both periods. However, it is important to note that the MAS covering 2019-21 was drafted in 2017, before the adoption of the EJR.

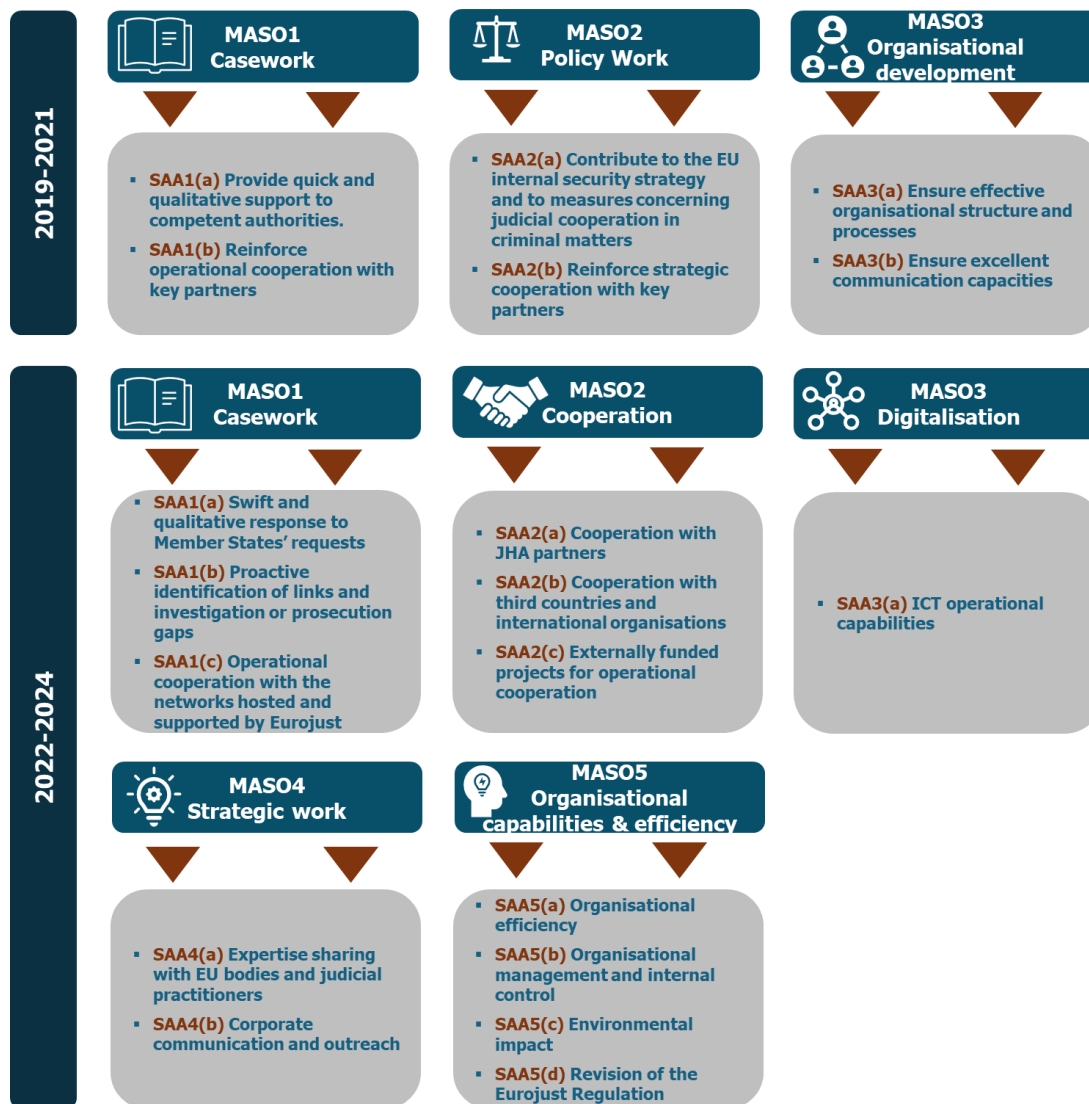
MASOs can be more accurately described as grouped objectives. For example, MASO1: Casework (which is common to the two Multi-Annual Strategies) cannot be described as an objective in itself, but rather the umbrella for several strategic action areas (SAA), which are set out as objectives in the MAS. Similarly, while some of the SAAs can be directly considered as objectives (e.g. [19-21]SAA1(a) – Provide quick and qualitative support to competent authorities), others refer to areas of objectives which would require relevant objectives to be set out more clearly (e.g. [22-24]SAA2(a) – Cooperation with JHA partners).

The 2019-21 strategy identified six SAAs, two each for the overarching MASO categories of: casework; policy work; and organisational development. The 2022-24 MAS breaks the strategy down into five components: Casework; Cooperation; Digitalisation; Strategic Work; and Organisational Capabilities and Efficiency. These are broken down into 13 action areas.

²² Regulation 2024/2509 on the financial rules applicable to the general budget of the Union (recast), available at: <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32024R2509>

²³ A draft estimate is to be sent by 31 January.

Figure 5: Multi-Annual Strategic Objectives and strategic action areas 2019-2024



The **mission of Eurojust**, as set out in the MAS 2019-21 directly quotes Art. 85(1) TFEU. It then specifies that the Agency's mission is "*Serving justice across borders for a safer Europe*". While the overall mission set out in the MAS aligns perfectly with the strategic objective to "*support and strengthen coordination and cooperation between national investigating and prosecuting authorities in relation to some types of serious crime*", as set out in the IL, the mission statement itself is relatively broad, not referring to criminal justice, or the prosecution or investigation of crimes. The 2022-24 MAS is **much more specific**, with Eurojust's mission described as "*the EU's hub for judicial cooperation, Eurojust delivers hands-on support to prosecutors and judges working together in the fight against cross-border crime*". This mission statement is much more aligned with the objectives of the Agency, linked to its key target groups and focusing on the operational work the Agency can undertake.

The 2019-21 MAS set out the **Agency's vision** as Eurojust being "*the EU leading partner in bringing criminals to justice and a key player in ensuring a more secure world*". As with the mission statement, the **vision was refined in the 2022-24 MAS to reflect a more operational and detailed view of the Agency**: "*Relying on its unique expertise, partnerships and modern*

digital tools, Eurojust ensures that national borders are no obstacle to prosecuting crime and getting justice done”.

Both mission statements and vision are not to be confused with objectives; they provide a strategic view as to what the College sees as Eurojust’s priorities and how to project them to partners and target groups. The change between the two MAS shows an evolution by setting out more precisely the objectives and action areas of Eurojust, also stemming from the evolution of the Agency’s mandates in the EJR.

The objectives set out in the AWP over the 2019-21 period encompass the objectives identified in the intervention logic with one notable exception. **None of the objectives are explicitly linked to cooperation with third countries.** Cooperation with third countries was however mentioned as part of MASO1, considering reinforcing operational cooperation with key partners. It is important to mention that the 2019-21 MAS and the first AWP for the period were drawn up and adopted before the introduction of the EJR.

The objectives set out in the AWP in the 2022-24 MAS are much more in line with those identified in the Agency’s intervention logic. There are, however, two areas in which they differ:

- The EJR sets out the possibility for the Agency to post **liaison magistrates in third countries** (Art. 53). This has not been done and, even when setting out the objective of cooperation with third countries, was not set as an objective.
- **Externally funded projects** were not envisaged in the EJR, but have increased in importance.

These areas are discussed further in section 4.

3.1.3 Use of human and financial resources

Art. 18(4)(d) gives the AD responsibility for implementing the programming document discussed above and reporting to the EB and College. Key to this is the **allocation and use of financial and human resources**. This section summarises the main findings on these elements over the evaluation period.

To capture both the internal Eurojust perspective and external perspectives, as well as to place the discussion in the broader budgetary context, this analysis was based on: (i) a review of key Eurojust and European Commission documents, including the Eurojust MAS, SPD, AWP, CAAR and Working Documents III of the Draft Budgets²⁴; complemented by (ii) consultations with representatives of Eurojust and the European Commission (DG BUDG, DG JUST, DG HR). Further details are presented in Annex 4.

The analysis covers documentation related to the **evaluation period (12 December 2019 until 1 May 2024)**, as well as for the **baseline (year 2018 and the portion of 2019 not covered by the evaluation period)**, to provide a comparison with the situation before the entry into application of the EJR.

Allocation of human resources

The workforce within Eurojust is divided into two main categories of staff, statutory and non-statutory post holders:

- **Statutory staff:** Include Temporary Agents (TAs), who are employed under long-term or renewable short-term contracts to manage both operational and administrative duties, and

²⁴ [Working Documents III](#) present detailed information on revenue, expenditure and staff levels relating to all decentralised agencies and Joint Undertakings, pursuant to Article 41(3)(c) of the Financial Regulation.

Contract Agents (CAs), who typically work under fixed short-term contracts to handle support or project-based tasks.

- **Non-statutory staff:** Comprise Seconded National Experts (SNEs), members of the National Desks, representatives from Denmark, and liaison prosecutors (LPs) from third countries.

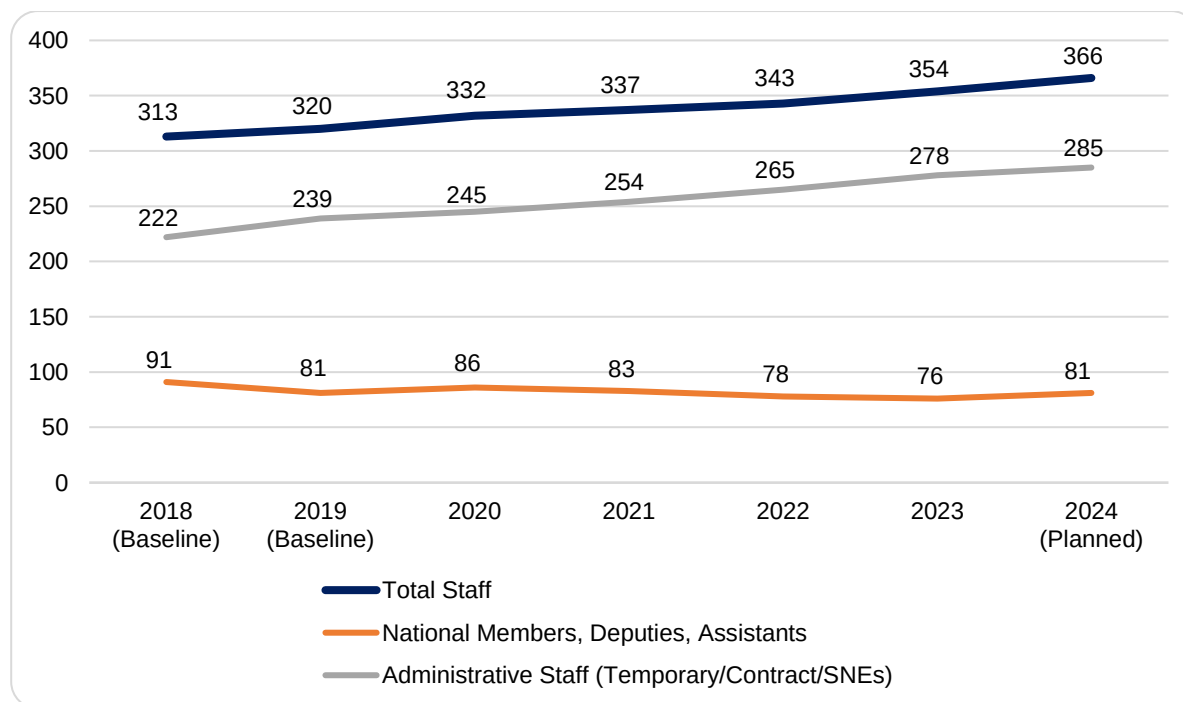
According to Eurojust's CAARs, **administrative reforms in 2017 and 2018**, aimed at the establishment of the Operations Department and streamlining of administrative services, have played a significant role in strengthening the operational efficiency of Eurojust. These reforms were aimed at enhancing the Agency's capacity to prioritise casework and allocate resources effectively.

The figure below depicts the **evolution of the number of Eurojust staff in the period 2018-2024**. Eurojust's workforce grew steadily through the baseline, as well as over the evaluation period, with the **total number of staff increasing from 320 in 2019 to a projected 366 in 2024** (reflecting a 14.4% increase).

However, this **growth stems solely from increases in administrative staff**. More specifically, the proportion of administrative staff rose from 74.7% in 2019 to 77.9% in 2024, reflecting a 19.2% increase in this staff type (from 239 in 2019 to 285 in 2024). Based on more granular data from the Agency's CAARs²⁵ (see Annex 4), this growth is primarily driven by increases in the number of staff in the Operations Department (from 114 in 2019 and 130 in 2023) and specifically the Casework Unit (from 31 in 2019 to 48 in 2023) and the Data Management Unit (from 13 in 2019 to 18 in 2023). Beyond these teams, and the Information Management Unit, the number of staff per Department / Unit have stayed relatively stable.

The number of national members, deputies and assistants has also remained relatively stable (81 in both 2019 and 2024); although this is within the purview of the Member States.

Figure 6: Development in actual (2018 – 2023) and planned (2024) staff numbers



²⁵ The total number of administrative staff differs between the headline number of staff reported in the 2019-2023 CAARs (as per Figure 6) and the numbers per Department / Unit reported in Annex III of the CAARs. The reasons are not clear.

Source: Annual Reports 2018 and 2019; CAARs 2019 - 2023; SPD 2022 – 2024. Figure prepared by the study team.

Based on results of job screening exercises conducted by Eurojust, the **proportion of roles within the Agency that were defined as operational rose from 69.5% in 2019 to 73.5% in 2023**. On the other hand, the **percentage of staff allocated to administrative support and coordination roles decreased from 23.1% in 2019 to 19.8% in 2023**, indicating a shift away from administrative tasks towards more critical operational work. The results of the screening exercises also show a rise in programme management and general operational roles because of the Agency's stated commitment to strengthening its ability to support cross-border judicial cooperation cases. However, as the job screening data is based on figures and task allocations provided by Eurojust through its internal job screening exercises, the reliability of the analysis depends on the accuracy of the data as reported by the Agency.

Allocation of financial resources

Eurojust's revenue primarily stems from **EU contributions, supplemented by contributions from Denmark and revenues from administrative recoveries**. As illustrated in the below table, the **Agency's revenue grew significantly over the evaluation period** from EUR 39.8 million in 2019 to EUR 61.2 million in 2023 (representing a 53.8% increase).

Table 4: Eurojust's revenue streams in 2019, 2020, 2021, 2022 and 2023 (EUR thousands)

Revenue Category	2019	2020	2021	2022	2023
EU contribution (incl. assigned revenue deriving from surpluses)	38,773	41,547	43,798	49,087	59,163
Denmark's contribution	0	852	1,011	1,181	1,417
Administrative operations (incl. interest generated by funds)	1,001	189	347	11	593
TOTAL	39,774	42,587	45,156	50,279	61,173

Source: Eurojust's budgetary and financial management reports 2019, 2020, 2021, 2022 and 2023

In addition to the revenue streams set out in the table above, Eurojust is involved in externally funded projects, reflecting the Agency's evolving operational focus and its objectives under the 2022-24 MAS. In accordance with the financing provisions of respective external funding agreements, Eurojust received substantial amounts for the implementation of specific projects, including the **EuroMed Justice, SIRIUS, ICPA and Western Balkans Criminal Justice** projects. **Externally funded projects received additional funding at the following proportions of the above revenue figures: 11.7% (EUR 5 million) in 2020, 1.1% (EUR 0.5 million) in 2021, 11.9% (EUR 6 million) in 2022, and 22.8% (EUR 14 million) in 2023.**

Eurojust implemented several strategies aimed at improving efficiency over the evaluation period, such as organisational restructuring, zero-based budgeting, the shared services initiative and the implementation of existing Commission digital tools like SUMMA (for financial management) and SYSPER (for human resources). The COVID-19 pandemic prompted further adaptations, including investments in remote work.

However, the Agency has reported **challenges relating to human and financial resource allocation over the evaluation period, driven by both internal and external factors**. Internal factors included budgetary constraints, staffing deficits and technical issues (e.g. with the SUMMA tool in 2022). External factors encompassed the implementation of new working arrangements during the COVID-19 pandemic and rising inflation. Eurojust received additional

budgetary support from the EU budget to address inflationary impacts on salaries and ICT needs. Reinforcements of EU contributions to Eurojust were granted for specific reasons each year, which are summarised in the table below.

Within this context, **Eurojust has requested significant budgetary increases over the evaluation period.** Most notably, as shown in the below table, the Agency's budget request for 2024 was 37.2% higher than the previous year's EU contribution, while in 2023 it was 10.8% higher than the 2022 EU contribution. Comparing the inflation-adjusted baseline budget request from 2020 of EUR 54 million (considering an inflation adjustment factor of 24.6% based on Harmonised Indices of Consumer Prices (HICP) data from Eurostat²⁶) with the Agency's budget request in 2025 (EUR 81 million) shows a difference of EUR 27 million. These figures illustrate the Agency's perceptions of the budgetary challenge and its scale.

Although the extent of this difference was not realised in the final EU contributions, the Agency's against budget still increased significantly over this time period. Adjusting for inflation, the EU contribution increased by over EUR 17 million (33.4%) from EUR 52 million in 2020 to EUR 69.3 million in 2025.

Table 5: Eurojust's budget requests, initial and updated MFF allocations, and the final EU contributions (EUR); 2020 – 2025

Year	Eurojust Request (EUR)	Initial MFF Allocation (EUR)	Updated MFF Allocation (EUR)*	Final EU Contribution (EUR) ²⁷	Reasons for amended budgets
2020	43,345,638	40,000,000	41,700,000	41,700,000	No significant amendments
2021	45,050,856	43,297,699	43,297,699	53,297,699	Reinforcement to initiate the development of the CMS
2022	45,800,200	45,299,984	45,299,984	50,183,522	Further development of the CMS; accelerating of COM(2022)187 ²⁸ ; inflation on salaries
2023	55,619,300	47,394,863	48,170,063	55,230,112	Exceptional inflation on salaries
2024	75,755,700	49,586,620	56,111,972	60,524,241	Exceptional inflation on salaries

²⁶ As reported in the 'HICP - monthly data (annual rate of change)' dataset available on Eurostat, the HICP annual rate of change was 1.2%, 5.6%, 10%, 3.1%, and 2.8% in January 2021, 2022, 2023, 2024, and 2025, respectively. The dataset used for the calculation is available at:

https://ec.europa.eu/eurostat/databrowser/view/PRC_HICP_MANR_custom_15895775/default/table?lang=en

²⁷ The discrepancies between the figures listed as EU contributions in the Eurojust revenue streams table (Table 4) and the MFF allocations and final EU contributions table (Table 5) arise from different budgetary concepts and reporting practices used to describe revenues and budget allocation in the reviewed documents. Figures presented in the MFF allocations and final EU contributions table are based on commitment appropriations, which are legal promises to fund certain projects or contracts, either in the same year as the commitment or following years. Figures in the Eurojust revenue streams table are based on payment appropriations, which reflect appropriations for payments due in the current year, arising from legal commitments entered in the current year and/or earlier years.

Source: EP, 2010, 'Background on the difference between commitments and payments'

²⁸ COM(2022)187 final – includes the reinforcement of Eurojust's mandate to preserve, analyse, and store evidence related to genocide, crimes against humanity, war crimes and related criminal offences, Eurojust was assigned the task of establishing a temporary, secure, and automated data management and storage facility outside the CMS to process operational personal data related to these offences.

Year	Eurojust Request (EUR)	Initial MFF Allocation (EUR)	Updated MFF Allocation (EUR)*	Final EU Contribution (EUR) ²⁷	Reasons for amended budgets
2025	81,383,400	51,879,733	65,513,872	69,335,036	<i>Inflation on salaries; Network of Prosecutors</i>
Total	346,955,094	277,458,899	300,093,590	330,270,610	

Sources: Consultation with DG BUDG and DG JUST. Working Documents III of the Draft Budget documents 2020, 2021, 2022, 2023, 2024, and 2025.

Note: *The budget under MFF is updated on a yearly basis to account for impacts of legal financial statements LFS, inflation on salaries, and other additions.

Despite consistent increases in funding, Eurojust frequently highlighted shortfalls in meeting all its human resource and operational needs, particularly for ICT upgrades, operational support, and administrative services in its SPDs. These challenges may point to ongoing difficulties in aligning programming and human resource management with the resources allocated.

3.1.4 Other activities to improve organisational efficiency

Other activities undertaken as part of the organisation of the Agency include **efforts to improve Eurojust's organisational efficiency**. In the 2019-21 MAS, these activities were related to the implementation of the EJRC and ensuring smooth cooperation with the EPPO. This included the adoption of the Rules of Procedure for Eurojust, rules on data protection to ensure the Agency was in line with the provisions of the new Regulation, supporting the Commission in setting out a strategy for cooperation with international partners and establishing a cooperation agreement with Denmark.

The below table shows the planned number of FTEs for each high-level activity area related to organisational development, as per the Eurojust AWP for 2019-21.²⁹ While the resources devoted to organisational development as a proportion of total human resource stayed stable, the number of FTEs increased from around 41-42 in 2019 and 2020 to 47.5 in 2021. The Agency's focus also shifted over this period, with greater resource placed on ensuring excellent communication capacities (SAA3b), which increased from 12.13 FTEs in 2019 to 25 FTEs in 2021. Meanwhile, the resource devoted to ensuring effective organisational structure and processes reduced from 30.29 FTEs in 2019 to 22.5 FTEs in 2021.

Table 6: Planned resource allocation per organisational development SAA, 2019-21

SAA 3 (2019-21)	2019	2020	2021
SAA 3(a): Ensure effective organisational structure and processes	30.29	24.65	22.5
SAA 3(b): Ensure excellent communication capacities	12.13	16.83	25.0
Sub-total (SAA 3)	42.42 17.3% of total	41.48 17% of total	47.5 18.4% of total
Total Planned Human Resource	244.99	243.98	258.20

Source: Eurojust SPD 2019-2021, 2020-2022, 2021-2023 (Annex II).

²⁹ The actual utilisation of human resources per activity was only available for 2023 (as per Annex V, 2023 CAAR). As such, this section focuses on the planned FTEs per activity.

In the 2022-24 MAS, these activities evolved to include wider efficiency gain strategies, implementing organisational management and internal control strategies, as well as environmental ones. This included measures such as piloting and rolling out SUMMA (the Commission's financial, budgetary and accounting system), the shift to online rather than in-person coordination meetings when possible or initiating the implementation of the EU Eco-Management and Audit Scheme EMAS (EMAS) / ISO 14001 compliance framework.

Digitalisation is one of the key support activities in which Eurojust's administration is involved. It was dealt with separately from organisational efficiency in the 2022-2024 MAS and includes different components. First, the current **CMS** is a legacy system that was seen by all interviewees as outdated. The **Data Management Unit** has been ensuring it continues operating as seamlessly as possible while overseeing the development of a new system by an external contractor, which should go live in 2025. In parallel, work was ongoing on the development of **hit/no hit projects** with the EPPO and Europol. By 2025, Eurojust should also become the contact point for third countries and international organisations regarding **ECRIS-TCN** requests in the context of criminal proceedings. This requires the Agency to have the technical capability to verify whether Member States hold information on previous convictions of a non-EU national. Other digital projects include the development of CISED, including the capability to use tools to analyse the evidence and identify potential links between cases or pieces of evidence or work on the JIT collaboration platform.

Regarding **corporate communication activities**, Eurojust aimed to enhance its reputation through communicating operational success and maintain the trust of Member States through operational and strategic results. The focus on **corporate communications and outreach** developed significantly in the years since the entry into application of the EJCR, with a lot of focus being placed on the systems and processes to enhance Eurojust's corporate communications approach. Much of the work conducted in this area over the evaluation period focused on ensuring the internal structures and processes are in place to implement and monitor corporate communication and outreach activities in a consistent and high-quality manner. Building on this internal work, these activities focused on supporting Eurojust's core activities and objectives by increasing Eurojust's visibility amongst judicial practitioners, as well as EU policy makers and the general public, through the publication of press releases (and related publications), as well as hosting press conferences, events and interviews.

The below table shows the planned FTEs for each high-level activity area related to digitalisation and organisational capabilities and efficiency, as per the Eurojust AWP for 2022-24. The focus on ICT capabilities had expanded significantly in this period, from 24.3 planned FTEs in 2022 to 39.8 in 2024. This was largely driven by the need to ensure Eurojust's active contribution to the Digitalisation of Justice project, primarily through implementing and integrating its new CMS. The resource devoted to MASO 5 was largely stable over the period; however, the focus on improving organisational efficiency and flexibility in meeting operational needs was reduced in 2024, from around 21.5 FTEs (2022 and 2023) to 16.6 FTEs.

Table 7: Planned resource allocation per organisational development SAA, 2022-24

Relevant SAAs (2022-24)	2022	2023	2024
MASO 3: Digitalisation (2022-24)			
SAA 3(a): ICT operational capabilities	24.3 9.5% of total	34 11.8% of total	39.8 14.2% of total
MASO 4: Strategic Work (2022-24)			
SAA 4(b): Corporate communication and outreach	23.6 9.2% of total	16.7 5.8% of total	21.6 7.7% of total

Relevant SAAs (2022-24)	2022	2023	2024
MASO 5: Organisational Capabilities & Efficiency (2022-24)			
SAA 5(a): Organisational efficiency	21.4	21.6	16.6
SAA 5(b): Organisational management and internal control	11.0	12.4	12.6
SAA 5(c): Environmental management	0.2	0.2	0.2
SAA 5(d): Revision of the EJR	1.6	0.7	2.2
Sub-total (MASO 5)	34.2 13.4% of total	34.9 12.1% of total	31.6 11.2% of total
Total Planned Human Resource	255.0	288.1	281.0

Source: Eurojust SPD 2022-2024, 2023-2025, 2024-2026 (Annex II).

Data on the actual (rather than planned) FTEs utilised per activity are only available for 2023. As illustrated in the below table, these data indicate that most activities received similar resources to those planned; the notable exception being the casework MASO, which received 26.61 FTEs fewer than planned in 2023, representing an 18.8% reduction. This was driven largely by 22.12 FTEs fewer being used to provide operational and legal expertise to referred cases (as per SAA1a).

Table 8: Planned vs actual resource allocation per MASO, 2023

MASO	Planned FTE	Actual FTE	Difference
MASO 1: Casework	141.8	115.19	-26.61 (-18.8%)
MASO 2: Cooperation	30.7	31.43	0.73 (2.4%)
MASO 3: Digitalisation	34	34	0 (0%)
MASO 4: Strategic Work	46.7	46.7	0 (0%)
MASO 5: Organisational Capabilities & Efficiency	34.9	37.89	2.99 (8.6%)
Total	288.1	265.2	-22.9 (-7.9%)

Source: Eurojust, 2023 CAAR.

3.1.5 Data protection regime

The **EJR was adapted to the revised EU legal framework on data protection**. Primarily, this included the application of [Regulation 2018/1725](#) (applicable to all EU institutions, agencies, bodies) to the processing of administrative personal data, with a new Chapter IX on operational personal data as '*lex generalis*' and the EJR as '*lex specialis*' with regard to the processing of operational personal data. The EDPS became responsible for oversight of Eurojust's compliance with relevant data protection rules.

Ensuring the implementation of a robust data protection regime was considered by Eurojust personnel to be a key success factor for the Agency, given the context of extensive processing of personal data by the Agency and the need to maintain trust with national authorities.

The updated data protection regime was primarily implemented through the amendments to Eurojust's internal legal framework; namely, the [Rules of procedure on the processing and protection of personal data at Eurojust](#) (or Data Protection Rules, DPR). Adopted by the College on 20 December 2019, and in line with Art. 17 RoP, the DPR contain separate rules governing

the processing and protection of personal data at Eurojust. This document is complemented by the [Rules of procedure on restrictions of certain data subject rights in relation to the processing of personal data](#), pursuant to Art. 25 of Regulation (EU) 2018/1725.

These internal rules were supplemented by targeted activities to ensure the development and implementation of a robust system in practice, including: establishing cooperation with the EDPS; adopting EB Decision 2020-08 of 14 December 2020 laying down implementing rules concerning the DPO at Eurojust; and identifying and implementing appropriate amendments to IT infrastructure (e.g. relevant changes made to the CMS by October 2020) and relevant workflows (e.g. regarding cases with third countries involving personal data, March 2021).

In this context, the **data protection system established at Eurojust is considered to be well aligned to EU data protection rules** – evidenced through positive EDPS assessments and perceptions amongst the Eurojust administration of a clear professionalisation and increasing understanding of the work since the entry into force of the Eurojust DPR. For instance, respondents that were able to provide an opinion across both surveys were positive in this regard – specifically, 85.2% either agreed (42.2%, 54 of 128) or strongly agreed (43%, 55 of 128) that Eurojust's data protection regime is fully aligned with Regulation (EU) 2018/1725.

However, Eurojust personnel (both NMs and administration) highlighted that the data protection system, and the underlying legal provisions, bring a range of practical challenges:

- **Relationship with the EDPS** is reportedly much more bureaucratic than under the previous system of the Joint Supervisory Board (JSB). While the JSB was focused specifically on Eurojust, the EDPS has a much broader remit of supervision and advisory tasks beyond its responsibility to monitor and ensure the legality of Eurojust's data processing activities (as per Art. 40, EJR). The former system is no longer feasible under the Treaty of Lisbon; however, representatives of Eurojust interviewed for the evaluation support study considered the relationship with the JSB to be more efficient, with quicker, less resource intensive and the possibility for more informal consultations. For instance, according to these stakeholders, the first EDPS inspection of Eurojust's activities in this field took more than one and a half years. In addition, these interviewees reported that the former system fostered a closer relationship with NMs than the current system, which has implications for operational work as discussed below.
- **Tensions with operational work.** Firstly, the bureaucratic processes for cooperation with the EDPS can result in long lead times for getting EDPS feedback on specific operational requests. For instance, while it was not possible for interviewees to discuss specifics, this has caused challenges regarding the inclusion of certain data protection clauses within JIT agreements. Secondly, different practices, approaches and cultures regarding data protection are in place at the EU level, including within Eurojust, and across the Member States, primarily due to national challenges implementing the [Law Enforcement Directive](#) (EU) 2016/680 (LED). This can create a disconnect between national practitioners, NMs and the Eurojust administration, which, combined with the lack of adequacy decisions issued by the Commission, the time it takes to conclude international agreements with third countries, and the rules on data ownership, has particular implications for the transfer of personal data to third countries.
- **Processing open-source information.** Unlike the [Europol Regulation](#) (EU) 2016/794 (Art. 17), Eurojust considers that the EJR does not provide clear legal ground for processing publicly available sources of data. As a result, Eurojust does not use open-source data for operational matters and such data is not stored in Eurojust databases.

The implications of these challenges are further examined in sections 4-6.

3.2 Eurojust's external activities

Based on the EJR, with objectives articulated in the MAS and SPDs, the Agency undertakes a range of activities. Some are clearly specified in the mandate of the Agency, while others are undertaken at the Agency's own initiative. This section first analyses the body of activities conducted by the Agency, before examining the activities delivered in each specific area detailed in the intervention logic over the evaluation period, as well as the outputs and results achieved.

Eurojust is a complex Agency that conducts many different activities. Its core business is supporting and strengthening coordination and cooperation between national investigating and prosecuting authorities. This leads the Agency to perform a number of casework-related tasks, such as delivering coordination meetings (CMs) and coordination centres (CCs). The extension of Eurojust's mandate to cover Core International Crimes (CIC) further expanded the scope of activities undertaken by the Agency. Moreover, its status as a centre of knowledge for judicial cooperation in criminal matters places Eurojust in a position to play an important role in projects involving cooperation and collaboration with third countries, and to develop products (reports, guidelines, etc.) on developments in the field to be used by practitioners, national competent authorities, or EU IBOAs.

Across these activities, Eurojust is required to cooperate with different types of stakeholders, including national investigating and prosecuting authorities across the Member States, EU partners, and international partners, including both third country stakeholders and international organisations.

This section provides an **overview of the types of activities Eurojust has implemented over the evaluation period**, to provide clarity to the subsequent sections of this evaluation support study. As noted above, some of the activities undertaken are clearly part of the Agency's mandate as per the EJR, while others have been developed on the Agency's own initiative.

Casework activities

In practical terms, **supporting and strengthening coordination and cooperation between national investigating and prosecuting authorities** is done through the activities listed in the below table.

Table 9: Eurojust activities relating to casework and operational activities

Activities	Description
Casework <i>Art. 4</i>	The core task of the Agency. Cases can be initiated by national authorities, the EPPO or by Eurojust on its own initiative. Eurojust cases remain open and may benefit from other forms of support (including those listed in this table) until their closure, once national authorities move to further investigate or prosecute their cases.
Support to JITs <i>Art. 4(1)(f)</i>	Through operational support, including help with drafting the JIT agreement, settlement of jurisdiction, support to joint operations (see coordination centres below), as well financial support (including transport and accommodation, interpretation, transport of evidence and seized items).
JIT collaboration platform <i>Art. 48(2)</i>	With eu-LISA and the Commission, the JITs Network Secretariat is developing an online collaborative environment that would enable JIT members and participants to safely exchange digital information and evidence and allow for secure electronic communication.
Coordination meetings <i>Art. 4(1)(b-c)</i>	Bringing together judicial authorities and law enforcement from Member States and third countries, enabling them to coordinate and strengthen investigations and prosecutions, and resolve legal and practical difficulties.
Coordination centres <i>Art. 4(1)(b-c)</i>	A central hub for the real-time exchange of information and coordination required for the joint execution of investigative measures in different countries.

Activities	Description
On call coordination <i>Art. 19</i>	A mechanism according to which National Desks are available 24/7 to serve as contact points for urgent cases.

Cooperation with partners

As stipulated through Article 2 EJR, supporting and strengthening cooperation is Eurojust's *raison d'être*. However, Eurojust's cooperation activities are multifaceted and include a number of activities beyond the direct support to casework. These additional activities include providing support to practitioner networks, as well as cooperation with EU IBOAs, third countries and international organisations, both in the context of casework and/or in other contexts. For instance, Eurojust is involved in externally funded projects that build on the Agency's unique position at the centre of judicial cooperation in criminal matters.

Table 10: Eurojust activities relating to cooperation

Activities	Description
Hosting networks <i>Art. 48</i>	Eurojust hosts a number of cooperation networks, some of which predate the Agency. The Agency provides the staff and facilities for the secretariats of these networks. They include the European Judicial Network (EJN), the JITs network, the Genocide Network, and the European Judicial Cybercrime Network (EJCN).
Cooperation with EU IBOAs <i>Art. 49-51</i>	Eurojust cooperates with EU IBOAs, including the Commission, the European Parliament, the EPPO, Europol, Frontex, OLAF, FRA, CEPOL and the JHA Agencies Network. In addition, Eurojust cooperates with ad hoc bodies such as the European Migrant Smuggling Centre (EMSC), the European Counter Terrorism Centre (ECTC), and EMPACT. This includes both cooperation in the context of cases, as well as on other (e.g. strategic) matters.
Cooperation with Third Countries <i>Art. 52-54</i>	Cooperation with third countries through hosting Liaison Prosecutors or the network of contact points/correspondents is an important activity for the Agency. This covers casework, as well as other activities to enhance cooperation with third countries, such as capacity building and information sharing measures. In addition, Art. 53 EJR contains provisions related to the posting of liaison magistrates by Eurojust to third countries; this provision has not been used to date.
Cooperation with International organisations <i>Art. 52</i>	Eurojust cooperates with international organisations, such as the UNODC and the ICC, for the purposes of capacity building, operational coordination and information sharing.
External projects	Eurojust participates in a number of externally projects funded with varied aims, including: reinforcing cooperation with specific geographical areas (EuroMed Justice, Western Balkans Criminal Justice); exchanging information (SIRIUS); or targeting specific types of crime (Intellectual Property Crime – IPC). <i>These activities do not have a formal legal base within the EJR.</i>

Other activities

Eurojust's role in the above activities, and most prominently its support to national investigating and prosecuting authorities, puts the Agency in a position where knowledge is created. On this basis, Eurojust seeks to process and share this knowledge through a range of activities. As explained further in section 3.2.3, the legal basis for these strategic activities is not as clear as for most of the above activities. For instance, while providing a long-running platform for discussion between Prosecutors General and Directors of Public Prosecutions of the EU Member States, the consultative forum has no basis in EJR.

Table 11: Eurojust activities relating to sharing expertise

Activities	Description
College Working Groups	Working groups (substructures of the College) bring together NMs with specific interest in certain themes or types of crimes to develop and disseminate knowledge. They include the following: • Judicial Cooperation Instruments Team – focusing on the practical use and challenges to the efficiency of judicial cooperation instruments (such as the EIO, EAW). • Economic Crime Team – focusing on economic crimes, including money laundering, developing and supporting reports and studies on these types of crime. • Anti-Trafficking Team – supporting knowledge development and sharing on THB, as well as participating in operational work to ensure cooperation with other agencies, including Europol. • Counter-Terrorism Team – supporting TE-SAT reports, discussing exchange on information regarding terrorism cases etc. • Cybercrime team – oversees publication of the Cybercrime Judicial Monitor. • Victims' Rights Working Group – a horizontal group to raise awareness of victims' rights across the Agency's work.
Retaining Knowledge Project	A key challenge for the Agency, especially as the data used in the CMS is owned by the Member States, is to ensure knowledge is: (i) retained at the institutional level; and (ii) used to improve Eurojust's own activities and support other stakeholders (e.g. through Eurojust products). A project has been put in place to identify case information which should be retained and ways in which to ensure the information can be accessed in future and is retained in accordance with data protection rules.
Consultative Forum	Once a year, Eurojust hosts a meeting of Prosecutors General and Directors of Public Prosecutions of the Member States.
Events related to specific crime types	To provide for further engagement between national investigating and prosecuting authorities, Eurojust supports a range of annual events on specific crime types, including: the Focus Group on Migrant Smuggling, the Focus Group of Specialised Prosecutors against Trafficking in Human Beings, and Annual Meetings on Counter-Terrorism, and Money Laundering and Asset Recovery.
Products	The Agency produces publications based on the knowledge collected, including: • Case-law analysis – publications compiling the case law of the CJEU or national courts on specific types of crimes, or cooperation instruments (such as the EAW). • Guidelines – aim to provide practical advice for practitioners. Examples include guidelines on setting up JITs with third countries, or for deciding on competing requests for surrender and extradition. • Legislation analysis – these reports provide analyses of legal frameworks (such as the Digital Services Act), or definitions (such as Legal Definition of Migrant Smuggling and/or Facilitation of Irregular Migration, compiling national definitions of these crimes).

Core International Crimes and the Russian war of aggression against Ukraine

Over the evaluation period, **Eurojust has taken on additional activities**, specifically due to the Russian war of aggression against Ukraine. This has resulted in two important developments: CICED and the ICPA.

Table 12: Emerging Eurojust activities

Activities	Description
Core International Crimes Evidence Database (CICED)	A database hosted by Eurojust to preserve, store and analyse evidence of CIC. It aims to allow for the safe transmission and secure storage of evidence and includes an advanced analysis tool. <i>Resulted from Regulation (EU) 2022/838 amending the EJR.</i>
International Centre for the Prosecution of the Crime of Aggression against Ukraine (ICPA)	A hub embedded in the Agency to support national investigations into the crime of aggression related to the Russian war of aggression against Ukraine. It allows prosecutors to work together in the same location, facilitating collaboration and cooperation on investigating and prosecuting crimes resulting from the war of aggression against Ukraine. <i>The ICPA built on the work of a JIT facilitated by Eurojust and is fully funded by the European Commission's Service for Foreign Policy Instruments.</i>

The following sections examine the practical implementation of this body of activities, considering: (i) how the activities have developed over the evaluation period; (ii) what outputs and results have been achieved, considering both stated Eurojust indicators and evidence obtained through this evaluation support study; (iii) what implementation challenges were experienced; and (iv) what factors are important in this context, including internal and external factors driving successes and challenges.

3.2.1 Eurojust's support to casework

Providing casework support to EU Member States is at the core of Eurojust's work. This is strongly reflected in the provisions of the EJR, where the operational support functions Eurojust is required to perform are set out in Art. 4(1). They include: assisting the competent authorities (CA) of the Member States in ensuring the best possible coordination of investigations and prosecutions and improving cooperation between CAs; providing operational, technical and financial support to cross-border operations and investigations, including to JITs; and informing CAs of investigations and prosecutions that might affect them or have repercussions at Union level. Art. 4(1) also includes a general requirement to support the actions of Member States in combating the forms of serious crime listed in Annex I EJR.

In conducting these activities, Eurojust also engages with EU partners, third countries, and international organisations on casework.

These activities are largely in line with what Eurojust was already doing under the Council Decision, with the limited changes introduced by the EJR focused on integrating the EPPO into the legal framework and establishing the ability for Eurojust to carry out its tasks on its own initiative.

Implementation over the evaluation period

For each of the MAS periods covered by the evaluation, the SPDs set out a series of KPIs, with a baseline and a target. In the area of casework, these KPIs are related to the activities undertaken by the Agency to support its core objectives. The activities under the casework MASO include items such as the number of coordination meetings organised, JITs supported / funded, cases initiated, or ongoing cases. While these figures provide an indication of the volume of casework activity undertaken by the Agency, and the volume of outputs, the actual impact of these activities, as well as the resources they consume, are much more difficult to assess. The number of cases initiated provides an interesting example of the way in which these figures cannot be used to assess the wider results and impacts of the Agency, as further explained below.

Cases are one of the metrics used by Eurojust to demonstrate its impact. A case can be initiated at the request of a national authority (represented by national desks), the EPPO or on Eurojust's own initiative. Once a case is opened, it is formally included in the Agency's CMS and recorded in the Agency's statistics. However, the **nature of the cases supported by Eurojust can differ greatly**, and a legacy debate on **what types of cases and support are most relevant to Eurojust's mandate** has persisted over this evaluation period.

This debate is largely driven by two factors: (i) in-built vagueness in the EJR provisions related to the forms of serious crime against which Eurojust has competence to act; and (ii) a lack of binding interpretation on key questions stemming from these provisions, including whether Eurojust should focus on 'complex' over 'simple' requests, whether and how the terms 'complex' and 'simple' can be defined in this context, how different types of cases align with Eurojust's overall operational objective on providing effective support to Member States in the investigation and prosecution of serious cross-border crime, and what role Eurojust should play vis-à-vis other mechanisms for judicial cooperation in criminal matters that are available to national practitioners (most prominently, the European Judicial Network, as introduced below).

Table 13: Overview of the European Judicial Network

Overview of the European Judicial Network (EJN) The European Judicial Network (EJN) is an important tool to facilitate judicial cooperation in criminal matters as it provides practitioners with contacts and information to facilitate cross-border cases. While it has its own legal basis, the EJN secretariat is hosted by Eurojust. It comprises a network of contact points who act as active intermediaries to facilitate judicial cooperation in criminal matters between Member States. The EJN is seen by some practitioners as the network facilitating cooperation and coordination for cases that may not require opening a Eurojust case (such as identifying the correct judicial authority to send a request to, understanding some of the differences between legal systems etc.). The number of cases referred to the EJN can therefore be understood as the number of cases deemed to be better addressed by the network due to their lack of complexity. The Network reports cases on a biannual basis and reported over 14,000 cases in 2019-2020, and over 12,000 in 2021-2022. Due to the voluntary nature of the work undertaken by EJN contact points, anecdotal evidence gathered through interviews and focus groups points towards underreporting in these figures.

While Eurojust has published guidance on the factors that should influence the allocation of cases between Eurojust and the EJN, there appears to be **no clear, common Agency approach on how national desks should approach this issue**. The focus groups and interviews with national practitioners and Eurojust personnel highlighted that a **wide variety of different approaches are implemented in practice** at the national level and, in turn, by Eurojust NMs. This ranges from Member States implementing a systematic approach to assessing whether Eurojust's assistance should be requested, including the application of different criteria (such as the severity of the crime, the extent of damage to the victim, or whether the case requires multilateral cooperation), to other MS that leave such decisions to individual prosecutors or generally approach Eurojust with regard to any cross-border cases in the forms of serious crime listed in Annex I EJR.

As a result, some NMs placed a clear focus on cases that contain significant complexity, involving multiple countries, one or more JITs, coordination meetings, and joint actions days/coordination centres. If they do not feel that the case requires Eurojust's assistance, they signpost national practitioners to other mechanisms for judicial cooperation in criminal matters. Other NMs, however, were focused on servicing all requests for assistance, rather than redirecting them to other mechanisms. These NMs may take on cases that require only simple

tasks, such as following up on a request for mutual legal assistance (MLA) – often referred to as ‘letterbox’ cases. Once the issue has been addressed, the case is closed.

While it was not possible to clearly categorise the Member States in terms of their approach, a range of influencing factors were highlighted through the interviews. First, it is important to recognise the general point that the **national desks play an important role as the interface between 26 different and complex national criminal justice systems**. The differences between these national systems inevitably impact the approaches of national practitioners, as well as NMs, in this context. One specific factor identified was that Member States with well-developed domestic systems and structures for international judicial cooperation (e.g. FR, NL, LU) were more likely to redirect more straightforward requests to the EJM or existing bilateral mechanisms.

Second, a number of **drivers for taking on ‘simple’ cases were identified**, including: an incentive for NMs to increase the number of cases handled by their desk, primarily tied to the need to demonstrate value to national authorities and practitioners; and the increased trust generated with practitioners by providing high quality support, which can ultimately drive repeat use of Eurojust, including for support requests on more ‘complex’ cases.³⁰

Differences across Member States were also identified regarding the set-up and functioning of the European national coordination system (ENCS) in each Member State. Established by the 2009 Council Decision, the ENCS is now governed by Art. 20 EJM. Comprised of various national correspondents and contact points, the ENCS should facilitate the carrying out of Eurojust’s tasks within a given Member State.

A complex and varied picture emerged from the responses to the surveys conducted for this evaluation support study on the composition and tasks of the ENCS across the MS:

- **Number of national correspondents and contact points.** The respondents to the survey of national desks and LPs reported that their country has an ENCS comprising between three (in France, Italy) and all nine (in Germany, Latvia) of the different options (i.e. all those listed in Art. 20 EJM). Moreover, four respondents reported that no formal ENCS was in operation in their Member State (16%, 4/25).
- **Role of the ENCS.** The clearest result was that the ENCS does not prevent direct contact between the Eurojust NM and the competent national authority – 87.5% (15/16) of respondents to the survey of national desks and LPs strongly agreed with this statement. Contrastingly, in other areas, the results showed limits to the utility of the ENCS. For instance, concerning the relationship between the ENCS and the Eurojust CMS, 84.6% (11/13) of respondents disagreed or strongly disagreed that ENCS persons or authorities were connected to the Eurojust CMS, while 50% (7/14) responded in this manner to the statement that the ENCS is used to ensure the provision of information to the CMS. In addition, mixed results were provided regarding issues such as informing the Eurojust NM of all ENCS meetings where casework related matters are discussed and whether the ENCS is used to determine whether a request should be handled with the assistance of Eurojust or the EJM.

This varied approach was confirmed by the analysis of select national laws implementing the EJM. Specific provisions on the ENCS are not included in the legislation of three of the nine Member States examined (EE, FR, LU), with partial implementation of Art. 20 EJM in the remaining six Member States (AT, FI, DE, IT, PL, SE). In Austria, for instance, the provision lists the contact points participating in the ENCS; but there is no mention of the other aspects. In Finland, the national provision refers to Art 20(1) and (3) of the Regulation. However, issues such as the position, status, skills and experience of national correspondents to Eurojust and

³⁰ See section in Effectiveness discussion simple versus complex cases.

the functioning of the ENCS in terms of meetings / processes / information sharing are not specified.

Eurojust Monitoring data on casework

As established above, **depending on the national desk(s) involved, the same case may end up being recorded as a Eurojust case initiated by a national desk, one resolved by the EJC, or simply not appear in statistics at all.** Moreover, despite the differences in the types of cases supported, all cases recorded within Eurojust's CMS count as one within the monitoring statistics, casting doubt on the utility of this metric to assess the Agency's impact. Case study 1 (Annex 6) provides greater insight in the lifecycle of a case at Eurojust.

In this context, the figures presented in the table below show the **increasing use of Eurojust by national practitioners over the evaluation period**, an important output indicator. For the reasons outlined above, however, this cannot be used to indicate the impact of the Agency. To provide an alternative indicator on cases, the table below also includes an estimate of the number of cases closed per year, as well as the percentage of these out of the total number of cases in a given year.

Table 14: Evolution of the number of Eurojust cases, 2019-2023³¹

Case types	2019	2020	2021	2022	2023	Average growth rate (2019-2023)
Ongoing from previous years	3,892	4,200	4,808	5,227	5,710	10.1%
New cases	3,912	4,599	5,297	6,317	7,454	17.5%
Total	7,804	8,799	10,105	11,544	13,164	14.0%
Closed cases	3,604	3,991	4,878	5,834	N/A	17.5% ³²
Share of closed out of total cases	46.2%	45.4%	48.3%	50.5%	N/A	

Source: CAAR 2019-2023

When looking at the number of cases initiated per country, the German desk deals with the largest number of cases (899 in 2023, representing 17% of the total), having experienced an increase of 135% in the period 2019-2023, one of the highest of all Member States. Only Cyprus and Malta have experienced higher growth but from a far smaller base (10 and 6 cases respectively in 2019). Besides Germany, Italy (602, of 11% of cases), Spain (425, representing 8% of cases), and Poland (313, representing 6% of cases) deal with large numbers of cases. In comparison, France only initiated 253 cases, representing 5% of the total, and fewer than Slovenia, which has a far smaller population.

The below table presents the number of cases initiated in 2019 and 2023, disaggregated by the initiating country, covering both Member States and third countries. However, as discussed above, these figures only partially reflect the workload for national desks.

³¹ 2024 figures are not yet available. Figures for new and ongoing cases taken from the respective Consolidated Annual Activity Reports (2019, 2020, 2021, 2022, and 2023). Closed cases calculated based on closed + ongoing cases in year N, minus ongoing cases in year N+1.

³² Growth rate for 2019-2022

Table 15: Number of cases initiated by Member States and third countries, 2019-2023

MS	New cases 2019	New cases 2023	Change 2019-2023
BE	74	126	70%
BG	160	142	-11%
CZ	119	118	-1%
DE	383	899	135%
EE	38	53	39%
IE	48	18	-63%
EL	208	312	50%
ES	190	425	124%
FR	238	253	6%
HR	75	68	-9%
IT	374	602	61%
CY	10	99	890%
LV	51	65	27%
LT	40	106	165%

MS	New cases 2019	New cases 2023	Change 2019-2023
LU	14	13	-7%
HU	207	289	40%
MT	6	22	267%
NL	162	133	-18%
AT	183	248	36%
PL	172	313	82%
PT	116	160	38%
RO	171	224	31%
SI	151	265	75%
SK	142	97	-32%
FI	49	75	53%
SE	146	179	23%
DK	46	54	17%

Total (MS)	3 573	5 358	50%
Third countries	249	351	41%
College³³	1	N/A	-
Total	3 892	5 709³⁴	47%

Source: CAAR 2019, 2023

Eurojust also reports the participation of national desks in cases initiated by other desks. For this metric, France was the most frequent participant in cases initiated by other desks in 2023 (1 113 cases), followed by Germany (744), Spain (572), the Netherlands (486) and Italy (420). This illustrates, particularly in the case of France, the differences between the body of casework handled by a given national desk.

Beyond the volume of cases, one possible proxy for the impact of the Agency is the **share of cases falling under its priority crime areas**. This has increased from 63% in 2019 to 76% in 2023. While it is important for the Agency to focus on priority crime areas, it is to be expected that a share of cases does not fall under these areas and this fact should not automatically be seen as a negative. Article 3(3) EJR provides the legal basis for Eurojust to “assist with investigations and prosecutions where requested” even for crimes not listed in Annex I of the Regulation. This flexibility helps avoid situations where a judge or prosecutor may refrain from using Eurojust for fear of seeing their request rejected due to the type of crime involved.

During interviews and focus groups with national-level stakeholders, national practitioners stated that they saw Eurojust’s added-value particularly on multilateral cases. Another useful proxy could thus be the **number of multilateral cases** (involving three or more countries).

In 2023, 706 cases initiated by Member States involved two or more countries, representing 13% of all cases. While this reflected an increase in the absolute number of multilateral cases since 2019 (from 523), the **share of multilateral cases as a proportion of total cases has remained relatively stable**, where multilateral cases represented 14% of all cases in 2019. The countries initiating the highest share of multilateral cases as a proportion of the total cases

³³ One case was recorded as being initiated by the College in 2019 (source: 2019 CAAR, Annex I); no data was recorded on cases initiated by the College in 2023 (source: 2023 CAAR, Annex I)

³⁴ There is a discrepancy of one case when comparing the overarching figure reported by Eurojust on total number of new cases in 2023 (5 710 as per p.9 CAAR 2023) versus the sum of the figures presented by country in Annex I CAAR 2023 (5 709). It has not been possible to identify the source of this discrepancy.

they initiated in 2023 were France (42%, 106 of 253), Estonia (30%, 16 of 53) and Latvia (28%, 18 of 65), followed by Belgium, Lithuania and Luxembourg at 23%. France also initiated the highest number of multilateral cases in 2023 (107, 15% of the Eurojust-wide total), followed by Italy (102, 14% of the total), Germany (88, 13% of the total) and Spain (52, 7% of the total). No other countries initiated more than 40 multilateral cases in this year.

Beyond the number of cases taken on by Eurojust, the most important specific activities under the casework MASO are presented in the following table. Over the period, the number of coordination meetings increased by 8.7%, reflecting the increasing number of cases. The number of coordination centres stayed reasonably stable. The number of new JITs supported has gradually increased since 2020 after a decline from 2019. This relative stability may reflect a range of factors, including increased case complexity or an increase in the number of participants. Over the same period, the share of funded JITs has remained relatively stable.

Table 16: Evolution of key KPIs relating to activities undertaken by Eurojust relevant to MASO1 – casework³⁵

KPI	2019	2020	2021	2022	2023	Average growth rate (2019-2023)	
						2019-23	2020 excluded ³⁶
Share of cases falling under EJ priority crime areas	63%	72%	75%	76%	76%	4.9%	1.8%
Number of cases referred from the EJN	120	239	139	331	94	31.0%	55.2%
Number of cases referred to the EJN	28	109	44	115	341	146.9%	215.7%
Number of coordination meetings	428	371	457	528	577	8.7%	16.0%
Number of coordination centres	27	19	22	22	21	-4.6%	3.7%
Number of deliverables in support of casework (including conclusions, analyses, legal notes, case notes, advice to JITs, Case Information Forms,	800	777	781	941	1013	6.4%	9.6%
Number of ongoing JITs from the previous year	167	193	182	187	194	4.1%	0.3%
Number of new JITs supported	103	75	72	78	94	-0.6%	8.3%
Share of new JITs that are funded	51%	51%	58%	54%	54%	1.7%	2.3%

Over the evaluation period, the activities of the Agency in terms of casework have increased, save for a slight dip in some indicators driven primarily by the effects of the COVID-19 pandemic. The interviews conducted point to an **overall positive view of all stakeholder groups regarding the achievements of the Agency in terms of the casework-related results and impacts** over the period. Even when critical about certain operational or governance aspects of the current set-up, national desks overwhelmingly praised the impact of the Agency on the development of cooperation and coordination mechanisms between national competent

³⁵ 2024 figures are not yet available. All figures taken from the respective Consolidated Annual Activity Reports (2019, 2020, 2021, 2022, and 2023).

³⁶ This column shows the average growth rate excluding 2020, where COVID-19 had the largest negative impact on growth rates

authorities. Liaison Prosecutors and National Members used to working with third countries were similarly positive about the impact of the Agency regarding improved cooperation in criminal matters with third countries.

The KPIs used for the assessment of the Agency's casework focus on the activities it undertakes. One important shortcoming of these KPIs is that they fail to take the wide variety of cases undertaken by the Agency, as well as the differing effort required to support these cases, into account. Another important factor to consider is the mere fact that NMs interact on a daily basis in the same physical location. This level of collaboration is conducive to quickly addressing issues and helping their national colleagues get answers, which often do not translate into reported cases. As such, the KPIs used are more process driven. While they provide useful information on the volume and type of work undertaken, they should not be used to assess the impact of the Agency.

Eurojust's proactive functions

Article 2(3) EJR provides an explicit legal basis for the Agency to **carry out its tasks on its own initiative**. Proactivity is hence embedded in the implementation of the tasks of Eurojust horizontally, rather than constituting a distinct activity that would be additional to its core mandate.

Eurojust specified the proactive identification of links and investigation or prosecution gaps as an SAA within the 2022-24 MAS, selecting the percentage of actions reinforcing Eurojust's ability to act on its own initiative as the key indicator by which to demonstrate progress against this SAA. In line with the aspiration to strengthen its proactive function, Eurojust's SPD 2022–2024 also defined “reinforcing Eurojust's ability to act on its own initiative and where the fight against crime requires prosecution on common bases” as a specific objective. It further required implementation and monitoring of the action plan for applying the EJR own initiative provisions and promoting a more proactive Eurojust role in coordinating cases – and allocated annually increasing budget specifically to the implementation of this objective³⁷.

Eurojust's mandate to support and strengthen coordination and cooperation between national investigating and prosecuting authorities is clearly established by the EJR (Articles 2(2)(a), 2(3), and 4(5) further explained by Recital 12). In implementing this mandate, Eurojust carries out both operational and strategic work. Own initiative work is embedded in Eurojust's ordinary casework, which increased by 14% in 2023, while the Agency also continued building up its ability to act specifically on its own initiative³⁸. While no targets are set for the number of own initiative cases, Eurojust registered 11 cases in 2023 implementing the own initiative provisions. Strategic work is also integral to the Agency's own initiative portfolio, and related targets are well met and even exceeded. In this context, for instance, 93 products (such as reports, guidelines, and analyses, etc.) were developed in 2023 on priority crime areas and judicial cooperation instruments (around 80% of the total target foreseen for 2022-2024), and the target for servicing stakeholder requests for strategic contributions well exceeded the plans with 268 serviced requests in 2023 – against a target of (≥) 120 for 2022-2024³⁹. Similarly, the percentage of cases for which strategic knowledge was retained saw a nearly three-fold increase from 2021 to 2023 (from 12 to 34)⁴⁰.

As both Ciced and ICpa function predominantly on an own initiative basis, their establishment also constituted a significant step for the Agency to build up its independent own initiative capabilities, as well as increase the visibility and overall impact of its proactive role. Case study 3 in Annex 6 provides a detailed exploration of the role and implementation of Eurojust's ability to act on its own initiative.

³⁷ Eurojust (2021), [Single Programming Document 2022 – 2024](#), p 21. and 39.

³⁸ Eurojust (2023), [Consolidated Annual Activity Report](#), p 5

³⁹ Eurojust (2023), [Consolidated Annual Activity Report](#), p 43

⁴⁰ Eurojust (2023), [Consolidated Annual Activity Report](#), p 47-48

3.2.2 Cooperation with partners

Enhancing relationships with partners, beyond the direct operational support provided to Member States via casework, is a key objective of Eurojust's work. This includes both:

- **Relations with partners within the EU**, covering relevant networks involved in judicial cooperation in criminal matters, including the EJN, the JITs Network and the Genocide Network, and relevant EU bodies, offices and agencies, including Europol, OLAF, the EPPO, Frontex and the EJTN.
- **International cooperation**, covering relations with the authorities of third countries, including through the posting of liaison prosecutors by third countries to Eurojust and the contact point network, and international organisations, including the ICC.

In the first MAS covered by this evaluation (2019-21), these activities were covered by two SAA across two MASOs: (i) on reinforcing operational cooperation with key partners (SAA1(b)), linking to the above activities within MASO1 on Casework; and (ii) reinforcing strategic cooperation with key partners (SAA2(b)), related to MASO2 on Policy work. As the 2019-21 MAS was developed prior to the finalisation and adoption of the EJR, there are minor discrepancies between the two documents. These include differences in terminology, such as the use of third 'States' rather than third countries, and the level of focus on cooperation with international partners (i.e. only operational and not strategic).

In the 2022-24 MAS, activities in this area were again included within MASO1 on Casework, namely through SAA1(c) on operational cooperation with the networks hosted and supported by Eurojust and SAA1(b) on pro-active identification of links and investigation or prosecution gaps. In addition, activities under MASO2 were exclusively focused on ensuring **close cooperation with stakeholders from within the EU and beyond**, covering: (i) cooperation with JHA and anti-fraud partners (SAA2(a)); (ii) cooperation with third countries and international partners (SAA2(b)); and (iii) externally funded projects for operational cooperation.

In practice, an **extensive list of activities has been implemented across the evaluation period**, with the aim of progressing these SAAs, achieving the MASOs, and ultimately achieving the relevant objectives of the EJR.

Relations with EU and international partners

Underpinning all cooperation with relevant EU IBOAs, third countries and international organisations are the **agreements concluded with these partners**. These agreements can take the form of working arrangements, cooperation agreements, and memoranda of understanding. Each type of agreement is now discussed in turn, with further detail presented in Annex 9.

As per Art. 47(3) EJR, Eurojust may conclude **working arrangements with partners**, covering both EU and international partners. While this provision clearly states that such working arrangements shall not form the basis for allowing the exchange of personal data, Art. 56(3) stipulates that working arrangements can be used to establish modalities to implement any agreements or adequacy decisions on the transfer of operational personal data to a third country or international organisation, in line with Art. 56(2). Moreover, working arrangements shall not bind the Union or its Member States.

Beyond these points, as well as enabling third countries or international organisations to use the OCC, little information is provided in the EJR on the anticipated scope and content of such working arrangements. In line with Recital 17 EJR, the adoption of working arrangements with partners should form part of the management tasks of the College, with Eurojust reporting that a draft model working arrangement was approved by the College in October 2020.

Eurojust made the following progress in the evaluation period:

- **Two new working arrangements were concluded with EU partners:** the EPPO in February 2021 and OLAF in March 2023. For OLAF, this working arrangement built on a previous practical agreement from 2008. While a draft model working arrangement was developed, the documents regulating cooperation with the EPPO and OLAF follow different structures. However, the documents largely cover similar areas, including operational cooperation, modalities for the exchange and protection of operational information and personal data, and provisions on the assessment of the arrangement. In this context, while not available to the evaluation team, the first bi-annual joint evaluation of the Eurojust-EPPO Working Arrangement was produced and validated in 2023. As discussed further below, Eurojust has also taken preparatory steps in the period within scope towards establishing a working arrangement with **Europol**, thereby updating the existing basis for cooperation.
- **Three new working arrangements with international partners:** the Ibero-American Association of Public Prosecutors Offices (AIAMP) (2022), Nigeria (2023), and Panama (2024).⁴¹ In all cases, these agreements make explicit reference to the EJR and typically cover the following topics: the appointment of contact points for operational cooperation; exchange of legal, strategic and technical information and best practices; awareness raising and knowledge building; facilitating communication between competent authorities; and ensuring mutual understanding and familiarisation with the cooperation requirements. However, working arrangements cannot provide for the appointment of an LP at Eurojust.

Memoranda of understanding (MoU) are the most common mechanism for governing cooperation with EU partners. While the differences between working arrangements and MoUs are not explicitly described by Eurojust, working arrangements tend to be more detailed and cover operational, institutional and administrative matters, while MoUs are usually not legally binding and set a simpler framework as a basis for future agreements. However, the level of detail differs across MoUs, with some containing very general provisions (e.g. for CEPOL, EUIPO, EJTN, FRA), and others containing more detailed provisions (e.g. for Europol, Frontex, eu-LISA, EUDA, European Commission). To date, Eurojust has concluded MoUs with nine EU IBOAs and three international organisations; however, all existing MoUs were concluded prior to the adoption of the EJR.⁴²

Cooperation agreements have primarily been used to govern relations with third countries in a more systematic and comprehensive way. In particular, agreements on cooperation aim to: (i) ensure the possibility to exchange operational information, including evidence and personal data, between Eurojust and the national judicial authorities of the countries involved; (ii) provide the basis on which a third country can post an LP at Eurojust; and (iii) allow third countries to participate in and benefit from the practical cooperation and coordination tools offered through Eurojust (e.g. CMs, CCs).

Prior to the adoption of the EJR, Eurojust was able to conclude such cooperation agreements directly; it concluded 12 such agreements between 2006 and 2019.⁴³ Since 12 December 2019, such agreements (now International Agreements) are negotiated and concluded by the Commission and approved by the Council of the EU and the European Parliament, pursuant to Art. 218 TFEU. Two streams of activity have been implemented in this regard:

⁴¹ Since 1 May 2024, Working Arrangements have also been concluded with Bolivia, Chile, Costa Rica, Ecuador and Peru (11 July 2024), <https://www.eurojust.europa.eu/states-and-partners/third-countries/working-arrangements>

⁴² Europol (2018), Frontex (2013), CEPOL (2009), eu-LISA (2017), EUIPO (2016), EJTN (2008), EUDA (2014), FRA (2014), European Commission (2012), UNODC (2010), the Iberoamerican Network of International Legal Cooperation (Iber-RED) (2009); and ICPO-Interpol (2013).

⁴³ Albania (2018), Georgia (2019), Iceland (2005), Liechtenstein (2013), Moldova (2014), Montenegro (2016), North Macedonia (2008), Norway (2005), Serbia (2019), Switzerland (2019), Ukraine (2016), the United States (2006)

- EU-UK Trade and Cooperation Agreement (TCA, 2021)⁴⁴ contained significant provisions in Title VI on Cooperation with Eurojust. This was complemented in December 2021 by the conclusion of a Working Arrangement⁴⁵ between Eurojust and the UK Home Office.
- Based on the Commission Recommendation of November 2020⁴⁶, the Council adopted a Decision in March 2021 authorising the European Commission to open negotiations on international agreements between the EU and 13 third countries on cooperation with Eurojust: Algeria, Argentina, Armenia, Bosnia and Herzegovina, Brazil, Colombia, Egypt, Israel, Jordan, Lebanon, Morocco, Tunisia and Türkiye. While no agreements were concluded in the evaluation period, an agreement with Armenia was concluded in October 2024⁴⁷, and will enter into force pending the outcome of a data protection assessment, while agreements with Lebanon⁴⁸ and Bosnia and Herzegovina were signed in October 2024⁴⁹.

In this context, 12 LPs from third countries are posted at Eurojust; an increase from 6 in 2019, albeit based on the possibilities established under pre-EJR cooperation agreements (with the exception of the UK). These LPs cover: Albania (2021), Georgia (2020), Iceland (2024), Moldova (2023), Serbia (2020), the UK (2021), Montenegro, North Macedonia, Norway, Switzerland, Ukraine, and the USA (all pre-EJR). Building on the concept of liaison magistrates outlined in Council Joint Action 96/277/JHA, the possibility for third countries to post LPs to Eurojust was originally introduced by Article 26a(2), Council Decision 2009/426/JHA, where “the secondment of liaison officers or liaison magistrates to Eurojust” is highlighted as a consideration for Eurojust when concluding agreements with third States. However, given the responsibility for negotiating and concluding cooperation agreements with third countries shifted from Eurojust to the Commission within the EJR, the updated legal text does not mention liaison prosecutors. This means that, through the evaluation period, all provisions relevant to the posting of LPs to Eurojust are subject to negotiations within the context of international / cooperation agreements; this could include issues such as the status and powers of the LP, the mandate and duration of secondment, the number and status of team members (e.g. deputies, assistants), and access to national registers. However, Art. 54a of Regulation (EU) 2023/2131 (out of scope of this evaluation) has subsequently addressed this issue, introducing dedicated provisions on third-country LPs.

To complement these more detailed agreements, Eurojust built a global network of contact points comprising 72 jurisdictions as per the 2023 CAAR. This represents an increase of 20 third countries (28%) since 2019.

Beyond these common types of agreements, Eurojust concluded the following additional agreements with EU partners in the evaluation period:

- Three-year Cooperation Plan with eu-LISA, concluded in October 2021 in support of the MoU between the two agencies, that establishes Eurojust access to ECRIS-TCN and the interoperability architecture that will strengthen the JHA domain, as well as future cooperation in the context of the Digital Criminal Justice initiative and e-CODEX.
- EUIPO Service level agreement (SLA), concluded in March 2021, to boost EU-wide enforcement for intellectual property and provide a more cohesive and robust response to

⁴⁴ Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2021.149.01.0010.01.ENG

⁴⁵ https://www.eurojust.europa.eu/sites/default/files/assets/2021_11_10_eurojust_wa_final_rev.pdf

⁴⁶ COM(2020) 743 final, <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:52020PC0743>

⁴⁷ See: [Decision – EU – 2024/447 – EN – EUR-Lex](#); and [Agreement](#) between the European Union and the Republic of Armenia on the cooperation between the European Union Agency for Criminal Justice Cooperation (Eurojust) and the authorities of the Republic of Armenia competent for judicial cooperation in criminal matters

⁴⁸ [Decision – EU – 2024/2705 – EN – EUR-Lex](#).

⁴⁹ [Decision – EU – 2024/2704 – EN – EUR-Lex](#)

IP infringements. It covered a four-year period (2021-2024), and provided Eurojust with extra funding to develop and implement the Intellectual Property crime (IPC) Project.

Based on these agreements, practical cooperation with partners takes many forms, including engagement in casework, information exchange, involvement in joint projects and other strategic work. For instance, engagements with Europol besides casework include: cooperation on projects, such as the SIRIUS project⁵⁰; the secondment of experts and related contributions to Union centres of specialised expertise developed by Europol, including the European Counter Terrorism Centre (ECTC), the European Cybercrime Centre (EC3) and the European Migrant Smuggling Centre (EMSC)⁵¹; and participation in the EU policy cycle European Multidisciplinary Platform Against Criminal Threats (EMPACT)⁵².

Another example that illustrates the diversity of such activities is the work required to establish practical cooperation with the EPPO following the conclusion of the Working Arrangement in February 2021. As outlined in the 2021 Activity Report for the BoRP working group, the EPPO file was transferred from the AGOD working group to BoRP, a contact point was named and a Liaison Team was set up within Eurojust, which initiated preparations for the first Liaison Meeting with the EPPO, planned for January 2022.⁵³ This was followed up in 2022 by a range of proposed activities to implement the Working Arrangement, including liaison team activities, support for high-level meetings and follow-up, and development of a template for reporting cases to the EPPO.⁵⁴

Considering Eurojust's achievements, first, in the field of international cooperation, **the scale of operational cooperation with international partners has increased significantly across the evaluation period.** The number of cases with third countries increased by 44% from 2019 (689 cases) to 2021 (991 cases), while the number of coordination meetings (CMs) with third countries increased by 231%, from 138 CMs (2019) to 457 CMs (2021).

This positive trend continued in the 2022-24 MAS period. While the number of cases involving third countries decreased slightly in 2022 (6% decrease from 2021 to 933 cases), it increased to a new peak of 1 046 cases in 2023; a 6% increase compared to 2021 and an overall increase of 52% compared to 2019. Considering the comparability of these data across MAS periods, it is important to highlight that: (i) the KPI for the 2022-24 MAS period focuses on cases with both third countries and international organisations, rather than only cases involving third countries; and (ii) while the number of CMs, JITs and CCs per third country are captured in the annual report data, the total number of distinct joint activities/meetings involving third countries is not recorded.

However, while these casework-related indicators show positive developments in the scale of cooperation, they do not provide insights on the nature of that cooperation (e.g. on the complexity or simplicity of cases being handled). As such, the utility of the total number of cases as an indicator of Eurojust's performance against its core objectives faces challenges. This issue is discussed further in section 4.1.

Challenges have also been identified regarding the alignment between the formal strategy on cooperation with international partners and the actions taken in this field. More specifically, the 2020-2023 Strategy on Cooperation with International Partners⁵⁵, developed in consultation with the Commission and in line with Art. 52 EJR, named 11 third countries with which a pressing need for operational cooperation was identified: Algeria, Argentina, Bosnia and Herzegovina,

⁵⁰ <https://www.eurojust.europa.eu/sirius>

⁵¹ <https://www.europol.europa.eu/about-europol/european-serious-and-organised-crime-centre-esocc/european-migrant-smuggling-centre-emsc>

⁵² <https://www.eurojust.europa.eu/empact>

⁵³ Eurojust Board on relations with partners (BoRP), (2022), Activity Report Board on Relations with Partners: January-December 2021, 12 January 2022. [Internal Eurojust document].

⁵⁴ Eurojust Board on relations with partners (BoRP), (2022), Project proposal – Relations with the EPPO and Implementation of the Working Arrangement. [Internal Eurojust document].

⁵⁵ <https://www.eurojust.europa.eu/states-and-partners/third-countries/strategy-cooperation-international-partners>

Colombia, Egypt, Israel, Jordan, Lebanon, Morocco, Tunisia and Türkiye. While this primary list focused largely on countries in the Middle East and North Africa (MENA), it was complemented by a secondary list including countries from South America, as well as others from Africa, Asia and Europe; namely, Brazil, China, Canada, the UAE, Nigeria, Panama, Mexico and Russia.⁵⁶

In November 2020, building on this list, the Commission submitted to the Council of the EU its recommendation for a Decision authorising the opening of negotiations for agreements on cooperation with Eurojust between the EU and ten third States – Algeria, Armenia, Bosnia and Herzegovina, Egypt, Israel, Jordan, Lebanon, Morocco, Tunisia and Türkiye. Nine of the recommended countries were part of Eurojust's primary list of countries. Following this Recommendation, on 1 March 2021 the Council adopted its Decision authorising the opening of negotiations with the States recommended by the Commission, to which it added three more, namely Argentina, Brazil and Colombia. These three additional countries were also part of the primary (Argentina, Colombia) or secondary (Brazil) Eurojust lists.

While the primary countries outlined in the 2020-2023 strategy (plus Armenia and Brazil) were included in the Council Decision, the practical activities of Eurojust in this period appear to have largely focused on alternative third countries.

For instance, the 2022-2023 Annual Work Plan for the BoRP Working Group stated that the Working Group will prepare a strategy on enhanced relations with specific third States, international organisations and other bodies/entities every two years.⁵⁷ In May 2022, the College reportedly adopted a two-year strategy along these lines, focusing Eurojust's efforts on seven countries: Kosovo, Mexico, Nigeria, Panama, Peru, Saudi Arabia, and the UAE. The selection reportedly reflected: (i) interest to Eurojust due to their links to specific crime types; (ii) their readiness to establish closer relations; and (iii) difficulties faced by EU Member States in obtaining judicial assistance. While the reasons for the selection were clearly stated, these countries represent a clear shift from the primary list outlined by Eurojust in the 2020-2023 strategy to the secondary list; the reasons for this shift, or the additional two-year strategies, are not clear. The original four-year strategy is also not mentioned in this context.⁵⁸

Beyond the strategic approach, the specific activities taken over the period covered by this evaluation also reflect a shift in focus in many ways. While Eurojust did focus on preparing and negotiating a strategic working arrangement with Bosnia and Herzegovina, it also implemented clear priorities on enhancing cooperation with Latin American countries over and above the MENA-focused countries detailed primarily in the 2020-2023 strategy. Specifically, Eurojust sought to prepare and negotiate a strategic working arrangement with Mexico and took clear steps to strengthen judicial cooperation with other Latin American countries (e.g. concluding working arrangements with AIAMP, Panama, as well as Bolivia, Costa Rica, Chile, Ecuador, and Peru), as well as Nigeria (with some alignment to the May 2022 two-year strategy). This shift appears to have emerged following changes in the leadership of the BoRP Working Group, with the previous leadership focused more on the MENA region and the new leadership more focused on Latin America. It is understood that this could be due to a range of factors, such as existing contacts and networks of responsible NMs, or the interests and needs of responsible NMs and/or their national authorities.

While Eurojust stakeholders were clear to point out that the utility and validity of cooperation with these third countries is not being questioned – in fact, the 2024-2027 Strategy includes

⁵⁶ Recommendation for a Council decision authorising the opening of negotiations for Agreements between the European Union and Algeria, Armenia, Bosnia and Herzegovina, Egypt, Israel, Jordan, Lebanon, Morocco, Tunisia and Turkey on cooperation between the European Union Agency for Criminal Justice Cooperation (Eurojust) and the competent authorities for judicial cooperation in criminal matters of those third States, [COM\(2020\) 743 final](#).

⁵⁷ Eurojust Board on Relations with Partners (BoRP), (2022), Project Proposal – Working Arrangement with a third country listed in the two-year strategy 2022-2023. [Internal Eurojust document]

⁵⁸ This document does not appear to be publicly available and has not been seen by the evaluation team. It was identified due to it being mentioned within other internal documents shared by Eurojust: Eurojust Board on Relations with Partners (BoRP), (2022), Project Proposal – Working Arrangement with a third country listed in the two-year strategy 2022-2023. [Internal Eurojust document]

most of these countries (except Costa Rica and Chile) – the strategic shift resulted in requests for the Eurojust administration to conclude working arrangements over the evaluation period with third countries that were not part of the formal 2020-2023 Strategy.

In contrast to these largely positive achievements, the experience regarding **relations with EU partners appears to have been more mixed**. In the 2019-21 MAS period, the number of cases with Europol decreased by 56% from 2019 (97 cases) to 2021 (43 cases), while the number of CMs with Europol dipped from 124 in 2019 to 106 in 2020, before increasing back to a similar level in 2021 (120 CMs, a decrease of 3% from 2019). Reductions in cooperation with Europol were reported as being due to the impact of COVID-19 on Eurojust's activities/priorities – for instance, the BoRP Working Group reported that the exchange programme, which was meant to consist of an open day and individual sessions, was cancelled in 2021 due to COVID restrictions. However, the figures on operational cooperation continued at similar levels in 2022 (55 cases; 127 CMs) and 2023 (42 cases; 96 CMs).

As per the 2022-24 MAS, the specific indicator on cases involving Europol was no longer being used as a KPI; it was replaced by the combined number of cases involving the EPPO, Europol, Frontex and OLAF. The results for this KPI were also below the target (75 of more cases) in both 2022 (70 cases) and 2023 (63 cases), with most cases involving Europol (79% in 2022; 67% in 2023). As a result, this indicator was marked as 'needing attention' in the 2023 CAAR.

Moreover, the collection of the MAS 2019-21 KPI related to strategic cooperation with key EU partners (namely, Europol, the EPPO, Frontex) faced challenges. This KPI focused on the timely implementation of agreed actions stemming from regular meetings with the named EU partners. In the 2021 CAAR, Eurojust reported that it had become too challenging to measure this KPI in a cost-effective way. This was reportedly due to the increasing number of actors involved in the respective discussions/actions and the lack of a central monitoring system/process covering agreed actions with all strategic partners.

Underpinning this situation are a **range of challenges reported by Eurojust on the specific basis for cooperation with Europol**, which is currently governed by a 2010 cooperation agreement and a 2018 MoU. In particular, the 2010 cooperation agreement has been described by Eurojust as 'largely outdated'.⁵⁹ With the aim of fully assessing these challenges, the College approved the establishment of an internal 'Europol Project'. The aims and key findings of this project are summarised in the below table.

Table 17: Summary of Eurojust's 'Europol Project' (2023-24)

Delivery of the Europol Project, which was approved by the College on 24 January 2023, was planned across two phases. It was led by a Project Board comprising NMs and senior members of the administration. The first phase was implemented between January and June 2023. It focused on mapping the existing legal framework and working practices with Europol, as well as identifying best practices and problematic areas. It culminated in the development of a final report and briefing note, presented to College in June 2023. Eurojust's main findings in phase one were as follows:

- Important legal obligations are not implemented in practice, including the mutual obligation to notify, follow-up and consult each other when expertise is needed in a concrete case, and sharing the list of operational meetings.
- Numerous actors are involved in the cooperation between Eurojust and Europol, including: (i) national authorities; (ii) liaison bureaux at Europol; and (iii) Eurojust actors, including national desks, contact points to Europol Analysis Projects (AP), bridge-makers, chairs of College Working Groups and CWU staff.

⁵⁹ [Internal Eurojust documentation] related to the 'Europol Project', as approved by College on 24 January 2023, including the project proposal document, the final report of the first phase, and a related briefing note.

- Limited information coming from Europol. For instance, Europol does not share information on their Operational Task Forces (OTF), while Europol's handling codes are a challenge for information exchange (including within a hit/no hit context).

On this basis, the second phase planned to focus on the negotiation of a new working arrangement and/or related workflows with Europol, should Europol agree. Eurojust indicates a number of areas of focus in a possible new working arrangement, including: regular exchanges of lists of upcoming operational meetings and coordination meetings; practical details of the hit/no hit implementation; and proactive transmission of information from Europol to Eurojust. As noted above, no new working arrangement has been agreed to date.

Relations with networks

In addition, an important part of Eurojust's work in the field of cooperation with partners is the **hosting of practitioner networks**. In line with the EJR, Eurojust hosts the Secretariats of the EJNI, the JIJs Network and the Genocide Network.

While not explicitly named in the EJR, Eurojust also provides support to national authorities through: (i) the EJCNI, which meets twice a year to facilitate exchanges between practitioners, Eurojust and other EU partners on common challenges faced by judicial authorities and best practices implemented in cybercrime cases;⁶⁰ (ii) crime-related events, such as the Focus Group on Migrant Smuggling⁶¹, which brings together specialised prosecutors from all EU Member States to regularly exchange information and meet annually on issues of migrant smuggling, the Focus Group of Specialised Prosecutors against Trafficking in Human Beings (delivered together with the EU Anti-Trafficking Coordinator), and Annual Meetings on Counter-Terrorism, and Money Laundering and Asset Recovery; and (iii) the Consultative Forum⁶², which provides a forum for the Prosecutors General and Directors of Public Prosecutions of the EU Member States to discuss mutually relevant issues in a flexible manner, supported by an annual meeting.

Eurojust conducts a range of activities across these practitioner networks and other support mechanisms. The core types of activities associated with each are outlined in the below table.

Table 18: Overview of Eurojust activities in relation to networks and other practitioner support mechanisms

Mechanism	Overview of Eurojust activities
EJNI	Hosting the Secretariat – preparing and hosting annual meetings (and ad hoc high-level meetings); reviewing and maintaining the EJNI website content; preparing joint Eurojust-EJNI products (e.g. 2023 contribution to the 5th edition of the SIRIUS EU Electronic Evidence Situation Report); and liaison with EJNI Contact Points. In addition, case-by-case cooperation, collaboration and consultation on operational work. <i>Legal basis: EJR; Council Decision 2008/976/JHA.</i>
JIJs Network	Hosting the Secretariat – preparing and hosting the annual meeting of the network; preparing joint Eurojust-JIT Network products, checklists and guidance (e.g. Fourth JIJs Evaluation Report, 2023); participating in training activities for JIT practitioners and engaging study visits; and participating in project meetings (e.g. Western Balkan Criminal Justice project). <i>Legal basis: EJR; Council Document 11037/05 establishing the Network.</i>
Genocide Network	Hosting the Secretariat – preparing and hosting annual Network meetings and high-level meetings (e.g. of the Steering Board); preparing joint Eurojust-Genocide Network products (e.g. 2023 Factsheet on Universal Jurisdiction); and participating in training activities and workshops.

⁶⁰ <https://www.eurojust.europa.eu/judicial-cooperation/practitioner-networks/european-judicial-cybercrime-network>

⁶¹ <https://www.eurojust.europa.eu/crime-types-and-cases/crime-types/migrant-smuggling#tab-3>

⁶² <https://www.eurojust.europa.eu/judicial-cooperation/practitioner-networks/consultative-forum>

Mechanism	Overview of Eurojust activities
	<i>Legal basis: EJR; Council Decisions 2002/494/JHA & 2003/335/JHA.</i>
EJCN	Preparing and hosting plenary meetings; preparing joint products and a quarterly newsletter; participating in workshops, Master Classes and other ad hoc engagements with practitioners. <i>Legal basis: Council Conclusions of 9 June 2016 on the European Judicial Cybercrime Network.</i> ⁶³
Crime-related events	Establishment activities (e.g. setting up the Focus Group on Migrant Smuggling in April 2020); facilitating exchange of information; and preparing / hosting annual meetings.
Consultative Forum	Preparing and hosting the annual meeting of the Forum at Eurojust's premises in the Hague.

Achievements in the field of **cooperation, operational or strategic, with networks** are primarily demonstrated by Eurojust through indicators on the number of common or joint products developed by each network in collaboration with Eurojust. While the activities in this field were not subject to a KPI in the 2019-21 MAS period, an overarching KPI on the number of Eurojust-Networks joint products was introduced in 2022 and 2023. Across the entire period 2019-2023, separate indicators on the number of joint products developed with each key network were produced. However, these indicators differ in subtle ways.

- **Differences in terminology:** in the 2019 CAAR, the separate indicators for each network were worded different – i.e. Eurojust reported on the number of common products/services specifically between the JITs Network and Eurojust, the number of reports and publications developed by the EJN-Eurojust and the JITs Network-Eurojust, and the percentage of expert papers elaborated by the Genocide Network-Eurojust produced by the target date. In 2020, these indicators were simplified to cover the number of 'common products' developed with each network. In the period 2021-2023, the term 'joint products' was used instead of 'common products'.
- **Differences in scope:** Besides the differences in the specific nature of each 2019 indicator, a specific indicator on joint EJ-EJCN products was introduced in 2023. However, it does not seem to have been integrated into the overarching KPI.

In the period 2020-2023, the total figures for joint Eurojust-network products have remained relatively stable (12 in 2020; 10 in 2021; 14 in 2022 and 2023) and above the targets set by Eurojust. However, while Eurojust included a baseline figure of 10 joint products (2019) in the 2022 and 2023 CAARs, there is no clear comparability with the pre-EJR situation. This baseline figure is not reported in the 2019 CAAR and the indicators reported in 2019 are not formulated in a comparable way to the indicators from 2020-2023. The breakdown of joint products across the different networks is presented in the below table.

Table 19: Number of joint Eurojust-Networks joint products, 2019-2023

Network	2019 (baseline) ⁶⁴	2020	2021	2022	2023
JIT Network	-	3	1	3	2
Genocide Network	-	4	3	6	4
EJN	-	5	6	5	7

⁶³ <https://www.consilium.europa.eu/media/24301/network-en.pdf>

⁶⁴ Not reported in the 2019 CAAR; baseline taken from the 2022-2024 MAS.

Network	2019 (baseline) ⁶⁴	2020	2021	2022	2023
Total	10⁶⁵	12	10	14	14⁶⁶

Beyond the core networks, Eurojust has consistently reported result indicators related to the **Consultative Forum**. However, these indicators also do not allow comparability between the pre- and post-EJR situations. In 2019, Eurojust monitored whether it had drafted the conclusions of the Consultative Forum meeting by the target date. For the period 2020-2023, the focus shifted to monitoring the level of satisfaction of Consultative Forum participants on logistical support and content (self-reported on a scale of 1-4 following the meeting). While there was no meeting held in 2020 due to COVID, participants reported consistently high levels of satisfaction for 2021 (average of 3.75), 2022 (3.6), and 2023 (3.5); all were above the target of 3.2 out of 4 (or 80% average satisfaction) set by Eurojust.

New tasks related to Russia's war of aggression against Ukraine

A key development in the evaluation period concerning cooperation with partners was **Russia's war of aggression against Ukraine**. In the first instance, Eurojust provided legal and technical support to the setting up of a JIT focused on alleged core international crimes committed in Ukraine. This JIT agreement was the result of a CM held on 2 March 2022; it was signed by the national authorities of Lithuania, Poland and Ukraine on 25 March 2022.⁶⁷ The JIT was joined by the ICC on 25 April 2022, Estonia, Latvia and Slovakia on 30 May 2022, and Romania on 13 October 2022. The participating national authorities signed an MoU with the USA on 3 March 2023, and Europol joined the JIT on 10 October 2023.

In this context, it quickly became clear that Ukraine-related investigations were ongoing in more than 20 countries following what Eurojust describes as “an unprecedented response from the international legal community” to the “most documented armed conflict in the history of humankind”⁶⁸. On this basis, it was determined that there was a pressing need for a central, secure repository of evidence stemming from these investigations and, in June 2022, Regulation (EU) 2022/838 entered into force. As detailed above, this Regulation amended the EJR, giving Eurojust significant new responsibilities in relation to CIC; namely, the legal possibility to store, preserve and analyse evidence of war crimes. The result was the Core International Crimes Evidence Database (CICED), which is detailed in the below table.⁶⁹

Table 20: Core International Crimes Evidence Database (CICED) – Summary

CICED was set up by Eurojust in 2023, starting operations in February 2023. It provides for three core components: a safe digital data transmission method of evidence; secure data storage of evidence; and advanced analysis tools. Alongside the evidence itself, CICED records information on who submitted the evidence, as well as the event and crime type to which it refers.

Evidence can be submitted by competent national authorities from EU Member States and from third countries with Liaison Prosecutors at Eurojust. Evidence in this context can include: photographs, video and audio recordings, satellite and drone images, witness statements, victim testimonies, medical, forensic and military reports, battlefield evidence, amongst other types.

Based on this data and evidence, Eurojust can conduct a range of added value activities:

- Maintain a complete overview of all evidence collected.

⁶⁵ Baseline figure for 2019 reported in the 2022 and 2023 CAAR. There is no comparable, equivalent data reported in the 2019 CAAR.

⁶⁶ Interim Result for the overarching KPI on 'Number of Eurojust-Networks joint products' from the 2023 CAAR, which does not align with the sum of the reported number of joint products for each individual network (covering JIT, GEN, EJR).

⁶⁷ <https://www.eurojust.europa.eu/news/eurojust-supports-joint-investigation-team-alleged-core-international-crimes-ukraine>

⁶⁸ <https://www.eurojust.europa.eu/sites/default/files/assets/ciced-leaflet-en.pdf>

⁶⁹ Based on Eurojust's report on [Budgetary and financial management for 2022](#), upon Eurojust's request in June 2022, the Commission agreed to reinforce the Agency's budget with EUR 500,000 for ICT expenditure and EUR 500,000 for staffing resources (11 establishment plan posts, 2 contract staff, and 3 SNEs) to support the new CICED tasks. This budget increase was adopted on October 4th, 2022, as per College Decision 2022-07.

- Strengthen the coordination of national and international investigations.
- Perform targeted searches for evidence related to a specific event or location.
- Identify evidentiary gaps.
- Identify parallel investigations.
- Advise on prosecution strategies.
- Facilitate evidence and information exchange on core international crimes.
- Prepare thematic reports on specific aspects of core international crime investigations (e.g. on sexual and gender-based violence).

Source: Eurojust, (2023), [Core International Crimes Evidence Database Leaflet](#).

To build on these activities, the Ukrainian government announced work to establish a **special international tribunal on the crime of aggression against Ukraine** in November 2022.⁷⁰ This was supported by the European Commission, which, while continuing to support the work of the ICC, proposed two options to ensure Russia is held accountable for the crimes committed during the war in Ukraine. This is based on the rationale that such crimes cannot be prosecuted by the ICC due to the fact that Russia does not accept the jurisdiction of the ICC. The options were to: (i) establish a special independent international tribunal based on a multilateral treaty; or (ii) establish a specialised (hybrid) court integrated into a national justice system with international judges.⁷¹

Subsequently, on 2 February 2023, a new **International Centre for the Prosecution of the Crime of Aggression Against Ukraine (ICPA)** was announced by European Commission President Ursula von der Leyen. Eurojust agreed to host the ICPA, and was well-placed to do so, given, among other factors, its support to the abovementioned JIT, its management of CISED, its hosting of the Genocide Network Secretariat, and its geographical proximity and existing cooperation with the ICC and other international actors in the justice field. The ICPA aims to enhance investigations into the crime of aggression and is formed of Ukraine, five members of the abovementioned JIT (Lithuania, Latvia, Estonia, Poland, Romania), and representatives of the ICC and the USA.⁷²

Additional activities undertaken by Eurojust in relation to Russia's war of aggression against Ukraine include:⁷³

- Participation in the EU Freeze and Seize Task Force⁷⁴, which was set up by the European Commission in March 2022 to support the implementation of EU sanctions against listed Russian and Belarussian oligarchs.
- Relevant publications, including guidance on JITs with third countries⁷⁵ and guidelines for civil society organisations (in collaboration with the Genocide Network and the ICC's Office of the Prosecutor)⁷⁶.
- Conducting training sessions on prosecuting CIC for practitioners of JIT countries.
- Conducting presentations and hosting events, including the 16th meeting of the Consultative Forum of Prosecutors General of EU Member States⁷⁷, which was dedicated to Ukraine,

⁷⁰ <https://www.president.gov.ua/en/news/andrij-smirnov-proviv-zasidannya-robochoyi-grupi-zi-stvorenn-78853>

⁷¹ https://ec.europa.eu/commission/presscorner/detail/en/ip_22_7311

⁷² <https://www.eurojust.europa.eu/international-centre-for-the-prosecution-of-the-crime-of-aggression-against-ukraine>

⁷³ <https://www.eurojust.europa.eu/eurojust-and-the-war-in-ukraine>

⁷⁴ https://ec.europa.eu/commission/presscorner/detail/en/ip_22_1828

⁷⁵ <https://www.eurojust.europa.eu/publication/guidelines-joint-investigation-teams-involving-third-countries>

⁷⁶ <https://www.eurojust.europa.eu/publication/documenting-international-crimes-and-human-rights-violations>

⁷⁷ <https://www.eurojust.europa.eu/news/eu-prosecutors-general-discuss-judicial-response-war-ukraine-during-16th-meeting-consultative>

and the presentation of a Eurojust Vice-President at the Ukraine Accountability Conference⁷⁸.

3.2.3 Other Eurojust activities

Beyond the core activities detailed above, Eurojust conducts a range of **activities aimed at contributing to EU policy and legal developments, as well as developing and sharing expertise stemming from its operational casework**.

This work is reflected across a range of EJR provisions, some of which are more explicit than others. Most notably, this includes: Art. 68, which clearly states that the Commission and the Member States may request Eurojust's opinion on proposed legislative acts; and Art. 5(2)(j), which permits the College to adopt *"reports, policy papers, guidelines for the benefit of national authorities and opinions pertaining to the operational work of Eurojust, whenever those documents are of a strategic nature"*.

As detailed in case study 3 (Annex 6), Eurojust has also interpreted the provisions of Art. 2(3) on the own initiative, in conjunction with Recital 12, to cover the production of strategic work – specifically, Recital 12 states that *"by acting on its own initiative, Eurojust may take a more proactive role"*, which *"also allows Eurojust to produce guidelines, policy documents and casework-related analyses as part of its strategic work"*.

This is further supplemented by additional elements of Art. 4 (e.g. on participating in Union centres of specialised expertise developed by Europol and other Union IBOAs) and Art. 67(4)(a) on sharing the results of Eurojust studies or strategic projects with the European Parliament and national parliaments.

However, as illustrated in the intervention logic, these elements do not form core operational objectives of the Agency in their own right. Instead, they are components of the objectives on providing support to Member States in the investigation and prosecution of cases and ensuring cooperation with key EU stakeholders, such as the EU IBOAs and networks. Through this indirect support to operational objectives, these elements should also enhance Eurojust's ability to support and strength coordination and cooperation between national investigating and prosecuting authorities on the Agency's own initiative, as well as through responding to requests from the Member States and the EPPO.

In the 2019-21 MAS, the core activities related to these legal provisions were covered within MASO2 on Policy work, and specifically SAA2(a) on **contributing to the EU internal security strategy and to measures concerning judicial cooperation in criminal matters**. This SAA focused on delivering advice, grounded in Eurojust's operational experience, to the EU institutions, and promoting a common European approach in the field of criminal justice. These planned actions were complemented by elements of SAA1(a) within MASO1 on Casework, which focused on **providing quick and qualitative support to competent authorities**. This SAA included activities such as providing contributions to Operational Action Plans (OAPs) within EMPACT and acting as a centre of legal expertise as regards judicial cooperation and mutual recognition instruments, as well as key crime areas.

In 2022-24, MASO4 focused specifically on Strategic work, with the primary SAA4(a) related to **expertise sharing with EU bodies and judicial practitioners**.

As for the other areas of activity, Eurojust implemented an extensive list of activities across the evaluation period, with the aim of making progress against these SAAs and MASOs, and ultimately contributing to the objectives of the EJR. These can be categorised as follows:

⁷⁸ <https://www.government.nl/ministries/ministry-of-foreign-affairs/news/2022/07/14/ukraine-accountability-conference>

- **Contributions to EU policy and legislative files** through participation in EU bodies' working parties and expert groups. In particular, Eurojust's CAARs highlight official contributions to the informal Coordinating Committee in the area of police and judicial cooperation in criminal matters (CATS), the Standing Committee on Operational Cooperation on Internal Security (COSI), and the Working Party on Cooperation in Criminal Matters (COPEN) within the Council, as well as the European Parliament's Committee on Civil Liberties, Justice and Home Affairs (LIBE) and other working level contributions at the request of institutional stakeholders. Specific examples of inputs in this regard include presentations at COPEN meetings in 2021 on issues such as 'Judicial Cooperation in Criminal Matters between the EU and the UK', 'Overview of Case Law by the CJEU on the EAW' and the 'Report on Eurojust's Casework on Environmental Crime'.⁷⁹
- **Production of strategic reports and outputs on relevant operational topics.** These outputs, which can include reports, guidelines and analyses, aim to examine key issues of operational interest, including trends and insights from Eurojust cases and case-law related to particular crime types and judicial cooperation instruments. In practice, these outputs are largely coordinated by the College working groups and include:
 - Drafting written outputs on topics of interest, such as the preparation of publications (e.g. Case-Law by the CJEU on the EAW⁸⁰, produced twice yearly, and the Eurojust Report on Transfer of Proceedings in the EU⁸¹, 2023) and internal notes (e.g. on the rule of speciality in the context of evidence gathering, 2023⁸²), as well as the preparation of guidelines for prosecutors (e.g. the 2021 Guidelines on How to Prosecute Investment Fraud⁸³).
 - Organising and participating in meetings, such as the establishment of a US-EU Expert group on obtaining (e-)evidence via MLA from the US, led by the Judicial Cooperation Instruments Team in 2022.⁸⁴
 - Supporting training sessions organised by CEPOL and EJTN, as well as EU funded projects. For instance, in 2022, Eurojust supported training sessions by these organisations on environmental crimes.⁸⁵

In addition, Eurojust set up a Victims' Rights Working Group in 2021. This group aims to bring together the Agency's expertise in this field with the objectives of: (i) promoting the victims' rights dimension in a systematic manner in the prosecution strategies discussed and agreed upon with Eurojust's support; and (ii) ensuring Eurojust provides effective and informed contributions to the EU's strategy on victims' rights and to the activities of the EU Victims' Rights Platform. Key outputs include the 2022 Report on Eurojust's casework on victims' rights⁸⁶ and the Symposium on Victims' Rights, hosted by Eurojust in April 2024⁸⁷.

- **Strategic knowledge retention.** In the context of the above reporting, Eurojust has placed a clear focus over the evaluation period on ensuring knowledge gained through cases is retained. Initially this focused on increasing the number of Case Information Forms (CIF) created per year. The CIF is a document that aims to collect case information in a systematic

⁷⁹ Eurojust, (2022), Eurojust Consolidated Annual Activity Report 2021, <https://www.eurojust.europa.eu/sites/default/files/assets/eurojust-consolidated-annual-activity-report-2021.pdf>

⁸⁰ <https://www.eurojust.europa.eu/case-law-court-justice-european-union-european-arrest-warrant>

⁸¹ <https://www.eurojust.europa.eu/publication/eurojust-report-transfer-proceedings-european-union>

⁸² Eurojust, (2024), Eurojust Consolidated Annual Activity Report 2023, <https://www.eurojust.europa.eu/sites/default/files/assets/eurojust-consolidated-annual-activity-report-2023.pdf>

⁸³ <https://www.eurojust.europa.eu/publication/eurojust-guidelines-how-prosecute-investment-fraud>

⁸⁴ [https://www.eurojust.europa.eu/annual-report-2023/cybercrime#:~:text=US%2DEU%20expert%20group%20on%20obtaining%20\(e%2D\)evidence&text=The%20aim%20of%20the%20expert.gathering%20evidence%20in%20the%20US.](https://www.eurojust.europa.eu/annual-report-2023/cybercrime#:~:text=US%2DEU%20expert%20group%20on%20obtaining%20(e%2D)evidence&text=The%20aim%20of%20the%20expert.gathering%20evidence%20in%20the%20US.)

⁸⁵ Eurojust, (2023), Eurojust Consolidated Annual Activity Report 2022, <https://www.eurojust.europa.eu/sites/default/files/assets/eurojust-consolidated-annual-activity-report-2022.pdf>

⁸⁶ <https://www.eurojust.europa.eu/publication/eurojust-casework-report-victims-rights>

⁸⁷ <https://www.eurojust.europa.eu/publication/symposium-victims-rights>

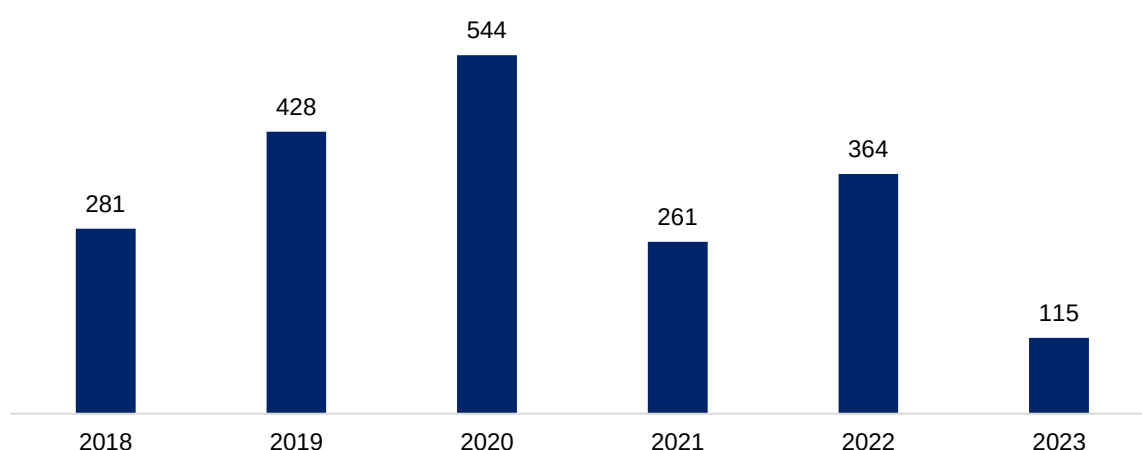
and structured way without personal data. Beyond the act of storing knowledge, the 2020 CAAR reported that the analysis of CIFs aimed to create additional value regarding the identification of common judicial cooperation issues across National Desks, feeding directly into operational work, as well as into the abovementioned reports on judicial cooperation issues and crime types.

In this context, and as further detailed in section 4.1.2, the number of CIFs created increased significantly in 2019 and 2020 – from 281 CIFs in 2018 to 544 in 2020 (94% increase). In part, this was reportedly due to a pilot project on knowledge retention initiated in 2019, in which nine National Desks participated, supported by the Eurojust administration's Casework Unit. This pilot project was evaluated positively by the College in 2020 and rolled out to all National Desks in 2021.

However, Eurojust's focus in this area appears to have shifted since 2020 and, as illustrated in the below visual, the number of CIFs created since 2020 has reduced significantly (to 115 CIFs in 2023, a decrease of 79%). In this context, it is understood that the 'Retaining Knowledge Project' went through various stages of development during the evaluation period, with a new approach to knowledge retention introduced in 2021. According to the CAARs for 2021-2023, this new approach required the identification of cases to be retained (via a defined structure and methodology) and their subsequent allocation to the administration for the completion of a CIF. This meant that, in contrast to the 544 CIFs created in 2020, only 121 cases were identified to be included in the Retaining Knowledge Project by the end of 2021. The Project ended in 2024, providing the basis for the Agency's next steps in this area, which are already under development (see section 4.1.2).

Although not stated explicitly, it is inferred that the reasons for this new approach include: (i) challenges related to ensuring the quality and consistency of knowledge retention outputs, as well as clarity of stakeholder roles; and (ii) a desire to better target the development of such outputs to cases and issues of most relevance to Eurojust's stakeholders (i.e. the 2022 CAAR refers to the production of "a living catalogue of potential topics of knowledge retention interest"). The below figure presents the development in the number of CIFs created per year over the period 2018-2023.

Figure 7: Number of Case Information Files (CIFs) created per year, 2018-2023



The below tables summarise the data available from the Eurojust CAARs on **relevant performance indicators** related to these strategy and policy activities across both MAS periods. These tables present the targets, and the results reported for the periods 2019-21 and 2022-24, as well as the baseline figures used by Eurojust for the 2022-24 period.

Table 21: Summary of relevant indicators related to policy and strategy work (2019-21)

Indicators	Target 2019-21	2019	2020	2021
Number of Eurojust contributions to COSI documents (KPI)	24 over the period	5	16	18
Number of official contributions provided to EU bodies' working parties and expert groups (COSI, CATS, COPEN + GENVAL in 2019-20) ⁸⁸	2019: 5% increase 2020: 15 2021: 15	15	29	30

Table 22: Summary of relevant indicators related to policy and strategy work (2022-24)

Indicators	Eurojust MAS Baseline (2019)	Target 2022-24	2022	2023*	2024
Percentage of prioritised products on priority crime areas and judicial cooperation instruments delivered (KPI)	101%	>=80%	85%	93%	-
Number of serviced stakeholder requests for strategic contributions (KPI)	N/A	>=120	263	268	-

* Reported as interim results for 2023 KPIs. However, different numbers are reported in relation to non-key indicators with similar titles.

The KPIs used by Eurojust to monitor progress against the MASOs and SAAs relevant to these activities differ quite significantly between MAS periods, indicating a **change in focus regarding strategic work over the implementation period**.

The former period (2019-21 MAS) places greater focus on detailing contributions to Council, Parliament and Commission working parties, expert groups and studies, while the latter period (2022-24 MAS) is more concerned with highlighting Eurojust's own reports and other strategic outputs implemented as part of the work of Eurojust's College Working Groups. This suggests that the EJR provisions enabling Eurojust to carry out its tasks on its own initiative – Art. 2(3) – enhanced the Agency's focus on producing its own strategic outputs.

More specifically, in 2019-21, SAA2(a) related to contributions to the EU internal security strategy and to measures concerning judicial cooperation in criminal matters. Results in this area were reported by Eurojust through a multi-year KPI focused specifically on contributions to COSI documents and a separate indicator related to broader contributions to COSI, plus CATS and COPEN. As illustrated above, both indicators show a positive trend in terms of the number of contributions, doubling from a total of 15 contributions to COSI, CATS, COPEN, the Working Party on General Matters including Evaluation (GENVAL, while it existed) and the LIBE Committee in 2019 to 30 in 2021. While this indicator was tracked in 2022 (29 contributions), it was not tracked as a standalone indicator in 2023. Instead, it was integrated into the indicator on number of serviced stakeholder requests for strategic contributions alongside a range of other activities, including support to external projects and studies and working level contributions to institutional stakeholder requests.

Moreover, in this period, Eurojust targeted increased participation and contributions to EU institution policy meetings, as well as contributions to EU draft legislation; however, many of the named indicators were considered not to be measurable – this is true of indicators on the number of topics where Eurojust intervened at EU institution policy meetings; the number of

⁸⁸ This indicator is worded differently in the 2019, 2020 and 2021 CAARs, in particular as regards the references to different bodies. However, it is understood that they are effectively aligned.

invitations to Eurojust for participation in policy meetings; and the increase in the number of references to Eurojust in EU documents.⁸⁹

Beyond these direct contributions to EU policy making, there is a **notable shift in Eurojust's strategic outputs following the EJRC date of application**. Eurojust began reporting on the percentage of prioritised deliverables in judicial cooperation and key crime areas completed in 2020. Although the results for 2020 (72%) and 2021 (79%) were above the 2019 baseline (70%) – although this baseline figure was not reported in the 2019 CAAR – the 2020 CAAR stated that the “College decided to deprioritise this area due to the need to redirect resources to casework support”⁹⁰, because the target was set at 100%. This target was reduced in subsequent years.

In 2022, this indicator became a headline multi-year KPI related to SAA4(a) on expertise sharing with EU bodies and judicial practitioners, alongside a KPI on the number of serviced stakeholder requests for strategic contributions:

- **Percentage of prioritised Eurojust products delivered.** According to the 2022 CAAR, this KPI focuses on reports, projects and meetings prioritised by the different College operational working groups. The prioritisation decision is conducted on the basis of a work plan for a given year developed by each working group; within this, items are de-prioritised as needed based on a range of factors, including resourcing challenges, low number of cases or lack of data available for analysis, or changing organisational priorities. However, as for the 2020 and 2021 indicators of a similar nature, the number of products Eurojust prioritised and subsequently delivered in this period is not clear in the CAARs, making multi-year comparisons on the absolute outputs and results difficult. Nonetheless, the results reported in the CAARs for the percentage of prioritised Eurojust products delivered in 2022 (85%) and 2023 (93%) were above the target (80%) and the 2019 baseline figure.
- **Number of serviced stakeholder requests for strategic contributions.** While this KPI could, in theory, build on the 2019-21 indicators related to contributions to Commission, Council and Parliament initiatives, it is much broader in nature and not clear exactly what actions are included. Moreover, the figures reported (263 in 2022 and 268 in 2023) are significantly higher than the KPI for contributions to COSI, CATS, COPEN and LIBE in the 2019-2021 period, and no 2019 baseline is recorded. In this context, the results in each of 2022 and 2023 were at least double the overall target for the whole period 2022-2024. While limited feedback has been provided by stakeholders on this point, a representative of the European Commission reinforced the finding, stating that Eurojust provides input to a large number of legal initiatives and that this is done without due consideration for the prioritisation of the Agency's resources.

Moreover, there is a general challenge that most of these indicators aim to illustrate the volume of outputs, but do not clearly link to Eurojust's performance in the areas in question. In practice, this means that drawing quantitative conclusions on progress in relation to these activities is challenging, with qualitative insights from semi-structured interviews required to assess the context in which these developments have taken place, as well as progress. However, given the supporting nature of these activities vis-à-vis the core operational objectives of the Agency, the stakeholders interviewed have provided limited feedback on these issues. **In line with previous discussions, this review indicates challenges with the utility of Eurojust's stated KPIs.** This is examined in detail in the discussion on Eurojust's effectiveness (see section 4.1).

⁸⁹ Eurojust, (2020), Consolidated Annual Activity Report 2019, https://www.eurojust.europa.eu/sites/default/files/assets/eurojust_caar2019_en.pdf

⁹⁰ Eurojust (2021), Consolidated Annual Activity Report 2020, <https://www.eurojust.europa.eu/sites/default/files/assets/eurojust-caar-2020-publication.pdf>

4. To what extent was the Eurojust Regulation successful and why?

This section examines the extent to which the Eurojust Regulation and its implementation by the Agency was successful and why. It investigates this question through the lenses of:

- **Effectiveness**, which considers to what extent progress has been made towards achieving the objectives of the EJR (section 4.1);
- **Efficiency**, which considers the relationship between the human and financial resources available to Eurojust and the outputs and results achieved with a view to assessing the extent to which the objectives of the Eurojust Regulation (or progress towards the objectives) have been achieved at a reasonable cost? (section 4.2); and
- **Coherence**, which considers how well the EJR and Eurojust's operationalisation of the legislation works together with different EU, international and national interventions that seek to achieve similar objectives and/or conduct similar activities (section 4.3).

These sections focus on addressing the overarching questions under each evaluation criterion. To aid readability, this section does not address each specific evaluation question separately, but presents an integrated analysis covering all relevant topics.

As detailed in section 1, the findings presented in these sections are based on the triangulation of evidence gathered through desk research, semi-structured interviews, cross-country focus groups, online surveys, and case studies. They were validated through two validation workshops with Eurojust's College and representatives of the Eurojust administration.

4.1 Effectiveness

The assessment of effectiveness aims to analyse how successful the Eurojust Regulation and its implementation by Eurojust and its member countries has been in achieving or progressing towards its objectives. It responds to the overarching question: **'To what extent has progress been made towards achieving the Eurojust Regulation's objectives, considering the expectations and procedures it included?'**

More specifically, this focuses on evaluation issues such as: the extent to which Eurojust has achieved its general, specific and operational objectives; the interaction between Eurojust's organisational structure/governance and its performance; and Eurojust's contribution the fight against impunity for international crimes. Further detail on the evaluation framework guiding this assessment of effectiveness can be found in Annex 2.

This section contains a detailed discussion on the **extent to which Eurojust has made progress towards achieving its operational objectives**, covering each objective in turn.

4.1.1 Organisation of Eurojust

As outlined in section 2, an **operational objective of the EJR was to improve the organisation of the Agency** with the aim of: (i) addressing challenges identified in the 2015 evaluation of Eurojust related to governance, decision-making, accountability, leadership and administrative burden on NMs that stemmed from a lack of clear roles and responsibilities across different actors, the mix of supervisory, executive and operational roles of the College and NMs, and the status of the President of Eurojust in this context; and (ii) ensuring alignment with the EU's common approach on decentralised agencies, the Treaty of Lisbon and the

revised EU data protection regime. The EJR also sought to establish Eurojust's ability to act on its own initiative.

To achieve this objective, the EJR introduced key changes, including creating a two-level governance structure through the establishment of the Executive Board, amending the roles and responsibilities of the College so as to readdress the balance between its focus on operational versus administrative matters, updating the Agency's programming, budgeting and reporting requirements, revising the Agency's data protection regime, and introducing a specific provision on Eurojust's ability to carry out its tasks on its own initiative.

However, the **organisation of Eurojust is one of the core aspects where the evaluation has identified limitations and shortcomings affecting the Agency's working practices and effectiveness**. From an **internal organisation point of view**, Eurojust staff (representatives of both national desks and the administration) expressed concerns over the blurred lines between the responsibilities of the College, the Executive Board, the Administrative Director and by extension the Eurojust administration. For example, it was noted that the governance structure is *"heavy and not helpful"* and requires streamlining. As an example of the complex decision-making procedures, one interviewee mentioned how a proposal to reorganise resources must go through multiple layers, including the Executive Board and the College, making it **difficult to reach swift and efficient decisions**.

4.1.1.1 College

Members of the College have a double role: they are National Members and hence have an operational function supporting casework, but they are also members of the College when acting as a Management Board, thus undertaking administrative, managerial and strategic functions. One of the objectives of the EJR was to reduce the administrative burden on College members. However, the survey of national desks and LPs shows a split view, with a slight negative weighting, regarding the effectiveness of the EJR in reducing non-operational burden for College members. Specifically, considering the statement that *"the burden of non-operational activities on National Members has been reduced"*, no respondents strongly agreed, 33.3% (8 of 24) agreed, a further 33.3% neither agreed nor disagreed, 25% (6 of 24) disagreed and 8.3% (2 of 24) strongly disagreed.⁹¹ Beyond this, when acting as the Agency's Management Board, National Members take decisions that affect their day-to-day work, thus creating potential conflicts of interest.

Interviews with Eurojust staff indicated a **high level of frustration with the current decision-making structures of the Agency**. One of the main queries raised by both administrative staff and some National Members was why management tasks are assigned to a body, the College, consisting of judicial officials chosen based on their judicial experience, rather than any management skills or experience. While for some Member States, the grade of the National Member in the national system means that they have had some management experience, this is the exception rather than the rule. Further, it is sometimes not clear which is the actual body that needs to be consulted or to take a decision for which task, with the risk of clashes, overlaps and duplications that does not allow for a smooth process.

Liaison Prosecutors also raised the point that it is not clear why they are not part of specific conversations in the College that might be relevant to their activities, indicating that, besides operational matters on cases involving third countries, there is not a clear overarching approach to the participation of LPs in the College. Moreover, the presence of multiple actors and complex structures creates challenges in ensuring smooth and effective communication flows, and there is a sense that keeping all relevant parties informed can be difficult. In some cases, interviewees indicated that it can be difficult to clearly identify who needs to be informed, and it might happen

⁹¹ 0 respondents strongly agreed, 8 respondents agreed, 8 neither agreed nor disagreed, 6 disagreed and 2 strongly disagreed. A further 18 respondents declined to answer the question (*I can't say*); however, only two were NMs, the rest being deputies (2) and assistants (2) to NMs, SNEs (5), LPs (6) and 1 EJTN trainee.

that actors do not duly inform all relevant parties before a decision or action is taken. Administrative staff members reported during interviews how the administration is tasked with many activities by the College and prepares thoroughly on its behalf, but sometimes receives unjust criticism due to delays/frustrations linked to the College-internal decision-making procedures.

Furthermore, the rules on the management of College meetings, set out in Art. 5(7) of the Eurojust RoP, permits the President to restrict the number of interventions and related speaking time. However, interviews with Eurojust personnel have indicated that limiting the time spent on each agenda point is challenging in practice; as such, it is reportedly common for agenda items to run over their allotted time, leading to an inability to cover all agenda items and/or longer meetings than originally planned. It was also reported that members of the administration who are asked to present an agenda item are often required to wait outside College meetings well beyond (even 1-2 hours) their allocated time slot.

Overall, the interviewed National Members assessed that **between 50% and 60% of their time is spent on operational work, with 40% to 50% on administrative work**. This ratio was found to be more skewed toward administrative work for those National Members with additional responsibilities (such as the presidency team, those on the Executive Board, or those leading College working groups). As noted above, several National Members expressed **concern over this balance**, explaining that administrative tasks often consume a significant portion of their time, limiting their ability to focus on core operational duties.

Another issue mentioned by numerous interviewees is the **lack of accountability of College Members**. First, being appointed by their national competent authority, National Members are not subject to the same rules as EU civil servants. Second, National Members are in a unique position where the decisions they take when the College acts as the management board of the Agency directly affects their work for the Agency, thereby creating potential conflicts of interest. For example, College members have been tasked with taking decisions on issues such as the use of service cars by National Members, i.e. themselves.

Beyond these issues, when acting as a College, National Members have a dual role of representing their own countries, while making strategic, administrative and operational decisions for an EU agency. As a result, they may have different priorities based on their national agendas, which can complicate decision-making, or have limited decision-making roles and responsibilities (depending on the country) that contribute to making the process even longer.

Interviewees representing EU institutions underlined that the **internal organisation of Eurojust might affect the information flow** due to a lengthy process, which creates additional inefficiencies and delays in cooperation and exchange. In other Agencies, such as Europol, the operational decisions are taken by the management board only, the fact that in Eurojust the College discusses every matter and National Members are called to take operational, strategic and administrative decisions, makes the process lengthy and does not allow for quick reactions, and might even create misalignments between the administration and the College. Considering the extent of the phenomenon reported by interviewees, the current practice does not seem in line with the EJR, and in particular Art. 5 – stating that the College shall be involved only in administrative matters to the extent necessary to ensure that its operational functions are fulfilled – and Art. 16 that gives the Executive Board responsibility over the administrative decisions to ensure the proper functioning of Eurojust.

Despite these issues having been recognised by the overwhelming majority of interviewees, most National Members were keen to stress the importance **of ensuring the independence of the College**, and the need for it to be composed of judges or prosecutors, as their common understanding of operational issues is at the core of the Agency's functioning. As investigative judges and prosecutors, independence from the national executive and legislature, as well as from EU institutions, is a key feature of their role when acting on operational matters. However,

some stakeholders noted that in some Member States, the independence of prosecutors was more nominal than factual, as prosecutor's offices might not be fully independent from their own Ministries; therefore, they act in the College representing the priorities and interests of national authorities in the cooperation with other countries. Two National Members interviewed confirmed that, being appointed by national ministries, they might feel more like civil servants than independent magistrates when at Eurojust, and how this might very much differ across countries. This point can be strengthened also by the answers received from a few National Members during interviews who advocated for Eurojust to continue following requests and indications from Member States rather than, for instance, act on its own initiative.

Regardless of the level of independence of the prosecution in different Member States, the importance of College and NM independence was used as an argument by some National Members to support the *status quo* in the governance of the Agency, including on non-operational matters, however without providing any details or specific examples of how they would justify it. While the study team was not given access to observe a College meeting, numerous interviews with National Members, and Eurojust staff invited to participate in some College discussions did converge. A large amount of time is spent in the College discussing administrative work (or in any case issues not directly linked to operational casework). Representatives from the Commission have expressed their opinion that the independence argument is moot when the College acts on administrative matters, especially when these affect their working conditions (including issues such as the use of service cars, the allowed per diems when on mission etc). Where this is the case, and the College is acting as the Agency's Management Board, the current set-up can lead to conflicts of interest, and at the very least a lack of accountability of decisions taken. The situation in this regard continues to reflect the "problematic accountability framework" identified in the 2015 evaluation of Eurojust.

Finally, the approximation of status and powers of National Members are generally perceived to be aligned to the Regulation by national members and liaison prosecutors answering the survey,⁹² even though a large share (27%, 13 out of 48) of them was not able to provide an opinion. The lack of knowledge or awareness regarding this aspect is confirmed also by the fact that around a third of respondents (32.5%, 14 out of 43) was not able to provide an answer to whether the approximation of status and powers of National Members had any effect on the effective implementation of Eurojust's activities and achievement of its objectives. Among those who did, 72% (21 out of 29) agree that the approximation of power and status, as indicated in the Regulation, has positively contributed to the effectiveness of Eurojust. Moreover, one national member indicated that the powers of National Members, as identified in the Regulation, appear in synergic relationship with the objectives and functions of Eurojust, and another underlined how the status of being "seconded" national members is crucial to ensure the acceptance of national authorities while making sure that all members "speak the same language" as judges or prosecutors. However, one representative of a national desk mentioned that in some cases national rules do not make them retain the status of judges and prosecutors, but second them to Eurojust as member of the Ministry of Justice. As the Regulation does allow for multiple options (Art. 7(4)), having the status of a (independent) prosecutor or judge, or a representative of a judicial authority could make a difference in terms of independence in highly political or sensitive cases, as National Member would feel rather civil servants or representative of their own Ministry.⁹³ This difference in status might also impact the powers of national members, depending on the decisions of Member States. However, no specific examples of additional powers or issues deriving from them were flagged during the consultations.

Another element that was indicated during interviews with national members as a difference between Member States, was the decision (based on Art. 7(2) of EJR) to appoint deputies and assistants to National Members that are based in the countries instead of at Eurojust, which can

⁹² 50% of respondents (n=24 out of 48) deem the approximation of powers and status being fully or to a great extent aligned with the Regulation, while another 14% (n=7) to a moderate extent.

⁹³ Interview feedback from two representatives of national desks, one of Eurojust administration.

limit the capacity of the National Desk.⁹⁴ While there is the possibility for the College to request the Member State to assign the deputy and/or Assistant to be based at Eurojust for operational purposes, this has never been done.

Another aspect related to the current internal organisation of Eurojust is related to the role and operations of College working groups. The practice of having **working groups was seen quite positively** by national desks and LPs. This is perhaps unsurprising given the importance these College working groups have for National Member's perceived ability to influence the priorities and work of the Agency. Interestingly, however, working groups also attracted the second highest share of responses stating that they were not effective at all.

As described in section 3, working groups represent a legacy of the working practices in place prior to the introduction of the EJRP, as they are not explicitly mentioned in the Regulation. Working groups are very diverse, covering: (i) relations with partners; (ii) organisational development; and (iii) thematic operational and policy priorities. A number of National Members and Eurojust staff reported how the popularity of working groups often depends on the interest around the topic, and the perceived benefit of participation. For instance, the BoRP working group, which sits at the nexus of the development of relations with third countries and provides opportunity for travel, attracts much interest. On the other hand, less interest has been reported for participation in the Board for Casework related ICT Projects (CICT), which is much more technical in nature. Working groups on operation and policy priorities appear to be natural extensions of the work of the College due to their operational and strategic nature.

Interviews with National Members and the Eurojust administration highlighted two further considerations regarding working groups. First, they serve as an interface between the College and the administration, a way for the priorities of the College to be shared and operationalised by the Eurojust structures, supporting the work and focus of the Agency on key priorities (see also section 4.3.1). Second, **due to their lack of legal basis in the EJRP, they can duplicate the work of the Administration**, with negative repercussions on the alignment with objectives, overall planning and efficiency of the Agency.

One example of alignment and internal coherence challenges noted by interviewees from the Eurojust administration relates to the Agency's strategy on cooperation with international partners. While the Strategy should outline which third countries are most relevant for Eurojust to conclude cooperation agreements or working arrangements with, this has not always been the case. While the process of developing the Strategy is robust (the Strategy is based on an extensive six-month consultation with the European Commission, EU agencies and national desks on the needs in terms of third country judicial cooperation), it was suggested that the Strategy is also heavily influenced by the views of some members of the College.

Moreover, as detailed further in section 3.2.2, the Strategy was not strictly followed in practice, due to conflicting instructions and priorities of the NMs and the College through its BoRP working group. For example, it was pointed out that the Eurojust administration was asked to conclude working arrangements with five Latin American countries, even though international agreements were foreseen for these countries under the Strategy. This was perceived by some members of the administration to reduce the leverage for the conclusion of international agreements, which are seen as having more operational value. In addition, there have been instances where NMs participated in missions to third countries whose relevance to Eurojust was not demonstrated without informing the administration.

4.1.1.2 Executive Board

The creation of the **Executive Board (EB)** was expected to increase the efficiency of decision-making, by allowing administrative decisions to be taken by the EB. Survey results appear to show an improvement in the efficiency of the decision-making process since the creation of the

⁹⁴ Interview feedback from one representative of national desks.

EB, with 52.2% (12 of 23) of respondents agreeing (47.8%, 11/23) or strongly agreeing (4.3%, 1/23) that the efficiency of decision-making by the College and EB has improved, against 21.7% (5/23) disagreeing (17.4%, 4/23) or strongly disagreeing (4.3%, 1/23).

Interestingly, the views of the same group of stakeholders were different through interviews. They expressed reservations about whether the changes to the administrative and operational structure in Eurojust have produced benefits. The overlap in responsibilities between the Executive Board (EB) and the College was raised as evidence of possible inefficiencies: National Members indicated a lack of clarity as to the scope and role of the EB and the College which often creates duplications, i.e. a situation where the same topics are discussed multiple times across both bodies, with the College being involved in many administrative aspects which could be delegated fully to the EB and Administrative Director. Some National Members were of the view that they spend a considerable amount of time dealing with non-operational aspects on which they are not familiar and do not have the skills and experience to address. One National Member explained that, before taking on their position, they did not expect to spend so much time dealing with non-operational matters.

Different reasons were put forward to explain the perceived shortcoming in the role of the EB:

- The **unclear role of the EB**, which ended up simply taking on the tasks that were allocated to the Advisory Group on Budget and Finance before the EJR. In the view of some National Members, this has resulted in a situation where the EB is still perceived as a sub-structure of the College. One important aspect is the definition of 'operational matters' and the distinction with 'administrative matters'. For some National Members, as well as Eurojust staff and representatives of the European Commission, there are clear functions that should be excluded from the definition. Other National Members, while largely aware of inefficiencies, are keen for the College to retain a say in more decisions than operational ones, or in "operational work conceived in a holistic way".
- A common theme developed by National Members relates to the **composition of the EB**. Some raised concerns over the current rotation system, as the commitment of National Members varies considerably based on their interest, availability or understanding of planning and administrative matters, ultimately hindering the work of the EB. It was suggested that it might be more effective and efficient to select College members that demonstrate actual interest, commitment and relevant skills – while ensuring that the elected members change over time.

Some interviewees within Eurojust staff and national desks underlined how the EB could potentially make the work of the College much easier; but, in their opinion, it would require a strengthening of the EB's role and competencies, supervised by the College that would be able to initiate a revision process over EB decisions if needed (and pending agreement by a majority of College members). In the words of one respondent, "*many issues could be dealt with by the Executive Board*", which would relieve the College of administrative duties and allow it to focus more on operational and strategic work, and eventually lead to efficiency gains.

One very practical example of the additional workload brought about by the lack of clear and agreed distinctions between the work of the College and the EB is the planning required to draft Eurojust's annual SPD. In practice, the planning process takes over two years between the initial discussions on the planning and priorities and the adoption of the draft. Over that period, the process has taken a minimum of nine discussions at College level, and a further 10 in the Executive Board.⁹⁵ Not only does this require significant preparation and discussion time for members of these governance structures, but it increases the time required of the administrative functions supporting the work related to the need to prepare and present, as well as revise the work based on feedback from both bodies; not to mention the time members of the

⁹⁵ Planning and prioritisation methodology presented by the Budget, Finance & Planning Unit

administration reported spending waiting outside the College meeting due to overrunning agenda items. This process was deemed by the administration and NMs as very time consuming and inefficient, leading to a new planning process being put in place from 2024.

4.1.1.3 Administration

Regarding the **definition of roles between national desks and the Eurojust administration**, the aim is to ensure that the administrative functions support operational work effectively. National desks, led by National Members and supported by Eurojust staff, are key in facilitating cross-border judicial cooperation. The administration, led by the Administrative Director, oversees resources and provides logistical and operational support to ensure that national desks can operate efficiently.

The distinction between the tasks of the national desks and the administration in operational work is not always clearly defined, leading to inefficiencies. As several National Members pointed out during interviews, administrative support is not always optimised, as they spend significant time on administrative tasks that, in their view, could be handled more effectively by dedicated administrative staff. This reportedly hinders their ability to focus fully on operational matters. For example, one National Member noted that the administrative burden is particularly heavy during College meetings, where management tasks end up taking a lot of time, leaving less room for focusing on core operational matters. Similarly, some National Members noted they frequently participate in hearings on disciplinary proceedings and other internal matters, which they feel could be handled by a separate committee. On the other hand, a number of staff members at Eurojust were of the opinion that National Members did not trust the administration to undertake certain tasks, such as inputting data into the CMS, which is a purely operational task.

One of the aspects related to the current structure of Eurojust raised during consultations was the **role and responsibilities of National Desks Assistants (NDAs)**, and how the Regulation does not provide clarity on this topic. Consultations with Eurojust staff and national desks underlined that the **Regulation is not clear** (e.g. Art 6 and following under Section 1) **when considering the different types of human resources** (both Eurojust staff and not) that work together or in parallel on operational and administrative matters. NDAs are formally part of the Eurojust administration, but work and sit at the national desks, which makes it unclear where they belong or should belong in the internal structure.

Interviews with Eurojust staff and national desks raised the concern that the activities of the NDAs are not always clear to both sides, and they sometimes deal with requests that are not really within their mandate and scope of activities, depending on the type of support needed by the different national desks. Also, while NDAs should work horizontally with all national desks in the Agency, the desks and the activities delegated to the NDAs can be organised very differently. This impacts the type of work that NDAs are requested to perform or their relationship with the desks, with some NDAs becoming a stable part of one single desk, as well as the amount of work they are asked to perform.

Interviews with administrative staff and some national Members show that there are cases where NDAs cover all aspects of the work in Eurojust, i.e. administrative (supporting the national desks), operational (assisting the national desks with data entry in CMS or organisation of meetings), and strategic (supporting some National Members in their work as part of the College and Executive Board). The involvement in a wide range of activities has reportedly put some pressure on the capacity of the NDAs: while it is true that – as shown in sections 3.1.3 and 4.1 – the overall number of Eurojust staff increased between 2019 and 2024, Eurojust staff during interviews underlined how the workloads of NDAs remain heavy and recruitment might not have been sufficient. In addition, it is important for NDAs to be fluent in the language of the desks they work with and have a cultural understanding of the judiciary in that MS to be effective, which is not always easy to ensure through recruitment.

The increasing responsibilities and involvement of NDAs is deemed to be linked to the evolution of Eurojust. Where they once played a purely administrative supporting role, this has morphed into a more comprehensive function as the Agency received more responsibilities and tasks. In addition, reflecting an overarching point on differences in cultures and approaches across Member States, members of Eurojust staff noted that the use and roles of NDAs differ by national desk. These evolutions are not reflected by additional clarity in the Regulation.

The balance of power between the College and the Administrative Director is another issue. The AD is statutorily responsible for the implementation of the administrative tasks assigned to Eurojust – Art. 18 (4) EJR. They are appointed (and may be suspended by) the College, who are in turn, their main ‘client’. This puts the AD in a difficult position where they should support the College and help it focus on operational and strategic tasks rather than administrative ones. However, the mere fact that the College is also the AD’s appointing authority, makes it very uncomfortable for the post holder to confront the College or go against its will. Over the period of the evaluation and before, there has been a high turnover at this position, highlighting the difficulty for the post-holder.

4.1.1.4 IT systems

Another area of importance within the context of Eurojust’s organisational development is digitalisation and the use of IT tools. The evaluation identified **challenges in this area**, which limit the effectiveness of Eurojust in its operations. Only 44% (16 out of 36)⁹⁶ of national desks and liaison prosecutors answering the survey agreed that Eurojust has successfully employed digital tools to improve its operations.

A general challenge confirmed during interviews with Eurojust staff and IBOAs relates to the fact that the **Agency’s IT function is divided into two units**. The units involved – Data Management and Information Management – are also under different departments, contributing to increased “distance” between them. In practice, this means that IT operations, projects and cybersecurity are led by completely different personnel, which creates further complexity in performing routine tasks and dealing with new projects, but also in having an overall coherent and effective digital strategy.

A further hindering factor is the inefficient decision-making processes described above (such as the need to draft notes a week before a College meeting, and wait for a decision to proceed as further developed above). The Agency’s IT staff is acutely aware of these issues and sought to alleviate them by ensuring proper communication on projects they are involved in; however, these structural inefficiencies add additional burden to their tasks.

Regarding the implementation of the **Case Management System (CMS)**, all interviewees underlined how the **current system is outdated and not well suited to properly support and follow cases**. The current functionality of the CMS, which is essentially a repository rather than an analytical tool, does not fully meet the needs of the daily operational work. Feedback from national desks was that it is time consuming to insert the relevant information into the system. There is currently no centralised data entry point, instead everything depends on the national desks, their commitment and availability to input data into the CMS. To this end, the effectiveness of the CMS is hindered by the fact that, according to representatives of Eurojust staff, and some national desks themselves, the CMS is currently seen as an *ad hoc* reporting tool which tends to be updated as and when there is time, rather than an operational support tool. The CMS is therefore a tool with less information than it should and could have.

The need for a new system was highlighted in the 2018 report on cross-border digital justice⁹⁷, resulting in a plan for a new CMS integrating multiple layers and functionalities, including

⁹⁶ These figures do not include the respondents who answered “I can’t say”, which constituted 14% of responses to the question. Source: survey to national desks and third country liaison prosecutors.

⁹⁷ Deloitte (2020), Cross-border Digital Criminal Justice, June 2020.

translation engines, case handling, and secure communications. Feedback from Eurojust staff members mentioned that the Regulation does not, in their opinion, consider the CMS as a complex group of tools being able to perform different functions, and therefore requiring a broader and more comprehensive definition than the current one given in Art. 23 EJR.

The tool is currently being updated to comply with the amended EJR, as well as with the new data protection rules, ensuring more secure storage of data and greater efficiency compared to the current version. However, the development of the new CMS is not on track with the original deadline of having a first version by end of 2025; it is, in fact, significantly delayed.⁹⁸ Reasons behind the delay lie primarily in the need for Eurojust to change the contractor initially selected halfway through the project, and the need to identify a new one. Also, while no specific evidence exists, it is possible that the needs assessment for the new CMS was a thorough exercise, which came at the expense of the speed of the process.

The Agency received additional financial resources to implement the new CMS. Both Eurojust staff and representatives of EU IBOAs agreed that new, high priority projects, such as CISED and the ICPA – for which the Agency also received additional funding – meant that part of the resources available (in particular human resources) had to be – at least temporarily – diverted towards them. As confirmed by two representatives of the Eurojust staff, the additional tasks, despite the new financial resources allocated, required a redefinition of the priorities within the Agency, which was not always easy to implement given the need for College decisions. In addition, new financial resources required time to be translated into new human resources (such as the recruitment of new experts for the ICPA), with the need to divert some of the existing capacity.

More generally, **IT and digital tools in the Agency are not deemed to be state of the art.** During interviews, national desks and the administration agreed that the IT systems in use across the Agency are generally outdated and fairly manual; for instance, laptops are quite old and video conferencing tools are not always working properly, as they were introduced before the Covid-19 pandemic and not equipped to cope with the demand for large scale virtual meetings.⁹⁹ Compared to other organisations, and in particular Europol, Eurojust's digital infrastructure appears less developed and state-of-the-art, limiting the effectiveness of the Agency when it comes to data exchange and storage (e.g. more time needed to find information, lower quality of the information provided). On the one hand, this is linked to the structure and length of the decision-making process within Eurojust, with the need for the administration to report to the College which discusses and approves any decisions, which also might not help an effective priority setting exercise. On the other hand, the inner sensitivity of the information handled, the complexity of the systems essential to the Agency increase the time required to develop them.

Over the past few years, Eurojust has implemented several steps to improve the situation. Preparatory initiatives to implement the Commission's Communication on the Digitalisation of Justice have been organised since 2021. This includes planning and development of the new CMS (described above), strengthening collaboration with eu-LISA on the use of the Schengen Information System (SIS) II, work to develop Eurojust's access to e-EDS and the Agency's role and contact point for third countries accessing ECRIS-TCN.¹⁰⁰ On ECRIS-TCN, consultations with representatives from Eurojust staff and EU institutions indicated that the

⁹⁸ As communicated by one representative of EU institutions, the new deadline for the development of the tool should be 2027, with the possibility – originally not foreseen – to have the current and new version of the CMS working in parallel to ensure a better transition between the two systems.

⁹⁹ Survey feedback from three national desks.

¹⁰⁰ The European Criminal Records Information System-Third Country Nationals is a new centralised database aimed to improve the exchange of information in regard to criminal records of non-EU nationals convicted in the European Union, providing access to comprehensive information on an individual's criminal history, regardless of the country where that person was previously convicted. While developed and managed by eu-LISA, Article 17 of the ECRIS-TCN Regulation (Regulation (EU) 2019/816) indicates Eurojust as the contact point for third countries and international organisations to address requests for information on which Member States hold criminal records, liaising with Member States when the request produces a hit in the system.

involvement of Eurojust is still limited. Eurojust staff indicated that the Agency's envisaged role as the single-entry point for all requests from third countries and international organisations requires resources and capabilities that the Agency might not have. In particular, they highlighted how the number of requests originally foreseen was much lower than is now expected (especially after Brexit). One representative of an EU IBOA highlighted that there is an ongoing discussion over the possibility to increase the automation of the process, which should partially address some of the issues related to manual checks with national authorities.

To deal with these changes and the need for a strong commitment to enhance the Agency's digital capacity, the College approved¹⁰¹ the launch of the Eurojust Digital Criminal Justice (DCJ) Programme in 2023. It provides the framework for driving the implementation of the digitalisation requirements and related infrastructure (including the redesign of business processes, new technologies and change management) at Eurojust for the upcoming years, including the modernised CMS, related IT infrastructure and business processes. In addition, as described also in section 4.1.4, following the changes to Eurojust's mandate related to evidence on genocide, crimes against humanity and war crimes, Eurojust established a temporary secure and automated data management and storage facility outside the CMS for processing operational personal data related to such offences, i.e. CISED.

4.1.1.5 Own initiative

Another important aspect relating to the Agency's organisation is its ability to act on its **own initiative**. As further detailed in case study 3 (Annex 6), Art. 2(3) EJR introduced the legal basis for the Agency to carry out its tasks not only at the request of the competent authorities of the Member States and the EPPO, but also on its own initiative, providing the Eurojust mandate with a proactive dimension. As described in section 3.2.1, 11 cases were registered on the basis of Eurojust's own initiative in 2023. While it is not possible to assess whether this number is low or high, the implementation of the actions planned to reinforce Eurojust's ability to act on its own initiative was well on-track against the target set for 2022-2024.¹⁰²

Challenges with the concept and implementation of own initiatives were reported by National Members and other stakeholders during consultations. First, according to the College's official position, the relationship between cases requiring a prosecution on common bases, cases concerning one Member State but having repercussions at Union level and own initiative cases is unclear and might lead to implementation problems related to these actions.

Second, a key element for the Agency to act on its own initiative is the adequate access to data, which is not without challenges for Eurojust (see also further below). In fact, data handled by the Agency remains under the ownership of national authorities. The limited information received from the ENCS or from other EU partners such as Europol limit the possibility to have a clear information basis to start own initiatives. Moreover, the reference in the EJR to "any other information collected by Eurojust itself" (e.g. whether it includes open sources, information from private parties, etc.) is not fully clear, neither is the possibility for Eurojust to open a case without ongoing judicial investigations at national level. This possibility is limited to situations where the case involves investigations or prosecutions which have repercussions at Union level that affect two or more countries.

In this context, Eurojust took action to clarify the concept through the designation and work of a dedicated ad hoc working group. After more than one year of discussions, the working group defined the concept as encompassing "*strategic work or exercising its operational functions in accordance to its mandate, without a prior request of the competent authorities of the Member States, the EPPO or Commission*".¹⁰³ The one-year time period it took for the working group to agree on a definition reportedly points both at the implementation challenges around the EJR

¹⁰¹ Eurojust (2024), Consolidated Annual Activity Report 2023.

¹⁰² Eurojust (2024), [Consolidated Annual Activity Report](#) 2023.

¹⁰³ Eurojust (2021), Strategic Concept Paper on Eurojust's Own Initiative, p 2

leaving it undefined what key concepts – such as ‘repercussions at Union level’ mean – as well as the inefficiencies some stakeholders noted in relation to the work of the College and its working groups. In this section, we refer to own initiative primarily in operational matters, and in particular to the initiation of cases by Eurojust without them having been opened by Member State authorities or the EPPO. A full discussion on the Agency’s proactive function can be found in case study 3 (see Annex 6).

National Members can act on their own initiative in their operational functions directly or can request the College to act as per the instances outlined in Art 5(2)(a) EJR. While the number of cases opened as “own initiative” is limited, there are more instances where the national desks are de facto acting on their own initiative even if this is not made explicit. In practice, as reported by National Members during interviews, what reportedly takes place, is that when a National Member obtains information that points to a crime within the competence of the Agency, they open a Temporary Work File (TWF) in the CMS and convey the information to its relevant national authorities. When the national authority reverts to the NM and asks for support, the case is opened as an ordinary Eurojust case upon the request of national authorities. As a result, the own initiative work in its operational dimension can remain less visible.

The College can act on its own initiative, firstly, in situations where it executes any of the operational functions under Art. 4(1-2) EJR, where the case involves investigations or prosecutions which have **repercussions at Union level** (Art. 5(2)(a)(ii) EJR). Due to the workflows of starting own initiative cases, only cases initiated by the College (first initiating a TWF before potentially opening a case) appear in the Agency’s statistics. Therefore, it is unsurprising that only 11 cases were registered as own initiative cases in 2023¹⁰⁴ and, reportedly, 10 in 2024.

It is in this context that 43.8% (21 out of 48) of the respondents to the survey targeted at national desks and LPs found that Eurojust has taken the necessary steps to fulfil its mandate in relation to its own initiative functions within the meaning of Article 2(3) EJR to a great or moderate extent, while 16.7% (8/48) found the extent to be limited, 31.3% (15/48) were unable to respond, and only 8.3% (4/48) found that Eurojust has not at all taken the necessary steps. This suggests that the proactive functions of the Agency are more visible to national desks and liaison prosecutors than it appears and can be detected simply by looking at the figures available.

4.1.2 Effective support to Member States in investigation and prosecution of serious cross-border crimes

Based on the evidence collected, **Eurojust has been effective in providing support to Member States in the investigation and prosecution of cross-border crimes**, implementing the core operational functions specified in Art. 4(1) EJR. The Agency’s positive results have been linked to both the number and quality of activities implemented, as well as the assistance provided by the Agency over the evaluation period. Despite the overall positive results, challenges and limitations remain, linked to specific tools and actions, as described below.

As noted in section 3.2.1, casework is at the core of Eurojust’s work. Overall, the analysis conducted showed that **Member States’ investigating and prosecuting authorities are overarchingly satisfied with the work of Eurojust**, in terms of the Agency’s support to Member States and third countries on casework. Specifically, when combining the results from the survey of national practitioners / policymakers and the survey of national desks and LPs:¹⁰⁵

¹⁰⁴ Eurojust (2023), [Consolidated Annual Activity Report](#), p 19

¹⁰⁵ These figures do not include the respondents who answered ‘I can’t say’.

- 90.2% (222 of 246) of respondents perceived that Eurojust had achieved its objective of supporting and strengthening coordination and cooperation between national investigating and prosecuting authorities to a great (70.3%, 173/246) or moderate (19.9%, 49/246) extent.
- 90.1% (218 of 242) of respondents perceived that Eurojust had achieved its objective of contributing to the effective investigation and prosecution of serious cross-border crime within its competence to a great (65.3%, 158/242) or moderate (24.8%, 60/242) extent.

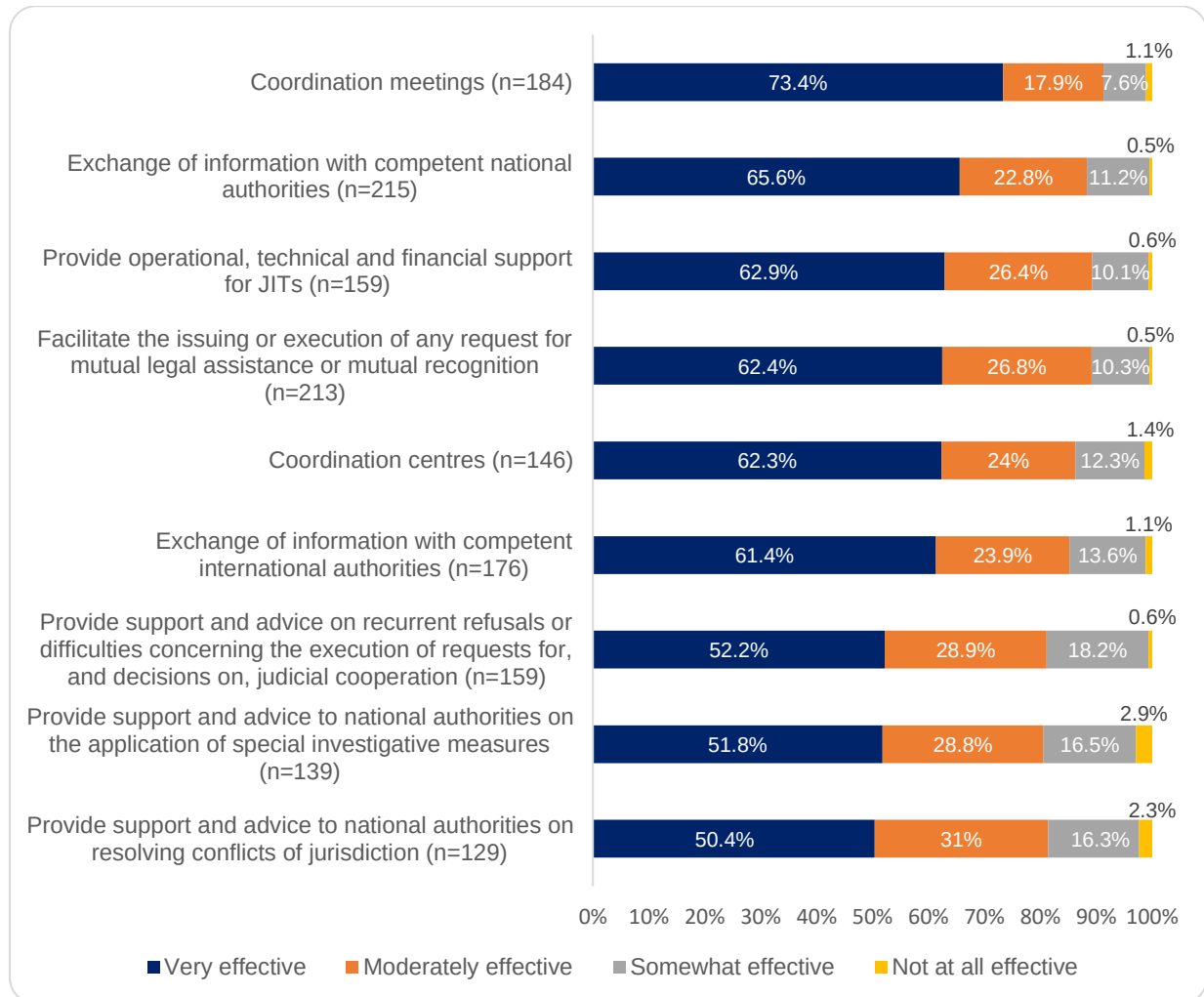
Furthermore, 92.6% (199/215) of respondents to the survey of national practitioners and policymakers reported that the cooperation and coordination support provided by Eurojust to cases was very (68.4%, 147/215) or moderately (24.2%, 52/215) effective, while 89.2% (148 of 166) of the same cohort perceived that the EJR had a very positive (37.3%, 62/166) or positive (51.8%, 86/166) impact on Eurojust's ability to respond to and support cross-border cases involving Member States and third countries, with no negative responses received.

Considering the feedback of national desks and third countries LPs, the effectiveness of Eurojust in supporting Member States is linked to activities such as coordination meetings and centres, providing a secure and effective channel for swift exchange of information and mutual assistance, as depicted in the figure below.

Regarding areas where the Agency was deemed less effective, limited feedback was shared on the possible reasons behind them, especially regarding the limited exchange with international authorities. In particular, the point of recurrent refusals and difficulties in the execution of some requests was mentioned as a topic that does not necessarily receive enough attention, possibly because for many national desks it is not seen as a problem (as the limited number of responses in this sense seem to suggest). Regarding the support and advice on resolving conflicts of jurisdiction, one National Member clarified that as Eurojust opinions are not binding, this limits the effect that they could have in addressing these issues.¹⁰⁶

¹⁰⁶ Survey feedback from two representatives of national desks and third countries liaison prosecutors.

Figure 8: How would you rate the effectiveness of specific cooperation and coordination activities conducted by Eurojust? (n=129-215)¹⁰⁷



Source: Survey of national practitioners and policymakers.

The successful role of the Agency in supporting national investigating and prosecuting authorities has been confirmed by interviewed stakeholders. Both national desks and national practitioners have underlined the key role that the Agency plays in this context, and how this has become instrumental in facilitating national authorities and prosecutors in their work, providing a good platform for Member States and third countries to exchange, cooperate, coordinate and develop joint actions.

4.1.2.1 Support to operational tasks

Interviews and focus groups with national practitioners found that most agreed that **Eurojust's operational work provides significant value**. In the words of one prosecutor often involved in cooperation: "prosecutors want results, and Eurojust provides results". All participants to one of the cross-country focus groups highlighted how they had not heard any of their colleagues complain about the support provided by the Agency for their cases. This is an important

¹⁰⁷ The number of respondents differs by response option as these figures do not include the respondents who answered 'I can't say'.

statement given national investigative and prosecuting authorities are the key audience and target group of the Agency.

The majority of National Members mentioned how their colleagues at national level recognise their usefulness, and how, once they use Eurojust for specific cases, they tend to repeat the experience. EJM contact points reported similar experiences for practitioners using the network. During one of the focus groups, participants agreed that once practitioners approached the EJM or Eurojust for support and saw their query successfully resolved, they had a tendency to use the same tools in the future.

“We are recognised by our home authorities as really useful. Whoever tries us is coming back. This shows we must be doing something right.”

The effectiveness of the Agency in this regard has also been confirmed by other stakeholders, such as Eurojust staff and national desks, who underlined the importance of the Agency in bringing together members of judicial authorities, creating common ground and a shared culture despite different backgrounds and national systems, which helps them work together on complex practical matters, sharing evidence or coordinating joint investigations, especially for crimes like organised crime, where multiple countries are often involved.

An overview of the current, specific allocation practices defined at the national level, together with regular reviews, as well as the development of guidelines and rules for procedure can help ensuring that the requests are directed to the most suitable entity. The EJM Presidency Board and the Eurojust Presidency Team met in September 2022 to foster synergies and continue exploring how to strengthen the cooperation, including stimulating the distribution of cases between the two entities. In 2024, Eurojust and the EJM published a joint paper detailing how the two entities can be of support.¹⁰⁸ While not providing specific instructions, the document indicates the roles of Eurojust and the EJM, and therefore for what services and reasons they could be contacted, including the type of requests for which the EJM might be more suitable than Eurojust, and vice versa.

Stakeholders consulted did not share much feedback on this new paper; however, one National Member welcomed it as a renewed attempt to have a clear and shared interpretation to deal with the situation, and ensure that more lenient and simple cases are not referred automatically to Eurojust by national authorities. Others, while welcoming the effort, felt that given the issue has been ongoing for such a long time, there was little hope to see it disappear in the short to medium term.

Data collected by Eurojust from the national authorities over the years further support the information collected for this evaluation, in particular regarding the satisfaction reported by national authorities participating in **Coordination Meetings**, as shown in the table below. The level of satisfaction reported by Eurojust itself has increased over the years, despite not quite reaching the target set for 2022-2024 – which is, however, much more ambitious than the previous 2019-21 target.

Table 23: Indicators related to the satisfaction levels in support to Member States¹⁰⁹

Indicator	Target 2019-21	2019	2020	2021	Target 2022-24	2022	2023*
Maintain and/or improve the satisfaction levels of the Eurojust support to Coordination Meetings	3 or more (out of 4)	3.75	3.4	3.4			

¹⁰⁸ Eurojust and European Judicial Network (2024), Assistance in International Cooperation in Criminal Matters for Practitioners – What can we do for you?, Joint Paper.

¹⁰⁹ Data are collected directly by Eurojust from feedback forms from national authorities participating in the CMs. The scale used indicates the level of satisfaction as a value between 1 (no satisfaction) and 4 (complete satisfaction) as reported by national authorities.

Indicator	Target 2019-21	2019	2020	2021	Target 2022-24	2022	2023*
Satisfaction level of the Eurojust support to Coordination Meetings					>= 3.65	3.61	3.61

* Interim results only for multi-year KPIs in 2023 - Source: Eurojust Consolidated Annual Activity Reports, 2019-2023.

Interviews with Eurojust staff and national desks underlined how too high a number of CMs could be counterproductive. They require extensive preparation and might not always be necessary, depending on the approach of the individual country. Interviewees also suggested that the number of CMs and JITs may represent a better indicator than the overall number of cases, and give an indication of the work implemented by the Agency with a strong coordination and cooperation component. The fact that all national desks participated (in 2023) in multiple CMs is another indication of the popularity of this instrument.¹¹⁰

Data show a constant, strong increase in the number of CMs between 2019 and 2023. National desks responding to the survey strongly considered CMs as the most important and effective type of support provided by Eurojust,¹¹¹ while a large majority of national stakeholders also confirmed the value and importance of CMs.¹¹² According to these categories of stakeholders, CMs represent a key mechanism to ensure coordination in complex cases, allowing investigating and prosecuting authorities to meet and know their counterparts in other countries, bringing together all relevant actors from the start, plan and coordinate parallel proceedings and resolve practical difficulties face-to-face.

Despite the high levels of satisfaction with CMs, interviewees identified some hindering factors. They include the limited availability of rooms at Eurojust, as well as technical issues (e.g. low quality video and audio transmissions, including for interpretation) due to the fact that the available equipment is not always up to date.¹¹³ While some interviewees suggested the increasing possibility to organise CMs online, the need to provide room for interpreters and the strong preference of other national desks for physical meetings limit this possibility.

Coordination Centres represent another key tool to support the coordination of investigations and cooperation made available by the Agency. The importance of CCs stem from the fact that they allow Eurojust to provide prompt support, ensuring that coordinated actions are taken to respond to the needs of the judiciary and law enforcement in all participating countries. This enables them to successfully coordinate parallel national actions, such as searches, victim interviews, victim identification and rescue, and suspect arrests.

As shown in section 3.2.1, the number of CCs has remained stable over the evaluation period (except for 2020 due to the Covid-19 pandemic). To support these efforts, Eurojust developed a second CC room in 2021 – i.e. a dedicated room equipped with state-of-the-art technology and/or virtually via videoconference facilities, to ensure that evidence and information collected on the ground can be swiftly exchanged between all national authorities in a secure environment. In 2022, a CC involving four LPs from third countries (Albania, Georgia, North

¹¹⁰ The Croatian desk was the one with the lowest participation, with only four CMs in 2023. Bigger desks such as the German (152 CMs), French (128 CMs) and Italian (126 CMs) were the most involved. Source: Eurojust (2024), [Eurojust Consolidated Annual Activity Report 2023](#).

¹¹¹ 88.4% (n=38) of respondents indicated Eurojust support to be very effective in relation to Coordination meetings. Source: survey to national desks and liaison prosecutors.

¹¹² 73.4% (n=135) of respondents indicated Eurojust support to be very effective in relation to Coordination meetings. The count does not include the respondents who answered "I can't say", which constituted 37% of total responses to the question. Source: survey to Eurojust National Coordination System members and national practitioners.

¹¹³ Interviews with three representatives of national desks and liaison prosecutors.

Macedonia and Ukraine) was set up for the first time to coordinate actions against investment fraud.¹¹⁴

The majority of both national desks and liaison prosecutors (79.1%, 34 of 43) as well as national practitioners and policymakers (62.3%, 91 of 146)¹¹⁵ responding to the survey agree that CCs represent another very effective tool available to Member States and third countries via Eurojust. Qualitative feedback from surveys and interviews confirmed the positive views towards CCs as a successful and effective instrument to support coordination and cooperation during investigations. As for CMs, CCs are deemed to help overcome barriers (including language) and obstacles for a smoother planning and implementation of cases spanning several countries.¹¹⁶

For the provision of operational technical and financial support to cross-border operations, as shown in section 3.2.1, the number of new **Joint Investigation Teams** (JITs) supported has remained roughly similar since 2020 after a decline from 2019 due to the Covid-19 pandemic. While the figure for 2023 has not reached the same levels as 2019, it is the highest since the pandemic, and needs to be combined with the number of ongoing JITs, which in 2023 was the largest since 2019 and likely limits the capacity for Eurojust to start and fund new JITs. Moreover, the success of the JITs for Eurojust has been confirmed by increasing demand, with applications growing from 190 in 2020 to 263 in 2023.

The operational, technical and financial support provided to JITs was also deemed very effective by 77% (33 of 43) national desks members and LPs, and 63% (100 of 159)¹¹⁷ of national practitioners and policymakers responding to the surveys. Qualitative feedback shared through the surveys and interviews underlined the significant contribution that JITs (and Eurojust's support) have in enhancing the efficiency and effectiveness of cross-border investigations, the fast exchange of information and evidence, and coordination between parties. The establishment of JITs is deemed increasingly important in all areas, and particularly in those where cross-border investigations might be challenging due to the nature of the crime or the difficulties in locating the perpetrators, such as money laundering, migrant smuggling, trafficking (of drugs and human beings), mobile organised crimes groups, but also cybercrime (despite the fact that no new JITs were created in this area in recent years).¹¹⁸

Interviews with national desks and LPs confirmed the importance of JITs and how they generally function effectively. They were regarded as one of the main examples of the success of Eurojust from an operational point of view, especially considering the amount of funding available and therefore how they seem highly effective in supporting national authorities. The Agency's operational experience of JITs shows that having a legal basis – while essential – is not enough. It is the **combination of a solid legal basis together with a dedicated network and collaboration practices** (soon supported by the JIT collaboration platform) **that makes the cooperation instrument a signature Eurojust success**.

The funding allocated to the establishment of JITs over the evaluation period was substantial, and will continue to grow: in 2024, JIT activities can access an earmarked budget of EUR 1.9 million, growing to EUR 2.1 million in 2025. As reported by multiple National Members, the availability of dedicated funding is the most important factor in ensuring their national authorities can partake in JITs. However, the Agency did not consider the financial support to be enough to fully implement JITs. According to the 2022-2024 SPD, the success of JITs was hampered by limited financial support and no increase in human resources, which were deemed not enough to meet the rise in Member States' demand. Against this challenge, the demand for JIT funding did not increase as originally expected, and Eurojust faced difficulties in fully

¹¹⁴ Eurojust (2024), [Eurojust Consolidated Annual Activity Report 2023](#).

¹¹⁵ These figures do not include the respondents who answered "I can't say".

¹¹⁶ Survey feedback from four national practitioners.

¹¹⁷ These figures do not include the respondents who answered "I can't say".

¹¹⁸ Eurojust Consolidated Annual Activity Reports 2022 and 2023.

executing the payment appropriations initially available, requesting the Commission to reduce them.¹¹⁹ This suggests limited capacity in absorbing an increased amount of funding with the current HR capacity of the Agency, despite a growing demand for the tool. Given the perceived effectiveness of JITs as a tool by national investigating and prosecuting authorities, this could be an area for further prioritisation in the future.

Regarding Eurojust support to Member States, one of the main indicators that could be used to monitor the Agency's progress in this area refers to the number of cases dealt with by Eurojust. As indicated in section 3.2.1, the number of cases (both new and ongoing) has steadily increased since 2019. However, the use of any indicators related to Eurojust casework should be treated carefully considering that there is no real definition of what a "case" represents (see section 3.2.1 and further below). In addition, the increased casework includes an increased demand for specific judicial cooperation tools, such as CMs, CCs and JITs, whose demand has more than doubled between 2014 and 2022.¹²⁰ Considering that these trends have been present for quite some time, they do not seem linked to the introduction of the Regulation in 2019.

Finally, the increasing internationalisation of criminal activities and the inherent cross-border aspect of some of the most common crimes (such as online fraud, or cybercrime) are driving this increase (as discussed in section 6), with an increasing number of cooperation agreements with third countries coming into force widening the geographical scope of Eurojust cooperation.

Another reason behind the continuation of these trends is the rise of crime areas related to the war in Ukraine, including money laundering and new core international crime cases referred to the Agency, which more than tripled in 2022 compared to 2021.¹²¹

Moreover, as confirmed during interviews with Eurojust staff members and national desks,¹²² the number of cases is not necessarily a definite indication of the full effectiveness of the Agency and its work, as it is not possible to identify which types of cases are considered. Cases can indeed comprise both simple notifications and more complex cases (see also section 5 on EU Added Value). For the former, no real follow-up or cross-border cooperation would be necessary and might be solved through bilateral contacts, for instance following up on a request for mutual legal assistance (MLA). The latter represents those instances that require stronger coordination and cooperation efforts of different Member States – and possibly third countries – with the organisations of coordination meetings and setting up of JITs, and therefore would represent the real added value of Eurojust. Also, these cases are often those that lead to concrete results, such as arrests and the seizure of significant amounts of criminal assets, as presented in section 4.2, which represent a clearer proof of what the Agency has achieved and how it is impacting the prosecution of crimes across the EU.

Interviews with National Members and national practitioners highlighted **differences in the approach to dealing with simple requests**. Some believe that the core of Eurojust's operational work should relate to complex cases, while simpler cases, or 'mailbox' cases, should go first through the EJN (and be passed on to Eurojust in case they do not get a response through the network). This approach risks overburdening national desks with limited capacity and de-prioritise more complex, multi-lateral cases. The size of the national desk varies between Member States. While all countries now have a National Member posted in The Hague, there are some cases where assistants or deputies are located in their country. The largest desk is the German one, with ten staff (six staff comprising the National Member, their deputy and assistant, one SNE and 4 NDAs), the smallest ones are Luxembourg (with one NM and half an NDA), followed by Cyprus, Estonia, Croatia and Malta (with one NM and one NDA each). Others

¹¹⁹ Eurojust (2024), Report on Budgetary and Financial Management – Financial Year 2023.

¹²⁰ It should be noted that the demand for these tools was slowed down due to the COVID-19 outbreak. Source: Eurojust Single Programming Document 2024-2026.

¹²¹ Eurojust Annual Report 2023.

¹²² Interviews with two representatives of Eurojust staff, three representatives of national desks and liaison prosecutors, and one representative of national practitioners.

feel that any case can go through Eurojust as the additional burden is minimal, and the successful completion of a request by a national practitioner will lead them to further direct requests to the Agency in the future.

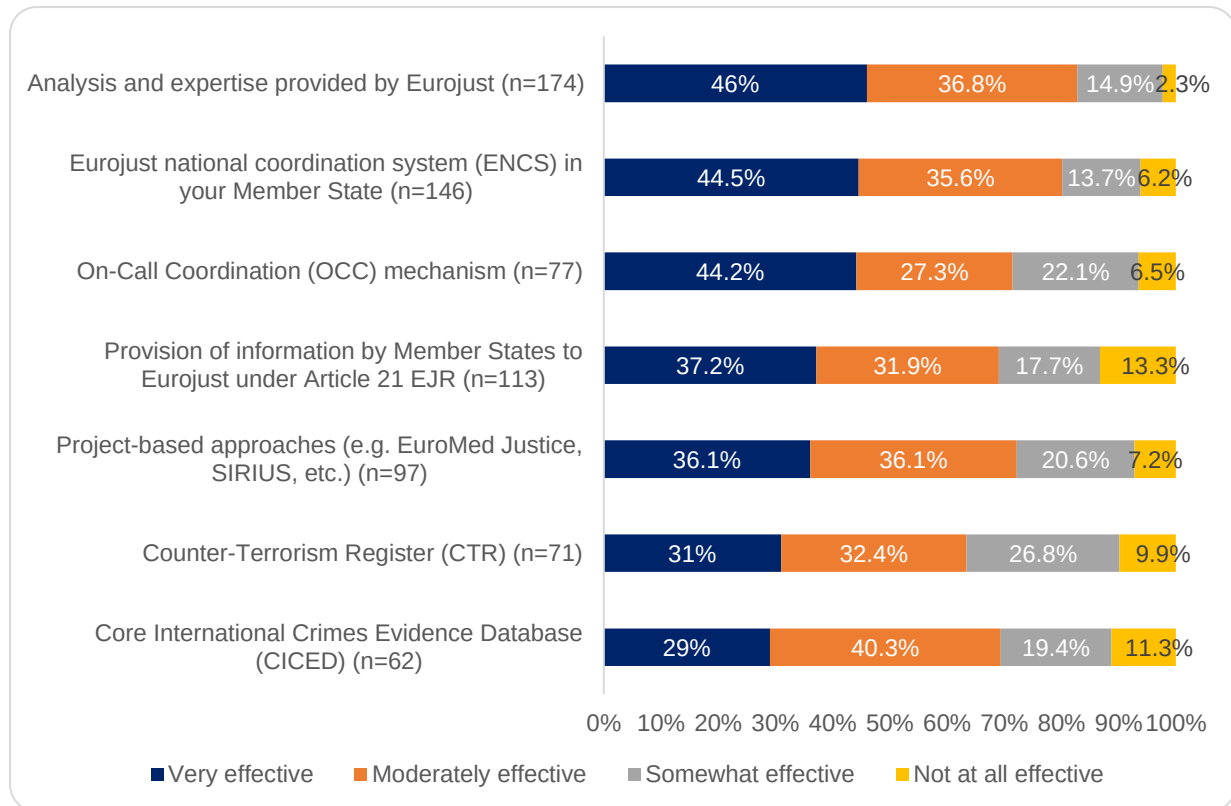
The Regulation does not provide for a clear indication of what constitutes a “Eurojust case”, other than it falls within the forms of serious crime listed in Annex I EJR. While Art. 20(7) indicates that the ENCS should assist in determining whether a request should be handled with the assistance of Eurojust or of the European Judicial Network, the fact that the initiative is still of competent authorities of the Member States leaves it to their discretion when to refer a case to Eurojust.

In this context, most interviewees agreed that **there is no clear line separating simple and complex requests**. National practitioners during interviews and in the focus groups indicated that informal rules and indications on where to address a case to Eurojust or EJR exist – in particular linked to the number of countries involved, and the complexity of the investigation and procedures that require a coordinated effort. However, this rule is not followed in practice, with over 82% of cases opened in 2023 being bilateral. According to some practitioners, this is because bilateral and simple cases are a necessary part of the work Eurojust undertakes and highlight the importance of the facilitation provided by the Agency. When going through Eurojust, there is a perceived certainty that the request will be executed, and the request will be fulfilled. They see a difference with the EJR, which can help identify the right person to contact or get information on how to undertake certain procedures but does not always provide the facilitation of the request. Another argument put forward is that prosecutors and judges may be more likely to bring a complex case to Eurojust if they have had a successful experience in dealing with a simple request. Participants in one of the focus groups, as well as interviewees did point out that even for simple requests, the lack of response from judicial authorities in other Member States means they often had to use Eurojust. Interviews also suggested that there is a different way of dealing with the decision to accept a case at the national level. In SK for instance prosecutors bringing a case to Eurojust must demonstrate they have sought alternative means to address it (including through the EJR). The DE national desk has an agreement with the German EJR contact points whereas cases brought to the National desk deemed to be ‘EJR cases’ can be referred back to the EJR contact points. This provision is however not often used in practice as the German desk feels it has the capacity to address these cases. These provide examples of ways in which the EJR and Eurojust are both implicated and both play an important role to facilitate the day-to-day work of national prosecutors and investigative judges.

4.1.2.2 Other activities and tasks

Regarding effectiveness of other tasks, activities and functions of Eurojust, as well as working practices, **consultations with stakeholders provided overall positive feedback**. As illustrated in the below figure, these activities are, in all cases, considered to be at least moderately effective by most respondents to the survey of national practitioners and policymaker, despite significant lack of knowledge regarding some of them – the respondents selecting ‘I can’t say’ ranged from 126 (for analysis and expertise provided by Eurojust) to 238 (for CIED) of a total of 300 respondents.

Figure 9: Eurojust's effectiveness in conducting tasks, activities and functions (n=62-174)¹²³



Source: Survey of national practitioners and policymakers

In addition, 85.7% (36 of 42) of national desk members and LPs reported through the survey that the **analysis and expertise provided by Eurojust administration** to the work of national desks was very or moderately effective. These activities were deemed to be very useful for them to fulfil their tasks.¹²⁴ In particular, the work of the administration is key in the preparation and coordination leading to the organisation of CMs and CCs, for which a national desk might not have time, resources or expertise. In particular, the work of National Desks Assistants¹²⁵ is deemed critical with the concern of not overburdening them, considering the limited number of human resources available for all desks, and potentially the large amount of work to support. As mentioned by some Eurojust staff members and national desks, the fact that Eurojust administration is often overloaded affects the overall effectiveness and efficiency of the Agency, and this risks slowing down operations.

National desks and LPs also generally agree with the working practice of Eurojust of participating in specific **projects** targeting key areas of activity.¹²⁶ Such an approach enables structured and tailor-made support for the national authorities involved, based on their priorities, therefore increasing the effectiveness of the cooperation achieved through Eurojust. Involvement in externally funded projects, such as EuroMed Justice, Western Balkans Criminal Justice and SIRIUS, is deemed an important part of the operational work of the Agency.

¹²³ The number of respondents differs by response option as these figures do not include the respondents who answered 'I can't say'.

¹²⁴ Survey feedback from two national desks, interviews with three representatives from national desks.

¹²⁵ See also above and section 4.2.2 on efficiency

¹²⁶ 50% (n=15 of 30) of national desks and third country liaison prosecutors answering the survey deemed this approach to be very effective, and another 37% (n=11 out of 30) to be moderately effective.

The SIRIUS project, implemented together with Europol, has been implemented for over five years. In the 2023 Situation Report,¹²⁷ judicial authorities indicated how some recurring issues still exist, related in particular to time-consuming hurdles when accessing data from foreign service providers, difficulties in identifying how and where to send requests, diversities of policies and processes among service providers but also limited voluntary cooperation and differences in national frameworks, highlighting the need for enhanced legal powers and EU-wide legislative efforts to regulate data retention for the purposes of criminal investigations and proceedings.

Art. 20 EJR states the need for each Member State to set up a **Eurojust national coordination system (ENCS)** to ensure that the work carried out with the support of the Agency is coordinated and managed at the national level. Despite some national desks reporting the existence of the ENCS to be effective through interviews, answers to the surveys are more cautious. **The effectiveness of the ENCS is high only for 18%** (4 out of 22 respondents providing an answer) and moderate for 55% (12 out of 22) of national desks and third country LPs.¹²⁸

A large share of the national practitioners and policymakers answering the survey did not have enough knowledge to express their opinion on the ENCS, suggesting that the set-up and functioning of this tool across the Member States is also not well known amongst national stakeholders. Among those that are aware of the existence of the ENCS, 44.5% (65 out of 146) find it very effective and 35.5% (52 out of 146) moderately effective, suggesting that the system, when known and used, generally works. Considering the important role played by stakeholders at the national level in ensuring the management and implementation of the actions supported by Eurojust, the effectiveness of the Agency depends, to some extent, on how effective the ENCS is, in particular in the allocation of relevant cases and the coordination of stakeholders at the national level. Interviews and focus groups with national-level stakeholders confirmed the heterogeneous setups in terms of composition and utilisation of the ENCS. Based on the evidence collected in the evaluation, this has an impact on the effectiveness of the Agency.

Despite its strong potential, one representative of national desks indicated that the ENCS was neglected, while another that it simply comprises a list of contact points with no operational duties and therefore limited value. In other Member States, the ENCS plays a vital role in the articulation of the different cooperation and coordination mechanisms (see section on EU added value).

National stakeholders replying to the survey confirmed the overall effectiveness of the system. However, some caveats exist regarding cooperation between national contact points and usability of the system to refer cases, as shown in the figure below. In addition, the composition of the ENCS varies across countries, potentially hindering its effectiveness.

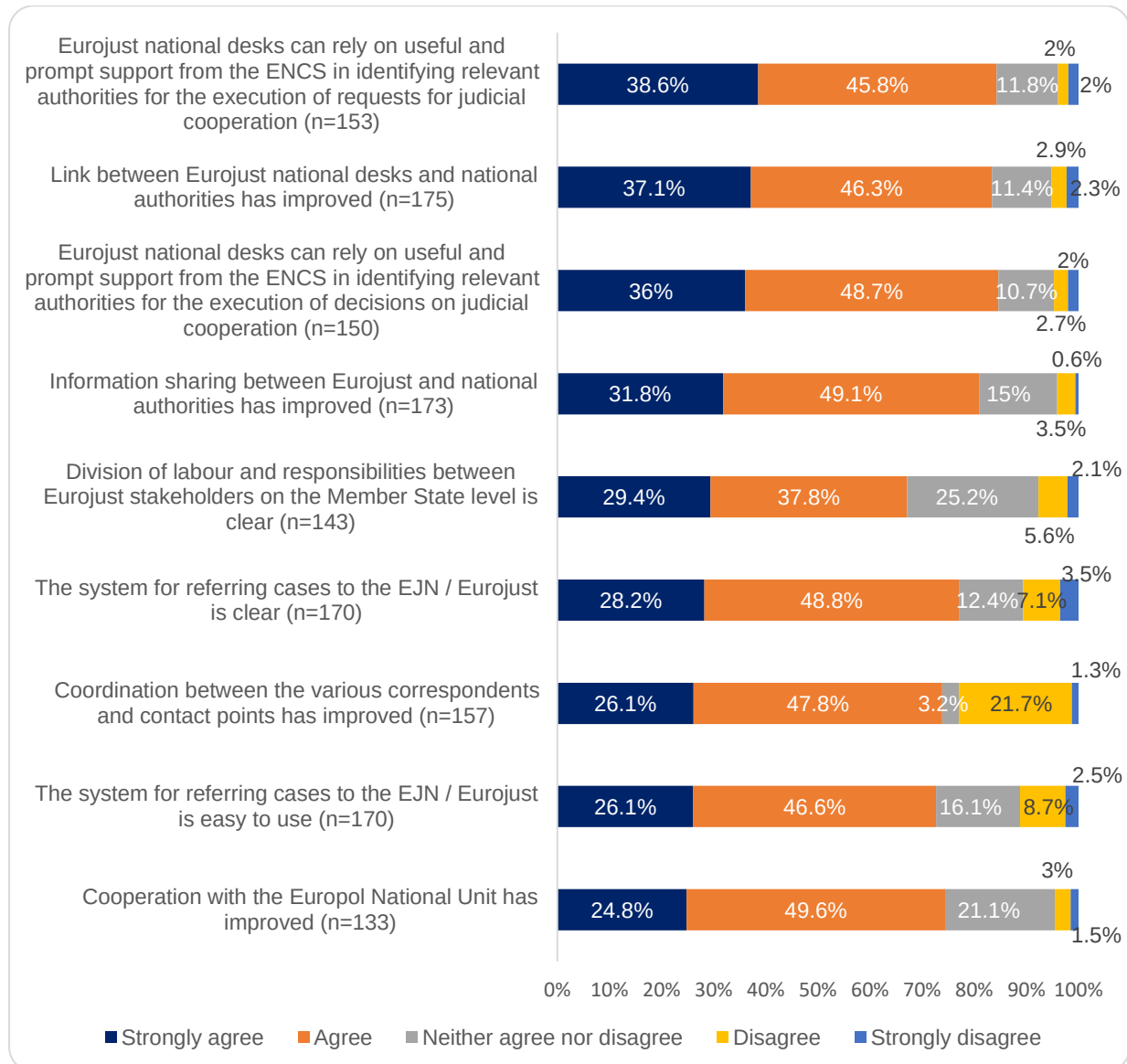
While it is not possible to define clusters of countries, in most cases¹²⁹ the ENCS is composed of the National correspondent(s) for Eurojust for terrorism matters (present in 88.9% of MS, 16 of 18 covered by the survey), and the contact point(s) for the JITs Network (83.3% of MS, 15/18), the EJN and the Genocide Network (both 77.8% of MS, 14/18). In contrast, national correspondent(s) for issues relating to the competence of the EPPO were only present in 33.3% of Member States (6/18), while four respondents (16%, 4/25) confirmed that no formal ENCS is in operation in their Member State.

¹²⁷ SIRIUS EU Electronic Evidence Situation report 2023.

¹²⁸ These figures do not include the respondents who answered "I can't say".

¹²⁹ Based on the information provided by Eurojust National Members and Liaison Prosecutors to the survey. Respondents were asked to indicate which national correspondents and contact points were part of the ENCS.

Figure 10: Effectiveness of the Eurojust National Coordination System according to national stakeholders¹³⁰



Source: Survey of national practitioners and policymakers.

Around half of national desks (47%, 20 of 42) and national practitioners / policymakers (74%, 223 of 300) answering the survey did not have enough familiarity and knowledge to provide an answer regarding the utility of the **On-Call Coordination (OCC) system**.¹³¹ No specific feedback was provided as regards this lack of familiarity, but this could be partly explained by the fact that the system has hardly been used: 62% of national practitioners surveyed (228 of 365) indicated that they never use the OCC. This was confirmed by the Eurojust administration, which used to produce statistics on OCC usage, but this was discontinued as there was hardly any use of the system. Interviews with National Members confirmed that they saw the OCC as

¹³⁰ The number of respondents differs by response option as these figures do not include the respondents who answered 'I can't say'.

¹³¹ The system comprises a BT Freephone number in each Member State (0800-Eurojust), a voice response routing system (Anywhere365) and a small dedicated application in which the national desk can indicate who is 'on call' during which day and time. If a call is received the voice response system will redirect the call to the member of the national desk that is on call.

an unnecessary burden given: (i) the system is never used in practice; and (ii) each Member State has ways of being available 24/7 without the system. They saw the objective of the OCC as being achieved through other means than the system set out in the EJR.

Interviews suggested that the operation of such a system is particularly challenging for smaller desks, where, despite the fact that Art. 19 EJR allows for the OCC representative to be someone other than the National Member (such as their deputy or an assistant), the lack of support staff (or the lack of support staff based in the Hague) makes it likely that the National Member is continuously 'on call'. No specific compensation for being on call is foreseen and paid from the Eurojust budget, and the Agency is not aware of any arrangement made by each country with the members of their national desks about remuneration for hours spent on call.¹³²

4.1.2.3 Data sharing between Member States – Article 21 EJR

Article 21 EJR regulates the exchange of information between Eurojust and Member States, and between National Members.¹³³ According to the national desk representatives and LPs answering the survey, the **implementation of Art. 21 has not been without challenges**: while 38.1% (16 of 42) deem the exchanges to be moderately or very effective, 28.6% (12 out of 42) deem the exchange to be not at all or weakly effective. It is interesting to mention that a third of survey respondents (14 out of 42) were not able to provide an answer: while this might be due to a lack of experience in this area, considering the importance of data sharing with and between Member States, it also suggests limited knowledge of the implementation of Article 21.

National practitioners shared more positive feedback, deeming the provision of information by competent authorities following Art. 21 being very or moderately effective for 69% (76 of 113) of them,¹³⁴ and the general exchange of information between Eurojust and national authorities being very or moderately effective for 88.4% (190 out of 215).¹³⁵

Interviews with Eurojust staff and national desks provided more detail on the limitations of the current system. It emerged that the provisions of Art. 21 are rarely used. As indicated in the official College position on the evaluation, the partial implementation at national level limits the ability of the Agency to have a comprehensive view of issues and challenges of judicial cooperation, as well as identify key, recurring issues, but also to provide added value to all cases where multilateral cooperation is required. The College underlined how the specific obligations for national authorities to transmit information should consider the anticipated added value provided by the Agency to those providing the data, as some of the obligations appear outdated and redundant, as well as overly complex.

Member States authorities might expect a limited added value of the feedback received by Eurojust (as per Art. 22). This was confirmed by a few national desks during interviews. One national practitioner also indicated that the provision of requiring authorities to share information if a case affecting at least two other Member States (Art. 21(5)) is not clear, as this should not be necessary unless there is a problem in terms of cooperation. Moreover, another national practitioner underlined that no information is shared on the extent to which Art. 21 is used, how much information is received by Eurojust and for what purpose it is used, limiting the added value of this provision.

According to Eurojust staff, the limited use of Art. 21 – and in particular, not sharing information that are not part of an active case – limits the overall effectiveness of the Agency in collecting relevant data, including the possibility of identifying other, potential cases that are relevant to Eurojust's mandate (and the related ability for the Agency to act on its own initiative). This also

¹³² Feedback provided by Eurojust administration.

¹³³ This Article has been further amended in the Amending Regulation (EU) 2023/2131, which introduced further requirements for Member States to provide Eurojust with information on criminal investigations on terrorist offences as soon as such cases are referred to their judicial authorities.

¹³⁴ These figures do not include the respondents who answered "I can't say".

¹³⁵ These figures do not include the respondents who answered "I can't say".

limits the effectiveness of the CMS as a tool, which could be much richer and useful if Art. 21 provisions would be fully applied.

4.1.2.4 Data protection

One of the main novelties of the EJRC concerned the introduction of a new data protection regime, to ensure alignment with the revised EU legal framework on data protection (see also section 3.1.5). **Eurojust's data protection regime is deemed to be aligned with the EU legislation by stakeholders;¹³⁶ however, its implementation was considered to create a few challenges in the operational activities of the Agency.** Interviews with Eurojust staff, as well as stakeholders from EU IBOAs have underlined the importance of having clear rules in place for data protection and, more widely, data management in criminal cases. The role of data protection at Eurojust is fundamental considering the strong operational nature of the activities, the types of data exchanged and the role of national authorities as the ultimate owners of the data exchanged.

Consultations with national desks and LPs highlighted that data exchanges are not always quick and easy precisely due to data protection provisions – as well as the need to check with national authorities on the exchanges of data on every case because of data ownership – and especially when working with third countries. In their view, the sensitivity of cases and information certainly requires protection but without being too strict that it might hamper the effectiveness of the operations. One EU official added that data protection in Eurojust is indeed, in their view, limiting the effectiveness of the cooperation between Eurojust and its EU partners when it comes to sharing information regarding third countries, which cannot be done easily. In addition, the fact that national authorities remain owners of the data further lengthens the process, as each request needs to be checked with the national authorities before access can be granted. Also, the requirement of deleting data creates additional burden and the risk of losing important knowledge from closed cases.

The consultations also suggested that the current system of data protection and the relationship with the EDPS, while aligned with Regulation 2018/1725, is perceived as being more bureaucratic than in the past, when it featured the JSB to collectively monitor the activities of Eurojust that involved the processing of personal data. While the interaction with the EDPS has been reported to be in general very positive, the process has become longer and more formalised (e.g. it took over a year to receive the report with the EDPS' findings of their first inspection in 2020), accompanied also by more paperwork and frequent changes of personnel. This was reported to increase the time needed to conduct operations and the uncertainty of the overall timing of the process every year, even if no more practical consequences were mentioned at this time.

One issue reported by a majority of National Members is the need for the College to adopt a decision by the DPO on the transfer of data to third countries in every case. They see this as an additional burden, which can slow down proceedings, especially in cases where the data has already been transferred by a Member State. However, the DPO, and the representatives of the European Commission argue that Data Protection is a cornerstone of fundamental rights and should thus be at the core of the Agency's exchange of information. Speeding up proceedings should not come at the expense of data protection rules, and that Eurojust, through the College has a responsibility to ensure the protection of personal data in line with the EU Charter on Fundamental Rights. Furthermore, the Agency's data protection rules are largely in line with the EU framework.

¹³⁶ 83% of national desks and third country liaison prosecutors answering to the survey agree that the DPR is fully aligned with Regulation (EU) 2018/1725. These figures do not include the respondents who answered "I can't say", which represent 24% of total responses. Source: survey to national desks and third country liaison prosecutors.

Finally, interviews with Eurojust staff highlighted that despite the perceived burden, and the 10 days allocated to produce the data assessment, they often undertake these in a shorter timeframe, even over non-working times to cater for the urgency of requests.

Another issue relates to the responsibility for making the assessment on the exchange of personal data. The situation is now that the College, not individual prosecutors, makes adequacy decision for Eurojust. In the current system, prosecutors are therefore encouraged to go through Eurojust to cooperate with third countries. However, if a case goes to court, the prosecutor must prove they made their own assessment. According to the Regulation, data can be shared with third countries if there is an adequacy decision. In other cases, there is a need to undertake individual assessments and weigh the privacy assessment aspects with the third country. This creates a risk that some lawyers may request all authorities that worked on or had access to their client's data to share what data was used and argue the case on the data protection grounds to get information thrown out of courts. During one of the focus groups, the discussion highlighted that this aspect was unclear, even to seasoned prosecutors.

These tensions, according to interviews with Eurojust staff, are also linked to the different national situations, in particular regarding the application of Article 37 of the Law Enforcement Directive (EU) 2016/680 (LED) on appropriate safeguards for the transfer of personal data to a third country or international organisation in the absence of an adequacy decision, as per Art. 36(3) LED, and based on an existing legally binding instrument or a 'self-assessment' by the Member State. According to the Commission's first report on the application and functioning of the LED, and confirmed through other sources¹³⁷, more needs to be done to ensure the appropriate and consistent implementation of appropriate safeguards across the EU Member States in this context. As highlighted by Eurojust staff, the different interpretations and implementations of these provisions across the Member States creates a divergence between the approach of national authorities (and thus the expectations of National Members) on the one hand and Eurojust on the other regarding data sharing with third countries.

4.1.2.5 Knowledge retention

The limited term for National Members, their deputies and assistants, while possibly lasting 10 years, creates a certain, inherent turnover at the Agency, with information and knowledge remaining within certain desks only as long as certain members are present. In addition, several (complex) cases might be conducted with involvement of only a limited number of desks, and, while the information and lessons learnt in the process can be beneficial for other – existing or future – cases, there is no guarantee of an exchange between desks to ensure it is the case. Finally, relevant information on which to draw lessons is not stored in official documents but rather in bilateral correspondence and exchanges within or between desks.

As such, **knowledge retention** efforts are important to ensure the lessons learnt from past cases or types of cases can be retained, shared and used to improve future activities. As detailed in section 3.2.3, the implementation of the Retaining Knowledge Project aimed to set standards and indications in this regard, as well as to provide guidance on knowledge retention within the Agency. In 2021, the College decided to extend the Project to all national desks, putting in place the structure and methodology to identify the cases where knowledge should be retained, with the administration drafting the Case Information Forms (CIF) for each selected case.

While the Agency produced a high volume of CIFs during each year of the project, as shown in section 3.2.3, the annual numbers fluctuated. As explained by representatives of Eurojust staff during interviews, the main reasons behind these figures relate to different elements. First, the fact that the whole process requires time and effort, combining the work of the national desks in

¹³⁷ For example, see: Vogiatzoglou, P. & Marquenie, T., (2022), [Assessment of the implementation of the Law Enforcement Directive](#), study for the LIBE Committee; and [EDPB Guidelines 01/2023](#) on Article 37 of the Law Enforcement Directive.

identifying the cases with the work of the Administration in going through the relevant documentation (mainly bilateral communications between desks and national authorities), systematising the information and preparing the CIF. Second, the fact that some desks are very familiar with the approach to identifying cases and make it a priority of their work, while others struggle, thus resulting in more time required by Eurojust staff to identify the cases that might be relevant. Third, to build the complete CIF, the Eurojust staff needs to access information belonging to the desks, which sometimes might be reluctant to share directly or fully with the administration. Also, for the correct identification of the cases, it is instrumental that the brief case summaries are made by the desks in the CMS – the quality of these inputs reportedly varies significantly.

While no specific statistics or information was collected on the usage of knowledge retention material, two representatives of national desks underlined how the project has been instrumental in ensuring that key knowledge is not lost.

The Retaining Knowledge Project ended in 2024, providing the basis for the Agency's next steps in this area, which are already under development. As reported by representatives of Eurojust staff, the Agency is already discussing and working on how to improve the knowledge retention process, both by raising awareness among national desks in prioritising and committing to the identification of relevant cases, having the Casework unit supporting the desks in the identification, and designing the new CMS in order to better respond to the needs of the process – in particular, by integrating the CMS with the CIF application, and improving the access of Eurojust staff to the relevant cases.¹³⁸

4.1.3 Effective cooperation with partners

The **cooperation with partners represents a key activity of Eurojust**, based on Chapter V of the ERJ. In this area, the EJR (both in its original and amended texts) also introduced some changes to the existing legislation, in particular linked to international cooperation and the possibility for Eurojust to negotiate and conclude cooperation agreements, as well as to consider the establishment of the EPPO (see section 3.2.2).

4.1.3.1 Cooperation with EU partners

As presented in section 3.2.2, a first area of cooperation for Eurojust is with partners within the EU, including the EJR, Europol, the EPPO, and other Union bodies, offices and agencies.

Overall, feedback collected suggests that **cooperation with EU partners still faces challenges** that have been highlighted during the evaluation. As shown in section 3.2.2, the indicators defined by the Agency have not fully met the targets set over the past few years. While the number of cases opened is not necessarily a comprehensive and definite metric to measure the effectiveness of cooperation, qualitative feedback provided by stakeholders highlighted some limitations and shortcomings which suggest that the decrease in the number of cases – e.g. with Europol – is linked also to issues in the cooperation.

Cooperation with the **European Judicial Network (EJR)** has progressed over the years, even if not fully successful. As for other networks, according to national desks interviews, the EJR benefits greatly from having their secretariats hosted by Eurojust, which makes cooperation easier. Cooperation has primarily been implemented with regard to the distribution of cases between the two entities. As shown in section 3.2.2, the exchange between Eurojust and the EJR was constant between 2019 and 2023, even though with different numbers year-on-year. While the numbers never fully met the targets set by Eurojust (which also changed every year),

¹³⁸ In the current system, Eurojust staff has access to the profiles of the countries they work with and support in coordination meetings. However, this is not necessarily the most efficient approach as one member of staff might be working on a knowledge retention case without having direct access to the specific profile of the country involved, and therefore requiring another colleague, with such access, to support.

they were aligned with the trajectory that the Agency had designed: in particular, the shift since 2023 in referring to the EJC many more cases than those referred from the Network. In general, the cooperation between Eurojust and the EJC is deemed to be very effective (44%, 16 out of 36 respondents) or moderately effective (36%, 13 out of 36 respondents) by the majority of national desk and liaison prosecutors answering the survey.¹³⁹

However, as already mentioned in section 4.1.2, the cooperation is affected by a limited effectiveness in the distribution of complex and simple cases between the two entities.

According to ENCS members and other national stakeholders, the allocation of requests between Eurojust and the EJC is deemed appropriate to a great extent only in less than half of cases 43%, (64 out of 149),¹⁴⁰ suggesting that the allocation of case requests can be improved. As mentioned in the previous section, the number of what can be considered “simple requests” is still deemed quite significant by some national desks – even if detailed figures are not available – including cases which could be referred to EJC or should target the EJC in the first place. Also, the fact that, as reported by national desks answering to the survey, the ENCS is used to determine¹⁴¹ whether a request should be handled with the assistance of Eurojust or the EJC links this distribution very much to the effectiveness of the ECNS in place in each country, which is a matter from the Member States, not the Agency. One must also note that the EJC’s effectiveness largely depends on Member States, as they are responsible for funding or providing resources to EJC national contact points and contact points. From the network itself, the concern is that sometimes they might not be seen as Eurojust “core business” and this might limit the effectiveness of the cooperation.

The cooperation between Eurojust and the EJC, however, is not limited to the exchange of cases. The two entities cooperate on specific externally funded projects – such as the Scientific Information Retrieval Integrated Utilisation System (SIRIUS)¹⁴² or the EuroMed Justice Project (EMJ). They also join forces towards further international cooperation: for instance, a visit of a delegation from Nigeria and selected West African countries in 2023 was jointly hosted by the EJC (and facilitated by the UNODC) to explain the mandate and activities of the Agency and the EJC.¹⁴³ Also, throughout 2021, Eurojust and the EJC continued collecting information on the impact of national measures against COVID-19 on judicial cooperation between the EU Member States, Iceland and Norway. Moreover, the Agency, together with the EJC and the EJC, contributed to the legislative process on the EU Electronic Evidence, adopted in 2023.

Cooperation with Europol, defined by Art 49 EJR has been central for Eurojust. As shown in section 3.2.2, cooperation with the law enforcement agency has seen an increased number of cases, CMs and CCs over the years.¹⁴⁴ According to the majority of ENCS members and other stakeholders surveyed 74%, (99 out of 133) cooperation with Europol National Unit has improved thanks to Eurojust coordination and support. Some stakeholders (both national desks and national members of ECNS and prosecutors) see the cooperation with Europol to be close and strong,¹⁴⁵ with Eurojust also being able to provide a crucial coordination role and facilitating communications.

However, consultations with Eurojust staff, National Members and representatives from EU institutions indicated that the **cooperation is not without challenges and room for**

¹³⁹ These figures do not include the respondents who answered “I can’t say”. Source: survey to national desks and liaison prosecutors.

¹⁴⁰ These figures do not include the respondents who answered “I can’t say” which represent 48% of all respondents to this question. Source: survey to Eurojust National Coordination System members and national practitioners.

¹⁴¹ Excluding the respondents that answered “I can’t say”, 47% (n=7) of national desks and liaison prosecutors agreed that the ECNS is used to this purpose.

¹⁴² Eurojust Annual Report 2022.

¹⁴³ Eurojust Annual Report 2023.

¹⁴⁴ Eurojust consolidated Annual Activity Report 2022.

¹⁴⁵ Survey feedback from five national stakeholders and four national desks and liaison prosecutors.

improvement. In addition, as mentioned further below in section 4.3.2 on coherence, possible grey areas or overlaps in the operational aspects of the two agencies exist.

The cooperation with Europol is deemed to be working effectively to a great extent by 49% (18 out of 37) of national desks and liaison prosecutors, and to a moderate extent by 32% (12 out of 37). This result would suggest that the cooperation between the two agencies is good. However, it is contradicted by the mixed reactions provided by national desks and national stakeholders during consultations, also denoting that **the cooperation with Europol is seen quite differently across Member States and functions**. While no specific data or examples were found during the evaluation, the Final report of the first phase of the Europol Project published by Eurojust underlined how the cooperation is affected by differences in legal cultures, practices and traditions across countries – e.g. countries where the police have broader investigative powers, many matters are decided at police level and Europol becomes the key counterpart.

Therefore, the success of the cooperation, as reported also by national desk and EU officials during interviews, is likely to depend on how the relations between Eurojust and Europol are managed in each country, which might include liaising directly with the national Europol liaison informally instead or before producing formal requests, as suggested by two Eurojust national members.

The project set out by the Eurojust College on the cooperation with Europol (see section 3.2.2) unveiled a series of shortcomings in the cooperation between the two agencies. One challenge related to the information and data exchange. No specific and concrete workflows have been put in place to implement some requirements of the respective Regulations, in particular Art 49(4) of the EJR¹⁴⁶ (and Art 21(5) of the Europol Regulation). Another point raised by the report was linked to the sharing of the list of operational meetings, with most national desks mentioning that this is no longer systematically shared by Europol, despite a provision in the current secondment agreement. Finally, concerns were raised regarding a limited information shared proactively by Europol – beyond cooperation in operational cases on request of national authorities and some exceptions such as the European Migrant Smuggling Centre– in particular on the Europol's Operational Task Forces (OTF).¹⁴⁷ As mentioned in section 4.3.2 on coherence, the fact that OTF might seem similar to JITs would require and benefit from a stronger coordination, to avoid duplications in operations and funding between the two tools. This has been confirmed also by a few representatives of Eurojust staff and national desks during interviews, as intelligence and information from Europol does not come quickly enough to judicial authorities. The creation of the OTF was also seen by some Eurojust staff and National Members as a means for Europol to duplicate one of the successes of Eurojust (support to JITs) in order to increase their influence.

The **implementation of the hit/no-hit system** with Europol has required the investment of important resources by Eurojust. According to Art 49 EJR, the Agency needs to take all appropriate measures to enable Europol, within Europol's mandate, to have indirect access on the basis of a hit/no hit system, to information provided to Eurojust. However, according to interviews with Eurojust staff and national desks, challenges relate to the fact the set-up process was particularly long and complex, information obligations towards EU agencies/bodies at times conflict with the ownership principle. The systems is also perceived to be one-sided, benefitting Europol much more. In one year of implementation, Eurojust received 836 entries (or requests) from Europol, which triggered a total 1,055 hits in the CMS, all of which had to be manually

¹⁴⁶ The provision indicates that "If during Eurojust's information processing activities in respect of an individual investigation, Eurojust or a Member State identifies the need for coordination, cooperation or support in accordance with Europol's mandate, Eurojust shall notify Europol thereof and shall initiate the procedure for sharing the information, in accordance with the decision of the Member State that provided the information. In such cases Eurojust shall consult with Europol."

¹⁴⁷ An OTF is a temporary group of people consisting of representatives of the Member States and Europol (third parties can also be invited to join), formed to carry out a specific project consisting of intelligence and investigative activities focusing on selected HVTs (High Value Targets). Source: Final report of the first phase of the Europol Project.

validated. In only four cases was the Agency informed of a hit for Europol. In the same time period, National Desks sent 26 queries to Europol, triggering 4 hits.

This further limits the opportunities for operational cooperation and leads to inefficient processes that consume valuable time and resources, possibly also linked to the fact that Eurojust's digital and IT infrastructure was not state of the art, as confirmed also by two national desks. In addition, the fact that long time is given to reply to a query can further complicate the cooperation as it makes the exchange of data unnecessarily lengthy. To this end, one national desk mentioned that, in case of urgent requests, they tend to ask the Europol liaison directly instead of going through the tool, making the access to and sharing of data with Europol based more on informal channels and connections than systemic arrangements.

Moreover, the two agencies had to agree on a common channel to exchange information and this was Europol's platform SIENA whose utilisation from Eurojust implies accessing the platform and copying/pasting the information coming from their own internal system. Also, the process of information exchange being fairly manual and regardless the type and complexity of the case considered, it increases the risk of flaws as not all information can be cross-checked. Finally, the considerable amount of time needed to receive a reply to the query (also considering the need to liaise with the relevant national authorities which own the data on the Eurojust side) are deemed by stakeholders to reduce the efficiency of the process. The results of the project appear to be more beneficial for Europol than for Eurojust. Moreover, the fact that these issues were not reported by Europol representatives suggests that they – in particular the current state of IT and digital infrastructures – apply particularly to Eurojust.

According to consultations with national desks and EU officials, another element limiting the cooperation regards the ownership of data. One EU official indicated how the fact that national authorities and prosecutors might not allow access to data – or take a long time to do so – limits the effectiveness of the operational cooperation, and would require a stronger effort from Eurojust to encourage Member States to share the necessary data promptly (as further discussed in the section about Art. 21).

Operational cooperation between Eurojust and Europol is based on a working agreement signed in 2010. The College, supported by interviews with national desks underlined the need for the agreement to be updated in light of the new Regulations of both agencies. However, this is not seen as a priority by Europol. The results of an internal assessment conducted by the law enforcement Agency assessed that there are neither political, nor legal nor strategic needs to review the agreement from an institutional point of view. The provisions and working arrangements included are deemed to provide a comprehensive enough framework which is still relevant despite the recent changes in the legislation. In particular, the current ways of exchange and coordination between the agencies are considered to be adequate, with direct contacts between the agencies' top management used to discuss the most sensitive issues, followed up by regular meetings at the expert level (e.g. Head of Units) and steering committee meetings where to discuss more practical aspects to implement the strategic discussions between the top management.

While both agencies have been able to carry out their work, and no major disruption was reported, the uneasy cooperation between the two Agencies is an ongoing concern. It risks affecting the effectiveness of both agencies and hampering future developments, limiting Eurojust's efforts in enhancing its operational effectiveness.

The cooperation with the **European Public Prosecutor's Office** is the most recent one, as the Office only started operations in 2021. For this reason, some of the challenges highlighted at this stage might be overcome naturally once the cooperation becomes more mature.

Twenty-two was dedicated to implementing the Working Arrangement concluded in the previous year. Nevertheless, 14 new cases were opened by Eurojust involving the EPPO, and

nine cases were reported by Eurojust to the EPPO.¹⁴⁸ Fifteen new cases to support the EPPO were opened in 2023, involving non-participating Member States and third countries, with the Office being involved in 26 cases in total and six CMs during the year.¹⁴⁹ Still in 2023, Eurojust supported the first ever JIT established between the EPPO and Sweden, and five more cases and six CMs organised with the Office in the same year. These figures show that Eurojust has been active in responding to any request from the EPPO or involving the Office in relevant cases right from the start of the cooperation.

However, according to stakeholders consulted during the evaluation, the cooperation is not yet fully exploited, and there is room for improvement. One aspect to underline is that almost half of the national desks and liaison prosecutors answering to the survey was not able to provide information on how the cooperation with the EPPO enhances Eurojust's effectiveness (45%, 20 out of 44), or how effective it has been so far (49%, 21 out of 43), thus suggesting that the extent and rationale of the cooperation between the two organisations is yet not fully understood or grasped.

Moreover, according to the majority of national desks and liaison prosecutors answering to the survey (56%, 27 out of 48), the Agency has not yet taken the necessary measures to fully implement Art 50 of EJR and effectively respond to the requests from the EPPO, and for 27% (6 out of 22)¹⁵⁰ the cooperation has been weakly or not effective so far.

Some national desks fail to see strong cooperation with the EPPO yet, limited to provide the Office with the evidence needed in particular to cover non-participating countries, but that does not go beyond that. For instance, National Member indicated that they do not see how close cooperation with the EPPO can have an impact on the operational work of the desk, and another affirmed how cooperation is very much limited to supporting the EPPO in collecting the evidence of interest to reach their goals, but not having more effects on Eurojust's activities.¹⁵¹

The Eurojust College, in its position argued that the rationale for the obligation to share EB and College meeting's agendas with the EPPO – when issues discussed are of relevance for the exercise of the tasks of the EPPO – is not fully clear, nor is the need for inviting the EPPO to such meetings which are *de facto* key to the Agency's decision-making. However, based on the data available on the College's meeting agendas, only 17 out of 111 mention the EPPO, i.e. 15%, indicating how the presence of the Office is not so frequent in College meetings.

It should be noted, however, that, on the one hand, the cooperation is still relatively recent, and therefore some procedures and practices might need time to adjust and fully work. On the other hand, it represents an evolving cooperation, as the EPPO does not always need the support it did when established, also in terms of covering the Member States that are either not part of the EPPO but members of Eurojust, such as Hungary or Ireland, or have a cooperation agreement with Eurojust, such as Denmark.

In this context, consultations with Eurojust staff, national desks and EU officials indicated that the EPPO might encounter issues when considering that they do not have access to Eurojust data as they are owned by the individual countries, and this limits the interaction and use that the EPPO can make of the cooperation with Eurojust – instead of going directly to the individual Member State who owns the data: the fact that information included in the system on the Eurojust's side does not belong to the Agency but to the Member States, is deemed to slow down the process as national authorities might not agree – or not quickly – to share data with the EPPO. Moreover, similarly to what reported for Europol (see above), the implementation of the hit/no-hit system has not been without challenges: while no major issues were reported, both representatives from the EPPO and Eurojust indicated that the process took a long time,

¹⁴⁸ Eurojust (2023), Annual Report 2022.

¹⁴⁹ Eurojust (2024), Annual Report 2023.

¹⁵⁰ These figures do not include the respondents who answered "I can't say" which represent 49% of total responses. Source: survey to Eurojust national desks and liaison prosecutors.

¹⁵¹ Survey feedback from representatives of two national desks.

and was perceived quite technically challenging also due to limited IT sources available. As indicated by the figures provided above and confirmed by some national desks, the system seems not to have been used much to date, limiting its overall utility.

Cooperation with the **European Anti-Fraud Office (OLAF)** was characterised by the new working arrangement signed in 2023, which adapted the framework for collaboration to the new legal basis of both parties. It introduced novelties to try and enhance the opportunities for cooperation, including the provision for a multiannual Action Plan that allows for strategic actions to be implemented in longer periods, more flexibility in implementing the activities agreed, as well as regular meetings and exchanges of information.

While Art 51 EJR foresees the enhanced contribution of OLAF to Eurojust's work, this does not seem to have led to an increased cooperation just yet. OLAF participated in seven JITs between 2019 and 2022, but number of cases worked together between OLAF and Eurojust remains limited (2 in 2023, 1 in 2022)¹⁵² compared to other JHA partners, suggesting also how the scope for cooperation is not as large as with other entities. This was confirmed by a few representatives of national desks consulted, mentioning how cases with OLAF are rarely part of the work of the desk and limited opportunity for operational cooperation. Also, as indicated by a few Eurojust staff and national desks, the fact that OLAF is a partner but are not involved in the hit/no-hit system might create additional challenges, including a confusion in how to coordinate and exchange information with them.

However, the new cooperation agreement might produce effects that are not yet visible in terms of new cases or other forms of collaboration. For example, OLAF and Eurojust started discussions regarding the possible involvement of OLAF in Eurojust own-initiative cases, in particular regarding fraud cases affecting the EU budget.¹⁵³ As reported during consultations with representatives of EU institutions, the cooperation between the two organisations is deemed very positive, also trying to identify new and more opportunities to cooperate, in particular outside the area of PIF-crimes following the establishment of the EPPO, such as such as environmental crimes, food fraud cases, waste trafficking. One liaison prosecutor underlined the good cooperation with OLAF through Eurojust, leading to opening a case on OLAF's initiatives.

Similarly to OLAF, Art 51 EJR provides for the **European Border and Coast Guard Agency** to contribute to Eurojust's work including by transmitting relevant information. Recent years have focused on the negotiations for a new working arrangement between Eurojust and FRONTEX, allowing for the exchange of case related personal data following the adoption by FRONTEX of their new Data Protection Implementing Rules. Negotiations were suspended in June 2022, as FRONTEX received a negative opinion from the EDPS on their implementing rules on processing of (operational) personal data,¹⁵⁴ and were not to be resumed until 2024.¹⁵⁵ This has considerably limited the actual exchange of information and therefore the cooperation between the two entities. In light of the new working arrangement, a proposal was submitted in 2024 for a seminar/training to present to the College the work of FRONTEX on cross-border crime, its role regarding the conflict in Ukraine, and the services it can provide in fields such as document fraud or its analytical products.

This is confirmed by the feedback collected during consultations with stakeholders. Over half of the national desks and liaison prosecutors answering to the survey were not able to provide any feedback on the cooperation with FRONTEX, and how this enhances the effectiveness of Eurojust, suggesting that this is not well developed and operational at the moment. Of the others, 71% of respondents (15 out of 21) indicated that this happened to a little or no extent, and 69% (9 out of 13) perceived the cooperation to be weak or not at all effective. This is also

¹⁵² Eurojust Consolidated Annual Reports for the years 2023 and 2022.

¹⁵³ Interview feedback from one representative of EU institutions.

¹⁵⁴ Eurojust (2023), Eurojust Consolidated Annual Report 2022.

¹⁵⁵ Eurojust (2024), Eurojust Consolidated Annual Report 2023.

due to the fact that possible areas of cooperation between Eurojust and FRONTEX are limited. The two organisations have different mandates, structures and operations, and therefore might be difficult to enhance further the cooperation, while it might be easier (for FRONTEX) to do so with Europol. Nonetheless, the member of one national desk indicated how the cooperation with some JHA actors besides Europol can also be negatively affected by a limited availability of human resources, time and expertise to make it efficient and effective, despite the potential for these organisations (in particular OLAF and FRONTEX) to be important partners for Eurojust.

Regarding cooperation with **other JHA partners**, the EJR does not include specific provisions (as for the organisations mentioned above); nonetheless, cooperation with Eurojust has progressed, with the number of shared initiatives (such as trainings, meetings and joint reports) remaining on track compared to the targets set by the Agency.¹⁵⁶

A new cooperation plan was set out with **eu-LISA** in 2021,¹⁵⁷ outlining detailed modalities of mutual support between the two Agencies and including the possibility for Eurojust to access eu-LISA's large-scale IT system European Criminal Records Information System – Third Country Nationals (ECRIS-TCN). In addition, the two Agencies worked closely (together with Frontex and Europol) to upgrade access rights to the Schengen Information System (SIS) in 2023, following upgrades made by eu-LISA.¹⁵⁸ Cooperation with **CEPOL** was instrumental to assess training needs in the area of counter-terrorism with the national correspondents for Eurojust for terrorism matters in 2021, as well as to contribute to CEPOL training activities: in 2022, Eurojust covered the judicial cooperation aspects in 16 CEPOL courses, amongst others, on trafficking of human beings for sexual exploitation, child trafficking, facilitation of illegal immigration, cross-border exchange of e-evidence, corruption, environmental crimes and JITs.¹⁵⁹ Interview with one EU official indicated the relevance of the support and cooperation that CEPOL has with Eurojust, in particular regarding capacity building activities for which Eurojust expertise is often needed – e.g. on the CEPOL Partnership against Crime and Terrorism Project or in relation to cooperation with third countries. The presence of a specific Eurojust contact point for CEPOL allows the smooth and effective cooperation between the two agencies.

Cooperation with **European Union Agency for Fundamental Rights** has been implemented through regular meetings, also following the definition of a Joint List of Action in 2023 in 12 common areas of interest, and within the scope of existing and planned work of the agencies also considering the changes in the mandates of the agencies in 2022 (with FRA's amended Regulation (increasing the Agency's scope of action in the area of judicial cooperation in criminal matters and Eurojust's amended Regulation allowing for the establishment of the Core International Crime Evidence Database). For instance, FRA presented the Directive on combatting terrorism to Eurojust's Counter-Terrorism Working Group, and its criminal detention database to Eurojust's College and Liaison Prosecutors in 2022. Moreover, in the same year, Eurojust participated in FRA's EAW project expert meeting, and joined the Steering Committee of FRA's project on violence and related human rights abuses against women fleeing the war in Ukraine.

In terms of participation to relevant EU actions and programmes in the field of JHA, Eurojust continued to participate to all **EMPACT** Operational Actions Plans, leading or co-leading 12 Operational Actions in 2022 and 13 in 2023. Within the EMPACT framework, EU Member States, agencies and other actors are expected to work closely together to address these key criminal threats. EMPACT targets the most serious crimes threatening European citizens: complex, high-impact, cross-border criminal activities. In this context, Eurojust's role is to assist

¹⁵⁶ Eurojust Consolidated Annual Activity Reports for the years 2021, 2022 and 2023.

¹⁵⁷ Eurojust and eu-LISA (2021), [Cooperation Plan 2021-2023 of Eurojust and eu-LISA - Implementing the Memorandum of Understanding between Eurojust and eu-LISA of 19 September 2017](#).

¹⁵⁸ EEUA (2024), Justice and Home Affairs Agencies Network – Final Report 2023.

¹⁵⁹ Eurojust (2023), Consolidated Annual Activity Report 2022.

prosecutors in coordinating the judicial follow-up for these cases and to provide access to its full range of tools, including coordination meetings, coordination centres and funding for JITS¹⁶⁰.

4.1.3.2 Cooperation with international partners

In terms of **cooperation with third countries, Eurojust proves to be generally effective**, further enhancing and expanding the collaboration under the new provisions of the Regulation.

The Art. 52 EJR introduced new aspects relating to the relations between Eurojust and authorities of third countries. In line with the provisions of the Regulation, Eurojust adopted two four-year cooperation strategies (see section 3.2.2) with third countries (as well as international organisations), including identification of those with which the Agency sees the operational need for cooperation. Moreover, despite the fact that Eurojust is no longer able to conclude agreements of cooperation directly (see section 3.2.2), negotiations have been authorised on new agreements with 13 third countries, to define their cooperation with Eurojust since 2020.

As further developed in Case Study 2, cooperation agreements allow for the systematic, quick and streamlined exchange of operational personal data, which are essential for investigations and coordinated responses across jurisdictions, significantly enhancing Eurojust's ability to fulfil its mission and implement its tasks, particularly when compared to previous working arrangements that did not permit the exchange of such information. Cooperation agreements provide a legal basis for exchanging operational personal data, ensuring compliance with EU and partner country data protection standards.

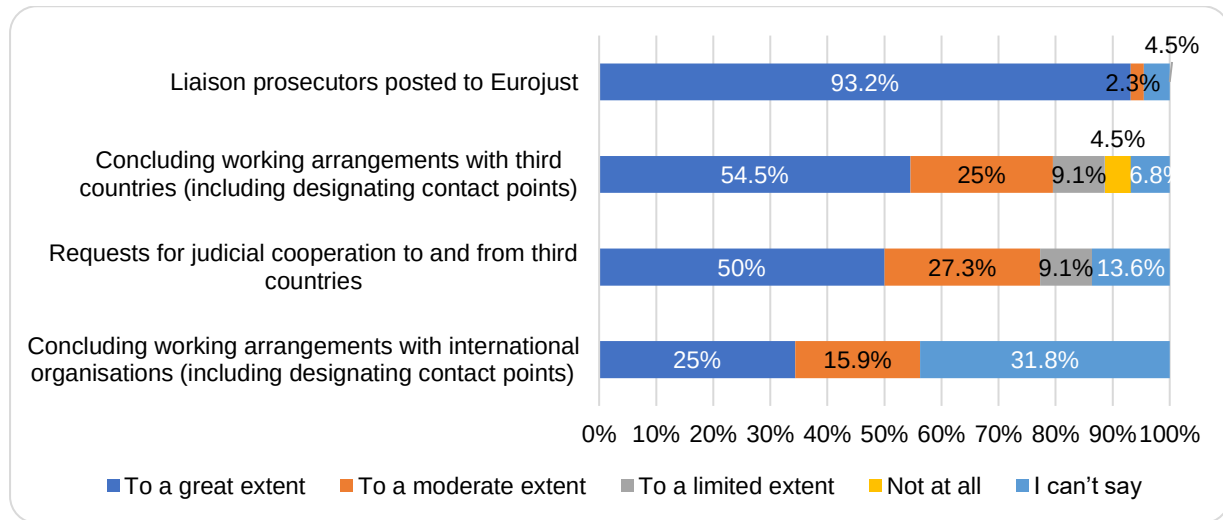
Eurojust has achieved the objective of strengthening cooperation with third countries to a large (50%, 22 out of 44) or moderate (32%, 14 out of 44) extent, according to the national desks and liaison prosecutors answering the survey, and to a great (45%, 77 out of 172) or moderate (33%, 57 out of 172) extent according to national stakeholders.¹⁶¹ Also, cooperation with third countries partners has been deemed very effective by 37% (16 out of 43) of national desks and liaison prosecutors, and moderately effective by another 42% (18 out of 43).

Interviews conducted with national desks and third country liaison prosecutors, as well as national stakeholders, confirmed the importance of the work of the Agency to deepen cooperation with third countries, and provide an invaluable opportunity to cooperate and coordinate on judicial matters. Both national desks and national practitioners have underlined how the role of and support from Eurojust is critical to ensure successful cooperation with third countries, which would be otherwise very complex (see also section 5 on EU added value), providing direct links and contact points which would be difficult to reach otherwise. Also, as shown in Figure 11 below, all cooperation activities implemented by Eurojust so far have been deemed to be at least moderately effective in strengthening the support of the Agency to national desks.

¹⁶⁰ European Union Agency for Criminal Justice Cooperation, EMPACT, available at: <https://www.eurojust.europa.eu/empact>

¹⁶¹ These figures do not include the respondents who answered "I can't say". Source: survey to Eurojust National Coordination System members and national practitioners.

Figure 11: Extent to which cooperation activities with third countries enhanced Eurojust's effectiveness in supporting national desks



Source: Survey of Eurojust national desks and liaison prosecutors (N=44)

The responses provided by stakeholders to the survey and interviews, as well as the analysis conducted in case study 2, indicate that cooperation is indeed progressing, but not necessarily to the full extent possible, and some challenges exist.

A first point to consider is the considerable added value that formal cooperation agreements provide, particularly in enhancing cross-border judicial cooperation, facilitating data exchange, and strengthening operational efficiency, as opposed to the limitations of working arrangements. Therefore, full cooperation can be achieved only with the 12 countries¹⁶² (plus the UK) with which such agreements are in place. However, negotiating and closing cooperation agreements require time and effort, and, as mentioned above, Eurojust is no longer able to conclude them directly but these are to be negotiated by the Commission and approved by the Council and the European Parliament. Eurojust is not excluded from the design of this decision-making process, in particular by identifying the third countries with which start negotiations due to a need for cooperation.

The Eurojust administration estimates that when only counting activities and desk work undertaken in direct support of the negotiations, the time necessary to support these activities per round are as follows: Two days of preparation, 1.5 to 2 days per negotiation proper (in person in Brussels). The number of rounds per negotiation varies (three rounds were needed for Armenia, while eight rounds have already been conducted for Algeria, with another 2 planned). Fourteen days are then needed for the WA implementing IA. In addition, support activities (including study visits, meeting with the prosecution services etc) take approximately 18 days. This amounts to a total of 0.15 FTE per completed negotiation. **While this is a lower burden than when Eurojust held the competence, the number of parallel negotiations has increased.** The administration must now coordinate more closely, both internally and with the Commission, on all activities involving non-EU countries. Another constrain is the limited resource from the Commission's side to dedicate to these activities. This may explain the slow down in the expansion of the network of liaison prosecutors. Since the entry into force of the EJR, no additional liaison prosecutors have been appointed through fully-fledged international

¹⁶² Albania, Georgia, Iceland, Liechtenstein, Moldova, Montenegro, North Macedonia, Norway, Serbia, Switzerland, Ukraine, and the United States.

agreements concluded by the EU for cooperation with Eurojust. The LPs for Moldova and Iceland have been seconded on the basis of cooperation agreements concluded in 2019.

The **presence of representatives from third countries in judicial cooperation** is particularly important in areas such as organised crime, trafficking, or online fraud where there is a natural cross-border element outside the EU borders. The fact that third countries liaison prosecutors are posted at Eurojust's premises is considered a very effective element for the success of Eurojust in supporting national desks. However, stakeholders have also underlined some limitations to the provisions related to this role: for example, the Regulation does not contain any indications regarding the competences and status of liaison prosecutors seconded to Eurojust by third countries. As some cooperation agreements might be quite general – as indicated by one liaison prosecutor – having more specific indications of the role and responsibilities of liaison prosecutors. In addition, as reported by a few national stakeholders answering to the survey, there is a significant difference between the cooperation with the countries that have liaison prosecutors posted to Eurojust and any those that might have designated contact points by virtue of agreements that have more an institutional component, but no real operational duties. Moreover, the College indicated how the possibility of hosting liaison prosecutors being limited to third countries with a cooperation / international agreement risks limiting potential cooperation with other countries, which require to undergo the long and complex process of signing an agreement before being able to engage them and include in the Agency's sphere of influence.

Finally, **another element, reported by stakeholders, which is affecting the cooperation with third countries concerns the data protection regime**. On the one hand, cooperation agreements signed by Eurojust with third countries have been instrumental to ensure the effective exchange of operational data, ensuring compliance with the EU rules and regulations. For instance, the agreement with the UK is aligned with the GDPR and its principles, while the ones with Albania and Ukraine make sure that they comply with a good-enough standard, in this case set out in Council of Europe Convention No. 108. On the other hand, however, third countries might not be ready to take up the EU data protection regime, which can slow down the process.¹⁶³ Requirements around data protection can impact the negotiations and the signature of agreements, as third countries would need to adjust to such a legislative regime which can be deemed to be quite heavy. In particular, regarding information coming from third countries, consultations indicated that it would be difficult for Eurojust to verify and bear responsibility for the information received, which makes the Agency more careful in dealing with this aspect.

Cooperation with **international organisations** constitutes another integral part of the international work of Eurojust. The 2022-2023 Strategy for enhancing strategic relations with third countries and international organisations underlined the importance of enhancing relations with the **UNODC** through meetings and exchanges. The work with the UNODC has been instrumental in facilitating contact between Eurojust and other networks, such as the West African Network of Central Authorities and Prosecutors in 2023.¹⁶⁴ As mentioned further below, cooperation with the International Criminal Court was enhanced in the in the context of the JIT investigating alleged CIC committed in Ukraine. Work with the **Council of Europe** has also progressed, with the organisation of a joint conferences on cybercrime, participation from CoE in the European Judicial Cybercrime Network in the Euromed Justice project. Eurojust has also been invited to CoE capacity-building activities to explain its role and operations.

According to consultations, a few Eurojust staff and national desks mentioned how cooperation with international organisations is somehow limited by a perceived lack of resources which does not allow to allocate the necessary time and effort to further develop it, considering the other

¹⁶³ Interviews with representatives of three national members, survey feedback from four national desks.

¹⁶⁴ Eurojust (2024), Consolidated Annual Activity Report 2023.

priorities to deal with.¹⁶⁵ Moreover, as indicated by one international organisation official during interviews, despite a positive experience, a challenge is that Eurojust primarily serves EU Member States and acts on demand when they see the need for cooperation, which can limit the engagement with third countries and international organisations if not linked to a specific topic or project.

4.1.4 Work to support the fight against impunity for international crimes and Ukraine

One of the areas that saw specific developments linked to the EJR – and in particular the Amending Regulation 2022/838 – is relating to international crimes such as genocide, crimes against humanity, war crimes. As indicated in section 3.2, this development was linked to the Russian war of aggression against Ukraine and was aimed to ensure safe storage of evidence outside Ukraine as well as to support the investigations and prosecutions by various European and international judicial authorities.

Based on the evidence collected, **the actions of Eurojust have been effective in producing outputs supporting the fight against impunity for international crimes**, and more specifically in relation to the situation in Ukraine, even if it might be too early to further assess the results achieved in this area.

National desks, liaison prosecutors¹⁶⁶ as well as national stakeholders answering to the survey agreed that Eurojust effectively adapted to the changing context in relation to the Russia's war of aggression in Ukraine through the amendment of the Eurojust Regulation by Regulation (EU) 2022/838.

In practice, Eurojust's response was substantial, and the role in fighting core international crimes has been significantly enhanced, including:

- A first CM involving 31 countries specifically on the cooperation to tackle war crimes in Ukraine was organised in March 2022, six days after the outbreak of the war.
- A JIT was established in March 2022, within three weeks after the war begun. The JIT had the objective to facilitate investigations and prosecutions in the states concerned, as well as those which could be taken forward to the International Criminal Court. The JIT was set up by Lithuania, Poland and Ukraine and later joined by Estonia, Latvia, Romania and Slovakia. The US (through MoU), Europol and the ICC participate in the JIT.
- Following the 2022/838 amending Regulation:
 - The establishment of the Core International Crimes Evidence Database (CICED), a tailor-made judicial database set up by Eurojust to preserve, analyse and store evidence of core international crimes (genocide, crimes against humanity and war crimes), and which enabled the Agency to support national judicial authorities in identifying evidence located in another country that may be relevant to their own investigation.
 - The creation of the International Centre for the Prosecution of the Crime of Aggression in Ukraine (ICPA), launched in July 2023, and relying on evidence submitted to CICED – also in the context of other international crimes.

Eurojust has ensured that the work of the JIT established in 2022 remains aligned with the various national Ukraine-related investigations currently ongoing in over 20 countries. In a year, the Agency hosted 16 coordination meetings of the JIT and other national authorities

¹⁶⁵ Interviews with one representative of Eurojust staff, survey feedback from two national desks.

¹⁶⁶ 94% (n=31) of respondents to the survey agreed or strongly agreed that Eurojust adapted well in the context of the Russia's war of aggression against Ukraine. These figures do not consider the respondents who answered "I can't say". Source: survey to national desks and third country liaison prosecutors.

investigating alleged core international crimes committed in Ukraine, with prosecutors and investigators from 26 EU Member States and 10 third countries. Since its establishment, 24 cases have been opened at Eurojust by national authorities in 10 Member States and 2 third countries in support of ongoing investigations related to war crimes and crimes against humanity following Russia's invasion of Ukraine.¹⁶⁷

Since February 2023,¹⁶⁸ **CICED** has received more than 2,000 files linked to evidence related to war crimes in Ukraine from the national authorities of 14 countries. National stakeholders have not reported a great use of the tool yet¹⁶⁹ but it is possibly too early to assess its full implementation. Interviews with Eurojust staff, national desks and liaison prosecutors, as well as some survey feedback from national stakeholders, have underlined the strong proactivity of Eurojust in establishing CICED (which represented also a boost both in IT capabilities and specific resources available). However, a few national desks indicated how it will be important to link and integrate the database with the new CMS,¹⁷⁰ in order to exploit its full potential, also for the definition of own initiatives.

Similarly, **ICPA**¹⁷¹ has been considered by Eurojust staff and national desks interviewed an important change,¹⁷² forming part of the support structure of Eurojust to the JIT on alleged core international crimes committed in Ukraine. ICPA allows independent prosecutors from different countries to work together in the same location on a regular basis, exchange evidence directly, and coordinate a common investigative and prosecution strategy. Being located in The Hague brings the advantage for ICPA to have direct access to the other networks and their expertise, in particular the Genocide Network Secretariat hosted at Eurojust, but also benefits from close cooperation and coordination with the ICC and other international justice actors. However, one national desk underlined how the lack of meeting rooms is affecting the full potential of the Centre.

While they are regarded as two important and effective developments, a few national desks raised the concern that CICED and most prominently ICPA are perhaps going beyond the original identity and purpose of Eurojust and the Regulation, requiring for this reason a specific amendment. In addition, they were linked to a specific, exogenous event that drew additional resources specifically for this purpose, which would need to be guaranteed in order to maintain it operational in the future. It should be noted that the Commission has already foreseen adjustments following the establishment of ICPA, with a reinforcement of the Agency establishment plan by four temporary agents in 2024.¹⁷³

In addition, there is a potential limitation in the exchange of information stored in the CICED with other actors, such as Europol and the International Criminal Court (ICC): even though strategic and ad-hoc operational cooperation with these actors is ongoing and subject to the EJR provisions, the current legal framework does not allow for the systematic exchange of operational personal data without a specific agreement on cooperation concluded between the EU and the ICC.

Besides the developments mentioned above, Eurojust implemented **additional activities** to strengthen its role in the area of international crimes such as genocide, crimes against humanity, war crimes and the war in Ukraine. For instance, a series of training sessions was organised by

¹⁶⁷ Eurojust (2024), Eurojust Annual Report 2023.

¹⁶⁸ Eurojust (2024), Eurojust Annual Report 2023.

¹⁶⁹ 87.8% (n=253) of national stakeholders answering to the survey reported no use of the CICED yet, with only 6% (n=17) reporting to use it at least every 3 months. These figures do not include the respondents who answered "I can't say". Source: survey to Eurojust National Coordination System members and national practitioners.

¹⁷⁰ Interviews with three representatives of national desks.

¹⁷¹ In 2023, ICPA consisted of participants from six countries (Ukraine, Estonia, Latvia, Lithuania, Poland and Romania), while the United States appointed a Special Prosecutor for the Crime of Aggression to support the ICPA's activities, and the Office of the Prosecutor of the ICC has designated staff to participate as well. Source: Eurojust (2024), Eurojust Annual Report 2023.

¹⁷² Interviews with two representatives of Eurojust staff and three national desks.

¹⁷³ Amending Letter No 1 To the Draft General Budget 2024 – Updated estimated needs for agricultural expenditure Other adjustments and technical updates - COM/2023/531 final.

the Genocide Network in 2023 on the investigation and prosecution of core international crimes, alongside joint training by the Genocide Network, the European Judicial Training Network (EJTN) and the International Nuremberg Principles Academy (also involving two Ukrainian prosecutors), and six online workshops on practical issues faced when investigating and prosecuting core international crimes for JIT members investigating crimes committed in Ukraine.¹⁷⁴

4.1.5 Conclusion

Overall, **the Regulation sufficiently addresses the key operational needs of the Agency.**¹⁷⁵ Eurojust seems to be **very effective in providing the necessary operational support** to national authorities following their requests. However, as emerged from the analysis conducted and described in the previous sections, the operational objectives show different levels of achievement, with some challenges and limitations affecting the overall performance of the Agency.

Eurojust has been very effective in terms of supporting Member States in the investigation and prosecution of cases. The work that Eurojust performs to strongly facilitate the national authorities and prosecutors in their work, providing a good platform for Member States and third countries to exchange, cooperate, coordinate and develop joint actions. The support provided on key activities such as CMs, CCs, and JITs, as well as projects is deemed to be generally very effective.

Shortcomings and challenges in this area are linked both to the Regulation and practices in the Member States which affect the overall achievement of the objective.

Differences in the national structures, but also approaches and commitments, the proactivity and capacity of national desks, affect the volume and complexity of requests they may be able or willing to handle. This in turn influences the effectiveness of the Agency's support to operational work. Differences among national desks – which remain the cornerstone of the Agency as representatives of the national authorities that the Agency supports – can also be an issue with regards information exchange. Some countries are more reluctant to exchange information with other judicial authorities, especially at early stages of investigation, eventually causing delays that might hamper the work of prosecutors in other countries.

These aspects, while not necessarily linked to the Regulation could be clarified and strengthened. The EJR allows national central authorities to define different status (Art. 7 EJR) for their National Members and deputies – which might have different expertise and experience in judicial cooperation – as well as to grant them additional powers (Art. 8 EJR) without specifying which these are. This may further enhance differences among Member States, and therefore the heterogeneity of practices within the Agency.

Moreover, **the casework at Eurojust is still affected by a large number of “simple requests”** which could – and should – be better addressed either bilaterally or through the EJN. They have the effect of diverting resources away from areas where the Agency has most added-value (i.e. complex multilateral cases). The lack of agreed common understanding of the types of cases that should be dealt with by Eurojust is a key reason behind the current situation.

A key role in the process should be played by the ENCS. However, the effectiveness of ENCS' varies from country to country – and in some cases an ENCS is not yet established. Again the EJR remains vague on the composition of the ENCS, indicating that national members of the

¹⁷⁴ Eurojust (2024), Eurojust Annual Report 2023.

¹⁷⁵ According to 56% (n=27) of respondents, the Regulation addresses the operational needs to a great extent, while it does so to a moderate extent according to another 29% (n=14). These figures do not include the respondents who answered “I can't say”, which constituted 8% of responses to the question. Source: survey to national desks and third country liaison prosecutors

ENCS should have the “*skills and experience necessary for them to carry out their duties*”, but without clarifying further (Art 20 EJR).

The EJR sought to clarify the Agency’s mandate and tasks, in particular regarding its operational work focusing on the support to national investigating and prosecuting authorities and cooperation with partners and third countries. However, in some cases, the Regulation’s provisions might not be sufficiently specific or clear to ensure the full effectiveness of Eurojust’s operations.

The Regulation introduced important changes to the governance model of Eurojust, and specifically by creating the Executive Board to support the College in the management of the Agency, and in particular non-operational matters. While this was another step towards the definition of Eurojust as a fully-fledged Agency, it has resulted in a complex internal setup. The internal organisation is cumbersome, resulting in ineffective decision-making processes. This is exacerbated by a lack of clear vision and leadership stemming from the collegiate nature of the Management Board (i.e. the College). This is limiting Eurojust’s ability to operate as a modern and agile organisation, which limits in particular the possibility to react swiftly to unforeseen events. It also creates risks of conflict of interests, when the College acts a Management Board affected the daily working conditions and benefits of National Members (composing the College).

The definition of roles and responsibilities of Eurojust administration and its functions, particularly vis-à-vis the tasks of the national desks, is not always clearly defined. For example, Art. 6 EJR does not mention Eurojust staff, and no specific chapter is therefore dedicated to clarify their tasks and roles as part of the administration and supporting casework in combination with the national desks. This has created a certain confusion in particular with regard to the work of NDAs.

The responsibilities of national desks, as defined in Art. 8 EJR remain quite broad, not specifying which additional responsibilities national authorities should grant National Members. The dual role of National Members as heads of the national desks and members of Eurojust’s Management Board is not also fully reflected in the Regulation.

The role of Eurojust when acting on its own initiative represents one of the areas where the Agency can provide added value. However, this **is one area where the actions of Eurojust appear still limited**, as therefore is the achievement of the objective. On the one hand, Eurojust is registering new cases implementing the own initiative provisions (11 in 2024), with implementation being on track for the target set by the Agency. In addition, the work done related to CICC and ICPC in the area of international crimes can be considered an example of own initiative. On the other hand, however, a stronger implementation in this area is limited by a certain lack of understanding of the concept, and its link to the Agency’s mandate. In addition, adequate access to data remains crucial to act on own initiative, and Eurojust faces limitations in the area. It should be noted that, however, several actions that might be labelled as “own initiative” are not registered as such due to the process followed by national desks in liaising with the national competent authorities and confirming the cases to Eurojust.

The key strength of Eurojust clearly lies in enhancing cooperation, including with partners both within the EU (IBOAs, networks) and outside (International Organisations, Third Countries).

The Regulation introduced several provisions on this area of Eurojust’s cooperation. The Regulation took into account all developments up to the point of its drafting – and primarily the establishment of the EPPO. However, one of the key issues encountered and affecting the cooperation with other EU partners relates to the information obligations that Eurojust has. The Agency uses Europol’s platform (SIENA) to exchange information, which lacks an automated interface, creating risk when transferring data manually from SIENA to the CMS. Data ownership for cases in Eurojust’s CMS lies with the Member States. This limits the opportunities for

operational cooperation and leads to inefficient processes that consume valuable time and resources. Moreover, the existing tools for data sharing (e.g. hit/no-hit system) have been implemented through a slow and complex process, and heavily affected by the fact that the Eurojust's IT infrastructure is not currently state-of-the-art.

Cooperation with third countries seems to have been generally effective. Despite the impossibility for the Agency to conclude agreements directly with third countries, actions have been taken to broaden cooperation with non-EU countries.

Despite the continuous work in this area, some challenges exist. One is linked to the fact that posting Eurojust liaison magistrates has not been implemented, due to a lack of clarity in the relevant provisions and the resources required for implementation. Moreover, the need to conclude international agreements before posting liaison prosecutors at Eurojust, and their access to the CMS, is deemed by the College to be potentially restricting the engagement of priority jurisdictions and their integration into Eurojust's sphere of influence, especially considering the length and complexity of the process leading to a cooperation agreement.

The EJR also introduced several provisions related to the data protection, processing and exchange which are necessary for the Agency to abide to the existing legal framework. While this is seen as a hinderance by some national desks, it is a required condition for data to be shared with third countries.

4.2 Efficiency

This section focuses on the relationship between the human and financial resources available to Eurojust, as described in section 3.1, and the outputs and results achieved. Through this assessment, we seek to answer the overarching question: **‘To what extent have the objectives of the Eurojust Regulation been achieved at a reasonable cost?’** The section is structured as follows:

- **Summary of the costs and benefits** stemming from the EJR.
- **Efficiency of Eurojust’s working practices.** This subsection evaluates the efficiency of Eurojust’s activities, governance structure, and resource allocation. It aims to address the relationship between inputs and outcomes across casework, cooperation with partners, and strategy/policy work. It also examines the impact of Eurojust’s governance structure on operational efficiency and explores possibilities for simplification and cost reduction.

Further information on the evaluation framework guiding this assessment of efficiency is presented in Annex 2.

4.2.1 Summary of the costs and benefits stemming from the EJR

4.2.1.1 Summary of the costs

An overview of Eurojust’s budget over the evaluation period is provided in table below. This compares with a committed budget of EUR 38.6million in 2018 and EUR 38.9 million in 2019. The table shows an increase in annual commitments between 2018 and 2023 (with a slight dip in 2022), with an average annual growth rate of 10%.

Table 24: Budget overview 2018-2023 (EUR thousands)

Budget Execution	2018 (baseline)	2019 (baseline)	2020	2021	2022	2023
Committed budget	38,583	38,868	41,696	53,280	50,151	55,264
Staff expenditure (%)	54%	56%	51%	43%	51%	55%
Infrastructure and operating expenditure (%)	19%	19%	22%	17%	25%	26%
Operational expenditure (%)	27%	25%	27%	40%	24%	20%
Expenditures related to operational projects based on agreements (%)	0%	0%	0%	0%	0%	0%
Year-on-year growth rate in commitments	n/a	1%	7%	28%	-6%	10%
Committed/final budget (%)	99.94%	99.88%	99.99%	99.97%	99.93%	99.77%
Paid/committed (%)	86.96%	90.72%	85.10%	69.50%	87.30%	91.80%
Paid/final budget (%)	86.91%	90.61%	85.10%	69.50%	87.30%	91.60%

Source: Eurojust’s budgetary and financial management reports 2020 – 2023

Note: ‘Staff expenditure’, ‘Infrastructure and operating expenditure’, ‘Operational expenditure’, and ‘Expenditure related to operational projects based on agreements’ categories encompass budget lines beginning with numbers 1; 2, 3, and 4, respectively. See Annex 4 for a detailed overview of budget lines and data on budget execution.

Eurojust reported that internal challenges such as budget constraints (due to receiving less funding than requested) and staffing shortages have impacted the Agency's ability to fully implement its planned activities. As discussed in section 3.1, these challenges may point to ongoing difficulties in aligning programming and human resource management with the resources allocated. From DG BUDG's perspective, although agencies, including Eurojust, are aware of the ceilings and their likely allocations set by the MFF in advance, Eurojust's requests for funding still exceed these ceilings by 30 - 40% annually. Nevertheless, Eurojust has benefited from significant increases in its budget over the evaluation period. Significant reinforcements of EU contribution to Eurojust were also granted over the evaluation period, including for further development of the CMS in 2021 and 2022 (by EUR 9.5 million and EUR 2.4 million, respectively¹⁷⁶), and to address exceptional inflationary pressures on salaries in 2023 and 2024 (inflation and salary adjustments were the main drivers of increased amended EU funding in 2023 and 2024, accounting for approximately EUR 2.5 million and EUR 2.6 million, respectively¹⁷⁷).

Looking at the final allocated budget implementation (committed/final budget (%), **Eurojust manages the allocated resources efficiently in terms of the proportion of the allocated funds that were committed each year**. Overall, the Agency managed to adapt effectively to growing operational demand and external challenges such as COVID-19, resulting in consistently high budget execution rates. The Agency adapted by investing in ICT infrastructure and other teleworking solutions.

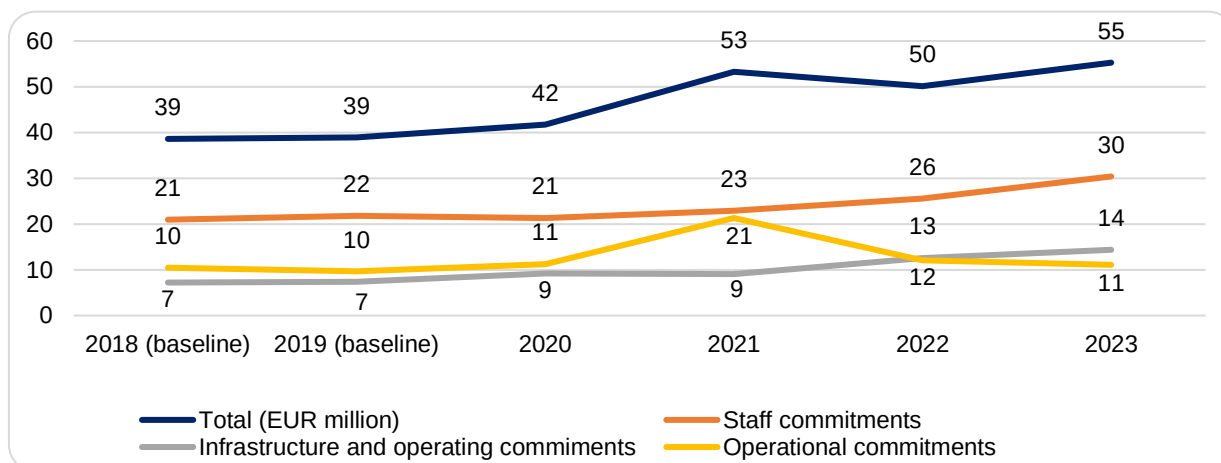
As can be seen in Table 24, a very high proportion of the allocated funds were committed each year (between 99.77% to 99.99% each year) over the evaluation period, showing consistently **efficient use of the allocated budget in terms of commitments**. The utilisation rate (paid/committed) increased over the evaluation period from around 85% in 2020 to over 91% in 2023, with the exception of 2021, which was affected by the COVID-19 pandemic – the change in percentage committed to the different types of activities in 2021 was caused by a temporary doubling of the operational commitments from around EUR 11.2 million in 2020 to EUR 21.3 million in 2021¹⁷⁸ – this was followed by a decrease to previous levels (EUR 12 million in 2022). None of the other budget categories experienced the same rate of increase in 2021. The commitments by budget category are summarised below (Figure 12).

¹⁷⁶ Source: Eurojust CAARs 2021 and 2022.

¹⁷⁷ The figures on EU contribution amendments to address the exceptional inflationary pressures on salaries in 2023 and 2024 were obtained in consultation with DG BUDG. These amendments were granted in addition to earlier increases to the MFF ceilings, which had already been adjusted to account for the impact of Legal Financial Statements (LFS), salary inflation, and other additions.

¹⁷⁸ This increase is primarily due to the allocation of a significant sum of money to the development of the new CMS (EUR 9.5 million in 2021) under the Digital Criminal Justice programme/projects budget line (code 3311, see Annex 4 for more details).

Figure 12: Development of annual commitments by budget category (EUR million)



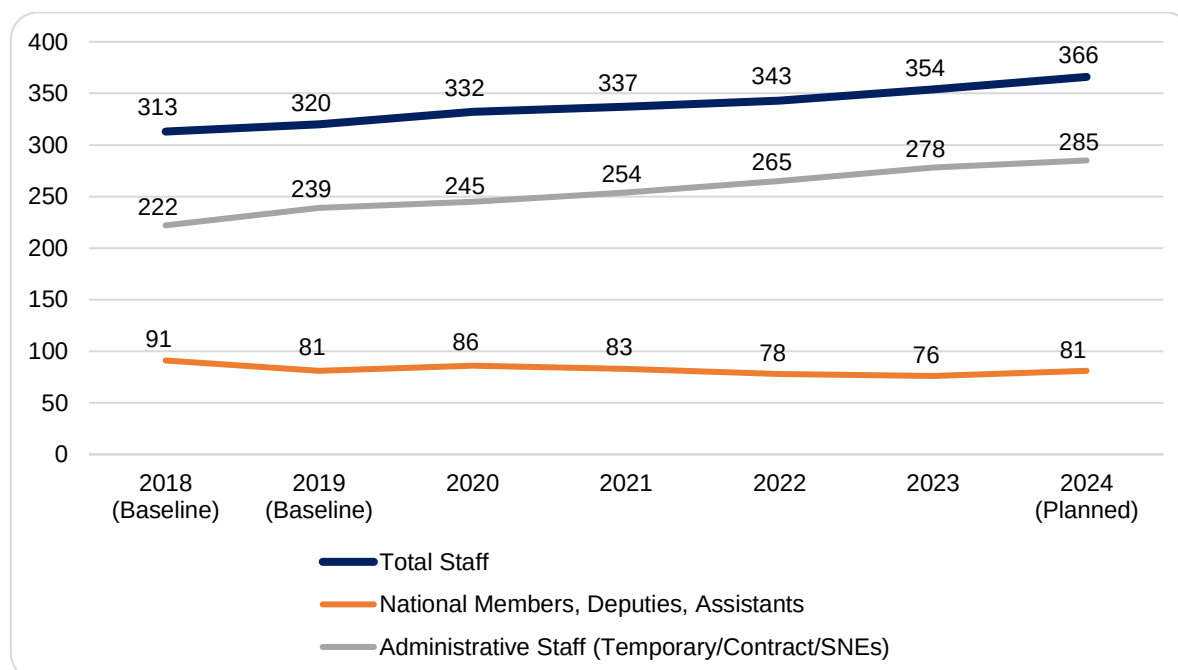
Source: Eurojust's budgetary and financial management reports 2018 – 2023

Note: Staff commitments include the following categories: staff in active employment (temporary and contract staff), missions and duty travel, socio-medical infrastructure, external and social services and representation expenses and internal meetings. Infrastructure and operating commitments include rental of buildings and associated costs, data processing, movable property and associated costs, current administrative expenditure, and postal charges, telecom and computer infrastructure. Operational commitments include meetings, seminars, trainings and representation, operational and experts missions, public relations and publications, data and documentation, translations case work, EJM projects, meetings and representation expenses, JSB meetings and representation expenses, JIT meetings and other expenses, and meetings on genocide and other expenses.

More granular data on annual commitments (by budget line) is presented in Annex 4. 'Staff expenditure', 'Infrastructure and operating expenditure', 'Operational expenditure' categories encompass budget lines beginning with numbers 1; 2, 3, respectively.

Between 43% and 55% of the budget each year was committed to the staff category, highlighting the importance of human resources for Eurojust's work. The number of staff is summarised below (Figure 13), together with the average cost per member of staff (Figure 14).

Figure 13: Development in actual (2018 – 2023) and planned (2024) staff numbers

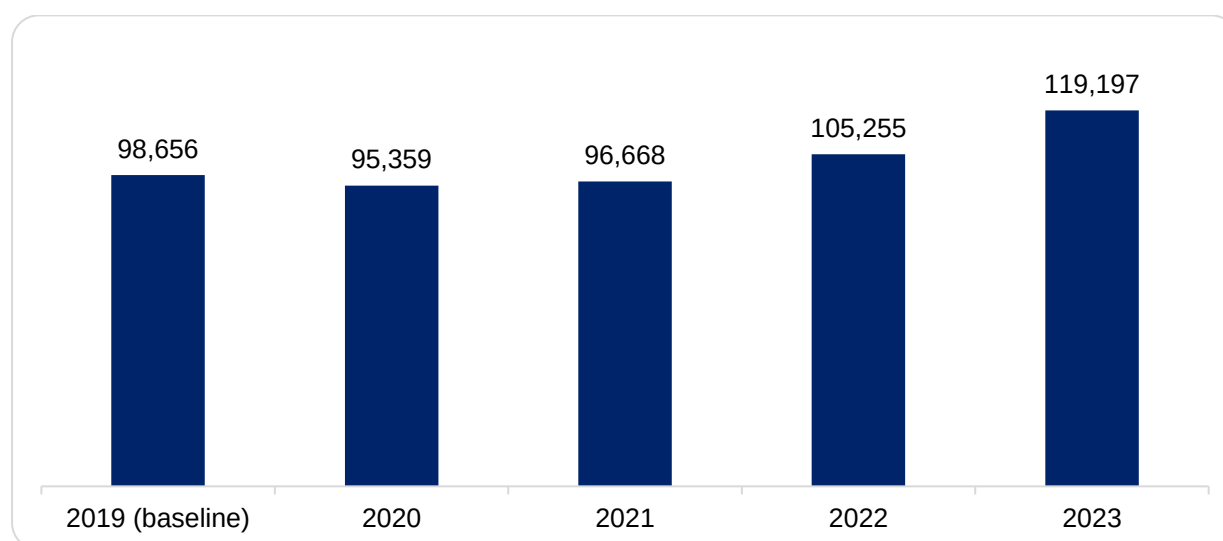


Source: Annual Reports 2018 and 2019; CAARs 2019 - 2023; SPD 2022 – 2024. Figure prepared by the study team.

Note: The Administrative Staff category includes the headcount of temporary staff, contract staff and seconded national experts on 31/12 of the respective years. This number does not include contract staff funded under Denmark's financial contribution to Eurojust, nor contract agents funded through externally funded programmes.

The overall number of staff supporting National Desks and operational functions grew steadily over the evaluation period. The steady growth in total staff numbers and commitments per staff member also must be **contrasted against the increased workload**.

Figure 14: Annual commitments (EUR) per staff member in active employment (temporary and contract staff)



Source: Eurojust's budgetary and financial management reports 2019 – 2023; data for 2018 baseline year were not available

Although the figure above shows an increase in commitments per staff member in active employment (i.e. temporary and contract staff)¹⁷⁹ over the evaluation period, this does not necessarily mean that the efficiency of Eurojust's operation decreased since the percentage of staff allocated to operational tasks increased. There was a gradual increase in the number of staff dedicated to operational tasks (staff designated as the administrative team in Figure 13 were also involved in operational tasks). In addition, the compounded Harmonised Index of Consumer Prices (HICP), between 2020 and 2023, equalled 17.6%¹⁸⁰, resulting in inflation-adjusted commitments per staff member from 2020 of EUR 112,098 and meaning that the inflation component likely accounted for the vast majority of the overall increase in commitments per staff member over the evaluation period.

The results of job screening exercises conducted by Eurojust's Human Resources Unit between 2019 and 2023 show a continued increasing trend of staff allocation towards operational roles over the evaluation period.¹⁸¹ The table below outlines the human resources distribution across different categories such as operational, administrative, and coordination roles. The share of staff in operational functions rose from 69.5% in 2019 to 73.5% in 2023 reaching the highest levels since the screenings began in 2014. On the other hand, the share of staff allocated to administrative support and coordination roles decreased from 23.1% in 2019 to 19.8% in 2023, indicating a shift away from administrative tasks towards more critical operational work. **This suggests that, overall, the efficiency of the use of staff increased significantly over the evaluation period.**

Table 25: Job screening and benchmarking against baseline (2019 – 2023)

Job Type (sub) category	2019 (%)	2020 (%)	2021 (%)	2022 (%)	2023 (%)
Administrative Support and Coordination	23.1	24	23.7	23.7	19.8
Operational	69.5	69.8	70.2	70.3	73.5
Other	7.4	6.2	6.1	6	6.7

Source: CAARs 2020, 2021, 2022 and 2023.

Note: The screening is based on European Commission's methodology. Within Eurojust, the following roles were classed as operational - Head of Casework, Head of Data Management, Senior Judicial Cooperation Officer, Judicial Cooperation Officer, Judicial Cooperation Assistant, and Secretary to the College. Administrative roles included Head of Human Resources, Head of Communications, Head of Budget, Finance & Planning, Head of Information Management, Data Protection Officer, and Accounting Officer. Lastly, the following roles are not clear-cut as their classification as administrative or operational depends on their specific functions and they were reported as administrative/operational by EJ - Head of Department, Head of Unit/Head of Office, Head of Secretariat, Head of Sector/Senior Officer/Advisor,

¹⁷⁹ Please note that the calculation method may very slightly overestimate the staff costs per staff member in active employment because the staff cost category by Eurojust also includes costs of services that are also used by national members, e.g. canteens and kitchenettes. The bulk of the staff cost category (95%), however, is comprised of salaries and allowances for temporary and contract staff.

¹⁸⁰ As reported in the 'HICP - monthly data (annual rate of change)' dataset available on Eurostat, the HICP annual rate of change was 1.2%, 5.6% and 10% in January 2021, 2022, and 2023, respectively. The dataset used for the calculation is available at: https://ec.europa.eu/eurostat/databrowser/view/PRC_HICP_MANR_custom_15895775/default/table?lang=en

¹⁸¹ As already described in the previous section on baseline, the screening is a part of a wider inter-agency benchmarking exercise, in accordance with Article 29(3) of the Framework Financial Regulation, which was initiated by the Commission. Staff figures are reported in the following categories as part of this exercise to allow for comparison between agencies: (1) administrative support and coordination, (2) operational matters and (3) neutral. The definition of these three categories was agreed in a working group composed of EU agency representatives and the Commission. Administrative support and coordination roles are defined as enablers of the operational jobs by being responsible e.g. for HR, ICT, logistics, etc. An operational role is defined as serving frontline activities. Financial management, control and linguistics at agency level as well as on-the-spot audit roles are treated as neutral.

Head of Sector/Officer, Officer, Administrative Assistant, and Clerk. Financial management, control and linguistics roles at EJ are treated as neutral.

4.2.1.2 Summary of the outputs and results

The budget increases set out above need to be considered in the context of the increased workload summarised in this section. The review in this section shows that the workload of Eurojust increased over time, in particular as regards the number of cases (for a discussion of the reliability of the number of cases as a measure of activity, refer to section 4.1). It is important to remember that despite the differences in the types of cases supported, all cases recorded within Eurojust's CMS count as one within the monitoring statistics, casting doubt on the utility of this metric to assess the Agency's impact. Case study 1 (Annex 6) provides greater insight in the lifecycle of a case at Eurojust.

Casework

Caseload and number of closed cases is an important output indicator when assessing the Agency's efficiency. Table 26 shows an increase in the number of cases of Eurojust by national desks over the evaluation period. The average year-on-year growth rate in the number of new and ongoing Eurojust cases was 14%.

Table 26: Evolution of the number of Eurojust cases, 2019-2023¹⁸²

Case types	2019	2020	2021	2022	2023	Average growth rate (2019-2023)
Total (new and ongoing) cases	7,804	8,799	10,105	11,544	13,164	14.0%
Closed cases ¹⁸³	3,604	3,991	4,878	5,834	N/A	17.5% ¹⁸⁴
Share of closed out of total cases	46.2%	45.4%	48.3%	50.5%	N/A	

Other interesting output measures include the share of cases falling under priority crime areas, the number of referrals to and from the European Judicial Network (EJN), numbers of coordination meetings and centres, number of deliverables in support of casework and JITS. The growth in these output measures is summarised in Table 27, which builds on a more extensive output analysis in section 3.2. Over the evaluation period, the activities of the Agency in terms of outputs have increased. When data for 2020, which was heavily influenced by the COVID-19 pandemic, are excluded, all output indicators are characterised by a positive average growth rate ranging from 1.2% to 54.9%. Importantly, there were significant increases in the output indicators that are more likely to directly relate to impacts rather than administrative activities. As an example, the total number of referrals from and to EJN increased by 54.9% per year (when 2020 data are excluded) and the number of new JITS supported increased by 6.1% per year (when 2020 data are excluded). The jump for 2023 may be due to better reporting and recording of the KPI rather than an actual changes in the number of cases referred to and from the EJN. The number of deliverables in support of casework also increased substantially (by 8.8% per year when 2020 data are excluded).

¹⁸² 2024 figures are not yet available. Figures for new and ongoing cases taken from the respective Consolidated Annual Activity Reports (2019, 2020, 2021, 2022, and 2023). Closed cases calculated based on closed + ongoing cases in year N, minus ongoing cases in year N+1

¹⁸³ Closed cases calculated based on closed + ongoing cases in year N minus ongoing cases in year N+1.

¹⁸⁴ Growth rate for 2019-2022

Table 27: Growth in activities undertaken by Eurojust relevant to casework¹⁸⁵

KPI	Average growth rate (2019-2023)	
	2019-23	2020 excluded ¹⁸⁶
Share of cases falling under EJ priority crime areas	4.9%	2.6%
Total number of cases referred from and to the EJN	70.6%*	54.9%
Number of coordination meetings	8.7%	14.2%
Number of coordination centres	-4.6%	1.7%
Number of deliverables in support of casework	6.4%	8.8%
Number of ongoing JITs from the previous year	4.1%	1.2%
Number of new JITs supported	-0.6%	6.1%
Share of new JITs that are funded	1.7%	2.1%

Note: Only *2021-23

This analysis shows the overall increases in the budget allocation for the Agency (an average annual increase of 10% between 2019 and 2023) was matched by increases in outputs.

Cooperation with partners

A summary of the data presented in section 3.2 on the outputs and results of these activities for both MAS periods (2019-21 and 2022-24) are presented in Table 28 and Table 29 below, along with associated year-on-year and average annual changes.

Significant increases have been achieved in indicators related to operational cooperation with international partners. Over 2019-23, the number of cases with third countries increased by an annual average of 12%. The number of coordination meetings (CMs) with third countries also significantly increased. By contrast, the output indicators for co-operation with partners in Europe shows a decreasing trend. These data do not appear to be affected by a change in the number of countries the Agency works with as no cooperation agreement was signed after 2019, and no working arrangement was signed before 2022.

Table 28: Summary of outputs related to cooperation with partners (2019-21)

Activity	2019	2020	2021	Average annual change
Cooperation with third countries - casework	689	854 (+24%)	991 (+16%)	20%
Cooperation with third countries – co-ordination meetings	138	160 (+16%)	457 (+186%)	101%
Europol cooperation - casework	97	37 (-62%)	43 (+16%)	-23%
Europol cooperation – co-ordination meetings	124	106 (-15%)	120 (+13%)	-1%

Source: CAAR 2020 and 2021

¹⁸⁵ 2024 figures are not yet available. All figures taken from the respective Consolidated Annual Activity Reports (2019, 2020, 2021, 2022, and 2023).

¹⁸⁶ This column shows the average growth rate excluding 2020, where COVID-19 had the largest negative impact on growth rates

Table 29: Summary of outputs related to cooperation with partners (2022-23)

Activity	2022	2023	Average annual change (2023 vs 2022)
Number of Eurojust-Networks joint products ¹⁸⁷	14	14	0%
Number of cases involving EPPO, Europol, FRONTEX and OLAF ¹⁸⁸	70	63	-10%
Number of cases involving third countries	933 (-6%)	1 046 (+12%)	12% (the whole period 2019-2023)
Number of cases involving international organisations	59	46	-22%

Source: CAAR 2022 and 2023

Policy and strategy work

In terms of policy and strategy work, **significant increases have been achieved in indicators related to Eurojust's contributions to the EU internal security strategy and to measures concerning judicial cooperation in criminal matters.** The media engagement indicator, strategic Eurojust messages taken up by the main media outlets, has increased by 16% on average in the 2020-21 period. On the other hand, the number of media mentions of Eurojust decreased by 35% on average during the 2022-23 period. However, the numbers remained well above the target of 37 500 mentions.

Table 30: Summary of outputs and results related to policy and strategy work (2019-21)

Indicator	2019	2020	2021	Average annual change
Number of Eurojust contributions to COSI documents	5	16 (+220%)	18 (+13%)	116%
Number of official contributions provided to EU bodies' working parties and expert groups (COSI, CATS, COPEN + GENVAL in 2019-20) ¹⁸⁹	15	29 (+93%)	30 (+3%)	48%
Strategic Eurojust messages taken up by the main media outlets	44,400	27,829 (+37%)	46,698 (+69%)	16%

Source: CAAR 2020 and 2021

Table 31: Summary of outputs and results related to policy and strategy work (2022-23)

Indicator	2022	2023	Average annual change
Percentage of prioritised products on priority crime areas and judicial cooperation instruments delivered	85%	93%	9%

¹⁸⁷ Eurojust-Networks joint products can include: joint written outputs, such as the preparation of a compilation on the impact of the judgement of the CJEU in Case C-852/19 (Gazanzov II) (with the EJNI) or the Guidance for National Authorities on the identification of victims and witnesses of core international crimes (with the Genocide Network); joint contributions to joint projects, such as EJNI awareness raising in the context of the SIRIUS project; or joint contributions to Commission files, such as the Eurojust-EJNI contributions to the drafting of the MLA form for the Trade and Cooperation Agreement (as per Eurojust's 2022 CAAR).

¹⁸⁸ While OLAF is not a JHA partner, the SAAs and KPIs presented in this table follow the classification used by Eurojust in its CAARs.

¹⁸⁹ This indicator is worded differently in the 2019, 2020 and 2021 CAARs, in particular as regards the references to different bodies. However, it is understood that they are effectively aligned.

Indicator	2022	2023	Average annual change
Number of serviced stakeholder requests for strategic contributions	263	268	2%
Number of media mentions of Eurojust	89,992	58,373	-35%

* Reported as interim results for 2023 KPIs. However, different numbers are reported in relation to non-key indicators with similar titles.

Impact

Although output data measure activity rather than impact, the importance of the different activities for judicial cooperation in cross-border crime cases and the degree of satisfaction expressed by stakeholders in the survey suggest that the work of the Agency has had a positive impact, to the degree to which the different activities are assessed to have been effective in section 4.1.

Judicial cooperation is key to ensuring effective enforcement in cross-border criminal matters since Member States cannot tackle many serious crimes, such as online fraud, money laundering and trafficking in human beings, by themselves due to their international character. National investigating and prosecuting authorities thus significantly benefit from Eurojust's activities that enable greater coordination and cooperation. The importance of judicial cooperation mechanisms at the EU level is particularly evident in more complex cases, such as those where there is a level of urgency, or where the type of crime is complex.

As noted in section 4.1, Eurojust has been generally effective in providing support to Member States in investigating and prosecuting cross-border crimes. This has been confirmed by interviews with national desks and national practitioners that have underlined the key role that the Agency plays in this context. For example, Coordination Centres facilitate coordinated actions that respond to the needs of the judiciary and the police, increasing consistency and coordination between parallel national actions, such as searches, victim interviews, victim identification and rescue, suspect arrests, with such coordination being an essential element of success in cross-border cases. Similarly, JITs increase the likelihood of success in cross-border investigations and help overcome, for example, difficulties in locating the perpetrators in cross-border cases such as money laundering, migrant smuggling, trafficking (of drugs and human beings), mobile organised crimes groups, cybercrimes, etc.

This **provides clear benefits to prosecutors and investigative judges at national level** as well as society at large due to more effective enforcement in cross-border criminal matters. Given the cross-border nature of some types of criminal activities, effective enforcement in the EU would be seriously restricted in the absence of the support provided by Eurojust.

There are also indirect benefits of Eurojust's activities that extend beyond the casework handled by Eurojust. The experience gained by SNEs fosters knowledge sharing amongst prosecutors as well as improved understanding of Eurojust's activities amongst former SNEs. In addition, Eurojust plays an important role in the creation of the collaboration culture across Europe.

The benefits described above extend beyond cooperation within the EU to third countries both as regards casework, the presence of liaison prosecutors in The Hague and cooperation with third countries through projects. As noted in section 4.1.3, cooperation agreements with third countries allow for the systematic, quick and streamlined exchange of data that are essential for investigations and coordinated responses. International cooperation is of particular importance for crimes such as genocide, crimes against humanity, war crimes, for example in the context of the Russian war of aggression against Ukraine.

On the other hand, as shown in section 4.1.3 there is room for improvement as regards cooperation with other agencies at the EU level such as Europol and the EPPO. The full benefits from greater cooperation with these agencies have thus not yet been fully realised.

While the use of human and financial resources (i.e. costs) of Eurojust are clear and well documented, **it has been more challenging to quantify and monetise the benefits of Eurojust's activities**. For example, benefits of Eurojust's activities can be demonstrated by the numbers of JITs supported and **monetary amount seized or confiscated as a result of cross-border investigations** (Table 32). However, it is important to acknowledge that these benefits do not solely arise from Eurojust's activities; they also depend on the cooperation and contributions of other stakeholders involved¹⁹⁰. The relevant data has been retrieved from the individual Annual Reports as well as CAARs and are presented below. Overall, as indicated in section 3.2.1 the number of new JITs supported has gradually increased since 2020 after a decline from 2019. Over the same period, the share of funded JITs has remained relatively stable.

Table 32: Monetary Impact of Eurojust's JITs support: Asset Freezes, and Drug Seizures

Year	Criminal Assets Frozen/Seized (EUR)	Drugs Seized (EUR)
2020	1.9 billion	3 billion
2021	2.8 billion	7 billion
2022	3 billion	12 billion
2023	1 billion	26 billion

Source: Eurojust's CAARs and Annual Reports for 2020, 2021, 2022, and 2023

4.2.2 Efficiency of Eurojust's working practices

4.2.2.1 Efficiency of Eurojust's activities

This section evaluates the efficiency of Eurojust's activities, critically assessing the **relationship between inputs and outcomes across each of the following types of activity: casework, cooperation with partners, strategy/policy work. The use of digital tools** in support of these activities is also discussed.

Efficiency is evaluated based on findings from the previous sections including the relationship between inputs and outcomes, survey results and interviews. To validate the efficiency of Eurojust's internal working practices, the study team has also reviewed the European Parliament's discharge reports on Eurojust's budget implementation. These reports assess the implementation of the Agency's budget for a given financial year. They are part of the EU's budgetary discharge procedure, through which the European Parliament grants final approval on how EU agencies like Eurojust manage their financial resources. The discharge reports include observations on Eurojust's financial practices, legal compliance, and performance. They are based on audits by the European Court of Auditors and also involve input from the Council and the European Parliament's Committee on Budgetary Control.

Although the budget and the number of staff have increased over time, the caseload (new and ongoing cases) as well as the number closed cases have increased at a faster rate, meaning that the efficiency of casework increased over time. Table 33 below indicates that although the number of staff has increased over time (at an average of 2.1% per year for all staff and 4.3% for administrative staff), the caseload and the number of closed cases has increased at a faster

¹⁹⁰ Including the EJTN through initiatives like the trainee exchange programme. This programme allows practising judges, prosecutors, and even trainee legal professionals to be seconded to Eurojust.

rate (at an average of 14.3% and 17.5%, respectively). The ratio of new and existing cases over the number of administrative staff thus increased from 35.9 in 2020 to 47.4 in 2023 (average annual growth rate of 9.7%), demonstrating efficiency gains, although this does not take into account any changes in the complexity of cases. As mentioned in Section 6.2, some interviewees reported that the number of simple cases is decreasing, whereas the number of complex cases is significantly increasing. This suggests that the efficiency gains may have been even greater than indicated by the cases/number of staff ratio. Over the same period, the average overall cost per staff member also increased; data for staff specifically involved in casework are not available but comparing overall administrative staff costs with the number of cases suggest an increase in efficiency even when increased costs per member of administrative staff are considered.

Table 33: Efficiency of Eurojust casework, 2020-2023¹⁹¹

	2020	2021	2022	2023	Average growth rate (2020-2023)
Total cases (new and ongoing)	8,799	10,105	11,544	13,164	14.3%
Closed cases ¹⁹²	3,991	4,878	5,834	N/A	17.5%*
Staff numbers (total)	332	337	343	354	2.1%
Staff numbers (administrative – temporary, contract, SNEs)	245	254	265	278	4.3%
Ratio of new and existing cases over the number of staff and Seconded National Experts (SNE)**	35.9	39.8	43.6	47.4***	9.7%
Ratio of closed cases over the number of staff and Seconded National Experts (SNE)	16.3	19.2	22.0	N/A	16.3%*
Total staff commitments/case ratio	EUR 2,417	EUR 2,267	EUR 2,216	EUR 2,309	-1.4%

Notes: * 2020 – 2022 **Methodology used is consistent with from CAARs 2023 and 2023: Administrative staff (temporary, contract, SNEs)/New and ongoing cases. ***Study team calculation. Interim result in CAAR 2023: 46.9. Sources: Annual Reports 2018 and 2021; CAARs 2022 and 2023; SPD 2022 – 2024. Figure prepared by the study team. Note: Staff also involved in activities other than casework – this table is thus indicative only.

In terms of the efficiency of resource allocation, results of a survey of national desks and liaison prosecutors indicate mixed perceptions of Eurojust's resource efficiency:

- **52% (22 out of 42)** of national desks and liaison prosecutors believed Eurojust had efficiently allocated its financial resources, while **19% (8 out of 42)** disagreed. Additionally, 2% (1 out of 42) neither agreed nor disagreed and the remaining 26% (11 out of 42) selected the 'I can't say' response. It is possible that the responses might reflect not just perceptions of the absorption rate or efficiency of resource allocation, but also the availability of resources. Interviews with National Members and liaison prosecutors suggest that national

¹⁹¹ 2024 figures are not yet available. All figures taken from the respective Consolidated Annual Activity Reports (2019, 2020, 2021, 2022, and 2023).

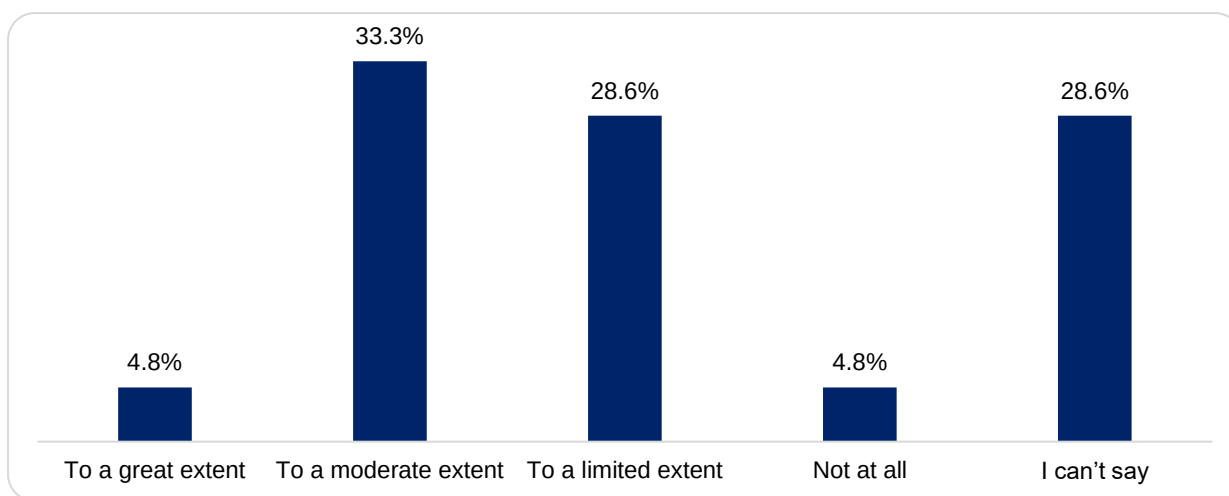
¹⁹² 2024 figures are not yet available. Closed cases calculated based on closed + ongoing cases in year N minus ongoing cases in year N+1.

desks are facing an increasing workload, which might have influenced their responses. This indicates that their assessments could have been more about considering whether the resources provided were adequate to meet the growing caseload rather than merely evaluating the efficiency with which these resources were allocated.

- However, **33% (14 out of 42)** believed that sufficient resources had been provided to implement all activities and tasks, 19% (8 out of 42) neither agreed or disagreed, and **29% (12 out of 42)** disagreed. The remaining 19% (8 out of 42) respondents indicated that they can't say.

Some respondents to the national desks and liaison prosecutors survey identified **inefficiencies in Eurojust's activities, processes, and systems**. However, the proportion of respondents that identified that inefficiencies exist to a great extent and those who selected 'not at all' were identical (5% vs 5%, 2 out of 42 in each case). Whilst the shares of respondents that believe that inefficiencies exist to a moderate and to a limited extent are comparable (33% vs 28.5%, 14 out of 42 vs 12 out of 42). The remaining respondents (28.5%, 12 out of 42) indicated that they 'can't say'. Where inefficiencies have been identified, these are more likely to be a result of aspects other than Eurojust's administration's activities. This is because **52% (22 out of 42)** felt that the administration conducted tasks efficiently and in a timely manner, while **12% (5 out of 42)** disagreed. Additionally, 19% (8 out of 42) of respondents indicated that they neither agree nor disagree and 17% (7 out of 42) selected the 'I can't say' option.

Figure 15: To what extent are there inefficiencies in terms of Eurojust activities, processes, and systems?



Source: Survey of Eurojust national desks and third countries liaison prosecutors (n=42)

Many respondents felt that national desks were overburdened with tasks that were not directly operational (for instance day-to-day administrative work, preparing College of EB meetings and having to approve or make decisions on matters outside their areas of expertise), impacting their ability to focus on core responsibilities. Delays in reporting (such as inputting information in the CMS) and the inability to deliver on some commitments due to resource shortages were also noted as key concerns. Furthermore, inefficiencies were attributed to unclear divisions of competence between the Executive Board and the College, coupled with a lack of capacity to respond adequately to new challenges or strategic input requests. Respondents also pointed to limited transparency in working group engagements on strategic matters. Specific operational issues that were highlighted included outdated Full-Time Equivalent (FTE) planning processes, which were described as inaccurate and subject to ongoing discussions. Technical difficulties,

such as unreliable online connections during coordination meetings, were also mentioned as examples of inefficiency.

Another significant inefficiency identified by the national desks and liaison prosecutors was the extensive resources allocated by the College to its role as appointing authority for the Administrative Director, which respondents suggested should be transferred to the Executive Board or the Commission. Concerns were also raised regarding the broader organisation of Eurojust's administration, which some felt did not sufficiently anticipate or align with the operational needs of National Members. Respondents noted a lack of synergy between administration and operational activities, with administrative involvement in operational matters perceived as low.

Finally, the existence of Working Groups outside of the legal framework set out in the EJR creates the potential of additional inefficiencies as further discussed in section 4.1.1.1.

EJTN Exchange Programme was mentioned during interviews as an effective way of reducing the burden on National Members. Established in partnership with the **European Judicial Training Network (EJTN)**, this programme allows practising judges, prosecutors, and even trainee legal professionals to be seconded to Eurojust. It offers them hands-on experience with the Agency's core activities, helping them better understand how Eurojust operates and its role in promoting judicial cooperation across the EU.

"The trainees provide vital support for our daily casework, and they are well-equipped to assist in handling cases."

During these secondments, participants are assigned to their home country's **national desk** at Eurojust, where they contribute to day-to-day tasks and take part in key activities like plenary and strategic meetings. The secondment, which is funded by EJTN, can last between three and four months, and depends on the availability of each national desk.¹⁹³ In addition, a study visit to Eurojust's headquarters in the Hague is organised by EJTN every year. Eurojust delegates also participate as trainers in the following EJTN activities - seminars on judicial cooperation in criminal matters, cybercrime as well as economic and environmental crimes.¹⁹⁴

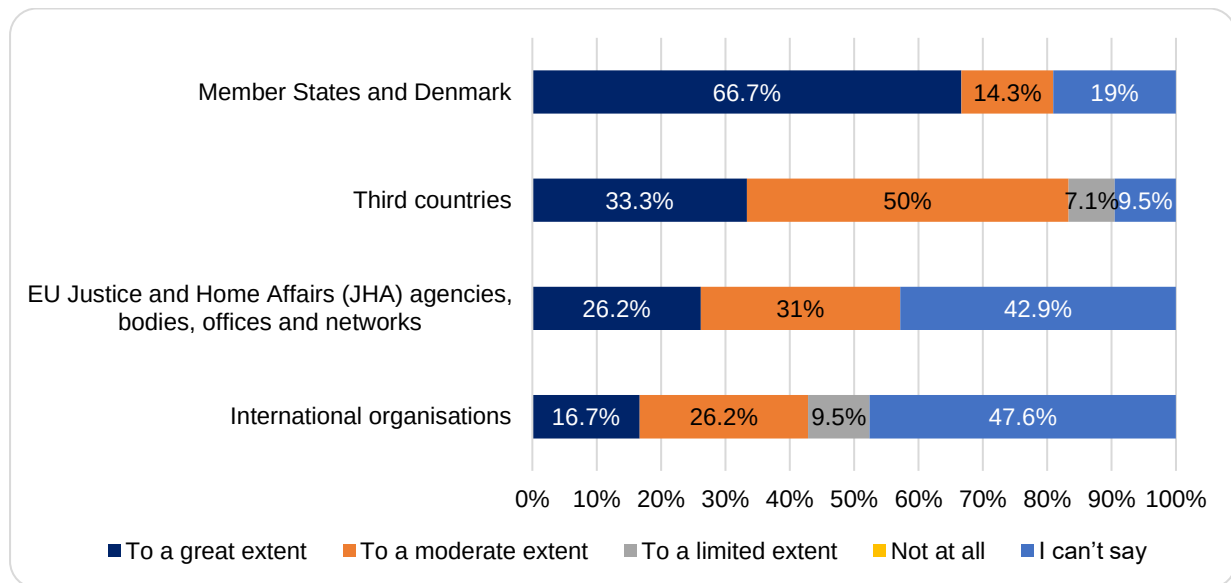
As highlighted by one National Member, the programme plays a useful role in providing **additional resources to handle day-to-day administrative tasks and casework**, especially given the fact that they are a small bureau, which handles a significant number of cases. The trainee scheme has been deemed highly effective in providing vital support with cases.

With regard to cooperation with partners, the results of the survey of national desks and liaison prosecutors indicate that **Eurojust's cooperation is generally perceived as efficient in addressing this set of stakeholder needs**, particularly with Member States and Denmark, as well as with third countries. However, a significant number of respondents selected the 'I can't say' option regarding cooperation with EU JHA agencies and international organisations noting limited or no engagement with such organisations.

¹⁹³ EJTN, 2023, 'Applications to EJTN Exchange Programme 2024: deadline 16 October 2023', available at: <https://ejtn.eu/news/applications-to-ejtn-exchange-programme-2024-deadline-16-october-2023/>

¹⁹⁴ EJTN, 2023, 'Celebrating 15 years of collaboration between EJTN and Eurojust: EJTN's Secretary General meets with Eurojust's President to discuss present and future cooperation', available at: <https://ejtn.eu/news/celebrating-15-years-of-collaboration-between-ejtn-and-eurojust-ejtns-secretary-general-meets-with-eurojusts-president-to-discuss-present-and-future-cooperation/>

Figure 16: Efficiency of Eurojust's cooperation and coordination activities¹⁹⁵



Source: Survey of Eurojust national desks and third countries liaison prosecutors (n=42)

Cooperation with other EU institutions, bodies, and agencies was also highly rated by the members of Eurojust National Coordination Systems (ENCS) and national practitioners, with 95% (157 out of 166) reporting great or moderate efficiency, respectively. Slightly fewer respondents, 84% (139 out of 166), viewed efficient cooperation with third countries and international organisations as having been achieved to a great extent or moderate extent, specifically as a result of presence of more contact points. Respondents regarded cooperation with UN bodies like IIIM and UNITAD as particularly efficient. On the other hand, inefficiencies in interactions with third countries and restrictions on data sharing were seen as significant obstacles to international legal cooperation.

Digitalisation has been a key driver of Eurojust's efforts to improve organisational efficiency, as outlined in section 3.1.4. Since 2019, the Agency has implemented various digital tools across areas such as financial management, human resources, telework (e.g. video conferencing), and procurement. While the Agency has made efforts in adopting digital tools, its **core CMS remains outdated**. National Members have pointed out during interviews that the CMS is "no longer fit for purpose" causing delays in the processing of operational data. This creates inefficiencies in Eurojust's operations and a new CMS is being developed. In 2021, the Commission reinforced its contribution to Eurojust's budget to initiate the development of the new CMS by EUR 9.5 million. A further reinforcement of EUR 2.4 million has been allocated for this purpose in 2022. However, as discussed in Section 4.1, the development of the new CMS system was delayed beyond the originally foreseen completion date of 2025. Thus the inefficiencies in Eurojust's operations caused by the outdated CMS persisted over the evaluation period.

Eurojust staff and National Members have also highlighted the **need for further improvements in digital tools that ensure interoperability with other agencies**. They pointed out that the current hit/no-hit system between agencies is outdated and inefficient as it still requires manual verification after receiving a result from Europol. The lack of interconnectivity slows down processes that should have been more streamlined by now. **These challenges have become even more apparent during operations related to the Russian Aggression in Ukraine**,

¹⁹⁵ Question: to what extent have Eurojust's cooperation and coordination activities with the following types of stakeholders been conducted in a way that ensures their needs are efficiently addressed

where interoperability issues have hindered effective cooperation and **slowed down the overall efficiency of cross-agency work**.

In 2020, Eurojust enhanced its collaboration with eu-LISA through the Digital Criminal Justice programme in the context of the Regulation (EU) 2019/816.¹⁹⁶ The programme supports the digitalisation of judicial operational cooperation across the EU's institutions, bodies, offices and agencies as well as the Member States. Key developments in this collaboration include the signing of an MoU with eu-LISA in September 2017, which facilitated cooperation and the exchange of expertise in ICT. The partnership was further expanded in October 2021, when Eurojust and the eu-LISA Executive signed a three-year Cooperation Plan to implement the MoU, granting Eurojust access to eu-LISA's new large-scale IT system, ECRIS-TCN. Feedback from interview with Eurojust staff and representatives from EU institutions suggests that Eurojust's involvement in ECRIS-TCN is still limited.

The Agency also launched several further ICT projects, including upgraded **video-conferencing tools** and **e-recruitment platforms**. It has also focused on increasing the number of languages available for interpretation during videoconferences. This enhancement has been deemed beneficial during interviews as the ability of prosecutors and judges involved in cases to speak their own language in coordination meetings improves communication. It allows them to express the complexity of the cases more effectively than if they had to communicate in a second language in which they might not be fully fluent. This reduces the potential for misunderstandings and ensures that the proceedings are conducted more swiftly directly contributing to the overall efficiency of Eurojust's activities. The commitment to digitalisation was further reinforced in 2022 with the launch of two key projects: the Eurojust Self-Service Portal and Pexip Infinity Solution, a videoconferencing system enabling confidential video meetings. One National Member explained that **the hybrid nature of many coordination meetings during the pandemic has put pressure on Eurojust's videoconferencing systems**, which were not originally designed to handle this volume, creating inefficiencies. During interviews, Eurojust staff have been positive about meetings conducted using the videoconferencing tools, especially regarding coordination meetings. They noted that these meetings have proven to be *'very effective and fruitful'*, and the online nature allowed more colleagues to participate.

As a result of the COVID-19 pandemic and challenges associated with increased teleworking, Eurojust implemented several staff **well-being measures**, such as 'meeting-free days' and 'slow weeks' to try and prevent digital fatigue. By 2022, the Agency transitioned back to office work, providing workshops to help staff adapt after two years of teleworking. A 2023 staff survey showed 96% satisfaction with coordination during the teleworking period.

Eurojust was a pilot user of the European Commission's **financial, budgetary and accounting system** SUMMA in 2021¹⁹⁷. SUMMA was implemented in 2022 aimed at further improving the Agency's financial management processes¹⁹⁸, after a brief period of technical issues experienced shortly after the implementation (for more information see Annex 4). Given the recent implementation of the SUMMA platform at Eurojust, the benefits in terms of increased efficiency in budgetary planning are expected to arise with continued use of this system.

In the area of **human resource management**, Eurojust implemented the Commission's digital human resource management platform called SYSPER. Phase 1 of the implementation of the

¹⁹⁶ Regulation (EU) 2019/816 of the European Parliament and of the Council of 17 April 2019 establishing a centralised system for the identification of Member States holding conviction information on third-country nationals and stateless persons (ECRIS-TCN) to supplement the European Criminal Records Information System and amending Regulation (EU) 2018/1726

¹⁹⁷ In December 2018, DG BUDG asked Eurojust, alongside two other agencies (CINEA and ERA), to participate in the development of SUMMA as a pilot. From the 2022 financial year, Eurojust has been using SUMMA to manage its budget.

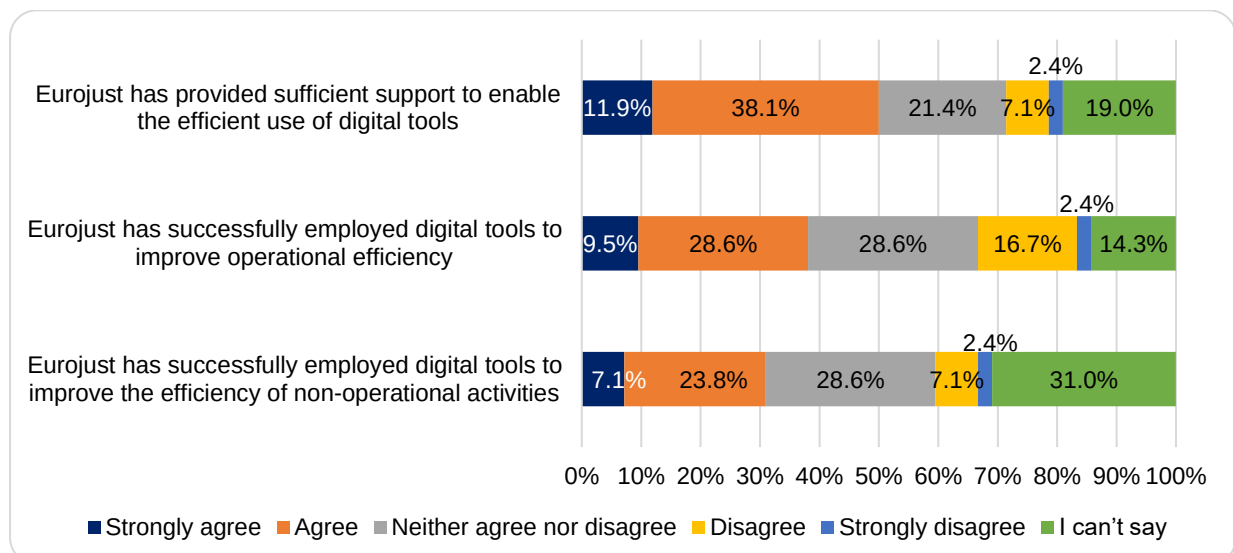
¹⁹⁸ According to 2022 CAAR, the SUMMA platformed is aimed at introducing the following benefits in terms of the management of budgetary execution: 1) Improving business efficiency by standardising and harmonising processes; 2) Using state-of-the-art technology, building it on standards and best practices, and using automatic SAP upgrades; 3) Enhancing data management with real-time analytics; 4) Contribution to reduced needs for local systems and a solution for a more granular budget planning; 5) Being user-friendly and intuitive.

SYSPER platform was successfully launched in 2021, with its first modules going live in September of that year. SYSPER is the Human Resources Management Information System of the European Commission and is designed to cover a broad range of HR processes. The platform is now used by Eurojust along with 51 other EU agencies and bodies. According to Eurojust's 2022 CAAR, SYSPER is more user-friendly and streamlines processes compared to Eurojust's previous human resources management tool. **By adopting an existing Commission system, Eurojust has chosen an efficient and interoperable approach that aligns with broader Commission practices.**

The Agency also aimed to modernise and digitalise its **procurement processes**. For instance, in 2021 it adopted e-tendering and e-submission processes, along with testing the Public Procurement Management Tool (PPMT).¹⁹⁹ PPMT is aimed at streamlining the procurement processes. It is a web-based service provided by the European Commission used to input all details and documents of the procurement procedure to get approvals, automatically produce notices in the Official Journal of the EU, and automatically create the call for tenders in eTendering and the tasks in eSubmission. One staff member of Eurojust expressed concerns over the level of digitalisation in procurement and stating that the Agency is still behind in terms of fully automating its procurement processes. No feedback was provided on the use of the PPMT during consultation.

National desks and liaison prosecutors surveyed indicated mixed perceptions regarding Eurojust's use of digital tools. Half of respondents (21 of 42) believed the Agency had provided sufficient support for efficient digital tool use, while 9.5% (4 of 42) disagreed, citing outdated IT systems, overloaded infrastructure, and limited videoconferencing capabilities. Furthermore, 38% (16 of 42) of respondents felt Eurojust had successfully employed digital tools to improve operational efficiency, but 19% (8 of 42) disagreed and noted challenges with using old laptops as well as no flexibility to organise fully online coordination meetings (a physical room is still needed for the interpreters). Additionally, 31% of respondents (13 of 42) believed digital tools had improved the efficiency of non-operational activities, although 31% (13 of 42) selected 'I can't say'.

Figure 17: Efficiency of Eurojust's implementation and use of digital tools, n=42



Source: Survey of Eurojust national desks and third countries liaison prosecutors (n=42)

¹⁹⁹ EP, 2021, 'Texts adopted - Discharge 2021: European Union Agency for Criminal Justice Cooperation (Eurojust) - Wednesday, 10 May 2023'

4.2.2.2 Impact of Eurojust's governance structure

As indicated in Section 3.1, the Executive Board was created to improve decision-making efficiency by allowing the College to focus on operational and strategic matters, reducing the administrative burden on National Members. However, observations from interviews and survey responses highlight challenges in the current governance structure, particularly concerning the division of responsibilities and the associated impact on efficiency.

Survey findings showed the following perceptions regarding the **efficiency of decision-making by the College and Executive Board since the EJR entered into force**. Over a quarter of surveyed national desks and liaison prosecutors, 29% (12 of 42), believed decision-making efficiency had improved, and 12% (5 of 42) disagreed or strongly disagreed. The results need to be interpreted with caution as a significant share of all respondents, i.e. 45% (19 of 42), selected the 'I can't say' option. Some respondents to the survey of national desks and liaison prosecutors emphasised that the Executive Board could play a greater role in decision-making rather than in preparing College meetings. They also noted a need for clearer distinctions between the tasks of the College and the Executive Board, with one respondent pointing out that the governance structure is "heavy" and not conducive to efficient operations. Respondents to the survey of national desks and liaison prosecutors also noted that there is a great mismatch among the National Members in relation to interest in the governance of the organisation – only experience as high-level prosecutor or judge does not necessarily ensure the necessary ability to participate in the governance of the Eurojust.

As noted during scoping interviews, there is a perception of an **unclear distinction between operational, managerial, strategic, and administrative tasks under the EJR**. This lack of clarity sometimes leads to inefficient and lengthy decision-making processes, especially when responsibilities overlap. This leads to a slowdown in making critical decisions that consequently impacts Eurojust's overall effectiveness and efficiency.

This view was also echoed by other Eurojust staff interviewed at a later stage, who also expressed concerns over the blurred lines between the responsibilities of the College, the Executive Board and the Administrative Director. For example, it was noted that the governance structure is *"heavy and not helpful"* and requires streamlining. Furthermore, an interviewee mentioned how a proposal to reorganise resources must go through multiple layers, including the Executive Board and the College, making it **difficult to reach swift and efficient decisions**. The study team's analysis of 111 College meeting agendas, from the beginning of 2020 to mid-2024 found that several agenda items underwent multiple cycles of discussion, i.e. more than two, across the Executive Board and the College. These included discussions on internal rules concerning restrictions of certain data subject rights in relation to the processing of personal data, reviews of the Eurojust organisational structure, and requests for amendments to the seat agreement.

As highlighted in sections 3.1 and 4.1, the aim regarding the **definition of roles between national desks and the Administration** is to ensure that administrative functions effectively support operational work. National desks, led by National Members and supported by Eurojust staff, are key in facilitating cross-border judicial cooperation. The Administration, led by the Administrative Director, oversees resources and provides logistical and operational support to ensure that national desks can operate efficiently.

The distinction between tasks of the national desks and the Administration in operational work is not always clearly defined, leading to inefficiencies. As several National Members pointed out during interviews, administrative support is not always optimised as they spend significant time on administrative tasks that could be handled more effectively by dedicated administrative staff. This hinders their ability to focus fully on operational matters. For example,

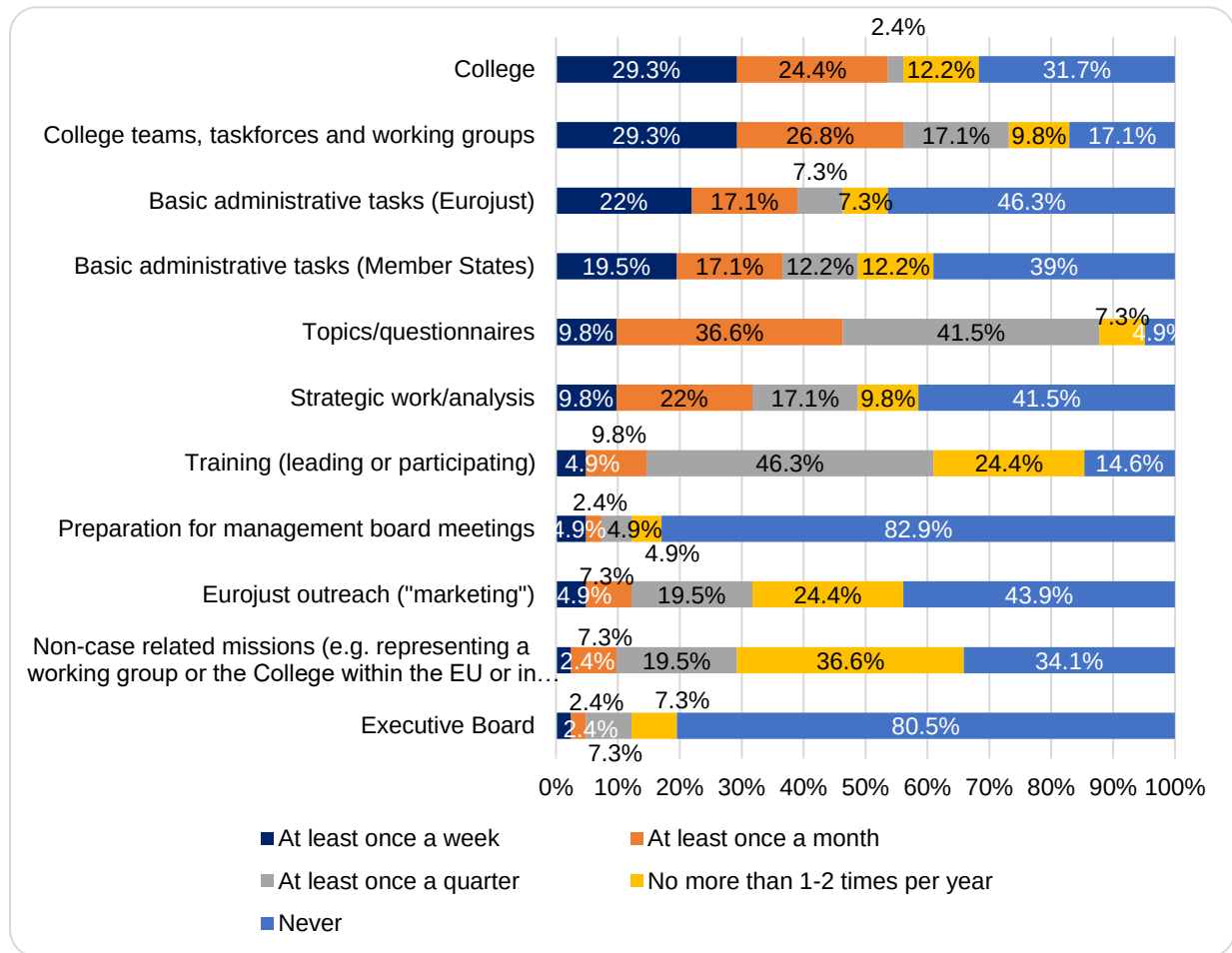
one National Member noted that the administrative burden is particularly heavy during College meetings, where management tasks, for instance overseeing staff regulations, procurement rules, service cars and mission allocations end up taking a lot of time, leaving less room for focusing on core operational tasks. Similarly, some National Members noted they frequently participate in hearings on disciplinary proceedings and other internal matters, which they feel could be handled by a separate committee. On the other hand, a number of staff members at Eurojust were of the opinion that National Members did not trust the administration to undertake certain tasks, such as inputting data into the CMS.

Regarding the **appropriateness of the balance between operational and non-operational responsibilities of National Members and assistants**, 23 respondents chose to answer the question²⁰⁰. The results suggest that while a majority of respondents that answered the question (78%, 18 of 23) found the balance to be appropriate to either a great or moderate extent, there are some who felt the balance was less than ideal, highlighting a potential area for improvement. Respondents also noted that the balance between operational and non-operational responsibilities was not fully appropriate due to the high time demands of both, making it particularly challenging for new staff at Eurojust to meet these requirements. Additionally, the large amount of operational work was seen as impeding effective teamwork and participation in working groups.

The survey of national desks and liaison prosecutors asked respondents to indicate the frequency with which respondents participated in various non-operational activities at Eurojust. College-related activities see the highest levels of engagement, while activities like management board preparation and non-case related missions are rare. Activities related to the College and College teams, taskforces, and working groups were the most frequently performed, with 29% (12 of 41) of respondents indicating participation at least once a week. However, 32% (13 of 41) reported never participating in College activities, and 17% (7 of 41) never engaged with College taskforces and working groups.

²⁰⁰ Out of 79 respondents who provided partial responses and 38 who provided complete responses to the survey.

Figure 18: Frequency of assistance with or participation in non-operational activities



Source: Survey of Eurojust national desks and third countries liaison prosecutors (n=41)

Additionally, National Members were asked about the perceived importance of the non-operational activities. Activities involving the College and its taskforces were rated as the most important, with over 50% (21 of 39) of respondents considering them very important. Non-case related missions and training were also seen as significant by 41% (16 of 39) with respondents noting that training and participation in working groups enhances quality of Eurojust activities. On the other hand, administrative tasks, particularly for Member States and preparation for management board meetings, were rated as less important, with fewer than 20% (7 of 39) considering them very important.

4.2.2.3 Potential for achieving the same outputs and results at lower costs

Regular assessments are conducted to identify potential areas for improvement²⁰¹, particularly in the area of risk management and the effectiveness of internal processes. The Agency's financial audits, conducted by **the European Court of Auditors (ECA)**, have generally been **providing positive feedback regarding the effectiveness of the Agency's control environment, while highlighting areas for further improvement**. Further recommendations have been provided by the Internal Audit Service (IAS) of the Commission. The IAS provides

²⁰¹ European Parliament Discharge Report 2020

independent advice, opinions and recommendations on the quality and functioning of internal control systems.²⁰²

Examples of recommendations included in the Final Audit Reports

- **Example 1: Final Audit Report recommendations (from January 2021)**
In the Final Audit Report of January 2021, the Internal Audit Service (IAS) put forward two key recommendations aimed at reinforcing Eurojust's operational efficiency. The first recommendation addressed the need for Eurojust to implement its own initiatives related to operational tasks, improving its capacity to self-manage and execute operations effectively. The second recommendation focused on updating the Agency's risk management register, which is critical to identifying and mitigating risks that could impact Eurojust's performance.
- **Example 2: Final Audit Report recommendations (from May 2021)**
In May 2021, the IAS recommended to conduct an internal iCAT survey of "soft controls". This survey was intended to provide Eurojust with a deeper understanding of its internal processes and controls, especially those that influence human behaviour and decision-making.

One representative from the Commission suggested that *"many issues could be dealt with by the Executive Board"*, e.g. internal staff issues, which would relieve the College of administrative duties and allow it to focus more on operations and eventually lead to efficiency gains. Additionally, there were several recommendations shared by Eurojust staff regarding the allocation of resources. One National Member **suggested that funds be directed toward hiring more personnel in the Casework Unit, which is currently under-resourced.**

Digitalisation has been highlighted as a potential area for cost-saving during both interviews and online surveys. As discussed in section 3.1, digital tools have been central to Eurojust's efficiency strategy. Tools such as EJ ART for resource planning, the EJ MAP for mission requests, and SYSPER for HR management have helped automate and simplify administrative processes. The implementation of the Commission's financial management system **SUMMA further boosted workflow efficiency and reduced manual tasks.** Implementing **AI-driven translation tools** and upgrading the CMS were identified as **ways to further reduce costs and improve efficiency** by several National Members. However, it was pointed out during the validation workshop with the College of Eurojust that while AI translation tools are emerging within the realm of criminal justice, the translations produced are often of very low quality, which is particularly problematic for legal documents. This has already caused issues as some countries rely on machine tools for document translations.

A potential area for cost saving related to producing translations has been identified during interviews with Eurojust staff. A staff member noted that significant expenditures are dedicated to translations, with approximately EUR 750,000 allocated annually on translating various documents²⁰³ including the annual report (EUR 400,000), working arrangements (EUR 150,000), and the SPD (EUR 200,000). It must be noted that producing translations of these documents are legal obligations. Surprisingly, the download rates for some of these translated documents, such as the annual report, are extremely low, with certain languages seeing as few as three downloads. This raises questions about the value for money of these obligations. For instance, it has been suggested that it would be useful to only focus on translating an executive summary for some documents rather translating the entire documents, which could significantly cut costs and still meet necessary informational needs.

Concerns have also been raised during interviews with Eurojust staff regarding **unnecessary additional costs associated with last-minute meeting confirmations** in case of coordination meetings. Even though these meetings are scheduled weeks and months in advance, currently,

²⁰² The [Internal Audit Service](#) provides independent advice, opinions and recommendations on the quality and functioning of internal control systems inside the Commission, EU agencies and other autonomous bodies.

²⁰³ This has been noted by a member of EJ staff and is consistent with the detailed budgetary allocations provided in EJ's reports on budgetary and financial management. Around EUR 750,000 was initially allocated to translations annually in 2022 and 2023, with lower amounts allocated in the previous two years (<EUR 500,000).

funding requests for participation can be submitted to the national desks with no deadline, sometimes as late as one business day before the meeting. Funding last-minute travels can be quite inefficient. A member of Eurojust's administration noted that they routinely fund last-minute travels, and could potentially save 25% on these inefficiencies.

The two surveys conducted with key stakeholders for this study, i.e. with national desks and third country liaison prosecutors, and members of the ENCS along with national practitioners, highlighted several further areas for burden reduction and efficiency improvements. These build directly on the governance issues detailed through section 4.1.1 and 4.2.2.2.

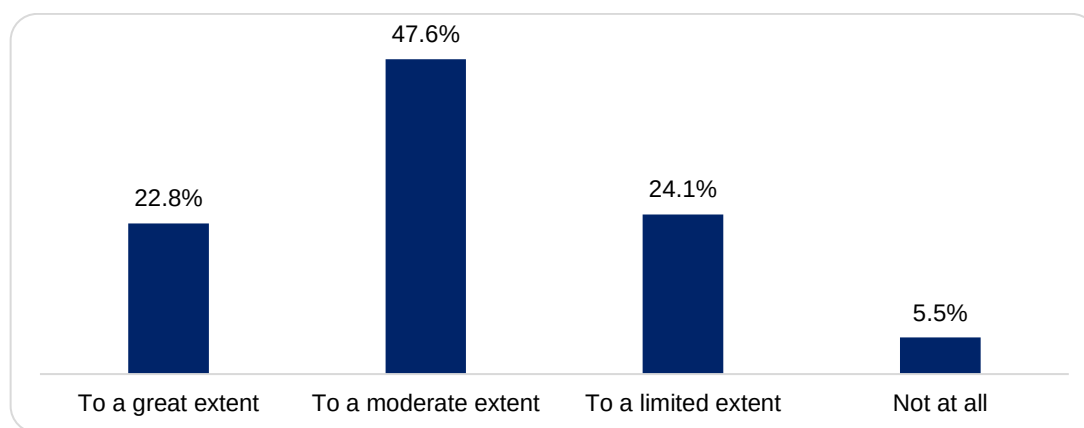
Notably, **54.5% (12 of 22) members of national desks** that responded to the survey indicated that **the burden of non-operational activities could be reduced to a great or moderate extent**, with seven respondents (31.8%) suggesting it could be reduced to a limited extent. This suggests there could still be a relatively significant scope for reducing inefficiencies in Eurojust's activities.

One of the key issues highlighted was the role of the College. The **frequent meetings of the College, which are estimated to occupy up to 20% of National Members' weekly time** (reported by National Members themselves), detract from their operational duties. **Reducing the frequency of and/or the time required for these meetings** could free up human resources, both for College members and the Eurojust administration, thereby lowering the associated costs of preparing for, conducting and following-up on such regular engagements.

Further cost reductions, as reported through the survey and interviews, could be achieved by **redistributing responsibilities. Administrative staff could be involved in more desk-related tasks**, such as increasing the number of NDAs, which would reduce the workload on operational staff.

Based on responses from 145 national practitioners and policymakers, nearly half (48%, 69 of 145) believe that Eurojust's operational tasks could be simplified and made more efficient to a moderate extent, while 23% (33/145) see greater room for improvement.²⁰⁴

Figure 19: Reported extent of simplification in Eurojust's operational tasks²⁰⁵



Source: Survey of national practitioners and policymakers (n=145)

Some national practitioners and policymakers expressed concern regarding **VAT fraud investigations in digital services**, which are predominantly handled at the national level despite their cross-border nature and implications. One respondent suggested creating a permanent information hub and joint investigation team to address shared challenges and

²⁰⁴ 'I can't say' responses are not included.

²⁰⁵ To what extent could Eurojust's operational tasks be simplified and made more efficient? (n=145)

minimise tax revenue losses across Member States. **Operational delays, such as obtaining digital signatures for JIT agreements**²⁰⁶ were also cited as barriers to efficiency.

Furthermore, some respondents across all stakeholder groups felt that Eurojust handles an excessive number of EJN cases, which diverts resources from the Agency's core tasks. The same sentiment was shared during interviews with national practitioners.

Legal and administrative inefficiencies, as well as insufficient desk staff and challenges with transmitting evidence between countries, were frequently mentioned as areas for improvement. ENCS members and national practitioners suggested this could be addressed through greater engagement with Eurojust in case coordination and notifications by national coordinators, and use of online survey programs for aligning meeting dates (e.g. it has been noted that it is sometimes difficult to reach an agreement on dates for international delegations, which is making the process quite time-consuming and inefficient).

4.2.3 Conclusion

Despite a constant increase in the budget of, and number of staff at the Agency, stakeholders working at Eurojust have reported what they perceive to be limited resources to achieve their tasks. The findings of the evaluation point towards a lack of efficient use of resources. The organisational structure, working practices, inefficient prioritisation of tasks are all contributing factors to this outcome.

The internal organisation is cumbersome, complex and hard to navigate, resulting in a multi-layered decision-making structure. This is exacerbated by a **lack of clear vision and leadership**, which stems from the collegiate nature of the Agency's Management Board (i.e. the College). It affects the ability of the Agency to efficiently identify areas of focus and which activities to prioritise.

This is exacerbated by the **blurred areas of responsibility for the College, the Executive Board and the Administrative Director**. This negatively affects the Agency's efficiency, as well as its effectiveness. Further complexity is added by **Eurojust's two-track structure** – combining the College and national desks with the Eurojust administration. The distinction between the tasks of the national desks and the administration in operational work is not always clear, which can also lead to inefficiencies. It is also exacerbated by the inherent tension in having two categories of staff operating in the same organisation, with different management structures, lines of accountability and career paths.

Digitalisation and the use of IT tools has been identified as an area where efficiency issues arise. One structural issue affecting the efficiency of the Agency is the division of its IT function into two units under different departments. In practice, this means that IT operations, projects and cybersecurity are led by different teams, which creates unnecessary complexity in supporting and implementing a coherent and effective digital strategy and agenda. **the current Case Management System (CMS) is outdated and not well suited to provide proper support to Eurojust's operational work**. The current functionality of the CMS, which is essentially a repository rather than an analytical tool, does not fully meet the needs of the daily operational work. It is not used as an operational support tool but rather ad hoc to report on cases. This has important negative consequences on the effectiveness of the Agency in identifying links and potentially on the Agency's ability to act on its own initiative on operational matters. However, steps are being taken to upgrade the CMS.

²⁰⁶ The survey respondent didn't provide additional explanation. However, this topic was raised by a College member during the validation workshop who noted that these delays often stem from the varying legal requirements across different countries. For example, while JIT agreements can be signed within several days in some countries, others can face lengthy delays due to more complex legal procedures. It is unclear whether the inefficiencies highlighted by the survey respondent are due to Eurojust's processes or the national legal requirements imposed by member countries.

4.3 Coherence

The purpose of assessing coherence is to make evidence-based judgements on: (i) how well different elements of the EJR and Eurojust's working practices operate together to achieve its objectives ('internal coherence'); and (ii) how well the EJR and Eurojust's operationalisation of the legislation works together with different EU, international and national interventions that seek to achieve similar objectives and/or conduct similar activities ('external coherence').

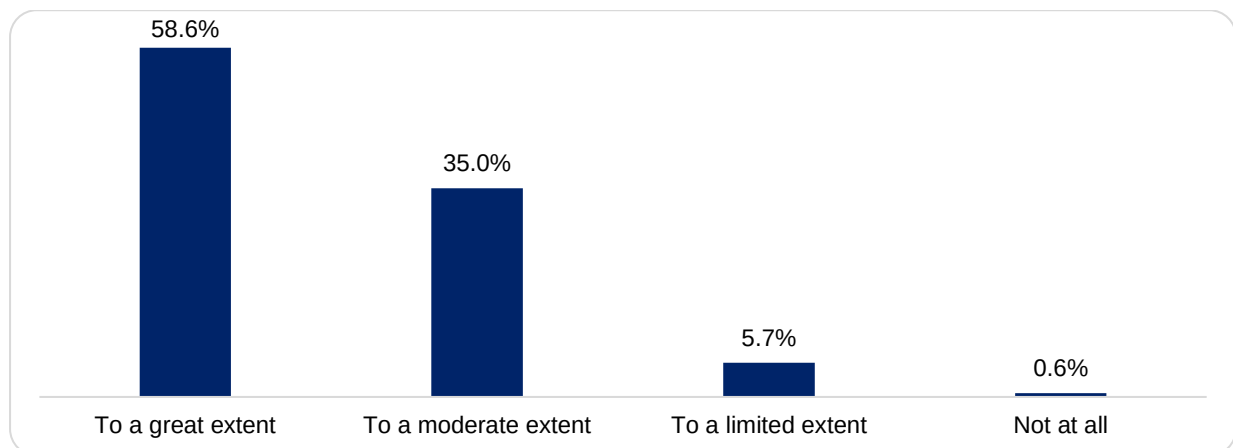
This assessment focuses on Eurojust's external coherence, paying particular attention to Eurojust coherence with wider EU policies and priorities, the work of other EU JHA agencies, bodies and offices, as well as third countries and international organisations. Considerations on internal coherence are provided throughout the report. Further information on the evaluation framework guiding this assessment of coherence is detailed in Annex 2.

4.3.1 Coherence with wider EU policies and priorities

The nature of Eurojust's activities, as well as the outputs and results achieved over the evaluation period, show **strong consistency and coherence with wider EU policies and priorities in the field of criminal justice and more specifically, judicial cooperation in criminal matters.**

This is generally illustrated by the responses of national level stakeholders to the online survey. As illustrated below, nearly 93.6% (147 of 157) of respondents stated that Eurojust's activities are coherent with the work of other actors, policies or legislation in the criminal justice field to a great extent (58.6%, 92/157) or to a moderate extent (35%, 55/157). In fact, only 1 respondent (0.6%) responded that Eurojust's activities were not at all coherent, while only 9 (5.7%) perceived only limited coherence in this regard.

Figure 20: Coherence of Eurojust's activities vis-à-vis other actors, policies or legislation in the criminal justice field²⁰⁷



Source: Survey of national practitioners and policymakers (n=157)

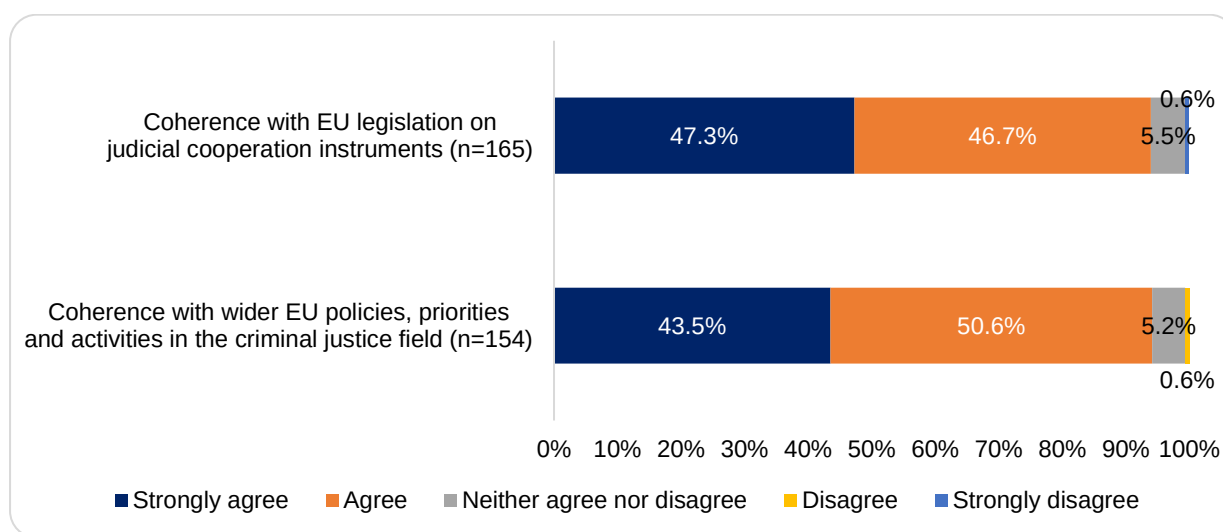
More specifically, a **large majority of national level survey respondents also considered Eurojust's work to be coherent with EU legislation on judicial cooperation instruments and with wider EU policies, priorities and activities in the criminal justice field.**

²⁰⁷ Overall, to what extent are Eurojust's activities coherent with the work of other actors, policies or legislation in the criminal justice field? (n=157)

As illustrated in the below figure, 93.9% (155 of 165) of respondents either agreed (77/165, 46.7%) or strongly agreed (78/165, 47.3%) that Eurojust's work is coherent with EU legislation on judicial cooperation instruments (e.g. EAW, EIO, etc.). Similarly, 94.2% (145 of 154) of respondents either agreed (78/154, 50.6%) or strongly agreed (67/154, 43.5%) that Eurojust's work is coherent with wider EU policies, priorities and activities in the criminal justice field. For both questions, only one respondent (0.6%) provided a negative response.

The survey of Eurojust national desk members and liaison prosecutors also reinforced this finding, with 84% of respondents (n=38) either agreeing or strongly agreeing (both 16/38, 42.1%) that Eurojust's work is coherent with wider EU policies, priorities and activities in the criminal justice field.

Figure 21: Coherence of Eurojust's activities with EU legislation on judicial cooperation instruments and wider EU policies, priorities and activities



Source: Survey of national practitioners and policymakers

4.3.1.1 Coherence with specific EU policies, strategies and legislation

These findings are given extra strength as a result of the analysis of Eurojust documentation and other relevant literature. There are clearly many areas of EU criminal justice policy that interact with Eurojust's activities. Key EU policy documents in this regard include:

- **EU Security Union Strategy:**²⁰⁸ Detailed in July 2020, this Strategy focuses on priority areas where the EU can help Member States in fostering security for all those living in Europe. The strategy lays out the tools and measures to ensure security in the Union, alongside four strategic priorities for action, namely:
 - Fighting terrorism and organised crime, by strengthening existing instruments and providing new tools for effective law enforcement.
 - A future-proof security environment, to protect public spaces and critical infrastructure – physical or digital, including cybersecurity.

²⁰⁸ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions on the [EU Security Union Strategy - COM\(2020\) 605 final](#).

- Building a strong security ecosystem, strengthening research and innovation to counter security threats, but also by enhancing exchange information between national authorities and EU agencies, cooperation, capacity building and awareness raising.
- Tackling evolving threats, equipping national authorities with the right tools to detect and combat hybrid threats, cybercrimes and illegal content online.

In this context, it places a strong emphasis on enhancing cooperation between relevant EU bodies, including Eurojust, Europol and the EPPO, while highlighting the importance of strengthening Eurojust's role in judicial cooperation in criminal matters, including in supporting the development of the e-Evidence Digital Exchange System (e-EDES).

- **EU Strategy to Tackle Organised Crime 2021-2025**²⁰⁹: Published in April 2021, the text covers a core element of the Security Union Strategy. Specifically, the strategy highlights specific cases supported by Eurojust, such as the 2020 EncroChat joint investigation, to illustrate the complexity of organised crime business models. The Strategy builds on several pillars,²¹⁰ including the importance of boosting law enforcement and judicial cooperation. In this area, Eurojust is not only mentioned, but is instrumental through the implementation of activities such as the JITs, cooperation with third countries (including on the basis of international agreements), updating the CMS, which needed to be improved and modernised to enhance cooperation and data exchange, avoid parallel investigations and ensure effective prosecutions, and its role in the functioning of key practitioner networks (EJN, EJCEN, Genocide Network, JITs Network).
- **Counter-Terrorism Agenda for the EU**²¹¹: A core component of the Security Union Strategy, this strategy indicates the way forward for actions to counter terrorism at EU level, looking to better anticipate, prevent, protect and respond to terrorist threats. The Agenda mentions the Counter-Terrorism Register set up by Eurojust in 2019, as a proactive tool for ensuring coordination in cross-border judicial counter-terrorism proceedings, to be adequately resourced. It also highlights Eurojust's role in improving the EU's understanding of future threats, cooperation with third countries, and notes the importance of implementing the hit/no-hit system between Europol and Eurojust.
- **EU Drugs Strategy 2021-2025**²¹²: Provides the overarching political framework and priorities for the EU's drugs policy. Among other issues, the Strategy indicates how drug policy is of a cross-cutting nature, a national and international issue that needs to be addressed in a global context, and therefore requires judicial and law enforcement cooperation, intelligence, interdiction, confiscation of criminal assets, and investigations. This includes also strengthening cooperation with third countries and international organisations. While not specifically mentioned, Eurojust clearly has a role to play in this context, with drug trafficking a key crime type for the Agency.
- **Communication on the digitalisation of justice in the EU**: Following the lessons learned during the COVID-19 pandemic and the impact on judicial systems and cross-border judicial

²⁰⁹ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the [EU Strategy to tackle Organised Crime 2021-2025](#).

²¹⁰ 1) Boosting law enforcement and judicial cooperation, through smooth exchange and timely access to information; the setup of advanced cooperation frameworks for law enforcement and judicial cooperation, and enhance international cooperation, with new international cooperation agreements; 2) Effective investigations disrupting organised crime structures and tackling high priority crimes, with additional efforts on tackling complex organised crime structures, and a tailor-made response to specific forms of crime (e.g. environmental crimes, drug trafficking, cybercrime, migrant smuggling); 3) Eliminating profits generated by organised crime, by reinforcing asset recovery and anti-money laundering measures, anti-corruption measures; and addressing infiltration in the economy and society; 4) Making law enforcement and the judiciary fit for the digital age, by ensuring access to digital leads and evidence; the provision of effective IT tools and technologies for conducting digital investigations, increase the capacity and capabilities of law enforcement and prosecution services, and improving access to skills, knowledge and operational expertise.

²¹¹ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions [A Counter-Terrorism Agenda for the EU: Anticipate, Prevent, Protect, Respond - COM\(2020\) 795 final](#).

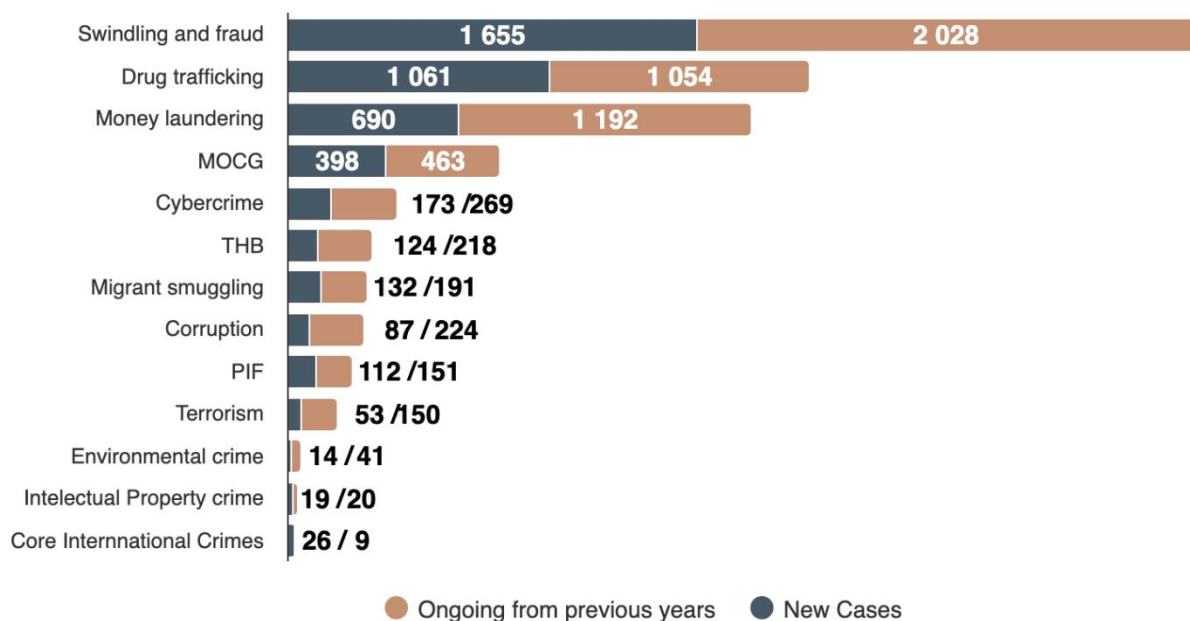
²¹² Council of the European Union, [EU Drugs Strategy 2021-2025 - Publications Office of the EU](#).

cooperation, the Communication proposes a toolbox of measures targeted at fostering digitalisation of justice with the aim to improve access to justice and the efficiency of justice systems.

Alongside these policy and strategic documents, EU legislation in the field of criminal justice also provides for a range of **judicial cooperation instruments**, including, amongst others: the European Arrest Warrant (EAW) – governed by Council Framework Decision 2002/584/JHA, as amended by Council Framework Decision 2009/299/JHA; the European Investigation Order (EIO) – established by Directive 2014/41/EU; and joint investigation teams (JIT) – established by Council Framework Decision 2002/465/JHA.

Eurojust contributes to the realisation of these strategies and the achievement of the objectives of these legislative instruments in a coherent way through a number of its activities. First and foremost, Eurojust's core operations – i.e. providing support to Member States in the investigation and prosecution of serious cross-border crimes – are key to ensuring coherence. Through its support to cases, which is considered to be generally effective and bring significant benefits for national investigation and prosecuting authorities, Eurojust contributes to the fight, on the ground, against serious cross-border crimes. In line with the core EU policies, and as illustrated in the below figure, this covers support to a large number of cases per year in areas such as CIC, Cybercrime, terrorism, trafficking in human beings, PIF and economic crimes. As an example, the below figure illustrates the number of new and ongoing cases per crime type in 2022.

Figure 22: Eurojust (new and ongoing) case support by crime type, 2022



Source: [Eurojust website](#)

Second, as highlighted above, Eurojust's activities in the field of cooperation with EU partners, including practitioner networks, third countries and international organisations are crucial to EU progress in the field of criminal justice. Although some practical challenges have been identified in this regard, the Eurojust legal framework is generally considered to be coherent with those of relevant partners. This is examined further in section 4.3.2 on coherence with EU JHA agencies, networks, OLAF and the EPPO, and section 4.3.3 on coherence with international actors, including both third countries and international organisations.

Third, while the working groups established as sub-structures of the College raise challenges with regard to the organisation of the Agency, they support Eurojust's contributions to these EU priority topics. As detailed in section 3.1, the College has working groups focused on issues of: Counter-Terrorism; Economic Crime; Anti-Trafficking; Cybercrime; and Judicial Cooperation Instruments. In each area, these working groups are responsible for prioritising and delivering strategic and policy activities and outputs. This includes producing thematic reports, policy papers or guidance on particular crime types or judicial cooperation instruments and providing opinions and contributions on EU policy and legal developments across the EU institutions. Beyond those formal documents, Staff from the Council and the European Parliament valued the contribution of Eurojust in providing practical feedback based on existing cases and difficulties experienced by practitioners. Eurojust is particularly seen as effective at the start of the legislative process, understanding well the need to interact with EP rapporteurs and shadows and the relative importance of interacting with political groups. One caveat was that the lack of a Eurojust liaison person in Brussels made this transfer of experience and knowledge more difficult (although this has been addressed after the end of the evaluation period).

Beyond these core areas of activity, Eurojust has also contributed in a coherent manner to EU priorities across the evaluation period through: (i) its contributions to EU-funded projects, such as the EuroMed Justice project, funded by DG MENA, with the aim of developing sustainable cooperation mechanisms for cross-border judicial cooperation in criminal matters between the EU Member States and South Partner Countries; and (ii) as discussed in detail in section 4.1.4, its extensive work to support the fight against impunity for international crimes in general and specifically in relation to the situation in Ukraine, including establishing the International Centre for the Prosecution of the Crime of Aggression against Ukraine (ICPA).

4.3.1.2 Coherence with the EU's data protection regime

Another area in which coherence with wider EU policies and priorities is in the field of **data protection**, particularly considering the importance of processing operational personal data to Eurojust's core activities.

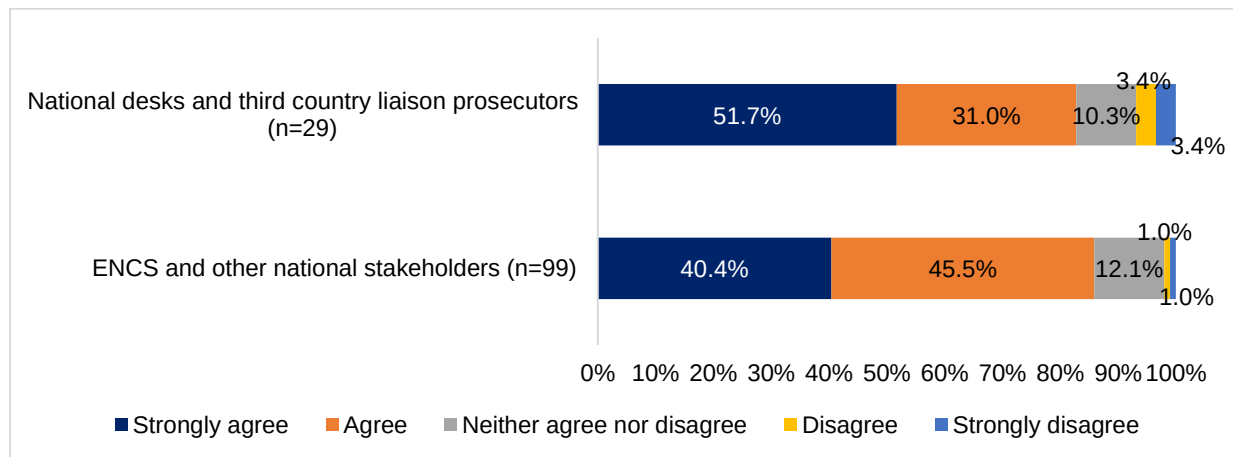
As discussed in sections 3.1.5 and 4.1.2.4, one of the key novelties of the EJR was the **new data protection regime** (Art. 26 and following) adapted to the revised EU legal framework on data protection, and in particular the application of Regulation (EU) 2018/1725 to the processing of administrative personal data, with a new chapter on operational personal data as '*lex generalis*' and the Eurojust Regulation as '*lex specialis*' with regard to the processing of operational personal data. As indicated in Recital 29 of the EJR, the general rules of Regulation (EU) 2018/1725 on the processing of operational personal data should apply without prejudice to the specific data protection rules of the EJR, which should be anyway consistent with the principles of Regulation 2018/1725.

As confirmed during interviews with Eurojust staff, the Regulation is aligned with the requirements of the general EU data protection regulations, making multiple references to Regulation 2018/1725 in its provisions. This position was also confirmed through the surveys with both Eurojust national members and third country liaison prosecutors, and national level stakeholders. As can be seen in the below figure, more than 85% (85 of 99) of national level stakeholders either agree (40/99, 40.4%) or strongly agree (45/99, 45.5%) that Eurojust's data protection regime is fully aligned to Regulation (EU) 2018/1725; the equivalent figure for Eurojust national desk members and liaison prosecutors was 82.8% (24/29), with 51.7% (15/29) strongly agreeing and 31% (9/29) agreeing. Only four stakeholders across both surveys responded negatively on this point with limited explanation provided in the related open questions.

However, it is important to note that a large number of respondents responded with 'I can't say' – a total of 168 across the two surveys (9 for the survey of Eurojust national desks and liaison prosecutors; 159 for the national level stakeholders). This is likely due to the fact that a number

of respondents at the national level are not familiar with Eurojust's internal workings, including its data protection regime. These responses are not included in the below figure.

Figure 23: Coherence of Eurojust's data protection regime with Regulation (EU) 2018/1725



Source: Survey of national desks and third country liaison prosecutors; and survey of national practitioners and policymakers.

While Eurojust's data protection regime is considered to be in line with the relevant provisions of the EJR and Regulation (EU) 2018/1725, the Agency has encountered challenges regarding the coherence of its data protection regime with the LED. As explained further in section 4.1.2.4, this stems from divergent interpretations and approaches of the LED between Eurojust and Member State authorities, in particular concerning the issue of ensuring appropriate safeguards for the transfer of personal data to third countries. Interviewees from the Eurojust administration stated that this was due to the inadequate implementation of Article 37 LED by the Member States, citing the findings of the Commission's first report on the application and functioning of the LED.

4.3.2 Coherence with EU JHA agencies, networks, OLAF and the EPPO

The legal framework in place ensures that Eurojust's mandate and tasks are coherent with and complement those of other JHA agencies, judicial cooperation networks, bodies as well as with OLAF and the EPPO. As evidenced by the desk research:

- While some overlaps exist in the **Regulations** in terms of shared goal (i.e. combatting cross-border crime in the case of Eurojust and Europol), the different agencies and bodies have complementary means of achieving that goal (e.g., Europol's mandate focuses on police investigations, while Eurojust's mandate focuses on judicial actions). Eurojust's Regulation also includes specific articles to better define its relationship with other EU partners and avoid duplications while ensuring complementarities and synergies, including with the EJR and other networks (Art. 48), Europol (Art. 49), the EPPO (Art. 50) as well as OLAF and Frontex (Art. 51)²¹³. Similarly, the Regulations of these agencies and bodies also include specific articles that refer to Eurojust to ensure effective cooperation and clear distinct roles

²¹³ Regulation (EU) 2018/1727 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust)

(e.g., Art 21 of Europol's Regulation²¹⁴, Art 13 of OLAF's Regulation²¹⁵, Article 100 of the EPPO Regulation²¹⁶, etc.).

- **Working arrangements** with the EPPO²¹⁷ and OLAF²¹⁸ as well as a cooperation agreement with Europol²¹⁹, Frontex²²⁰, FRA²²¹, EU-LISA²²², and EMCDDA²²³ (now EUDA) further ensure their complementarity. While specific details of the working arrangements and MoU vary, they all outline the distinct legal mandate and policy frameworks within which the agencies and bodies operate and typically include specific provisions on information sharing (i.e., agreeing to share relevant information and intelligence to support each other's operations and investigations); operational aspects (i.e., joint initiatives to tackle common issues), and training and capacity building activities (i.e., initiatives to enhance the skills and knowledge of personnel across the agencies) to avoid overlap/duplication and ensure synergies.

While in general stakeholders consulted (EU Institutions and agencies and National Members) were **positive about the coherence ensured by this legal framework, some noted challenges with regards to the cooperation between Eurojust and Europol, and Eurojust and the EPPO (see further explained below).**

Those more positive noted the distinct mandate, clear distribution of tasks, and overall positive cooperation between Eurojust, JHA agencies, bodies, networks, OLAF and the EPPO. As highlighted by stakeholders consulted, Eurojust's unique role in judicial cooperation complements the operational and strategic functions of these other EU partners, ensuring a more coherent and holistic approach. Cooperation in the framework of the joint operations, initiatives, and task forces to tackle shared challenges (which involve coordinated efforts from multiple partners to share intelligence, resources, and expertise) were considered particularly important and illustrative in that regard (see section 4.1.3 under Effectiveness)²²⁴. Eurojust also cooperated with other EU partners on other activities which, while considered less relevant by National Members, also demonstrate the cooperative and complementarity component of Eurojust's interactions with EU partners. These include various joint products and statements (addressing issues like data protection, human trafficking, or the Russian war of Aggression in Ukraine²²⁵) as well as joint awareness-raising and capacity-building activities (e.g., seminars

²¹⁴ Regulation (EU) 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol)

²¹⁵ Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF)

²¹⁶ Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO')

²¹⁷ Working arrangement between Eurojust and EPPO, Available at: [Working Arrangement between Eurojust and EPPO | Eurojust | European Union Agency for Criminal Justice Cooperation \(europa.eu\)](#)

²¹⁸ Working arrangement between OLAF and Eurojust, Available at: [Working Arrangement Between The European Anti-fraud Office And the European Union Agency for Criminal Justice Cooperation | Eurojust | European Union Agency for Criminal Justice Cooperation \(europa.eu\)](#)

²¹⁹ Agreement between Eurojust and Europol, Available at: [Eurojust-Europol-2010-01-01-EN.pdf \(europa.eu\)](#)

²²⁰ Memorandum of Understanding on cooperation between Frontex and Eurojust, Available at: [Frontex-Eurojust-2013-12-18_EN.pdf \(europa.eu\)](#)

²²¹ Memorandum of Understanding between Eurojust and FRA, Available at: [Memorandum of Understanding between Eurojust and FRA | Eurojust | European Union Agency for Criminal Justice Cooperation](#)

²²² Memorandum of Understanding between Eurojust and eu-LISA, Available at: [Memorandum of Understanding between Eurojust and eu-LISA | Eurojust | European Union Agency for Criminal Justice Cooperation](#)

²²³ Memorandum of Understanding between Eurojust and EMCDDA, Available at: [Memorandum of Understanding between Eurojust and EMCDDA | Eurojust | European Union Agency for Criminal Justice Cooperation](#)

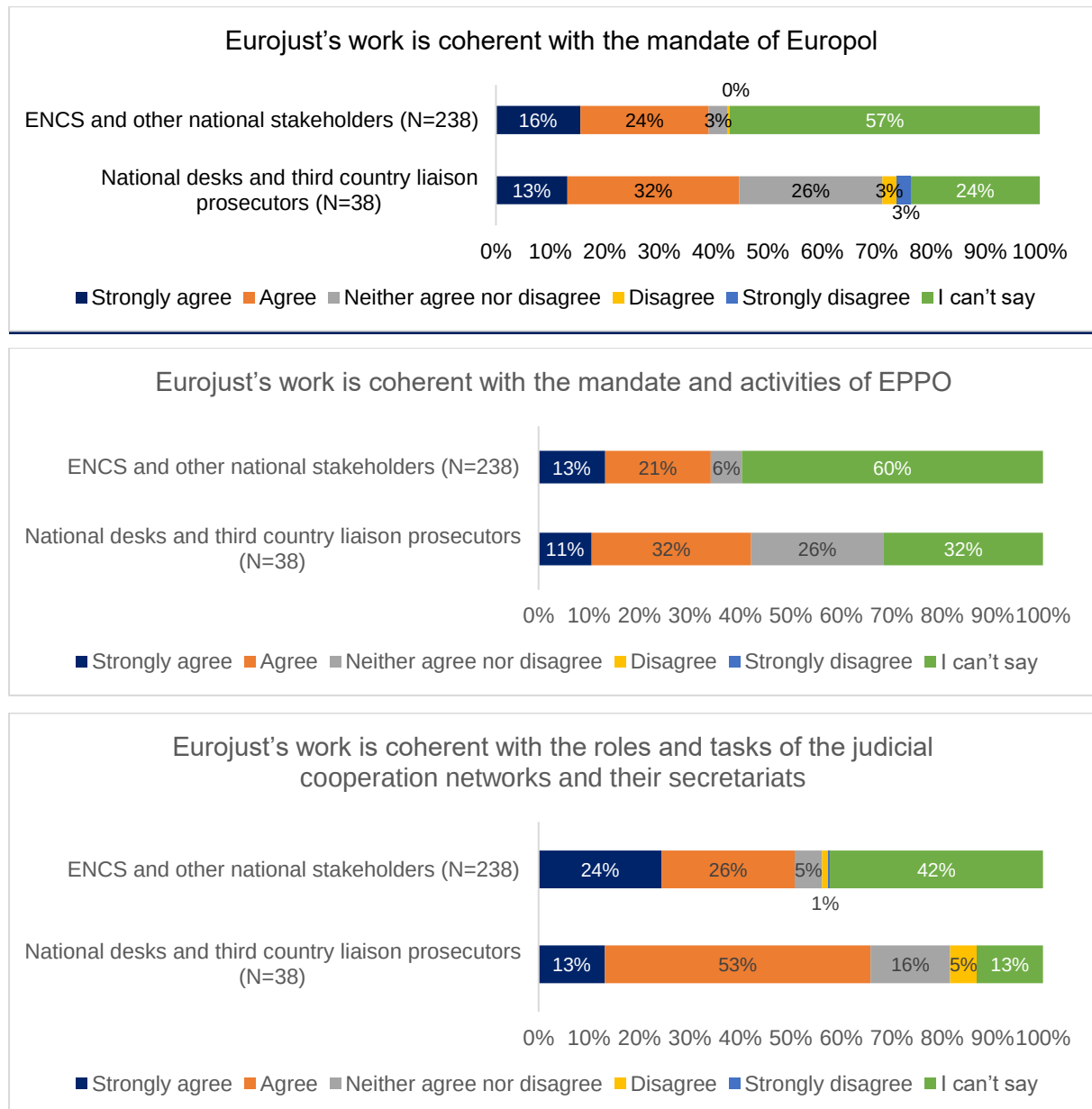
²²⁴ For instance, during 2023, the Agency handled 42 cross-border cases with Europol (with Europol joining Eurojust in 96 coordination meetings as well as 8 coordination centres), 15 with the EPPO (with the EPPO participating in 6 coordinating meetings), and two cases with OLAF- Eurojust, Annual Report 2023

²²⁵ JHA Agencies' contribution to EU solidarity with Ukraine Joint Paper, Available at: [Joint Paper JHA Agencies Solidarity with Ukraine 30.04.2024_REV \(europa.eu\)](#)

and trainings on topics requiring joint efforts, such as the use of AI²²⁶, environmental crime and the impact of climate on JHA²²⁷).

Eurojust, the EPPO, and the networks were considered by stakeholders consulted as the most closely related actors to Eurojust. However, despite the potential for overlap most (disregarding respondents that answered “I can’t say”) ENCS and national stakeholders, as well as national desks and third country liaisons prosecutors surveyed (see figure below) and interviewed considered Eurojust’s work to be coherent with the mandate of these actors.

Figure 24: To what extent do you agree with the following statements regarding the coherence between Eurojust’s work and related activities in the period since the entry into application of the Eurojust Regulation (i.e. since 12 December 2019)?



²²⁶ Seminar on Artificial Intelligence (AI), 15 June 2021, to learn about the results of Frontex study on AI based capabilities for the European Border and Coast Guard and to discuss the impact of the use of AI on the work of JHA Agencies and beyond.

²²⁷ Seminar “Understanding the Influence of Climate Change on Justice and Home Affairs”, 16 February 2021, to raise awareness among JHA staff about the available research on the dependency between climate change and JHA policies, and to provide a platform for the JHAAN staff to exchange views with the academic community on those topics.

Source: Survey of national practitioners and policymakers, and survey of national desks and third country liaison prosecutors

However, as noted above, despite overall positive feedback, some challenges were reported in regard to Europol and the EPPO:

- **Several stakeholders reported overlaps/duplications between Eurojust and Europol. However, these were issues related to the practical implementation of their respective mandates as opposed to overlaps in the legal texts of these agencies.** In that regard, and as further detailed in effectiveness (see section 4.1.3), several National Members, as well as stakeholders from EU institutions and agencies, noted room for improvement to further strengthen synergies between Eurojust and Europol. This includes issues of (lack of) information sharing on the hit/no hit system. According to interviews with Eurojust staff, challenges relate to the fact that the legislation might be open to different interpretations across agencies (also considering that Frontex and OLAF are partners that do not need to operate with the hit/no-hit system with Eurojust), and the lengthy process that was required to set up the system and make it functional (see under effectiveness). One stakeholder within Europol also highlighted potential issues of overlap between JIT and OTF in terms of recruitment. That is, because Europol analysts prioritise Europol tasks (including the OTFs), they are not always available to Eurojust for the JIT. As a result, Eurojust started recruiting their own analysts which creates competition, between both agencies.
- **While all stakeholders interviewed noted the strong current cooperation (and the benefits it brings) between Eurojust and the EPPO, some suggested that this cooperation could diminish in the future as Eurojust may become less relevant to the EPPO's needs.** That is, the EPPO is increasingly entering into working arrangements including with Hungary (which has not joined the EPPO) as well as with third countries, which reduces their reliance on Eurojust's cooperation with third countries. Similarly, while the EPPO still relies on Eurojust tool and networks (in particular when wider coordination is required) the EPPO is in the process of developing these tools and building up their own network, which could potentially further diminish the need for cooperation between the EPPO and Eurojust (i.e., limiting cooperation to areas where the EPPO has no competence such as money laundering or drug trafficking). While noting the clear distinction in the mandate, one stakeholder within the EPPO noted some potential overlap when it comes to combatting organised crime committed in Ukraine, where both organisations consider themselves most suitable to lead. This was noted as creating competition.

Mechanisms are in place to facilitate cooperation and ensure the coherence of Eurojust with the other JHA agencies, networks, bodies, OLAF and the EPPO. Within the JHA, these include annual meetings of the Heads of the Agencies (hosted by Eurojust in 2020) to coordinate activities²²⁸, as well as more regular meetings on the working level among the Contact Points to discuss recent developments, share knowledge, and exchange experiences²²⁹. Additional channels for cooperation and discussions have also been established through thematic Working Groups that bring together experts from different Member States and relevant EU agencies to collaborate on specific issues (e.g., Data Protection Working Group, Training Working Group, ICT and Cybersecurity Working Group, etc.). Over the years, the JHA network has also developed a set of tools and products (updated on a yearly basis) to map the different agencies' activities in different key areas of the JHA field to ensure synergies and avoid overlaps (e.g., JHA Network Annual Reports on its activities as well as a "scorecard" tracking all ongoing and

²²⁸ Eurojust, JHA agencies' network, (Website) Available at: [JHA agencies' network | Eurojust | European Union Agency for Criminal Justice Cooperation \(europa.eu\)](https://www.eurojust.europa.eu/jha-agencies-network)

²²⁹ Final Report on the JHA Agencies' Network Activities 2021, Available at: [final_report_on_jhaan_activities_in_2021.pdf \(europa.eu\)](https://www.eurojust.europa.eu/final-report-on-jhaan-activities-in-2021.pdf)

The nature of the cooperation between Eurojust and IOs varies depending on the IOs but has mainly focused on capacity building activities. However, as evidenced through the desk research and interviews, synergies related to operational coordination and information sharing are increasingly being sought and developed where relevant to Eurojust operational needs (e.g., with the ICC). The table below provides examples of different type of joint activities conducted by Eurojust with the ICC, UNODC, Interpol and the CoE (the main IOs with which Eurojust cooperates) to illustrate how synergies have been exploited between these actors.

Table 34: Examples of synergies and complementarity between Eurojust and IOs

Type activity	Examples of synergies and complementarity being sought
Capacity building	- In 2024, Eurojust and UNODC co-organised a workshop for practitioners (including prosecutors, law enforcement authorities, and judges) from various countries in Central Asia on setting up and operationalising JITS. This initiative promoted the use of JITS in transnational criminal investigations, with both Eurojust and UNODC sharing their expertise and challenges encountered in using JITS in order to develop shared lesson learnt and best practices.²³⁴ - In 2024, Eurojust and the CoE co-hosted a workshop on the spontaneous exchange of information obtained during criminal investigations. This event brought together over 70 participants from around 40 countries to discuss the practical use of Article 26 of the Cybercrime Convention. Eurojust's observer status in the Cybercrime Convention Committee (T-CY) enabled it to contribute to the development of the guidelines and best practices for international cooperation in cybercrime investigations.²³⁵
Operational coordination	- Since 2023, the ICC participates in Eurojust-supported JIT for alleged core international crimes committed in Ukraine and in the International Centre for the Prosecution of the Crime of Aggression against Ukraine (ICPA).²³⁶ Their involvement ensures that investigations into the crime of aggression are comprehensive and coordinated with the work of the ICC, leveraging the expertise and resources of multiple international justice actors. - In October 2023, Eurojust collaborated with Interpol in the coordinated arrest of a Swedish national in a cross-border drug trafficking case involving Sweden, Montenegro and Serbia.²³⁷ This operation, which included the execution of an International Arrest Warrant, was the result of several months of close cooperation between the authorities of the involved countries together with Interpol and Eurojust which provided complementary operational support (legal and police)
Information sharing	- The recent amendment to the Eurojust regulation mandates the Agency to exchange evidence with, or otherwise make evidence directly available to, international judicial authorities, in particular to the ICC (however, to facilitate such exchange, an international agreement with the ICC is a necessity).²³⁸ UNODC grant national members of Eurojust access to its legal tools, including its databases on treaty-related information. Eurojust, upon request by UNODC and on a case-by-case basis, can also transmit information to UNODC²³⁹.

²³⁴ [UNODC and Eurojust promote Joint Investigation Teams for Central Asian countries](#)

²³⁵ <https://www.eurojust.europa.eu/news/eurojust-and-council-europe-co-host-workshop-spontaneous-information-sharing>

²³⁶ [Joint investigation team into alleged core international crimes committed in Ukraine](#)

²³⁷ [5.4 Cooperation with international organisations | Eurojust | European Union Agency for Criminal Justice Cooperation](#)

²³⁸ eurojust.europa.eu/sites/default/files/assets/eurojust-strategy-on-cooperation-with-international-partners-2024-2027.pdf

²³⁹ [UNODC signs cooperation agreement with European justice body](#)

Beyond an increase in the number and type of joint activities between Eurojust and IOs (see section 4.1.3 on effectiveness), Eurojust has also sought to increase the number of IOs it cooperates with. As of January 2025, Eurojust now cooperates with the ICC, UNODC, Interpol, the CoE as well as the UN Investigative Mechanisms. In line with its strategy for 2024-2027, Eurojust is also currently in the process of pursuing strategic working arrangements with the International, Impartial and Independent Mechanism – Syria (IIIM) and with the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD).²⁴⁰ Stakeholders consulted also reported that collaboration with Ameripol (which was recently granted international legal personality) and with the OSCE (in specific areas such as trafficking in cultural property) is also of interest to Eurojust and currently envisaged.²⁴¹ This demonstrates Eurojust continued work toward strengthening synergies with IOs.

Cooperation to ensure coordination and synergies between the activities of Eurojust and IOs is done on a case-by-case basis. While Eurojust and IOs often have standing invitations to attend one another's relevant meetings, they lack the capacity to regularly participate, follow up on activities and maintain contact with one another due to the high number of actors and topics covered. As a result, they need to prioritise on a case-by-case basis, and as evidenced through the interviews conducted, stakeholders within Eurojust and IOs were often not fully aware of the activities conducted by the other actors. Thus, while collaboration exists, it tends to rely on personal connections rather than official lines of communication, and remains ad-hoc. While it may not be necessary to further systemise the cooperation across all international organisations, if resources allow it, this could be strengthened for those international organisations where cooperation is deemed most relevant to Eurojust.

As noted under effectiveness (as well as case study 2), Eurojust cooperates with third countries in various ways, including through its cooperation agreements, working arrangements, and posting of liaison prosecutors and contact points. **Through this work, Eurojust ensures coherence, by coordinating the efforts across Member States and third countries.** For example, Eurojust has a role in preventing duplication of efforts, when preventing and resolving conflicts of jurisdiction.²⁴² It can also be argued that coherence with EU law is promoted through the negotiation of international agreements with third countries, for example in relation to data protection.

Interviewees also highlighted that there are **some challenges and gaps with regard to the Agency's work with third countries.** There is varying willingness of authorities in third countries to cooperate, with some seeing clear benefits, while others may question what they gain from the collaboration with Eurojust. In addition, many third countries were described by National Members and LPs as lacking a single central authority for criminal matters, which Eurojust helps to address. While formal cooperation agreements enhance cooperation and information exchange, resource constraints and implementation complexities often hinder their effectiveness. Interviewees also pointed out that legal and political obstacles, such as data protection issues, slow down negotiations and affect operational capacity.

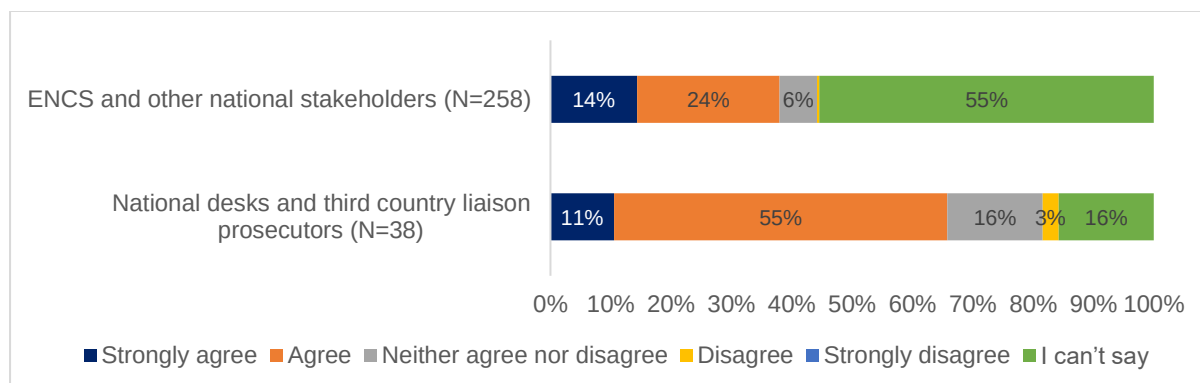
Although a large proportion of ENCS and other national stakeholders (55%) were not able to say whether Eurojust's work is coherent with the activities of third countries, of those that could, the majority was positive on Eurojust's coherence with third countries. The majority of national desks and third country LPs (65%) also agreed or strongly agreed that Eurojust's work is coherent with the activities of third countries.

²⁴⁰ [Eurojust Strategy on Cooperation with International Partners 2024–2027](#)

²⁴¹ [Eurojust Strategy on Cooperation with International Partners 2024–2027](#)

²⁴² <https://www.eurojust.europa.eu/annual-report-2021/conflicts-of-jurisdiction>. See for example, case involving Serbia.

Figure 26: To what extent do you agree with the following statements regarding the coherence between Eurojust's work and related activities in the period since the entry into application of the Eurojust Regulation (i.e. since 12 December 2019)?



Source: Survey of national practitioners and policymakers; survey of national desks and third country liaison prosecutors

None of the stakeholders interviewed, including several third countries, identified any overlaps or duplications in the work of Eurojust and third countries. Only one interviewee noted that sometimes third countries would contact both Eurojust and an EU Member State (e.g. one they have good relations with) directly about the same case requiring judicial cooperation. However, the interview with Eurojust confirmed that such cases were often resolved quickly as such cases would be flagged by relevant national desk within Eurojust.

4.3.4 Conclusion

Overall, there is **strong consistency and coherence between the legal basis, mandate and activities of Eurojust and wider EU policies, priorities and legislation in the field of criminal justice and judicial cooperation in criminal matters**. In particular, this considers the interplay between the EJR, Eurojust's activities and key EU policy documents (e.g. the Counter-Terrorism Agenda for the EU, and work on the digitalisation of justice in the EU), as well as key EU legislation (e.g. related to JITS, the EAW and the EIO). Eurojust contributes to the implementation of these policies and laws in a range of ways, including through its: (i) support to the fight, on the ground, against serious cross-border crimes; (ii) cooperation with EU partners, including practitioner networks, as well as international partners; (iii) strategic and policy work on thematic issues, providing thought-leadership on judicial cooperation issues and support to the EU institutions; (iv) contributions to EU-funded projects; and (v) extensive work to support the fight against impunity for international crimes in general and specifically in relation to the situation in Ukraine.

Eurojust's data protection regime is also considered to be well aligned to the EU's data protection regime, as governed by Regulation (EU) 2018/1725, while ensuring full implementation of the EJR's rules on data protection. One coherence-related challenge concerns the LED (and Article 37 in particular). While no issues have been identified regarding Eurojust's operations, issues of inadequate and divergent national interpretation and implementation of the LED provisions across the Member States on ensuring appropriate safeguards for the transfer of personal data to third countries has caused internal tensions (as discussed further under effectiveness – section 4.1.2.4).

Legal coherence is generally good between the mandates of Eurojust and other EU JHA agencies, bodies and offices, as well as practitioner networks, the EPPO and OLAF. However, certain practical concerns were identified, including overlaps between the work of

Eurojust and Europol regarding the implementation of their mandates on issues such as information sharing, potentially diminishing relevance of Eurojust-EPPO cooperation, and defining the types of case requests that should be allocated to Eurojust versus the EJN.

Beyond cooperation with EU partners, Eurojust has significantly expanded its engagement with international partners over the evaluation period. While **Eurojust's work with third countries was largely coherent**, for instance by preventing the duplication of efforts, some challenges were encountered. These include the varied willingness of third country authorities to cooperate, including some that would be important to EU Member States, and the lack of single central authorities in some third countries. Eurojust's engagements with international organisations are largely dependent on the specific needs of the organisation; they are thus **constructed and tailored in a manner that is coherent with Eurojust's mandate and activities**.

5. How did the Eurojust Regulation make a difference?

The assessment of EU added value aims to examine the benefits derived from the EJR and Eurojust against what could have been achieved by Member States on their own. In this context, this section addresses the overarching question: **‘To what extent could the identified changes/results/impacts have been achieved without Eurojust and/or the Eurojust Regulation?’** Annex 2 contains further detail on the evaluation framework used to guide this assessment of EU added value.

5.1 Eurojust’s added value

Judicial cooperation in criminal matters has gained importance since the Tampere Council of 1999 calling for the creation of a genuine European area of Justice²⁴³. This resulted in changes to the treaties, marked the start of a number of cooperation instruments (such as the EIO, the EAW) and legislative acts setting common minimum standards for criminal proceedings; it also led to the creation of Eurojust and the EPPO. Eurojust’s added value must therefore be understood within this wider context of the ecosystem of judicial cooperation in criminal matters.

Given the international nature of many serious crimes, such as online fraud, money laundering and human trafficking, it’s challenging for individual Member States to tackle these effectively themselves. The objective of Eurojust is to *“support and strengthen coordination and cooperation between national investigating and prosecuting authorities”*. The question of whether Member States would be able to achieve this objective without the existence of the Agency is therefore easy to answer. By the mere fact it is effective in achieving its objectives of supporting cooperation and coordination between investigation and prosecuting authorities in the Member States, Eurojust provides value beyond what Member States could achieve alone. National stakeholders interviewed explained that they were now able to pursue cross-border cases which they would not have been able to pursue before the creation of the Agency. They also highlighted that the importance of Eurojust had increased over the evaluation period. During focus group discussions, some stakeholders went further, explaining that, thanks to the cross-border support they can rely on Eurojust and the EJR for, they now felt able to initiate cases which they would not have before. While before they would have elected not to initiate certain complex cross-border cases knowing there was little chance of a successful prosecution, they now feel empowered to do so. This shows improvement since the 2015 evaluation, where the implementation of a number of provisions were not deemed to add much value at the time. This appears to show that the EJR has played a role in increasing the value it can add to stakeholders.

Judicial cooperation is an important area where the same results and impacts would not have been achieved by Member States acting alone. Coordination of investigations through coordination meetings and coordination centres, as well as support to JITs, are key cooperation tools made available by Eurojust. Judicial cooperation in criminal cases can take different forms, ranging from bilateral cross-border cooperation (including at the regional level) to cases involving many Member States and types of crimes, such as some of the more complex cases tackled by Eurojust. In between are cases which either involve countries not often cooperating or involving multiple countries. For such cases, Eurojust, alongside the EJR, are important tools available to prosecutors and investigative judges. In this respect, the effectiveness of the ENCS and the people working in specific positions is an important factor in the added value of the Agency. Successful examples how the Agency adds value identified during the evaluation include:

²⁴³ See Tampere European Council Conclusions, October 1999, available at: https://www.europarl.europa.eu/summits/tam_en.htm

- Those with a knowledgeable central authority responsible for cross-border cases. In some Member States, one person or a small group of people with good knowledge of judicial cooperation mechanisms, including Eurojust, the EJC and bilateral agreements and in regular contact with the national desk at Eurojust are the central authority for cross-border cases. Their knowledge of the mechanisms, familiarity with the different procedures and their relative merit, as well as the personal links they have with their counterparts is an enabling factor in the effectiveness of cross-border cooperation.
- Member States with magistrates specialised in judicial cooperation in criminal matters. In some Member States, prosecutors can specialise in specific areas including judicial cooperation. In many cases, these magistrates have undertaken a training period at Eurojust (often through the EJC) and can support their colleagues in the prosecutorial office they work in which faced with a cross-border case.
- In one Member State, regional prosecutors take turns in being seconded to their national desk at Eurojust for a period of six months. Over time, this means that around two prosecutors per region have had experience of Eurojust and are able to serve as relays in their regional prosecution office to advise their colleagues about the role of the Agency, but also alternative means of cooperation with other Member States, either bilaterally or through the EJC.

There are different enabling factors that appear to contribute to the added value of the Agency beyond what could have been achieved by Member States acting alone. However, many of those depend on Member States. Beyond obligations for Member States set out in the EJC (setting up ENCS, exchange of information etc.), the way in which Eurojust and the EJC in national systems of judicial cooperation has an impact of the Agency's added value.

The first factor is the way **Member States set up cooperation and coordination mechanisms which work with and are embedded in their national systems**. For some Member States, this may be through a centralised system, while for others, a more decentralised approach is more appropriate. Second, the most effective national systems are those where the **knowledge of cooperation mechanisms are consolidated**. In order to ensure the most effective use of these mechanisms, it is important for people with knowledge of each of these to be in charge of cooperation, rather than having the Eurojust ENCS separate from the EJC National Contact Points. Beyond this, experience of these mechanisms to know their relative merits is important. As discussed elsewhere in this report, there is no exact definition or formulae to easily identify the most appropriate route for cross-border cooperation requests. This is due to the specificity of each case, but also the varying effectiveness of some mechanisms. EJC contact points are funded by Member States and undertake their EJC-related tasks in addition to their normal day-to-day work. In some Member States this is recognised by reducing their workload allowing them to dedicate some time to their EJC-related duties. In others, their EJC role does not bring any additional support, making it difficult for some contact points to fulfil their role to the best of their ability and capacity. As a result, the effectiveness of the EJC can vary greatly from region to region, this knowledge comes with experience. Third, having **the right person in the right position** is key. The person must be able to quickly understand the specificities of the case, have links with their counterparts in other member states as well as Eurojust and the EJC. Skills such as the ability to create personal links, working collaboratively, and the ability and willingness to connect people are key enabling factors in this respect.

There **are situations in which cooperation and coordination could have (and does) exist in the absence of Eurojust**. This is particularly the case in bilateral situations for cases involving two Member States sharing a border. At the bilateral level, there are cases where cooperation between Member States stems from their geographical or cultural proximity. One interviewee provided the example of cross-border cooperation in border regions, where the law enforcement and judicial authorities have been used to cooperate for many years and can deal

with cases without the support of Eurojust. As an example, prosecutors' offices in Passau (Germany) and Linz (Austria) have regular contacts and, thanks to the border and common language shared, a history of cooperation. Similar situations exist across the EU. Interviewees and participants to the focus groups highlighted the importance of this cooperation and were of the opinion that these bilateral contacts were not in any way duplicated by the existence of Eurojust.

The **added value of judicial cooperation mechanisms at the EU level emerges in more urgent or complex cases**. Practitioners interviewed identified specific cases where additional support was needed. These include cases where there is a level of urgency, cases involving more than one Member State, or cases where the type of crime is complex and require special attention. Yet the Agency continues to deal with simple cases for a number of reasons, as set out in section 4.1.2. The use of Agency resources to continue dealing with such cases has a negative impact on its capacity to add-value at EU level.

Complex cases, which may include those **involving more than two Member States** or cases where the type of crime is complex are some where the added value of the Agency appears to be more valued by all stakeholder groups, in particular prosecutors and investigative judges at national level and National Members. Elements that have been highlighted by interviewees include:

- The **structured environment** for prosecutors from multiple countries to collaborate. This is particularly the case when three or more countries are involved.
- The Agency's **coordination role**; beyond cooperation between Member States, the coordination function that Eurojust plays, including through providing support for JITs, coordination meetings and Joint Action Days, is important.
- Having a '**neutral third party**' to coordinate between prosecutors is essential. Eurojust helps national authorities understand each other's legal systems, resolve legal conflicts, and provide tools for joint investigations.
- The ability of prosecutors and judges involved in the case to **speak their own language** in coordination meetings, which allows them to express the complexity of the cases rather than having to speak in a second language in which they might not be fully fluent. Even when practitioners can communicate in English, the ability to use their own language in complex cases makes it easier to ensure the subtleties and complexities of the cases are conveyed.
- The **budget support** for cooperation through travel costs, interpretation etc., which appears to encourage some Member States' authorities to use Eurojust. Some National Members of Member States with a higher GDP per capita did, however, note that prosecutors from their countries often forgot to ask for financial support or reimbursements of expenses to Eurojust.

Without repeating the discussion on what constitutes a 'Eurojust case' from section 4.1, all the stakeholders interviewed with knowledge of the situation talked about the lack of clear answer of what should constitute an EJM or a Eurojust case. This debate, which is of importance for magistrates involved in the ENCS or national desks, is one that does not appear to affect the effectiveness of either the EJM or Eurojust's work for national practitioners.

Beyond the operational issue of which type of cases should be brought to Eurojust, some interviewees who have been familiar with Eurojust for over a decade have mentioned that in their views, **Eurojust has changed European cooperation in criminal matters for the better**. They see Eurojust as one part of an ecosystem which is changing judicial cooperation and improve mutual trust. While they referred to their opinion rather than any empirical evidence, some examples were provided:

- Another interviewee mentioned that the number of ‘simple’ cases being addressed to their desk decreased, and put it down to the greater awareness amongst their colleagues at Member State level of alternative tools at their disposal.
- One interviewee who had responsibilities with the EJNI, Eurojust and a cooperation role within their national central prosecution authority highlighted the ‘huge change’ in the working culture of their colleagues. They highlighted how in the past, cross-border cases were uncommon and could be ignored, while cross border cooperation is now the norm. In their opinion, Eurojust plays an important role in the creation of the collaboration culture.

“We have no choice, we have to cooperate across borders.”

The level of **trust** National Members have in each other with their national competent authorities **appears to be at the core of the added value that Eurojust brings to Member States**. Trust is seen as the enabler for the successful cooperation supported by Eurojust. The majority of National Members highlighted the importance of having an independent College composed of prosecutors or judges as they see it as a prerequisite to ensure the independence of the Agency and therefore the trust that can be built with prosecutors in the Member States. Furthermore, they also highlighted the benefit in having practitioners sitting in the College and cooperating as they can relate to the requests they receive and speak at an operational level. When difficulties arise in cooperation, they are able to understand the issue, if not always resolve it, which develops a further level of trust and understanding. Other stakeholders, often from the administration or other IBOAs, were keen to stress that while they understood the importance of trust, they saw a number of issues with the current set up of the College, and in particular its perceived lack of accountability (see section 4.1). National practitioners interviewed, and those participating in the focus groups, did highlight the importance of having magistrate colleagues as National Members. This view, however, appears to be the result of the need for mutual understanding of cases and having the same technical expertise. None of the national prosecutors interviewed mentioned the workings or independence of the College.

“Trust is the basis of Eurojust; the moment judges and prosecutors in the EU stop trusting us, we are dead.”

The level of trust was also seen by some National Members varying according to the status of their counterparts. In some Member States, the National Member has to be of a certain grade. In other Member States, the Art. 7(6) EJR requirement for National Members to have a “proven high level of relevant, practical experience in the field of criminal justice” is not set out in national implementation rules. As a result, some National Members feel empowered to take decisions independently, reporting and discussing regularly with their hierarchy but keeping a high level of independence, while others must refer back to their hierarchy in a number of matters (operational or for issues relating to the Agency’s governance).

Cooperation with Third Countries is another area in which Eurojust appears to bring EU added value. **Liaison Prosecutors** having their offices in The Hague and amongst National Desks, was seen by the majority of National Members as extremely positive and creating opportunities and links which would not otherwise have existed. Liaison Prosecutors and their direct participation in Eurojust’s operational processes (as seen in agreements with the UK, US, Ukraine and Albania) add significant value by embedding third-country representatives within Eurojust, allowing for seamless integration into ongoing operations. It also allows the activities of the Agency deemed to add value (including JITs supported, Coordination Meetings etc.) to include countries with whom cooperation is necessary. Practical experience, as gathered from the interviews conducted, shows that formal agreements contribute significantly to enhancing Eurojust’s capability to effectively coordinate cross-border crime investigations.

The way in the which the Agency **cooperates with third countries through projects** is also something that is seen by a number of National Members as a key purpose of Eurojust, adding

value beyond what Member States would have been able to develop alone. This issue is covered in the **Coherence** section of the report.

One objective of the Agency which cannot, by nature, be undertaken by Member States acting alone is **Eurojust acting on its own initiative**. To date, this has only taken place in very rare situations. There are a number of reasons why this is the case. First, Eurojust does not own the data on the CMS, but relies on National Desks for inputting the relevant case data for which they are the data owners. As such, any analytical tool in place at Eurojust to identify links would be based on data which Member States and other organisations often already have. Therefore, in the cases where links are identified they have been found by national competent authorities, or through analysis, including by Europol. Second, the current CMS is a legacy system which does not currently allow for the effective and efficient identification of links. CISED was developed with these issues in mind. It is therefore built in a way which should allow for analytical approaches to be developed to link pieces of evidence in the database and therefore identify cases which should be initiated. National Members and administrative staff have hope that this system (and the future CMS) will allow Eurojust to identify links more effectively, which would lead to the Agency initiating cases on this basis. No interviewees could provide us with information on the rare cases where cases were initiated on Eurojust's own initiative for confidentiality reasons.

None of the interviews found that the EJR resulted in any loss of competence for national authorities. The only costs (beyond the EU budget) associated with the Agency is the remuneration of personnel in the Agency who would otherwise have been employed at the national level, arguably in a less effective role with regards to cross-border cooperation.

5.2 Conclusion

Eurojust's success in addressing the needs of investigating and prosecuting authorities in the Member States is linked to **its position as part of a wider EU ecosystem of judicial cooperation in criminal matters**. Eurojust and the EJR together have been instrumental in increasing the use of judicial cooperation instruments, in particular EIOs and EAWs, by national prosecutors and investigative judges. While there are internal debates as to the relative value of processing different cases through Eurojust or via other means (e.g. EJR), national prosecuting and investigating authorities see strong synergies between Eurojust's ability to support the investigation and prosecution of complex cases and the EJR tools to address simpler or less urgent cases. As such, the current set up adds value to national practitioners, even though it may not be the most efficient from the Agency's perspective.

In some Member States, the lack of knowledge amongst practitioners at the national level of the support Eurojust offers still limits the ability to fully realise the Agency's potential. In this respect, the ENCS in each Member State, as well as practitioners specialising in judicial cooperation, are instrumental in raising awareness about the Agency. Positively, people that have worked at Eurojust, either for a short traineeship (through the EJTN) or for a longer period, often become passionate advocates for the Agency. They can act as 'antennas' in their local prosecution offices, influencing their colleagues to benefit from the support of Eurojust (or the EJR).

6. Is the Eurojust Regulation still relevant?

This section addresses the overarching evaluation question: ‘**How well do the objectives of the Eurojust Regulation still correspond to the needs within the EU and among the stakeholders?**’. In this context, the assessment of relevance considers the appropriateness of the objectives of the EJR and their operationalisation through strategy and programming documents in relation to the problems the EJR was supposed to address and the needs of Eurojust’s target group(s). This section provides an assessment of the ongoing relevance of Eurojust to its main stakeholders, including the emergence of new needs.

When assessing relevance, the first question concerns whether the objectives of the EJR correspond to the needs of stakeholders. Section 2.3 sets out the objectives of the Eurojust Regulation (i.e. Article 4 of the EJR, which established a number of operational functions of Eurojust, which can be translated into specific objectives to achieve the general one). Beyond the organisational aspects discussed in sections 3.1 and 4.1.1, the objectives can be grouped under the following headings:

- **Support Member States’ investigating and prosecuting authorities** in relating to certain types of crime. In doing so, the Agency should:
- **Cooperate with third countries** to facilitate coordination and cooperation.
- **Cooperate with EU IBOAs, networks etc.** – Cooperating with the EJN, EJTN, the EPPO, Europol, OLAF, other EU institution, bodies, offices and agencies (IBOA)

This section looks at the relevance of these objectives for Eurojust’s **main stakeholders**:

- National investigating and prosecuting authorities **in the EU**;
- National investigating and prosecuting authorities **in third countries**; and
- **Institutions, bodies, offices and agencies** of the Union (including the EPPO, Europol, OLAF, Frontex etc.).

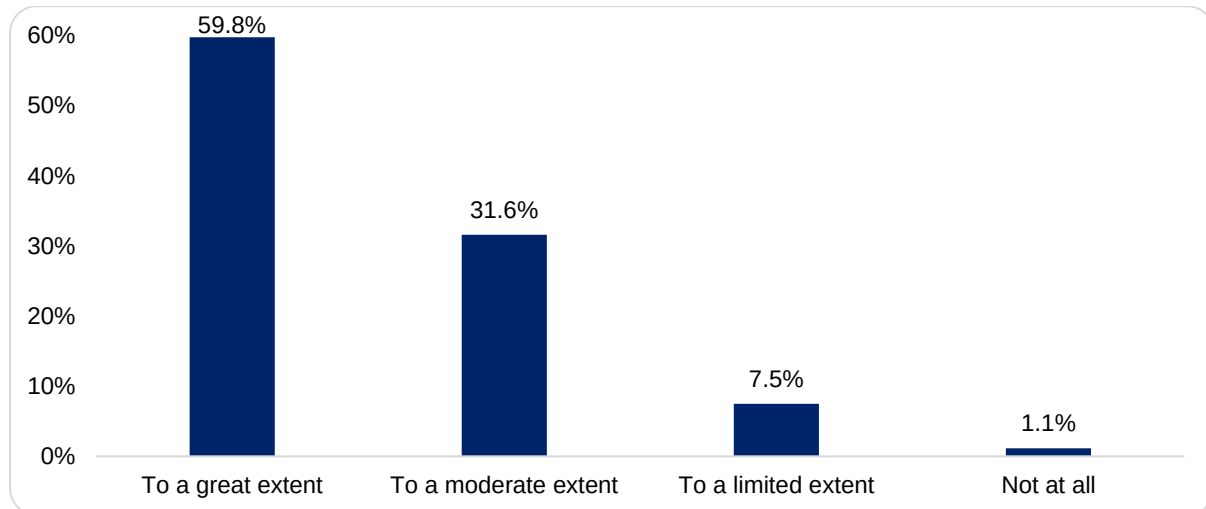
Further detail on the evaluation framework guiding this assessment of Eurojust’s relevance is presented in Annex 2.

6.1 Relevance for national investigating and prosecuting authorities and national Members

National investigating and prosecuting authorities are Eurojust’s key target group as set out in the EJR. National Members are in the specific position of being both present and working as part of the Agency’s day-to-days operations, as well as having a privileged perspective on the needs of their colleagues at the national level. In this section we address the needs of national investigating and prosecuting authorities, through interviews, surveys and focus groups, as well as through the prism of National Members.

Findings from the data collection are overall positive, with the overwhelming majority of stakeholders providing an answer to the relevant survey question (91.4%, 159/174) being of the opinion that the Agency has continued to address their needs to a great or moderate extent.

Figure 27: To what extent has Eurojust continued to address your needs in the field of judicial cooperation in criminal matters since 2019?



Source: Survey of national practitioners and policymakers (n=174)

These findings are corroborated by the interviews conducted with National Members, as well as prosecutors and investigative judges at the national level. These stakeholders are generally of the opinion that **Eurojust has been able to respond well to their needs and that of their colleagues**. The overwhelming majority of interviewees in this grouping pointed to the relevance of Eurojust's work regarding the needs of their colleagues involved in cross-border cases. Magistrates interviewed and involved in the focus groups spoke very highly of the relevance of the casework-related objectives of the Agency. The type of support needed by national prosecution and investigative authorities relate to:

- Extremely complex cases.** Some specialised prosecutors (in the field of terrorism, THB or Serious Organised Crime) need support in linking cases, individuals, bank accounts or other pieces of evidence together to develop a holistic picture of their cases. In this respect, SAA1(b) Proactive identification of links and investigation or prosecution gaps under the 2022-24 MAS is particularly relevant. Interestingly, while some National Members have underlined the importance of the Agency in tackling complex cases, the situation is different for magistrates at the national level.

"Eurojust is the only Agency JHA which supports national prosecutors on serious crimes in a practical way."
- Support in identifying their counterparts** in other Member States or third countries when tackling serious cross-border crimes and **cooperating with them**. One of the problems they face when dealing with a case involving a prosecution authority they have not worked with previously is, first, identifying the relevant person to involve (which can be done through the EJM or Eurojust), and second, to get the person or authority to respond to their request. Eurojust's objectives under MASO1 (Provide quick and qualitative support to competent authorities, Swift and qualitative response to Member States' requests) are particularly relevant. This role is extremely important, in particular at the national level. Practitioners interviewed pointed to the difficulties in identifying their relevant counterparts, or authorities they should contact in other Member States. This can also be the case for countries cooperating often. One prosecutor from a border region who stated that they majority of cross-border cases they had to deal with were with one neighbouring country, mentioned that depending on the type of crime they were prosecuting, they often had to cooperate with

people they did not work with before. The support of the EJN or Eurojust is therefore crucial for them.

- **Practical and logistical support in cooperating.** Once the cross-border nature of a case has been established and cooperation initiated, there is a need for practical support, in terms of coordination, translation, etc. This often requires organising a Coordination Meeting, including the use of a secure room with live interpretation available. Once again, the objectives under MASO1 – casework are highly relevant. National prosecutors have pointed at the increasing number of cases they are faced with containing a cross-border element. While no precise numbers could be collected, anecdotal evidence provide an indication of internationalisation of crime. One prosecutor from Portugal mentioned that at least half of all cases opened now contain a cross-border element (against 10%-15% a decade ago). Some magistrates working in Member States explained that they did have good working relationships with some of their counterparts in other EU countries with which they cooperate often, but support in cooperation with other countries was an important added value of the Agency's work.
- **Other forms of cooperation.** Some National Members were of the opinion that one important need to be addressed also includes support in simpler cases (such as EIO, or MLA requests). While accepting this need from their national colleagues, others disagreed that the objective of Eurojust should be to facilitate these simpler cases (see section 5 on EU added value).

With regard the operational support provided by Eurojust, national prosecutors interviewed focused on getting positive results to queries, such as identifying the correct person to send a request to, or getting information on a case. In some Member States, the judicial cooperation dimension is embedded in the organisation of prosecution services, either in a centralised way, or at a more regional level (for instance court of appeal in Austria, “*comarca*” in Portugal). In these cases, some prosecutors play the role of facilitators for their colleagues involved in cross-border cases. The role of these prosecutors is key in signposting their colleagues, suggesting which route to pursue (EJN, Eurojust, other bilateral ways of cooperating). Interestingly, these facilitators are generally familiar with their National Member or colleagues posted at Eurojust. It appears that in many cases, they collaborate informally to support their colleagues. Some prosecutors are therefore unaware of whether they received formal support from Eurojust, or simply benefited from their colleagues' networks, which exist, in part, thanks to the work of the Agency.

The relevance of the Agency's other objectives is less clear cut to National Members and magistrates at the national level. They are often seen as secondary to the core casework objectives. National magistrates interviewed never mentioned other products from the Agency, such as guidance documents. Some National Members are of the opinion that the Agency is diverting its resources to areas which are less relevant to them. Examples of less relevant activities mentioned include guidance documents, support to certain networks, and the role played by the Agency in prosecuting crimes relating to the Russian war of aggression in Ukraine.

Based on the knowledge gathered at the Agency as a result of its support for casework, Eurojust produces **guidance documents**, such as casework reports, case-law analysis, guidelines etc. (objective under 19-21 MASO 2 - SAA2(a) Contribute to the EU internal security strategy and to measures concerning judicial cooperation in criminal matters and 22-24 MASO4 - SAA4(a) Expertise sharing with EU bodies and judicial practitioners). For instance, concerning the European Arrest Warrant, Eurojust has prepared the following outputs in recent years: Guidelines for deciding on competing requests for surrender and extradition (October 2019)²⁴⁴;

²⁴⁴ <https://www.eurojust.europa.eu/publication/guidelines-deciding-competing-requests-surrender-and-extradition>

a Report on Eurojust's Casework in the Field of the EAW (June 2021)²⁴⁵; and annual overviews of the case-law by the Court of Justice of the EU (CJEU) on the EAW (since 2017)²⁴⁶.

The need for such documents is less clear cut than other outputs of the Agency. Members of the Eurojust administration interviewed were of the opinion that the unique position the Agency has, allows them to develop documents which are more useful from an operational perspective. National Members interviewed on the other hand were mixed in their view of the relevance of these documents. One Member mentioned that they never had been asked for these products while other believed they were useful but could not provide evidence. National investigating and prosecuting authorities were also generally either unaware or dubious of the value added of most of the guidance documents produced by the Agency. Overviews of legislation, such as the document on the *Legal definition of migrant smuggling and/or facilitation of irregular migration* published in January 2024 were seen by most stakeholder interviewed having an opinion as not adding much value to their work. There is therefore scope for deprioritising the production of certain documents in view of the need to ensure a better allocation of resources addressing stakeholders' needs.

One notable exception is the case-law analysis which was often mentioned unprompted by some interviewees from national investigating and prosecuting authorities. The value of these analyses lies in:

- **Up-to-date information on national case law** on specific topics (such as intellectual property crime). The annual Intellectual Property Crime Case-Law of National Courts is an example or a product mentioned as useful. Developed in cooperation with the European Union Intellectual Property Office (EUIPO), this annual compendium contains summaries of PIPC -remated judgments;
- **Up-to-date information on CJEU case law on judicial cooperation instruments and principles.** These compendia covering EAWs and the principle of double-jeopardy (*ne bis in idem* principle) are updated annually and provide summaries of judgments indexed in a way which is easily usable by practitioners.

Given these documents are produced by the Agency, national desks are aware of them and can refer their colleagues to them when they are faced with specific questions.

Another area where there were mixed views was **the role of the Agency in supporting or hosting networks**. The Agency, being at the core of the cross-border criminal justice process, is the EU hub for knowledge-sharing and the exchange of best practices in criminal justice. A number of networks are hosted (and funded) by the Agency (objective under 22-24 MASO1 - SAA1(c) Operational cooperation with the networks hosted and supported by Eurojust). There were mixed views as to the relevance of some of these networks for practitioners. The relevance and value added of some of these networks has been discussed elsewhere in this document (see section 4.3.2). Interviews and the focus groups with national investigating and prosecuting authorities has shown how the EJN is highly relevant and complementary to the work the Agency (as discussed in the sections on effectiveness – 6.1 and EU added value – chapter 5). In addition to the EJN, the EJN specifically mentions the JITs network and the Genocide Network. The JIT network is highly relevant given Eurojust's support to setting up JITs. Knowledge gained through the genocide network has been instrumental in identifying ways in which the Agency could support the response to the Russian war of aggression in Ukraine, by identifying key areas where the prosecution of crimes committed in war zones could be supported (such as the collection and preservation of evidence).

²⁴⁵ <https://www.eurojust.europa.eu/publication/report-eurojusts-casework-field-european-arrest-warrant-july-2021>

²⁴⁶ 2024 version: <https://www.eurojust.europa.eu/publication/case-law-court-justice-european-union-european-arrest-warrant-december-2024>

Beyond those networks, while National Desks recognised the usefulness of having practitioners' networks bringing together, a common comment was that, while these were 'nice to have' rather than crucial. The increasing number of networks risked diverting resources and attention for the Agency's operational work. Furthermore, some National Members highlighted the difficulty to find specialised practitioners who could participate in those networks. For some countries, the same people participate in numerous networks.

While not specifically a Eurojust objective, the **activities relating to the war in Ukraine** (CICED and ICPA) were often mentioned when discussing relevance. While some National Members understand the need for the EU to address the situation, these activities were sometimes seen by National Members as potentially less relevant to the needs of prosecuting and investigating authorities in their Member States. Eurojust's response was substantial, and its role in fighting core international crimes has been significant. While these activities were matched by additional allocation of funds, they raised the question of whether the activities taken on by the Agency Were in line with the needs it sought to address. While not questioning the relevance of these new tasks, some National Members raised concerns regarding their potential impact on the Agency's perceived independence. This situation further highlights the challenges stemming from the dual nature of Eurojust and its National Members, being independent from an operational perspective, but also playing an important role in the EU policy and strategy ecosystem for judicial cooperation in criminal matters. This issue is discussed in greater detail in section 4.1.4.

It appears that, when identifying the less relevant objectives of Eurojust, National Members based their opinions mainly on the risk of seeing resources diverted from operational activities. Investigating and prosecuting authorities at the Member State level did not mention the use of these documents during interviews.

6.2 Relevance for EU IBOAs

EU institutions, bodies, offices and agencies are another important target group of Eurojust. Three strategic action areas (SAA) from the MAS are relevant to these stakeholders:

- 19-21 MASO2 – SAA2(a) Contribute to the EU internal security strategy and to measures concerning judicial cooperation in criminal matters;
- 22-24 MASO 2 – SAA2(a) Cooperation with JHA partners;
- 22-24 MASO 4 – SAA4(a) Expertise sharing with EU bodies and judicial practitioners.

Eurojust cooperates with a number of IBOAs; here we focus on the way its objectives address the needs of some key organisations.

Commission, Council and Parliament services have different needs depending on their role and responsibilities. For some interviewees, the value of Eurojust stems from the **insight gained from its involvement in operational matters**. Some Commission interviewees have mentioned in particular the usefulness of case law analysis as well as guidelines. Others were of the opinion that some publications, such as the analysis of legislation, were not relevant. One less visible area is where the cooperation of Eurojust was deemed positive is the input the Agency can have on the development of legislative proposals, or Commission Communications in highlighting the areas where the existing legislation may be lacking or not working as intended. This opinion was supported by European Parliament staff, who saw the role of the Agency in the drafting of legislation and the negotiation of the Parliament's position as very important and useful. Networks supported or hosted by Eurojust also play a role in addressing these needs. In the fields of organised or cybercrime, networks appear to play an important role in addressing the Commission's needs to support various strategies. In the field of THB, this role is taken by the Focus Group of Specialised Prosecutors against Trafficking in Human Beings. For the

Council; the relevance of the Agency comes from the practical experience it has of using or knowing about judicial cooperation mechanisms.

In the same way as representatives of investigating and prosecuting authorities, interviewees from IBOAs questioned the value of some of the Agency's outputs in terms of reports etc., given the existence of networks and the funding of research projects who could provide similar information.

Cooperation with the **EPPO** is mentioned specifically in the EJR and Eurojust was designed to address some of the needs of the Office. In the initial stages of the EPPO, some of its needs were supported by Eurojust. Before the EPPO evolved into a functioning office, Eurojust supported it in some of its tasks, including through the network of contacts the Agency has. The links and support provided by Eurojust also stemmed from the importance of personal contacts. Many of the EPPO's staff have previously worked at Eurojust. Over time, the EPPO has developed its own networks and therefore relies less on the Agency.

The link between law enforcement and judicial authorities is a crucial one in ensuring the criminal justice chain. It is a process that starts with opening of investigations and ends with finance justice is served, victims are compensated. Europol and Eurojust play an important role in that chain at EU level. One of the important needs of **Europol** is at the operational level, as discussed in detail in section 4.1.3 on effectiveness.

6.3 Cooperation with third countries

Interviewed prosecutors at the national level and National Members highlighted that criminal networks are more and more international, which makes the need for cooperation and collaboration tools, including those provided by Eurojust, more relevant. This increase in cross-border criminality does not only increase the need to improve collaboration within the EU, but also with third countries.

Eurojust's cooperation with the authorities of third countries and international organisations is regulated in Chapter V, Section III EJR. The cooperation should be based on a strategy prepared every four years, may be concluded through working arrangements and may be convened through designated contact points.

According to an important number of prosecutors working with Eurojust, and National Members, the **Agency's role in the international context is increasingly relevant**, in particular regarding cooperation with national authorities in third countries. The Liaison Prosecutors interviewed indicated that the current working modalities with third countries allow Eurojust to fulfil its role in an increasingly globalised international plane. In addition, the **system set-up for cooperation in the Eurojust Regulation largely corresponds to the needs of relevant stakeholders** in the increasingly globalised international context.

Key strengths mentioned include the deployment of Liaison Prosecutors, which facilitates real-time cross-border judicial cooperation, and formal agreements that provide a legal basis for secure data exchange. The participation of third-country Liaison Prosecutors in meetings enhances coordination and joint strategy development. Additionally, strategic working arrangements allow for the exchange of best practices and legal expertise, fostering trust and deeper cooperation. The ability to bring different stakeholders into the same room facilitates direct communication and cooperation, making Eurojust an extremely efficient facilitator.

Regarding the system set-up, individual Liaison Prosecutors consulted highlighted the lack of clarity on the rationale of their exclusion in College discussions. Liaison Prosecutors noted that, while they are sometimes invited to useful discussions, there are other times when they are not invited, even though their participation could be beneficial. Another Liaison Prosecutor emphasized the issue of not being able to use Eurojust for cross-border cases that involve only

third countries and do not include any Member States. Nevertheless, the Agency was described by LPs as invaluable for third countries given that it is a single point of entry within the EU, especially for complex cases involving multiple countries. Other EU stakeholders were generally positive.

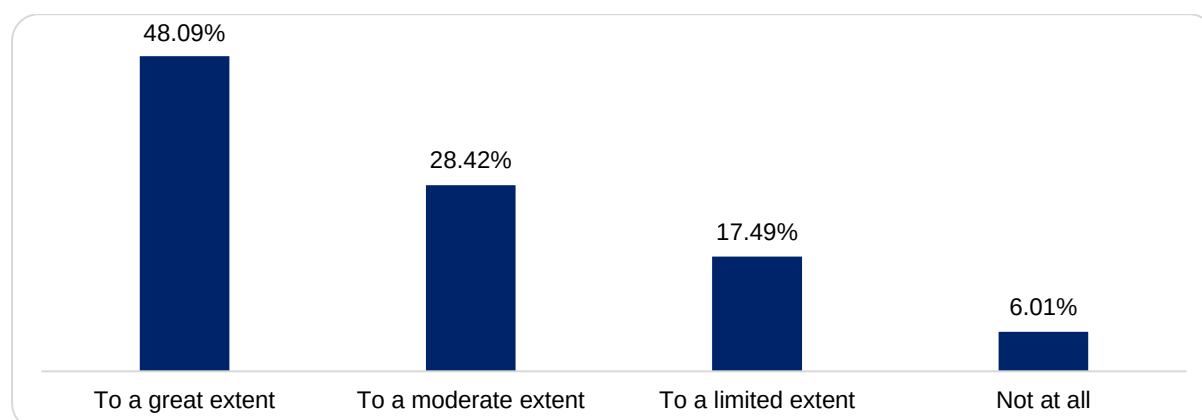
One important disagreement amongst interviewees was the geographical areas on which Eurojust should focus its cooperation. National prosecutors and investigative judges interviewed mentioned the increasing number of cases they experience involving countries with whom they never collaborated in the past, in particular as a result of online fraud cases. While they recognise the shortcomings of contact points as opposed formal working agreements, national practitioners did consider the former to still be an asset, as the alternative would be to not have any contacts at all in some countries.

Interviews with national **investigating and prosecuting authorities in third countries** showed an overwhelming opinion that their needs and that of their colleagues were being met by Eurojust. Liaison Prosecutors interviewed highlighted that the cooperation with Eurojust enables national authorities in third countries to take a much more strategic view. At the same time, the cooperation between Eurojust and third countries makes it easier to better understand national contexts and different rules of law. The LP network was described as providing easy access to information and contacts, that would otherwise not be easily accessible. However, individual Liaison Prosecutors also described as a key difficulty to make Eurojust better known to their national authorities, and to use the Agency more regularly. All interviews with LPs were very positive, perhaps reflecting their specific role as being part of the Eurojust set-up thanks to cooperation agreements.

6.4 Ongoing and future relevance of the Agency

The need of stakeholders has been evolving over the evaluation period and will continue to evolve over the coming years. It is therefore important to assess the extent to which Eurojust will continue being relevant. In the future Stakeholders surveyed have reported an important evolution of their needs since the entry into force of the EJR, with also half of those answering the questions (48.09%, 88 of 183) reporting that their needs have evolved “to a great extent”, and only 6.01% (11/183) reporting no changes at all.

Figure 28: To what extent have your needs in the field of judicial cooperation in criminal matters evolved since the entry into application of the EJR?



Source: Survey of national practitioners and policymakers (n=183)

Open answers to the survey provide additional insight in the ways in which needs have evolved. The main changes relate to:

- The **continuing evolution in the nature of criminal activities and organisation of criminal networks** they are faced with. Some type of criminal activities such as cybercrime or fraud which are perceived to be increasing have an inherent cross-border dimension. Criminal networks are increasingly mobile, complex and able to operate across borders;
- The **increasing cross-border dimension of cases** requiring additional cooperation and collaboration with other Member States' authorities (for exchange of information, proceedings, sharing of evidence etc).

This was corroborated through interviews with national-level practitioners and the focus groups. Stakeholders reported ever increasing cases with a cross-border dimension, as well as an increase in the types of crimes which are inherently cross-border. Cybercrime is an example that was mentioned numerous times during interviews as an example of crimes type that is rising and has an inherent cross-border dimension. Given the Agency is addressing these needs, it is likely to continue being relevant in the future, especially if it remains focussed on its core tasks. These main challenges lead to the following evolving needs for practitioners:

- Increasing **needs for the services provided or supported** by Eurojust (Coordination meetings, JITs). Interviews with Agency staff, as well as the College position has highlighted that limitations are starting to appear in the ability of the Agency to provide logistical support (limited number of meeting rooms, outdated video-conferencing facilities etc);
- Increasing **use of judicial cooperation tools** (especially EIOs), requiring cooperation or which some respondents feel the need to contact Eurojust in order to get them executed.
- Increasing **need for judicial cooperation with third countries**, including those not having LPs posted in The Hague (such as Nigeria, the UAE, China). There are however contradicting views as to the relevance of the Agency's work with third countries. Some practitioners (both at the national level and national desks, but mainly from Member States will less capacity to develop agreements with non-EU countries) were of the opinion that the Agency's work with third countries is increasingly relevant. Others agree that there are an increasing number of cases with non -EU countries but argue that the Agency should focus on its core business of judicial cooperation within Member States before further expanding its work. This view is generally help by practitioners stemming from Member States that that the ability and capacity to negotiate agreements with third countries.
- The increasing **use of technology as an enabler** for criminal networks, in particular the use of encrypted communication by these networks. This is developed further in section 6.4.

These findings are correlated by existing research on trends identified in the desk research. On the basis of Europol's 2021 Serious and Organised Crime Threat Assessment²⁴⁷, Member States identified **ten priorities for the fight against serious and organised crime** for the timeframe 2022-2025: (i) high-risk criminal networks; (ii) cyber attacks; (iii) trafficking in human beings; (iv) child sexual exploitation; (v) migrant smuggling; (vi) drugs trafficking; (vii) organised property crime; (viii) fraud, economic and financial crimes; (ix) environmental crime; and (x) firearms trafficking²⁴⁸.

In the context of **evolving needs** and the EU's changing security architecture, interviewees representing Eurojust's national desks, as well as national prosecutors and competent

²⁴⁷ Europol, European Union Serious and Organised Crime Threat Assessment (SOCTA) 2021, available at: <https://www.europol.europa.eu/publication-events/main-reports/european-union-serious-and-organised-crime-threat-assessment-socta-2021>

²⁴⁸ Council of the European Union, Council conclusions on the permanent continuation of the EU Policy Cycle for organised and serious international crime: EMPACT 2022 +, available at: <https://data.consilium.europa.eu/doc/document/ST-6481-2021-INIT/en/pdf>

authorities involved in the ENCS discussed an apparent shift from simple ‘mailbox’ cases, where national desks may be asked to follow up on a request for mutual legal assistance or have to identify the cooperation authorities in another Member State, to more complex cases involving multiple countries, for which JITs, (in-person) coordination meetings and joint action days are set up and organised.

Some interviewees reported that the number of simple cases is decreasing, whereas the number of complex cases is significantly increasing. Other national desks, however, stated in the interviews that the number of simple cases across the Agency is still high, and that some of the national desks had to push back and provide standard replies to deal with the sheer volume of these cases. In this context, individual interviewees from the EU IBOAs highlighted the need to clarify which cases qualify as cross-border cases (i.e. a minimum of two countries, or an EU and a third country).

Overall, the needs identified in the intervention logic remain valid. Over the evaluation period, the focus of some of the needs has slightly shifted (with a greater focus on technologically enabled crime, cooperation with third countries etc.). A number of those needs, relating to the need to improve cooperation and coordination of investigating and prosecuting authorities across Member States evolve slowly, and while the Agency addresses, then, they remain relevant. Throughout the evaluation, not additional needs were identified. The findings of the evaluation point towards a consensus that the Agency should continue focussing on its core activities rather than identify additional needs to address.

6.5 Eurojust’s adaptation to technological progress

Technological developments are another important challenge at all levels for the ongoing relevance of the Agency. This issue has multiple dimensions.

First, the **increased technical capacity of criminal networks**, as well as the greater availability of tools which can be used maliciously by criminal groups (such as encryption technologies, cryptocurrencies, tools for online fraud) require increased technological capacities to address them. Second, the digitalisation of judicial systems and collaboration tools are important developments for Eurojust. Finally, the Agency’s use of digital tools to undertake its task (the CMS, CISED and the ICPA) is another important aspect of the relevance of technological progress.

As highlighted above, interviewees have indicated **an increase in the types of crime enabled by technology**. These findings are supported by Europol’s Internet Organised Crime Threat Assessment (IOCTA) report, which highlighted growing volumes of online fraud, abuse of end-to-end encryption and the increasing use of AI by criminal actors, in particular in the area of child sexual exploitation.²⁴⁹ Beyond the strict use of the internet, criminal activities are facilitated by the use of crypto currencies to transfer money in a discreet way, or encryption technologies for communication amongst and between criminal groups. A recent joint report published by the EU innovation hub for internal security (with the participation of Eurojust) stated that *“technologies utilising cryptography continue to present challenges for law enforcement*

²⁴⁹ Europol, IOCTA 2024

agencies”.²⁵⁰ National prosecutors explained that this evolution meant that what were once simpler cases require them to cooperate across borders. In the words of one interviewee, “cooperation with other Member States and third countries is more important than ever, and Eurojust adds more value to every case we do”. The ability to pool resources, information, and coordinate their actions is key for practitioners. This is particularly the case for those from

“When I started, we only collaborated with our neighbours. Then came crime syndicates, we collaborated with South America. In the last years, with cybercrime, international cases skyrocketed. In some countries, we do not even have a clue where to start if we need information”

Prosecutor working in the field of drug trafficking and cybercrime.

countries with less expertise or resources who can benefit from that of Member States with more resources or expertise. The SkyECC and EncroChat cases were often referred to by prosecutors interviewed as good examples of the relevance of the Agency’s work when having to address cases including an encryption element. One prosecutor in particular explained that their country would not have been able to achieve any results on these or similar cases, as they simply did not have the technological

know-how to pursue them. In such cases, Eurojust facilitates the creation of synergies and a multiplier effect of technical capacities that some Member States might have in the investigation and prosecution of certain types of crimes. This point to the relevance of the Agency’s role in connecting people with the relevant expertise rather than having this expertise inhouse.

Second, **the digitalisation of judicial systems**, including the electronic exchange of information and electronic evidence was also identified by National Members as an important need of practitioners. Interesting, this issue was less highlighted during interviews with magistrates the national level, although this may be a result of their focus on operational cases, rather than enabling technologies for the exchange of information. In this respect, the development of the JIT collaboration platform (as per Regulation 2023/969), was seen by some National Members as an important step. The platform aims at increasing the level of security for information exchange, secure collaboration, and support the traceability of evidence to ensure admissibility before a court.²⁵¹

Beyond the support in the investigation and prosecution of cases, Eurojust’s role in **facilitating the electronic storage and exchange of evidence** has been an important activity of the Agency. Eurojust’s work, alongside Europol’s in the SIRIUS project, is supporting the implementation of the e-evidence package²⁵². The creation of CISED to preserve, store and analyse evidence of core international crimes is also relevant in this respect. The database is not specific to Ukraine but has been an important tool in preserving and analysing evidence of crimes relating to the Russian war of aggression against Ukraine.

Finally, and outside of the temporal scope of the evaluation is the development of the new CMS system. CISED will be integrated in the news CMS. This should allow for a better identification of links between cases, cross-checking of data and help with the hit-no hit capabilities. The CMS is being developed and is on track to be implemented by December 2025, as per the Agency’s legal obligation. It will replace the old system, which was developed based on paper system and is, by all accounts not fit for purpose anymore.

²⁵⁰ EU Innovation Hub for internal security, First report on encryption, 2024, available at: <https://www.eurojust.europa.eu/publication/first-report-encryption-eu-innovation-hub-internal-security>

²⁵¹ European Commission Analytical supporting document – Proposal of a regulation establishing a collaboration platform for joint investigation teams, available at: https://commission.europa.eu/document/download/3a5a5e5b-e040-4db2-a318-e20202009755_en?filename=3_2_178653_analytic_regul_jit_en.pdf.pdf

²⁵² The e-evidence Regulation (2023/1543) and e-evidence Directive (2023/1544) sets out new ways for the gathering of electronic evidence directly from service providers – see <https://eucrim.eu/news/e-evidence-regulation-and-directive-published/>

6.6 Conclusion

The Agency's core activities are **very relevant to investigating and prosecuting authorities in Member States** involved in cross-border cases. With the **increase in the number of cases**, as well as developments in the types of crime with a cross-border dimension that are faced by national prosecutors and investigative judges, **the relevance of the Agency's operational work is increasing**. Eurojust has kept abreast of developments in criminal activities, and its ability to facilitate the cooperation of experts from affected Member States to support wider investigations (such as for the EncroChat case) is highly relevant to the needs of Member States that lack the capacity or expertise to prosecute specific types of crime.

Beyond the relevance of cases for national investigating and prosecuting authorities, the rationale for the Agency's other activities received some challenge. These activities are seen as secondary, with some stakeholders stating that they risked diverting resources from Eurojust's core operational work. For instance:

Over the evaluation period, the Agency has taken on additional tasks of great relevance to the evolving needs of the EU, most prominently establishing the Core International Crimes Evidence Database (CICED), as per Regulation (EU) 2022/838, and the International Centre for the Prosecution of the Crime of Aggression against Ukraine (ICPA). There was a clear demand from certain countries for the Agency to be involved in supporting the EU response to the Russian war of aggression against Ukraine, and the work undertaken is purely operational. However, while not questioning the relevance of these new tasks, some National Members raised concerns regarding their potential impact on the Agency's perceived independence. This situation further highlights the challenges stemming from the dual nature of Eurojust and its National Members, being independent from an operational perspective, but also playing an important role in the EU policy and strategy ecosystem for judicial cooperation in criminal matters.

Reports and other products – the experience and knowledge developed in Eurojust as part of its operational work puts the Agency in a unique position to be able to develop outputs, such as guidance documents and analytical reports. However, stakeholders had mixed views about the relevance of these documents. One key exception was the Agency's case law analyses, which were praised by practitioners. This points to the possibility of deprioritising some of those activities in favour of the operation ones which appear to be more relevance to more stakeholder groups.

7. Conclusions and lessons learned

Eurojust has been very effective in supporting and strengthening coordination and cooperation between national investigating and prosecuting authorities. An overwhelming majority of survey respondents and interviewees at national level saw clear added value from the Agency's operational work. This is due, in part, to the **relevance of Eurojust's activities to practitioners**, including **the Agency's practical and logistical support** (e.g. the facilitation of JITs, coordination meetings, coordination centres), which are at the centre of this success, but also to the ability for practitioners to identify relevant counterparts in other Member States and third countries, and to discuss cases in their own languages.

Eurojust's mandate puts the Agency in a unique and key position to strengthen the cooperation and coordination of investigation and prosecution efforts across Member States and third countries. In this sense, **Eurojust has been successful in supporting investigations and prosecutions of serious cross-border crimes**, as evidenced by growing request for support from authorities, their trust in and satisfaction with the Agency's support for cases that often lead to concrete results. In particular, stakeholders across all relevant groups underlined how the presence and work of Eurojust has positively changed the ecosystem of judicial cooperation in criminal matters.

The role and activities of Eurojust also support the achievement of impacts beyond the specific and operational objectives of the Agency: specifically, the actions implemented by the Agency contribute to ensuring the rights to information, to protection, and to be heard of victims in cross-border cases, regardless of their nationality, residence, the type of crime and the place where it was committed.

However, **the effectiveness and efficiency of the Agency has been hindered over the evaluation period by organisational challenges related to governance**, including accountability, decision-making, and leadership. These challenges largely result from insufficient action by Eurojust to amend its governance and decision-making culture, and the related structures, systems and processes, to the intentions of the EJR. In turn, this lack of change was facilitated by a range of factors including unclear provisions in the Regulation that lack binding interpretations, as well as the desire to continue pre-EJR working practices and maintain the supervisory, executive and operational roles and responsibilities of the College. These challenges reflect **key areas for improvement**.

Organisational aspects of the Agency

The introduction of **the EJR marked the start of a transition period for the Agency**, away from a "third pillar" Unit with an intergovernmental ethos towards a full EU Agency. The EJR was designed as an evolution of the Unit into an Agency. While it introduced targeted changes in Eurojust's functions, organisational structure and governance, it did not seek to revolutionise the Agency. **While this approach was arguably necessary, it has demonstrated some limitations**, in particular regarding Eurojust's governance, which have impacted the Agency's effectiveness and efficiency.

The majority of Eurojust National Members highlighted the **importance of having an independent College composed of prosecutors or judges**. As investigative judges and prosecutors, independence from the national executive and legislature, as well as from EU institutions, is a key feature of their role when undertaking operational tasks. National Members see it as a prerequisite to ensure the independence of the Agency. The level of **trust** National Members have in each other and with their national competent authorities and colleagues is seen as a key enabler of Eurojust's ability to successfully support cooperation. To guarantee this trust, **National Members hold a dual role** of representing their own countries' investigating, prosecuting or competent authority, while making decisions for an EU Agency as part of the

College. National Members are chosen based on their expertise in judicial cooperation, not their management or administrative skills. As a result, **there is no structural incentive for them to have experience of managing an organisation such as Eurojust.**

Another issue is **the lack of accountability of National Members**; they are not subject to the same rules as EU civil servants. Furthermore, when acting as a management board, they make decisions that directly influence their day-to-day working conditions, leading to possible conflicts of interest.

Structures pre-dating the EJR continue to exist despite not being mentioned in the Regulation. College working groups in particular play an important role as an interface between the College and the administration. Their place as sub-structures of the College can lead to conflicting priorities being developed, outside of the Agency's formal planning process (as stipulated in the EJR). An important challenge over the evaluation period was the alignment of the objectives, planning and resourcing of these College-led working groups with the Agency's formal planning process, following the principles of activity-based management. Having parallel structures in place negatively affected the overall efficiency of the Agency and prevented the definition of clear priorities.

The **collaborative nature of the Agency**, while necessary for success at an operational level, also had a negative impact on leadership and decision-making within the Agency. The role of the President as *primus inter pares*, or first amongst equals, can make strong leadership of the Agency challenging, while the need for good relations between National Members can inhibit effective discussions. As such, the finding of the 2015 evaluation of Eurojust that the limited executive role of the president had the propensity to "restrict the effective leadership exercised and the ability to set clear priorities" remains valid.

In this context, National Members spend an important share of their working time in College meetings (which take place 40 times per year) or preparing for them. In general, close to half of their time is spent on administrative work. While National Members are remunerated by their national administration, this represents an obvious cost. One objective of the EJR was to reduce the administrative burden on National Members. This has not been achieved by the creation of the **Executive Board and a two-level governance structure**. This was a product of:

- **Insufficient clarity on the distinctions between the roles and responsibilities of the College, the Executive Board and the Administrative Director**, stemming in part from divergent opinions on what should be considered operational, administrative or strategic matters.
- **Continuation of structures and working methods stemming from the period before the introduction of the EJR.**
- **Composition of the Executive Board**, and in particular the rotation system, as the commitment of National Members varies considerably based on their availability, interest, or understanding of planning and administrative matters.

In addition, Eurojust's **two-track structure** – combining the College and national desks with the Agency's administration – is complex, as well as challenging to manage and navigate. The distinction between the tasks of the national desks and the administration in operational work is not always clearly defined, which can lead to inefficiencies. As several National Members pointed out during interviews, administrative support is not always optimised. This hinders their ability to focus fully on operational matters. On the other hand, national desks are reluctant to delegate some tasks to the administration (e.g. inputs or changes to the CMS).

Further complexity relates to the position of National Desks Assistants (NDAs); their role as members of the administration but working exclusively for national desks can lead to structural inefficiencies and tensions. The **Regulation is unclear on the different types of human**

resources that work together or in parallel on operational and administrative matters. NDAs are formally part of the Eurojust administration, but work and sit at the national desks, which makes it unclear where they belong or should belong in the internal structure.

The role of Administrative Director, who is nominally heading the administration, is also difficult to navigate within the existing governance and decision-making structures. They are appointed by the College, who are also their main 'client'. This creates tensions for the Administrative Director and has led to a relatively high turnover at this position in recent years.

Despite these internal challenges, Eurojust's work still provides significant added value, particularly to national practitioners across the Member States. However, by addressing these structural inefficiencies, the Agency has the potential to deliver even greater external achievements and impact with the same resource (or deliver similar value with reduced resources). It would also allow both the administration and the national desks to establish more healthy working contexts.

Key lessons learned – organisational aspects of the Agency

- *Ensuring a clear and appropriate division of roles and responsibilities between the College and the Executive Board, as well as the Agency's leadership (i.e. the President and the Administrative Director) would have improved the effectiveness and efficiency of the Agency's operational and other activities.* Amendments to both the legal text and its practical implementation in this regard could have enabled the Agency to address many of the key underlying challenges identified by the evaluation, including those related to the accountability of the College and its members, the alignment between managerial experience and managerial roles/responsibilities, leadership and executive decision-making, and the administrative burden on National Members and the administration. In turn, this could have enabled the Agency to devote greater resources to other areas, including operational work, strategic work (e.g. in emerging areas of importance such as e-evidence), and awareness raising/capacity building in the Member States.
- *Ensuring the system for composing the Executive Board took greater account of relevant expertise, interest and availability.* A more engaged and thus better functioning Executive Board could have played a greater role in supporting the College in addressing the Agency's organisational challenges.

Operational work

The Agency's core activities are **very relevant to investigating and prosecuting authorities** involved in cross-border cases across the Member States. With the **increase in the number of cases**, as well as developments in the types of crime with a cross-border dimension that are faced by national prosecutors and investigative judges, **the relevance of the Agency's operational work is increasing**. Thanks to its operational work, Eurojust has kept abreast of developments in criminal activities, and its ability to facilitate the cooperation of experts from affected Member States to support wider investigations (such as for the EncroChat case) is highly relevant to the needs of Member States that lack the capacity or expertise to prosecute specific types of crime.

The Agency faced a range of challenges regarding the **efficient use of resources**. First, there is a **lack of clarity, as well as different national practices, that affect the cases on which Eurojust engages**. The evaluation found that national desks have different working methods and cultures, and this affects Eurojust's body of casework. Some desks accept requests made by their colleagues at national level, regardless of whether the case is complex enough or requires collaboration through the Agency (as opposed to other mechanisms). Other desks more proactively inform their colleagues that other channels of cooperation are available, pointing them towards the EJN and encouraging them to use Eurojust only for more complex and/or urgent cases requiring multi-national coordination.

The practices in this regard are further influenced by **differences in the legal and practical set-up of national systems for judicial cooperation in criminal matters**. On the one hand, practitioners in some Member States are required to apply a more systematic approach, for instance assessing their request against criteria such as the severity of the crime, the extent of damage to the victim, or whether the case requires multilateral cooperation). On the other, some Member States leave such decisions to individual prosecutors or generally approach their Eurojust National Member as a first port of call.

In this context, it emerged that different stakeholders have different views on the **efficiency implications of Eurojust dealing with simple cases**. The EJR does not provide for a clear indication of what constitutes a “Eurojust case”, as long as it falls within the forms of serious crime listed in Annex I EJR, and there is no agreed distinction between simple and complex cases, which can be defined according to many factors. There have been attempts to develop a common interpretation and to split cases between Eurojust and the EJR, but this has not been consistently implemented in practice. These diverging views create inefficiencies in practice, and national desks are required to work on cases that could have been addressed through different means (EJR, bilateral cooperation), thus diverting resources from the more complex cases to which Eurojust adds more value.

Eurojust’s prominent role is also linked to **its position as part of a wider EU ecosystem of judicial cooperation in criminal matters**. Interviews with practitioners have demonstrated how Eurojust and the EJR together have been instrumental in increasing the use of judicial cooperation instruments, in particular EIOs and EAWs, by national prosecutors and investigative judges. While there are internal debates as to the relative value of processing different cases through Eurojust or via other means (e.g. EJR), these are largely invisible to national prosecuting and investigating authorities, who receive seamless support and see strong synergies between Eurojust’s ability to support the investigation and prosecution of complex cases and the EJR tools to address simpler or less urgent cases. As such, the current set up adds value to national practitioners, even though it may not be the most efficient from the Agency’s perspective.

The Agency’s effectiveness is highly dependent on the way in which Member States implement the EJR, and in particular the set-up of the ENCS. They play an important role in determining whether a request should be handled with the assistance of Eurojust or the EJR. They are also instrumental in the success of cooperation for cases initiated by their colleagues at the national level, as well as requests from Eurojust. There are varied approaches to the ENCS, but success factors include (i) cooperation and coordination mechanisms which work with and are embedded in their national systems; (ii) the consolidation of knowledge of cooperation mechanisms; and (iii) having the right person in the right position.

Key lessons learned – operational work

- *Ensuring greater consistency of vision, understanding and thus practices across national desks would have improved the overall services provided by the Agency. A certain amount of divergence is likely to be necessary to ensure smooth cooperation between the national desks and their home authorities, and to take account of the differences between national justice systems across the Member States. However, conducting an appraisal of the situation, identifying the areas where such divergence is necessary or not, and enabling national desks to address consistency in relevant areas could have helped address certain challenges, including ensuring clear roles for the national desks, the national desk assistants and the administration in operational work, improving the approach to the allocation of cases to Eurojust or the EJR, and increasing the understanding of the role, set-up and value of the ENCS in each Member State. In addition, this would improve the Agency’s understanding of emerging Member State approaches to international judicial cooperation in criminal matters, thereby ensuring the Agency continues to add value in this area.*
-

- *Ensuring a clearer approach to recognising own initiative actions in operational work.* Eurojust is taking initiative in many cases, but this effort is often not recorded and is thus underestimated.
-

IT Systems

The evaluation also identified **challenges in the area of digitalisation and IT tools**, which limit the effectiveness and efficiency of Eurojust in its operations. One structural issue affecting the efficiency of the Agency is the division of its IT function into two units under different departments. In practice, this means that IT operations, projects and cybersecurity are led by different teams, which creates unnecessary complexity in supporting and implementing a coherent and effective digital strategy and agenda.

In this context, the current **Case Management System (CMS) is outdated and not well suited to provide proper support to Eurojust's operational work**. The current functionality of the CMS, which is essentially a repository rather than an analytical tool, does not fully meet the needs of the daily operational work. It is not used as an operational support tool but rather ad hoc to report on cases. This has important negative consequences on the effectiveness of the Agency in identifying links and potentially on the Agency's ability to act on its own initiative on operational matters. However, steps are being taken to upgrade the CMS.

Collaboration with partners

The nature of Eurojust's activities, as well as the outputs and results achieved over the evaluation period, show **strong consistency and coherence with wider EU policies and priorities in the field of criminal justice and more specifically, judicial cooperation in criminal matters**. Nearly 94% of national-level survey respondents external to the Agency agreed that Eurojust's activities are **coherent** with the work of other actors, policies or legislation in the criminal justice field to a great or moderate extent.

The legal framework in place ensures that Eurojust's mandate and tasks are largely coherent with and complement those of other JHA agencies, judicial cooperation networks, bodies, as well as with OLAF and the EPPO. The coherence ensured by this legal framework was confirmed by the desk research undertaken and supported by stakeholders consulted, who noted the distinct mandate, clear distribution of tasks, and overall positive cooperation between Eurojust, JHA agencies, bodies, networks, OLAF and the EPPO.

Cooperation with Europol in particular has been difficult over the evaluation period, with several stakeholders reporting overlaps/duplications between Eurojust and Europol. Tensions exist between the two Agencies, and, while most national desk members and liaison prosecutors found the cooperation to be effective, the same stakeholder groups provided more mixed views when interviewed. They highlighted practical difficulties in collaboration, including a perceived lack of communication to Eurojust, the feeling that Europol was trying to overshadow Eurojust (for instance, through the creation of Operational Task Forces). The inability to conclude an updated working arrangement between the two agencies was also seen by Eurojust staff as symptomatic of the fact that, while Eurojust is seeking to renew its collaboration, Europol is happy with the status quo.

The Agency's work in supporting cooperation with third countries is generally welcomed by practitioners and National Members. There are disagreements regarding the relevance of working arrangements with some countries; these largely stem from the organisational issues described above, including the lack of alignment between the planning and prioritisation processes of the administration and the College, through its working groups, and the executive powers of the College.

There are also **tensions in the application of the current data protection regime**. Members of national desks stated that, in some cases, the application of data protection rules could be cumbersome and affect the efficiency of casework. This was particularly noted for information

to be shared with third countries that require approval by the Eurojust DPO, even if the data has already been shared by the national competent authority. **Eurojust's DPR is largely aligned with the EU legislation, however, its implementation was deemed to create a few challenges in the operational activities of the Agency.** Interviews with Eurojust staff, as well as stakeholders from EU IBOAs have underlined the importance of having clear rules on data protection and, more widely, data management in criminal cases. The role of data protection at Eurojust is fundamental considering the strong operational nature of the activities, the types of data exchanged and the role of national authorities who are the ultimate owners of the data exchanged. Furthermore, this perception reflects more the fact that rules are not properly enforced in practice at the national level rather than any specific issue at Eurojust.

Annex 1: List of sources

This Annex presents a list of all the sources used in support of the Eurojust evaluation support study, including both publicly available documents and internal Eurojust documents shared by Eurojust for the purposes of this evaluation support study.

Table 35: List of sources

Institution	Type	Title
EU Treaties		Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union Consolidated version of the Treaty on European Union Consolidated version of the Treaty on the Functioning of the European Union Protocols Annexes to the Treaty on the Functioning of the European Union Declarations annexed to the Final Act of the Intergovernmental Conference which adopted the Treaty of Lisbon, signed on 13 December 2007 Tables of equivalences (OJ C 202, 7.6.2016, p. 1–388) ELI: EUR-Lex - 12016ME/TXT - EN - EUR-Lex (europa.eu)
Council	Decisions of the Council / Council documents	Council Decision 2009/426/JHA of 16 December 2008 on the strengthening of Eurojust and amending Decision 2002/187/JHA setting up Eurojust with a view to reinforcing the fight against serious crime (OJ L 138, 4.6.2009, p. 14). https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009D0426 (europa.eu) Council Decision 2008/976/JHA on the European Judicial Network. https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32008D0976 (europa.eu) Council Decision 2008/852/JHA of 24 October 2008 on a contact-point network against corruption. https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32008D0852 (europa.eu) Council Decision 2007/845/JHA of 6 December 2007 concerning cooperation between Asset Recovery Offices of the Member States in the field of tracing and identification of proceeds from, or other property related to, crime. https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32007D0845 (europa.eu) Council Document 11037/05 on the Network of National Experts on Joint Investigation Teams. https://www.eurojust.europa.eu/sites/default/files/Partners/JITs/JITs-Council-document-11037-05-EN.pdf (europa.eu) Council Document 11037/05 on the Network of National Experts on Joint Investigation Teams. https://www.eurojust.europa.eu/sites/default/files/Partners/JITs/JITs-Council-document-11037-05-EN.pdf (europa.eu) Council Decision 2003/659/JHA of 18 June 2003 amending Decision 2002/187/JHA setting up Eurojust with a view to reinforcing the fight against serious crime. (OJ L 245, 29.9.2003, p. 44). https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32003D0659 (europa.eu) Council Decision 2002/494/JHA, setting up a European network of contact points in respect of persons responsible for genocide, crimes against humanity and war crimes https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32002D0494 (europa.eu) Council Decision (2002/187/JHA of 28 February 2002 setting up Eurojust with a view to reinforcing the fight against serious crime 2002/187/JHA (OJ L 063 , 06/03/2002, p. 1–13) ELI: Decision - 2002/187 - EN - EUR-Lex (europa.eu) Article 16 COUNCIL FRAMEWORK DECISION of 13 June 2002 on the European arrest warrant and the surrender procedures between Member State (2002/584/JHA) College Decision 2019-09 of 17 September 2019 on the Financial Regulation applicable to Eurojust, available at:

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Institution	Type	Title
		https://www.eurojust.europa.eu/sites/default/files/EJLegalFramework/College-Decision-2019-9-Financial-Regulation.pdf
		Council of the European Union, Council conclusions on the permanent continuation of the EU Policy Cycle for organised and serious international crime: EMPACT 2022 +, available at: https://data.consilium.europa.eu/doc/document/ST-6481-2021-INIT/en/pdf
	Regulation of the Council	Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L 283, 31.10.2017, p. 1–71) ELI: Regulation - 2017/1939 - EN - EPPO - EUR-Lex (europa.eu)
EU	Regulations of the European Parliament and the Council	Regulation (EU) 2023/2131 of the European Parliament And of the Council of 4 October 2023 amending Regulation (EU) 2018/1727 of the European Parliament and of the Council and Council Decision 2005/671/JHA, as regards digital information exchange in terrorism cases (OJ L 2023/2131) ELI: L_202302131EN.000101.fmx.xml (europa.eu)
		Regulation (EU) 2023/1543 of the European Parliament and of the Council of 12 July 2023 on European Production Orders and European Preservation Orders for electronic evidence in criminal proceedings and for the execution of custodial sentences following criminal proceedings https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32023R1543 (europa.eu)
		Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act) https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32022R2065 (europa.eu)
		Regulation (EU) 2022/838 of the European Parliament and of the Council of 30 May 2022 amending Regulation (EU) 2018/1727 as regards the preservation, analysis and storage at Eurojust of evidence relating to genocide, crimes against humanity, war crimes and related criminal offences (OJ L 148, 31.5.2022, p. 1–5) ELI: Regulation - 2022/838 - EN - EUR-Lex (europa.eu)
		Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624 (OJ L 295, 14.11.2019, p. 1–131) ELI: Regulation - 2019/1896 - EN - EUR-Lex (europa.eu)
		Regulation (EU) 2019/816 of the European Parliament and of the Council of 17 April 2019 establishing a centralised system for the identification of Member States holding conviction information on third-country nationals and stateless persons (ECRIS-TCN) to supplement the European Criminal Records Information System and amending Regulation (EU) 2018/1726 (OJ L 135, 22.5.2019, p. 1–26) ELI: Regulation - 2019/816 - EN - EUR-Lex (europa.eu)
		Regulation (EU) 2018/1727 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust), and replacing and repealing Council Decision 2002/187/JHA (OJ L 295, 21.11.2018, p. 138–183) ELI: Regulation - 2018/1727 - EN - EUR-Lex (europa.eu)
		Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC. Regulation - 2018/1725 - EN - EUR-Lex (europa.eu)
		Regulation (EU) 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol) and replacing and repealing Council Decisions 2009/371/JHA, 2009/934/JHA, 2009/935/JHA, 2009/936/JHA and 2009/968/JHA (OJ L 135, 24.5.2016, p. 53–114) ELI: Regulation - 2016/794 - EN - EUR-Lex (europa.eu)
		Regulation (EU) 2016/679 Of The European Parliament And Of The Council of 27 April 2016 on the protection of natural persons with regard to the processing

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European Commission	Directives of the European Parliament and the Council	of personal data and on the free movement of such data, Regulation – 2016/679 – EN – EUR-lex (europa.eu)
		Regulation 2024/2509 on the financial rules applicable to the general budget of the Union (recast), available at: https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32024R2509
		Directive (EU) 2023/1544 of the European Parliament and of the Council of 12 July 2023 laying down harmonised rules on the designation of designated establishments and the appointment of legal representatives for the purpose of gathering electronic evidence in criminal proceedings Directive 2023/1544 – EN – EUR-lex (europa.eu)
		Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data. Directive 2016/680 – EN – EUR-Lex (europa.eu)
	Proposals for Regulations	Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters (OJ L 130, 1.5.2014, p. 1–36) ELI: Directive - 2014/41 - EN - EUR-Lex (europa.eu)
		Proposal for A Regulation of the European Parliament and of the Council On the European Union Agency for Criminal Justice Cooperation (Eurojust) (COM/2013/0535 final - 2013/0256) ELI: EUR-Lex - 52013PC0535 - EN - EUR-Lex (europa.eu)
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		Commission Delegated Regulation (EU) 2019/715 of 18 December 2018 on the framework financial regulation for the bodies set up under the TFEU and Euratom Treaty and referred to in Article 70 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council. https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32019R0715
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		Communication From The Commission to the European Parliament, The Council, The European Economic And Social Committee And The Committee of the Regions On The EU Strategy To Tackle Organised Crime 2021-2025 (COM/2021/170 final) ELI: EUR-Lex - 52021DC0170 - EN - EUR-Lex (europa.eu)
		Communication From The Commission to the European Parliament, The European Council, The Council, The European Economic And Social Committee And The Committee of the Regions on the EU Security Union Strategy (COM/2020/605 final) ELI: EUR-Lex - 52020DC0605 - EN - EUR-Lex (europa.eu)
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	National implementing legislation (examples)	COM(2020) 743 final, https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:52020PC0743
		Decreto Legislativo 23 novembre 2023, n. 182. Adeguamento della normativa nazionale alle disposizioni del regolamento (UE) n. 2018/1727 del Parlamento europeo e del Consiglio, del 14 novembre 2018, che istituisce l'Agenzia dell'Unione europea per la cooperazione giudiziaria penale (EUROJUST) e che sostituisce e abroga la decisione 2002/187/GAI del Consiglio. (23G00190) Link: DECRETO LEGISLATIVO 23 novembre 2023, n. 182 - Normattiva

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Eurojust		Gesetz zur Durchführung der Eurojust-Verordnung vom 09.12.2019, Bundesgesetzblatt Jahrgang 2019 Teil I Nr. 45, ausgegeben am 11.12.2019, Seite 2010; available at: https://www.bgbl.de/xaver/bgbl/start.xav#_bgbl_%2F%2F*%5B%40attr_id%3D%27bgbl119s2010.pdf%27%5D_1711447150426
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	Agreements / working arrangements	Eurojust (29 March 2023), <i>Eurojust and OLAF sign new Working Arrangement to step up cooperation</i> . Link: Eurojust and OLAF sign new Working Arrangement to step up cooperation Eurojust European Union Agency for Criminal Justice Cooperation (europa.eu)
		Eurojust (15 February 2021). <i>Working arrangement between the European Public Prosecutor’s Office (EPPO) and the European Union Agency for Criminal Justice Cooperation (EUROJUST)</i> Link: Working Arrangement between Eurojust and EPPO Eurojust European Union Agency for Criminal Justice Cooperation (europa.eu)
		Eurojust (18 December 2013), <i>Memorandum of Understanding between Eurojust and Frontex</i> . Link: Memorandum of Understanding between Eurojust and Frontex Eurojust European Union Agency for Criminal Justice Cooperation (europa.eu)
		Eurojust (1 January 2010), <i>Agreement between Eurojust and Europol</i> . Link: Agreement between Eurojust and Europol Eurojust European Union Agency for Criminal Justice Cooperation (europa.eu)
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	Eurojust (7 August 2017), <i>Multi-Annual Strategy 2019-2021</i> . Link: Multi-Annual Strategy 2019-2021 Eurojust European Union Agency for Criminal Justice Cooperation (europa.eu)	
	Eurojust (30 July 2015), <i>Multi-Annual Strategic Plan 2016-2018</i> . Link: Multi-Annual Strategic Plan 2016-2028 Eurojust European Union Agency for Criminal Justice Cooperation (europa.eu)	
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	Eurojust (16 December 2022), <i>Eurojust Single Programming Document 2022–2024: Third Amendment</i> . Link: Eurojust Single Programming Document 2022–2024: Third Amendment Eurojust European Union Agency for Criminal Justice Cooperation (europa.eu)	
	Eurojust (11 November 2022), <i>Eurojust Single Programming Document 2022–2024: Second Amendment</i> . Link: Eurojust Single Programming Document 2022–2024: Second Amendment Eurojust European Union Agency for Criminal Justice Cooperation (europa.eu)	
	Eurojust (14 December 2021), <i>Eurojust Single Programming Document 2021-2023</i> . Link: Eurojust Single Programming Document 2021-2023 – Second Amendment Eurojust European Union Agency for Criminal Justice Cooperation (europa.eu)	

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		Eurojust, <i>Eurojust Single Programming Document 2020-2022</i> , Link: Eurojust Single Programming Document 2020-2022 – Second Amendment Eurojust European Union Agency for Criminal Justice Cooperation (europa.eu)
		Eurojust, <i>Eurojust Single Programming Document 2019-2021</i> , Link: Eurojust Single Programming Document 2019-2021 – Second Amendment Eurojust European Union Agency for Criminal Justice Cooperation (europa.eu)
	Annual Reports	Eurojust (24 May 2023), <i>Annual Report 2022</i> . Link: Annual Report 2022 Eurojust European Union Agency for Criminal Justice Cooperation (europa.eu)
		Eurojust (2 March 2022), <i>Annual Report 2021</i> . Link: Annual Report 2021 Eurojust European Union Agency for Criminal Justice Cooperation (europa.eu)
		Eurojust (23 March 2021), <i>Annual Report 2020</i> . Link: Annual Report 2020 Eurojust European Union Agency for Criminal Justice Cooperation (europa.eu)
		Eurojust (16 April 2020), <i>Annual Report 2019</i> . Link: Eurojust Annual Report 2019 Eurojust European Union Agency for Criminal Justice Cooperation (europa.eu)
	Activity Reports	Eurojust (30 June 2023) <i>Consolidated Annual Activity Report 2022</i> . Link: Consolidated Annual Activity Report 2022 Eurojust European Union Agency for Criminal Justice Cooperation (europa.eu)
		Eurojust (24 June 2022) <i>Consolidated Annual Activity Report 2021</i> . Link: Consolidated Annual Activity Report 2021 Eurojust European Union Agency for Criminal Justice Cooperation (europa.eu)
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		Eurojust (26 January 2024), <i>#JusticeDone - Operational outcomes in 2023</i> . Link: #JusticeDone - Operational outcomes in 2023 Eurojust European Union Agency for Criminal Justice Cooperation (europa.eu)
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		Eurojust (8 September 2023), <i>Eurojust cooperation with third countries</i> . Link: Eurojust cooperation with third countries Eurojust European Union Agency for Criminal Justice Cooperation (europa.eu)
		Eurojust (n.d.), <i>Eurojust's response to the war in Ukraine [Annual Report 2022, section 2.3]</i> . Link: 2.3 Eurojust's response to the war in Ukraine Eurojust European Union Agency for Criminal Justice Cooperation (europa.eu)
		Eurojust (25 November 2020), <i>Report on Eurojust's casework in the field of the European Investigation Order</i> . Link: Report on Eurojust's casework in the field of the European Investigation Order Eurojust European Union Agency for Criminal Justice Cooperation (europa.eu)
		Rules of Procedure of Eurojust Consolidated version (including amendment of 24 July 2020), https://www.eurojust.europa.eu/sites/default/files/EJLegalFramework/2020-07-24_Eurojust-rules-of-procedure_%2520Consolidated_EN.pdf (europa.eu)
		Eurojust (2023), <i>'Ndrangheta mafia members arrested by an investigation of Belgium, Italy and Germany</i>
		Eurojust (2023), <i>Digital Information Exchange in Terrorism Cases Stronger justice, safer Europe</i>
		Eurojust (2019), <i>Report on Eurojust's Casework in Asset Recovery</i>
		Eurojust (2021), <i>Eurojust Report on Drug trafficking Experiences and challenges in judicial cooperation</i>

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		Eurojust (2022), <u>Eurojust Report on Money Laundering</u>
		Eurojust (2023), <u>Eurojust Report on the Transfer of Proceedings in the European Union</u>
		Eurojust (7 October 2019), <i>Cooperation Agreement with Denmark</i> Link: Denmark Eurojust European Union Agency for Criminal Justice Cooperation (europa.eu)
		Eurojust (2022) Activity Report of the Team Cybercrime - second half 2021
		Eurojust (2022) Activity Report of the Advisory Group on Organisational Development
		Eurojust (2022) Activity report of the Team Anti-Trafficking - first half 2022
		Eurojust (2021) Activity report of the Team Anti-Trafficking - second half 2021
		Eurojust (2022) Draft Activity Report BoRP 1st half 2022
		Eurojust (2022) Activity Report Board on Relations with Partners: January-December 2021
		Eurojust (2021) Activity report of the Board for casework related ICT projects-year 2021
		Eurojust (2022) Activity report of the Board for casework related ICT projects-First Half 2022
		Eurojust (2021) Activity report of the Team Counter Terrorism – Second Half 2021
		Eurojust (2022) Activity report of the Team Counter Terrorism – First half of 2022
		Eurojust (2022) Activity report of the Team Cybercrime – first half 2022
		Eurojust (2022) Economic Crimes Team: Activity report of the ECT-Second half 2021
		Eurojust (2021) Economic Crimes Team: Activity report of the ECT-Second half 2022
		Eurojust (2022) Activity report of the JCIT – Second half 2021
		Eurojust (2022) Activity report of the Judicial Cooperation Instruments Team – First half 2022
		Eurojust (2023) Activity report of the Anti-Trafficking team – First half 2023
		Eurojust (2023) Board on Relations with Partners: Activity Report BoRP 1st half 2023
		Eurojust (2023) Activity report of the Team Counter Terrorism – First half of 2023
		Eurojust (2023) Activity report of the Team Cybercrime – first half 2023
		Eurojust (2023) Activity report of the Board for casework related ICT projects – First Half 2023
		Eurojust (2023) Activity report of the JCIT – First half 2023
		Eurojust (2023) Activity report of the ECT – First half 2023
		Eurojust (2023) Activity report of the WGVR – First half 2023
		Eurojust (2021) Staff Survey Action Plan
		Eurojust (2021) Staff Survey Action Plan and Implementation report
		Eurojust (2022) Activity Report of Advisory Group on Organisational Development (AG OD) for year 2021
		Eurojust (2021) Activity report of the Team Anti-Trafficking – second half 2021
		Eurojust (2022) Activity report of the Team Cybercrime – second half 2021
		Eurojust (2022) Activity Report Board on Relations with Partners: January-December 2021
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	Annual Work Plans	Eurojust (2022) Activity report of the Judicial Cooperation Instruments Team (JCIT)–Second half 2021
		Eurojust (2024) Annual Work Plan Advisory Group on Organisational Development 2023-2024
		Eurojust (2024) Annual Planning College sub-structures -Working group on Victims' rights 2023-2024
		Eurojust (2024) Annual Planning College Working Groups - Anti Trafficking Team 2023-2024
		Eurojust (2024) Annual Work Plan Board on Relations with Partners 2023-2024
		Eurojust (2024) Annual Work Plan Board for Casework Related ICT Projects 2023-2024
		Eurojust (2024) Annual Work Plan Counter - Terrorism Team 2023-2024
		Eurojust (2024) Annual Planning College Sub-Structures Economics Crimes Team 2023-2024
		Eurojust (2024) Annual Work Plan College Working Group Cybercrime
		Eurojust (2024) Annual Planning College Sub-Structures Judicial Cooperation Instruments Team 2023-2024
		Eurojust (2024) Annual Work Plan for the Advisory Group on Organisational Development 2024-2025
		Eurojust (2024) Annual Work Plan for the Board on Relations with Partners 2024-2025
		Eurojust (2024) Annual Work Plan for the ANTI-TRAFFICKING TEAM 2024-2025
		Eurojust (2024) Annual Work Plan for the Board for Casework Related ICT Projects 2024-2025
		Eurojust (2024) Annual Work Plan for the Counter-Terrorism Team 2024-2025
		Eurojust (2024) Annual Work Plan for the Cybercrime Team 2024-2025
		Eurojust (2024) Annual Work Plan for the ECONOMIC CRIMES TEAM 2024-2025
		Eurojust (2024) Annual Work Plan for the JUDICIAL COOPERATION INSTRUMENTS TEAM 2024-2025
		Eurojust (2024) Annual Work Plan for the Working Group on Victims' Rights 2024-2025
		Eurojust (2023) Annual Work Plan for the Advisory Group on Organisational Development 2022-2023
		Eurojust (2023) Annual Work Plan for the ANTI-TRAFFICKING TEAM 2022-2023
		Eurojust (2023) Annual Work Plan for the Board on Relations with Partners 2022-2023
		Eurojust (2023) Annual Work Plan for the Board for Casework Related ICT Projects 2022-2023
		Eurojust (2023) Annual Work Plan for the Counter-Terrorism Team 2022-2023
		Eurojust (2023) Annual Work Plan for the Cybercrime Team 2022-2023
		Eurojust (2023) Annual Work Plan for the ECONOMIC CRIMES TEAM 2022-2023
		Eurojust (2022) Project proposal Hosting at Eurojust the FR Presidency event on environmental crime
		Eurojust (2024) Annual Work Plan for the ECONOMIC CRIMES TEAM 2023-2024

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		Eurojust (2024) Annual Work Plan for the JUDICIAL COOPERATION INSTRUMENTS TEAM 2023-2024
		Eurojust (2024) Annual Work Plan for the Working Group on Victims' Rights 2023-2024
	Projects Proposal	Eurojust (2024) Project Proposal Project "Analysis paper on cooperation with 3rd countries in drug trafficking cases"
		Eurojust (2024) Project Proposal Project "Analysis paper on THB specific topics"
		Eurojust (2024) Project Proposal Project "Meetings of the THB Focus Group"
		Eurojust (2024) Project Proposal: Meeting with private companies /ISPs for obtaining e - evidence
		Eurojust (2024) Project Proposal "Meetings of the US-EU expert group on MLA"
		Eurojust (2024) Project Proposal: Eurojust Meeting on Money Laundering and Asset Recovery
		Eurojust (2024) Project proposal Horizontal Strategic Note on Cryptoplatforms
		Eurojust (2024) Project Proposal Eurojust Meeting on Surrender with the United Kingdom
		Eurojust (2023) Project Proposal: Seminar/training with FRONTEX
		Eurojust (2023) Project Proposal title: Concluding a Working Arrangement to implement the International Agreement on cooperation with Eurojust to be concluded between EU and Armenia
		Eurojust (2023) Project title: Concluding a Working Arrangement to implement the International Agreement on cooperation with Eurojust to be concluded between EU and Colombia
		Eurojust (2023) Project title: Working Arrangement with a third country listed in the two-year strategy (Kosovo, Mexico, Nigeria, Panama, Peru, Saudi Arabia and UAE)
		Eurojust (2023) Project title: Working Arrangement with an international organisation listed in the two-year strategy (CoE, ICC, IIIM, UNITAD)
		Eurojust (2023) Project title: Exchange of information with Europol and possible WA
		Eurojust (2023) Project Proposal: Working Arrangement with a judicial association or network listed in the two - year strategy 2022 -2023
		Eurojust (2022) Project title: Meeting on transfer of proceedings and jurisdiction of EU MS in cross-border cases
		Eurojust (2022) Project proposal Working Arrangement with Mexico
		Eurojust (2022) Project proposal Working Arrangement with OLAF
		Eurojust (2022) Project proposal Meeting of Management Board Europol and College of Eurojust
		Eurojust (2022) Project proposal Exchange of information with Europol and possible WA
		Eurojust (2022) Project proposal Working Arrangement with one SPC country (linked with Euromed Justice)
		Eurojust (2022) Project proposal Report on the use of undercover agents in drug trafficking cases
		Eurojust (2022) Project proposal Meetings of the Focus Group of prosecutors specialised on THB
		Eurojust (2022) Project proposal Eurojust contribution to the EU-US event on battlefield evidence

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		Eurojust (2022) Project proposal Guidelines in MTIC fraud committed through intangible goods and services
		Eurojust (2022) Project proposal Participation of Eurojust to the 10th round of mutual evaluations
		Eurojust (2022) Project proposal Overview of national criteria for criminal jurisdiction
		Eurojust (2022) Project proposal Eurojust casework report on transfer of proceedings
		Eurojust (2022) Project proposal Enhancing relations with third countries Contact Points
		Eurojust (2022) Project proposal Concluding a Working Arrangement with EUNAVFOR MED
		Eurojust (2022) Project proposal Horizontal meeting of EU actors in the field of PIF
		Eurojust (2022) Project proposal Relations with the EPPO and Implementation of the Working Arrangement
		Eurojust (2022) Project proposal Concluding a Working Arrangement with Interpol to implement the International Agreement between the EU and Interpol
		Eurojust (2022) Project proposal Update EJ working arrangement with the Commission
		Eurojust (2022) Project proposal Working arrangement on the exchange programme with EPPO and implementation
		Eurojust (2022) Project proposal Working arrangement on Exchange programme with FRONTEX and implementation Brief description
		Eurojust (2022) Project proposal e-Codex/e-EDES project
		Eurojust (2022) Project proposal Exchange of data with FRONTEX
		Eurojust (2022) Project proposal Project Proposal for the implementation of a new Reporting Tool
	Briefing Notes	Briefing Note: Fiches Suedoises: way forward 2020
		Work Plans of College Working Groups 2024-2025, 2024
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		Briefing note of the Final report of the first phase of the Europol Project, 2023
		Draft Annual Work Plans and proposed projects College Working Groups 2022/2023, 2022
		Activity report (1st half 2022) and draft recommendations on the effective use of resources for the projects and activities under the adopted work plan, 2022
	Excel document	Draft Annual Work Plans and proposed projects College Working Groups 2023-2024, 2024
		CICED amendment Action Plan July-2024 CICED Project Feedback, 2024
		Feedback forms all surveys on Eurojust meetings Dec 2017 until Dec 2022
		Feedback Forms on Coordination Meetings Survey Dec 2022 until March 2024
		EJR Action plan - updated April 2024
		Projects overview for all working groups 2022
		Overview of 2022 WG projects execution 2022
		Overview of 2023 WG projects execution 2023
		Overview of 2024 WG projects execution 2024
		Overview of 2023-2024 WG projects, 2024

Study to support the Evaluation of the implementation and impact of Regulation (EU) 2018/1727 of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust), and of the effectiveness and efficiency of Eurojust and its working practices

Institution	Type	Title
Other agencies	SIRIUS/ Europol/ EJNI	SIRIUS/ Europol/Eurojust/EJNI (18 December 2023) <i>SIRIUS Electronic Evidence Situation Report 2023</i> , Link: SIRIUS Electronic Evidence Situation Report 2023 (europa.eu)
		EUROPOL, SOCTA report 2017, available at: https://www.europol.europa.eu/socta/2017/
		EUROPOL, SOCTA report (2017), https://www.europol.europa.eu/socta/2017/
		Europol, European Union Serious and Organised Crime Threat Assessment (SOCTA) 2021, available at: https://www.europol.europa.eu/publication-events/main-reports/european-union-serious-and-organised-crime-threat-assessment-socta-2021
	ECA	ECA (26 October 2023), Annual report on EU agencies for the financial year 2022. Link: Annual report on EU agencies for the financial year 2022 European Court of Auditors (europa.eu)
Other	ECRIS	ECRIS (n.d.) Link: European Criminal Record Check - Now made easy! (ecris.eu)
	European E-Justice	European E-Justice Portal (20 January 2023), e-Evidence Digital Exchange System. Link: European e-Justice Portal - e-Evidence Digital Exchange System (europa.eu)
	JHA	Assessment of the Justice and Home Affairs Agencies Network, Available at: JHAAN Assessment Report 2021.pdf (europa.eu)
		JHA Agencies' contribution to EU solidarity with Ukraine Joint Paper, Available at: Joint Paper JHA Agencies Solidarity with Ukraine 30.04.2024 REV (europa.eu)
	Evaluation	Evaluation of the Eurojust Council Decision and the activities carried out by Eurojust (europa.eu): https://www.eurojust.europa.eu/sites/default/files/assets/eurojust_evaluation_implementation_eurojust_council_decision_final_report_2015_en.pdf
	Academic literature / Studies	The Transfer of Criminal Proceedings in the EU: An exploration of the current practice and of possible ways for improvement based on practitioners' views, May 2022: https://pure.eur.nl/ws/portalfiles/portal/92748304/final_report_the_transfer_of_criminal_proceedings_in_the_eu.pdf Ermioni Xanthopoulou, 'Mutual trust and rights in EU criminal and asylum law: Three phases of evolution and the uncharted territory beyond blind trust', (2018), 55, Common Market Law Review, Issue 2, pp. 489-509, https://kluwerlawonline.com/journalarticle/Common+Market+Law+Review/55.2/COLA2018034 Selier, E. and Weyemberg, A, Criminal procedural laws across the European Union – A comparative analysis of selected main differences and the impact they have over the development of EU legislation, report for the LIBE committee, 2018 https://www.europarl.europa.eu/RegData/etudes/STUD/2018/604977/IPO_L_STU(2018)604977_EN.pdf EU Agencies, Common Approach and Parliamentary Scrutiny European Implementation Assessment, 2018. https://www.europarl.europa.eu/RegData/etudes/STUD/2018/627131/EPRS_STU(2018)627131_EN.pdf Organized Crime and Corruption Reporting Project (2021), What is the 'Ndrangheta? Cross-border criminal digital justice, Final Report, Deloitte, 2018 https://op.europa.eu/en/publication-detail/-/publication/e38795b5-f633-11ea-991b-0a75ed71a1/language-en Study on the strengthening of Eurojust, Report, GHK for DG Justice, 2012 https://op.europa.eu/en/publication-detail/-/publication/7568198e-9d74-416e-9fbc-959c46a34a7f The Future of Eurojust, Study of the LIBE Committee of the European Parliament (2012),

Institution	Type	Title
		https://www.europarl.europa.eu/RegData/etudes/STUD/2012/462451/IPOL-LIBE_ET(2012)462451_EN.pdf
		EY, Evaluation of the Eurojust Council Decision and the activities carried out by Eurojust, 2015, PP72-78.
		Mitsilegas, Valsamis, EU Criminal Law after Lisbon – Rights, Trust and the Transformation of Justice in Europe, 2016, pp 5-6.

Annex 2: Analytical framework

This Annex presents: (i) the list of research questions supporting the implementation check; (ii) the detailed evaluation questions matrix (EQM); and (iii) summary responses to each research and evaluation question.

Implementation check – research questions

1. How far has Eurojust taken the necessary measures to implement the EJR, including the alignment of Eurojust activities to the tasks and operational functions listed in the EJR?
2. To what extent have the Member States adapted their national law to ensure the proper implementation of the EJR at national level (e.g. by providing their NMs with adequate powers and establishing national correspondent systems)?
3. To what extent has Eurojust implemented the possibility for own initiative action (see Article 2(3) EJR)?
4. To what extent has the attribution of additional tasks in the recent amendments of the EJR impacted Eurojust's capacities to fulfil its core tasks?
5. To what extent do the cooperation instruments with other EU JHA agencies and bodies, particularly working arrangements, implement the provisions in the EJR, including the special provisions on exchange and protection of operational personal data (e.g. which operational personal data are being shared (and how) between Eurojust and Europol, Eurojust and the EPPO, and Eurojust and OLAF)?
6. To what extent does the current international cooperation practice implement the relevant provisions of the EJR?
7. To what extent have the data protection rules outlined in the EJR, EUDPR and Eurojust internal rules been properly applied?

Evaluation Matrix

The below tables present the **evaluation matrix**. In line with Tool #46 (Designing the Evaluation) of the BR toolbox, the matrix details:

- i) the **core evaluation questions** (highlighted in grey) and related **sub-questions for all evaluation criteria, covering effectiveness, efficiency, relevance, coherence and EU added value**.
- ii) the **criteria against which evidence-based judgements will be made** on each question/sub-question (i.e. what information do we need to know to make a judgement on the evaluation question).
- iii) **examples of qualitative and quantitative indicators** that will inform the responses to the evaluation questions.
- iv) the **data sources and research methods** proposed to capture the data necessary to fill the indicators and provide information for the judgement criteria.

Effectiveness

Evaluation questions	Judgement criteria	Examples of indicators	Data sources / research methods
Effectiveness			
EQ1: To what extent has progress been made towards achieving the Eurojust Regulation's objectives, considering the expectations and procedures it included?	- The general objective of the Eurojust Regulation, the resulting activities/working practices and the expected effects / causal mechanisms. - The specific and activity-based objectives outlined in the Eurojust Multi-Annual Strategies and the Single Programming Documents, the resulting activities/working practices and the expected effects / causal mechanisms. - The achievements of the Eurojust Regulation – i.e. positive effects (outputs, results, impacts) – and related explanatory factors (i.e. why and how, causal mechanisms, attribution).	- Number and type of programming documents produced - All output and result KPIs listed in Eurojust MAS and SPD/AWP, by objective (e.g. casework, cooperation, digitalisation, strategic work, organisational capabilities and efficiency) and action area: e.g. - Number of cases supported, disaggregated by key variables including type of support (CMs, CCs/action days, JITs), year, crime type, initiating Member States participating Member States, initiating third countries, participating third countries, involvement of EU JHA partners, involvement of international organisations.	Document review: Eurojust programming documents, legal documents and research outputs (e.g. casework insight reports), academic commentary and other studies on the functioning of Eurojust, etc. Targeted consultations: Interviews with all internal and external stakeholders; online surveys. Direct observation. Cross-country focus groups with national level practitioners Case studies. Implementation check and impact analysis.

Evaluation questions	Judgement criteria	Examples of indicators	Data sources / research methods
	• The challenges / negative effects of the Eurojust Regulation and related explanatory factors. • Effects and challenges in the years prior to 2019, where relevant. • Comparison of the balance of achievements / challenges against the objectives and effects baseline (e.g. expected effects, pre-Regulation effects).	• Number of complex cases. • Ratio of multilateral vs bilateral cases. • Number of ICF principles present and functioning. • Satisfaction level of the Eurojust support to coordination meetings. • Number of Eurojust – Networks joint products. • Number of rules and policies adopted, implemented and amended, by area. • Number of cooperation agreements / working arrangements with EU JHA agencies, third countries and international organisations. • Number of prosecutions resulting from Eurojust cases. • Value of money/goods seized and confiscated in Eurojust cases. • etc. • Stakeholder perceptions on issues such as: quality of support provided by Eurojust to JIJs; the nature and impact of internal and external factors influencing the achievement of effects; level of expertise within Eurojust; utility of cooperation agreements / working arrangements. • Level of general awareness and use of tools for judicial cooperation in criminal matters, by type (e.g. EAW, EIO, EPO, etc.)	

Evaluation questions	Judgement criteria	Examples of indicators	Data sources / research methods
EQ1.1: To what extent have Eurojust's activities contributed to achieving overall EU policy objectives and priorities (i.e. to fight serious cross-border crime in the Area of Freedom, Security and Justice)?	• Overall EU policy objectives and priorities. • Eurojust activities that can/aim to have an effect on overall EU policy objectives and priorities, and their expected effects / causal mechanisms. • Assessment of the wider context of interventions that aim to affect overall EU policy objectives and priorities (e.g. work of other agencies). • The achievements of Eurojust activities – i.e. positive effects (outputs, results, impacts) – with regard to overall EU policy objectives and priorities and related explanatory factors (i.e. why and how, causal mechanisms, attribution). • The challenges / negative effects of Eurojust activities with regard to overall EU policy objectives and priorities, and related explanatory factors. • Effects and challenges in the years prior to the Regulation, where relevant. • Comparison of the balance of achievements / challenges against the overall EU policy objectives / priorities and effects baseline.	• As above, indicators from the MAS, SPD/AWPs related to the achievement of overall EU policy objectives and priorities, e.g. number and type of actions taken to fight serious cross-border crime, by type of action and type of crime. • Impact indicators related to the scale and magnitude of serious cross-border crime, by type: e.g. number of cybercrime cases in the EU. • Stakeholder perceptions on the level of Eurojust's contribution to such high-level objectives; and on other contributing factors.	• Document review: Eurojust programming documents and research outputs (e.g. casework insight reports), EU policy documents and reporting. • Targeted consultations: Interviews with all internal and external stakeholders, in particular national-level practitioners; online surveys. • Cross-country focus groups with national level practitioners • Case studies. • Implementation check and impact analysis.
EQ1.2: To what extent has Eurojust successfully enhanced and supported the coordination and cooperation between national	• Eurojust activities that can/aim to contribute to enhancing and supporting the coordination and cooperation between national	• Eurojust KPIs related to coordination and cooperation activities, including on:	• Document review: Eurojust programming documents, legal documents and research outputs (e.g. casework insight reports),

Evaluation questions	Judgement criteria	Examples of indicators	Data sources / research methods
investigating and prosecuting authorities in relation to serious cross-border crime within its competence?	investigating and prosecuting authorities, and their expected effects / causal mechanisms. - Assessment of the wider context in which Eurojust activities were implemented. - The achievements / positive effects related to this objective and explanatory factors. - The challenges / negative effects related to this objective and explanatory factors. - Effects and challenges in the years prior to the Regulation, where relevant. - Comparison of the balance of achievements / challenges against this objective and the effects baseline.	- Casework (e.g. number of cases, as above, satisfaction level of Eurojust support, etc.) - Cooperation (e.g. number of cases with JHA partners, third countries, international organisations, successful delivery of externally funded projects). - Stakeholder perceptions on the extent to which and how Eurojust has enhanced and supported coordination and cooperation, any external factors / challenges, any differences by Member State or by type of crime or action.	academic commentary and other studies on the functioning and impact of Eurojust, etc. Targeted consultations: Interviews with all internal and external stakeholders; online surveys. Cross-country focus groups with national level practitioners Case studies. Implementation check and impact analysis.
EQ1.3: To what extent has Eurojust's functioning been simplified and improved by the implementation of the Eurojust Regulation aimed at strengthening Eurojust's operational work?	- Assessment of simplification and improvements to the functioning of Eurojust introduced by the Regulation, any changes over the implementation period, and their expected effects / causal mechanisms. - Assessment of alignment of the Eurojust Regulation with the common approach on decentralised agencies, and resulting effects on functioning and operational work. - The achievements of the Eurojust Regulation regarding the simplification and improvement of Eurojust's functioning, and the	- Number and type of simplification and improvement actions implemented through the EJR, and since December 2019. - Degree of alignment between the EJR and the implemented actions. - Stakeholder perceptions on the impact of simplification and improvement actions on Eurojust's operational work, influencing factors/challenges and their impact. - KPIs on Eurojust's operational effects, as detailed above.	Document review: Eurojust programming documents, legal documents and research outputs (e.g. casework insight reports), academic commentary and other studies on the functioning of Eurojust, etc. Targeted consultations: Interviews with all internal stakeholders; online surveys. Case studies (e.g. on digitalisation, efficiency) Implementation check and impact analysis.

Evaluation questions	Judgement criteria	Examples of indicators	Data sources / research methods
	secondary effects on operational work. • The challenges related to the changes to Eurojust's functioning, and the secondary effects on operational work. • Assessment of the explanatory factors and wider context affecting the simplification and improvement of Eurojust's functioning. • Comparison of the balance of achievements / challenges resulting from the simplification and improvement of Eurojust's functioning against the effects baseline.		
EQ1.4: How do Eurojust's governance structure and working practices correspond to the tasks and functions set out in the Eurojust Regulation? To what extent do they contribute to the effective implementation of its tasks?	• The structure, tasks and functions of the different components of Eurojust as set out in the Eurojust Regulation (Chapter II), changes compared to the pre-Regulation situation and their expected effects. • Assessment of the practical implementation of the governance structure and working practices, and changes over the implementation period. • Comparison of the regulatory and practical situations. • Comparison of (legislative and practical) changes to the governance structure and working practices against: (i) the pre-Regulation situation (baseline); (ii) the common	• Degree of alignment between the EJR and the implemented governance structure and working practices. • Output and result KPIs listed in Eurojust MAS and SPD/AWP, by objective (e.g. casework, cooperation, digitalisation, strategic work, organisational capabilities and efficiency) and action area, as detailed above. • Stakeholder perceptions on the role of the governance structure and working practices in ensuring the implementation of Eurojust's tasks.	• Document review: Eurojust programming documents, legal documents and research outputs (e.g. casework insight reports), academic commentary and other studies on the functioning of Eurojust, etc. • Targeted consultations: Interviews with all internal stakeholders; online survey with national members. • Direct observation. • Implementation check and impact analysis.

Evaluation questions	Judgement criteria	Examples of indicators	Data sources / research methods
	approach; and (iii) the operation of other EU JHA agencies. • The contribution of Eurojust's governance structure and working practices to the implementation of its activities and, ultimately, their effects (including attribution and causal mechanisms). • Assessment of explanatory factors and wider context affecting the implementation of Eurojust activities and the related effects. • Comparison of the effects achieved against the expected effects (baseline).		
EQ1.5: To what extent does the division of functions and responsibilities among the College, the Executive Board, the Administrative Director, and the President provided for in the Eurojust Regulation enable Eurojust to effectively fulfil its mission?	• Assessment of the division of functions and responsibilities in the Regulation and in practice (including any changes over the implementation period), changes compared to the pre-Regulation situation and their expected effects. • Comparison of (legislative and practical) changes in the division of functions and responsibilities against: (i) the pre-Regulation situation (baseline); (ii) the common approach; and (iii) other EU JHA agencies. • The effects of the division of functions and responsibilities on the ability of Eurojust to achieve its objectives (including	• Degree of alignment between the EJR and the implemented division of functions and responsibilities. • Output and result KPIs listed in Eurojust MAS and SPD/AWP, by objective (e.g. casework, cooperation, digitalisation, strategic work, organisational capabilities and efficiency) and action area, as detailed above. • Stakeholder perceptions on the role of the different components of Eurojust's structure in its effectiveness.	• Document review: Eurojust programming documents, legal documents and research outputs (e.g. casework insight reports), academic commentary and other studies on the functioning of Eurojust, etc. • Targeted consultations: Interviews with all internal and external stakeholders; online surveys. • Direct observation. • Implementation check and impact analysis.

Evaluation questions	Judgement criteria	Examples of indicators	Data sources / research methods
	attribution and causal mechanisms). • Assessment of explanatory factors and wider context affecting the division of functions / responsibilities and their effects. • Comparison of the effects achieved against the expected effects (baseline).		
EQ1.6: How effective are Eurojust's working practices (in particular, the ENCS, working groups, project-based approaches, JITs, coordination meetings, network meetings, and the relationship between national members and the administration)?	• The working practices across the different Eurojust activities, as per the Regulation and in practice (including any changes over the implementation period), and their expected effects. • Comparison of the Regulatory and practical situations. • Comparison of (legislative and practical) changes to the working practices against the pre-Regulation situation. • The contribution of Eurojust's working practices to achieving the effects of the Eurojust Regulation, including attribution and causal mechanisms. • The challenges associated with Eurojust's working practices and their influence on the achievements of the Regulation, including attribution and causal mechanisms. • Assessment of the explanatory factors and wider context influencing the effectiveness of Eurojust's working practices.	• Output and result KPIs listed in Eurojust MAS and SPD/AWP, by objective (e.g. casework, cooperation, digitalisation, strategic work, organisational capabilities and efficiency) and action area, as detailed above. • Stakeholder perceptions on the effectiveness of each 'working practice', as well as the success factors, challenges and other influencing factors.	• Document review: Eurojust programming documents, legal documents and research outputs (e.g. casework insight reports), academic commentary and other studies on the functioning of Eurojust, etc. • Targeted consultations: Interviews with all internal and external stakeholders; online surveys. • Cross-country focus groups with national level practitioners • Case studies. • Implementation check and impact analysis.

Evaluation questions	Judgement criteria	Examples of indicators	Data sources / research methods
	Comparison of the balance of contributions / challenges resulting from Eurojust's working practices against their expected effects.		
EQ1.7: To what extent has the approximation of the status and powers of National Members under the Eurojust Regulation contributed to achieving Eurojust's operational objectives?	- The provisions on the status and powers of National Members within the Eurojust Regulation (i.e. Chapter II, Section II), changes compared to the pre-Regulation situation, and expected effects (including causal mechanisms). - Assessment of the practical implementation of the status and powers of National Members (e.g. amendments to Member State national law to ensure proper implementation of the Eurojust Regulation), including the level of approximation, challenges. - The operational objectives of Eurojust. - The contribution and causal mechanisms of the approximation of the status and powers of National Members to the implementation of its operational tasks and, ultimately, to the achievement of the operational objectives. - Assessment of explanatory factors and wider context influencing the approximation of the status and powers of National	- Degree of alignment between the Member State provisions and the EJR: e.g. number of Member States who have implemented all provisions clearly and properly. - Output and result KPIs listed in Eurojust MAS and SPD/AWP, by objective (e.g. casework, cooperation, digitalisation, strategic work, organisational capabilities and efficiency) and action area, as detailed above. - Stakeholder perceptions on the role of the approximation of the status and powers of national members in achieving Eurojust's operational objectives, as well as the influence of other factors, and challenges faced.	Document review: Eurojust programming documents, legal documents and research outputs (e.g. casework insight reports), academic commentary and other studies on the functioning of Eurojust, etc. Targeted consultations: Interviews with all internal and external stakeholders; online surveys. Cross-country focus groups with national level practitioners Implementation check and impact analysis, primarily review of national laws.

Evaluation questions	Judgement criteria	Examples of indicators	Data sources / research methods
	Members and the causal mechanisms. • Comparison of the effects achieved against the expected effects (baseline).		
EQ1.8: To what extent does the current framework for cooperation with third countries and international organisations facilitate effective cooperation with international partners?	• The provisions on international cooperation within the Regulation (Chapter V, Section III), changes compared to the pre-Regulation situation and expected effects (including causal mechanisms). • Assessment of the practical implementation of the provisions, including, e.g.: the Eurojust strategy for cooperation with third countries and international organisations, expected results, and performance indicators; and differences in international commitments by Member State and their practical implications. • The achievements of Eurojust activities with regard to the objectives on international cooperation stemming from the Eurojust Regulation and strategy. • The challenges / negative effects of Eurojust activities with regard to the objectives on international cooperation. • Assessment of explanatory factors and wider context affecting the implementation of Eurojust activities on international cooperation and the related effects.	• Contact and information exchange with competent international authorities by National Members, as per Art. 8(c) – number, by type of contact / information exchanged, by crime type, by Member State, by international authority. • Number of relevant Member State international commitments. • Number of Eurojust cooperation agreements with third countries / international organisations, by type of entity, type of agreement, timeframe. • Differences between the form and content of cooperation agreements agreed pre- and post-Eurojust Regulation. • Number of Eurojust contact points designated in third countries, by country, region and reason. • Number of liaison magistrates posted to third countries, by country, region and reason. • Number of requests for judicial cooperation to and from third countries, by type of request, crime type, country, region and reason.	• Document review: Eurojust programming documents, legal documents and research outputs (e.g. casework insight reports), academic commentary and other studies on the functioning of Eurojust, etc. • Targeted consultations: Interviews with all internal and external stakeholders; online surveys. • Case studies. • Implementation check and impact analysis.

Evaluation questions	Judgement criteria	Examples of indicators	Data sources / research methods
	Comparison of the effects achieved against: (i) the expected effects; (ii) the pre-Regulation situation; and (iii) the activities of other JHA agencies.		
EQ1.9: How effective has Eurojust's support for the fight against impunity for international crimes in general, and in relation to the situation in Ukraine in particular, been? To what extent has the amendment of the Eurojust Regulation by Regulation (EU) 2022/838 allowed Eurojust to support national authorities more effectively? How effective has the establishment of the International Centre for the Prosecution of the Crime of Aggression against Ukraine (ICPA) been?	- The strategy, objectives, activities and expected effects (and causal mechanisms) stemming from Eurojust's support for the fight against impunity for international crimes, including through Regulation (EU) 2022/838 and the establishment of the International Centre for the Prosecution of the Crime of Aggression against Ukraine (ICPA). - The achievements and challenges / negative effects of these developments. - Assessment of the explanatory factors and wider context influencing these activities. - The implications of this work for other Eurojust activities.	- Output and result KPIs listed in Eurojust MAS and SPD/AWP, by objective and action area, as detailed above. - Stakeholder perceptions on the role of Eurojust in tackling core international crimes and its impact on the Agency's effectiveness; and other relevant factors, challenges, success factors. - Indicators collected within the Core International Crimes Evidence Database (CICED).	Document review: Eurojust programming documents, CICED data, legal documents and research outputs (e.g. casework insight reports), academic commentary and other studies on the functioning of Eurojust, etc. Targeted consultations: Interviews with all internal and external stakeholders; online surveys. Implementation check and impact analysis.

Efficiency

Evaluation questions	Judgement criteria	Examples of indicators	Data sources / research methods
Efficiency			
EQ2: To what extent have the objectives of the Eurojust Regulation been achieved at a reasonable cost?	- Objectives of Eurojust, implemented through its activities, have been achieved using the available inputs. - Cost-effectiveness compared to planned targets and KPIs. - The findings of the effectiveness assessment (e.g. regarding EJR's goal of limiting the administrative burden of national members). - Efficiency of resource allocation, including prioritisation logic, with a target of a 20% increase in casework with third countries by 2021. - Resource-related challenges, including the application of negative priorities.	- Output, result and impact indicators as listed above. - Total Eurojust budget, by year, by Title and by activity – as per MFF programming (Working Documents III to the Draft Budgets), amended and actual expenditure. Rate of budget execution (as reported in the Annual Reports). - Cost of cooperation meetings year. - Number and proportion of statutory and non-statutory staff, by type (e.g. temporary, contract, SNE, national desks, representatives of DK and the UK, LPs for third countries). - Number of cases handled annually (including new cases opened). - Caseload to staff ratio, by year. - Number of closed cases, to staff ratio, by year. - Number of JI Ts supported and funded. - Impact of external factors such as COVID-19 on KPIs (e.g. the deployment of secure teleworking capabilities; investments made in the core ICT infrastructure). - Number and proportion of KPIs achieved, compared to SPD target. - Proportion of budget implementation, compared to SPD target.	Document review: EU legislation and policy documentation (e.g. Eurojust financial regulation, Council Decisions); Eurojust administrative / operational documentation (e.g. annual reports, financial reports, College and Executive Board meetings agendas; ECA audit reports); European Parliament's Discharge Reports on Eurojust's budget implementation; Working Documents III to the Draft Budgets under the MFF; Quantitative data from internal Eurojust data management systems (e.g. CSM, CISED). Targeted consultations: Interviews with internal and external stakeholders; online surveys; validation workshop. Case studies. Implementation check and impact analysis – resource analysis.

Evaluation questions	Judgement criteria	Examples of indicators	Data sources / research methods
		• Rate of outturn, compared to SPD target. • Proportion of payments executed within legal deadlines, compared to SPD target. • Audit findings related to reliability of annual accounts, compared to SPD target. •	
EQ2.1: How efficient are Eurojust's working practices?	• Eurojust's operational and administrative activities are conducted in a timely manner and to a high degree of quality, compared to what is expected. • Identification of efficiency challenges and actions taken to address them (e.g. use of videoconferencing, ICT tools). • Specific actions to improve efficiency, such as increasing the ratio of new and existing cases over the number of staff and SNE to ≥ 40. • Specific actions taken to ensure smooth implementation of the organisational changes stemming from the Eurojust Regulation, Regulation 2018/1725 and the revised data protection rules, as well as the EPPO working arrangement(s). • Comparison of efficiency of working practices compared to the pre-Regulation situation.	• . • Qualitative perceptions of Eurojust staff and operational partners on the quality and timeliness of the delivery of Eurojust operational activities. • Qualitative perceptions of Eurojust staff on the quality and timeliness of Eurojust administrative activities. • Number and type of efficiency challenges identified. • Actions taken to improve the efficiency of working practices, by type, by year – e.g. ICT projects initiated. • Number of CMs and CCs organised annually. • Number of staff recruited and redeployed according to needs. • Number and proportion of staff that report being 'engaged' or 'satisfied' with Eurojust's working practices and internal communication. • Actions agreed in working arrangements with the EPPO implemented, by type.	• Document review: EU legislation and policy documentation (e.g. Eurojust Regulation, Council Decisions), Eurojust programming documents (e.g. Human and Financial Resources Outlook), internal staff surveys; Eurojust quarterly reports; business cases/cost-benefit analyses for ICT or other projects; Eurojust web statistics, quantitative data from internal Eurojust data management systems (e.g. CSM, CISED). etc. • Targeted consultations: Interviews with internal and external stakeholders; online surveys; validation workshop. • • Cross-country focus groups with national level practitioners • Case studies. • Implementation check and impact analysis – resource analysis.

Evaluation questions	Judgement criteria	Examples of indicators	Data sources / research methods
		- Frequency and outcomes of videoconferencing and remote working sessions. - Number of media mentions of Eurojust (incl. social media), compared to SPD target. - Number of visits to Eurojust website, compared to SPD target.	
EQ2.2: Has the distinction between the operational and management functions of the Executive Board and the College helped reduce administrative burden on national members and increased the overall efficiency of the decision-making process in the agency?	- The operational and management functions of the Executive Board and the College, as set out in the Eurojust Regulation, changes compared to the pre-Regulation situation and their expected efficiency effects (including causal mechanisms). - Assessment of the practical implementation of the operational and management functions of the Executive Board and the College, and changes over the implementation period. - Comparison of the regulatory and practical situation. - Comparison of (legislative and practical) changes against the pre-Regulation situation. - Observed effects of the distinction between the functions of the Executive Board and the College on the administrative burden faced by National Members and overall efficiency.	- Stakeholder perceptions on the degree of clarity regarding the distinction between the operational and management functions of the Executive Board and the College - Output and result KPIs listed in Eurojust MAS and SPD/AWP, as detailed above. - Indicators on efficient resource use, as detailed above. - Scale of administrative activities conducted by national members - Stakeholder perceptions on the impact of the distinction on the administrative burden on national members and overall efficiency, including the factors contributing and any challenges.	Document review: EU legislation and policy documentation (e.g. Eurojust Regulation, Council Decisions), Eurojust programming documents (e.g. Human and Financial Resources Outlook), internal staff surveys;; Eurojust annual reports; Eurojust web statistics, quantitative data from internal Eurojust data management systems (e.g. CSM, CICED), etc. Targeted consultations: Interviews with internal stakeholders; online surveys; validation workshop. Implementation check and impact analysis.

Evaluation questions	Judgement criteria	Examples of indicators	Data sources / research methods
	Comparison of the administrative burden facing National Members against: (i) the expected efficiency gains; and (ii) the pre-Regulation situation.		
EQ2.3: Are the tasks of the national desks and the administration in operational work defined in an efficient way?	- The definition of the tasks of the national desks and the administration with regard to operational work, as stipulated in the Regulation, changes compared to the pre-Regulation situation and their expected efficiency effects (including causal mechanisms). - Assessment of the practical implementation of the definition of tasks, and changes over the implementation period (e.g. to improve efficiency). - Identification of challenges or inefficiencies in the definition of tasks for operational work (e.g. duplication / overlap, unclear responsibilities etc.) - Assessment of the limited resources and tools for supporting judicial networks, despite the importance of strong interaction with national authorities. - Comparison of pre- and post-Regulation situations. - Contribution of the definition of tasks to observed effects on the efficiency of operational activities (e.g. timely and quality delivery, no duplicate actions, etc.)	- Stakeholder perceptions on the degree of clarity regarding the tasks of national desks and the administration in operational work. - Output and result KPIs listed in Eurojust MAS and SPD/AWP, as detailed above. - Indicators on efficient resource use, as detailed above. - Stakeholder perceptions on whether the definition of tasks in operational work is efficient, as well as any challenges identified.	Document review: EU legislation and policy documentation (e.g. Eurojust Regulation, Council Decisions), Eurojust programming documents (e.g. Human and Financial Resources Outlook), internal staff surveys; Eurojust annual reports; Eurojust web statistics, quantitative data from internal Eurojust data management systems (e.g. CSM, CISED), etc. Targeted consultations: Interviews with internal stakeholders; online surveys; validation workshop. Implementation check and impact analysis.

Evaluation questions	Judgement criteria	Examples of indicators	Data sources / research methods
EQ2.4: To what extent might the same output and results be achieved at lower costs?	• Identification of potential for burden reduction, cost reduction or simplification with the EJ/ Eurojust activities, processes and systems without compromising the quality of outputs (e.g. the necessity for additional assessments for data transfers already assessed by Member States can create redundant processes and inefficiencies). • Assessment of related challenges. • . • Effects of Eurojust activities.	• Output and result KPIs listed in Eurojust MAS and SPD/AWP, as detailed above. • Indicators on efficient resource use, as detailed above. • Number of inefficiencies or opportunities for simplification, cost or burden reduction identified, by type of area or activity. • Stakeholder perceptions on the nature and scale of inefficiencies identified, as well as the nature and scale of any potential simplification measures.	• Document review: EU legislation and policy documentation (e.g. Eurojust Regulation, Council Decisions), Eurojust programming documents (e.g. Human and Financial Resources Outlook), data from ABB/ABC/ABM, internal staff surveys; reports on rules of procedure; ECA audit reports; Eurojust annual reports; , etc. • Targeted consultations: Interviews with internal stakeholders, validation workshop. • Implementation check and impact analysis.
EQ2.5: To what extent has Eurojust sufficiently employed digital tools to move towards more efficient processes?	• Assessment of the implementation of digital tools by Eurojust. • Effects generated by the deployment of digital tools • Consideration for the future use of digital tools and their potential effects.	• Number of digital tools implemented, by type of tool and area of implementation. • Output and result KPIs linked to the implementation of ICT projects and related benefits. • Stakeholder perceptions on the scale of efficiency benefits delivered by digital tools, as well as any challenges or other factors.	• Document review: EU legislation and policy documentation (e.g., Eurojust Regulation, Council Decisions), Eurojust programming documents (e.g. Human and Financial Resources Outlook), internal staff surveys; reports on digital tools and IT project documentation; Eurojust Annual Reports – specifically the targets set under the External Communication Action Plan 2020; , etc. • Targeted consultations: Interviews with internal stakeholders; online surveys, validation workshop. • Implementation check and impact analysis.

Relevance

Evaluation questions	Judgement criteria	Examples of indicators	Data sources / research methods
Relevance			
EQ3: How well do the objectives of the Eurojust Regulation still correspond to the needs within the EU and among the stakeholders?	- The objectives of the Eurojust Regulation corresponded to the needs / problems within the EU at the time of adoption. - The objectives of the Eurojust Regulation still correspond to the needs / problems within the EU today, in light of the evolution of cross-border criminality in the EU and its overall security architecture. - The objectives of the Eurojust Regulation corresponded to the needs among relevant stakeholders at the time of its adoption. - The objectives of the Eurojust Regulation still correspond to the needs among relevant stakeholders today (in particular at national level).	- Identification of problems / needs when the Regulation was adopted / today (e.g. <i>Problems</i>: increase in cross-border crimes and conflicts of jurisdiction; parallel criminal proceedings; limited detection and lack of investigation / prosecution of cross-border cases; lack of legal certainty / predictability for suspects and victims; lack of accountability / possible impunity for serious cross-border crime; <i>Needs</i>: support / strengthen coordination / cooperation between national investigating and prosecuting authorities in relation to serious crime etc.) - Stakeholder perceptions of the extent to which the objectives of the Eurojust Regulation correspond to the needs / problems within the EU (at the time of adoption / today) - Stakeholder perceptions of the extent to which the objectives of the Eurojust Regulation correspond to their needs / problems among the stakeholders (at the time of adoption / today)	- Document review (i.e. policy documents relating to the policy needs before / after adoption of the Eurojust Regulation; stakeholder consultations; IA for the establishment of the EPPO; Eurojust's Founding Regulation; MAS; SPDs; AWP; meeting notes etc.) - Targeted consultations with Eurojust's external stakeholders (national competent authorities; third countries; European Institutions; networks; JHA agencies/bodies; EU judicial networks; expert groups etc.) - Interviews with Eurojust internal stakeholders (College; Executive Board; Presidency; Administrative Director; Heads of Operational Units) - Case studies
EQ3.1: How well has Eurojust been able to respond to the needs of its stakeholders?	- Needs assessments were undertaken with Eurojust stakeholders. - Needs assessments are updated whenever there are relevant contextual changes.	- Stakeholder perceptions to what extent the Agency's objectives have met and are still meeting their needs; - Stakeholder perceptions to what extent the Agency's activities and	- Document review (i.e. needs assessments / stakeholder feedback; MAS; SPDs; AWP; AARs; any other performance reports) - Stakeholder mapping

Evaluation questions	Judgement criteria	Examples of indicators	Data sources / research methods
	• Eurojust's MAS and AWP strategic objectives are consistent with stakeholder needs. • Eurojust's activities / tasks meet the needs of its stakeholders. • The Agency's activities enable Eurojust to respond to the needs of its stakeholders.	• tasks have met and are still meeting their needs. • Stakeholder perceptions regarding necessary changes / room for improvements • Number and type of needs assessment exercises undertaken during Eurojust's programming and implementation phase; • Number of positive / negative responses to the Agency's activities and tasks	• Targeted consultations with Eurojust's external stakeholders (national competent authorities; Member States administrations / JHA counsellors; third countries; European Institutions; networks; JHA agencies/bodies; EU judicial networks; expert groups etc.) • Targeted consultations with Eurojust internal stakeholders (College; Executive Board; Presidency; Administrative Director; Heads of Operational Units)
EQ3.2: To what extent are these needs evolving or likely to evolve in future, taking also into account the evolution of cross-border criminality in the EU and its overall security architecture? What types of action might need to be considered to address such changes and new trends?	• Needs assessments with the Agency's stakeholders are updated whenever there are relevant contextual changes. • The evolution of cross-border criminality in the EU / overall security architecture is closely monitored by Eurojust • Types of actions are considered to increase the relevance of Eurojust to meet the needs of its stakeholders by addressing changes / new trends.	• Number and type of forecasting needs assessment exercises undertaken with Eurojust's stakeholders • Stakeholder perceptions on what types of actions are needed to address evolving needs and new trends; • Evidence of evolution of cross-border criminality in the EU and its overall security architecture • Evidence that Eurojust is monitoring the evolution of cross-border criminality in the EU and its overall security architecture	• Document review (i.e. needs assessments; foresight studies) • Targeted consultations with Eurojust's external stakeholders (national competent authorities; Member States administrations / JHA counsellors; third countries; European Institutions; networks; JHA agencies/bodies; EU judicial networks; expert groups etc.) • Targeted consultations with Eurojust internal stakeholders (College; Executive Board; Presidency; Administrative Director; Heads of Operational Units) • Focus groups • Case studies
EQ3.3: Are the governance system and decision-making processes established by the Eurojust Regulation and internal rules appropriate to allow Eurojust to support its stakeholders as needed?	• Eurojust's governance system and decision-making processes established by the Eurojust Regulation and internal rules are appropriate to allow Eurojust to support its stakeholders as needed.	• Evidence that Eurojust's governance system, decision-making processes and its internal rules are in line with the needs of its stakeholders	• Document review (i.e. needs assessment; documents outlining Eurojust's internal rules and procedures; relevant Eurojust College Decisions; internal monitoring and evaluation documents; internal staff survey etc.);

Evaluation questions	Judgement criteria	Examples of indicators	Data sources / research methods
	- There is a clear distinction in the EJR between Eurojust's operational, managerial, strategic and administrative tasks that leads to a clear division of competences (i.e. between the Executive Board, the College and the Administrative Director). - Eurojust's management and decision-making are independent from other agencies, such as the EPPO. - Eurojust has a strong interaction with (specialised) national authorities and provides support to judicial networks in order to perform its mandate.	- Stakeholder perception whether Eurojust's governance system and decision-making processes established by the Eurojust Regulation and internal rules are appropriate to allow Eurojust to support its stakeholders as needed - Stakeholder perception on whether there is a clear distinction in the EJR between Eurojust's operational, managerial, strategic and administrative tasks that leads to a clear division of competences - Stakeholder perception on difficulties related to the division of competences - Evolution on the share of time spent by members of the Executive Board and the College on administrative duties since the introduction of the EJR - Key stakeholders' perception of the efficiency of the decision-making process (especially with regard to administrative duties) - College Members' perception of their understanding of the administrative procedures they are involved in - Stakeholder perceptions whether Eurojust's management and decision-making are independent from other agencies, such as the EPPO - Stakeholder perception on Eurojust's ability to have a strong interaction with (specialised)	- Targeted consultations with Eurojust's external stakeholders (national competent authorities; Member States administrations / JHA counsellors; third countries; European Institutions; networks; JHA agencies/bodies; EU judicial networks; expert groups etc.) - Targeted consultations with Eurojust internal stakeholders (College; Executive Board; Presidency; Administrative Director; Heads of Operational Units; Heads of Operational Units)

Evaluation questions	Judgement criteria	Examples of indicators	Data sources / research methods
EQ3.4: Eurojust's role on the international plane has significantly changed due to continued globalisation, a steep increase in cases involving third countries, and the application of the principle of universal jurisdiction. To what extent is Eurojust's role in the international context still adequate?	• Eurojust's role in the international context is still relevant. • The objectives, competences and functions outlined in the Eurojust Regulation regarding the international context (e.g. third countries and international organisations) are still relevant and correspond to stakeholders' needs.	national authorities and its ability to provide support to judicial networks in order to perform its mandate • Evidence that the Agency's objectives, competences and functions outlined in the Eurojust Regulation regarding third countries and international organisations are still relevant • Number of initiatives for cooperation launched / existing per annum • Number of operational cases involving third countries • Stakeholder perceptions that the Agency's objectives, competences and functions outlined in the Eurojust Regulation regarding third countries and international organisations are still relevant • Stakeholder perceptions that the Agency's objectives, competences and functions outlined in the Eurojust Regulation still correspond to their needs	• Document review (i.e. Founding Regulation; Eurojust Strategies on cooperation with international partners; cooperation agreements and working arrangements with third countries and other international actors, relevant Council Decisions authorising the Commission to negotiate cooperation agreements with third countries for Eurojust); • Targeted consultations with Eurojust's external stakeholders (national competent authorities in third countries; international organisations (e.g. ICC; ICPO-Interpol; Iber-RED; the Office of the Prosecutor of the IIIM; the UNITAD; Interpol etc.); liaison prosecutors from third countries; European Institutions; networks; JHA agencies/bodies; expert groups etc.) • Targeted consultations with Eurojust internal stakeholders (College; Executive Board; Presidency; Heads of Operational Units)
EQ3.5: How well does the system set-up in the Eurojust Regulation for cooperation on the international level correspond to actual needs, especially cooperation with third countries and international organisations?	• The system set-up in the Eurojust Regulation for cooperation on the international level correspond to the actual needs (especially cooperation with third countries and international organisations).	• Evidence that the system set-up in the Eurojust Regulation for international cooperation aligns with the needs regarding the cooperation with third countries and international organisations • Stakeholder perceptions whether the system set-up in the Eurojust Regulation for cooperation on the	• Document review (i.e. Founding Regulation; cooperation agreements and working arrangements with third countries and other international actors, relevant Council Decisions authorising the Commission to negotiate with third countries the cooperation with Eurojust);

Evaluation questions	Judgement criteria	Examples of indicators	Data sources / research methods
		international level corresponds to the actual needs (especially cooperation with third countries and international organisations)	- Targeted consultations with Eurojust's external stakeholders (national competent authorities in third countries; international organisations (e.g. ICC; ICPO-Interpol; Iber-RED; the Office of the Prosecutor of the IIIM; the UNITAD; Interpol etc.); liaison prosecutors from third countries; European Institutions; networks; JHA agencies/bodies; expert groups etc.) - Survey / interviews with Eurojust internal stakeholders (College; Executive Board; Presidency; Heads of Operational Units) - Case studies
EQ3.6: To what extent does Eurojust's work supporting the investigation and prosecution of international crimes contribute in a complementary way to the commitment to fight impunity?	- Eurojust's work supporting the investigation and prosecution of international crimes contributes in a complementary way to the commitment to fight impunity. - The objectives and activities in the Eurojust Regulation (including the amendment of the Eurojust Regulation by Regulation (EU 2022/838)) are still in line with and complementary to the commitment to fight impunity.	- Number of cases relating to the investigation / prosecution of international crimes - Stakeholder perceptions to what extent Eurojust's work supporting the investigation and prosecution of international crimes contributes in a complementary way to the commitment to fight impunity.	- Document review (e.g. documents related to Eurojust's work supporting the investigation and prosecution of international crimes (i.e. from the Genocide network, ICPA, CISED etc.; documents from MAS; SPDs; AWP; Annual Activity Reports; etc.) - Targeted consultations with Eurojust's external stakeholders (national competent authorities in third countries; international organisations; European Institutions; networks; JHA agencies/bodies; expert groups etc.) - Survey / interviews with Eurojust internal stakeholders (College; Executive Board; Presidency; Heads of Operational Units)
EQ3.7: How well adapted is Eurojust's intervention to the technological progress that has	Eurojust's intervention is well adapted to technological progress, e.g. the area of	Share of cases using electronic evidence.	- Document review - Targeted consultations with Eurojust's external stakeholders

Evaluation questions	Judgement criteria	Examples of indicators	Data sources / research methods
appeared since its introduction, e.g. looking at the area of cybercrime and electronic evidence?	cybercrime and electronic evidence.	- Budget (and share of budget) dedicated to the introduction of digital technologies - Number (and share) of cases with a link to technological developments - Evidence that Eurojust's intervention is well adapted to technological progress - Number / types of activities where Eurojust has made available new/updated cross-border investigative tools or guidance according to technological progress. - Stakeholder perceptions on how well adapted Eurojust's intervention is to the technological progress	(national competent authorities; EJCEN members; third countries; international organisations; European Institutions; networks; JHA agencies/bodies; expert groups etc.) - Targeted consultations with Eurojust internal stakeholders (College; Executive Board; Presidency; Administrative Director; Heads of Operational Units) - Focus groups - Case studies

Coherence

Evaluation questions	Judgement criteria	Examples of indicators	Data sources / research methods
Coherence			
EQ4: Internal coherence – How well do the different provisions of the Eurojust Regulation operate together to achieve its objectives?	The different provisions of the EJR have been implemented in a way that is complementary – i.e. avoids duplication.	- Evidence of duplicative or contradictory provisions. - Stakeholder perceptions of the degree of coherence of the activities and results of Eurojust.	Document review: EJR and key legal texts. Targeted consultations: Interviews with all internal stakeholders. Implementation check
EQ5: External coherence – To what extent are the results of Eurojust's work coherent with (current) wider EU policies and priorities in the field of criminal justice (e.g. EU Security Union Strategy 2020-2025, or the EU Roadmap to boost the fight against drug trafficking and organised crime and the related EU Strategy to Tackle Organised Crime 2021-2025 and the EU Drugs Strategy and Action Plan 2021-2025)?	- Eurojust's activities have achieved results that are coherent and complementary to wider EU policies and priorities in the field of criminal justice cooperation - There are mechanisms to ensure synergies exist between Eurojust and other EU actors in the context of policy development and/or implementation - Challenges, including overlap, divergence or gaps, between the work of Eurojust and wider EU policies and priorities in the area of criminal justice.	- Identification of duplication/overlaps or synergies between the objectives and activities of Eurojust and related EU policies and priorities. - Number of cooperation agreements / working arrangements between Eurojust and other relevant EU Institutions, agencies and bodies. - Number of existing cooperation mechanisms and coordination activities implemented. - Number of networking or cooperation events hosted or participated in. - Stakeholder perceptions on the degree of coherence between Eurojust's work and overall EU policy goals, as well as any challenges in this context	Document review: EJR, Eurojust programming documents, research and communications outputs, key EU policy and legal texts in the field of judicial cooperation in criminal matters and key crime types (e.g. EU Security Union Strategy 202-2025, or the EU Roadmap to boost the fight against drug trafficking and organised crime and the related EU Strategy to Tackle Organised Crime 2021-2025 and the EU Drugs Strategy and Action Plan 2021-2025). Targeted consultations: Interviews with internal and external stakeholders; online surveys. Implementation check
EQ5.1: To what extent is Eurojust's mandate coherent with those of other JHA agencies' and bodies' (revised) mandates and the evolving security architecture of the EU? To what extent are its tasks clearly defined, leaving neither overlaps nor gaps, but building a coherent system? How well does the existing	Eurojust's work has been implemented in a way that is coherent and complementary to other EU JHA agencies and bodies (e.g. Europol, EPPO, OLAF, Frontex), initially and over time.	- Stakeholder perceptions of coherence challenges identified between Eurojust and other EU agencies / bodies. - Number of cooperation agreements / working arrangements. - Number of key cooperation and coordination activities implemented	Document review: EJR, Eurojust programming documents, research and communications outputs, cooperation agreements, working arrangements, MoUs with other EU JHA agencies and networks; legal frameworks for other agencies and bodies.

Evaluation questions	Judgement criteria	Examples of indicators	Data sources / research methods
legal framework, including existing instruments such as cooperation arrangements, clarify the cooperation? To what extent is there a coherent approach to the use of IT systems and information sharing?	• Clear cooperation and cooperation between Eurojust and other EU agencies and bodies.	– e.g. case involvement of other EU agencies and bodies. • Number of networking or cooperation events hosted or participated in. • Stakeholder perceptions on the degree of coherence between Eurojust's work and the mandates of other EU agencies and bodies.	• Targeted consultations: Interviews with internal and external stakeholders (primarily other EU JHA agencies and bodies); online surveys. • Implementation check
EQ5.2: The mandate of the European Union Agency for Law Enforcement Cooperation (Europol) has changed twice since its entry into force in 2017, significantly strengthening its mandate. To what extent is the extended mandate of Europol reflected in the Eurojust Regulation, especially when it comes to judicial follow-up?	• Eurojust's work has been implemented in a way that is coherent and complementary to Europol, initially and over time. • Effective coordination mechanisms exist to ensure coordination and the creation of synergies between activities of Eurojust and Europol. • Clear cooperation and cooperation between Eurojust and Europol throughout this timeframe, including on judicial follow-up.	• Stakeholder perceptions on coherence challenges identified between Eurojust and Europol. • Number of key cooperation and coordination activities implemented – e.g. case involvement of Europol. • Extent of data sharing between Eurojust and Europol. • Number of networking or cooperation events hosted or participated in. • Stakeholder perceptions on the degree of coherence between the objectives and activities of Eurojust and Europol.	• Document review: EJR, Eurojust programming documents, Europol legal framework, documents on Eurojust-Europol cooperation, including MoU etc. • Targeted consultations: Interviews with internal and external stakeholders (primarily Europol); online surveys. • Implementation check
EQ5.3: To what extent is Eurojust's mandate coherent with the role and tasks of the judicial cooperation networks and their secretariats, which Eurojust hosts as specified in the Eurojust Regulation (e.g. the European Judicial Network and the Joint Investigation Teams Network)?	• Eurojust's mandate and activities has been implemented in a way that is coherent and complementary to the judicial cooperation networks and secretariats hosted by Eurojust, including the EJNI and the JIT Network. • Effective coordination mechanisms exist to ensure coordination and the creation of synergies between activities of	• Stakeholder perceptions on coherence challenges identified between Eurojust and judicial cooperation networks. • Stakeholder perceptions on the degree of coherence (effectiveness of cooperation mechanisms), as well as any challenges and suggestions of improvement.	• Document review: EJR, Eurojust programming documents and research outputs, legal frameworks and outputs of key judicial cooperation networks. • Targeted consultations: Interviews with internal and external stakeholders (incl. EJNI and JIT Network); online surveys. • Implementation check

Evaluation questions	Judgement criteria	Examples of indicators	Data sources / research methods
	Eurojust and judicial cooperation networks. • Clear cooperation and cooperation between Eurojust and these networks.		
EQ5.4: To what extent are the mandate and activities of Eurojust coherent with those of other relevant international actors (including third countries)? How well does the Eurojust Regulation facilitate appropriate cooperation with such actors?	• Eurojust's work has been implemented in a way that is coherent and complementary to international actors and third countries working towards similar goals. • Eurojust's strategy on international cooperation contributed to positive effects in terms of cooperation between Eurojust and relevant international actors. • Effective coordination mechanisms exist to ensure coordination and the creation of synergies between activities of Eurojust and international actors.	• Stakeholder perceptions of coherence challenges identified between Eurojust and key international partners. • Number of cooperation agreements / working arrangements between Eurojust and international organisations and third countries. • Number of Eurojust liaison prosecutors, liaison magistrates and contact points in third countries. • Number of key cooperation and coordination activities implemented – e.g. case involvement by third countries. • Number of networking or cooperation events hosted or participated in. • Stakeholder perceptions on the degree of success for cooperation between Eurojust and international partners.	• Document review: EJR, Eurojust programming documents and research outputs, strategy on international cooperation, cooperation agreements, etc. • Targeted consultations: Interviews with internal and external stakeholders (i.e. international partners); online surveys. • Implementation check • Case study 2 (cooperation with third countries)
EQ5.5: To what extent is Eurojust's data protection regime aligned with Regulation (EU) 2018/1725 and other relevant instruments of the EU data protection acquis?	• Eurojust has implemented the data protection provisions of the EJR in line with Regulation (EU) 2018/1725 and other relevant data protection legislation. • There are mechanism to ensure engagement between Eurojust management, its DPO and the	• Evidence of (mis) alignment between Eurojust's data protection regime and Regulation (EU) 2018/1725 • Documentary evidence laying down roles and responsibilities between Eurojust and EDPS • Number of data protection notices produced.	• Document review: EJR, Eurojust programming documents and data protection documents, Regulation (EU) 2018/1725, related legislation, policy and other publications. • Targeted consultations: Interviews with internal and external stakeholders (e.g. EDPS); online surveys.

Evaluation questions	Judgement criteria	Examples of indicators	Data sources / research methods
	EDPS on the management of data protection provisions. • There is a clear division of roles and responsibilities between Eurojust and the EDPS on operational data processing. • Assessment of challenges.	• Stakeholder perceptions of related coherence challenges. • Stakeholder perceptions on the degree of alignment between Eurojust and Regulation (EU) 2018/1725 and other relevant data protection legislation.	• Implementation check

EU added value

Evaluation questions	Judgement criteria	Examples of indicators	Data sources / research methods
EU added value			
EQ6: To what extent could the identified changes/results/impacts have been achieved without Eurojust and/or the EJR?	• Similar changes/results/impacts could have been achieved at MS/EU or international level • Similar changes/results/impacts could have been achieved without the 2018 Eurojust Regulation	• Stakeholders' perception of the (type) operational changes brought about by the EJR • Types of changes/results/impacts that stakeholders consider would not have been achieved at MS/EU or international level • Types of changes/results/impacts that stakeholders consider would not have been possible without the 2018 Eurojust Regulation • Stakeholder perceptions whether stopping Eurojust's activities would have negative / positive consequences	• Document review (e.g. changes/results/impacts of Eurojust as outlined in Annual Activity Reports; casework evaluations) • Targeted consultations with Eurojust internal stakeholders (College; Executive Board; Presidency; Administrative Director; Heads of Operational Units) • Targeted consultations with Eurojust's external stakeholders (national competent authorities; Member States administrations / JHA counsellors; third countries; European Institutions; networks; JHA agencies/bodies; EU judicial networks; expert groups etc.) • Case studies • Cross-border focus groups • Implementation check and impact analysis
EQ6.1: Which, if any, objectives of the policy might have been achieved sufficiently by the Member States acting alone (if so, how)?	• Achieving the objectives of the Eurojust Regulation goes beyond what can be achieved by the Member States acting alone. • Evidence of scope effects, i.e. additional target groups have been addressed or additional types of intervention have been offered, which could not have been achieved by MS acting alone • Evidence of scale effects, i.e. a higher volume of services has	• Stakeholders' perception of the objectives of the EJR that could not have been achieved by MS acting alone • Stakeholder perceptions which objectives of the policy might have been achieved sufficiently by the Member States acting alone • Stakeholder perceptions on whether possible scope and scale effects have been achieved	• Document review (e.g. performance data related to the responsibilities and tasks of Eurojust; casework evaluations) • Targeted consultations with Eurojust's external stakeholders (national competent authorities; Member States administrations / JHA counsellors; third countries; European Institutions; networks; JHA agencies/bodies; EU judicial networks; expert groups etc.) • Targeted consultations with Eurojust internal stakeholders (Heads of

Evaluation questions	Judgement criteria	Examples of indicators	Data sources / research methods
	been offered/end-users have been addressed, which could not have been achieved by MS acting alone		Operational Units; College; Executive Board; Presidency; Administrative Director
EQ6.2: To what extent did the resulting benefits outweigh any loss of (e.g. competence or anything else) in participating Member States?	The resulting benefits outweigh any losses in participating Member States	- Evidence of benefits and losses in participating Member States associated with participation in Eurojust vs. activities at MS level - Stakeholder perception on the extent to which the resulting benefits outweigh any losses in participating Member States	- Document reviews (e.g. evidence of benefits / losses in participating Member States) - Targeted consultations with Eurojust's external stakeholders (national competent authorities; Member States administrations / JHA counsellors; third countries; expert groups etc.) - Case studies
EQ6.3: What could reasonably have been achieved (particularly in terms of effectiveness and efficiency) by Member States acting at national and/or regional levels?	Member States acting at national / regional levels could not have achieved similar changes/results/impacts (in particular in terms of effectiveness and efficiency)	- Types of changes/results/impacts that stakeholders consider could have been achieved by Member States acting at national and/or regional levels - Stakeholder perceptions regarding the types of changes/results/impacts that stakeholders consider could have been achieved by Member States acting at national and/or regional levels	- Document reviews (e.g. performance data related to the responsibilities and tasks of Eurojust; casework evaluations) - Targeted consultations with Eurojust's external stakeholders (national competent authorities; Member States administrations / JHA counsellors; third countries; expert groups etc.) - Cross-country focus groups

Research Questions: Summary responses

The below table presents a **high-level summary of the key findings** for each research and evaluation question. In addition, the table signposts to the detailed discussions of each topic in the main body of the study report and presents a rating of the level of positivity of the findings using the following (Red-Amber-Green, RAG) scale:

- **Red** indicates overall negative findings, with limited or no positive elements.
- **Amber** indicates largely neutral findings, with a relative balance of both positive and negative elements.
- **Green** indicates overall positive findings, with limited or no negative elements.

Analysis of implementation

Research questions	Key findings	RAG	Signposting
RQ1: How far has Eurojust taken the necessary measures to implement the EJR , including the alignment of Eurojust activities to the tasks and operational functions listed in the EJR?	The EJR introduced targeted changes in Eurojust's functions, organisational structure and governance to address identified challenges, align Eurojust's legal framework to EU norms for decentralised agencies, and ultimately achieve a set of key objectives: (i) improve the organisation of Eurojust; (ii) support EU Member States in the investigation and prosecution of cases; and (iii) cooperate with EU and international partners. In this context, the Agency has taken appropriate measures to align Eurojust's activities with the tasks and operation functions listed in the EJR. However, the way in which Member State authorities, practitioners, and by extension the Eurojust national desks, understand and implement the provisions of the EJR differently can impact the delivery of the Agency's tasks and operational functions. This includes the way in which the Member States set up and utilise their ENCS and stems from the differences between national systems for judicial cooperation in criminal matters (see RQ2). There are differences in how Member States identify which requests should go through Eurojust as opposed to alternatives cooperation mechanisms (including the EJR). The nature of the cases supported by Eurojust can differ greatly, and a legacy debate on what types of cases and support are most relevant to Eurojust's mandate has persisted over this evaluation period. In addition, certain EJR provisions (e.g. the posting of liaison magistrates) have not been implemented, while Eurojust has conducted additional activities not explicitly provided for by the EJR (e.g. involvement in externally funded projects). Greater targeting of resources to operational work was also identified across the evaluation period. Between 2019 and 2023, the proportion of roles within the Agency that were defined as operational rose from 69.5% in 2019 to 73.5% in 2023. In the same timeframe, the percentage of staff allocated to administrative support and coordination roles decreased from 23.1% in 2019 to 19.8% in 2023, indicating a shift away from administrative tasks towards more critical operational work.		Sections 3.1.2 and 3.2.1

Research questions	Key findings	RAG	Signposting
	Concerning governance, the evaluation found that the Agency has implemented the EJR in line with its interpretation of the legal text. However, a range of key challenges, particularly around the question of interpretation, impacted the full and complete implementation of the Regulation. For instance, the EJR is not clear in its definition of operational, strategic and administrative tasks. As such, the College retains a dual operational and managerial role under the EJR, including its role as Eurojust's Management Board. In the Eurojust Rules of Procedures (adopted by the College), the College has taken a broad understanding of the phrase "any other issues directly linked to operational matters", including issues seen as administrative by other stakeholders. As a result, the College continues to be heavily involved in both operational and administrative matters.		
RQ2: To what extent have the Member States adapted their national law to ensure the proper implementation of the EJR at national level (e.g. by providing their NMs with adequate powers and establishing national correspondent systems)?	There is no existing repository of up-to-date information on national laws implementing the Eurojust Regulation, considering the composition of the ENCS in each Member State but also other issues such as the status and powers of the NMs. The EJR does not require this information to be notified to or collected by any entity, unlike the former Eurojust Council Decision. The evaluation collected information on the way in which 23 Member States have implemented the EJR. Of these 23 Member States, only two have no legislation implementing provisions related to Eurojust, 13 have amended their legislation since the introduction of the EJR in 2019, while 8 continue to operate under pre-EJR legal frameworks. As a result, there is significant variation in terms of whether and how Member States cover different issues provided for in the EJR. For instance, there are a range of interpretations amongst Member States related to Art. 7 and 8 EJR on the status and powers of NMs. The former – Art. 7(6) – states that NMs shall be appointed based on "a proven high level of relevant, practical experience in the field of criminal justice" without providing any definition or guidance on what is meant in this regard. The latter (Art. 8) lacks clarity on whether the powers of the NM derive from the EJR or the national law in their MS, as it directly provides for certain powers, while leaving the possibility for NMs to derive additional powers from national law. Beyond the strict application of the EJR, differences were also identified regarding the set-up and functioning of the ENCS, in particular regarding the number of national correspondents and contact points, and the role of the ENCS. As noted above, this had particular implications for the consistency of approaches to case allocation between Eurojust and the EJR.		Section 3.1.1 and 3.2.1
RQ3: To what extent has Eurojust implemented the possibility for own initiative action (see Article 2(3) EJR)?	Article 2(3) EJR provides an explicit legal basis for the Agency to carry out its tasks on its own initiative. Proactivity is therefore embedded in the implementation of the tasks of Eurojust horizontally, rather than constituting a distinct activity that would be additional to its core mandate. As such, it is present in both the Agency's operational and strategic work. Own initiative work is embedded in Eurojust's ordinary casework, which increased by 14% in 2023, while the Agency also continued building up its ability to act specifically on its own initiative. While Eurojust registered		Section 3.2.1 and Annex 6 (case study 3)

Research questions	Key findings	RAG	Signposting
	11 cases in 2023 implementing the own initiative provisions, NMs noted that many more cases stemmed from proactive work but were not recorded as own initiative cases. Strategic work is also integral to the Agency's own initiative portfolio, and related targets are met and exceeded. For instance, 93 products (such as reports, guidelines, and analyses, etc.) were developed in 2023 on priority crime areas and judicial cooperation instruments (around 80% of the total target foreseen for 2022-2024), and the target for servicing stakeholder requests for strategic contributions well exceeded the plans with 268 serviced requests in 2023 – against a target of (≥) 120 for 2022-2024. As both Ciced and ICPA function predominantly on an own initiative basis, their establishment also constituted a significant step for the Agency to build up its independent own initiative capabilities, as well as increase the visibility and overall impact of its proactive role.		
RQ4: To what extent has the attribution of additional tasks in the recent amendments of the EJR impacted Eurojust's capacities to fulfil its core tasks?	Over the evaluation period, the EJR has been amended twice: in 2022, Regulation (EU) 2022/838 gave the Agency the legal possibility to store, preserve and analyse evidence on international crimes, and in 2023, Regulation (EU) 2023/2131 aimed at enhancing the fight against terrorism in the EU via measures to improve digital information exchange in terrorism cases and enhance Eurojust's digital infrastructure (the latter is outside of the scope of the evaluation). A key development in the evaluation period concerning cooperation with partners was Russia's war of aggression against Ukraine. The Agency's activities have included the creation of a new International Centre for the Prosecution of the Crime of Aggression Against Ukraine (ICPA), the Core International Crimes Evidence Database (Ciced), as well as other activities covered by the original EJR (such as the creation of a JIT). Overall, these additional activities did not have a long-term impact on Eurojust's capacity to fulfil its core tasks. However, while these additional activities were accompanied by an increase in resources, there was a lag between the financial resources being made available, and personnel being available (due to the time to identify and recruit staff).		Section 3.2.2
RQ5: To what extent do the cooperation instruments with other EU JHA agencies and bodies , particularly working arrangements, implement the provisions in the EJR, including the special provisions on exchange and protection	As per Art. 47(3) EJR, Eurojust may conclude working arrangements with partners, covering both EU and international partners. Over the evaluation period, two new working arrangements were concluded with EU partners: the EPPO in February 2021 and OLAF in March 2023. For OLAF, this working arrangement built on a previous practical agreement from 2008. While a draft model working arrangement was developed, the documents regulating cooperation with the EPPO and OLAF follow different structures. However, the documents largely cover similar areas, including operational cooperation, modalities for the exchange and protection of operational information and personal data, and provisions on the assessment of the arrangement. In this context, while not available to the evaluation team, the first bi-annual joint evaluation of the Eurojust-EPPO Working Arrangement was produced and validated in 2023.		Section 3.2.2 and section 4.1.3

Research questions	Key findings	RAG	Signposting
of operational personal data (e.g. which operational personal data are being shared between Eurojust and Europol/EPPO/OLAF)?	Eurojust has also taken preparatory steps in the period within scope towards establishing a working arrangement with Europol, thereby updating the existing basis for cooperation. Eurojust's relation with Europol was subject to a project. One of the main findings of this project was that limited information is coming from Europol. For instance, Europol does not share information on their Operational Task Forces (OTF), while Europol's handling codes are a challenge for information exchange (including within a hit/no hit context). The two agencies had to agree on a common channel to exchange information and this was Europol's platform SIENA whose utilisation from Eurojust implies accessing the platform and copying/pasting the information coming from their own internal system. Also, the process of information exchange being manual and regardless the type and complexity of the case considered, it increases the risk of flaws as not all information can be cross-checked.		
RQ6: To what extent does the current international cooperation practice implement the relevant provisions of the EJR?	The EJR's provisions regarding cooperation with third countries and international organisations include working arrangements and cooperation agreements. To date, 12 Liaison Prosecutors from third countries are posted at Eurojust; an increase of six since 2019. In addition, the Agency has built a global network of contact points comprising 72 jurisdictions, representing an increase of 20 third countries over the evaluation period. Overall, the scale of operational cooperation with international partners has increased significantly across the evaluation period. The number of cases with third countries increased by 44% from 2019 (689 cases) to 2021 (991 cases), while the number of coordination meetings (CMs) with third countries increased by 231%, from 138 CMs (2019) to 457 CMs (2021). Challenges have been identified regarding the alignment between the formal strategy on cooperation with international partners (Art. 52 EJR) and the actions taken in this field. The 2020-2023 Strategy on Cooperation with International Partners, developed in consultation with the Commission, named 11 third countries with which a pressing need for operational cooperation was identified. This list focused largely on countries in the MENA region, but was complemented by a secondary list including countries from South America, as well as others from Africa, Asia and Europe. On that basis, a Council Decision authorising the opening of negotiations for agreements on cooperation with Eurojust between the EU and ten third States was adopted; however, the practical activities of Eurojust in this period appear to have largely focused on alternative third countries. This is mainly due to the BoRP working group's focus on these alternative countries, which appears to have emerged following changes in BoRP leadership, with the previous leadership focused more on the MENA region and the new leadership more focused on Latin America. It is understood that this could be due to a range of factors, such as existing contacts and networks of responsible NMs, or the interests and needs of responsible NMs and/or their national authorities. Furthermore, no liaison magistrates have been posted in third countries over the evaluation period.		Section 3.2.2
RQ7: To what extent have the data protection rules outlined in the EJR,	The data protection regime updated by the EJR was primarily implemented through the amendments to Eurojust's internal legal framework; namely, the Rules of procedure on the processing and protection of personal data at Eurojust (or Data Protection Rules, DPR). They contain separate rules governing the		Section 3.1.5

Research questions	Key findings	RAG	Signposting
EUDPR and Eurojust internal rules been properly applied?	processing and protection of personal data at Eurojust and is complemented by the Rules of procedure on restrictions of certain data subject rights in relation to the processing of personal data. These internal rules were supplemented by targeted activities to ensure the development and implementation of a robust practical system, including: establishing cooperation with the EDPS; adopting an Executive Board Decision laying down implementing rules concerning the DPO at Eurojust; and identifying and implementing appropriate amendments to IT infrastructure (e.g. relevant changes made to the CMS by October 2020) and relevant workflows (e.g. regarding cases with third countries involving personal data, March 2021). The data protection system established at Eurojust is considered to be well aligned to EU data protection rules – evidenced through positive EDPS assessments and perceptions amongst the Eurojust administration of a clear professionalisation and increasing understanding of the Agency's data protection work since the entry into force of the Eurojust DPR. However, a few issues remain, including: • The bureaucratic processes for cooperation with the EDPS can result in long lead times for getting EDPS feedback on specific operational requests and other matters. • Different practices, approaches and cultures regarding data protection are in place at the EU level, including within Eurojust, and across the Member States, primarily due to national challenges implementing the Law Enforcement Directive. This can create a disconnect between national practitioners, NMs and the Eurojust administration regarding the transfer of personal data to third countries. • Unlike the Europol Regulation (Art. 17), Eurojust considers that the EJR does not provide clear legal ground for processing publicly available sources of data. As a result, Eurojust does not use open-source data for operational matters and such data is not stored in Eurojust databases.		

Effectiveness

Evaluation questions	Key findings	RAG	Signposting
EQ1: To what extent has progress been made towards achieving the Eurojust Regulation's objectives , considering the expectations and procedures it included?	Eurojust has positively progressed towards the achievement of its general, specific and externally-focused operational objectives. The Regulation sufficiently addresses the key operational needs of the Agency, proving to be very effective in supporting national authorities in cross-border cooperation and coordination. However, the positive effects of Eurojust's work are offset by significant challenges related to the internally-focused operational objective of improving the organisational aspects of Eurojust's functioning, as outlined further (EQ1.3 and 1.4).		Section 4.1

Evaluation questions	Key findings	RAG	Signposting
EQ1.1: To what extent have Eurojust's activities contributed to achieving overall EU policy objectives and priorities (i.e. to fight serious cross-border crime in the Area of Freedom, Security and Justice)?	Eurojust positively contributes to EU policy objectives and priorities. At the core, this is driven by Eurojust's positive work in the fight against serious cross-border crime, where it provides national authorities with an effective and valuable platform through which it supports cooperation and coordination of actions and efforts in specific cases. The Agency is a well-established member of an EU ecosystem that provides national practitioners with the judicial cooperation support they need, improving mutual trust among EU judicial authorities. In addition, Eurojust contributes directly to the betterment of EU policy and legislation in response to direct requests for input and information from the EU institutions on EU initiatives. The Agency also acts as an EU-wide thought leader and facilitates knowledge sharing in the field of criminal justice and judicial cooperation in criminal matters through the production of its strategic outputs.		Section 4.1 Section 7.1
	However, Eurojust's positive contributions in this regard are hindered by some limitations in its cooperation with partners at the EU level. In particular, this relates to the access to and processing of data of Eurojust members, and IT tools such as the hit/no-hit system. In this context, there has been a notable challenge in the overarching governance of the relationship between Eurojust and Europol – Eurojust considers the 2010 cooperation agreement as 'largely outdated' and is keen to agree a new working arrangement, while Europol appears happy to continue cooperating under the existing framework.		
EQ1.2: To what extent has Eurojust successfully enhanced and supported the coordination and cooperation between national investigating and prosecuting authorities in relation to serious cross-border crime within its competence?	Eurojust has been very effective in providing support to Member States in the investigation and prosecution of cross-border crimes in the areas within its competence; in turn, enhancing the availability and access to such support. National authorities and prosecutors are overall very satisfied with the work and support of Eurojust; this is true of both general perceptions of Eurojust's support to casework, but also perceptions of specific cooperation and coordination tools and mechanisms (e.g. coordination meetings, coordination centres, support to JITs, etc.). For instance, 92.6% (199 of 215) of respondents to the survey of national practitioners and policymakers reported that the cooperation and coordination support provided by Eurojust to cases was very (68.4%, 147/215) or moderately (24.2%, 52/215) effective. Moreover, 90.2% (222 of 246) of respondents (across both the survey of national practitioners / policymakers and the survey of Eurojust national desks and liaison prosecutors) perceived that Eurojust had achieved its objective of supporting and strengthening coordination and		Section 4.1.2 Case study 1

Evaluation questions	Key findings	RAG	Signposting
	cooperation between national investigating and prosecuting authorities to a great (70.3%, 173/246) or moderate (19.9%, 49/246) extent.		
EQ1.3: To what extent has Eurojust's functioning been simplified and improved by the implementation of the Eurojust Regulation aimed at strengthening Eurojust's operational work?	In a context where Eurojust's operational work functions effectively, as set out above (see EQ1.2), there are a few areas of challenge. The Regulation is not always clear on the definition of some roles, in particular the distinction of tasks of national desks and the administration in operational work. Moreover, the governance challenges outlined further below (see EQ1.4 and EQ2.2) also have an impact in an operational context – for instance, National Members still reported spending significant time on administrative work (40-50%), increasing for those National Members with additional responsibilities (such as the presidency team), which ultimately reduces the time they can spend on operational work. National Members also highlighted the significant time required to input data into the Eurojust Case Management System (CMS) and the perceived insufficient support for these activities. In addition, there are legacy operationally-focused tools within the EJR that were found to either be used very rarely (e.g. the on-call coordination system), or have vastly different implementations across the Member States (e.g. the European national coordination system).		Section 4.1.1 Section 4.2.2
EQ1.4: How do Eurojust's governance structure and working practices correspond to the tasks and functions set out in the Eurojust Regulation? To what extent do they contribute to the effective implementation of its tasks ?	Technically, the governance and working practices of Eurojust could be said to largely follow the word of the Regulation's provisions. However, there is a lack of legal clarity and binding interpretation on the distinction between operational, managerial, strategic and administrative tasks (as set out in the Regulation). This meant that the decisions on the division of roles and responsibilities between Eurojust's governance and decision-making bodies fell to the Agency, and specifically the College. In this context, Eurojust has taken insufficient action to amend its governance and decision-making culture, and the related structures, systems and processes, to the intentions of the EJR. In fact, it has generally continued its pre-EJR approach in this regard, with the same challenges persisting. The result was a complex and inefficient governance and decision-making processes, a lack of clear vision and leadership, and challenges related to accountability and conflicts of interest. Ultimately, Eurojust's ongoing practices are not fully aligned with Art. 5 EJR (on the involvement of the College in administrative matters to the extent necessary) and Art. 16 (regarding the Executive Board's responsibility for administrative decisions), while the Agency's organisational structure negatively affects its effectiveness and efficiency, with an overarching sense that more could be achieved with the same resources.		Section 4.1.1

Evaluation questions	Key findings	RAG	Signposting
EQ1.5: To what extent does the division of functions and responsibilities among the College, the Executive Board, the Administrative Director, and the President provided for in the Eurojust Regulation enable Eurojust to effectively fulfil its mission?	In line with EQ1.4, the governance challenges stem largely from difficulties in the division of roles and responsibilities between the Executive Board and the College, as well as other key actors. Due to unclear provisions in the Regulation and the interpretation by Eurojust, the responsibilities of the College and the Executive Board were blurred, resulting largely in continued handling of administrative work by the College and duplication of work across both bodies. Key contextual factors influencing this outcome were that the intention of the Regulation's provisions was to reduce the administrative burden on the College, that the College was the body responsible for taking the decisions on interpretation, and that there remained a desire across the College as a body (not necessarily reflected in individual discussions with National Members) to retain most elements of its supervisory, executive and operational roles. Beyond these core governance issues, the role and functions of National Desks Assistants are also not clearly defined by the Regulation, leaving a grey zone in the Agency's internal structure.		Section 4.1.1
EQ1.6: How effective are Eurojust's working practices (in particular, the ENCS, working groups, project-based approaches, JITs, coordination meetings, network meetings, and the relationship between national members and the administration)?	Most Eurojust working practices are effective and well regarded by the national stakeholders benefitting from them. National practitioners agreed that Eurojust's operational work provides significant value. The Agency is particularly effective in its actions through coordination centres and meetings, as well as providing support for joint investigation teams (JITs) involving EU Member States and third countries.		Section 4.1.2 Case study 1
	National desks play a vital role as the interface between the different and complex national criminal justice systems, as well as between those systems and Eurojust. A range of challenges and inconsistencies persist at the Agency's interface with these national-level systems for judicial cooperation in criminal matters. For example, longstanding discussions continued regarding what types of cases and support are most relevant to Eurojust's mandate, with national desks taking different approaches to whether they handle simpler cases that could be dealt with through other mechanisms (e.g. the EJM) versus more complex and/or multilateral cases. There is no clear, common Agency approach in this regard. In this context, room for improvement is also found in the divergent implementation of the Eurojust national coordination system across Member States, as well as the On-Call Coordination System, which is rarely used.		
EQ1.7: To what extent has the approximation of the status and powers of National Members under the Eurojust Regulation contributed to	Several concerns were identified regarding the approximation of the status and powers of National Members. However, these were generally perceived to have little practical impact on the Agency's operations. In fact, 68.1% (32 of 47) of respondents to the survey of national desk members and liaison prosecutors reported that they have entirely sufficient powers to carry out		Section 4.1.1.1

Evaluation questions	Key findings	RAG	Signposting
achieving Eurojust's operational objectives?	their daily responsibilities, with a further 29.8% (14/47) stating that they had somewhat sufficient powers (combined 97.9%, 46/47). In terms of challenges, there is a lack of clarity amongst stakeholders on whether the National Members derive their powers from the Regulation and/or from national law. Combined with differences across National Members and Deputies regarding whether they have the status of active members of the judiciary in their Member State or not, this could, in theory, risk having divergent powers across National Members. However, in practice, National Members considered that they could derive sufficient powers from the Regulation, such that a lack of standing at the national level did not cause any issues. In addition, many Member States have not amended their national laws following the adoption of the Eurojust Regulation, while it was reported that no Member States had notified the College of additional powers being granted to National Members, as stipulated in Art. 8(2) EJR. As a result, respondents to the survey of national desks and liaison prosecutors generally regarded the situation positively – 50% felt the implementation of the provisions on the approximation of the status and powers of National Members were either fully aligned to the EJR (12.5%, 6 of 48) or aligned to a great extent (37.5%, 18/48). Nonetheless, a quarter of respondents (13/48) did not feel able to provide an opinion on this, suggesting a limited awareness of the relevant Articles of the Regulation, but also limited impact of these provisions (and any related challenges) on the functioning of the Agency.		
EQ1.8: To what extent does the current framework for cooperation with third countries and international organisations facilitate effective cooperation with international partners?	Cooperation with third countries is overall progressing positively, and Eurojust proves to be generally effective in enhancing and expanding cooperation and coordination within its remit. The volume of operational cooperation has increased significantly over the evaluation period (e.g. 52% increase in the number of cases with third countries between 2019 and 2023), driven by increases in the number of liaison prosecutors from third countries posted at Eurojust (from six in 2019 to 12 in 2024), albeit on the basis of pre-EJR agreements, and increases in the Agency's global network of contact points (from 52 third countries in 2019 to 72 in 2023). One factor limiting the Agency's ability to further drive cooperation with third countries over the evaluation period, with specific implications for the posting of liaison prosecutors at Eurojust and sharing of personal data (see below part of EQ1.8), relates to the fact that the Agency is no longer able to conclude cooperation agreements directly with third countries. While Eurojust has concluded working arrangements with four third countries / regional organisations over the evaluation period, these do not provide for the posting of liaison prosecutors. Moreover, the Commission opened (but did not conclude) negotiations with further third countries over international agreements in the evaluation period; Eurojust provided extensive support to the Commission in this regard.		Section 4.1.3 Case study 2

Evaluation questions	Key findings	RAG	Signposting
	Nonetheless, all categories of stakeholders consulted agreed on the importance of Eurojust's work to deepen cooperation with third countries, and provide valuable opportunities to cooperate and coordinate on criminal justice matters.		
	An additional element influencing the effectiveness of the cooperation with third countries concerns data protection. While pre-EJR cooperation agreements with third countries have been instrumental to ensure the effective exchange of operational data, ensuring compliance with EU rules and regulations, third countries might not be ready to take up the EU data protection regime, which can slow down the process. Requirements around data protection can also impact the negotiations and the signature of agreements, as third countries would need to adjust to such a legislative regime which can be deemed to be quite heavy. Also, it would be difficult for Eurojust to verify and bear responsibility for the information received from third countries, which makes the Agency more careful in dealing with this aspect.		
	Cooperation with international organisations constitutes another integral part of the international work of Eurojust. Across the evaluation period, cooperation with international organisations was targeted in nature, with further cooperation limited by priority setting and the perceived lack of resources. Eurojust primarily serves the national authorities of EU Member States, acting on demand when they see the need for cooperation and coordination. This can limit the engagement with international organisations if not linked to a specific topic or project.		
EQ1.9: How effective has Eurojust's support for the fight against impunity for international crimes in general, and in relation to the situation in Ukraine in particular, been? To what extent has the amendment of the Eurojust Regulation by Regulation (EU) 2022/838 allowed Eurojust to support national authorities more effectively? How effective has the establishment of the International Centre for the Prosecution of the Crime of Aggression against Ukraine (ICPA) been?	The actions of Eurojust have been effective in producing outputs supporting the fight against impunity for international crimes, and in relation to the situation in Ukraine, even though it might be too early to fully assess the results achieved. While some National Members were concerned that Eurojust's new tasks in this space risk diverting efforts from the Agency's core work, the implementation of the ICPA and CISED have progressed positively, with Eurojust playing a key role in the core activities, as well as implementing additional activities such as training sessions and workshops in the areas of genocide, war crimes and the war.		Section 4.1.4

Efficiency

Evaluation questions	Key findings	RAG	Signposting
EQ2: To what extent have the objectives of the Eurojust Regulation been achieved at a reasonable cost?	The Agency has delivered significant benefits over the evaluation period, in particular to national practitioners across the Member States (e.g. see EQ1, and EQs 1.1, 1.2 and 1.6). However, in a context where the Agency has seen its budget increase significantly over the evaluation period (53.8% increase in revenue between 2019 and 2023), the Agency has faced a range of challenges related to its organisational structure that negatively affect its efficiency and effectiveness (e.g. see EQ1.4 and 1.5), with an overarching sense that more could be achieved with the same resources. The key area in which difficulties have been identified related to exercising effective leadership, making clear and timely decisions, setting priorities, and ensuring accountability. Beyond the challenges of the division of responsibilities between governance bodies, the collaborative nature of the College is another factor that leads to difficulties in setting priorities, especially in areas that are not casework related. The role of the College working groups as sub-structures of the College, that are not provided for in the Regulation but are key to internal prioritisation and planning (and sometimes misaligned to the processes of Eurojust's administration in this regard), can lead to conflicting priorities being developed. Another area in which the efficiency of Eurojust is hindered by a lack of clarity is in the distinction between simple and complex cases, as well as different working methods and cultures of national desks, that affect the cases on which Eurojust engages. Some desks more proactively inform their colleagues that other channels of cooperation are available, pointing them towards the EJC and encouraging them to use Eurojust only for more complex and/or urgent cases requiring multi-national coordination. This mirrors national systems, which also diverge in terms of the extent to which they consider the need to request support from Eurojust as opposed to other mechanisms.		Section 4.2 Section 4.1.1 Chapter 7
EQ2.1: How efficient are Eurojust's working practices?	The Agency's governance structure is perceived as complex and challenging to navigate, with negative effects on processes, communications and working practices. Eurojust's volume of casework, as well as the number of closed cases have increased more rapidly than staff numbers have grown, indicating improved casework efficiency. However, surveys results, as well as interviews with members of national desks and liaison prosecutors indicate mixed perceptions of Eurojust's resource efficiency, primarily linked to challenges regarding the efficiency of the Agency's governance and decision-making processes. Digital tools have been integrated to improve the efficiency of financial and operational management, but challenges with outdated systems and the need for further digital improvements persist.		Section 4.2.2.1 Section 7.1

Evaluation questions	Key findings	RAG	Signposting
EQ2.2: Has the distinction between the operational and management functions of the Executive Board and the College helped reduce administrative burden on national members and increased the overall efficiency of the decision-making process in the agency?	Considering its current roles, responsibilities and composition, the Executive Board has not fulfilled its envisioned role of supporting the College and reducing the administrative burden on National Members. As noted in EQ1.5, there is a significant blurring of responsibilities between the two bodies, often resulting in duplicative efforts, inefficient decision-making and ineffective leadership. The survey of National Members illustrated the divergent views regarding the effectiveness of the EJRC in reducing the non-operational burden on College members.		Section 4.2.2.2 Section 4.2.2.1
EQ2.3: Are the tasks of the national desks and the administration in operational work defined in an efficient way?	The distinction between the tasks of the national desks and the administration in operational work is not always clearly defined, which can lead to inefficiencies. Several National Members pointed out during interviews that administrative support is not always optimised as they spend significant time on administrative tasks that could be handled more effectively by dedicated administrative staff. This hinders their ability to focus fully on operational matters. On the other hand, national desks are reluctant to delegate some tasks to the administration (e.g. inputs or changes to the CMS). An added level of complexity raised was the position of National Desks Assistants (NDAs); their role as members of the administration but working exclusively for national desks can lead to structural inefficiencies.		Section 4.2.2.2 Section 4.2.2.1
EQ2.4: To what extent might the same output and results be achieved at lower costs ?	Extensive possibilities for future simplification and cost reduction were identified. In particular, addressing the governance, decision-making and leadership challenges outlined previously (see EQ1.4-1.5, EQ2.1-2.2), for instance by ensuring a clear definition of roles and responsibilities as regards administrative tasks, could free up significant time for National Members, as well as members of the administration. In addition, certain elements of operational tasks could be further simplified, for instance, addressing delays in JIT agreements. Further integration of automation and digital tools could also enhance efficiency. Stakeholders surveyed for this support study also noted concerns such as the inefficiency of handling last-minute coordination meeting confirmations and associated travel costs. Additionally, some respondents felt that Eurojust handles an excessive number of EJC cases, diverting resources from its core tasks. <i>Considering the phrasing of this question, the 'Green' rating refers to a positive assessment of the potential for simplification and cost reduction (i.e. there is strong potential for the same outputs and results to be achieved at lower costs).</i>		Section 4.2.2.3
EQ2.5: To what extent has Eurojust sufficiently employed digital tools to	Since 2019, the Agency has implemented various digital tools across areas such as financial management, human resources, telework (e.g. video conferencing), and procurement. However, the IT infrastructure and digital tools were not deemed to be state of the art by internal Eurojust stakeholders. While the CMS is being replaced by a new system scheduled to go live by the end		Section 4.2.2.1 Section 4.2.2.3

Evaluation questions	Key findings	RAG	Signposting
move towards more efficient processes?	of 2027, this has negatively affected the Agency's efficiency over the evaluation period. Furthermore, internal Eurojust stakeholders have highlighted the need for further improvements in digital tools that ensure interoperability with other agencies.		

Coherence

Evaluation questions	Key findings	RAG	Signposting
EQ4: Internal coherence – How well do the different provisions of the Eurojust Regulation operate together to achieve its objectives?	<i>Links with EQs 1.3, 1.4, 1.5, 1.6 and 2.3</i> The Eurojust Regulation suffers from a lack of consistency and clarity on very specific but important aspects, such as the role of the Executive Board and the cases in which Eurojust shall act as a College, which negatively affect the Agency's internal coherence. In addition, legacy working practices remain, without any mention in the EJR, such as the College working groups. They can create redundancies in the system, thus negatively affecting the Agency's internal coherence.		Internal coherence is closely linked to the organisational aspects covered in sections 4.1.1 and 4.2.2
EQ5: External coherence – To what extent are the results of Eurojust's work coherent with (current) wider EU policies and priorities in the field of criminal justice (e.g. EU Security Union Strategy 2020-2025, or the EU Roadmap to boost the fight against drug trafficking and organised crime and the related EU Strategy to Tackle Organised Crime 2021-2025 and the EU Drugs Strategy and Action Plan 2021-2025)?	There is strong consistency and coherence between the Agency's work and wider EU policies and priorities in the field of criminal justice and more specifically, judicial cooperation in criminal matters. This was confirmed through the interviews and survey with national-level stakeholders. In particular, this is strengthened by the Agency's hosting of practitioner networks, which helps ensure coherence between Eurojust's focus, and wider EU policies and priorities. While the working groups of the College raise challenges regarding the organisation of the Agency, they support Eurojust's contributions to these EU priority topics and help strengthen external coherence, as confirmed through interviews with Eurojust representatives and external stakeholders (e.g. EU IBOAs, national practitioners).		Section 4.3.1
EQ5.1: To what extent is Eurojust's mandate coherent with those of other JHA agencies' and bodies' (revised) mandates and the evolving security architecture of the EU? To what extent are its tasks clearly defined, leaving neither overlaps nor gaps, but building a	Generally good legal coherence between the mandates of Eurojust and other EU JHA agencies, bodies and offices, judicial cooperation networks, OLAF, and EPPO. The Eurojust Regulation includes specific articles to better define these relationships and avoid duplications while ensuring complementarities and synergies. Working arrangements were concluded over the evaluation period with the EPPO and OLAF, defining new frameworks for cooperation. Working arrangements are also in place with Frontex, FRA, EU-LISA, and the EMCDDA (now the EUDA) to further ensure their complementarity. The coherence ensured by this legal framework was		Section 4.3.2

Evaluation questions	Key findings	RAG	Signposting
coherent system? How well does the existing legal framework, including existing instruments such as cooperation arrangements, clarify the cooperation? To what extent is there a coherent approach to the use of IT systems and information sharing?	confirmed by stakeholders consulted, who noted the distinct mandate, clear distribution of tasks, and largely positive cooperation between Eurojust, JHA agencies, bodies, networks, OLAF and the EPPO. However, this legal coherence has not precluded practical challenges in cooperation and certain concerns were identified – some stakeholders suggested that the cooperation with the EPPO could diminish in future as Eurojust may become less relevant to the EPPO's needs. The relationship with Europol also faced a range of challenges, as considered in a dedicated evaluation question below (EQ5.2).		
EQ5.2: The mandate of the European Union Agency for Law Enforcement Cooperation (Europol) has changed twice since its entry into force in 2017, significantly strengthening its mandate. To what extent is the extended mandate of Europol reflected in the Eurojust Regulation, especially when it comes to judicial follow-up?	Good legal coherence between the mandates of Eurojust and Europol. While some overlaps exist in the Regulations in terms of shared goal (i.e. combatting cross-border crime), the different agencies have complementary means of achieving that goal (e.g. Europol's mandate focuses on police investigations, while Eurojust's mandate focuses on judicial actions). The MoU with Eurojust further strengthened this coherence, particularly regarding the financing of joint investigation teams (JITs). However, several stakeholders reported overlaps/duplications between Eurojust and Europol, related to the practical implementation of their respective mandates, such as issues of (lack of) information sharing on the hit/no hit system, while Eurojust stakeholders consider the working agreement governing the Agency's relationship with Europol to be largely outdated (working agreement from 2010). Eurojust's significant efforts over the evaluation period to redefine its relationship with Europol and agree an updated framework for cooperation have been unsuccessful, albeit due to limited interest from Europol.		Section 4.3.2
EQ5.3: To what extent is Eurojust's mandate coherent with the role and tasks of the judicial cooperation networks and their secretariats, which Eurojust hosts as specified in the Eurojust Regulation (e.g. the European Judicial Network and the Joint Investigation Teams Network)?	The Eurojust Regulation includes specific articles to better define its relationship with the EJN, the JITs network and the Genocide network (Art. 48). In accordance with this provision, the secretariats of these networks function as separate units within Eurojust, and the coordination of those secretariats, covered by Article 48(2) of the Eurojust Regulation, is ensured by Eurojust Operations Department. The networks were considered by stakeholders consulted as one of the most closely related actors to Eurojust. For example, most survey respondents agreed or strongly agreed that Eurojust's work is coherent with the roles and tasks of the judicial cooperation networks and their secretariats (50% of national practitioner and policymakers, and 66% of national desks and third country liaison prosecutors). While the mandates largely appear to be consistent and complementary, practical challenges exist in defining the types of case requests that should be allocated to Eurojust versus the EJN. However, as noted in EQ1.6, these challenges primarily stem from the lack of a clear, common approach to the allocation of cases across Eurojust and, by extension, the Member State		Section 4.3.2

Evaluation questions	Key findings	RAG	Signposting
	competent authorities, rather than incoherence within the mandates of the different entities and the work of the networks.		
	Beyond the core networks named in Article 48, Eurojust supports a range of practitioner networks that are not provided for in the EJR, including the European Judicial Cybercrime Network, the Consultative Forum and the Focus Group on Migrant Smuggling, all of which are based on pre-EJR agreements. While many Eurojust and national stakeholders perceived these additional networks to be useful, some National Members highlighted that the growing number of practitioner networks risked diverting resources and focus from Eurojust's core activities. However, the mandates largely appear to be consistent and complementary.		
EQ5.4: To what extent are the mandate and activities of Eurojust coherent with those of other relevant international actors (including third countries)? How well does the Eurojust Regulation facilitate appropriate cooperation with such actors?	In line with its legal framework²⁵³ and international cooperation strategy, Eurojust has engaged with International Organisations (IOs) to ensure that its activities are implemented in a way that is coherent and complementary to those of relevant IOs working toward similar goals. The nature of the cooperation between Eurojust and IOs varies depending on the IOs but has mainly focused on capacity building activities. As evidenced through the desk research and interviews, synergies related to operational coordination and information sharing are increasingly being sought and developed where relevant to Eurojust's operational needs (e.g. with the ICC); but this was also limited over the evaluation period by the extent of operational coordination possible under the EJR (e.g. no possibility of IO access to the Eurojust CMS), as well as the Agency's priority setting and resourcing, as discussed under effectiveness (EQ1.8). Eurojust also cooperates with third countries in various ways, including through its cooperation agreements, working arrangements, posting of liaison prosecutors and its global network of contact points and correspondents. Through this work, Eurojust ensures coherence by coordinating the efforts across Member States and third countries. For instance, Eurojust has a role in preventing duplication of efforts, when preventing and resolving conflicts of jurisdiction. None of the stakeholders interviewed, including several third country liaison prosecutors and other representatives, identified any overlaps or duplications in the work of Eurojust and third countries. However, some interviewees noted challenges to internal coherence in this context, in relation to reported discrepancies between the Eurojust strategy on cooperation with international partners and the actions taken in practice.		Section 4.3.3 Case study 2
EQ5.5: To what extent is Eurojust's data protection regime aligned with Regulation (EU) 2018/1725 and other	The Agency's data protection regime is generally well aligned with the EU data protection acquis. Eurojust introduced Data Protection Rules (DPR) that were supplemented by targeted activities to ensure the development and implementation of a robust system in practice. The EDPS provided		Section 3.1.5

²⁵³ Eurojust's Regulation empowers the Agency to establish and maintain cooperation with IOs in so far as necessary for the performance of its tasks (Article 47) in accordance with its cooperation strategy (Article 15 and 52)

Evaluation questions	Key findings	RAG	Signposting
relevant instruments of the EU data protection acquis?	positive assessments and the Eurojust administration reported a clear professionalisation and increasing understanding of the work since the entry into force of the Eurojust DPR – confirmed through desk research and interviews. Despite this alignment, a number of challenges persist, including: i. Perceived slow pace at which the EDPS operates and provides feedback on specific operation issues. ii. Tensions in the Agency's operational work. Some National Members consider that waiting for the College to adopt a decision from the DPO even in cases where the data has already been shared by their central national authority is cumbersome. However, it is this process (which in practice is relatively rapid) that aligns with the existing EU data protection framework. iii. Eurojust considers that the EJR does not provide clear legal ground for processing publicly available sources of data. As a result, Eurojust does not use open-source data for operational matters and such data is not stored in Eurojust databases.		Section 4.1.2.4 Case study 2

EU added value

Evaluation questions	Key findings	RAG	Signposting
EQ6: To what extent could the identified changes/results/impacts have been achieved without Eurojust and/or the EJR?	The Eurojust Regulation and its implementation by Eurojust was found to provide significant EU added value, with national practitioners reporting that, without Eurojust, certain cases would be impossible to investigate and prosecute, whilst the Agency generally made judicial cooperation in criminal matters easier and more effective. Eurojust's success in addressing the needs of investigating and prosecuting authorities in the Member States is linked to its position as part of a wider EU ecosystem of judicial cooperation in criminal matters. Interviews with practitioners demonstrated how Eurojust and the EJR together have been instrumental in increasing the use of judicial cooperation instruments, in particular EIOs and EAWs, by national prosecutors and investigative judges. While there are internal debates as to the relative value of processing different cases through Eurojust or via other means (e.g. EJR), national prosecuting and investigating authorities see strong synergies between Eurojust's ability to support the investigation and prosecution of complex cases and the EJR tools to address simpler or less urgent cases. As such, the current set up adds value to national practitioners, even though it may not be the most efficient from the Agency's perspective.		Section 5

Evaluation questions	Key findings	RAG	Signposting
EQ6.1: Which, if any, objectives of the policy might have been achieved sufficiently by the Member States acting alone (if so, how)?	The objective of Eurojust is to “support and strengthen coordination and cooperation between national investigating and prosecuting authorities”. The question of whether Member States would be able to achieve this objective without the existence of the Agency is therefore easy to answer. By the mere fact it exists and functions, Eurojust provides value beyond what Member States could achieve alone (interviews, survey, focus groups). While some Member States do have relatively well-developed mechanisms for judicial cooperation in criminal matters besides Eurojust, they are often not able to be as effective as Eurojust, particularly for complex crimes spanning multiple Member States and/or third countries. In addition, many Member States do not have extensive networks for judicial cooperation in criminal matters, or the resources to effectively conduct such cooperation, making Eurojust’s work even more valuable.		Section 5
EQ6.2: To what extent did the resulting benefits outweigh any loss of (e.g. competence or anything else) in participating Member States?	The introduction of the Eurojust Regulation did not lead to any loss in competence for Member States. The only costs (beyond the EU budget) associated with the Agency is the remuneration of personnel in the Agency who would otherwise have been employed at the national level, arguably in a less effective role with regard to cross-border judicial cooperation in criminal matters (interviews).		Section 5
EQ6.3: What could reasonably have been achieved (particularly in terms of effectiveness and efficiency) by Member States acting at national and/or regional levels?	Without the existence of Eurojust, the Member States would have to rely on bilateral agreements or collaborate through the EJNI. The effectiveness of the EJNI is however increased by it being hosted by Eurojust and by EJNI contact points and national contact points being integrated in the ENCS of Member States. In countries where this is the case, cooperation and coordination appear to be very strong. Situations in which cooperation and coordination does exist in the absence of Eurojust include cases involving two Member States sharing a border. At the bilateral level, there are cases where cooperation between Member States stems from their geographical or cultural proximity. Examples include cross-border cooperation in border regions, where the law enforcement and judicial authorities have cooperated for many years and can deal with cases without the support of Eurojust (interviews, focus groups).		Section 5

Relevance

Evaluation questions	Key findings	RAG	Signposting
EQ3: How well do the objectives of the Eurojust Regulation still correspond to the needs within the EU and among the stakeholders?	The Agency’s core activities are very relevant to investigating and prosecuting authorities in Member States involved in cross-border cases. With the increase in the number of cases, as well as developments in the types of crime with a cross-border dimension that are faced by national prosecutors and investigative judges, the relevance of the Agency’s operational work is also increasing. Eurojust has kept abreast of developments in criminal activities, and its ability to facilitate		Section 6

Evaluation questions	Key findings	RAG	Signposting
	the cooperation of experts from affected Member States to support wider investigations (such as for the EncroChat case) is highly relevant to the needs of Member States that lack the capacity or expertise to prosecute specific types of crime.		
EQ3.1: How well has Eurojust been able to respond to the needs of its stakeholders?	National investigating and prosecuting authorities in Member States <u>Casework:</u> The Agency has been able to respond very well to the needs of its key stakeholders (investigating and prosecuting authorities in the Member States – 91.4% of survey respondents). This was confirmed through interviews and focus groups with national practitioners. This is due to the practical and logistical support the Agency provides to cases.		Section 6.1
	National investigating and prosecuting authorities in Member States <u>Other activities:</u> Interviews with national practitioners revealed that they value some of the Agency's outputs (in particular case law analysis), but are more reserved about the relevance of other products.		Section 6.1
	EU IBOAs Eurojust can provide insight from a practical and operational perspective to the Commission, Council and Parliament, for instance to the negotiation of international agreements (interviews). However, this stakeholder group reported mixed views on the value of formal published reports; while some found them to be of less value (interviews), staff from the Council and the European Parliament valued the Agency's contribution in providing practical feedback based on existing cases and difficulties experienced by practitioners. The lack of a liaison person over the evaluation period has had a negative impact on the Agency's visibility and impact in EU decision-making processes.		Section 6.2 Section 4.3.2
	National investigating and prosecuting authorities in third countries Third country liaison prosecutors stated that their involvement with Eurojust allowed them and their colleagues to prosecute cases they would not have been able to pursue without the Agency. One caveat is their struggle to get their colleagues in their home authority to know the Agency and make use of it more regularly. However, the sample could be considered as biased as the evaluation only consulted LPs and magistrates that have already cooperated with the Agency.		Section 6.3
EQ3.2: To what extent are these needs evolving or likely to evolve in future, taking also into account the evolution of cross-border criminality in the EU and its overall security	The needs of national investigating and prosecuting authorities are evolving; important trends are the increase in cross-border cases, and type of crime with an inherent cross-border dimension. Criminal networks increasingly benefit from technology (either to communicate, transfer proceeds of crime or create new type of crime). As such, the role the Agency plays in supporting the		Section 6.1

Evaluation questions	Key findings	RAG	Signposting
architecture? What types of action might need to be considered to address such changes and new trends?	investigation and prosecution of cross-border crimes continues being relevant (interviews, desk research).		
EQ3.3: Are the governance system and decision-making processes established by the Eurojust Regulation and internal rules appropriate to allow Eurojust to support its stakeholders as needed?	<i>Links to EQs 1.3, 1.4, 1.5, 1.6 and Efficiency questions under EQ2.</i> The current governance system and internal rules do allow the Agency to support its stakeholders, in particular national investigating and prosecuting authorities (survey). However, issues in the decision-making process (slow decision-making process, lack of clear leadership) does affect the effectiveness and efficiency of the decision-making process, affecting the overall relevance of the Agency.		Section 4.1.1
EQ3.4: Eurojust's role on the international plane has significantly changed due to continued globalisation, a steep increase in cases involving third countries, and the application of the principle of universal jurisdiction. To what extent is Eurojust's role in the international context still adequate?	<i>Links to EQ 1.8, 1.9, EQ 3.5, 3.6 and EQ 5.4</i> Eurojust has expanded its cooperation with third countries and international organisations over the evaluation period (see EQ1.8-1.9). The relevance of the Agency's work with third countries is debated (interviews, surveys); Member States that have no/limited capacity to develop working arrangements with third countries are more supportive (and rely more heavily on) the Agency's work in this field, while Member States that have more established systems for international cooperation in criminal matters reported that the Agency's activities could better complement their ongoing national activities (focus groups). Moreover, there are disagreements on the geographical areas and third countries with which the Agency should focus its collaboration efforts (interviews).		Section 6.3 Section 4.1.4 Section 4.3.3
EQ3.5: How well does the system set-up in the Eurojust Regulation for cooperation on the international level correspond to actual needs, especially cooperation with third countries and international organisations?	<i>Links to EQ 1.8, 1.9, EQ 3.4, 3.6 and EQ 5.4</i> While there is an increasing demand for collaboration with third countries (based on the increasing number of cases involving third countries, as well as the increasing development of systems and structures for international cooperation), the needs of Member States vary, as noted above (see EQ3.4) (desk research, interviews). Overall, the system set-up in the Eurojust Regulation largely corresponds to the needs of the EU, particularly for cooperation with third countries, and the work of the Agency with third countries is relevant and beneficial. In particular, liaison prosecutors are seen as particularly relevant (especially those representing countries such as the UK, Switzerland, and those in the western Balkans). Additional needs do exist, but appear to be fragmented on the basis of the cases individual investigating and prosecuting authorities work on (e.g. based on factors such as the types of crimes, countries involved, etc.). However, as noted above (see EQ1.8), challenges exist in the implementation of the system set out in the Eurojust Regulation; for instance, considering the consistency between the strategy for international cooperation and the actions taken by Eurojust in		Section 6.3 Section 4.1.4 Section 4.3.3

Evaluation questions	Key findings	RAG	Signposting
	practice (i.e. the specific countries targeted for missions, cooperation activities and working arrangements), as well as the amended role of Eurojust in negotiating and concluding international agreements.		
EQ3.6: To what extent does Eurojust's work supporting the investigation and prosecution of international crimes contribute in a complementary way to the commitment to fight impunity?	<i>Links to EQ 1.9</i> The creation of CISED, while initially developed to preserve, analyse and store evidence of core international crimes (genocide, crimes against humanity and war crimes) as a result of the Russian war of aggression against Ukraine, can be used in other geographical areas (interviews)		Section 6.3 Section 4.1.4
EQ3.7: How well adapted is Eurojust's intervention to the technological progress that has appeared since its introduction, e.g. looking at the area of cybercrime and electronic evidence?	National investigating and prosecuting authorities reported an increase in crimes facilitated by technologies, including online fraud, cybercrimes, use of encrypted messaging services etc. (desk research, interview, survey). The Agency's support to cooperation and collaboration has helped with the pooling of resources, sharing of expertise, and ultimately to coordinate responses (e.g. in the SkyECC and EncroChat cases). The Agency's role in facilitating the electronic storage and exchange of evidence has been an important activity. However, the CMS is out of date and while some functionalities of the new CMS are on course to go live in 2025, its full implementation is delayed, which has a negative effect on the effectiveness of these tools.		Section 6.4

Annex 3: Stakeholder consultation synopsis report

This Annex presents an overview of all stakeholder consultations conducted as part of the **Support study for the Evaluation of the implementation and impact of the Eurojust Regulation (EU) 2018/1727, and of the effectiveness and efficiency of Eurojust and its working practices**.

This evaluation was conducted in accordance with Article 69(1) of the Regulation (EU) 2018/1727 (hereafter, EJR), which stipulates that, by 13 December 2024, the European Commission “shall commission an **evaluation of the implementation and impact of [the EJR], and the effectiveness and efficiency of Eurojust and its working practices**”.

The **objective** of the stakeholder consultations was to gather evidence and collect insights from all relevant stakeholders that will inform the findings and conclusions of the evaluation. Supplementing data and information gathered from existing documentary evidence and quantitative data sources, the consultations sought to ensure a robust evidence base is gathered, thereby increasing the accuracy, relevance and quality of the evaluation.

Specifically, the stakeholder consultations sought to collect and validate data on all elements of the evaluation, covering:

- Implementation of the EJR from 12 December 2019 (date of application) to 1 May 2024.
- Assessment of the EJR and its implementation by Eurojust against the evaluation criteria of effectiveness, efficiency, coherence, relevance and EU added value.

The stakeholder consultation strategy was designed and delivered in alignment with the Better Regulation Guidelines, and the research framework, including the evaluation matrix presented in Annex 2 of this report.

Consultation activities and methodology

The evaluation’s Consultation Strategy defined the main stakeholders to be consulted as:

- Eurojust personnel, including: (i) members of the Eurojust administration; and (ii) representatives of the national desks of the Member States, including National Members, deputies and assistants, as well as the Danish team, and third country liaison prosecutors. This includes the Secretariats of Union networks involved in judicial cooperation in criminal matters that form part of the staff of Eurojust (e.g. EJNI, Genocide Network, JITS Network).
- EU institutions, bodies, offices and agencies, including representatives of the Commission, the Parliament and the Council, as well as key JHA agencies (e.g. Europol, Frontex), the EPPO and OLAF.
- Relevant national-level stakeholders across the EU Member States and third countries, including authorities and administrations of EU countries, JHA counsellors, practitioners (i.e. prosecutors, investigating judges, police officers), academic experts, and Eurojust contact points with the competent authorities in third countries.

The consultations sought to **collect data on all research and evaluation issues, covering all stakeholder perspectives**. To achieve this, a multi-faceted approach was implemented, comprising the following methods:

- **Semi-structured interviews.** Following approval of the preparatory documents (interview guides, letter of introduction), we started contacting stakeholders at the beginning of August 2024. The interview programme ran throughout the data collection phase (i.e. until November 2024). It was agreed that Eurojust would be responsible for scheduling

interviews with internal Eurojust stakeholders, covering a target of approximately 60 stakeholders chosen in collaboration with DG JUST. In addition, the evaluation team directly contacted 195 stakeholders across the remaining stakeholder groups. In total, interviews were conducted with 117 stakeholders, covering all relevant stakeholder groups. This exceeded the target of 76-100 proposed in the Consultation Strategy. This is in addition to 10 scoping interviews conducted in the study's inception phase.

- **Site visit.** From the above, interviews with 32 Eurojust personnel were conducted face-to-face during a dedicated site visit to Eurojust's premises in The Hague. This site visit was conducted between 30 September and 2 October 2024. In addition to the interviews, Eurojust provided six 'thematic sessions' during the site visit, which comprised presentations and discussions on specific thematic issues of relevance to the evaluation. These covered the following topics: (1) Planning and reporting at Eurojust; (2) Cooperation with third countries and international partners; (3) Data protection and third countries; (4) Events and logistics support to Eurojust core tasks; (5) CISED and the ICPA; and (6) Eurojust support to cases.
- **Online surveys.** Two online surveys were implemented, targeting: (1) national desks and third country liaison prosecutors (survey #1); and (2) national correspondents and contact points that are part of the ENCS or represent third countries, as well as other national stakeholders external to Eurojust (e.g. practitioners, national authorities, JHA counsellors, etc.) (survey #2). The surveys were finalised and launched after the completion of an initial batch of interviews to better target the questions and response options. The questions were primarily closed-ended in nature, supplemented by a small number of open-ended questions to allow respondents to elaborate on previous responses or provide examples.

Survey #1 was launched on 15 October 2024 via the Medallia survey management system, with an initial closing date of 12 November 2024. However, as explained further below, the deadline for responses was extended until 10 December 2024, given challenges with low response rates. The survey was disseminated by Eurojust's Governance Secretariat directly to all target respondents. A total of 79 responses were received (37 of which were complete). As many of the partial responses were limited in nature, the total number of useful responses was below the target of 77, set in the Consultation Strategy based on a benchmark from the 2015 evaluation of Eurojust.

Survey #2 was launched on 5 November 2024 via the Medallia survey management system, with an initial closing date of 3 December 2024. This was extended to 13 December 2024 following a request from the EJM Secretariat, who provided extensive support to the dissemination of the survey. In addition to the EJM's support, dissemination was ensured through a number of mechanisms: (1) direct sourcing of contacts by the evaluation team; (2) circulation of the survey to all JHA counsellors by DG JUST; and (3) a request to Eurojust national desks to circulate the survey to their national competent authorities, as well as relevant national practitioners. A total of 365 responses were received (251 of which were complete). This exceeded the target of 180 responses, set in the Consultation Strategy based on a benchmark from the 2015 evaluation of Eurojust.

- **Cross-country focus groups.** Two focus groups were conducted with a total of 11 national-level practitioners involved in cross-border cooperation on 14 and 21 January 2025. While both focus groups facilitated discussions on issues of general interest, each had a specific topic of interest: (1) nature of cooperation between countries cooperating often; and (2) cooperation with third countries. The first focus group included prosecutors, investigative judges and members of central authorities from DE, AT, ES, IT and SK. The discussion focused on the added-value of the Agency compared to other cooperation and collaboration mechanisms (bilateral, EJM etc). The second was attended by participants including prosecutors and members of central authorities from AT, MK, NL, FI and HR. It

focused on cooperation with third countries, but an important part of the discussion was dedicated to issues relating to data protection. In both cases, the discussion was moderated by a member of the research team

- **Validation workshops.** The evaluation team presented the key findings of the evaluation to Eurojust's College on 11 February 2025 and the management team of Eurojust's administration on 20 February 2025. The aim was to elicit feedback on the main findings.

Quantitative data and information from the surveys was collated, cleaned and analysed using spreadsheets. Where possible and relevant, the results were disaggregated by key respondent profile information (e.g. stakeholder type, country, professional position, areas of expertise). This enabled the identification of similarities and differences in responses between different groups of stakeholders.

Qualitative data and information was received via: written summaries of each interview, each focus group and the validation workshop. In addition, such information was provided via the responses to open-ended questions within the two surveys. The interview summaries were then reviewed and collated within a spreadsheet, where the discussion points were categorised against key thematic areas of relevance to the evaluation.

The information collected and processed through these means was triangulated and analysed in the main evaluation report according to the evaluation framework (see Annex 2). This framework consists of research questions related to the implementation check and an evaluation matrix covering the five core evaluation criteria: effectiveness, efficiency, coherence, EU added value, and relevance.

Results of the consultation activities

Interview programme

A total of 117 stakeholders were interviewed for the purposes of this evaluation support study. The below table breaks this down by stakeholder group:

Stakeholder groups	Target	Completed
Eurojust administration	12-15	21
Eurojust national members, deputies and assistants , including the Office of the Representative of Denmark	22-27	31
EU institutions	8-10	15
EU bodies, agencies, offices and networks	5-8	12
Third countries , including liaison prosecutors and contact points	5-10	8
International organisations	2-3	4
National-level authorities and practitioners	20-24	23
Independent experts and NGOs	2-3	3
Total	76-100	117

The interviews provided evidence on all relevant evaluation issues, including: (1) the analysis of the implementation of the EJR over the evaluation period; and (2) the five evaluation criteria – effectiveness, efficiency, coherence, EU added value and relevance.

Given the extensive number of interviews conducted, the below text represents a high-level summary of the results, rather than a comprehensive overview. This is even more pertinent given the nuances of an organisational evaluation, where each individual within Eurojust (particularly considering different units of the administration) brought a unique perspective that is rooted in their specific tasks. This was complicated further by the influence of different national systems for judicial cooperation in criminal matters, but also criminal justice more

generally, on the perspectives of both Eurojust National Members and national authorities and practitioners.

A high-level summary, by type of stakeholder to the extent possible is now provided for each evaluation criterion.

Regarding **effectiveness**, the interviews provided insights into the functioning of Eurojust and the key challenges that may limit its overall performance. In general, all stakeholder groups agree that the Agency is performing well and providing crucial support to judicial cooperation.

Members of the Eurojust administration highlighted how the work of Eurojust has progressed over the years, despite tensions related to resource allocation and priority setting. In particular, they mentioned the difficulties in navigating the current organisational structure, the distribution of roles and responsibilities within Eurojust, and the interplay between the College and the Executive Board. The current decision-making process was not deemed to be efficient nor effective, creating quite high levels of frustration tied to the length of time required to reach decisions – and how this impacts priority setting and implementation of specific projects. Also, the involvement of the College – composed of judicial officials – in all management tasks makes not just the process longer and more complex, but also less certain in terms of which interlocutors should be involved at each stage. They noted that further clarification and streamlining would make the organisation leaner and more efficient. Additionally, they emphasised that upgrading the Agency's IT tools — an ongoing process — is essential for improving Eurojust's functioning. While ongoing, these developments have not yet been completed due to both internal and external factors, such as issues with the contractor. The limited functionality of the existing IT tools, as well as the division of IT functions into two different units, are hindering the Agency's ability to reach its full potential.

National Members confirmed Eurojust's significant role and identified a shift from purely operational tasks to more administrative and strategic work. This shift has improved the Agency's proactivity and ability to act on its own initiative, though some limitations remain, especially considering the limited understanding across the organisation of what this might mean. National Members agreed on the success of Eurojust's role in effectively supporting the activities of national authorities, providing valuable support in facilitating cooperation and coordination across countries. The Agency also remains a key actor in ensuring swift and effective exchanges with third countries, providing a good platform for initiating or implementing cooperation with authorities that are otherwise difficult to reach. However, some National Members noted an ongoing lack of clarity regarding the distinction between cases that should be handled by Eurojust and those that should be delegated to other cooperation mechanisms, such as the EJM or bilateral exchanges. Interviews confirmed that certain Eurojust tools and initiatives, such as JITs, are considered highly effective in coordinating judicial actions across countries. Similarly to Eurojust staff, National Members underlined that the current IT tools and systems are not up-to-date nor suited to properly support and follow cases, with the CMS remaining a rather manual tool that works more as a repository than an actual information exchange system. However, work to improve it is ongoing.

Liaison prosecutors from third countries confirmed the effectiveness of Eurojust, emphasising the value of Eurojust and the opportunities it provides for cooperation and coordination with EU Member States, particularly in complex cases. They also confirmed the current organisation and decision-making process at Eurojust is quite complex, including the fact that it is not always clear what the approach is to the participation of LPs in College meetings. LPs agreed that the presence of these contact points at Eurojust's premises is an important element for the success of Eurojust in supporting national authorities. However, some of them underlined that the EJM seems quite general or does not have enough indications about the expected competences or status of LPs seconded to Eurojust.

Interviews with National Members and third-country liaison prosecutors suggested that the new data protection regime has created some tensions. In particular, applying data protection rules in cooperation with third countries — especially those with different levels of protection — has made data-sharing processes longer and more cumbersome.

Interviews with representatives from EU institutions, bodies, offices and agencies confirmed that Eurojust is a well-established and important player in the EU ecosystem and a key partner for other authorities in the field. While cooperation was generally seen as positive, some shortcomings were noted, particularly regarding available tools and infrastructure, such as the hit/no-hit system, and the prompt access to and exchange of information. Some of them, however, mentioned how the internal organisation of Eurojust might affect the information flow given the complex and lengthy process, creating possible inefficiencies and delays in cooperation and exchange, with and compared to other Agencies, such as Europol. Also, according to a few interviewees, difficulties in access to information and data (which in Eurojust are owned by national authorities) increases the complexity and inefficiencies of the cooperation process, also due to the limited ability for Eurojust to ask and receive the data in a timely manner.

Regarding **efficiency**, the interviews provided further evidence on the adequacy and proportionality of resources available to Eurojust for carrying out its work.

Representatives of the Eurojust administration reported that, despite additional financial resources provided by the Commission, resources are stretched due to the Agency's increasing caseload. Some members also indicated that the complex governance structure does not always facilitate efficient decision-making and can create difficulties in setting priorities, particularly for non-casework-related matters. A few members of the administration conveyed how some issues are rather linked to limited human resources, in particular with small team being required to work extra hours or not being fully able to cope with new tasks, thus struggling to constantly change priorities. Some members of Eurojust staff also reported how new ways of working, such as hybrid videoconferencing meetings helped to improve the internal efficiency of the Agency, despite the system not being designed to handle large numbers of meetings and participants. Some representatives of Eurojust administration indicated potential areas to further streamline and gain efficiency, such as through the use of digital tools – in particular internal tools for HR and support functions – translation costs, which represent a significant amount of expenses every year, and other internal procedures, such as meeting and travel arrangements.

National Members indicated that they are heavily involved in both administrative and operational tasks, which place considerable burden on national desks. In this sense, one other aspect to consider, according to some National Members, is the different capacity of national desks, which allows them to deal with different amounts of operational and administrative work. Additionally, some National Members pointed to a need for more equipment, such as additional meeting rooms or better IT tools, to enhance the capacity of the Agency, and some National Members agreed that they sometimes see the Eurojust administration under pressure due to limited human resources. This is reflected also in the role of National Desks Assistants, which are considered by some National Members as a crucial part of the work at national desks, but have no clear recognition in the Regulation and are also under pressure in terms of effective capacity.

Liaison prosecutors underlined how most of their time is allocated to operational work, and, while they do not have desk assistants or supporting staff, they still receive good support from the administration. Administrative assistants, in this sense, becomes very important to support or even give access to important pieces of work such as the organisation and scheduling of coordination meetings. Similarly to National Members, some LPs indicated that the limited availability of rooms for physical meetings might be an issue, but it is also linked to the capacity of the building and can be addressed partially by hybrid meetings or videoconferences.

Interviews with representatives from EU institutions, bodies, offices and agencies provided a more mixed understanding of the current needs and resources available to Eurojust. According to a few interviewees, there is room for increasing efficiency and simplification, especially through better use of more efficient and effective IT tools. While the financial resources might be sufficient, the current structure and decision-making process of Eurojust is also likely to be another factor negatively affecting the Agency's efficiency.

Regarding **coherence**, all categories of stakeholders agreed that Eurojust's objectives and activities align well with EU priorities and the work of other agencies and bodies. The existing mechanisms facilitating cooperation with other agencies, networks, and bodies help ensure Eurojust's coherence within the EU framework. Also, the Eurojust data protection regime is perceived to be well aligned with EU standards and legislation.

Representatives of the Eurojust administration agreed that the current mechanisms in place regarding the coordination and cooperation with other EU agencies and bodies, beyond the Regulation, work well to ensure coherence of actions. Possible issues of internal coherence highlighted by a few members of Eurojust staff concern the implementation of working groups – not foreseen by the Regulation – which might tend to work in isolation, thus creating a possible risk of misalignment with the priorities and objectives of the administration and the Agency overall. While not necessarily creating an issue of coherence, but a potential risk, a few interviewees pointed out that the Regulation is not very detailed or clear in some instances, such as the provision on Eurojust's ability to act on its own initiative.

Interviews with National Members did not raise significant issues of legal coherence stemming from the Regulation. Some of them, however, reported challenges in the practical cooperation with other EU institutions, in particular Europol and the EPPO. This was deemed to come also from the risk of overlaps and duplications in the practical implementation of their mandates, for instance related to JITs and the delivery of externally funded projects. However, these are deemed to be linked to the operational roles of the Agencies rather than the legislation. A few National Members also mentioned how problems might arise from the different interpretations of provisions in the respective legislation, but without providing further details.

Representatives from EU institutions, bodies, offices and agencies confirmed the coherence of Eurojust with other EU policies and priorities, as well as with other actors and activities.

In terms of **relevance**, all stakeholders agreed that Eurojust's core objectives and activities remain highly relevant at both the national and EU levels.

Representatives of National Members, national practitioners and liaison prosecutors agreed that the Agency has been able to respond to their needs, and how these have evolved over time, in particular with regard to casework-related objectives. Products like coordination meetings, coordination centres and JITs are deemed to be very relevant to address the needs of Eurojust's key stakeholders.

National authorities and prosecutors further highlighted Eurojust's ability to effectively respond to their needs, offering tools and expertise that are not always available at the national level. This is particularly crucial in cross-border cases, where the prompt identification of relevant counterparts in other EU Member States and third countries, as well as effective coordination of actions are essential. National prosecutors highlighted also the importance of being able to promptly obtain information on a case, and receiving swift replies to urgent queries which might be difficult otherwise and that represent a key need in cross-border investigations.

Rather mixed opinions were collected from National Members regarding the relevance of other outputs produced by the Agency, such as reports and guidelines. On the contrary, the presence of up-to-date information on case law was deemed very important and relevant by national practitioners.

Representatives from EU institutions, bodies, offices and agencies underlined the importance of Eurojust in cooperating with other agencies and bodies, and how the Agency's value is often linked to the insight gained from its involvement in operational matters, with case law and guidelines becoming useful outputs of its work. According to a few interviewees, the relevance of Eurojust is also reflected by its added value, in an area where cooperation is essential but cannot be guaranteed necessarily by national actions alone.

National Members, liaison prosecutors, and representatives of EU institutions emphasised that Eurojust has taken on additional roles over the evaluation period, particularly in response to the Russian war of aggression against Ukraine. This was seen as a positive and necessary adaptation to evolving EU needs and priorities.

Regarding **EU added value**, the interviews provided strong evidence of Eurojust's positive impact on judicial cooperation in criminal matters, with a key role in the JHA ecosystem.

National authorities and practitioners, in particular, emphasised the significant added value that Eurojust brings to their work. The Agency's presence is especially beneficial in handling complex cases that involve multiple countries and require a swift and coordinated response.

Representatives of National Members, as well as national authorities and practitioners stressed that Eurojust's effectiveness and added value are largely dependent on the high level of trust it has built both between national desks within the Agency and with its external partners. A few National Members indicated how the level of trust might vary across Member States, depending on the specific status of the relevant counterpart – i.e. with the National Members having certain requirements of experience.

National Members and liaison prosecutors indicated how the added value of Eurojust is particularly significant when dealing with complex cases, involving multiple countries (including third countries) and/or complex crime types. Interviewees agreed that Eurojust provides a valuable role in ensuring effective cooperation, third-party neutrality in coordination, as well as expertise and experienced support that allows Member States to effectively understand each another and increase trust.

National Members and national authorities confirmed that the Regulation governing Eurojust does not result in any loss of competence for national authorities or unnecessary EU-level intervention.

Representatives from EU institutions, bodies, offices and agencies confirmed the added value of the Agency, in particular given the international nature of many serious crimes, requiring EU-wide coordination and presence. In this sense, Eurojust represents a forum for cooperation, a point of contact and coordination between countries that might not otherwise have the opportunity, means or ease to do so. Even though the operational aspect is limited for non-EU countries due to a lack of data protection agreements, Eurojust still offers a space for discussions and case coordination, which might not be possible if Member States were acting alone.

Consultation with EU decentralised agencies and other EU bodies

Cooperation with EU partners is a key objective of the Eurojust Regulation, and thus a key focus of the Agency's activities. All relevant EU agencies, offices and bodies were given the opportunity to contribute via the interview programme. Concretely, interviews were conducted with representatives of Europol, the EPPO, FRA, Frontex and CEPOL. In addition, OLAF provided feedback in writing. Interviews were conducted with multiple representatives from Europol (x4) and the EPPO (x3) covering a range of specific perspectives, including governance, operational, and project-based cooperation.

In line with the interviews with the European Commission, the European Parliament and the Council of Europe, the EU agencies, bodies and offices consulted were asked about their

general perceptions about Eurojust's performance and functioning. In addition, each representative was asked about the specific interactions between their entity and Eurojust, considering the governance arrangements, the operational cooperation and other activities (e.g. project-based cooperation).

All points raised by the consulted EU agencies, offices and bodies were taken on board in the analysis of implementation and each evaluation criterion; albeit, set against opposing views where relevant. For instance, as explained further in the main report, while Eurojust stakeholders (both representatives of the administration and National Members) reported a need to conclude a new cooperation arrangement with Europol, key representatives of Europol perceived that the existing 2009 agreement, in combination with the provisions of the Europol and Eurojust Regulations, were sufficient to ensure effective cooperation.

Targeted stakeholder surveys

Following data cleaning, largely to remove or consolidate multiple entries from the same respondent, but also to remove respondents not within the scope of the survey (e.g. national desk assistants within survey #1), the two surveys received a **total of 424 responses, with 288 completing all questions, and 136 providing partial responses**. The characteristics of these respondents are broken down below for each survey.

For the **survey targeting Eurojust national desks and third country liaison prosecutors** posted to Eurojust (*survey #1*), responses were received from 59 representatives covering the national desks of 22 Member States²⁵⁴, and seven third-country LPs. Six additional respondents chose to respond without identifying the country they represent. The most common role of respondents was National Member (27% of total responses, 16 of 59), followed by deputy NMs, LPs, and SNEs (all 17%, 10 of 59). Most hold the status of prosecutor under their national law (81%, 48 of 59), with much smaller numbers of judges (7%, 4 of 59) and representatives of a judicial authority with competences equivalent to those of a prosecutor or judge under national law (2%, 1 of 59). Six respondents (10%) reported having alternative status under national law, such as representatives of law enforcement or a former prosecutor that, under national law, is no longer in active service while at Eurojust.

For the **survey targeting national-level stakeholders external to Eurojust** (*survey #2*), responses were received from 365 representatives covering all 27 EU Member States. It is notable that a significant number of respondents were from Romania (30% of total responses, with 90 of 251 complete and 21 of 114 partial responses). This was not considered to be an organised campaign, as a dedicated analysis conducted on the Romanian responses did not reveal any repeating response patterns to the closed or open-ended questions. In addition, **no responses were received from representatives of third countries** (e.g. contact points in competent national authorities).

Of these respondents, most work as prosecutors (79% of total response, with 208 of 251 complete and 80 of 114 partial responses); these were supplemented by responses from public officials working in the field of criminal justice (31 total), judges (30 total), police officers (9 total), and others (7 total; primarily different types of national investigators, such as customs officers and tax investigators). These respondents work across all core crime types supported by Eurojust, with economic crimes the most common area of focus (168 of 365 respondents, 46%), followed by drug trafficking (106 of 365, 29%), crimes against children (100 of 365, 27%) and cybercrime (96 of 365, 26%). The least common crime types covered were Chemical, Biological, Radiological, Nuclear and Explosives (CBRN-E) crimes (8 of 365, 2%) and crimes against the financial interests of the EU (PIF crimes) (25 of 365, 7%). In addition, most respondents (222 of 365, 61%) did not hold a formal role in relation to Eurojust (e.g. as

²⁵⁴ No responses were received from representatives of Austria, Croatia, Lithuania, Luxembourg, and Poland.

part of their Member State's ENCS); however, the survey did receive responses from relevant national correspondents or contact points, including for the EJM (68 of 365, 19%), for Eurojust (28 of 365, 8%), and for the JETs Network (17 of 365, 5%).

For operational work, 69% of respondents (250 of 365) engage with Eurojust at least 1-2 times per year, with smaller proportions engaging more regularly – i.e. at least quarterly (16%, 59 of 365), monthly (12%, 45 of 365) or weekly (7%, 26 of 365). The proportion is also relatively high for engagement in practitioner networks, with 57.5% of respondents (210 of 365) engaging in such networks at least 1-2 times per year. For all other activities listed (i.e. ICPA, CIED, CTR, OCC, project-based approaches, ENCS), the engagement levels are lower – between 8% (for the ICPA) and 32% (for the ENCS) of respondents reported some engagement with these Eurojust activities.

For certain questions, a large number of respondents selected the 'I can't say' option. However, many of these 'I can't say' responses were submitted by Romanian respondents, thereby reducing the overall influence of Romanian responses on the results. This is further illustrated by disaggregating the results to the question on frequency of engagement with Eurojust activities. Taking operational work as an example, removing the Romanian responses increases the proportion of respondents that have engaged with Eurojust from 69% (250 of 365) to 77% (195 of 254). These limitations were considered throughout by analysing, for each question, the relevance of the 'I can't say' responses to determine if they are meaningful. The reporting of results then includes or excludes the responses on this basis, providing explanations of the rationale where necessary.

Figure 29: Respondent countries – survey #2

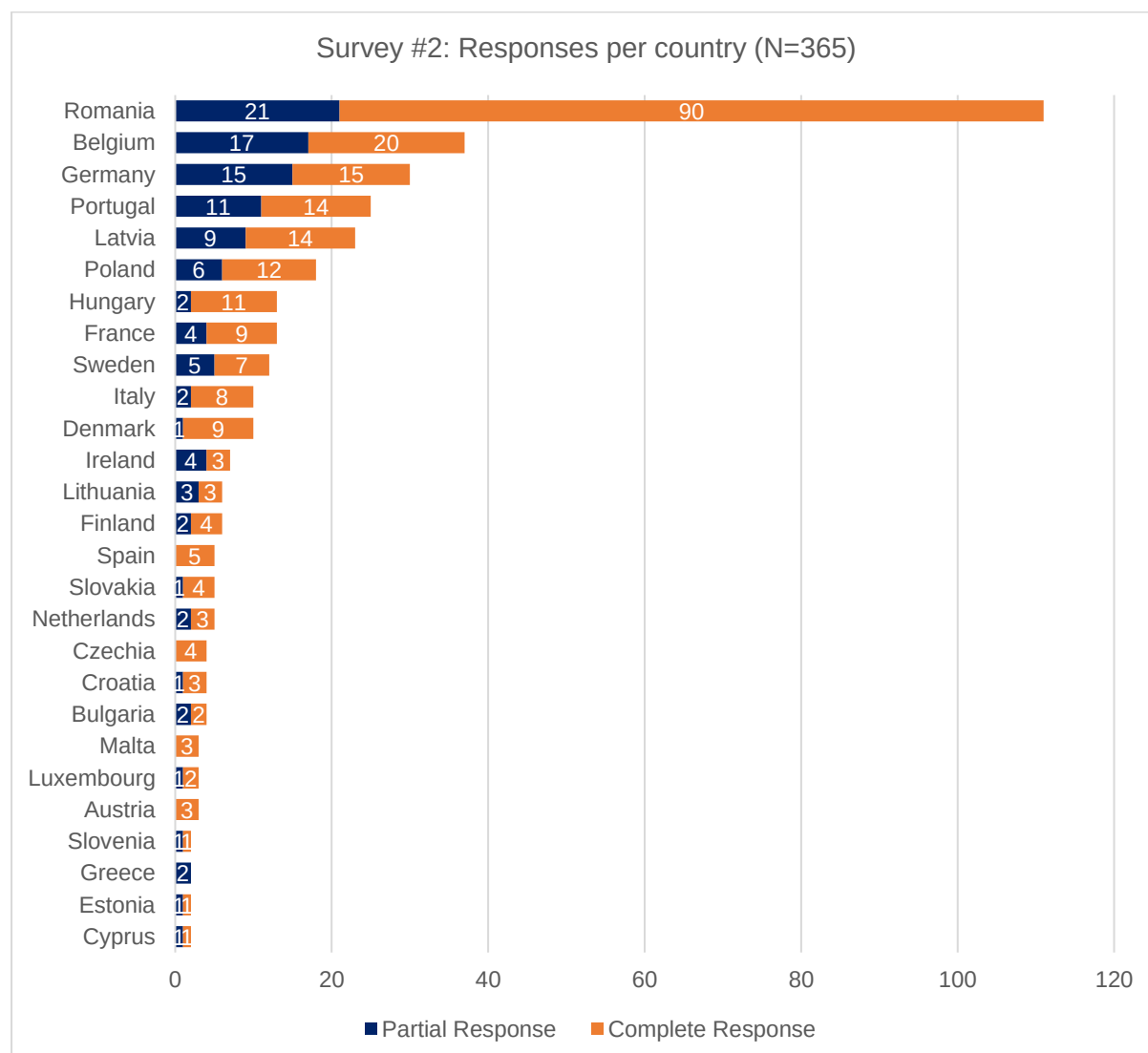
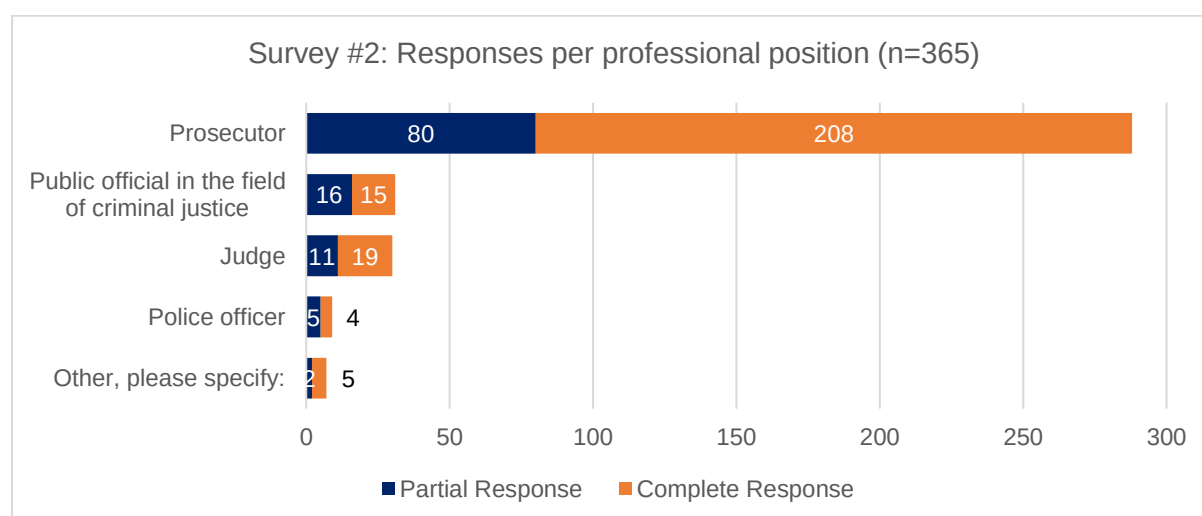


Figure 30: Roles of respondents – survey #2



Given the extent of research issues covered by the two surveys, this Annex focuses on presenting a high-level summary of the survey findings, rather than a comprehensive examination of every question. It first addresses the implementation of the EJR by Eurojust, before presenting the results for each evaluation criterion, distinguishing the views of different stakeholders where relevant. For each research issue, this analysis presents the results for overarching summary questions before providing more granular results for key questions.

Implementation of the EJR

Questions on the **implementation of the EJR by Eurojust** were largely targeted at Eurojust national desks and LPs through survey #1. This covered the following key issues:

- **Alignment between elements of Eurojust's governance and functioning and the EJR.** For certain elements – i.e. Eurojust's tasks, operational functions and objectives (as outlined in the MAS and SPD/AWP) – the majority of respondents considered Eurojust to be aligned fully or to a great extent to the EJR. Specifically, 90.7% (39 of 43) of respondents for the tasks and operational functions, and 88.9% (24 of 27) for the objectives (excluding those that responded 'I can't say'). For the remaining elements – i.e. the approximation of the status and powers of NMs, the division of functions and responsibilities among the College, the Executive Board, the Administrative Director and the President, and the KPIs outlined in the SPD/AWP – results were more mixed. For instance, concerning the division of functions and responsibilities among the different governing bodies and actors, 55.9% (19 of 34) of those that did not select 'I can't say' responded that Eurojust practices were fully (17.6%, 6 of 34) or to a great extent (38.2%, 13 of 34) aligned to the EJR; 38.2% saw alignment to a moderate extent on this element, while to a limited extent and not at all were selected by 2.9% each (1 of 34).

An additional factor of interest concerns the number of 'I can't say' responses. These were particularly high with regard to the alignment of the Agency's objectives (43.8%, 21 of 48) and KPIs (64.6%, 31 of 48), as set out in its core programming documents, with the EJR. In both cases, this included respondents from across the variety of roles represented.

- **Whether Eurojust has taken the necessary measures to fulfil its core tasks**, as per Art. 2 EJR. Where respondents have provided an opinion, they are largely positive on this question. Excluding 'I can't say' responses, Eurojust was considered to have taken the necessary measures to a great extent to fulfil its core tasks of: supporting and strengthening coordination (91.3%, 42 of 46) and cooperation (89.1%, 41 of 46), responding to coordination and cooperation requests from Member State competent authorities (84.8%, 39 of 46), and facilitating the execution of requests for, and decisions on, judicial cooperation (83%, 39 of 47). In other areas, however, the responses are more mixed. For instance, respondents were spread across all options regarding the measures taken to ensure Eurojust can act on its own initiative (63.6% (21/33) to a great/moderate extent; 36.4% (12/33) to a limited extent/not at all). Moreover, when included, 'I can't say' was the most common response (31.3%, 15/48).

Similarly, most respondents (56.3%, 27/48) were unable to comment ('I can't say') on the question of whether Eurojust has taken the necessary measures to respond to requests from the EPPO. Nonetheless, those who did have an opinion were largely positive (76.2% (16/21) selected to a great extent).

- **Whether national desks and LPs have sufficient powers to carry out their responsibilities.** Respondents from those stakeholder groups were very positive on this point; 97.9% (46/47); they felt their powers were entirely (68.1%, 32/47) or somewhat sufficient (29.8%, 14/47).

On points of national-level implementation, the survey addressed the following key issues:

- **Set-up and functioning of the ENCS.** A complex and varied picture emerges from the responses on the composition and the tasks of the ENCS across the MS. The number of national correspondents and contact points ranged from three (in France, Italy) to all nine named options (in Germany, Latvia). The median was seven indicating that MS are more likely to be closer to the higher end of the scale; in fact, representatives of seven MS stated that their ENCS included eight of the named types of correspondent/contact point (CZ, FI, HU, NL, RO, ES, SE). Moreover, four respondents reported that no formal ENCS was in operation in their MS (16%, 4/25²⁵⁵). However, the survey also revealed discrepancies between the understanding of different respondents representing the same country.

Continuing to consider the responses per Member State, the most commonly included types of correspondent/contact point were the: national correspondent(s) for Eurojust for terrorism matters (present in 16 of 18 MS covered by the sample), and the contact point(s) for the JITs Network (15 of 18 MS), the EJN and the Genocide Network (both 14 of 18 MS). In contrast, national correspondent(s) for issues relating to the competence of the EPPO were only present in 6 of 18 MS.

Considering the role of the ENCS, the clearest result was that the ENCS does not prevent direct contact between the Eurojust NM and the competent national authority – 87.5% of respondents (15/16) strongly agreed with this statement. Contrastingly, in other areas, the results showed limits to the utility of the ENCS. For instance, concerning the relationship between the ENCS and the Eurojust CMS, 84.6% (11/13) of respondents disagreed or strongly disagreed that ENCS persons or authorities were connected to the Eurojust CMS, while 50% (7/14) respondent in this manner to the statement that the ENCS is used to ensure the provision of information to the CMS. In addition, mixed results were provided regarding issues such as informing the Eurojust NM of all ENCS meetings where casework related matters are discussed and whether the ENCS is used to determine whether a request should be handled with the assistance of Eurojust or the EJN.

- **National register access and use.** Across all options, Eurojust NMs, the Representative for Denmark and third country LPs more often have indirect access to relevant national registers (i.e. through their national authorities) (58.2%, 47/98) versus direct access (30.6%, 30/98) or no access (11.2%, 11/98). However, nearly all cases of no access were from LPs (81.8%, 9 of 11); both no access cases for NMs were related to access to DNA registers. Generally, access for these stakeholders is most restricted for DNA registers (68.8% (11/16) have indirect; 25% (4/16) have no access). For the other types of registers (e.g. arrested persons, investigation records, criminal records register), there is a balance between direct and indirect access. Beyond the registers formally listed in Art. 9, respondents reported access to a range of useful registers, including national case management systems, driving licence registers, licence plate registers, and real estate registers.

Responses on the use of these national registers also varied. For instance, 70% of respondents reported never using DNA registers, while 65% (13/20) reported using investigation registers, 50% (10/20) reported using criminal records registers, and 44% (8/18) reported using other registers at least once a quarter.

Effectiveness

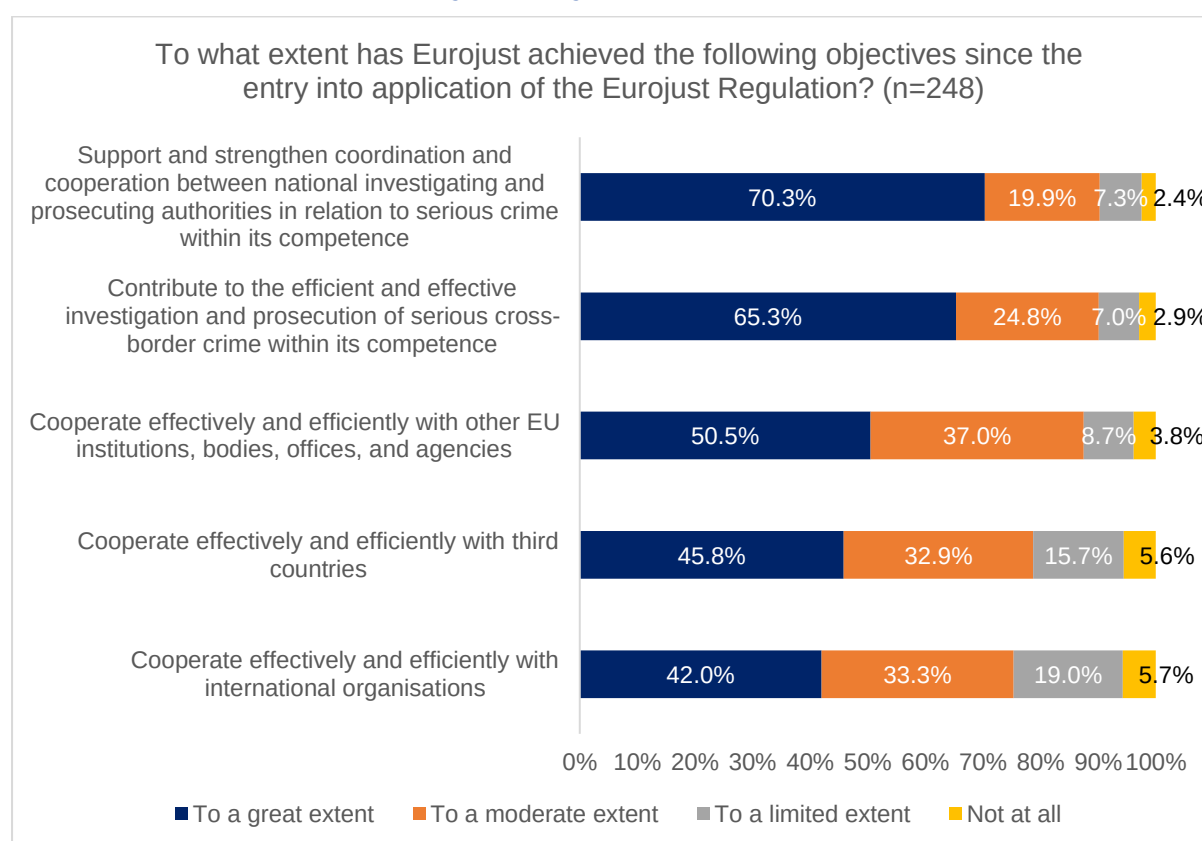
Achievement of the Agency's objectives. While largely positive across the board, the extent of positive stakeholder sentiment differs across Eurojust's objectives. As illustrated in the below figure, when combining the responses across both surveys and excluding 'I can't say' responses, most stakeholders considered that Eurojust achieved all its external objectives to a great extent – ranging from 42% (73/174) of respondents selecting to a great extent for the

²⁵⁵ Representatives of Greece, Ireland, and Portugal, as well as one anonymous respondent.

objective of cooperating effectively with international organisations to 70.3% (173/246) for the objective of supporting and strengthening coordination and cooperation between national authorities. Comparing the two surveys, Eurojust stakeholders responding to survey #1 (i.e. national desks, LPs) are more positive than external national practitioners responding to survey #2 with regard to the objectives about supporting casework. The results across the other three objectives are largely similar between the surveys.

However, across both surveys, there were a large number of 'I can't say' responses to certain objectives, indicating a lack of awareness around Eurojust's activities and achievements in these areas. For instance, in both survey #1 and #2, respondents had less knowledge of the Agency's achievements related to cooperation with international organisations (34.1% (15/44) in survey #1; 51.7% (155/300) in survey #2) and cooperation with EU partners (27.3% (12/44) in survey #1; 41.3% (128/300) in survey #2).

Figure 31: Achievement of Eurojust's objectives²⁵⁶



In addition to the objectives related to Eurojust's external activities, NMs and LPs were also asked about **improvements to the internal organisation of Eurojust**. Here, including those responding 'I can't say', 61.4% (27/44) stated that Eurojust had achieved this objective to a great (36.4%, 16/44) or moderate (25%, 11/44) extent; however, a further 29.5% (13/44) responded 'I can't say'.

When examined further in a later question, national desks and LPs reported mixed perceptions regarding specific elements of Eurojust's governance and operations. Some elements were seen in a positive light – for instance, 62.8% (27/43) of respondents to survey #1 agreed (37.2%, 16/43) or strongly agreed (25.6%, 11/43) that the tasks of the national desks and

²⁵⁶ While this figure combines data from both surveys, it is important to note that there were minor differences in the response options across the surveys. Across the options, respondents to survey 2 were asked to what extent Eurojust's work was 'effective', while respondents to survey 1 were asked whether Eurojust's work was 'efficient and effective'.

administration are clearly defined with regard to operational work, while 60.5% (26/43) agreed (44.2%, 19/43) or strongly agreed (16.3%, 7/43) that the support provided by the Eurojust administration is fully aligned with the Agency's operational objectives.

Other elements received more mixed responses from national desks and LPs. For instance: 32.6% (14/43) of respondents neither agreed nor disagreed that the distinction between operational, managerial, strategic and administrative tasks is clear, with 27.9% (12/43) responding positively and 14% (6/43) responding negatively. The division of opinion was similar, albeit slightly more positive, regarding the issue of whether the division of functions and responsibilities among the College, the Executive Board, the Administrative Director and the President enables Eurojust to effectively fulfil its mission (37.2% (16/43) positive; 23.3% (10/43) neutral; 14% (6/43) negative). In addition, across all statements, the number of stakeholders that did not feel able to respond ('I can't say') was relatively high, ranging from 20.9% (9/43) to 32.6% (14/43).

Considering the types of stakeholders responding, NMs were more positive on the overarching question of the extent of improvements to Eurojust's internal organisation compared to respondents from other roles (i.e. 61.5% selected 'To a great extent' compared to between 22.2% and 37.5% for other stakeholder types, such as SNEs, LPs and deputy national members). However, no clear distinctions by role were identified regarding the more detailed questions on Eurojust's governance and operations. Furthermore, these results need to be read in conjunction with the caveats that these stakeholders have a vested interest in a positive evaluation of Eurojust's performance and thus potential bias, and the limited number of responses.

Both surveys also examined the effectiveness of Eurojust's **external activities** in more detail:

- **Casework support.** Building on the positive overarching finding reported above, national practitioners and authorities (survey #2) were also very positive regarding the **impact of the EJR on Eurojust's ability to respond to and support cross-border cases involving Member States and third countries**. In fact, when excluding 'I can't say' responses, 89.2% (148/166) of respondents perceived the EJR to have had a very positive (37.3%, 62/166) or positive (51.8%, 86/166) impact in this regard, while no negative responses to this question were received.

Concerning the **effectiveness of specific cooperation and coordination activities conducted by Eurojust in support of casework**. When excluding 'I can't say' responses, all activities listed were considered very or moderately effective by more than 80% of respondents, with at least 50% responding 'Very effective' in all cases. Coordination meetings (CMs) were the most valuable activity in this context – 91.3% (168/184) of respondents reported CMs to be very (73.4%, 135/184) or moderately (17.9%, 33/184) effective. CMs were followed closely by providing support for JITs (89.3%, 142/159 combined), facilitating the issuing or execution of requests for mutual legal assistance or mutual recognition (89.2%, 190/213), and exchanging information with competent national authorities (88.4%, 190/215). While still viewed very positively, the lowest scoring activities in terms of effectiveness from the perspective of national-level stakeholders were support and advice on special investigative measures (51.8% very and 28.8% moderately effective), recurrent refusals (52.2% very and 28.9% moderately effective), and conflicts of jurisdiction (50.4% very and 31% moderately effective).

National desk members and LPs at Eurojust (survey #1) also perceived that the Agency contributes positively to casework through these activities. While the perceptions per activity were largely similar between the two surveys, internal Eurojust stakeholders were clearly less able to make a judgement regarding the exchange of information with competent international authorities – specifically, 32.6% (14/43) of this group responded with 'I can't say' to this activity compared with 14% (6/43) or below for all other options.

Beyond these activities, stakeholders across both surveys were asked whether the **allocation of requests between Eurojust and the EJC** was aligned to the mandates and remits of both entities. National-level stakeholders responding to survey #2 were largely positive in this regard, with 83.9% stating that the allocation of requests between the two entities was appropriate to a great (43%, 64/149) or moderate (40.9%, 61/149) extent. Eurojust national desk members and LPs, however, reported mixed views, with responses spread across all available response options. For instance, 17.4% (4/23) agreed to a great extent that the allocation of requests between Eurojust and the EJC is conducted appropriately and in line with guidance, with 21.7% (5/23) agreeing to a moderate extent, 30.4% (7/23) agreeing to a limited extent, 21.7% (5/23) not agreeing at all, and 8.7% (2/23) responding with 'I can't say'. Perceptions on whether the criteria for the allocation of requests are clear and fit for purpose were similar, while views on the consistency of allocation across the Member States were slightly more negative (56.5%, 13/23, of respondents agreed to a limited extent or not at all that the allocation was consistent).

- **Cooperation with EU partners.** When investigating cooperation with Eurojust's four key EU partners (Europol, the EPPO, OLAF, Frontex) in more detail, a more challenging picture emerges compared to the overarching perceptions reported above. Firstly, many respondents to survey #1 (Eurojust national desk members, LPs) were unable to comment on the effectiveness of Eurojust in cooperating with these partners – specifically, the proportions of 'I can't say' responses were 9.3% (4/43) for Europol, 48.8% (21/43) for the EPPO and OLAF, and 69.8% (30/43) for Frontex. Secondly, when removing those without an opinion, perceptions on effectiveness were mixed, with clear room for improvement across all four relationships. Despite interview feedback indicating challenges related to Eurojust's engagement with Europol, NMs and LPs were more positive in survey #1 regarding the effectiveness of the Agency's cooperation with Europol compared to the Agency's engagement with other EU partners, with 35.9% (14/39) selecting very effective and 56.4% (22/39) selecting moderately effective. These figures dropped to: 22.7% (5/22) and 50% (11/22) for the EPPO; 18.2% (4/22) and 40.9% (9/22) for OLAF; and 15.4% (for both, 2/13) for Frontex. Furthermore, cooperation with Frontex and OLAF was considered to be not at all effective by 38.5% (5/13 re Frontex) and 22.7% (5/22 re OLAF) of respondents, respectively.

Considering whether cooperation with key EU partners has enhanced the Agency's effectiveness in supporting national desks fighting cross-border crime since the EJC, the responses of Eurojust national desk members and LPs (survey #1) mirrored the above findings. Again, a large proportion of respondents were unable to comment, with 'I can't say' responses ranging from 15.9% (7/44) for cooperation with Europol to 52.3% (23/44) for cooperation with Frontex. And, for those with an opinion, cooperation with Europol was seen as the most positive relationship for enhancing casework support – 81.1% perceived this cooperation to have enhanced Eurojust's effectiveness in casework support to a great (48.6%, 18/37) or moderate (32.4%, 12/37) extent. The positivity of respondents reduces for cooperation with the EPPO (70.8%, 17/24, stated to a great or moderate extent), OLAF (44%, 11/25) and Frontex (28.6%, 6/21).

- Eurojust also **cooperates with EU practitioner networks**, most prominently hosting the secretariats of the EJC, the JIJs Network and the Genocide Network. While still largely positive, Eurojust national desk members and LPs (survey #1) were more circumspect regarding the effectiveness of cooperation with the EJC compared with the JIJs and Genocide Networks. Specifically, 44.4% (16/36) reported that cooperation with the EJC was very effective, compared to 65.5% (19/29) for the Genocide Network and 84.6% (33/39) for the JIJs Network. Respondents to survey #2 (i.e. national practitioners and policymakers) were largely positive about Eurojust's support to practitioner networks, with 57.1% (92 of 161) stating that Eurojust has performed very well in this regard, considering

the resources available, and a further 31.7% (51/161) reporting that Eurojust has performed moderately well.

- **Cooperation with international partners.** Eurojust engages with third countries and international organisations through a variety of mechanisms, including the posting of LPs to Eurojust and the conclusion of working arrangements. There is a clear perception among national practitioners and policymakers (survey #2) that Eurojust has increased its international presence since the entry into application of the EJR – 89.1% (147/165) strongly agree (35.2%, 58/165) or agree (89/165) with this statement. In this context, they also view Eurojust's relationship with third countries and international organisations to have improved coordination and cooperation with these stakeholders and to be largely effective – this is true for the posting of third country LPs, the system of contact points in third countries, the conclusion of formal cooperation agreements and working arrangements. For instance, 87.4% of respondents to survey #2 agree (53.6%, 81/151) or strongly agree (33.8%, 51/151) that the posting of third country LPs to Eurojust has improved coordination and cooperation with third countries.

This result is supported by the perceptions of Eurojust national desk members and LPs (through survey #1). Concerning the posting of LPs, respondents that answered almost unanimously agreed that the posting of LPs has greatly enhanced Eurojust's effectiveness in supporting national desks fighting cross-border crime (97.6%, 41/42). This stakeholder group also largely reported that cooperation with third country partners was very (40%, 16/40) or moderately (45%, 18/40) effective.

For cooperation with **international organisations**, more than half of respondents (51.2%, 22/43) to survey #1 (Eurojust national desk members and LPs) selected 'I can't say' regarding Eurojust's effectiveness in cooperating with this group. For those that did respond, the perceptions were mixed, spread across the four options – very effective (28.6%, 6/21), moderately effective (42.9%, 9/21), weakly effective (23.8%, 5/21) and not at all effective (4.8%, 1/21).

In addition, Eurojust's core activities are supported by a range of **other tasks, activities and functions**. These include the provision of analysis and expertise, the ENCS, the OCC system, the provision of information by Member States to Eurojust under Art. 21 EJR, project-based approaches, the CTR, and CICED. National-level stakeholders were largely positive regarding the effectiveness of all these supplementary activities – in fact, between 63.4% and 82.8% of respondents to survey #2 perceived these activities to be very or moderately effective. The analysis and expertise provided by Eurojust was the most positively perceived activity (46%, 80/174, very and 36.8%, 64/174, moderately effective), followed by the ENCS (44.5%, 65/146, very and 35.6%, 52/146, moderately effective).

Efficiency

In line with the general views on Eurojust's effectiveness, the national-level stakeholders responding to survey #2 were also largely positive regarding the efficiency of the support activities, tasks and functions provided by the Agency. They reported that Eurojust: (i) contributed to the efficient investigation and prosecution of serious cross-border crime – 63.9% (106/166) considered that Eurojust had achieved this to a great extent; and (ii) cooperated efficiently with different partners, at both the EU and international levels – between 40.4% (42/104, for relations with international organisations) and 46.7% (64/137) considered that Eurojust had achieved this to a great extent. Very few negative responses were received across these questions – only 7.1% (38/537) of all responses across these options selected to a limited extent (6%, 32/537) or not at all (1.1%, 6/537).

Similarly, these national-level stakeholders responded positively regarding how well Eurojust was able to implement its other across other tasks, activities and functions considering the

resources available. As above, this included activities such as the provision of analysis and expertise, the ENCS, the OCC, the CTR, CISED, project-based approaches, and support to practitioner networks. Across these activities, when excluding 'I can't say' responses, between 74.6% (25/67, CTR) and 88.8% (92/161, support to practitioner networks) of respondents perceived that these activities were implemented very well or moderately well, considering the resources available. However, the number of stakeholders that felt able to respond varied significantly, ranging from 40.1% (108/269, support to practitioner networks) to 75.8% (204/269, CISED).

Internal Eurojust stakeholders (national desk members, LPs) were asked in more granular terms about the Agency's efficiency, concerning issues such as the burden of non-operational activities on NMs, the efficiency of decision-making by the College and the Executive Board, the efficient allocation of human and financial resources, the efficiency with which the Eurojust administration conducts its tasks, and the use of digital tools. While the sentiment on efficiency across these issues was generally positive, there were variations in the balance of positive and negative responses.

In general, the number of respondents strongly agreeing with the Agency's efficiency across these issues was limited (between 0% and 16.1%), while the most common response option was 'Agree' (between 29.4% and 54.8%) in all but three cases. The three exceptions related to: reductions in the burden of non-operational activities on NMs (33.3% selected both agree and neither agree nor disagree); the successful use of digital tools to improve operational efficiency (again 33.3% selected both agree and neither agree nor disagree); and the successful use of digital tools to improve non-operational efficiency (41.4% selected neither agree nor disagree).

The sentiment was most positive regarding: the efficient allocation of Eurojust's financial (71%, 22/31, selected either agree or strongly agree) and human (62.5%, 20/32) resources; the efficiency of Eurojust's administration (62.9%, 22/35); and support to enable the efficient use of digital tools (61.8%, 21/34). While still largely positive, the issues where more neutral or negative sentiment emerged included: reductions in the burden of non-operational activities on NMs (33.3%, 8/24, equal split across positive, neutral and negative, with no respondents selecting 'Strongly agree'); whether Eurojust has been provided with sufficient resources to implement all its activities and tasks (41.2%, 14/34, positive vs 35.3%, 12/34, negative); and the efficiency of decision-making by the College and Executive Board (52.2%, 12/23, positive vs 21.7%, 5/23, negative).

Investigating the balance between the operational and non-operational responsibilities of national desk members further, it was found that most respondents perceive the balance to be largely appropriate. Specifically, 30.4% (7/23) agreed to a great extent, with a further 47.8% (11/23) agreeing to a moderate extent, that the balance was appropriate. The non-operational activities considered to be the most important by these stakeholders were participation in the College (64.1%, 25/39, perceived this to be very important), as well as College working groups (53.8%, 21/39, selected very important), training (leading or participating), and non-case related missions (41% selected very important for both). The non-operational activities considered to be of less importance were basic administrative tasks for the Member States (46.2% selected moderately important) and Eurojust (41% selected moderately important), and topics/questionnaires (59% selected moderately important).

As a result, there remains room for improvement regarding the reduction of non-operational activities. Specifically, 45.5% (10/22) of respondents to survey #1 agreed to a moderate extent that the burden of non-operational activities on national desks could be reduced, with 9.1% (2/22) agreeing to a great extent and 31.8% (7/22) agreeing to a limited extent. This is complemented by results from survey #2, where national-level stakeholders also identified further room for simplification and efficiency with regard to operational tasks – 47.6% (69/145)

agreed to a moderate extent that there was potential for simplification in this regard, with 22.8% (33/145) agreeing to a great extent and 24.1% (35/145) agreeing to a limited extent.

Coherence

Stakeholders across both surveys were largely positive regarding the coherence of Eurojust's work with related activities in the fields of criminal justice and judicial cooperation in criminal matters. For example, 93.6% (147/157) of national practitioners and policymakers responding to survey #2 stated that, overall, Eurojust's activities are coherent with the work of other actors, policies or legislation in the criminal justice field to a great (58.6%, 92/157) or moderate (35%, 55/157) extent. The only counterpoints highlighted through the open comments provided by this survey cohort related to the issue of what types of cases Eurojust should handle. For instance, one national prosecutor noted that Eurojust should take more account of the work of national structures set up to govern international judicial cooperation, particularly in the context of less complex or bilateral cases, while others perceived that many requests could be facilitated through the EJC or other mechanisms.

Digging deeper, the stakeholders were asked to what extent Eurojust's work is coherent with: (i) wider EU policies, priorities and activities in the criminal justice field; (ii) the roles and tasks of the judicial cooperation networks and their secretariats; (iii) the extended mandate of Europol; (iv) the mandate and activities of the EPPO; (v) the activities of relevant third countries; and (vi) the activities of international organisations. When combining both surveys, more than 80% of responses were positive (i.e. strongly agree or agree) across all activities, rising to 93.7% (177/189) for Eurojust's coherence with wider EU policies, priorities and activities.

Eurojust's data protection regime was also considered to be well aligned with Regulation (EU) 2018/1725 – 85.2% of respondents across both surveys agreed (42.2%, 54/128) or strongly agreed (43%, 55/128) with this statement.

However, across most of these areas, respondents to survey #2 (national-level practitioners and authorities) were slightly more positive than respondents to survey #1 (Eurojust national desk members and LPs). Considering coherence with the EPPO, Europol, third countries and international organisations, the responses of the internal Eurojust stakeholders tended lower than their national-level counterparts. The average proportion of respondents to survey #1 that selected 'Agree' or 'Neither agree nor disagree' across these four coherence statements was 81% compared to 65.8% for survey #2 respondents. This figure for those who selected 'Strongly agree' was 15.4% for survey #1 respondents and 33.2% for survey #2 respondents.

Relevance

Most stakeholders across both surveys responded that the needs of the EU and its stakeholders in the field of judicial cooperation in criminal matters have evolved since the entry into application of the EJC. More specifically, when excluding 'I can't say' responses, 58.1% (18/31) of national desk members and LPs (survey #1) and 48.1% (88/183) of national-level stakeholders (survey #2) stated that the needs have changed over this period to a great extent. The open comment responses related to this question highlighted a range of issues as important in this context. These include the increasingly cross-border nature of crime, driven by cybercrime, cyber-enabled crime and higher flexibility of criminal networks, resulting in increases in the need for judicial cooperation and the use of judicial cooperation instruments, as well as the need to address the challenges of digital evidence, and respond to the Russian war of aggression in Ukraine.

In this context, national-level stakeholders felt that Eurojust has continued to address their needs in the field of judicial cooperation in criminal matters since the entry into application of

the EJR – 59.8% (104/174) of those that were able to comment agreed to a great extent, with a further 31.6% (55/174) agreeing to a moderate extent.

When investigating the Agency's continued relevance to specific developments, most stakeholders across both surveys remained positive. When combining data from both surveys, positive sentiment to statements on Eurojust's relevance was greater than 73% in all cases. Eurojust's continued response to the needs of its stakeholders in light of EU legal and policy developments received the most positive responses, with 92.4% (194/210) of stakeholders either agreeing (42.4%, 89/210) or strongly agreeing (50%, 105/210) that Eurojust had performed well in this regard. This was closely followed by the continued value delivered by Eurojust in an international context, both generally (52.1%, 111/213, strongly agreed; 38.5%, 82/213, agreed) and in the context of emerging needs related to Russia's war of aggression in Ukraine (42%, 68/162, strong agreed; 45.1%, 73/162, agreed) and the Agency's new tasks related to core international crimes (42.6%, 69/162, strongly agreed; 43.8%, 71/162, agreed).

While still viewed positively, slightly different dynamics were found regarding: (i) the relationship between Eurojust's ability to act on its own initiative and its relevance to operational work; and (ii) Eurojust's adaptation to technological progress (e.g. cybercrime, electronic evidence). The first point (on own initiative) received the highest neutral and negative sentiment of the statements (across both surveys) – 19.6% (35/179) selected neither agree nor disagree, and 7.3% (13/179) either disagreed or strongly disagreed. Moreover, across both points, a clear shift was identified in the survey #1 responses (national desk members, LPs) from strongly agreeing to agreeing or a neutral response with regard to Eurojust's relevance in these areas. More specifically, the proportion of survey #1 respondents selecting strongly agree for these two options was 17.1% (6/35, on own initiative) and 19.4% (7/36, on technological progress), respectively, compared to at least 40% for all other response options. The proportion of respondents selecting neither agree nor disagree was 28.6% (10/35) for the relevance of own initiative to casework and 25% (9/35) for adaptation to technological progress, compared to a maximum of 6.1% (2/33) across the other options.

A similar trend was observed regarding the relevance statement on the continuing fitness for purpose of Eurojust's governance structure, which was asked only to survey #1 respondents (national desks, LPs). While most responses were positive (64.5%, 20/31, selected strongly agree or agree), they were largely weighted towards agree (48.4%, 15/31) rather than strongly agree (16.1%, 5/31). In addition, 29% (9/31) neither agreed nor disagreed with this statement.

EU added value

Across both surveys, stakeholders responded positively regarding the EU added value of Eurojust. When combining data across both surveys, a significant majority of respondents perceived that progress towards the following objectives was greater with Eurojust than it could have been in the Agency's absence:

- Strengthened coordination and cooperation between national investigating and prosecuting authorities in relation to serious crime – 80.8% (177/219) of respondents reported that progress towards this objective was greater with Eurojust than it could have been without the Agency.
- Effective and efficient investigation and prosecution of serious cross-border crime (81.1%, 176/217).
- Effective and efficient cooperation with other EU institutions, bodies, offices, and agencies working in the field of justice and home affairs (77.4%, 147/190).
- Effective and efficient cooperation with third countries in the area of criminal justice (75.9%, 148/195). Related to this point, national-level respondents to survey #2 also responded very positively regarding the extent to which Eurojust has added value to the ability of EU

Member State authorities to cooperate with international partners on cross-border cases within its competence, with 67.6% (119/176) agreeing to a great extent and 26.7% (47/176) agreeing to a moderate extent.

Focus group

Two focus groups were conducted on 14 and 21 January 2025 with a total of 11 national-level practitioners involved in cross-border cooperation.

The first discussion focused on the experiences of countries cooperating often. It included prosecutors, investigative judges and members of central authorities from Austria, Germany, Italy, Slovakia and Spain. The discussion focused on the added-value of the Agency compared to other cooperation and collaboration mechanisms (e.g. bilateral, EJN). Participants highlighted the importance of the Agency in cross-border cases, as well as the differing approaches of Member States in the types of cases being brought to Eurojust and the domestic systems and structures for international judicial cooperation in criminal matters. Participants discussed the merits of different approaches, including the success factors of well-functioning ENCS and cooperation mechanisms, including knowledge of different mechanisms, having the right people in place and some degree of flexibility built into the system.

The second focus group centred on cooperation with third countries. It was attended by participants including prosecutors and members of central authorities from Austria, Croatia, Finland, North Macedonia, and the Netherlands. An important part of the discussion was dedicated to practical difficulties and issues relating to data protection. Some prosecutors were concerned about the lack of clarity of the rules and in particular the risk of seeing a case dismissed due to stringent data protection rules not being followed. Discussions also focused on different views on the value added of the Agency's role in creating ties with third countries. Some prosecutors saw this as positive, while others believed that, in their experience, the actions of national ministries in negotiating agreements with third countries was the exercise that started creating trust. This was linked closely to the point raised in the first focus group regarding the different national systems in place to deal with international judicial cooperation in criminal matters, considering both the size and maturity of these systems and structures.

Validation workshops

The findings were presented and discussed at two validation meetings, held with the College of Eurojust on 11 February 2025 and the Management Team of the Eurojust administration on 20 February 2025.

In general, both groups of stakeholders validated the findings on both positive elements and challenges. In particular, both groups agreed with the findings on the significant value and strong effectiveness of Eurojust's support to national practitioners across the Member States. However, they also confirmed the findings on the challenges brought by Eurojust's current governance structure, including on the distinction between operational and administrative matters, the division of responsibilities between the College and the Executive Board, and the composition of the Executive Board. Both groups also agreed with the findings on different working methods and cultures across the Member States, albeit reflecting that this was inherent in the nature of Eurojust's role in supporting national authorities that operate under different legal regimes. The members of the College also highlighted again the challenges they face with regard to the sharing of personal data with third countries. This point was also subject to further clarification in the discussion with the members of the Eurojust administration management team.

In addition, the members of the College flagged a range of issues where greater elaboration or nuance would be valuable within the evaluation. This included information sharing under Article 21, and the anticipated changes to the ecosystem due to developments in the field of digitalisation / e-evidence.

Annex 4: Detailed analysis of financial and human resources

This section presents a descriptive analysis of Eurojust's use of resources. We begin by outlining the key tools and procedures that Eurojust uses to plan and evaluate the allocation of its financial and human resources. The first sub-section provides a descriptive analysis of Eurojust's financial and human resources in 2018 and 2019, prior to the entry into application of the Eurojust Regulation (EJR), and is followed by an analysis of the Agency's allocation of resources over the evaluation period. This section concludes with a discussion of challenges and the impact of external factors, incorporating a critical assessment of the reported data.

Eurojust makes use of the following key tools and procedures to plan and evaluate the allocation of financial and human resources (while some of these tools were already described in Section 3.1, here we focus specifically on their role in detailing Eurojust's financial and human resource allocation).²⁵⁷

- **Multi-Annual Strategies (MAS):** Eurojust's MAS documents cover a three-year period and guide the Agency's long-term planning. During the annual budget planning process, the MAS is translated into annual objectives, activities, and performance indicators within the Annual Work Programmes (AWPs, see below) of the Single Programming Documents (SPDs, see below). These documents then form the basis for determining the corresponding financial and human resources needed to fulfil the annual objectives.
- **Single Programming Documents (SPDs):** The SPDs present Eurojust's strategic goals, activities, expected results, and performance indicators. They cover a three-year period and outline the Agency's human and financial resources, while also addressing key strategies related to organisational efficiency, environmental management, and cooperation with third countries. Once approved by the Management Board, the SPD becomes the basis for Eurojust's financial decisions and is used to monitor and assess performance through the Consolidated Annual Activity Reports (CAARs).
- **Annual Work Programmes (AWPs):** As mentioned above, AWP are presented as part of the SPDs. They are annual plans that set out the Agency's objectives and key activities, also ensuring alignment with longer-term goals outlined in the MAS. AWP guide how Eurojust allocates resources (both financial and human) to meet its goals and tracks progress through named performance indicators.
- **Consolidated Annual Activity Reports (CAARs):** These reports provide a detailed, retrospective account of Eurojust's activities, focusing on the implementation of its AWP, budget execution, staffing policies, and internal control measures. The CAARs follow European Commission guidelines, presenting progress on key performance indicators (KPIs), risk management, and resource allocation, covering both financial and human resources.
- **Annual Reports:** The Annual Reports provide a concise retrospective overview of Eurojust's activities and achievements, including casework, operational support, and cooperation with Member States and third countries. They also detail contributions to the EU's fight against serious cross-border crime and present updates on governance, organisational developments, budget execution, and staffing.

The above listed documents have been reviewed by the study team for the evaluation period (12 December 2019 until 1 May 2024), as well as for the year 2018 and the portion of 2019

²⁵⁷ Eurojust, 2023, 'Planning and reporting' overview, available at: [Planning and reporting | Eurojust | European Union Agency for Criminal Justice Cooperation \(europa.eu\)](#) [accessed September 2024]

not covered by the evaluation period, in order to provide a comparison with the situation before the adoption and entry into application of the EJR. The results of the analysis are presented in the following sub-sections.

Assessment of the baseline

This section provides an assessment of Eurojust's human and financial resources (including budget implementation) in 2018 and 2019 prior to the entry into application of the EJR in December 2019, which is the baseline for this evaluation study.

Allocation of human resources

The workforce within Eurojust is divided into two main categories of staff: statutory and non-statutory post holders.

There are two main types of statutory post-holders reflecting different contractual relationships with Eurojust:

- **Temporary Agents (TA)** are statutory staff employed under the EU Staff Regulations,²⁵⁸ handling both operational and administrative tasks. They can be hired for long-term roles or appointed for a limited duration with the possibility of renewal based on the needs of the Agency.
- **Contract Agents (CA)** are staff that often work under fixed short-term contracts (shorter in duration compared to TAs). They perform support or administrative project-based tasks; however, they can also be involved in operational tasks. Their contracts can be renewed depending on the needs of the Agency.

The non-statutory staff category includes **Seconded National Experts (SNE)**,²⁵⁹ members of the National Desks (**National Members, deputies, and assistants**), and **liaison prosecutors (LPs)**.

It is important to note that, as highlighted in Eurojust's CAARs, the administrative reforms of 2017 and 2018 played a significant role in strengthening the operational efficiency of Eurojust. As reported by the CAARs, the reforms significantly enhanced Eurojust's capacity to prioritise casework and allocate resources effectively.

The reforms were implemented in two phases. Phase I was focused on operational activities and led to the establishment of the Operations Department in 2017. Phase II, prepared in 2018 and implemented in Q1 of 2019, was aimed at streamlining the administrative and support services within Eurojust.²⁶⁰

In 2018, there were 313 staff members at the Agency, including 91 members seconded from the judicial authorities of the Member States to the National Desks, each led by a National Member. The remaining 222 employees were part of the administrative team, supporting operational and administrative tasks such as case analysis, ICT services (e.g. the CMS) and coordination centre operations.²⁶¹

By the end of 2019, Eurojust expanded its workforce to 320 staff members, including 28 National Members, supported by 53 deputies and assistants. Additionally, 239 staff

²⁵⁸ Staff referred to in Article 2 of the EU Staff Regulations and Conditions of Employment of Other Servants of the European Union, CEOS; Regulation No 31 (EEC), available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A01962R0031-20140501>

²⁵⁹ Experts from the Member States' national administrations or judicial systems who are seconded to Eurojust for a limited period. SNEs provide national judicial expertise and contribute to cross-border judicial cooperation. SNEs are primarily placed in positions at the National Desks, but also in EJ administration.

²⁶⁰ CAAR 2018

²⁶¹ Eurojust Annual Report 2018

members worked within Eurojust's administration,²⁶² reporting to the Administrative Director and supporting operational and administrative tasks. The growth in staff numbers in 2019 was in line with Eurojust's increased focus on providing operational support for cross-border criminal justice activities.²⁶³

One of Eurojust's multi-annual KPIs is **the increase in the percentage of staff allocated to operational roles**. Eurojust indeed continued efforts to become a more operationally focused Agency, which can be demonstrated by the results of the **job screening exercises** conducted by Eurojust's Human Resources Unit. The job screening exercise has been conducted on an annual basis since 2014. The screening is a part of a wider inter-agency benchmarking exercise, in accordance with Article 29(3) of the Framework Financial Regulation,²⁶⁴ which was initiated by the Commission. Staff figures should be calculated and reported in the following categories as part of this exercise to allow for comparison between agencies: (1) administrative support and coordination, (2) operational matters and (3) neutral. The definition of these three categories was agreed in a working group composed of EU agency representatives and the Commission. Administrative support and coordination roles are defined as enablers of the operational jobs by being responsible e.g. for HR, ICT, logistics, etc. An operational role is defined as serving frontline activities. Financial management, control and linguistics at agency level as well as on-the-spot audit roles are treated as neutral.

The sixth job screening exercise conducted in 2019 reviewed 377 positions at Eurojust.²⁶⁵ The table below outlines the results in terms of human resources distribution across different categories such as operational, administrative, and coordination roles. The **share of jobs allocated to operational work areas increased by 4% from 2018, reaching 69.5% at the end of 2019**, the largest share since the screening began (i.e. since 2014). Specifically, the programme management and implementation category grew significantly, from 48.1% in 2018 to 55.9% in 2019, while administrative support roles were reduced to 18.6%. This shift illustrates Eurojust's reorganisation aimed at increasing efficiency and prioritising its core operational activities to better support complex cross-border cases.

Table 36: Job screening/benchmarking against previous year results (2014 – 2019)

Job Type (sub) category	2014 (%)	2015 (%)	2016 (%)	2017 (%)	2018 (%)	2019 (%)
Administrative Support and Coordination	29.01	28.17	28.8	29.4	26.8	23.1
Administrative Support	24.79	24.23	24	23.9	22.4	18.6
Coordination	4.22	3.94	4.8	5.5	4.4	4.5
Operational	62.82	63.66	63.5	63.5	65.5	69.5
Top Level Operational Coordination	6.2	3.66	3.75	5.5	4.4	3
Programme Management & Implementation	41.69	43.38	46.15	45	48.1	55.9
Evaluation & Impact Assessment	0	0	0	0	0	0
General Operational	14.93	16.62	13.6	13	13	10.6
Neutral	8.17	8.17	7.7	7.1	7.7	7.4
Finance/Control	7.61	7.61	7.47	6.6	7.1	7.2
Linguistics	0.56	0.56	0.23	0.5	0.6	0.2

²⁶² Headcount of temporary staff, contract staff and seconded national experts on 31/12/2019. As indicated in the 2018 Annual Report, "The Administration provides operational support to the National Desks, including support in complex investigations, and makes case analyses and reports. It also provides IT services, including the Case Management System, security services and the practical organisation of coordination meetings and coordination centres.", p.33

²⁶³ Eurojust Annual Report 2019 and CAAR 2019

²⁶⁴ Framework Financial Regulation, available at: https://eur-lex.europa.eu/eli/reg_del/2019/715/oj/eng

²⁶⁵ The job screening exercise included members of the desks (National Members, Deputies, and Assistants), temporary and contract staff, SNEs, external consultants as well as interns and trainees present at Eurojust on 15 December 2019.

Source: CAAR 2018 and 2019

Note: The screening is based on the European Commission's methodology. Within Eurojust, the following roles were classed as operational - Head of Casework, Head of Data Management, Senior Judicial Cooperation Officer, Judicial Cooperation Officer, Judicial Cooperation Assistant, and Secretary to the College. Administrative roles included Head of Human Resources, Head of Communications, Head of Budget, Finance & Planning, Head of Information Management, Data Protection Officer, and Accounting Officer. Lastly, the following roles are not clear-cut as their classification as administrative or operational depends on their specific functions and they were reported as administrative/operational by EJ - Head of Department, Head of Unit/Head of Office, Head of Secretariat, Head of Sector/Senior Officer/Advisor, Head of Sector/Officer, Officer, Administrative Assistant, and Clerk. Financial management, control and linguistic roles at EJ are treated as neutral.

Allocation of financial resources

Financing

Eurojust is financed from the **EU community budget**. The Council of the European Union together with the European Parliament decide Eurojust's annual budget, taking into account proposals from the European Commission and in Eurojust's SPD, as finalised by the Executive Board and College when acting as a Management Board. Eurojust establishes its budget in accordance with the principles set out in the Eurojust Financial Regulation.²⁶⁶ Eurojust's potential sources of revenue include the following:

- 1) **EU contribution** – the primary funding from the EU, including any assigned revenue from previous years' surpluses;
- 2) **Third-country contributions** – contributions from third countries, including EEA/EFTA countries and candidate countries;
- 3) **Administrative operations** – revenue generated from activities such as recoveries of overpaid expenses and interest earned on funds provided by the European Commission;
- 4) **Revenue from services rendered** – i.e. payments received for specific services provided by Eurojust; and
- 5) **Denmark's contribution.**

The table below presents an overview of Eurojust's revenue streams for 2018 and 2019.

Table 37: Eurojust's revenue streams in 2018 and 2019 (EUR thousands)

Revenue Category	Revenue in 2018	Revenue in 2019
Revenue from fees and charges	0	0
EU contribution (incl. assigned revenue deriving from surpluses)	38,365	38,773
- Assigned revenue from previous years' surpluses	255	463
Third countries' contribution (incl. EEA/EFTA and candidate countries)	0	0
- EEA/EFTA (excluding Switzerland)	0	0
- Candidate countries	0	0
Denmark's contribution	0	0
Administrative operations (incl. interest generated by funds*)	30	1,001

²⁶⁶ College Decision 2019-09 of 17 September 2019 on the Financial Regulation applicable to Eurojust, available at: <https://www.eurojust.europa.eu/sites/default/files/EJLegalFramework/College-Decision-2019-9-Financial-Regulation.pdf>

Revenue Category	Revenue in 2018	Revenue in 2019
Revenue from services rendered against payment	0	0
Correction of budgetary imbalances	0	0
TOTAL	38,395	39,774

Source: Eurojust's budgetary and financial management report 2018 and 2019

*Note: Revenues from administrative operations in 2018 included recoveries of overpaid expenses such as staff mission costs (EUE 848), proceeds from the sale of furniture from old premises (EUR 19,500), and other minor amounts from insurance, telecommunication recoveries, and tax compensations, including compensation from the Dutch tax authorities for overpaid insurance premium taxes (EUR 6,178). In 2019, revenues from administrative operations primarily included an amount of EUR 682,406 for re-delivery costs of Eurojust's old premises as well as recoveries of overpaid expenses in salaries, missions, utilities, and ICT projects (EUR 318,195). Additionally, EUR 1 in interest was generated in 2019 by funds paid by the Commission as part of the EU contribution (FFR Art. 61).

In 2018, Eurojust's **total revenue amounted to EUR 38,394,487**, with the majority, 99.9%, coming from the general budget of the European Union. This included EUR 255,269 in assigned revenue from surpluses of previous years. An additional EUR 29,741 was generated from administrative operations, including interest on funds provided by the EU. There were no recorded contributions from third countries, other sources, or revenues from services rendered against payment. The revenue primarily reflects Eurojust's reliance on EU funding, supplemented by minor income from operational activities.

Similarly, in 2019, the primary source of revenue came from contributions provided by the EU, including assigned revenue derived from surpluses from previous years. Additional revenues were generated through administrative operations. The **total revenue for Eurojust in 2019 amounted to EUR 39,773,839**.

Budget development and implementation

Eurojust's budget implementation, both in 2018 and 2019, demonstrated high performance in terms of budget execution. The table below presents an overview of Eurojust's budget implementation by budget line (2-digit level). A more detailed breakdown of the specific budget lines (up to a 4-digit level) and their allocations can be found below.

In 2018, the **commitment execution rate²⁶⁷ reached 99.94%**. This high rate indicated that nearly all budgetary allocations were fully committed, leaving only a small surplus. The high commitment execution rate aligns with the previous financial years. The payment rate of the commitments stood at 86.96%, representing an increase compared to prior years. Much of the **unpaid commitments were tied to multi-annual projects, including ICT developments and computer infrastructure upgrades, with outstanding expenses of EUR 1.78 million and EUR 975,000, respectively**. Additional unpaid commitments related to building maintenance (EUR 454,000) and other operational areas, such as coordination meetings and the EJN projects.

In 2019, Eurojust sustained a **high level of commitment execution**, achieving a rate of **99.88%**. The **final budget was EUR 38,913,237, with EUR 38,867,902 committed, leaving a small surplus of EUR 45,334, primarily due to unused appropriations for meetings and missions**. The payment rate improved even further in 2019, reaching 90.72%, primarily due to **better execution in operational areas such as coordination meetings and missions**. These areas are critical to Eurojust's role in cross-border judicial cooperation.

The largest budget line in 2019, dedicated to '**salaries and allowances (code 11)**', saw a **total of EUR 20,912,225 committed, with 100% of the allocated funds utilised**. The aim of

²⁶⁷ Percentage of final budget that was effectively committed to specific expenditures.

this investment was to maintain a skilled and effective workforce within Eurojust.²⁶⁸ Similarly, **'operational and experts missions (code 31)' received EUR 1,471,000, with nearly the entire budget committed (99.41%) and 98.16% paid.** This budget line supported National Desks and judicial cooperation. Other notable budget lines included **'meetings, trainings, and representation (code 30)', with EUR 2,747,000 committed,** and **'information management and data processing (code 21)', with EUR 1,450,000 committed.**

Additionally, the **grants related to Joint Investigation Teams (JITs) (code 3720)** received almost a full commitment of **EUR 1,487,000** (99.66% of the total budget allocated to this category), reinforcing Eurojust's support for complex cross-border cases.

²⁶⁸ Eurojust's budgetary and financial management report 2018 and 2019, and SPD 2019 – 2021.

Table 38: Eurojust's budget development and implementation in 2018 and 2019 by budget line

Budget Line Code	Description	Initial Budget ('000 EUR)		Amendments / Transfers ('000 EUR)		Final Budget ('000 EUR)		Committed ('000 EUR)		Committed / Final Budget (%)		Paid ('000 EUR)		Paid Committed (%)		Paid / Final Budget (%)	
		2018	2019	2018	2019	2018	2019	2018	2019	2018	2019	2018	2019	2018	2019	2018	2019
11	Salaries and allowances Total	19,832	20,096	214	816	20,047	20,912	20,047	20,912	100%	100%	20,047	20,912	100%	100%	100%	100%
12	Expenditure related to staff recruitment Total	61	86	26	18	87	104	87	104	100%	100%	72	76	83%	73%	83%	73%
13	Administrative missions Total	55	59	-3	2	52	61	46	55	88%	90%	46	54	99%	99%	88%	89%
14	Socio-medical infrastructure Total	165	169	-21	-7	144	162	144	161	100%	100%	131	120	91%	75%	91%	73%
15	External services Total	364	157	-103	33	260	190	260	190	100%	100%	172	143	66%	75%	66%	75%
16	Social welfare Total	40	29	-4	19	36	48	36	46	100%	96%	20	46	54%	100%	54%	96%
17	Receptions, events and representation Total	6	-	-5	0	0	0	0	0	100%	100%	0	0	100%	100%	100%	100%
18	Training and development for staff Total	355	355	-28	-20	327	335	327	335	100%	100%	208	175	64%	52%	64%	52%
20	Rental of building and associated costs Total	5,132	6,041	-67	-315	5,065	5,726	5,065	5,723	100%	100%	4,418	5,376	87%	94%	87%	94%
21	Information management and data processing expenditure Total	1,405	1,273	457	178	1,862	1,451	1,862	1,450	100%	100%	1,085	763	58%	53%	58%	53%
22	Movable property and associated costs Total	113	82	-2	9	111	92	111	89	100%	97%	84	3	76%	3%	76%	3%
23	Current administrative expenditure Total	64	56	-4	2	60	58	60	58	100%	100%	40	49	67%	85%	67%	85%
24	Postage and telecommunications Total	122	88	-35	-7	88	81	88	81	100%	100%	71	61	81%	75%	81%	75%
30	Meetings, trainings and representation expenses Total	2,832	2,623	-336	144	2,496	2,767	2,479	2,747	99%	99%	2,129	2,529	86%	92%	85%	91%
31	Operational and experts missions Total	1,803	1,807	-474	-327	1,329	1,480	1,329	1,471	100%	99%	1,299	1,444	98%	98%	98%	98%
32	Public relations and publications Total	386	154	-25	218	361	371	361	371	100%	100%	178	161	49%	43%	49%	43%

Evaluation of the implementation and impact of Regulation (EU) 2018/1727 of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust), and of the effectiveness and efficiency of Eurojust and its working practices

Budget Line Code	Description	Initial Budget ('000 EUR)		Amendments / Transfers ('000 EUR)		Final Budget ('000 EUR)		Committed ('000 EUR)		Committed / Final Budget (%)		Paid ('000 EUR)		Paid / Committed (%)		Paid / Final Budget (%)	
		2018	2019	2018	2019	2018	2019	2018	2019	2018	2019	2018	2019	2018	2019	2018	2019
33	Data processing and documentation expenditure Total	3,679	2,946	394	4	4,073	2,951	4,073	2,950	100%	100%	1,978	1,539	49%	52%	49%	52%
34	Translation of documents Total	133	111	48	8	181	119	181	119	100%	100%	134	96	74%	81%	74%	81%
35	EJN projects, meetings and other expenses Total	460	433	0	-	460	433	460	433	100%	100%	209	290	45%	67%	45%	67%
36	JSB meetings and representation expenses Total	30	20	-2	5	28	26	28	25	99%	100%	28	25	100%	100%	99%	99%
37	Joint Investigation Team (JIT) meetings and other expenses Total	1,500	1,492	-18	-5	1,482	1,487	1,482	1,487	100%	100%	1,161	1,347	78%	91%	78%	91%
38	Meetings on genocide and other expenses Total	71	61	-14	-	57	61	57	61	100%	100%	41	49	73%	80%	73%	80%
	TOTAL	38,607	38,136	0	777	38,607	38,913*	38,582	38,868	100%	100%	33,553	35,260	87%	91%	87%	91%

Source: Report on Budgetary and Financial Management (submitted as part of CAARs) – Financial Year 2018 and 2019

*Note: Final budget does not include Danish contribution of EUR 41 028 which was not cashed by 31 December 2019.

Resource allocation over the evaluation period (12 December 2019 – 1 May 2024)

This sub-section provides an overview of the human and financial resource allocation, drawing on evidence from Eurojust's reports covering the evaluation period.²⁶⁹ It describes key staff distribution, budget development and implementation, as well as efficiency gains strategies.

Allocation of human resources

Over the evaluation period, Eurojust expanded its workforce, particularly when it comes to TAs, CAs and SNEs.²⁷⁰

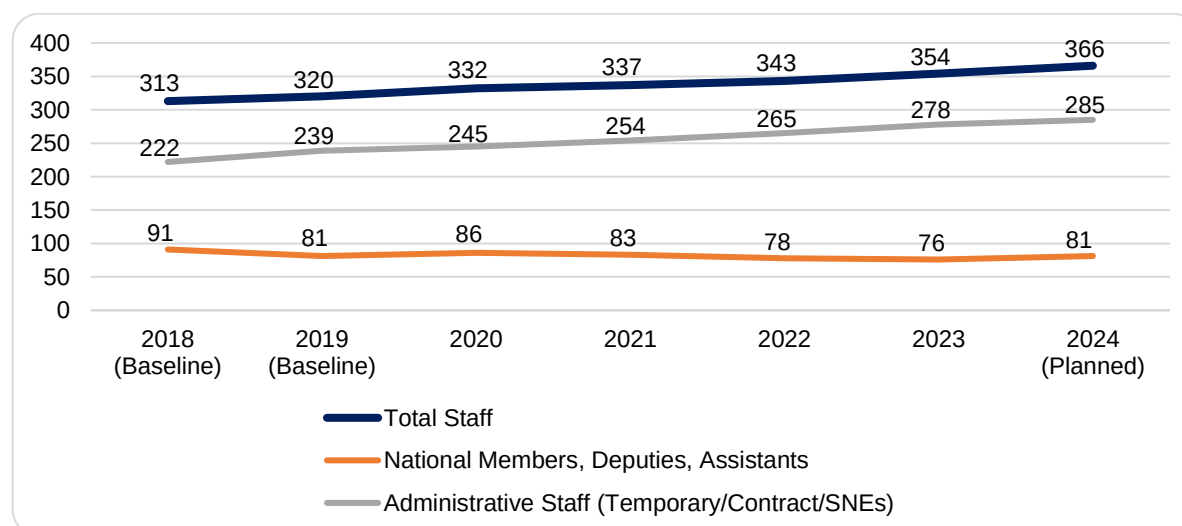
In 2020, the total number of staff increased to **332** compared to 330 at the end of 2019. This number included 26 National Members and 60 deputies and assistants handling operational activities, while 223 staff members and 22 SNEs worked in administrative roles.

By the end of 2021, the number of post-holders rose to **337**. This included 26 National Members, with a slight reduction in the number of deputies and assistants (down from 60 to 57). The operational core was supported by 237 administrative staff and 17 SNEs. **By the end of 2022**, Eurojust's total workforce included **343** staff members. This comprised 26 National Members and 52 deputies, and assistants, supported by 243 staff members and 22 SNEs in administrative roles. This year was characterised by **return to normal operations following pandemic-related disruptions**.

In 2023, the total number of staff had increased to **354**. This included 26 National Members and 50 deputies and assistants, who were supported by 255 staff members and 23 SNEs in administrative roles.

As noted in the SPD 2022 – 2024, **for 2024**, Eurojust planned to **further expand its workforce**, projecting 285 statutory staff, including 243 TAs, 18 CAs and 24 SNEs. Additionally, the Agency planned to have 102 non-statutory staff, which will include 26 National Members and 55 deputies, and assistants.

Figure 32: Development in actual (2018 – 2023) and planned (2024) staff numbers



²⁶⁹ Please note that for the first half of the year 2024 concrete evidence is not yet available and the analysis is informed by the strategic planning and objectives set for the year 2024 (as specified in the most recent SPD 2023 - 2025).

²⁷⁰ In terms of the proportion of statutory (TAs and CAs) to non-statutory posts (SNEs and members of the national desks), the proportion gradually increased over time. In 2020, statutory posts accounted for 67.2% (223 out of 332), rising to 70.3% in 2021 (237 out of 337), 70.8% in 2022 (243 out of 343), and 72.0% in 2023 (255 out of 354).

Source: Annual Reports 2018 and 2019; CAARs 2019 - 2023; SPD 2022 – 2024. Figure prepared by the study team.

The key trends in the development of staff allocations over the evaluation period can be summarised as:

- **Steady growth in total staff numbers.** Eurojust saw consistent growth in its workforce, particularly in operational roles. The overall number of staff members supporting National Desks and operational functions grew steadily over the evaluation period.
- **Operational focus.** In line with the above, there was a gradual increase in the number of staff dedicated to operational tasks. This has reflected Eurojust's focus on cross-border judicial cooperation.
- **Increased recruitment.** Over the evaluation period, the Agency actively recruited new staff, including TAs, CAs, and SNEs.
- **Continued growth in 2024:** Eurojust's projected staff numbers for 2024 indicate continued growth, with a balanced mix of statutory and non-statutory staff.

The **results of job screening exercises conducted by Eurojust's Human Resources Unit between 2020 and 2023** show a continued increasing trend of staff allocation towards operational roles over the evaluation period.²⁷¹ The table below outlines the human resources distribution across different categories such as operational, administrative, and coordination roles.

The proportion of roles within the Agency that were defined as **operational rose from 69.5% in 2019 to 73.5% in 2023** reaching the highest levels since the screenings began in 2014. On the other hand, the **percentage of staff allocated to administrative support and coordination roles decreased from 23.1% in 2019 to 19.8% in 2023**, indicating a shift away from administrative tasks towards more critical operational work. The results of the screening exercises also show a rise in programme management and general operational roles as a result of the Agency's commitment to strengthening its ability to support cross-border judicial cooperation cases.

Overall, the screening exercises highlight Eurojust's focus on its operational efficiency due to increasing casework and operational demands. However, as the job screening data presented in the table below is based on figures and task allocations provided by Eurojust through its internal job screening exercises, the reliability of the analysis depends on the accuracy of the data as reported by the Agency. The type of roles categorised as administrative, operational or neutral by Eurojust are outlined in a note below the table.

Table 39: Job screening and benchmarking against baseline (2019 – 2023)

Job Type (sub) category	2019 (%)	2020 (%)	2021 (%)	2022 (%)	2023 (%)
Administrative Support and Coordination	23.1	24	23.7	23.7	19.8
Administrative Support	18.6	19.1	18.3	18.4	14.7
Coordination	4.5	4.9	5.4	5.3	5.1

²⁷¹ As already described in the previous section on the baseline, the screening is a part of a wider inter-agency benchmarking exercise, in accordance with Article 29(3) of the Framework Financial Regulation, which was initiated by the Commission. Staff figures are reported in the following categories as part of this exercise to allow for comparison between agencies: (1) administrative support and coordination, (2) operational matters and (3) neutral. The definition of these three categories was agreed in a working group composed of EU agency representatives and the Commission. Administrative support and coordination roles are defined as enablers of the operational jobs by being responsible e.g. for HR, ICT, logistics, etc. An operational role is defined as serving frontline activities. Financial management, control and linguistics at agency level as well as on-the-spot audit roles are treated as neutral.

Job Type (sub) category	2019 (%)	2020 (%)	2021 (%)	2022 (%)	2023 (%)
Operational	69.5	69.8	70.2	70.3	73.5
Top Level Operational Coordination	3	3	2.9	2.8	2.7
Programme Management & Implementation	55.9	57.7	57.1	56	58.6
Evaluation & Impact Assessment	0	0	0	0	0
General Operational	10.6	9.3	10.2	11.5	12.2
Other	7.4	6.2	6.1	6	6.7
Finance/Control	7.2	6.2	6.1	6	6.7
Linguistics	0.2	0	0	0	0

Source: CAARs 2020, 2021, 2022 and 2023.

Note: The screening is based on European Commission's methodology. Within Eurojust, the following roles were classed as operational - Head of Casework, Head of Data Management, Senior Judicial Cooperation Officer, Judicial Cooperation Officer, Judicial Cooperation Assistant, and Secretary to the College. Administrative roles included Head of Human Resources, Head of Communications, Head of Budget, Finance & Planning, Head of Information Management, Data Protection Officer, and Accounting Officer. Lastly, the following roles are not clear-cut as their classification as administrative or operational depends on their specific functions and they were reported as administrative/operational by EJ - Head of Department, Head of Unit/Head of Office, Head of Secretariat, Head of Sector/Senior Officer/Advisor, Head of Sector/Officer, Officer, Administrative Assistant, and Clerk. Financial management, control and linguistic roles at EJ are treated as neutral.

Allocation of financial resources

Financing

The table below presents an overview of Eurojust's revenue streams during the evaluation period. **Contributions received from the EU remained the main source of revenue** during the evaluation period. The funding received from the EU budget increased steadily, from EUR 41.55 million in 2020 to EUR 59.16 million in 2023 (i.e. 42.4% increase). **Support from Denmark**, rose from EUR 851,499 in 2020 to EUR 1.42 million in 2023.²⁷²

In addition, over the evaluation period, Eurojust **recovered increasing amounts from administrative operations**, primarily through the recovery of overpaid expenses. Notably, in 2021, these recoveries amounted to EUR 347,291 and related primarily to a rebate of energy and water taxes and overpaid advances for 2018-2021 utilities²⁷³. Recoveries were also recorded at a high level in 2023, totalling EUR 327,305. This amount concerned a rebate of energy taxes from 2022 and host state reimbursement for audio-visual services related to a press conference held at the Eurojust building.

Table 40: Eurojust's revenue streams in 2020, 2021, 2022 and 2023 (EUR thousands)

Revenue Category	Revenue in 2020	Revenue in 2021	Revenue in 2022	Revenue in 2023
Revenue from fees and charges	0	0	0	0
EU contribution (incl. assigned revenue deriving from surpluses)	41,547	43,798	49,087	59,163

²⁷² Denmark's financial support to Eurojust is set as part of the [cooperation agreement made in October 2019](#). Although Denmark opted out of certain EU justice and home affairs policies, the agreement ensures Denmark can still be involved in Eurojust's judicial cooperation efforts. Denmark participates as an observer and continues collaborating on cross-border criminal justice matters. To support this involvement, Denmark contributes financially to Eurojust's budget.

²⁷³ In addition, recovered amounts related to the sale of three service cars, the cancellation of insurances, overpaid advances for domestic missions, and an overpaid invoice for ICT infrastructure.

Revenue Category	Revenue in 2020	Revenue in 2021	Revenue in 2022	Revenue in 2023
- Assigned revenue from previous years' surpluses	360	953	180	298
Third countries' contribution (incl. EEA/EFTA and candidate countries)	0	0	0	0
- EEA/EFTA (excluding Switzerland)	0	0	0	0
- Candidate countries	0	0	0	0
Denmark's contribution	852	1,011	1,181	1,417
Administrative operations (incl. interest generated by funds)	189	347	11	593
Revenue from services rendered against payment	0	0	0	0
Correction of budgetary imbalances	0	0	0	0
TOTAL	42,587	45,156	50,279	61,173

Source: Eurojust's budgetary and financial management reports 2020, 2021, 2022 and 2023

Furthermore, **Eurojust is involved in externally funded projects, reflecting the agency's evolving operational focus and its objectives under the 2022-24 Multi-Annual Strategy (MAS)**. The externally funded initiatives enable the Agency to strengthen cooperation with third countries and international organisations.

In accordance with the financing provisions of respective external funding agreements, Eurojust received substantial amounts for the implementation of specific projects (as indicated in the table below). These amounts are not included in the totals presented in the 'Eurojust's revenue streams' table above. Understanding the classification work, budget and staff allocated to these projects is important as externally funded projects collectively represent a significant portion of Eurojust's financial and human resources. More specifically, externally funded projects accounted for following proportions of funding described above: 11.7% in 2020, 1.1% in 2021, 11.9% in 2022, and 22.8% in 2023. However, as with all other decentralised agencies, Eurojust is only permitted to hire contract agents using external funding.

Table 41: Eurojust's involvement in externally funded projects (EUR)

Project	Date of signature	Duration	Total amount (EUR)	Human resources allocated (FTEs)
EuroMed Justice programme	18 March 2020	>3 years	5,000,000 in 2020 (+6,000,000 in 2023) ²⁷⁴	2.6 in 2020 and 6.5 per annum from 2021 till 2023
SIRIUS project	21 December 2020	3.5 years	1,265,436, including EUR 323,679 in 2021, EUR 407,621 in 2022, and EUR 207,621 in 2023	0 in 2020, 3 in 2021 and 4 per annum in 2022 and 2023
EUIPO/ICP enhanced cooperation actions	10 March 2021	4 years	750,000, including EUR 187,300 in 2021, EUR 187,300 in 2022, and EUR 259,402 in 2023	2 per annum in 2021, 2022 and 2023
ICPA	3 July 2023	1.5 years	8,300,000, including EUR 7,495,150 in 2023	4 in 2024

²⁷⁴ In December 2023, Eurojust signed a new contribution agreement to continue the EuroMed Justice programme for 2024-2027 and received a full pre-financing amount of EUR 6,000,000 in 2023.

Project	Date of signature	Duration	Total amount (EUR)	Human resources allocated (FTEs)
Western Balkans criminal justice project	13 September 2022	4 years	6,000,000, including 5,400,000 in 2022	1 in 2022 and 5 in 2023
Impunity Observatory project	No information available. Only preparatory work has been undertaken thus far. The project started in 2024 under a new contribution agreement signed with Commission's DG INTPA. Estimated to receive up to EUR 3 million over the period of 2023–2027.			

Source: CAARs; Annex III to the Draft Budget documents, Pers. Comm. with DG BUDG

Over the evaluation period, these projects included the EuroMed Justice programme, which is funded with EUR 5 million for 2020–2023, with up to 6.5 FTE allocated to the project annually. The SIRIUS project (2020–2024) received funding of EUR 1.27 million, with 4 FTE allocated annually in 2022 and 2023. The EUIPO ICP enhanced cooperation actions (2021–ongoing) have received EUR 750,000, with 2 FTE allocated annually. The Western Balkans Criminal Justice project is funded by EUR 6 million over a four-year period (2022–2026) received, with 1 FTE allocated in 2022 and 5 FTE in 2023. Corresponding data for 2024 are not currently available. The ICPA project (2023–2024) received EUR 8.3 million. In 2024, Eurojust received four temporary agents to work exclusively on ICPA tasks. While external funding is typically used to hire contract agents, in this case, the Commission proposed the use of temporary agents due to the nature of ICPA tasks, and this was approved by the Budget Authority.²⁷⁵ Lastly, the Impunity Observatory project (2023–2027) is estimated to receive EUR 3 million over the five-year period and is currently in a preparatory stage.²⁷⁶

The growing role of externally funded projects is underscored by the 2022–24 MAS (for more information see section 3.1.2), which introduced a specific objective under MASO2 (Cooperation) to *reinforce operational capabilities and/or cooperation with partners through external funding agreements*. This objective was not originally envisioned in the Eurojust Regulation but reflects the practical importance of such projects in supporting Eurojust's mandate.

Budget development and implementation

The determination of Eurojust's annual budget follows a standard procedure. The Agency submits a draft Single Programming Document (SPD) by the end of January, followed by a budgetary request in the EU system by mid-February. DG JUST makes the first assessment of this request and provides the analysis to DG BUDG, which then begins its own review. Discussions are held if one of the DGs does not fully or partially support the Agency's request.

It was noted by DG BUDG, responsible for the oversight of decentralised agencies' budget, that Eurojust's requests often exceed the limits set under the MFF, leading to negotiations between the DGs and the Agency. The result of the negotiation is then included in the EU's draft budget proposal for the Agency.

Requests for increased funding are considered on a case-by-case basis, taking into account legal and operational reasons. Eurojust's new tasks, such as those arising from legislative proposals, are taken into account, and result in additional funding and staff. In addition, Eurojust has consistently received increases to address inflation-linked salary adjustments, IT system modernisation, and specific projects like its Case Management System (CMS). Some Agency's requests, such as the replacement of an audio-video system in 2024, were not

²⁷⁵ COM/2023/531/FINAL, available at: <https://eur-lex.europa.eu/legal-content/EN/HIS/?uri=COM:2023:531:FIN>

²⁷⁶ Sources of data include Working Documents III and XI of the Draft Budget documents - Working Document III presents detailed information relating to all decentralised agencies and Joint Undertakings, with a transparent presentation of revenue, expenditure and staff levels of various Union bodies, pursuant to Article 41(3)(c) of the Financial Regulation.

Budget Execution	2020	2021	2022	2023
Staff expenditure (%)	51%	43%	51%	54%
Infrastructure and operating expenditure (%)	22%	17%	25%	26%
Operational expenditure (%)	27%	40%	24%	20%
Expenditures related to operational projects based on agreements (%)	0%	0%	0%	0%
Committed budget	41,696	53,280	50,151	55,264
Staff expenditure (%)	51%	43%	51%	55%
Infrastructure and operating expenditure (%)	22%	17%	25%	26%
Operational expenditure (%)	27%	40%	24%	20%
Expenditures related to operational projects based on agreements (%)	0%	0%	0%	0%
Committed/final budget (%)	99.99%	99.97%	99.93%	99.77%
Staff expenditure (%)	100.00%	100.00%	99.90%	100.00%
Infrastructure and operating expenditure (%)	100.00%	99.99%	100.00%	99.80%
Operational expenditure (%)	99.97%	99.92%	99.90%	99.20%
Expenditures related to operational projects based on agreements (%)	-	-	-	-
Paid/committed (%)	85.10%	69.50%	87.30%	91.80%
Paid/final budget (%)	85.10%	69.50%	87.30%	91.60%

Source: Eurojust's budgetary and financial management reports 2020 – 2023

Note: 'Staff expenditure', 'Infrastructure and operating expenditure', 'Operational expenditure', and 'Expenditure related to operational projects based on agreements' categories encompass budget lines beginning with numbers 1; 2, 3, and 4, respectively. See below for a detailed overview of budget lines and data on budget execution.

The allocation of resources (**planned**) by activity is summarised below. So far, only 2023 **actual costs per activity** are available, following the implementation of the Eurojust activity recording tool (EJ ACT tool) in early 2023 and SUMMA tool in 2022. Benefits in terms of more efficient resource planning are expected to arise with continued use of these tools. In 2023, the actual-to-planned budget execution ratios varied across the different MASOs. Casework (MASO 1) had an execution rate of 90%, while Cooperation (MASO 2) exceeded initial plans at 115%. Digitalisation (MASO 3) and Strategic Work (MASO 4) were close to target at 106% and 91%, respectively. Organisational Capabilities & Efficiency (MASO 5) significantly exceeded planned expenditure at 131%. Overall, the total actual-to-planned execution across all MASOs stood at 107% in 2023.²⁸⁰

Table 43: Eurojust budget by objective (planned) 2019-2021²⁸¹ (EUR thousands)

Budget Execution	2019	2020	2021
MASO1 Casework			
SAA 1(a) Provide quick and qualitative support to competent authorities.	23,887	26,037	28,169
SAA 1(b) Reinforce operational cooperation with key partners	3,892	1,578	2,990
MASO1 Casework – sub-total	27,779	27,616	31,158

²⁸⁰ 2023 CAAR

²⁸¹ Planned budget, from the SPDs

Budget Execution	2019	2020	2021
MASO2 Policy work			
SAA2(a) Contribute to the EU internal security strategy and to measures concerning judicial cooperation in criminal matters	2,021	2,071	958
SAA2(b) Reinforce strategic cooperation with key partners	3,552	4,357	5,363
MASO2 Policy Work – sub-total	5,573	6,428	6,321
MASO3 Organisational			
SAA3(a) Ensure effective organisational structure and processes	4,046	3,706	3,357
SAA3(b) Ensure excellent communication capacities	2,216	2,644	3,884
MASO3 Organisational – sub-total	6,262	6,351	7,241
TOTAL	39,614	40,394	44,721

Table 44: Eurojust budget by objective (planned) 2022-2024²⁸² (EUR thousands)

Budget Execution	2019	2020	2021
MASO1 Casework			
SAA 1(a) Provide quick and qualitative support to competent authorities.	18,678	22,487	22,406
SAA 1(b) Reinforce operational cooperation with key partners	524	965	1,005
SAA 1(a) Provide quick and qualitative support to competent authorities.	3,149	3,130	3,126
MASO1 Casework – sub-total	22,351	26,582	26,537
MASO2 Cooperation			
SAA2(a) Cooperation with JHA partners	2,760	2,825	3,266
SAA2(b) Cooperation with third countries and international organisations	1,643	2,075	1,858
SAA2(c) Externally funded projects for operational cooperation	467	773	947
MASO2 Cooperation – sub-total	4,869	5,673	6,072
MASO3 Digitalisation			
SAA3(a) ICT operational capabilities	8,834	8,343	9,630
MASO3 Digitalisation – sub-total	8,834	8,343	9,630
MASO 4 Strategic work			
SAA4(a) Expertise sharing with EU bodies and judicial practitioners	4,889	5,022	4,525
SAA4(b) Corporate communication and outreach	3,721	3,425	4,384
MASO4 Strategic work – sub-total	8,610	8,446	8,909
MASO5 Organisational capabilities			
SAA5(a) Organisational efficiency	3,938	4,771	3,754
SAA5(b) Organisational management and internal control	1,771	2,307	2,476

²⁸² Planned budget, from the SPDs

Budget Execution	2019	2020	2021
SAA5(c) Environmental impact	36	109	122
SAA5(d) Revision of the Eurojust Regulation	251	126	430
MASO5 Organisational capabilities – sub-total	5,995	7,313	6,782
TOTAL	50,660	56,357	57,930

Eurojust's strategy for efficiency gains

Eurojust has adopted strategies to maximise its use of the available resources described above. **Since 2019, Eurojust has implemented a number of measures aimed at enhancing operational efficiency and optimising resource allocation.** These are detailed in the individual CAARs.²⁸³ A brief overview of the measures is presented below.

2019 – 2021 strategy

Between **2019 and 2021**²⁸⁴, Eurojust undertook the second phase of an **organisational restructuring** in response to increasing workloads and limited resources. The aim of the restructuring was to centralise administrative functions, such as budget management and procurement, as well as to streamline services provided to National Desks. The first phase, **Phase I** of the restructuring, which started in 2017, focused on improving the coordination and effectiveness in casework. **Phase II**, implemented in 2019, further refined the operational functions within the Agency and redesigned administrative services to increase decision-making efficiency and create synergies.

In parallel with Phase II of the organisational restructuring, Eurojust adopted a **zero-based budgeting approach**. This method closely examined non-staff expenses to make sure financial resources were allocated efficiently, focusing on meeting legal requirements and finding opportunities to reduce costs. Eurojust also pursued **shared services initiatives**, which aimed to improve efficiency and reduce costs by pooling resources across multiple organisations. This involved, for instance, collaboration with other agencies such as Europol in joint procurement²⁸⁵ and exploring the possibility of sharing medical services.²⁸⁶

Several **digital tools** have been introduced, such as Eurojust Activities & Resources Tool (**EJ ART**) for resource planning and Eurojust Missions' Approval and Planning system (**EJ MAP**) for handling mission requests, which were automated and simplified administrative processes. Eurojust also invested in the implementation of the Commission's new financial management and accounting system (**SUMMA**) and Système de gestion du Personnel (**SYSPER**), a system for human resources management. These tools were designed to boost operational efficiency, both in the short and medium term, by reducing manual tasks and improving workflow.

The **COVID-19 pandemic** in 2020 presented both challenges and opportunities for Eurojust. While the pandemic reduced some key workload drivers, it also prompted **investments in ICT infrastructure to support remote work**. Eurojust held 65% of coordination meetings, staff training, and recruitment processes online. Moreover, the Agency further enhanced its Activity-Based Management (**ABM**) processes, introducing tools such as **EJ ACT**, which helped track how human resources were used and improved planning for Annual Work Programmes (AWPs). This allowed Eurojust to remain agile, setting 'negative priorities'²⁸⁷

²⁸³ Eurojust's CAARs for years 2019, 2020, 2021, 2022, and 2023

²⁸⁴ As specified in the Single Programming Document (SPD) 2019 - 21

²⁸⁵ In line with the call for agencies to promote the use of shared services, Eurojust led the following inter-institutional procurements: initiated in 2019 (and finalised in 2020) - contracts for internet, landline telephony, and IPTV services (with Europol, JRC Petten, and EMA) and vehicle leasing (with Europol);

²⁸⁶ Both Eurojust and Europol are based in The Hague.

²⁸⁷ Activities were categorised and prioritised based on their impact on the Agency's objectives, with 'negative priorities' referring to less urgent tasks that can be deferred.

where necessary. A list of negative priorities set by the Agency is included in the next section on challenges related to resource use allocation.

In **2021**, Eurojust continued to further develop the above initiatives. For example, the Agency further streamlined its ABM processes by enhancing KPI monitoring and **shifting from output-based to result-based KPIs**. Additionally, workforce planning was refined, with Eurojust redistributing tasks and outsourcing where needed to meet growing demands.

2022 – 2024 strategy

The strategy for **2022-2024**²⁸⁸ built upon the initiatives introduced in the previous years, focusing on improving efficiency even further. Eurojust continued its approach of regularly reviewing and refining its services and processes to optimise its resource use. Notably, several **measures adopted during the COVID pandemic were retained post-COVID**, such as online selection procedures and hybrid coordination meetings. The Agency strengthened the link between the AWP and the College Team plans by continuing to use digital tools like **EJ ACT** for resource tracking and the **SUMMA platform** for better budget planning.

The Agency made further progress in **streamlining operations and improving data handling, further enhancing** tools like **SYSPER** for HR management and **SUMMA** for financial management and making them more user-friendly.

Strategic workforce planning and zero-based budgeting remained a priority. Eurojust held regular senior management meetings and used the EJ ACT tool to support better decision-making regarding staffing and resource allocation.²⁸⁹

Throughout the period, **shared services initiatives** were also expanded. Eurojust led inter-agency procurements and explored additional potential collaborations with Europol.²⁹⁰

Challenges related to resource allocation and use²⁹¹

Eurojust has faced challenges relating to resource allocation, driven by both internal and external factors. Internal factors included budgetary constraints, staffing deficits and technical issues (e.g. with the SUMMA tool in 2022). External factors encompassed the implementation of new working arrangements during the COVID-19 pandemic and rising inflation. Eurojust's Internal Control Framework (ICF)²⁹² played an important role in identifying and assessing risks, including the potential for fraud. The framework aims to support the Agency in achieving its objectives by providing a structured approach to performance management and risk assessment. Over the evaluation period, the ICF functioned at or near full capacity based on evidence presented in Eurojust's annual KPI reports. More specifically:

- In 2021, 100% of ICF principles were present and functioning, with 99.98% of baseline requirements implemented.

²⁸⁸ As specified in the Single Programming Document (SPD) 2022 - 24

²⁸⁹ EJ ACT was introduced to fulfil Eurojust's reporting obligations on human resource utilisation per activity. Outputs from this tool were first reported in the 2023 CAAR, the tool helped validate and refine workforce planning. Its continued use is expected to enhance the accuracy of staffing calculations and support resource reallocation as needed.

²⁹⁰ In line with the call for agencies to promote the use of shared services, Eurojust led the following inter-institutional procurements: initiated in 2022 - discussion with Europol to explore the potential sharing of medical services (discussions are currently ongoing – as indicated in the latest 2023 CAAR); and initiated in 2023 - personalised conference and promotional items together with Europol

²⁹¹ The sources reviewed for this sub-section included CAARs and SPDs from 2020 – 2023 and their respective reports on budgetary and financial management, as well as European Parliament's discharge reports on budget implementation.

²⁹² In accordance with Articles 30 and 45 of the Eurojust Financial Regulation, the revised Eurojust Internal Control Framework (ICF), adopted by the Management Board in December 2019 (College Decision 2019-16 of 10 December 2019), is built on the European Commission's ICF. The ICF integrates five components and seventeen principles, with baseline requirements to guide effective implementation and assessment, ensuring compliance with the minimum standards specified in Article 45 of the Eurojust Financial Regulation.

- In 2022 and 2023, the ICF maintained a 100% performance rate in meeting its targets.

A summary of the major challenges encountered by Eurojust and how they impacted the allocation of financial and human resources is presented below.

Internal challenges such as budget constraints and staffing shortages have impacted the Agency's ability to fully implement its planned activities. At the same time, these challenges may point to ongoing difficulties in aligning programming and human resource management with the resources allocated. As reported by the Agency, it has often received less funding than requested, for instance in 2020 when its budget was EUR 2 million less than originally requested, leaving some staff costs unfunded. Similarly, in 2021, several positions (10 TAs, 8 CAs, and 3 SNEs) were projected as needed by the Agency and requested in its SPD but remained unfunded due to budget limits set by the MFF. Similar issues were reported in 2022 and 2023, with shortages of 15 and 25 full-time equivalents (FTEs), respectively.

Critically, from DG BUDG's perspective, Eurojust often requests funding significantly exceeding the allocations foreseen in the financial programming—frequently 30 - 40% more year on year. While agencies are aware of the MFF constraints and their likely allocations in advance, budgetary requests exceeding these ceilings are still submitted.

It is important to acknowledge that such constraints are not unique to Eurojust and are common to many EU agencies under the MFF. Nevertheless, Eurojust has benefited from significant increases in its budget over the evaluation period.

The table below highlights the differences between Eurojust's budget requests, initial and updated MFF allocations, and the final EU contributions over the period 2021–2025. The data were provided in consultation with DG BUDG and are also published as part of the Draft Budget documents on annual basis. Specifically, Working Document III to the Draft Budget presents detailed information relating to revenue, expenditure and staff levels of all decentralised agencies and Joint Undertakings, pursuant to Article 41(3)(c) of the Financial Regulation.

Table 45: Eurojust's budget requests, initial and updated MFF allocations, and the final EU contributions (EUR); 2020 - 2025

Year	Eurojust Request (EUR)	Initial MFF Allocation (EUR)	Updated MFF Allocation (EUR)*	Final Contribution (EUR) ²⁹³	Reasons for Amended Budgets
2020	43,345,638	40,000,000	41,700,000	41,700,000	No significant amendments
2021	45,050,856	43,297,699	43,297,699	53,297,699	Reinforcement to initiate the development of the CMS
2022	45,800,200	45,299,984	45,299,984	50,183,522	Further development of the CMS; accelerating of

²⁹³ The discrepancies between the figures listed as EU contributions in the Eurojust revenue streams table and the MFF allocations and final EU contributions table arise from different budgetary concepts and reporting practices used to describe revenues and budget allocation in the reviewed documents.

Figures presented in the MFF allocations and final EU contributions table are based on commitment appropriations, which are legal promises to fund certain projects or contracts, either in the same year as the commitment or following years. Figures in the Eurojust revenue streams table are based on payment appropriations, which reflect appropriations for payments due in the current year, arising from legal commitments entered in the current year and/or earlier years.

Source: EP, 2010, '[Background on the difference between commitments and payments](#)'

Year	Eurojust Request (EUR)	Initial MFF Allocation (EUR)	Updated MFF Allocation (EUR)*	Final EU Contribution (EUR) ²⁹³	Reasons for Amended Budgets
					<i>COM(2022)187²⁹⁴; inflation on salaries</i>
2023	55,619,300	47,394,863	48,170,063	55,230,112	<i>Exceptional inflation on salaries</i>
2024	75,755,700	49,586,620	56,111,972	60,524,241	<i>Exceptional inflation on salaries</i>
2025	81,383,400	51,879,733	65,513,872	69,335,036	<i>Inflation on salaries; Network of Prosecutors</i>
Total	346,955,094	277,458,899	300,093,590	330,270,610	

Sources: Consultation with DG BUDG and DG JUST. Working Documents III of the Draft Budget documents 2020, 2021, 2022, 2023, 2024, and 2025.

Note: *The budget under MFF is updated on a yearly basis to account for impacts of legal financial statements LFS, inflation on salaries, and other additions.

Reinforcements of EU contribution to Eurojust were granted for specific reasons, including the CMS in 2021 and 2022, and to address inflationary pressures on salaries in 2023 and 2024.

When comparing Eurojust's budget requests to those of other EU institutions (including other decentralised agencies), it is challenging to draw direct comparisons due the significant differences between the institutions. These include external circumstances, the maturity level of the institutions, and shifting policy priorities. For instance, Eurojust, as an established agency, could be compared to the ECDC (European Centre for Disease Prevention and Control) in terms of maturity, given that both have been operating for many years. However, the ECDC received significant budget increases during the COVID-19 pandemic to address public health emergencies, while Eurojust has received more consistent increases year after year, reflecting its evolving workload and responsibilities. It is worth noting that Eurojust cannot be compared to newer entities like the EPPO, in terms of additional financial and human resources received as the EPPO has been operational only since 2021.²⁹⁵

Eurojust reacts to internal challenges described above by assigning negative priorities in order to address the gaps in human resources, deprioritising certain activities in the AWP. The resulting reductions primarily impacted ICT infrastructure upgrades, operational projects, translations, missions, and reimbursement costs to the Member State of the President of Eurojust²⁹⁶. Denmark's financial contribution was used to fund additional contract staff.

While ICT infrastructure upgrades were listed as a deprioritised area in Eurojust's AWP, it should be noted that Eurojust received an additional EUR 800,000 from the EU budget in 2022 specifically for ICT infrastructure. Furthermore, much of the unpaid commitments during this period were tied to multi-annual projects, including ICT developments and computer infrastructure upgrades, with outstanding expenses. This raises questions about whether resources were effectively allocated.

²⁹⁴ COM(2022)187 final – includes the reinforcement of Eurojust's mandate to preserve, analyse, and store evidence related to genocide, crimes against humanity, war crimes and related criminal offences, Eurojust was assigned the task of establishing a temporary, secure, and automated data management and storage facility outside the CMS to process operational personal data related to these offences.

²⁹⁵ Pers. Comm. with DG BUDG

²⁹⁶ National members' salaries are covered by their home countries, however, Eurojust reimburses the Member State of the President.

Negative priorities assigned by Eurojust during the evaluation period are presented in table below. It is important to note that the information presented is based on Eurojust's SPDs, which reflect the Agency's internal perspective aimed at justifying its resource needs to the Commission and Budgetary Authority. To gain a more balanced view, this information should be compared with the Commission opinions, which provide an external assessment of Eurojust's requests, including year-on-year reasons for supporting or adjusting the Agency's proposed resource needs:

- **Commission Opinion on requested resources by the Agency for 2021:** The Commission supported the number of establishment plan posts (207) and approved an initial MFF budget allocation of EUR 43,297,699 (approx. EUR 1.5 million less than requested by the Agency, as indicated in Table 45 above). It concluded that it will provide Eurojust with the necessary means to ensure the continuity of its activities while seeking for efficiency gains.
- **2022 Commission Opinion:** Eurojust's request for an increased number of Contract Agents (CAs) to address rising operational workloads was partially supported. The Commission approved EU contribution to Eurojust reflected a balance between reinforcing ICT infrastructure and maintaining the efficiencies gained in previous years while staying within MFF constraints.
- **2023 Commission Opinion:** The Commission supported significant increases to Eurojust's budget related to addressing rising casework demands and operational priorities under the Multi-Annual Strategy (MAS) 2022-2024. This included funding for genocide-related evidence storage and analysis, inflation-adjusted salary expenditures, and additional funding for ICT and operational activities.

Table 46: Negative priorities assigned during the evaluation period presented in Eurojust's SPDs²⁹⁷

2019-2020: Operational areas:

- Reduced **operational translation services**, especially as demands grew due to the new Eurojust Regulation (EJR);
- Deferred **ICT projects** and infrastructure maintenance;
- Limited **Network Secretariats' activities and meetings**; and
- Most significantly, **support for National Desks** was limited due to the lack of authorised posts, which risked the fulfilment of Eurojust's mandate.

• Support areas:

- Cutbacks in administrative and corporate translation services linked to the EJR;
- Limited ICT security services, crucial for responding to potential threats;
- Delayed ICT system developments meant missed opportunities to increase efficiency in administrative processes; and
- Decreased availability of staff interim services, further straining resources.

2021: Eurojust faced human resource constraints and reported a limited ability in the following:

- Limited **financial support to JITs**. The support had to remain capped at 2020 levels;
- Limited ability to expand **legal and analytical assistance** for complex cases;
- Constrained efforts in **institutional knowledge retention**, impacting the agency's capacity to advise EU stakeholders; and
- Restricted ability to support the **Counter Terrorism Register (CTR)** and interoperability initiatives from the EJR.

²⁹⁷ Information on negative priorities was retrieved from SPDs 2020 – 2022; 2021 – 2023; 2022 – 2024; and 2023 – 2025.

2022: The Agency continued to face human resource constraints and reported a limited ability to:

- Meet the rising demand for **financial assistance to JITs**; and
- Expand **legal and analytical support** for all complex cases referred to Eurojust.

2023: Existing negative priorities had to be extended even further, putting the achievement of its **AWP 2023** goals at risk.

- Further limitations on legal and analytical assistance;
- Restricted support for knowledge retention and EU stakeholder advice;
- Limited capacity to support “hit/no-hit” initiatives from the EJRC and interoperability regulations;
- Reduced ability to expand joint initiatives with JHA partners and to grow Eurojust's global network; and
- Ongoing constraints in coordinating and supporting externally funded projects.

Unforeseen technical issues. In 2022, Eurojust implemented the European Commission's new financial management system, SUMMA, and encountered technical issues shortly after the implementation. This affected the Agency's ability to manage and report on its budget effectively. In particular, the delays caused by these issues contributed to a high rate of late payments (52.9%) and made it difficult to monitor areas with fluctuating costs, such as the coordination meetings (CMs). This created challenges in keeping financial processes efficient and timely.

External factors such as the impact of the pandemic. Decreases in operational demands during the pandemic led to unexpected surpluses in budget lines related to missions, coordination meetings and translations. However, new working arrangements during the pandemic also required investments in ICT infrastructure. In 2020, the surpluses in travel and mission costs were redirected toward ICT upgrades, including investments in the VMware Cloud Foundation (VCF) platform.²⁹⁸ COVID-19 restrictions continued in 2021 and resulted in further budget surpluses in areas like JIT grants, meetings, and translations. This allowed Eurojust to further invest in the remote working technologies, which were introduced in 2020, as well as in the new CMS development.

Inflation and high telecommunication costs. In 2022 and 2023, Eurojust faced ICT funding challenges due to inflation as well as high telecommunication costs. While it was possible to reallocate surplus funds to mitigate these obstacles, Eurojust also received additional budgetary support from the EU budget to address inflationary impacts on salaries and ICT needs. Despite these measures, some activities (such as steps to shift to a more integrated and effective Activity Based Management approach) had to be deferred to 2024.

²⁹⁸ “VCF platform is a multi-cloud platform that helps businesses deploy and manage modern infrastructure.”, information retrieved from vmware.com, ‘VMware Cloud Foundation Features’, <https://www.vmware.com/products/cloud-infrastructure/vmware-cloud-foundation> [accessed October, 2024]

Detailed budgetary data tables

Table 47: Detailed budget development and implementation in 2018 and 2019 by budget line

Budget Line Code	Description	Initial Budget ('000 EUR)		Amendments / Transfers ('000 EUR)		Final Budget ('000 EUR)		Committed ('000 EUR)		Committed / Final Budget (%)		Paid ('000 EUR)		Paid / Committed (%)		Paid / Final Budget (%)	
		2018	2019	2018	2019	2018	2019	2018	2019	2018	2019	2018	2019	2018	2019	2018	2019
1100	Basic salaries for temporary staff	11,671	12,355	722	504	12,393	12,859	12,393	12,859	100%	100%	12,393	12,859	100%	100%	100%	100%
1101	Allowances for temporary staff	5,052	5,348	283	299	5,335	5,647	5,335	5,647	100%	100%	5,335	5,647	100%	100%	100%	100%
1102	Insurances for temporary staff	697	738	-38	-60	659	678	659	678	100%	100%	659	678	100%	100%	100%	100%
1110	Salaries and allowances for contract staff	1,384	829	-385	73	999	902	999	902	100%	100%	999	902	100%	100%	100%	100%
1160	- (No description)	400	0	-400	0	-	0	-	0	0%		-	0	-		-	
1171	European School subsidy	629	826	31	0	660	826	660	826	100%	100%	660	826	100%	100%	100%	100%
11	Salaries and allowances Total	19,832	20,096	214	816	20,047	20,912	20,047	20,912	100%	100%	20,047	20,912	100%	100%	100%	100%
1200	Expenditure related to recruitment	30	61	38	0	68	61	68	61	100%	100%	53	33	78%	54%	78%	54%
1201	Expenses upon entry/exit	31	25	-11	18	19	43	19	43	100%	100%	19	43	100%	100%	100%	100%
12	Expenditure related to staff recruitment Total	61	86	26	18	87	104	87	104	100%	100%	72	76	83%	73%	83%	73%
1300	Mission expenses for staff	55	59	-3	2	52	61	46	55	88%	90%	46	54	99%	99%	88%	89%
13	Administrative missions Total	55	59	-3	2	52	61	46	55	88%	90%	46	54	99%	99%	88%	89%
1400	Running costs of canteens and kitchenettes	96	84	-12	15	84	99	84	98	100%	99%	74	69	89%	71%	89%	54%
1410	Medical services	69	85	-9	-22	60	63	60	63	100%	100%	57	51	95%	81%	95%	100%
14	Socio-medical infrastructure Total	165	169	-21	-7	144	162	144	161	100%	100%	131	120	91%	75%	91%	73%
1500	Consultancy on staffing and institutional matters	200	15	-70	53	130	68	130	68	100%	100%	42	23	32%	34%	32%	34%
1503	Administrative translations	4	1	-2	1	2	2	2	2	100%	100%	2	2	100%	100%	100%	100%
1504	Administrative assistance for HR	160	141	-31	-22	129	119	129	119	100%	100%	128	117	99%	98%	99%	98%
15	External services Total	364	157	-103	33	260	190	260	190	100%	100%	172	143	66%	75%	66%	75%
1620	Other welfare expenditure	5	2	-5	-2	-	-	-	-	0%		-	-	-		-	
1630	Staff Committee	35	26	1	22	36	48	36	46	100%	96%	20	46	54%	100%	54%	96%
16	Social welfare Total	40	29	-4	19	36	48	36	46	100%	96%	20	46	54%	100%	54%	96%
1700	Representation expenses for the Administration	2	-	-2	0	0	0	0	0	100%	100%	0	0	100%	100%	100%	100%

Evaluation of the implementation and impact of Regulation (EU) 2018/1727 of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust), and of the effectiveness and efficiency of Eurojust and its working practices

Budget Line Code	Description	Initial Budget ('000 EUR)		Amendments / Transfers ('000 EUR)		Final Budget ('000 EUR)		Committed ('000 EUR)		Committed / Final Budget (%)		Paid ('000 EUR)		Paid / Committed (%)		Paid / Final Budget (%)	
		2018	2019	2018	2019	2018	2019	2018	2019	2018	2019	2018	2019	2018	2019	2018	2019
1703	- (No description)	4	0	-3	0	0	0	0	0	100%		0	0	100%		100%	
17	Receptions, events and representation Total	6	-	-5	0	0	0	0	0	100%	100%	0	0	100%	100%	100%	100%
1800	Training and development for staff	355	355	-28	-20	327	335	327	335	100%	100%	208	175	64%	52%	64%	52%
18	Training and development for staff Total	355	355	-28	-20	327	335	327	335	100%	100%	208	175	64%	52%	64%	52%
2000	Building and ground rent	1,618	2,695	-82	1	1,536	2,696	1,536	2,696	100%	100%	1,536	2,694	100%	100%	100%	100%
2010	Corporate insurances	106	55	-24	18	81	73	81	73	100%	100%	81	68	99%	93%	99%	93%
2020	Maintenance, cleaning and utilities	1,763	1,746	103	-200	1,866	1,546	1,866	1,543	100%	100%	1,412	1,431	76%	93%	76%	93%
2050	Security management	1,641	1,540	-76	-130	1,565	1,410	1,565	1,410	100%	100%	1,390	1,184	89%	84%	89%	84%
2091	Audio video equipment	5	5	12	-5	17	-	17	-	100%		-	-	-		-	
20	Rental of building and associated costs Total	5,132	6,041	-67	-315	5,065	5,726	5,065	5,723	100%	100%	4,418	5,376	87%	94%	87%	94%
2101	Computer infrastructure for the Administration	1,029	1,171	259	108	1,288	1,279	1,288	1,278	100%	100%	938	658	73%	52%	73%	51%
2102	ICT organisational projects	377	102	198	70	574	172	574	172	100%	100%	146	105	25%	61%	25%	61%
21	Information management and data processing expenditure Total	1,405	1,273	457	178	1,862	1,451	1,862	1,450	100%	100%	1,085	763	58%	53%	58%	53%
2210	Furniture and related costs	50	28	-12	54	38	82	37	79	100%	97%	20	0	55%	0%	55%	0%
2230	Vehicle services	40	40	11	-40	51	-	51	-	100%		46	-	90%		90%	
2250	Books and subscriptions for the Administration	23	15	-	-5	23	10	23	10	100%	100%	18	2	79%	24%	79%	24%
22	Movable property and associated costs Total	113	82	-2	9	111	92	111	89	100%	97%	84	3	76%	3%	76%	3%
2300	Stationery, office and conference supplies	52	49	6	3	58	52	58	52	100%	100%	38	44	67%	84%	66%	84%
2320	Bank charges	2	2	-1	-1	1	1	1	1	100%	100%	0	0	63%	56%	63%	56%
2330	Legal expenses	10	5	-9	0	1	5	1	5	100%	100%	1	5	100%	100%	100%	100%
23	Current administrative expenditure Total	64	56	-4	2	60	58	60	58	100%	100%	40	49	67%	85%	67%	85%
2400	Postal charges	26	42	16	-5	42	36	42	36	100%	100%	32	30	76%	83%	76%	83%
2410	Telecommunications and internet charges for the Administration	96	46	-51	-2	46	45	46	45	100%	100%	39	31	86%	69%	86%	69%
24	Postage and telecommunications Total	122	88	-35	-7	88	81	88	81	100%	100%	71	61	81%	75%	81%	75%

Evaluation of the implementation and impact of Regulation (EU) 2018/1727 of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust), and of the effectiveness and efficiency of Eurojust and its working practices

Budget Line Code	Description	Initial Budget ('000 EUR)		Amendments / Transfers ('000 EUR)		Final Budget ('000 EUR)		Committed ('000 EUR)		Committed / Final Budget (%)		Paid ('000 EUR)		Paid / Committed (%)		Paid / Final Budget (%)	
		2018	2019	2018	2019	2018	2019	2018	2019	2018	2019	2018	2019	2018	2019	2018	2019
2500	- (No description)	60	0	-36	0	24	0	24	0	100%		24	0	100%		100%	
3000	Coordination meetings and centres	2,536	2,440	-237	220	2,298	2,660	2,297	2,640	100%	99%	1,980	2,430	86%	92%	86%	91%
3005	Training for National Members	42	-	-24	11	18	11	18	11	100%	100%	13	9	73%	83%	73%	83%
3010	Other Eurojust meetings	180	170	-49	-87	131	83	116	83	88%	100%	102	79	88%	95%	78%	95%
3020	Protocol office and representation expenses for the College	14	13	10	-	24	13	24	13	100%	100%	10	11	40%	83%	40%	83%
30	Meetings, trainings and representation expenses Total	2,832	2,623	-336	144	2,496	2,767	2,479	2,747	99%	99%	2,129	2,529	86%	92%	85%	91%
3100	Operational missions and domestic work of National Members	300	300	-42	-54	258	246	258	241	100%	98%	242	218	94%	90%	94%	89%
3120	Common missions to EU and Third Countries	150	151	-45	-33	105	119	105	117	100%	99%	105	115	100%	98%	100%	97%
3130	Other operational missions	75	58	-14	5	61	63	61	59	100%	95%	48	58	78%	98%	78%	93%
3140	Mission insurance expenses	25	17	-11	-9	14	8	14	8	100%	100%	14	8	100%	100%	100%	100%
3150	Seconded National Experts (SNE)	1,253	1,281	-362	-235	891	1,045	891	1,045	100%	100%	891	1,045	100%	100%	100%	100%
31	Operational and experts missions Total	1,803	1,807	-474	-327	1,329	1,480	1,329	1,471	100%	99%	1,299	1,444	98%	98%	98%	98%
3200	Corporate communications and publications	274	98	-14	181	260	280	260	280	100%	100%	77	85	30%	30%	30%	30%
3203	Annual Report	108	47	-17	9	91	57	91	57	100%	100%	91	54	100%	95%	100%	95%
3205	Cooperation with other EU agencies	5	8	5	27	10	35	10	35	100%	100%	10	22	100%	63%	100%	63%
32	Public relations and publications Total	386	154	-25	218	361	371	361	371	100%	100%	178	161	49%	43%	49%	43%
3300	Books and subscriptions for the College	132	132	47	46	179	178	179	178	100%	100%	77	103	43%	58%	43%	58%
3310	ICT operational projects	1,709	896	28	-115	1,736	781	1,736	781	100%	100%	384	372	22%	48%	22%	48%
3320	Telecommunications and internet charges for National Desks	225	108	-114	-	111	108	111	108	100%	100%	97	76	87%	70%	87%	70%
3323	Computer infrastructure for National Desks	1,613	1,810	432	74	2,046	1,884	2,046	1,883	100%	100%	1,420	988	69%	52%	69%	52%
33	Data processing and documentation expenditure Total	3,679	2,946	394	4	4,073	2,951	4,073	2,950	100%	100%	1,978	1,539	49%	52%	49%	52%
3400	Operational translations	133	111	48	8	181	119	181	119	100%	100%	134	96	74%	81%	74%	81%
34	Translation of documents Total	133	111	48	8	181	119	181	119	100%	100%	134	96	74%	81%	74%	81%

Evaluation of the implementation and impact of Regulation (EU) 2018/1727 of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust), and of the effectiveness and efficiency of Eurojust and its working practices

Budget Line Code	Description	Initial Budget ('000 EUR)		Amendments / Transfers ('000 EUR)		Final Budget ('000 EUR)		Committed ('000 EUR)		Committed / Final Budget (%)		Paid ('000 EUR)		Paid / Committed (%)		Paid / Final Budget (%)	
		2018	2019	2018	2019	2018	2019	2018	2019	2018	2019	2018	2019	2018	2019	2018	2019
3500	EJN projects, meetings and other expenses	460	433	-	-	460	433	460	433	100%	100%	209	290	45%	67%	45%	67%
35	EJN projects, meetings and other expenses Total	460	433	0	-	460	433	460	433	100%	100%	209	290	45%	67%	45%	67%
3600	JSB meetings and other expenses	30	20	-2	5	28	26	28	25	99%	100%	28	25	100%	100%	99%	99%
36	JSB meetings and representation expenses Total	30	20	-2	5	28	26	28	25	99%	100%	28	25	100%	100%	99%	99%
3700	JITs meetings and other expenses	58	50	-18	-5	40	45	40	45	100%	100%	35	45	86%	100%	86%	100%
3720	Grants related to JITs (differentiated appropriations)	1,442	1,442	-	-	1,442	1,442	1,442	1,442	100%	100%	1,126	1,302	78%	90%	78%	90%
37	Joint Investigation Team (JIT) meetings and other expenses Total	1,500	1,492	-18	-5	1,482	1,487	1,482	1,487	100%	100%	1,161	1,347	78%	91%	78%	91%
3800	Genocide secretariat meetings and other expenses	71	61	-14	-	57	61	57	61	100%	100%	41	49	73%	80%	73%	80%
38	Meetings on genocide and other expenses Total	71	61	-14	-	57	61	57	61	100%	100%	41	49	73%	80%	73%	80%
	TOTAL	38,607	38,136	-	777	38,607	38,913	38,582	38,868	100%	100%	33,553	35,260	87%	91%	87%	91%

Evaluation of the implementation and impact of Regulation (EU) 2018/1727 of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust), and of the effectiveness and efficiency of Eurojust and its working practices

Table 48: Detailed budget development and implementation in 2020 and 2021 by budget line

Code Budget Line	Description	Initial Budget ('000 EUR)		Amendments / Transfers ('000 EUR)		Final Budget ('000 EUR)		Committed ('000 EUR)		Committed / Final Budget (%)		Paid ('000 EUR)		Paid / Committed (%)		Paid / Final Budget (%)	
		2020	2021	2020	2021	2020	2021	2020	2021	2020	2021	2020	2021	2020	2021	2020	2021
1100	Basic salaries for temporary staff	13,322	13,817	-931	-45	12,391	13,772	12,391	13,772	100%	100%	12,391	13,772	100%	100%	100%	100%
1101	Allowances for temporary staff	5,766	5,981	142	200	5,908	6,181	5,908	6,181	100%	100%	5,908	6,181	100%	100%	100%	100%
1102	Insurances for temporary staff	795	825	-107	-98	688	727	688	727	100%	100%	688	727	100%	100%	100%	100%
1110	Salaries and allowances for contract staff	1,061	1,055	-112	-257	948	798	948	798	100%	100%	948	798	100%	100%	100%	100%
1160	- (No description)	0	90	0	-90	0	0	0	0	0%	0%	0	0	0%	0%	0%	0%
1171	European School subsidy	889	871	-163	-95	726	776	726	776	100%	100%	726	776	100%	100%	100%	100%
11	Salaries and allowances Total	21,833	22,639	-1,171	-386	20,661	22,254	20,661	22,254	100%	100%	20,661	22,254	100%	100%	100%	100%
1200	Expenditure related to recruitment	52	53	7	-0	59	53	59	53	100%	100%	54	48	92%	91%	92%	91%
1201	Expenses upon entry/exit	25	31	-4	29	21	60	21	60	100%	100%	21	60	100%	100%	100%	100%
12	Expenditure related to staff recruitment Total	77	83	3	29	80	112	80	112	100%	100%	75	107	94%	96%	94%	96%
1300	Mission expenses for staff	109	111	-95	-109	14	2	14	2	100%	76%	14	2	100%	100%	100%	76%
13	Administrative missions Total	109	111	-95	-109	14	2	14	2	100%	76%	14	2	100%	100%	100%	76%
1400	Running costs of canteens and kitchenettes	84	88	-40	-35	44	52	44	52	100%	100%	43	16	98%	31%	98%	31%
1410	Medical services	62	63	11	5	73	68	73	68	100%	100%	57	58	78%	86%	78%	86%
14	Socio-medical infrastructure Total	146	151	-29	-30	117	121	117	121	100%	100%	100	74	85%	62%	85%	62%
1500	Consultancy on staffing and institutional matters	127	127	-25	0	102	127	102	127	100%	100%	43	82	42%	64%	42%	64%
1503	Administrative translations	1	7	-1	-7	0	0	0	0	0%	0%	0	0	0%	0%	0%	0%
1504	Administrative assistance for HR	119	155	-21	-21	98	134	98	134	100%	100%	93	121	95%	90%	95%	90%
15	External services Total	247	289	-47	-28	200	261	200	261	100%	100%	136	202	68%	78%	68%	78%
1620	Other welfare expenditure	26	2	-15	-2	12	0	12	0	100%	0%	12	0	100%	0%	100%	0%
1630	Staff Committee	0	35	0	-34	0	1	0	1	0%	99%	0	1	0%	100%	0%	99%
16	Social welfare Total	26	37	-15	-37	12	1	12	1	100%	99%	12	1	100%	100%	100%	99%
1700	Representation expenses for the Administration	0	0	0	0	0	0	0	0	0%	0%	0	0	0%	0%	0%	0%
1703	- (No description)	0	0	0	0	0	0	0	0	0%	0%	0	0	0%	0%	0%	0%
17	Receptions, events and representation Total	0	0	0	0	0	0	0	0	0%	0%	0	0	0%	0%	0%	0%

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Code Budget Line	Description	Initial Budget ('000 EUR)		Amendments / Transfers ('000 EUR)		Final Budget ('000 EUR)		Committed ('000 EUR)		Committed / Final Budget (%)		Paid ('000 EUR)		Paid / Committed (%)		Paid / Final Budget (%)	
		2020	2021	2020	2021	2020	2021	2020	2021	2020	2021	2020	2021	2020	2021	2020	2021
1800	Training and development for staff	355	355	-30	-14	325	341	325	341	100%	100%	164	199	51%	58%	50%	58%
18	Training and development for staff Total	355	355	-30	-14	325	341	325	341	100%	100%	164	199	51%	58%	50%	58%
2000	Building and ground rent	2,751	2,820	25	-25	2,776	2,796	2,776	2,796	100%	100%	2,776	2,796	100%	100%	100%	100%
2010	Corporate insurances	82	73	-35	3	47	75	47	75	100%	100%	38	72	82%	96%	82%	96%
2020	Maintenance, cleaning and utilities	1,746	1,643	170	310	1,916	1,953	1,916	1,953	100%	100%	1,394	1,324	73%	68%	73%	68%
2050	Security management	1,540	1,516	-248	-44	1,292	1,471	1,292	1,471	100%	100%	1,096	1,237	85%	84%	85%	84%
2091	Audio video equipment	10	10	-10	-10	0	0	0	0	0%	0%	0	0	0%	0%	0%	0%
20	Rental of building and associated costs Total	6,128	6,062	-98	233	6,030	6,295	6,030	6,295	100%	100%	5,304	5,429	88%	86%	88%	86%
2101	Computer infrastructure for the Administration	1,091	1,591	1,600	962	2,691	2,553	2,691	2,552	100%	100%	1,219	1,187	45%	47%	45%	47%
2102	ICT organisational projects	140	142	93	-50	233	92	233	92	100%	100%	103	87	44%	94%	44%	94%
21	Information management and data processing expenditure Total	1,230	1,733	1,693	912	2,924	2,645	2,924	2,644	100%	100%	1,321	1,274	45%	48%	45%	48%
2210	Furniture and related costs	28	28	-8	-25	19	3	19	3	100%	100%	19	0	100%	0%	100%	0%
2230	Vehicle services	41	59	-40	-48	1	11	1	11	100%	100%	0	11	72%	98%	72%	98%
2250	Books and subscriptions for the Administration	12	12	2	-1	14	11	14	11	100%	100%	6	3	43%	28%	43%	28%
22	Movable property and associated costs Total	80	99	-46	-74	34	25	34	25	100%	100%	26	14	76%	57%	76%	57%
2300	Stationery, office and conference supplies	49	53	-16	-28	33	26	33	26	100%	100%	28	17	86%	67%	86%	67%
2320	Bank charges	2	3	-0	-0	2	2	2	2	100%	100%	1	2	58%	81%	58%	81%
2330	Legal expenses	5	5	2	-5	7	0	7	0	100%	0%	5	0	72%	0%	72%	0%
23	Current administrative expenditure Total	56	61	-14	-33	42	28	42	28	100%	100%	35	19	83%	68%	83%	68%
2400	Postal charges	42	28	-22	-10	19	18	19	18	100%	100%	16	10	82%	57%	82%	57%
2410	Telecommunications and internet charges for the Administration	46	47	-8	-3	38	44	38	44	100%	100%	32	29	84%	65%	84%	65%
24	Postage and telecommunications Total	88	75	-30	-13	58	62	58	62	100%	100%	48	39	83%	63%	83%	63%
3000	Coordination meetings and centres	2,791	3,005	-1,647	-1,456	1,144	1,549	1,144	1,549	100%	100%	1,064	1,101	93%	71%	93%	71%
3005	Training for National Members	15	15	-8	-11	7	4	7	4	100%	93%	5	2	73%	59%	73%	55%

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Code Budget Line	Description	Initial Budget ('000 EUR)		Amendments / Transfers ('000 EUR)		Final Budget ('000 EUR)		Committed ('000 EUR)		Committed / Final Budget (%)		Paid ('000 EUR)		Paid / Committed (%)		Paid / Final Budget (%)	
		2020	2021	2020	2021	2020	2021	2020	2021	2020	2021	2020	2021	2020	2021	2020	2021
3010	Other Eurojust meetings	170	110	-161	-54	9	57	9	57	100%	100%	9	49	100%	86%	100%	86%
3020	Protocol office and representation expenses for the College	13	15	-4	3	9	18	9	17	100%	98%	9	17	92%	100%	92%	98%
30	Meetings, trainings and representation expenses Total	2,989	3,145	-1,820	-1,517	1,169	1,628	1,169	1,627	100%	100%	1,087	1,170	93%	72%	93%	72%
3100	Operational missions and domestic work of National Members	282	287	-195	-182	87	105	85	105	98%	100%	79	90	93%	86%	91%	86%
3120	Common missions to EU and Third Countries	176	172	-150	-126	25	46	25	40	100%	86%	25	37	100%	93%	100%	81%
3130	Other operational missions	94	87	-80	-72	15	15	15	12	100%	75%	15	10	100%	84%	100%	63%
3140	Mission insurance expenses	15	16	0	-9	15	6	15	6	100%	100%	15	6	100%	100%	100%	100%
3150	Seconded National Experts (SNE)	1,355	1,399	-185	-307	1,170	1,092	1,170	1,092	100%	100%	1,170	1,092	100%	100%	100%	100%
31	Operational and experts missions Total	1,921	2,149	-610	-884	1,312	1,265	1,310	1,254	100%	99%	1,304	1,235	100%	98%	99%	98%
3200	Corporate communications and publications	548	725	29	90	578	815	578	815	100%	100%	371	448	64%	55%	64%	55%
3203	Annual Report	0	0	0	0	0	0	0	0	0%		0	0	0%		0%	
3205	Cooperation with other EU agencies	0	0	0	0	0	0	0	0	0%		0	0	0%		0%	
32	Public relations and publications Total	548	725	29	90	578	815	578	815	100%	100%	371	448	64%	55%	64%	55%
3300	Books and subscriptions for the College	132	131	61	46	193	177	193	177	100%	100%	50	58	26%	33%	26%	33%
3310	ICT operational projects	931	931	563	871	1,493	1,802	1,493	1,802	100%	100%	1,106	1,158	74%	64%	74%	64%
3311	Digital Criminal Justice programme/projects (differentiated appropriations)	0	0	0	9,500	0	9,500	0	9,500	0%	100%	0	0	0%	0%	0%	0%
3320	Telecommunications and internet charges for National Desks	108	110	-15	-7	94	103	94	103	100%	100%	78	68	84%	66%	83%	66%
3323	Computer infrastructure for National Desks	1,670	1,671	2,388	2,203	4,059	3,873	4,059	3,873	100%	100%	1,850	1,823	46%	47%	46%	47%
33	Data processing and documentation expenditure Total	2,841	2,842	2,997	12,613	5,839	15,455	5,838	15,455	100%	100%	3,084	3,108	53%	20%	53%	20%
3400	Operational translations	537	744	-209	-435	328	310	326	310	100%	100%	275	274	84%	88%	84%	88%
34	Translation of documents Total	537	744	-209	-435	328	310	326	310	100%	100%	275	274	84%	88%	84%	88%
3500	EJN projects, meetings and other expenses	435	435	0	0	435	435	435	430	100%	99%	131	113	30%	26%	30%	26%

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Code Budget Line	Description	Initial Budget ('000 EUR)		Amendments / Transfers ('000 EUR)		Final Budget ('000 EUR)		Committed ('000 EUR)		Committed / Final Budget (%)		Paid ('000 EUR)		Paid / Committed (%)		Paid / Final Budget (%)	
		2020	2021	2020	2021	2020	2021	2020	2021	2020	2021	2020	2021	2020	2021	2020	2021
35	EJN projects, meetings and other expenses Total	435	435	0	0	435	435	435	430	100%	99%	131	113	30%	26%	84%	26%
3600	JSB meetings and other expenses	0	0	0	0	0	0	0	0	0%	0%	0	0	0%	0%	0%	0%
36	JSB meetings and representation expenses Total	0	0	0	0	0	0	0	0	0%	0%	0	0	0%	0%	0%	0%
3700	JITs meetings and other expenses	50	59	-20	-35	29	24	29	24	100%	100%	11	18	36%	77%	36%	77%
3720	Grants related to JITs (differentiated appropriations)	1,942	1,942	-478	-786	1,464	1,156	1,464	1,156	100%	100%	1,308	1,035	89%	90%	89%	90%
37	Joint Investigation Team (JIT) meetings and other expenses Total	1,992	2,001	-498	-821	1,493	1,180	1,493	1,180	100%	100%	1,319	1,053	88%	89%	88%	89%
3800	Genocide secretariat meetings and other expenses	61	61	-10	3	51	64	51	64	100%	100%	11	31	22%	48%	22%	48%
38	Meetings on genocide and other expenses Total	61	61	-10	3	51	64	51	64	100%	100%	11	31	22%	48%	22%	48%
4100	EuroMed Justice programme	0	-	0	0	0	0	0	0	0%	0%	0	0	0%	0%	0%	0%
4101	SIRIUS project	0	-	0	0	0	0	0	0	0%	0%	0	0	0%	0%	0%	0%
4102	EU IPO enhanced cooperation actions	0	-	0	0	0	0	0	0	0%	0%	0	0	0%	0%	0%	0%
41	Expenditures related to operational projects based on agreements	0	-	0	0	0	0	0	0	0%	0%	0	0	0%	0%	0%	0%
	TOTAL	41,700	43,798	0	9,500	41,700	53,298	41,696	53,280	100%	100%	35,475	37,046	85%	70%	85%	70%

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Table 49: Detailed budget development and implementation in 2022 and 2023 by budget line

Code Budget Line	Description	Initial Budget ('000 EUR)		Amendments / Transfers ('000 EUR)		Final Budget ('000 EUR)		Committed ('000 EUR)		Committed / Final Budget (%)		Paid ('000 EUR)		Paid / Committed (%)		Paid / Final Budget (%)	
		2022	2023	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023
1100	Basic salaries for temporary staff	21,103	25,899	1,470	488	22,573	26,387	22,573	26,386	100%	100%	22,573	26,386	100%	100%	100%	100%
1101	Allowances for temporary staff	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1102	Insurances for temporary staff	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1110	Salaries and allowances for contract staff	1,072	1,242	-216	30	856	1,272	856	1,272	100%	100%	856	1,272	100%	100%	100%	100%
1160	- (No description)	91	182	-59	-94	32	88	32	88	100%	100%	22	88	68%	100%	68%	100%
1171	European School subsidy	923	1,000	-15	38	908	1,038	908	1,038	100%	100%	873	933	96%	90%	96%	90%
11	Salaries and allowances Total	23,189	28,322	1,181	463	24,369	28,785	24,369	28,784	100%	100%	24,324	28,679	100%	100%	100%	100%
1200	Expenditure related to recruitment	124	135	-12	-80	112	55	97	55	87%	100%	76	54	79%	99%	69%	99%
1201	Expenses upon entry/exit	31	37	21	28	52	65	52	65	100%	100%	52	65	100%	100%	100%	100%
12	Expenditure related to staff recruitment Total	155	172	8	-52	164	120	149	120	91%	100%	128	120	86%	100%	79%	100%
1300	Mission expenses for staff	111	90	-70	-36	41	54	41	50	100%	93%	35	46	85%	93%	85%	86%
13	Administrative missions Total	111	90	-70	-36	41	54	41	50	100%	93%	35	46	85%	93%	85%	86%
1400	Running costs of canteens and kitchenettes	91	117	33	3	124	120	124	119	100%	99%	112	94	90%	79%	90%	78%
1410	Medical services	92	124	12	-27	104	97	104	97	100%	100%	86	69	83%	71%	83%	71%
14	Socio-medical infrastructure Total	183	242	45	-24	228	217	228	216	100%	100%	198	163	87%	75%	87%	75%
1500	Consultancy on staffing and institutional matters	127	133	80	196	207	329	207	327	100%	99%	138	262	67%	80%	67%	80%
1503	Administrative translations	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1504	Administrative assistance for HR	159	171	11	61	169	232	169	232	100%	100%	169	232	100%	100%	100%	100%
15	External services Total	286	304	90	257	376	560	376	558	100%	100%	307	494	82%	88%	82%	88%
1620	Other welfare expenditure	35	35	15	3	50	38	49	38	100%	100%	40	22	81%	59%	81%	59%
1630	Staff Committee	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
16	Social welfare Total	35	35	15	3	50	38	49	38	100%	100%	40	22	81%	59%	81%	59%
1700	Representation expenses for the Administration	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1703	- (No description)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
17	Receptions, events and representation Total	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1800	Training and development for staff	356	370	-53	-2	303	367	303	367	100%	100%	188	217	62%	59%	62%	59%

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Code Budget Line	Description	Initial Budget ('000 EUR)		Amendments / Transfers ('000 EUR)		Final Budget ('000 EUR)		Committed ('000 EUR)		Committed / Final Budget (%)		Paid ('000 EUR)		Paid / Committed (%)		Paid / Final Budget (%)	
		2022	2023	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023
18	Training and development for staff Total	356	370	-53	-2	303	367	303	367	100%	100%	188	217	62%	59%	62%	59%
2000	Building and ground rent	2,838	2,906	25	288	2,862	3,194	2,862	3,194	100%	100%	2,862	3,194	100%	100%	100%	100%
2010	Corporate insurances	72	74	-7	-15	65	59	65	59	100%	100%	54	49	82%	84%	82%	84%
2020	Maintenance, cleaning and utilities	1,687	1,813	-49	990	1,638	2,803	1,638	2,803	100%	100%	1,351	2,578	83%	92%	83%	92%
2050	Security management	1,534	1,614	-38	47	1,496	1,661	1,496	1,661	100%	100%	1,269	1,346	85%	81%	85%	81%
2091	Audio video equipment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
20	Rental of building and associated costs Total	6,131	6,407	-69	1,309	6,062	7,716	6,062	7,716	100%	100%	5,536	7,167	91%	93%	91%	93%
2101	Computer infrastructure for the Administration	4,226	5,279	1,429	129	5,655	5,408	5,654	5,379	100%	100%	4,395	4,586	78%	85%	78%	85%
2102	ICT organisational projects	295	300	188	408	483	708	483	708	100%	100%	392	553	81%	78%	81%	78%
21	Information management and data processing expenditure Total	4,521	5,579	1,617	537	6,137	6,116	6,137	6,086	100%	100%	4,787	5,139	78%	84%	78%	84%
2210	Furniture and related costs	28	28	-0	-0	28	28	28	28	100%	100%	-	20	0%	72%	0%	72%
2230	Vehicle services	60	61	-15	5	45	67	45	67	100%	100%	39	61	86%	92%	86%	92%
2250	Books and subscriptions for the Administration	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
22	Movable property and associated costs Total	88	89	-15	5	73	95	73	95	100%	100%	39	81	53%	86%	53%	86%
2300	Stationery, office and conference supplies	54	55	-18	-7	36	47	36	47	100%	100%	14	27	38%	57%	38%	57%
2320	Bank charges	4	2	0	2	4	4	4	4	100%	100%	2	3	60%	65%	60%	65%
2330	Legal expenses	5	-	-5	-	0	-	0	-	0%	-	0	-	0%	-	0%	-
23	Current administrative expenditure Total	62	57	-23	-5	39	52	39	51	100%	100%	16	30	40%	58%	40%	58%
2400	Postal charges	29	30	-5	-7	24	23	24	23	100%	100%	19	16	76%	72%	76%	72%
2410	Telecommunications and internet charges for the Administration	160	162	27	137	187	299	187	299	100%	100%	151	295	81%	99%	81%	99%
24	Postage and telecommunications Total	189	192	23	130	211	322	211	322	100%	100%	170	312	80%	97%	80%	97%
2500	- (No description)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
3000	Coordination meetings and centres	3,005	3,044	-355	388	2,649	3,431	2,637	3,431	100%	100%	1,972	2,489	75%	73%	74%	73%
3005	Training for National Members	14	21	-13	-15	1	6	1	6	100%	100%	0	3	0%	57%	0%	57%
3010	Other Eurojust meetings	130	134	76	162	207	296	202	262	98%	89%	85	160	42%	61%	41%	54%

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Code Budget Line	Description	Initial Budget ('000 EUR)		Amendments / Transfers ('000 EUR)		Final Budget ('000 EUR)		Committed ('000 EUR)		Committed / Final Budget (%)		Paid ('000 EUR)		Paid / Committed (%)		Paid / Final Budget (%)	
		2022	2023	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023
3020	Protocol office and representation expenses for the College	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
30	Meetings, trainings and representation expenses Total	3,149	3,198	-292	535	2,857	3,733	2,840	3,699	99%	99%	2,056	2,652	72%	72%	72%	71%
3100	Operational missions and domestic work of National Members	561	570	-175	-99	386	471	386	432	100%	92%	345	381	89%	88%	89%	81%
3120	Common missions to EU and Third Countries	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
3130	Other operational missions	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
3140	Mission insurance expenses	1,407	1,656	-54	-54	1,353	1,602	1,353	1,602	100%	100%	1,353	1,602	100%	100%	100%	100%
3150	Seconded National Experts (SNE)	191	108	-191	-108	0	0	0	0	0%	N/A	0	0	0%	N/A	0%	N/A
31	Operational and experts missions Total	2,158	2,334	-419	-261	1,739	2,072	1,739	2,034	100%	98%	1,698	1,983	98%	98%	98%	96%
3200	Corporate communications and publications	816	809	0	-13	816	797	816	797	100%	100%	507	507	62%	64%	62%	64%
3203	Annual Report	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
3205	Cooperation with other EU agencies	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
32	Public relations and publications Total	816	809	0	-13	816	797	816	797	100%	100%	507	507	62%	64%	62%	64%
3300	Books and subscriptions for the College	148	168	257	232	405	400	404	400	100%	100%	88	104	22%	26%	22%	26%
3310	ICT operational projects	1,150	1,150	-43	-160	1,107	990	1,107	981	100%	99%	1,107	852	100%	87%	100%	86%
3311	Digital Criminal Justice programme/projects (differentiated appropriations)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
3320	Telecommunications and internet charges for National Desks	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
3323	Computer infrastructure for National Desks	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
33	Data processing and documentation expenditure Total	1,298	1,318	2,613	72	3,911	1,390	3,911	1,382	100%	99%	1,813	956	46%	69%	46%	69%
3400	Operational translations	751	750	-386	-295	365	455	365	452	100%	99%	314	385	86%	85%	86%	85%
34	Translation of documents Total	751	750	-386	-295	365	455	365	452	100%	99%	314	385	86%	85%	86%	85%
3500	EJN projects, meetings and other expenses	435	435	-7	0	428	435	428	435	100%	100%	149	275	35%	63%	35%	63%
35	EJN projects, meetings and other expenses Total	435	435	-7	0	428	435	428	435	100%	100%	149	275	35%	63%	35%	63%
3600	JSB meetings and other expenses	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

Evaluation of the implementation and impact of Regulation (EU) 2018/1727 of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust), and of the effectiveness and efficiency of Eurojust and its working practices

Code Budget Line	Description	Initial Budget ('000 EUR)		Amendments / Transfers ('000 EUR)		Final Budget ('000 EUR)		Committed ('000 EUR)		Committed / Final Budget (%)		Paid ('000 EUR)		Paid / Committed (%)		Paid / Final Budget (%)	
		2022	2023	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023
36	JSB meetings and representation expenses Total	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
3700	JITs meetings and other expenses	66	60	-26	-9	40	51	39	45	97%	90%	38	42	97%	92%	94%	82%
3720	Grants related to JITs (differentiated appropriations)	1,942	1,942	-30	0	1,912	1,942	1,912	1,942	100%	100%	1,411	1,400	74%	72%	74%	72%
37	Joint Investigation Team (JIT) meetings and other expenses Total	2,008	2,002	-56	-9	1,952	1,993	1,951	1,987	100%	100%	1,448	1,442	74%	73%	74%	72%
3800	Genocide secretariat meetings and other expenses	65	67	-3	8	62	75	62	74	100%	100%	45	65	73%	88%	73%	87%
38	Meetings on genocide and other expenses Total	65	67	-3	8	62	75	62	74	100%	100%	45	65	73%	88%	73%	87%
4100	EuroMed Justice programme	0	-	0	0	0	0	0	0	0%	N/A	0	0	0%	N/A	0%	N/A
4101	SIRIUS project	0	-	0	0	0	0	0	0	0%	N/A	0	0	0%	N/A	0%	N/A
4102	EU IPO enhanced cooperation actions	0	-	0	0	0	0	0	0	0%	N/A	0	0	0%	N/A	0%	N/A
4203	Western Balkans criminal justice project	0	-	0	0	0	0	0	0	0%	N/A	0	0	0%	N/A	0%	N/A
4104	Impunity Observatory project	0	-	0	0	0	0	0	0	0%	N/A	0	0	0%	N/A	0%	N/A
4105	ICPA	0	-	0	0	0	0	0	0	0%	N/A	0	0	0%	N/A	0%	N/A
41	Expenditures related to operational projects based on agreements	0	-	0	0	0	0	0	0	0%	N/A	0	0	0%	N/A	0%	N/A
	TOTAL	45,984	52,770	4,200	2,621	50,184	55,391	50,151	55,264	100%	100%	43,797	50,733	87%	92%	87%	92%

Annex 5: Cost-benefit tables

Table 37: Overview of the costs and benefits identified in the evaluation (Better Regulation Tool #49)

Costs/ benefits	Citizens		Businesses		Administrations		EU	
	Quantitative	Comment	Quantitative	Comment	Quantitative	Comment	Quantitative	Comment
Direct costs	0	No direct costs for citizens	0	No direct costs for businesses	Danish contribution to Eurojust's budget: 2019: EUR 0 2020: EUR 0.85 m 2021: EUR 1 m 2022: EUR 1.2 m 2023: EUR 1.4 m	Denmark has contributed to the overall budget for Eurojust since 2020	Commitments: 2019: EUR 38.9 m 2020: EUR 41.7 m 2021: EUR 53.3 m 2022: EUR 50.2 m 2023: EUR 55.3 m	Funded from the EU budget, together with contribution from Denmark, revenues from administrative operations and funding received due to Eurojust's participation in specific projects such as EuroMed Justice Programme, the SIRIUS project, etc.
Enforcement costs		Not relevant		Not relevant		Not relevant to Eurojust, costs of law enforcement by Member States considered under indirect costs		Not relevant
Indirect costs		Taxes contributing to EU contributions (the portion of taxes paid by citizens that support EU operations and contributions)		Taxes contributing to EU contributions		Cost of interacting with Eurojust and other national judicial authorities through Eurojust, costs of law enforcement linked to casework, cost of participation in coordinated activities (where not refunded by Eurojust)		Digitalisation and administrative costs (however, these are treated as direct costs and included in the annual commitments above) Cost of budget negotiations (multi-stage procedure) for Eurojust and DG BUDG
Direct benefits	Number of cases supported: 51,000 between 2019 and 2023	More effective law enforcement in individual cases where the citizen is a victim in a cross-border case dealt with by Eurojust	Number of cases supported: 51,000 between 2019 and 2023	More effective law enforcement in individual cases where a business is a victim in a cross-border case dealt with by Eurojust	Number of cases supported: 51,000 between 2019 and 2023	Better judicial cooperation and better law enforcement and improved effectiveness of judicial systems due to casework, JITs, co-operation within the EU and with third countries, etc. Effective enforcement in cross-border criminal matters, such as online fraud, money laundering and human trafficking Increased consistency and coordination between parallel national actions, such as	Number of cases supported: 51,000 between 2019 and 2023 Significant increases in casework and CMs with third countries Total contributions to COSI and other working parties and groups:	Better judicial and security cooperation, better enforcement throughout the EU due to cooperation with other agencies such as Europol and the EPPO and contributions provided to EU bodies' working parties and expert groups (COSI, CATS, COPEN + GENVAL) More consistent criminal law enforcement across the EU, reducing differences between Member States

Evaluation of the implementation and impact of Regulation (EU) 2018/1727 of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust), and of the effectiveness and efficiency of Eurojust and its working practices

Costs/ benefits	Citizens		Businesses		Administrations		EU	
	Quantitative	Comment	Quantitative	Comment	Quantitative	Comment	Quantitative	Comment
						searches, victim interviews, victims identification and rescue, suspect arrests,	113 between 2019 and 2021	
Indirect benefits		More effective protection of fundamental rights More effective prosecution of cross-border crime, reduced crime across the EU resulting in reduced likelihood of citizens becoming victims of crime Greater confidence in safety and security of societies in the EU		More effective prosecution of cross-border crime, resulting in a more stable business environment, including reduced risk of money laundering, cybercrime, etc.	An unknown proportion of asset and drug seizures as a result of cross-border investigations can be attributed to cooperation via Eurojust: Total criminal assets frozen/seized in cross-border cases: EUR 8.7 billion between 2020 and 2023 and value of drugs seized in cross-border cases: EUR 48 billion between 2020 and 2023	Knowledge sharing: experience gained by SNEs fosters knowledge sharing amongst prosecutors Establishment of a cross-border collaborative culture in criminal matters across the EU		Greater acceptance of European integration due to more effective enforcement of cross-border crime Eurojust's actions are aligned with some of the targets under UN Sustainable Development Goal n.16 - Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels

Annex 6: Case studies

Case study 1: Eurojust operational support to cross-border prosecutions

The synopsis report on case study 1 was compiled based on desk research, online and in-person semi-structured stakeholder interviews as well as the results of two targeted online survey with national desks and third country liaison prosecutors, and with other Member State and third country national stakeholders, respectively. The findings were also informed by in-person direct observations conducted on Eurojust's premises.

Case study 1 informs, in particular, the evaluation questions listed in the table below. The findings will be tested, enhanced and discussed for further improvement in the in-person validation workshop at Eurojust.

Table 50: Linked evaluation questions

Linked evaluation questions	
Effectiveness	How effective are Eurojust's working practices?
Efficiency	How efficient are Eurojust's working practices?
Relevance	- How well has Eurojust been able to respond to the needs of its stakeholders? - To what extent are these needs evolving or likely to evolve in the future, taking also into account the evolution of cross-border criminality in the EU and its overall security architecture? What types of action might need to be considered to address such changes and new trends?
Coherence	To what extent is Eurojust's mandate coherent with the role and tasks of the judicial cooperation networks and their secretariats, which Eurojust hosts as specified in the Eurojust Regulation (e.g. the European Judicial Network and the Network of National Experts on Joint Investigation Teams (the JITs Network)?
Added Value	- To what extent could the identified changes/results/impacts have been achieved without Eurojust and/or the Eurojust Regulation? - Which, if any, objectives of the policy might have been achieved sufficiently by the Member States acting alone (if so, how)? - To what extent did the resulting benefits outweigh any loss of (e.g. competence or anything else) in participating Member States? - What could reasonably have been achieved (particularly in terms of effectiveness and efficiency) by Member States acting at national and/or regional levels?

Case study overview

Operational support through coordinating cross-border prosecutions is at the core of Eurojust's mission. Eurojust provides support and strengthens coordination and cooperation between national investigating and prosecuting authorities in relation to serious crimes within its competence where that crime affects two or more Member States, or requires prosecution on common bases, on the basis of operations conducted and information supplied by the Member States' authorities, by Europol, by the EPPO and by OLAF as per Article 2(1) EJR.

In terms of its operational functions, Eurojust is to facilitate coordination broadly under Article 4 of the Regulation. To that end, Eurojust, in particular, assists the competent authorities of the Member States in ensuring the best possible coordination of investigations and prosecutions (Article 4(1)(b) EJR); assists in improving cooperation between the competent authorities of

the Member States, in particular, on the basis of Europol's analyses (Article 4(1)(c) EJR); and provides operational, technical and financial support to Member States' cross-border operations and investigations, including to joint investigation teams (Article 4(1)(f) EJR).

In this context, the case study seeks to examine the following questions:

Case study-specific questions	Linked evaluation criteria
Q1. How do the various coordination tools and judicial cooperation instruments contribute to Eurojust's mission to facilitate cross-border prosecutions?	- Effectiveness - Relevance
Q2. How do the various coordination tools and judicial cooperation instruments contribute to building closer cooperation with and among Member States?	- Effectiveness - Relevance - EU Added Value
Q3. What are the ways in which the judicial cooperation instruments increased and optimized the prosecution of crimes with a cross-border element within the EU, including in case of priority crimes?	- Effectiveness - Efficiency
Q4. How do the coordination tools and judicial cooperation instruments contribute to creating more complementary prosecutions across Member States?	- Coherence - EU Added Value
Q5. What are the learnings, pitfalls and promising practices identified based on the followed Eurojust case in related practices?	All

The case study follows a **comprehensive response** to illustrate Eurojust's results and impact via the deployment of its operational support through the lens of a complex case built around a recent actual Eurojust operation.

The case type was chosen to showcase the handling of a priority crime type - drug trafficking - which commonly entails various overlapping essentially cross-border offences and feeds an illicit market generating over EUR 30 billion annually²⁹⁹. In addition, drug trafficking cases constitute the second largest type of Eurojust case, after swindling and fraud, with 1,054 ongoing and 1,061 new Eurojust cases opened that were supported by 60 Joint Investigation Teams, 126 case-specific coordination meetings and five coordinated action days in 2022 alone³⁰⁰. The drug trafficking casework grew further last year, with 1,325 ongoing and 1,137 new cases opened³⁰¹. The Agency also contributed to the seizure of drugs worth almost EUR 26 billion, representing more than double the amount it helped seize in 2022³⁰².

The overview below follows the lifecycle of a case within Eurojust, while details of Operation Eureka are included to demonstrate the scale, speed, and working practices through the specificities of an existing case. In addition, various challenges were highlighted that, reportedly, commonly arise in the context of similar cases. The overview pinpoints enabling and hindering factors in the cooperation and coordination Eurojust facilitates in the context of cross-border investigations and prosecutions.

The case study builds on desk research and on 13 individual and group interviews conducted in-person and online throughout October-November 2024. The findings and data points will be updated in light of the results of the ongoing data collection and consultation activities, chiefly, the results of the online surveys as well as the input gained from follow-up interviews.

In the course of the desk research the following sources were reviewed:

²⁹⁹ Eurojust (2021), [Eurojust Report on Drug trafficking Experiences and challenges in judicial cooperation](#)

³⁰⁰ Eurojust (2022), [Crime types and Cases, Casework](#)

³⁰¹ Eurojust (2024), [Eurojust Consolidated Annual Activity Report 2023](#), p 9.

³⁰² Eurojust (2024), [Eurojust Consolidated Annual Activity Report 2023](#), p 8.

EU legal instruments and case law

- [REGULATION \(EU\) 2018/1727](#) OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust), and replacing and repealing Council Decision 2002/187/JHA
- [DIRECTIVE 2014/41/EU](#) OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 3 April 2014 regarding the European Investigation Order in criminal matters
- [COUNCIL FRAMEWORK DECISION](#) of 13 June 2002 on the European arrest warrant and the surrender procedures between Member State (2002/584/JHA)
- CJEU, [C-670/22](#), Judgment (OJ) of 07/06/2024 M.N. (EncroChat)

Eurojust publications

- Eurojust (2024), [Eurojust Consolidated Annual Activity Report 2023](#)
- Eurojust (2024), [International cooperation in drug trafficking cases with third countries](#)
- Eurojust (2023), [Digital Information Exchange in Terrorism Cases: Stronger justice, safer Europe](#)

Additional online sources

- Europol, EMPACT, JITs Network, Eurojust (2023), [Funding Schemes](#)
- Eurojust, [132 'Ndrangheta mafia members arrested by an investigation of Belgium, Italy and Germany](#)
- Eurojust, [Crime Types and Cases: Economic Crimes](#)
- Eurojust, [European Investigation Order](#)
- Eurojust, [JITs Network](#)
- Eurojust, [Joint investigation teams](#)
- Europol, [New major interventions to block encrypted communications of criminal networks](#)
- Organized Crime and Corruption Reporting Project (2021), [What is the 'Ndrangheta?](#)

Eurojust operational support in action

Eurojust's 2023 **Operation Eureka** concerned the largest-ever coordinated action of European law enforcement and judicial authorities against Italian organised crime - tackling the *Ndrangheta*, one of the most powerful mafia-type criminal networks in the world, controlling over 80 per cent of the European cocaine trade³⁰³. The *Ndrangheta* is specialised in drug trafficking and is responsible for associated violence and bribery across Europe along with a series of other crimes such as money laundering, trafficking of firearms, aiding and abetting fugitives as well as systemic fraud from asset registration to taxation³⁰⁴.

Engaging Eurojust: the start of a case

Eurojust's support in this case started as it most commonly does - at the request of national authorities. While the Regulation allows Eurojust to carry out its tasks also at the request of the EPPO or on its own initiative (Article 2(3) EJR), the majority of its cases continue to originate at the national level, with 5,334 new case referrals in 2023 from Member States and 351 referrals from countries with a dedicated Liaison Prosecutor at Eurojust³⁰⁵. The number of cases or request for support received from the EPPO were on target in 2023 with 15 referrals/requests³⁰⁶, while 11 cases were registered as implementing own initiative provisions³⁰⁷. These operational statistics show that over 93% of the cases are opened upon

³⁰³ Organized Crime and Corruption Reporting Project (2021), [What is the 'Ndrangheta?](#)

³⁰⁴ Eurojust (2023), [132 'Ndrangheta mafia members arrested by an investigation of Belgium, Italy and Germany](#)

³⁰⁵ Eurojust (2024), [Eurojust Consolidated Annual Activity Report 2023](#), p 18.

³⁰⁶ Ibid, p 29.

³⁰⁷ Ibid, p 19.

the request of Member State authorities and well reflect Eurojust's role and self-perception as a service-oriented Agency. In practice, a Eurojust case is typically **initiated** by the Eurojust NM at the national desk who received the request from a national authority in its Member State, or by the respective LP in case the request comes from one of the twelve third countries that have seconded Liaison Prosecutors to Eurojust based on cooperation agreements (see Case Study 2)³⁰⁸. The majority of Eurojust cases continue to support bilateral cooperation with 4,975 such cases handled in 2023 – in contrast with the 735 multilateral cases, representing 87% and 13% of the cases, respectively³⁰⁹. How active the National Member greatly affects the number of opened cases per desk. Some desks have a smaller workload while others, such as LV - despite being a small country - having had over 300 cases between January and September 2024, alone. While the number of cases can, reportedly, be misleading with a simple case requiring minimal Eurojust involvement represented in the statistics the same way as large-scale complex cases, the difference between the caseload of the desks appears significant. At the same time, so are their size and resources.

EPPO-initiated cases are limited given the office's strictly defined competence and come from non-participating countries. Cases stemming from Eurojust's own initiative are opened less frequently and are mainly based on information Eurojust obtains through its cooperation with other agencies, mostly Europol, the EPPO or OLAF, or when its in-house automatic cross-matching of data identifies a hit in the CMS. Own initiative cases most commonly concern terrorism, including through the use of the European Judicial Counter-Terrorism Register³¹⁰, or increasingly investigations in the context of Russia's crime of aggression against Ukraine based on the information in CISED (see Case Study 3).

- *Enabling factors:* the physical proximity and NAs and LPs at the Eurojust premises in The Hague allows for continuous exchange of information, makes the contact, reportedly, swift, collegial and constructive.
- *Hindering factors:* the hit/no-hit system is dependent on the precision and diligence with which the details of a given case are inputted in the CMS, which in turn is subject to the approach of the given national desk, the level of detail with which the magistrates prepare the case summary, as well as the capacity and proactivity of the reportedly overstretched national desk assistants, who "can only enter into the system information they have".

"We supported more than 13,000 cases last year, and see that more and more serious crimes have a cross-border element. Eurojust is a unique EU Agency, the only one that provides direct practical support to prosecutors and investigators."

National Member

This initial phase continues with the **determination of the nature of the case** i.e., whether the Agency is faced with a simple or complex case. This is at the discretion of the NM or LP that receives the request. While simple Eurojust cases mainly occur in the context of bilateral cross-border cases, bilateral *versus* multilateral cases do not automatically translate into simple *versus* complex Eurojust cases. Whether a case is deemed complex rather follows from the *de facto* complexity of the required operational response. A simple case would typically trigger a **rapid response** with limited Eurojust involvement, such as responding to a question or urgent request.

In this context, Eurojust can resort to its **OCC** that is able to receive and process requests 24 hours a day, seven days a week – with the support of the respective OCC representative per Member State, who is to act without delay in relation to the execution of a request in their Member State as per Article 19 EJR. The OCC enables Eurojust to provide prompt legal

³⁰⁸ Albania, Georgia, Iceland, Moldova, Montenegro, North Macedonia, Norway, Serbia, Switzerland, Ukraine, the United Kingdom and the United States of America in Eurojust, [Liaison Prosecutors](#)

³⁰⁹ Eurojust (2024), [Eurojust Consolidated Annual Activity Report 2023](#), p 10.

³¹⁰ Eurojust (2023), [Digital Information Exchange in Terrorism Cases Stronger justice, safer Europe](#)

advice on questions arising at national level in relation to variety of legal issues ranging from conflict of jurisdiction, transfer of proceedings, extradition, surrender, JITs, EAWs, freezing, and confiscation to asset recovery. OCCs also commonly facilitate replies from other Member States to a judicial cooperation request. Anecdotal evidence during the evaluation suggests that the OCC mechanism is used in practice, even though 45% of the surveyed national desks and liaison prosecutors could not speak to its effectiveness, which may suggest that at half of the national desks this function may not be in use at all, while 25% of responding national desks and LPs reported the OCC to be ‘very effective’ next to another 16% evaluating it as ‘moderately effective’.

- *Hindering factor:* even though Article 19 EJR allows for the OCC representative to be either the National Member or his or her deputy, an Assistant entitled to replace the National Member, or a seconded national expert, in practice, in case of smaller national desks that lack Hague-based support staff, it is the National Members who are assigned to be continuously on-call. This practice could, reportedly, emerge because Article 7(2) EJR provides the option for Member States to decide that the deputy or Assistant or both will have their regular place of work in their Member State.
- *Hindering factor:* the mentioned option in Article 7(2) EJR, reportedly, also hinders the operational work of the NMs whose national authorities decided to keep the deputies in the Member States. Even though the provision provides that if the operational needs so require, the College may request the Member State to assign the deputy or Assistant or both to work at the seat of Eurojust for a specified period, with which the Member State must comply, it has never been applied in practice.

After the rapid response, the case is moved forward by the national authorities, and the Eurojust case is closed.

At the same time, drawing the line between **simple and complex cases** turns out not to be that simple in practice. While the EJR is to support national authorities in simple cases, and Eurojust Guidelines are also in place on deciding whether a case should be handled by Eurojust or the EJR, divergent practices prevail among national desks on whether to take on a simple case or not. Some NMs take on simple cases because the EJR contact point in their Member States “does not work as they should”.

In addition, a case that may look simple at first can develop into a complex one due to the discovery of further cross-border elements or to the complexity of the legal issues that arise. Lastly, often it is through the examination of the handling of simple cases that Eurojust is able to identify recurrent issues and build up its ‘**knowledge retention**’ portfolio that is important for the efficient and coherent casework by the Agency in ongoing as well as in future cases – and also serves the needs of policy- and law-makers who can receive briefings about trends and recurrent issues on this basis.

Complex case – comprehensive response

Complex cases call for a comprehensive response that entail a set of coordinated actions and can last months or years. Eurojust has various coordination mechanisms, especially coordination meetings and coordination centres, as well as judicial cooperation instruments, such as the EAW, the EIO or JITs at its disposal. In practice, these mechanisms and tools are used in an interconnected way and are sequenced according to the operational needs in each particular case. The following overview focuses on the coordination tools and cooperation instruments that are key in complex cases and were particularly relevant in Operation Eureka.

The case that has grown into Operation Eureka started in April 2020 with the IT national desk receiving a request for support to facilitate the issuance of a EIO to DE. It quickly became clear that the case requires a comprehensive response from Eurojust with various linked

investigations identified and IT issuing multiple EIOs to DE, while identified links also triggered the involvement of the BE national desk.

Coordination meetings: facilitating coordination as well as cooperation

Throughout the three years of Operation Eureka cooperation and coordination work that led up to a coordinated Action Day in May 2023, Eurojust's **coordination meetings** proved critical in the preparation and success of the coordinated Action Day as well as of the prosecution overall. Eurojust organised ten coordination meetings before the Action Day and two after, while the meetings also supported the setting up of two dedicated JITS. Coordination meetings are convened by the NM or LP in charge and, in particular, were key to bringing national judicial and law enforcement officials together, facilitating the exchange of information, detecting and solving questions around conflicts of jurisdiction and other legal issues, such as the use of evidence obtained through the use of encrypted phones while also provided a platform for discussing potential parallel investigations.

The proactivity of the NM or LP in the lead as well as the previous experience of national authorities with Eurojust are, reportedly, both key to the demand for and the success of the coordination meetings. Eurojust organised 577 coordination meetings in 2023 alone³¹¹ – which have largely been reported as successful.

- *Enabling factor:* in relation to coordination meetings, NMs stressed the vital role of the logistical support, especially translation and interpretation Eurojust routinely ensures – even though the ‘may-clause’ in Article 4(3)b) EJR leaves this support optional. The need for and appreciation of this support was underlined even more in relation to the participation of judicial and law enforcement officials from Central and Eastern Europe.
- *Enabling factor:* the availability of dedicated funding for participation in coordination meetings³¹² has been reported by NMs as critical to ensuring participation from their Member States.
- *Hindering factor:* inefficiencies prevail, leading to significant unnecessary additional costs that are associated with last-minute meeting confirmations and travel costs. Funding requests for participation in coordination meetings can be submitted to the national desks or to the LPs Office with no deadline (even as late as on one business day notification) even though coordination meetings are scheduled weeks and months in advance.

Coordination meetings are supported by the casework unit. In preparation of coordination meetings, the unit develops the case notes that provide the overview of judicial cooperation requests as well as the links between the proceedings and the list of common suspects to aid the decision-making on a common prosecution strategy. This heavy involvement is reflected also by the human resources dedicated to case work support, including to coordination meetings, at the case work unit. Since operational work is the core mandate of the Agency, all (Senior/Assistant) judicial cooperation officers and SNEs are meant to devote at least 50% of their time to it. This ratio is at times nuanced due to other operational priorities, such as the building up of CISED or ICPA. To illustrate, in 2024, the number of FTE hours reported in casework support (overall) was 18.19 out of 35

“This needs to stop. We organise 700 meetings and events a year – and spend EUR 3.5 million. The national desks are not keeping themselves to deadlines. Some are strict but some do whatever they want, and we routinely fund last minute travels. We could save 25% on these inefficiencies.”

Member of the Eurojust Administration

³¹¹ Eurojust (2024), [Eurojust Consolidated Annual Activity Report 2023](#), p 11.

³¹² Europol, EMPACT, JITS Network, Eurojust (2023), [Funding Schemes](#)

FTEs. This support is provided predominantly at senior staff level with 26 TA (AD), 4 TA (AST), 2 CA, and 3 SNEs allocated to case work support overall³¹³. *Enabling factor*: The case notes are, reportedly, much-needed and well-received by both the NMs and especially by the participating national prosecutors, judicial and law enforcement officials. These also ensure the structured and up-to-date documentation of the state of play of the execution.

The dedicated member(s) of the casework unit attend the coordination meetings, draft minutes, in which their specialised legal expertise helps crystallising the discussion points and formulating the conclusions as well as recording any operational agreements reached. The casework unit also plays a crucial role in bringing the EU perspective and the knowledge of applicable EU criminal justice and fundamental rights standards, the current jurisprudence, the retained knowledge from the horizontal overview of past cases as well as the thematic developments within recurrent cases and issue areas. Some recurrent issues in 2023 concerned the overlaps and difficulties in the application of the EAW Framework Decision and the Transfer of Prisoners Framework Decision; issues with return guarantees for nationals and residents; prison conditions and the formulation of assurances; and questions surrounding *in absentia* judgments³¹⁴.

- *Hindering factor*: the dichotomy between the perception of Eurojust's role between the national desks and the Eurojust administration spills over to the area of case handling as well; where the overall perception among the NMs is that the Agency is there to serve the substantive work done by the National Members in a nearly clerical fashion, while the Administration owns – and in some areas struggles to reinforce - the role of Eurojust as an EU Agency.
- *Hindering factor*: while during and after the COVID-19 pandemic various meetings were moved online, there is a continued difficulty in securing meeting rooms for not only Level II (internal) but also for coordination meetings, which sometimes take place weeks later due to the unavailability of meeting rooms.

Similarly to other complex responses, in Operation Eureka, coordination meetings were not only successful in supporting the two JITs and the large-scale Action Day outlined below, but also supported the issuance of **EAWs** leading to 132 arrests in Italy, Germany, Belgium, France, Portugal Romania, Slovenia and Spain. On the basis

of the principle of mutual recognition, these allowed for a simplified and prompt judicial surrender procedure. To that end, coordination meetings helped improve mutual understanding across different jurisdictions and contributed to the effective execution of the EAWs, including in the event of multiple EAW requests by virtue of the competence granted to Eurojust in the EAW Framework decision³¹⁵.

Similarly, the coordination meetings were vital to the issuance of 24 **EIOs** and facilitated over 200 house searches and the seizure of extensive materials from documents to crypto phones. EIOs allow for the gathering and use of evidence in criminal matters in one Member State on the basis of a judicial decision issued in another Member State (except for DK, IE) - on the basis of the EIO Directive that foresees Eurojust's role in facilitating the transmission of the

"We have the European overview, while the requesting country has a national view, and can be reluctant to see the overall picture.

National Members are often more national authorities than Eurojust."

Members of the Eurojust
Administration

³¹³ Data received upon request from the Case Work Unit of Eurojust in January 2025

³¹⁴ Eurojust (2024), [Eurojust Consolidated Annual Activity Report 2023](#), p 12.

³¹⁵ Article 16 [COUNCIL FRAMEWORK DECISION](#) of 13 June 2002 on the European arrest warrant and the surrender procedures between Member State (2002/584/JHA)

EIO to the competent authority of the executing State³¹⁶. In addition, Eurojust's support to the effective use of EIOs is broader and encompasses each phase of the EIO process: from legal and technical support for the issuing judicial authority to the drafting of the EIO, its transmission, as well as legal and coordination support for the executing judicial authority. Eurojust covers both the facilitation of communication and sharing of knowledge on the procedure itself as well as best practices on its application³¹⁷.

Joint Investigation Teams

Eurojust set up two dedicated JITs in Operation Eureka that, among others, allowed for the development of a commonly agreed prosecution strategy. This largescale cross-border cooperation could be kick-started on the basis of a JIT agreement concluded between the competent authorities of IT, DE and BE on establishing international cooperation in criminal investigations. Extensive coordination by Eurojust covered eight EU Member States (BE, DE, IT, FR, PT, SI, ES and RO) as well as cooperation with third countries in South America (BR and PA). While the scale of coordination was remarkable – it is not without example and could also recently be observed in the context of the investigations in relation to the Russian war of aggression against Ukraine. Importantly, the coordination meetings served the preparation of one of the largest Action Days against an organised crime network in the EU.

Providing operational, technical and financial support to Member States' cross-border operations and investigations, including to JITs, is a core operational function of Eurojust in line with Article 4(1)(f) of the Regulation. More so, Eurojust is mandated to ask the competent national authorities to set up JITs (Article 4(2)(d) EJR), as well as to provide funding for JITs (Article 60(4) EJR) and to establish rules together with Europol on the processing of respective funding applications (Article 64(1) EJR). By 2024, Eurojust's growing JIT funding reached EUR 1.9 million that allowed for the funding of over 150 JITs by October 2024 and covered a range of cost categories from travel to operational equipment.

- *Enabling factor:* the funding of JITs is the most important enabling factor for the participation of judicial and law enforcement officials – with some NMs reporting that officials from their Member States would not be able to participate at all without targeted JIT funding.

"When I joined Eurojust 20 years ago there were no joint investigation teams - and now we supported almost 300 JITs last year alone. In no other region of the world can you find more JITs than here in the EU."

JITs are the bread and butter of Eurojust's work, bringing national practitioners together, sharing knowledge and good practices along with innovative strategies."

"The JIT is the best tool we have. Those who participated in it, always want to come back."

National Members

In addition, since 2005, Eurojust together with Europol supports the annual meetings of the JIT Network that promotes and supports its activities and hosts its Secretariat³¹⁸. Eurojust often plans and supports the setting up of JITs in case of parallel or linked investigations, as well as provides legal and operational support while the operation is ongoing, including through other entities in Eurojust's administration. Eurojust's JIT casework has steeply increased in the past decade, including in priority crime

³¹⁶ Recital 13 of [DIRECTIVE 2014/41/EU](#) OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 3 April 2014 regarding the European Investigation Order in criminal matters

³¹⁷ Eurojust, [European Investigation Order](#)

³¹⁸ Eurojust, [JITs Network](#)

areas, such as drug trafficking, terrorism, cybercrime, migrant smuggling and trafficking in human beings³¹⁹.

JITs are one of the most effective instruments to fight serious cross-border crimes. Working with judicial/prosecutorial authorities as well as law enforcement authorities along with a national JIT expert per Member State, and with the support of OLAF, when possible. The national JIT experts are the first point of contact to set up and work within a JIT, advise on how to expand or narrow the case to make it suitable for a JIT cooperation, develop supporting tools that make setting up a JIT easy. JIT experts are well-placed to lead the conclusion of the JIT agreements to ensure that those are suitable to ensure the gathered evidence withstands judicial scrutiny. To that end, among others, JIT-related coordination meetings can proactively tackle any Member State-specific legal peculiarities, clarify whether the JIT agreement must be drafted on the national language of the given participating country.

The JIT Secretariat is a true centre for expertise on judicial cooperation, supports the stakeholders throughout the entire life cycle of a JIT, manages Eurojust's JIT grant programme, and develops the JIT practical guide.

Action Days and coordination centres

Coordination centres contribute to Eurojust's successful coordination of parallel national actions, such as searches, victim interviews, suspect arrests, or the seizure or freezing of assets – and instrumental to the successful execution of Action Days. Eurojust organised 21 coordination centres in 2023 – with DE and IT being the most involved Member States with coordination meetings organised, respectively³²⁰. Key to their success is their real-time monitoring function over ongoing operations as well as ability to facilitate the immediate issuance of judicial instruments often in large numbers across various participating countries.

In the vast majority of cases, common action days (CADs) in which measures are executed simultaneously in multiple countries, are supported by a Coordination Centre (CC) for one day. However, depending on the operational needs of a case, a CAD can last several days and therefore a CC can also last for two or more days. For example, in a number of financial crime and cybercrime cases, CCs were set up for two days. The preparation of a CAD supported by a CC may require weeks or months, depending on the level of complexity of the case. At times, several coordination meetings are necessary for their preparation. In case of urgency, coordination centres may be set up within hours.

The role of coordination centres before, during and after Action Days is important in resolving legal issues or obstacles that may arise due to the cross-border nature of the crime under investigation/prosecution. The legal support Eurojust provides goes hand in hand with its related operation support. During the Action Day held on 3 May 2023 in Operation Eureka, the dedicated Coordination Centre supported the rapid cooperation among participating judicial authorities and facilitated the transmission and execution of over a hundred EAWs and additional freezing/confiscation orders. Coordination centres can also support the issuance of EIOs and MLAs and provide a platform for promptly and securely preventing and addressing cooperation issues, such as questions of conflicts of jurisdiction, parallel proceedings, transfer of proceedings, admissibility of evidence, or cooperation with third countries. Coordination Centres also serve as information hubs for not only for the case but also for the development of joint communication strategies.

During the execution of the Action Day, at the Eurojust premises the NMs and LPs of the involved countries are stationed together in a secure operations room following the development on the ground in real-time and in constant connection with those engaged in the involved networks, chiefly the JITs Network, and EU agencies – mainly Europol. Throughout,

³¹⁹ Eurojust, [Joint investigation teams](#)

³²⁰ Eurojust (2024), [Eurojust Consolidated Annual Activity Report 2023](#), p 11-12.

they rely on secure email and video connections, with access to the Schengen information centre. NMs also stay in contact with national authorities in their native languages.

Their work is supported by the casework unit that, besides the practicalities, also develops the judicial matrix that provides an overview of the targets, and all relevant contacts. In Operation Eureka, more than 400 foreseen measures were included with the cross-border ones highlighted by the casework unit in advance. This allows the participants of the coordination centre to see in one overview which issues are still pending or need further clarification. They also monitor all communication channels, update the charts with results, and search open sources such as business data analytics, like Dun & Bradstreet, corporate financial databases, like Orbis, and various public news feeds.

The Casework Unit is the backbone of Eurojust's operational side, responsible for case analysis and remains the most important department. It works well and should be enhanced.

National Member

- *Hindering factor:* open source data and information is crucial for the operational work in practice. For instance, the use of geolocation is commonly needed as well as open source databases, such as Orbis that is key in economic crime cases that continue to make up the largest proportion of Eurojust cases with nearly 3700 cases in 2022³²¹. Yet, the lack of clarity around whether their use falls within Eurojust's mandate prevents the Agency from adequately utilising these sources.
- *Enabling factor:* coordination centres bring together officials with expertise as well as the mandate to facilitate the issuance of judicial cooperation instruments on the spot that brings significant added value and increases the effectiveness of cross-border operations and subsequent prosecutions.

The success of an Action Day is the result of successful Eurojust cooperation with relevant national authorities in and outside of the EU, among EU agencies but also internally among the national desks, the Administration and associated networks. The Action Day of May 2023 in Operation Eureka involved over 2,700 law enforcement officials who raided multiple locations in 10 countries across two continents and arrested 132 members on the *Ndrangheta* in 8 Member States. The massive operation also required the coordination and support over of ca. 200 house searches, during which extensive material was seized (electronic devices, crypto-phones, drugs, weapons) and about EUR 1 million of assets were frozen in an effort to tackle one of the world's most powerful criminal networks³²².

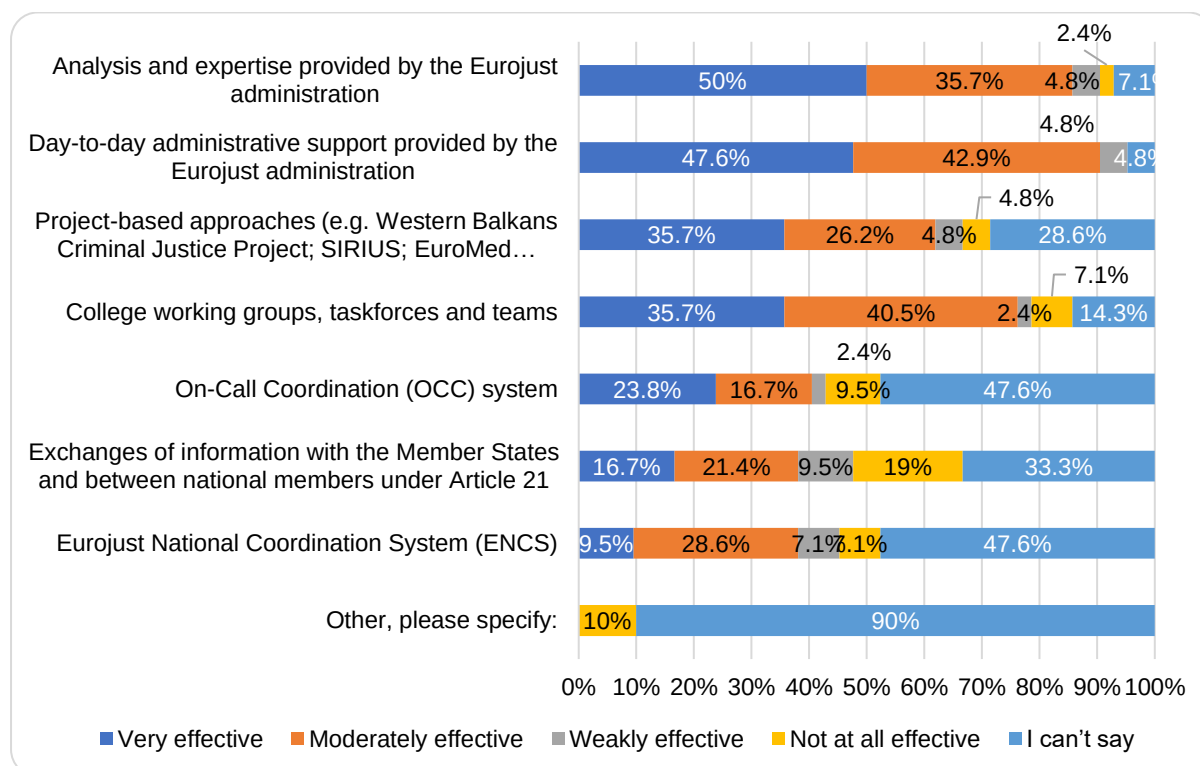
The coordination centres also supported the follow-up of the case through facilitating the cooperation in relation to the transfer of proceedings, the management of frozen assets and the hearing of witnesses at trial.

Lastly, and with high relevance to both operational and strategic work, **the fact that the EJR is silent about the role of the Eurojust administration in implementing the Regulation stands in stark contrast with the demonstrated effectiveness of the analyses and expertise as well as the administrative support provided by the Eurojust Administration – that are the most highly rated among the following tasks, activities of functions of the Agency.**

³²¹ 2028 ongoing cases from previous years and 1655 new cases in 2022, Eurojust, [Crime Types and Cases: Economic Crimes](#)

³²² Eurojust, [132 'Ndrangheta mafia members arrested by an investigation of Belgium, Italy and Germany](#)

Figure 33: Eurojust's effectiveness in conducting tasks, activities and functions



Source: Survey of Eurojust national desks and third countries liaison prosecutors (n=42)

Strategic work: making operational work smart

In response to practical needs as well as to learn from past work and proactively inform future operational work, Eurojust undertakes a number of activities under the umbrella of strategic work. This includes the identification of recurrent issues and best practices in order to **“retain knowledge”** and to build up and maintain a core EU-level expertise within the Administration which is, reportedly, much needed with the changing National Members /national authorities.

As part of Eurojust's strategic work, **legal notes** and **legal opinions** are developed by the casework unit on critical or recurrent issues or challenges that occur in the course of cooperation, such as in relation to the use of EIO for undercover agents abroad, or to the EIO for bugging cars crossing borders. Operational topics covering all Member States are also addressed in legal opinions, such as in the context of Operation Eureka, concerning competing EAWs against the same suspect. In 2023, the Casework Unit prepared 37 legal opinions/advice - 21 of those was based on requests from National Desks and Liaison Prosecutors, 8 from Eurojust Operational Working Groups, and 8 from other Administration entities³²³.

- *Hindering factor*: the wording of the Eurojust Regulation is not sufficiently clear and does not mention the large body of work that is in practice covered under the

“Article 4(5) is never applied in practice. This is seen as ‘naming and shaming’ and this is why issues are rather raised in strategic reports.”

Member of the Eurojust Administration

³²³ Data provided by the Casework unit of Eurojust in January 2025

umbrella of strategic work. Some Member States, such as BE, for instance, have national laws in place that provides the legal basis for them to request legal opinion from Eurojust, however, this is the exception.

- *Enabling factor:* EU legislation codifying Eurojust's strategic work and advisory role and assigning to it specific corresponding competences is critically important in practice as having an express legal basis prevents and helps manage disputes over the limits of the mandate among various stakeholders. For instance, Article 16(2) of the EAW Framework Decision specifies that in the event of competing requests the executing judicial authority may seek the advice of Eurojust when making the choice. On this legal basis, the casework unit is regularly asked to draft legal opinions – as an impartial/neutral party - for the relevant national desks on which EAWs should be prioritized, which, reportedly, are being followed in nearly all cases.

In turn, strategic work is also used to overcome barriers in cooperation. For instance, Eurojust has a clear legal basis to issue a written opinion on recurrent refusals or difficulties concerning the execution of requests for, and decisions on, judicial cooperation (Article 4(5) EJR). However, to avoid what is seen as confrontation by formally addressing recurrent refusals in a written opinion, related issues are addressed in a more abstract way in strategic reports. Issues can be raised by the NMs, and the Administration may also see where the national desks have a problem, and prepare a corresponding legal opinion, then occasionally the issue is taken further to the CJEU in the form of a preliminary ruling request.

Similarly, when two or more Member States cannot agree which of them should investigate or prosecute, rather than issuing a written opinion to Member States as per Article 4(4) EJR, in practice the competent national desks come to an agreement based on the Eurojust Guidelines³²⁴.

- *Hindering factor:* while there seems to be a pattern of resorting to informal working practices, commonly to retain positive relations and the continued 'buy-in' from all stakeholders in the Agency's work, this is not without trade-offs: non-compliance may remain undetected, the national desks have uneven workloads that is much dependent on the NM in charge, and a general perception of a lack of accountability prevails.

Casework reports, case-law overviews, guidelines for practitioners, and input to EU legislation are additional tools helping the coherent and up-to-date operational work within the Agency. Thematic reports with particular relevance include the 2019 Report on Eurojust's Casework in Asset Recovery³²⁵, the 2021 Eurojust Report on Drug Trafficking: Experiences and challenges in judicial cooperation³²⁶, the 2022 Eurojust Report on Money Laundering³²⁷, or the 2023 Eurojust Report on the Transfer of Proceedings in the EU³²⁸. The College and its thematic working groups prepare a workplan for each year, also considering the advice of the Eurojust Administration, which can indicate to cover a certain topic. At the same time, the choice of the topic of the thematic reports is much influenced by relevant developments, such as the CJEU ruling in the EncroChat case³²⁹, for instance.

Strengthening the European dimension of the operational work as well as bringing the latest applicable EU standards to the national desks, the case-law of the Court of Justice of the EU (CJEU) is constantly monitored on issues with practical relevance to the operational work. In particular, the extensive EAW and EIO jurisprudence calls for the analytical work of the Agency, which also frequently covers developments related to the principle of *ne bis in idem* in criminal matters, or the right to a fair trial in core international crimes cases. A particularly

³²⁴ Eurojust (2016), [Guidelines for Deciding 'Which Jurisdiction Should Prosecute?'](#)

³²⁵ Eurojust (2019), [Report on Eurojust's Casework in Asset Recovery](#)

³²⁶ Eurojust (2021), [Eurojust Report on Drug trafficking Experiences and challenges in judicial cooperation](#)

³²⁷ Eurojust (2022), [Eurojust Report on Money Laundering](#)

³²⁸ Eurojust (2023), [Eurojust Report on the Transfer of Proceedings in the European Union](#)

³²⁹ CJEU, [C-670/22](#), Judgment of 07/06/2024 M.N. (EncroChat)

important example is the recent CJEU Grand Chamber judgment in the *EncroChat* case³³⁰ that took priority in the strategic work due to the growing body of Eurojust casework on the issue.

This informed the Agency's extensive operational and strategic work related to cases involving encrypted communication platforms. Since the 2020 *EncroChat* and 2021 *Sky* ECC communication platform cases, Eurojust has dealt with thousands of 'spin-off' cases in the context of drug trafficking and organised crime broadly³³¹. In particular, since April 2021, the French National Desk alone has processed over 2,700 requests for mutual legal assistance and EIOs in cases related to the decryption of *Sky* ECC communications³³².

The legal opinion the casework unit developed on the admissibility of evidence obtained from *Sky* ECC – the world's largest encrypted messaging network whose operation has since been shut down³³³ – has, reportedly, been instrumental not only in addressing key issues in the cooperation but also in ensuring that the evidence is gathered in a way that can subsequently be used in national criminal proceedings against the suspects. The majority of the suspects arrested in Operation Eureka under prosecution shows **how Eurojust's strategic work can unlock the success of its operations leading to the more effective prosecution of cross-border crimes across the EU**.

The casework unit also plays a key role in providing **strategic input to policymakers** at different stages and in different fora. While the number of such contributions varies from year to year, an estimated average is around 60 per year³³⁴.

Firstly, it does so during **expert meetings**³³⁵, for instance, in the form of input that may relate to the impact of some CJEU judgments on Eurojust's casework (e.g. *Gavanozov*; *Petruhhin*; *EncroChat*); issues identified in Eurojust cases in the application of existing EU legal instruments (e.g., EAW Framework Decision; EIO Directive, etc.) or input in light of legislative proposals (e.g., on Digitalization or on transfer of proceedings). In these examples, Eurojust either produced Council LIMITED/LIMITÉ documents or participated to dedicated meetings (sometimes with supporting documents) to discuss the issues identified. For instance, the Second Data Retention Report was produced for the European Commission separately at working level and as input for the outcome report of the HLG on access to data for effective law enforcement.

In addition, Eurojust provides feedback to the EU policy-maker based on their **specific requests** in relation to targeted questions, for instance, in relation to (planned) legislative proposals³³⁶, background documentation in preparation of *ad hoc* institutional expert's meetings³³⁷ or feedback to Presidency products.

A combination of contribution to expert meetings and on the basis of specific requests also occurs, for instance, in the field of cybercrime, when the European judicial cybercrime network (EJCN) is regularly requested by the European Commission to provide practitioners' input on

³³⁰ CJEU, [Case C-670/22](#) of 30 April 2024

³³¹ Eurojust, [Annual Report 2023](#), pp 44

³³² Eurojust, [Annual Report 2023](#), pp 45

³³³ This build on the results of a successful Europol – Eurojust collaboration that supported investigators in BE, NL and FR who monitored the criminal use of the *Sky* ECC communication service tool detecting hundreds of millions of messages exchanged between members of large-scale organised crime groups. Europol, [New major interventions to block encrypted communications of criminal networks](#)

³³⁴ The overview of EJ's strategic input to policymakers was prepared based on the information and data provided by the Case Work Unit of Eurojust in January 2025.

³³⁵ expert meetings organised by the European Commission - DG JUST, DG HOME, DG FISMA, HLG, EU Coordinators on Counter-terrorism, Victims' Rights, THB - meetings with Council Secretariat, COSI, COPEN, European Parliament –LIBE, Ukraine Dialogue Group). For the purpose of COPEN meetings, at times, Council reports with Eurojust input are published as LIMITED/LIMITÉ.

³³⁶ e.g., input on the Victims' Rights Directive, the upcoming Directive on migrant smuggling, Directive on Environmental Crime, proposal of Directive on Corruption, Regulation Anti-Money Laundering Authority, legislative proposals for the e-evidence package -Regulation and Directive-, Regulation (EU) 2023/2131, draft paper on foreign terrorist fighters

³³⁷ EU-US SOM, SOCTA 2025, TE-SAT

certain matters. Often, Eurojust's input to the European Commission/policymakers is prepared based on input from EJCEN practitioners and triggered by a request to the EJCEN.

Lastly, Eurojust provides its strategic input through meetings organised as leader of an operational action within an **EMPACT priority**, where legal and practical issues, best practice and the support provided by Eurojust are identified and the experience of Member States and partner countries is shared with the European Commission and other partner organisations³³⁸.

Eurojust also provides input for the Council of Europe (CoE), when requested³³⁹ in addition to the outlined contributions to EU policymaking - demonstrating the relevance of the Agency's strategic work through bringing the learnings from hands-on operational work to high-level policy making.

³³⁸ Eurojust - U.S. Department of Justice Meeting on Stopping the Illicit Flow of Sensitive Technology

³³⁹ e.g. input to CoE deliverables on violent extremism and on battlefield evidence

Case study 2: Eurojust cooperation with third countries

This case study was developed as part of the Evaluation of the implementation and impact of Regulation (EU) 2018/1727 of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust), and of the effectiveness and efficiency of Eurojust and its working practices. The report provides an in-depth analysis of Eurojust's cooperation mechanisms with third countries and where relevant, international organisations.

The case study informs the following Evaluation Questions (EQ):

Evaluation criteria	Evaluation Question
Effectiveness	To what extent has progress been made towards achieving the Eurojust Regulation's objectives, considering the expectations and procedures it included?
Relevance	How well do the objectives of the Eurojust Regulation still correspond to the needs within the EU and among the stakeholders?
Coherence	External coherence – To what extent are the results of Eurojust's work coherent with (current) wider EU policies and priorities, in particular those in the JHA area?
EU added value	To what extent could the identified changes/results/impacts have been achieved without Eurojust and/or the Eurojust Regulation?

The case study is structured as follows:

- Objectives, scope and methodology
- Background section
- Key findings providing answers to case study questions

Case study overview

This case study aims to assess Eurojust's cooperation with third countries, with a particular focus on comparing its cooperation with countries that have well-established cooperation frameworks (such as Albania, Ukraine, the UK, and the US) with those without cooperation agreements (particularly those in Latin America), to provide a broader understanding of how Eurojust adapts its cooperation strategies in different legal and political contexts. This comparison aims to shed light on the effectiveness and challenges of these different modalities of international cooperation.

The case study is centred around several research questions designed to assess Eurojust's cooperation with third countries, as agreed in the inception report. As can be seen in the table below these questions will feed into the assessment of several evaluation criteria.

Table 51: Overview of research questions

Research questions	Linked evaluation criteria
RQ1. Comparison of formal cooperation modalities, versus non-formalised cooperation: what is the added value of establishing formal cooperation agreements with third countries <i>versus</i> relying on non-formalised forms of cooperation? Does a formalised cooperation agreement contribute to more effective and coherent investigative and prosecutorial cooperation internationally ?	- Effectiveness (Internal) coherence

Research questions	Linked evaluation criteria
• RQ2. Added value of allowing exchange of operational personal data in cooperation agreements: whether cooperation agreements allowing for the exchange of operational personal data significantly contributed to a more effective fulfilment of Eurojust's mission and implementation of its tasks especially in comparison with the previous working arrangements not allowing the exchange of such information?	• Effectiveness
• RQ3. Comparison of formal/informal cooperation with no cooperation: What are the key takeaways and practical experiences of cooperating with a third country with no cooperation agreement or where the basis of cooperation is a working arrangement?	• Effectiveness • Efficiency
• RQ4. Comparison cooperation under old and new legal framework: ○ whether the new legal framework for cooperation with third countries contributed to a more effective cooperation with international partners; ○ whether the new legal framework for cooperation with third countries contributed to a more coherent and streamlined external dimension of EU AFSJ;	• Effectiveness • Coherence
• RQ5. Relevance of existing cooperation agreements and other modalities to Eurojust: ○ How well have the negotiations/conclusion of the cooperation agreements with third countries have taken into consideration the operational needs of Eurojust? ○ To what extent are the current working modalities with third countries adequately allow Eurojust to fulfil its role in an increasingly globalised international plane? Are there any gaps in the cooperation agreements?	• Relevance

Geographical scope: The case study findings cover all third countries with cooperation agreement and working arrangements with Eurojust more generally, however the desk review and interviews focus on a sample of third countries (see further details below).

Time frame: The case study focusses on the cooperation since the entry into application of the EJR, however where a comparison is to be made to the situation before the new legal framework was put in place, the case study will look back to the situation before 2019.

In this context, the case study was developed based on the following research activities:

Selection of sample of third countries

As it is not feasible to cover all third countries to the same extent in this case study, a sample of third countries is selected for the purpose of the desk review and case study interviews. The third countries selected at the inception stage were Albania, United Kingdom, Ukraine, and the USA:

- The UK was chosen since it is one of the main partners with still relatively aligned legal framework.
- The USA was selected as a strategic global partner essential for tackling organised and cross-border crime.
- Albania is a Western Balkan country engaged in the EU accession process, making cooperation with Eurojust a critical step toward fulfilling EU integration requirements.
- Similarly, Ukraine, given its geopolitical significance and EU aspirations, is a vital partner in tackling transnational crime and maintaining regional stability.

As these four countries all have cooperation agreements with Eurojust, and the case study questions require a comparison with countries without cooperation arrangements in place, the case study extended the sample to countries with other cooperation mechanisms in place such as working arrangements (namely Ecuador, Peru and Panama) and with no cooperation mechanisms in place (Brazil).

In addition, as the evaluation foresaw interviews with liaison prosecutors from a number of third countries with formal cooperation agreements, these interviews were taken into account as well (namely Moldova, Serbia, Switzerland, Iceland) – however no documents were reviewed for these countries.

Document review

As part of the desk research, we reviewed a range of documents related to the strategies of Eurojust to cooperate with third countries, cooperation agreements between Eurojust and the case study third countries, and working arrangements between Eurojust and the case study third countries. These documents provide a comprehensive understanding of the current landscape of judicial cooperation and inform the analysis of Eurojust's engagement with both established and emerging international partners. The documents are listed in the below box.

Cooperation agreements

- Agreement between Eurojust and the United States of America, 2006
- Agreement on cooperation between Eurojust and Albania, 2018
- Agreement on cooperation between Eurojust and Ukraine, 2016
- The Trade and Cooperation Agreement (TCA) between the EU and the UK, 2020
- Working Arrangement between Eurojust and the Home Office UK, 2021

Working arrangements

- [Working Arrangement between Eurojust and the Prosecutor General's Office of the Republic of Ecuador](#)
- [Working Arrangement between Eurojust and the Attorney General's Office of the Republic of Panama](#)
- [Working Arrangement between Eurojust and the Prosecutor General's Office of the Republic of Peru](#)

Eurojust strategic documents

- Eurojust Strategy on Cooperation with International Partners (for the periods 2020–2023 and 2024–2027)
- Eurojust Multi-Annual Strategic Plan 2016-2018
- Multi-Annual Strategy (for the period 2019-2021; and 2022-2024)

Other documents

- Eurojust, Guide on Cooperation with Non-EU Countries via Contact Points
- Eurojust, International cooperation in drug trafficking cases with third countries, 2024
- [Eurojust, Enhancing Cross-Border Cooperation in Criminal Justice in the Western Balkans, 2022](#)
- Eurojust, Judicial cooperation in criminal matters between the European Union and the United Kingdom from 1 January 2021

Stakeholder consultations

Overall, the case study was informed by 27 interviews of which 6 were specifically conducted for the purpose of this case study. The interviews covered:

- Four interviews with Eurojust staff;
- Nine interviews with national authorities of Member States (Eurojust National Members);
- Eight interviews with third countries;
- Six interviews with international organisations.

In addition to the supplementary interviews conducted, we have analysed the responses from the survey distributed to national desks and third country liaison prosecutors, as well as from the online survey targeting other stakeholders from Member States and third countries, including ENCS, relevant competent authorities, and various national practitioners.

Modalities of cooperation with third countries

The Eurojust Regulation (Regulation 2018/1727) changed the way in which Eurojust can conclude cooperation agreements with third countries (see further detail in the below response to RQ4).

Eurojust currently cooperates with third countries through four primary mechanisms to enhance international legal cooperation. These include:

- **Cooperation agreements**, which provide frameworks for operational cooperation and exchange of information.
- **Working arrangements**, which formalise relationships and facilitate joint legal efforts.
- **Liaison Prosecutors**, who are stationed within Eurojust to represent third countries with a cooperation agreement in place and help streamline cross-border judicial cooperation.
- **Contact Points**, who are designated individuals in third countries who serve as links between Eurojust and local judicial authorities, helping coordinate and expedite legal assistance.

The table below outlines the types of cooperation between Eurojust and third countries, their objectives, and the countries involved. For the purpose of this case study, we will refer to cooperation agreements as formal cooperation mechanisms and to working arrangements and contact points as informal cooperation mechanisms.

Table 52: Types and objectives of cooperation mechanisms

Type	Objective	Countries
Cooperation Agreements	Allow for the systematic exchange of operational information , including evidence and personal data, between Eurojust and the national authorities of third countries.	Eurojust cooperates with 12 non-EU countries under agreements concluded before the EJR came into effect - Albania, Georgia, Iceland, Liechtenstein, Moldova, Montenegro, North Macedonia, Norway, Serbia, Switzerland, Ukraine, and the United States - as well as the United Kingdom based on the TCA. Since the EJR came into effect, cooperation agreements have been signed with Lebanon and Bosnia and Herzegovina, and concluded with Armenia, pending a data protection assessment. Future cooperation agreements may be pursued with Algeria, Argentina, Brazil, Colombia, Israel, Jordan, Morocco, Tunisia ³⁴⁰ as well as the UAE, Nigeria, Mexico,

³⁴⁰ Eurojust Strategy on Cooperation with International Partners 2020-2023, available at: [Strategy on cooperation with international partners | Eurojust | European Union Agency for Criminal Justice Cooperation](#)

Type	Objective	Countries
		Ecuador, Panama, Bolivia, Peru and Canada ³⁴¹ .
Working Arrangements	These arrangements enable strategic cooperation with third countries, judicial networks, and associations outside the EU to combat serious crime, as per Articles 47(1) and 52 of the Regulation. While these arrangements facilitate the exchange of strategic information and best practices, they do not provide a legal basis for sharing operational personal data .	Eurojust has such working arrangements with the Ibero-American Association of Public Prosecutors Offices (AIAMP), Bolivia, Costa Rica, Chile, Ecuador, Nigeria, Panama and Peru. Additional third countries with which working arrangements may be sought in the future, as per the 2024-27 Eurojust Strategy on Cooperation with International Partners include: Australia, the Dominican Republic, Egypt, India, Kosovo, the Philippines, the Seychelles, South Africa, Thailand Turkiye, and Vietnam ³⁴² .
Liaison Prosecutors	Eurojust hosts Liaison Prosecutors from non-EU countries who collaborate with Eurojust's national members to support cross-border investigations . With the exception of Lichtenstein, each country that has a cooperation agreement with Eurojust has a Liaison Prosecutor posted at Eurojust ³⁴³ .	Currently, 12 Liaison Prosecutors are seconded to Eurojust from Albania, Georgia, Iceland, Moldova, Montenegro, North Macedonia, Norway, Serbia, Switzerland, Ukraine, the United Kingdom, and the United States, based on their respective cooperation agreements (or the TCA, in the case of the UK).
Contact Points	These are designated by national authorities and provide a means for EU Member State prosecutors to obtain information from third countries, facilitating judicial cooperation .	Eurojust maintains active contact points with more than 70 jurisdictions worldwide.

Use of modalities of cooperation across the sampled third countries

The table below provides an overview on the cooperation mechanisms in place in the sampled third countries.

Table 53: Overview of cooperation mechanisms in sampled third countries

Type	Albania	Ukraine	United Kingdom ³⁴⁴	United States
Cooperation Agreements	x	x	x	x
Working Arrangements			x	
Liaison Prosecutors	x	x	x	x
Contact Points	x	x		x

³⁴¹ Eurojust Strategy on Cooperation with International Partners 2024-2027, available at: [Eurojust Strategy on Cooperation with International Partners 2024-2027](#)

³⁴² Eurojust Strategy on Cooperation with International Partners 2024-2027, available at: [Eurojust Strategy on Cooperation with International Partners 2024-2027](#)

³⁴³ Eurojust cooperation with third countries infographic, available at: [Eurojust cooperation with third countries \(europa.eu\)](#)

³⁴⁴ UK's Working Arrangement is solely intended to delineate the modalities of cooperation not specified within the relevant provisions of the Trade and Cooperation Agreement (TCA), which are otherwise addressed in cooperation agreements with third countries.

This analysis of cooperation agreements with Albania³⁴⁵, Ukraine³⁴⁶, UK³⁴⁷ and US³⁴⁸ identifies key areas in which the agreements demonstrate Eurojust's commitment to fostering cross-border judicial cooperation such as presence in third countries, staffing and support, data protection and legal compliance, data exchange frameworks, scope of data use, participation in operational and strategic meetings, facility provision and reimbursement, posting of Liaison Magistrates³⁴⁹.

Table 54: Findings from the analysis of cooperation agreements of Albania, Ukraine, UK, US

	Findings
Presence in third countries	All cooperation agreements include provisions for seconding a Liaison Prosecutor. These provisions enhance Eurojust's operational capacity by establishing direct communication channels and facilitating smooth information flow between Eurojust and national authorities, thereby meeting the operational need for timely and coordinated judicial action.
Staff and support	That each cooperation agreement presents a tailored approach to staffing within these agreements is evident. The UK agreement, in particular, allows for a Liaison Prosecutor to be supported by up to five additional staff members, reflecting the depth of the UK's historical involvement with EU judicial structures. In contrast, agreements with Albania, Ukraine and the US provide for only one assistant, which is indicative of a calibrated response based on anticipated workload and the level of integration with Eurojust's operations.
Data protection and legal compliance	Each agreement incorporates specific data protection frameworks that ensure the secure exchange and use of personal data in line with each partner country's legal standards, which is essential for maintaining operational integrity.
Data exchange frameworks	The UK agreement aligns with GDPR-like principles post-Brexit, ensuring a continuation of the EU's high standards for data protection. Albania and Ukraine comply with Council of Europe Convention No. 108, which is well-suited for non-EU countries aspiring to align with European data standards. The US, meanwhile, follows its own national legal provisions, ensuring compatibility while addressing unique operational needs. This tailored approach to compliance guarantees that Eurojust can fulfil its operational mandate without compromising data security or privacy.
Scope of data use	The US agreement stands out for including detailed provisions on data use across criminal, administrative, and public security proceedings. This specificity reflects an understanding of operational needs, particularly in ensuring prosecutorial data is shared and used effectively, while imposing limitations where necessary to maintain confidentiality and security.

³⁴⁵ Agreement on cooperation between Eurojust and Albania, available at: [Agreement on cooperation between Eurojust and Albania | Eurojust | European Union Agency for Criminal Justice Cooperation \(europa.eu\)](#)

³⁴⁶ Agreement on cooperation between Eurojust and Ukraine, available at: [Agreement on cooperation between Eurojust and Ukraine | Eurojust | European Union Agency for Criminal Justice Cooperation \(europa.eu\)](#)

³⁴⁷ Working arrangement between Eurojust and the Home Office UK, available at: [Working Arrangement between Eurojust and the Home Office UK | Eurojust | European Union Agency for Criminal Justice Cooperation \(europa.eu\)](#)

³⁴⁸ Agreement between Eurojust and the United States of America, available at: [Agreement between Eurojust and the United States of America | Eurojust | European Union Agency for Criminal Justice Cooperation \(europa.eu\)](#)

³⁴⁹ As stated in the cooperation agreements, a Liaison Magistrate refers to a magistrate posted by the College of Eurojust to the third country in accordance with Article 27a(1) of the Eurojust Decision.

	Findings
Participation in operational and strategic meetings	Each agreement includes provisions for partner countries to participate in such meetings, highlighting a commitment to Eurojust's need for collaborative engagement. The UK Liaison Prosecutor can attend Eurojust's College meetings as an observer, offering deeper integration into Eurojust's decision-making processes. This is a significant reflection of Eurojust's operational need for extensive cooperation with key partners. On the other hand, the agreements with Albania, Ukraine, and the US provide for their representatives to attend strategic meetings upon invitation, demonstrating a more limited but still valuable form of participation. The difference in meeting participation indicates that the negotiations with each country were adapted to balance their capability to contribute to Eurojust's broader strategic discussions with the level of cooperation they can provide.
Facility provision and reimbursement	The agreements with Albania, Ukraine, UK and the US state that Eurojust will provide office space for the Liaison Prosecutors, but also allow for reimbursement of associated expenses. This tailored approach ensures that Eurojust can meet its operational need for logistical support without overextending its financial resources, particularly in resource-constrained situations.
Posting of Liaison Magistrates	The cooperation agreements with Albania, Ukraine and UK mention the possibility to post a Eurojust Liaison Magistrates to third countries. The requirement for Council approval to post magistrates to these countries reflects a strategic decision to align operational activities with broader EU political and legal considerations. The US agreement does not include a provision for posting Liaison Magistrates. However to date, these provisions have not been used.

Key findings (answers to case study questions)

Comparison of cooperation modalities

This section presents an overview of:

- **A comparison of formal cooperation modalities, versus non-formalised cooperation:** what is the added value of concluding cooperation agreements with third countries versus relying on non-formalised forms of cooperation? Does a formalised cooperation agreement contribute to more effective and coherent investigative and prosecutorial cooperation internationally?
- **The added value of allowing exchange of operational personal data:** whether cooperation agreements allowing for the exchange of operational personal data significantly contributed to a more effective fulfilment of Eurojust's mission and implementation of its tasks especially in comparison with the previous working arrangements not allowing the exchange of such information
- **A comparison of formal/informal cooperation with no cooperation:** What are the key takeaways and practical experiences of cooperating with a third country with no cooperation agreement or where the basis of cooperation is a working arrangement?

Comparison of formal cooperation modalities, versus non-formalised cooperation

The analysis of cooperation agreements between Eurojust and third countries (UK, US, Ukraine, and Albania), along with comparisons to existing working arrangements and Contact Points (Ecuador, Panama, Peru), as well as stakeholder interviews, reveal substantial differences in terms of scope, operational capabilities, and the possible impact on Eurojust's effectiveness. These findings have been confirmed through interviews conducted with stakeholders. This comparative analysis underscores the considerable added value that

formal cooperation agreements provide, particularly in enhancing cross-border judicial cooperation, facilitating data exchange, and strengthening operational efficiency, as opposed to the limitations of working arrangements.

- As noted by interviewees, formalised cooperation agreements provide operational depth that is critical for effective and coherent cross-border investigations and prosecutions. The systematic exchange of personal data and evidence is crucial for rapid, effective judicial action, which cannot be achieved under the non-formalised framework of a working arrangement. Interviewees noted that formal agreements contribute significantly to enhancing Eurojust's capability to effectively coordinate cross-border crime investigations. The added logistical support, structured meeting participation, and comprehensive data protection provisions ensure operational coherence and allow Eurojust to fulfil its mandate effectively. However, interviewees also noted the significant efforts required to negotiate such agreements, by the EC that is negotiating third-country agreements, as well as Eurojust providing a supporting role.
- On the EC's closer involvement in negotiations of cooperation agreement, some interviewees noted that this shift was an improvement because it leveraged the full political and institutional weight of the EU, enabling more impactful and comprehensive negotiations with third countries. However, some interviewees also observed that the initial period following this transition, while enhancing the political and institutional strength of negotiations, also brought a number of challenges, including:
 - Due to lack of consultation, Eurojust's operational expertise was underutilised, which led to inefficiencies in the approach (e.g. which stakeholders to involve from third countries, or how to best approach them).
 - Limited capacity of EC's negotiators (the example was given of one person coordinating the negotiations with 13 countries) and limited funds for missions (e.g. a large delegation from Colombia visited Eurojust in the Hague in 2024, but the Commission could not come due to lack of mission budget).
 - Lack of external coherence (e.g. EC visits to Latin America in which Europol but not Eurojust was highlighted as the priority).

However interviewees all highlighted that over time, the collaboration improved, with the European Commission being more open to involving Eurojust in the negotiations to provide critical background work and guidance. One interviewee recommended it would be beneficial to include Eurojust staff as part of the negotiation team in the future. The interviewees acknowledged that EC-led negotiations benefited from the EU's consolidated diplomatic and legal influence, leading to agreements that aligned with broader EU priorities while supporting Eurojust's operational goals. Several National Members expressed concerns regarding Eurojust's limited role in the negotiation process

- The interviewees also highlighted that the negotiations of cooperation agreements often took longer compared to working arrangements. In this context, several interviewees pointed at the **data protection requirements** which form part of the agreements as a main reason for delays the finalisation of agreements. Examples mentioned included the negotiations of the agreements with countries such as Argentina and Colombia, which faced delays partly due to the differences in data protection standards between the EU and these countries. Some national members were also concerned that the current data protection framework had a risk of "scaring off" third countries in entering into the negotiations for cooperation agreements, as it required a large effort from these countries to comply with these standards. In this context, some noted the need for a more tailored data protection regime in relation to criminal investigations.

- **Working arrangements** do not provide a legal basis for the exchange of operational data or evidence, restricting their value to the exchange of strategic and legal information. Interviewees highlighted that this gap is significant, especially in a globalised context where the ability to share data in real time is crucial for the prevention and investigation of transnational crimes. Without the legal framework to systematically exchange operational data, the effectiveness of Eurojust's engagement with countries relying solely on working arrangements remains limited, especially in scenarios that require prompt investigative actions. For example, interviewees indicated that five Latin American countries required cooperation agreements rather than working arrangements. Furthermore, the survey with national desks and third country Liaison Prosecutors confirmed that, while working arrangements with third countries are viewed as beneficial, opinions on their effectiveness vary.
- Several interviewees considered the process for sharing personal data with third countries without a cooperation agreement in place to be difficult and time consuming, pointing at the need for case by case assessments by the Eurojust Data Protection Officer³⁵⁰, followed by a College decision on the transfer under article 58 or 59 EJR. Several national members did not consider this process as efficient. One interviewee noted in this regard, that the process could take up to three weeks (except in urgent cases listed in the EJR), and in the end the outcome was nearly always positive in that data could be shared with the third country in question. As one national member put it "when there is an agreement in place, everything runs smoothly, without an agreement cooperation is difficult". However, some prosecutors highlighted during the Focus Group that the EJR and the current process for sharing data with third countries puts them at risk. Even though the case is opened at Eurojust, the actual request for MLA to the third countries goes through the national authorities of the relevant EU Member State. The DPO assessment is then carried out by Eurojust, not the Member State. Moreover, if an adequacy decision is made by the Commission, this is in relation to Eurojust, not the Member States. In this context, the interviewees noted that if they were brought to court for breaching Directive (EU) 2016/680, the data protection law enforcement directive (LED), she would have to prove that she made her own assessment.
- **Liaison Prosecutors** which are directly participating in Eurojust's operational processes (as seen in agreements with the UK, US, Ukraine, and Albania) add significant value by embedding third-country representatives within Eurojust, allowing for seamless integration into ongoing operations. This is contrasted with the more ad hoc cooperation that occurs under working arrangements. The survey conducted with national desks and third country Liaison Prosecutors revealed that the presence of Liaison Prosecutors at Eurojust is vital for enhancing cooperation, with the vast majority of the respondents affirming this view. Many respondents emphasised the importance of having Liaison Prosecutors from third countries seconded to Eurojust, despite existing limitations on personal data exchange.
- **Contact Points (CPs)** are designated national representatives in third countries who play a crucial role in facilitating judicial cooperation with Eurojust. They provide legal advice related to their country's legal system, assist in submitting requests for mutual legal assistance or extradition, and enable smooth communication between Eurojust and the third country. CPs also help organise and participate in coordination meetings and JITs, providing up-to-date information about specific cases. However, Contact Points face certain limitations. They cannot exchange operational information, including personal data, unless specific conditions laid down in the EJR are met, such as the existence of an international agreement or appropriate safeguards. Although CPs are normally the heads of international cooperation in the prosecution services of their country, sometimes they

³⁵⁰ As per Article 14 of the Eurojust Rules of Procedure on Data protection (RoP DP):

have limited authority and resources compared to Eurojust, which can affect their effectiveness. Their efficiency can also vary depending on the legal and administrative systems of their respective countries, impacting the speed and effectiveness of judicial cooperation. The survey of national desks and third country Liaison Prosecutors underscored the significance of responsive CPs in facilitating communication and procedures, while also recognising the complexities in defining "third countries" and the operational challenges stemming from the absence of bilateral agreements between Member States. One interviewee highlighted a lack of formal structure of platform to for Eurojust to cooperate with the Contact Points, noting that Eurojust could do more to keep the Contact Points informed and build a relation with them, which was not done due to capacity constraints.

Added value of allowing exchange of operational personal data (RQ2)

The stakeholder consultations suggests that cooperation agreements with the United Kingdom, United States, Albania, and Ukraine, which allow for the systematic exchange of operational personal data, have significantly enhanced Eurojust's ability to fulfil its mission and implement its tasks, particularly when compared to previous working arrangements that did not permit the exchange of such information. The added value provided by these agreements can be summarised as:

- **The ability to share operational personal data in a timely manner in cross-border investigations:** The exchange of operational personal data is essential for investigations and coordinated responses across jurisdictions. Formal agreements enable Eurojust to assist third countries in real-time, sharing crucial details about suspects and gathering actionable intelligence. Agreements with the UK and US are particularly effective for joint investigations, especially in organised crime cases spanning the EU and transatlantic regions. Interviewees noted that these agreements facilitate faster and more coherent information flow, enhancing the coordination of investigative and prosecutorial activities.
- **Streamlined sharing of data:** The ability to systematically exchange personal data has streamlined operational cooperation with third countries, allowing Eurojust to share detailed information about individuals of interest. This is crucial for dismantling complex criminal networks. Agreements with Albania and Ukraine provide access to data on organised crime groups in the Western Balkans and Eastern Europe, aiding timely arrests and prosecutions. In contrast, working arrangements without data exchange may lead to fragmented cooperation, lacking the tactical precision needed for effective joint operations, especially in high-risk crime cases. It should be noted however that, in relation to specific investigations, this can be overcome when a JIT is opened, which allows for information exchange (e.g. JIT with Ecuador).
- **Faster exchange of information:** The exchange of operational personal data supports cross-border investigations with timely and comprehensive information. Formal agreements with the UK, US, Albania, and Ukraine enable Eurojust to share crucial data like evidence and criminal records. For instance, one interviewee noted that the cooperation agreement with Ukraine was helpful to have real-time access to data on organised crime, improving coordination and prosecutorial decisions. In contrast, as working arrangements only allow for strategic information exchange, the sharing of operation data needs to be agreed on a case by case basis, which is more time consuming. *(Note: the ways in which data is exchanged outside a cooperation agreement is to be further discussed in the remaining interviews, the information provided by the DPO in the thematic session will also feed into this topic).*
- **Data protection:** Cooperation agreements provide a legal basis for exchanging operational personal data, ensuring compliance with EU and partner country data

protection standards. Agreements with Albania, Ukraine, the US, and the UK include provisions aligning with international data protection norms, such as GDPR-like standards. This legal certainty is crucial for cross-border investigations, allowing authorities to exchange critical data confidently and act swiftly against organised crime and terrorism.

- **Mutual trust:** Interviewees also highlighted that the exchange of operational personal data builds greater mutual trust between Eurojust and third country partners, fostering deeper collaboration and long-term partnerships. For example, agreements with the US and UK have enhanced cooperation by ensuring confidence in Eurojust's handling of sensitive information. This trust leads to more open information sharing and better alignment in tackling transnational crime. In contrast, working arrangements, lacking formal legal backing, do not achieve the same level of trust and limit the potential for fully integrated and effective collaboration.

The responses from the two surveys confirmed that cooperation agreements enabling the exchange of operational personal data significantly enhance Eurojust's effectiveness in fulfilling its tasks. Stakeholders noted that Eurojust can formally collaborate with third countries that have signed such agreements, allowing for the exchange of judicial information and personal data. This formal cooperation was deemed particularly beneficial in complex cases.

However, the cooperation between Eurojust and certain third countries remained limited due to the absence of these cooperation agreements for exchanging operational case-related information. Respondents highlighted that without such agreements, the potential for effective collaboration was significantly hampered.

While strategic working arrangements have improved cooperation with certain regions, such as Latin America and Nigeria, stakeholders emphasised that these arrangements alone were insufficient. They advocated for the secondment of liaison officers from these countries to Eurojust, even if systematic personal data exchange is not feasible.

Comparison of cooperation mechanisms and no mechanisms (RQ3)

As noted above, the cooperation mechanisms both provide structured frameworks for cooperation and information exchange. At the same time, Eurojust noted that with certain countries with similar judicial systems (e.g. Australia and Canada) the cooperation already worked well, even without working arrangements in place. On the other hand, cooperation with countries with low administrative capacity, different institutional set up, and with limited use of IT tools, cooperation was more difficult. Similarly, findings from the interviews with National Members indicated that the absence of cooperation mechanisms leads to significant inefficiencies and missed opportunities to address cross-border crime. For example, jurisdictions described as non-cooperative, can inadvertently safe havens for criminal activity, underscoring the critical need for cooperation agreements. Additionally, one Contact Point indicated that in the absence of formalised cooperation, reliance on regional networks and informal arrangements become necessary. While these frameworks can facilitate some level of cooperation, they lack the integration of streamlined processes, direct communication channels and access to shared resources, which formal agreements typically provide. Moreover, the lack of an agreement delays opportunities for synergies and best practice sharing, reducing the effectiveness of international cooperation.

Comparison cooperation under old and new legal framework

This compares **cooperation under old and new legal framework, and in particular:**

- whether the new legal framework for cooperation with third countries contributed to a more effective cooperation with international partners;

- whether the new legal framework for cooperation with third countries contributed to a more coherent and streamlined external dimension of EU AFSJ.

Provisions enabling Eurojust to establish relations with third countries were included in Eurojust's legal framework from the outset. Eurojust enjoyed a relatively high level of autonomy in designing and fostering relations with third countries. Under this regime the Council and the Joint Supervisory Body had an important role in the process of concluding cooperation agreements, but the decision whether to enter into negotiations was made by Eurojust based on its operational needs. Eurojust could conclude Memoranda of Understanding and Letters of Understanding, which were limited to institutional cooperation and the exchange of strategic and technical information.

The Eurojust Regulation (Regulation 2018/1727) changed this framework with a view to transforming Eurojust into an EU Agency post-Lisbon. Under the new legal framework, cooperation with a third country entails the systematic exchange of operational personal data, this requires fully fledged international agreements to be signed.³⁵¹ These international agreements will have to be concluded pursuant to Article 218 TFEU, meaning that negotiations for such agreements will be conducted by the European Commission on behalf of the Council of the EU.³⁵² Eurojust, however, is not excluded from the design of the decision-making process. In consultation with the Commission, Eurojust prepares a four-year strategy, specifying the countries (and international organisations) for which there is an operational need for cooperation.³⁵³ In addition, Eurojust provides technical expertise to the Commission during negotiations and takes part as an observer.

Eurojust adopted in 2019 its first four-year strategy³⁵⁴ for cooperation with third countries and international organisations for 2020-2023. This strategy, required by Article 52(1) of the EJR, identified key partners for operational cooperation and data exchange. It was developed based on Eurojust's priorities, casework, operational needs from national authorities, and ongoing negotiations with Europol.

The first strategy highlights the need for operational cooperation with Algeria, Argentina, Bosnia and Herzegovina, Colombia, Egypt, Israel, Jordan, Lebanon, Morocco, Tunisia, and Türkiye. Of the 11 countries identified at that time, the Commission has started negotiations with Algeria and Colombia, signed agreements with Bosnia and Herzegovina and Lebanon, and concluded an agreement with Armenia. Eurojust also aimed to cooperate with international organisations like the ICC, Interpol, Iber-RED, the IIIM for Syria, UNITAD, and Ameripol. As highlighted in the strategy, Eurojust also aimed to increase the number of Liaison Prosecutors from non-EU countries during this period.

In March 2024, Eurojust adopted the new strategy on cooperation with international partners 2024–2027³⁵⁵ that outlines the Agency's mission to enhance judicial cooperation across borders to combat serious and organised crime. The strategy emphasises the need for:

- Open negotiations for the EC to conclude international agreements with a number of potential new partner countries (Bolivia, Canada, Ecuador, Mexico, Nigeria, Panama, Peru and the UAE, as well as the ICC).
- Seek to conclude working arrangements with Australia, Chile, the Dominican Republic, India, Kosovo, the Philippines, the Seychelles, South Africa, Thailand and Vietnam, as well as Egypt and Turkey.

³⁵¹ Art. 56, para. 2 c) of the EJR.

³⁵² Art. 56, para. 2c) of the EJR.

³⁵³ Art 52. para 1 of the EJR.

³⁵⁴ Eurojust Single Programming document, available at: <https://www.eurojust.europa.eu/sites/default/files/assets/eurojust-single-programming-document-2024-2026.pdf>

³⁵⁵ Eurojust Strategy on Cooperation with International Partners 2024-2027, available at: [Eurojust Strategy on Cooperation with International Partners 2024–2027](#)

- The reinforcement of a global network of contact points.
- Increase engagement with regional judicial networks and associations (including APA, AAP, CASC and SEAJust).
- Seek opportunities for closer cooperation and joint actions with like-minded international organisations, including through the conclusion of strategic working arrangements with the IIIM, UNITAD, as well as strengthened cooperation with UNODC, CoE, Ameripol and the OSCE.
- Build mutual trust with partner countries and provide support to strengthen their capacities, including through EU-funded projects and joint actions.

The surveys conducted with national desks and third country liaison prosecutors, as well as with other Member States and national stakeholders from third countries, provided aligned insights regarding the impact of the Eurojust Regulation. National desks reported notable improvements in case coordination, especially during Action Days, which facilitated real-time collaboration between Member States and third countries. Both sets of respondents also observed an increase in Joint Investigation Teams (JITs), leading to enhanced funding and the establishment of specialized crime units targeting issues such as cybercrime and environmental crime. Furthermore, third-country liaison prosecutors highlighted the strengthening of partnerships with non-EU countries, which bolstered Eurojust's role in international judicial cooperation and supported the management of complex, cross-border cases.

However, some Member State and third country national stakeholders expressed difficulty comparing Eurojust's performance before and after the Regulation due to their limited tenure. They also observed that the Regulation primarily continued existing practices rather than introducing significant changes, with a stronger focus on data protection.

Both surveys highlighted resource constraints as a key issue, with Eurojust's expanding responsibilities outpacing its operational resources, particularly for hosted networks. Some national desks also noted that the Eurojust Regulation has attracted less attention than frameworks like the EPPO, limiting its perceived impact.

While third-country respondents acknowledged improvements in partnerships and information exchange mechanisms since the new Eurojust Regulation, some raised concerns about limited awareness of Eurojust's role and insufficient interaction, which could hinder the Regulation's benefits.

Relevance of existing cooperation agreements and other modalities to Eurojust

This section aims to assess the relevance of existing cooperation agreements and other modalities to Eurojust:

- **5(a) Relevance of existing cooperation modalities:** To what extent are the current working modalities with third countries adequately allow Eurojust to fulfil its role in an increasingly globalised international plane? Are there any gaps in the cooperation agreements?
- **5(b)** How well have the negotiations/conclusion of the cooperation agreements with third countries have taken into consideration the **operational needs of Eurojust**?

Relevance of cooperation modalities to the needs of Eurojust

As noted more extensively in the responses to RQ1-3, the interviews conducted to date highlight the strengths of the current cooperation mechanisms between Eurojust and third countries, which demonstrate that these working modalities allow Eurojust to fulfil its role

effectively in an increasingly globalised international context. Key strengths include the formal cooperation agreements that provide a legal basis for secure data exchange, and the deployment of Liaison Prosecutors, which provide the practical support to facilitate real-time cross-border judicial cooperation. Additionally, strategic working arrangements allow for the exchange of best practices and legal expertise, fostering trust and deeper cooperation.

Despite these strengths, stakeholders interviewed highlighted the following challenges in the current cooperation mechanisms that may hinder Eurojust's ability to fully meet its obligations in an increasingly globalised criminal justice landscape:

Challenges and gaps in relation to the cooperation agreements

Some interviewees noted it was too early to say whether there were differences of gaps between the cooperation agreements concluded before and after the EJR, as only the one with Armenia had been signed and information could not be exchanged yet. However, some interviewees noted the following challenges and gaps:

- One interviewee highlighted that under the current Regulation, only national desks or their assistants could be posted as Liaison Magistrates to third countries, which third countries would likely perceive as a national authority. The interviewee highlighted in this context, that it would be beneficial for Eurojust administration staff to be posted as well, but that this would require an amendment of the Regulation.
- Insufficient internal coherence: As noted before, some interviewees noted the current governance structure of Eurojust made it difficult to maintain a consistent cooperation strategy, with the priorities set in the Eurojust strategy on cooperation with international partners sometimes side tracked by the national priorities of the members of the College.
- While the cooperation agreements cover a significant number of strategic partners, one interviewee noted the need for more cooperation mechanisms with Latin America and Africa that would permit systematic operational collaboration. It should be noted in this regard that the Eurojust strategy on cooperation with international partners (2014-2027) does anticipate strengthened cooperation with some countries in these regions, including Chile and South Africa.
- Some stakeholders expressed concerns about the lack of adoption of adequacy decisions by the EC to date, noting that the absence of such decisions added complexity to data-sharing processes, slowing down operations. Additionally, they also criticised inefficient practices, calling for the EC to base adequacy decisions on existing Directives rather than granting EJ special exemptions. They argued that this would maintain the accountability of national authorities while ensuring smoother cooperation.

Challenges and gaps relating to Liaison prosecutors

The document review highlighted the following aspects that lead to challenges and gaps in the cooperation between Eurojust and Liaison Prosecutors from third countries:

- **Limited integration provisions:** Countries like Albania, Ukraine, and the US have more limited provisions for the integration of Liaison Magistrates compared to the UK. For these countries there is a requirement for the EU Council's approval before posting Liaison Magistrates to Albania and Ukraine. For the US, there are no provisions for a Liaison Magistrate.
- **Participation in Eurojust's College meetings:** While the Liaison Prosecutor from the UK can attend Eurojust's College meetings under Art. 7 of the Working Arrangement between Eurojust and the UK Home Office (Ministry of the Interior), this level of participation is not extended to other third countries like Albania, Ukraine, or the USA in their respective cooperation agreements, but would be possible in view of Art. 10(3) EJR, which allows the

College to invite any person whose opinion may be of interest to attend its meetings as an observer.

- **Varying logistical support:** The logistical support provided to Liaison Prosecutors, such as office facilities and telecommunications, varies among the cooperation agreements. While formal agreements generally include such provisions, reimbursement is never required (even though there is a provision for Eurojust to request the reimbursement of costs) and often depends on resource availability at Eurojust.

The Liaison Prosecutors interviewed indicated that the current working modalities with third countries do facilitate their cooperation with Eurojust, while noting the following challenges:

- While cooperation agreements enhance cooperation and information exchange, resource constraints and implementation complexities often hinder their effectiveness.
- Legal obstacles (e.g. in cases where data protection standards in third countries are very different from those in the EU) and other political obstacles, can slow down negotiations for cooperation agreements.
- The lack of clarity on the rationale of their inclusion in/exclusion from College meetings. They noted that while they are sometimes invited to useful discussions, there are other times when they are not invited, even though their participation could be beneficial.
- Not being able to cooperate with Eurojust for cross-border cases that involve only third countries and do not include any Member States.

Consideration of operational needs of Eurojust in negotiations and agreements

Beyond the negotiation of the cooperation agreements themselves, some interviewees commented on other factors hindering the relevance and effectiveness of the cooperation with third countries:

- **Governance and the implementation of the Eurojust strategy on the cooperation with third countries:** The strategy clearly outlines the third countries that are most relevant for Eurojust to conclude cooperation agreements or working arrangements with. This Strategy is based on extensive consultations on the needs of Eurojust in terms of third country cooperation. These consultations are carried out by Eurojust prior to the adoption of the Strategy. However, this prioritisation of third countries is not always followed in practice, due to conflicting instructions given by the NMs (i.e. suggestions made by the College). They pointed out that the Eurojust administration was asked to conclude working arrangements with countries not included in the formal 2020-2023 Strategy. In this context, the interviewees pointed to the importance of sticking to the list of third countries prioritised in the Eurojust Strategy on the cooperation with third countries.
- **Capacity constraints:** some interviewees noted the limited resources within the Eurojust administration to effectively implement its Strategy on the cooperation with third countries, as preparing the ground for the European Commission's negotiation of international agreements, as well as that the negotiation of working arrangements by Eurojust is time consuming.
- **Implementation of projects:** the lack of specific provisions in the EJR for the implementation of projects managed by Eurojust which relate to third countries made it more difficult to ensure sufficient resources were available to manage these projects.
- **Seconding LPs on the basis of a working arrangement:** despite the idea of seconding LPs being proposed since 2008, it has not been implemented. Practical and financial constraints, along with uncertainties about their role (whether representing Eurojust or

MS), have hindered progress. There was also scepticism about whether the investment would deliver sufficient results.

- **Limited operational impact of some agreements:** some respondents felt that the cooperation agreements were symbolic rather than operationally impactful, often failing to yield practical results. This disconnect was particularly evident in cases where agreements faced delays due to political or legal obstacles, such as data protection and legislative challenges, or where Eurojust's involvement in the process was seen as limited.

Case study 3: The role of Eurojust's proactive functions, such as its power to carry out tasks on its 'own initiative'

The following synopsis report on case study 3 was developed based on desk research, input from the overarching interview programme, and semi-structured targeted stakeholder interviews, and was further informed by the results of the online survey with national desks and third country liaison prosecutors. Case study 3 feeds into, in particular, the evaluation questions listed in the below table. Lastly, the findings were informed by additional information shared by the Agency in January 2025, notably Eurojust's Action Plan implementing its proactive role, as well as validation workshop that took place at Eurojust on 11 February 2025.

Table 55: Linked evaluation questions

Linked evaluation questions	
Effectiveness	- To what extent has progress been made towards achieving the Eurojust Regulation's objectives, considering the expectations and procedures it included? - To what extent has Eurojust successfully enhanced and supported the coordination and cooperation between national investigating and prosecuting authorities in relation to serious cross-border crime within its competence?
Relevance	- How well do the objectives of the Eurojust Regulation still correspond to the needs within the EU and among the stakeholders? - To what extent are these needs evolving or likely to evolve in future, taking also into account the evolution of cross-border criminality in the EU and its overall security architecture? What types of action might need to be considered to address such changes and new trends? - To what extent does Eurojust's work supporting the investigation and prosecution of international crimes contribute in a complementary way to the commitment to fight impunity?
Coherence	- To what extent are the results of Eurojust's work coherent with (current) wider EU policies and priorities, in particular those in the JHA area? - To what extent is Eurojust's mandate coherent with those of other JHA agencies' and bodies' (revised) mandates and the evolving security architecture of the EU? How well does the existing legal framework, including existing instruments such as cooperation arrangements, clarify the cooperation - The mandate of the European Union Agency for Law Enforcement Cooperation (Europol) has changed twice since its entry into force in 2017, significantly strengthening its mandate. To what extent is the extended mandate of Europol reflected in the Eurojust Regulation, especially when it comes to judicial follow-up?
Added Value	- To what extent could the identified changes/results/impacts have been achieved without Eurojust and/or the Eurojust Regulation? - Which, if any, objectives of the policy might have been achieved sufficiently by the Member States acting alone (if so, how)? - To what extent did the resulting benefits outweigh any loss of (e.g. competence or anything else) in participating Member States? - What could reasonably have been achieved (particularly in terms of effectiveness and efficiency) by Member States acting at national and/or regional levels?

Case study overview

While Eurojust has traditionally been defined as demand driven and it continues to function as a service-oriented Agency, proactivity has been at the centre of its operational philosophy from the outset – as already implicitly foreseen in the Eurojust Decision. Chiefly, proactivity is inherent in Eurojust's core mandate to support and strengthen coordination and cooperation

between national investigating and prosecuting authorities in relation to serious crimes falling under its competence – constituting the **operational dimension of the Agency's own initiative mandate**. In this context, Eurojust acts proactively – and often *de facto* on its own initiative – when it routinely explores links between existing cases, agrees on a joint approach or extends its coordination role to additional countries. The **second dimension of the Agency's own initiative work comprises of its strategic work**, which is predominantly carried out on its own initiative.

Proactivity is hence embedded in the implementation of the tasks of Eurojust horizontally, rather than constituting a distinct activity that would be separate from its core mandate. At the same time, during stakeholder consultations it often appeared to be understood narrowly as pertaining only to cases formally opened as own initiative cases. This is despite the fact that the Action Plan implementing Eurojust's proactive functions³⁵⁶, specified awareness raising as the first element of its implementation activities.

The difference in the understanding of the concept and scope of the own initiative work also seems to contribute to doubts about how it fits into the Agency's mandate that largely continues to be understood as demand-driven. In line with this, the surveyed national members and liaison prosecutors were divided about whether Eurojust's own initiative work makes it more relevant in the operational context with only half of the respondents agreeing with that statement.

It is in this context, that more clarity and direction on the use of Eurojust's proactive function would be needed in the Regulation along with **concerted efforts to increase the understanding, awareness and visibility of the own initiative work both in its operational and strategic dimensions**. It is essential for the own initiative function to fulfil its potential of helping Eurojust further evolve into a fully-fledged EU Agency at a time of increasingly complex, cross-border and connected criminality across the EU – within the bounds of its core mandate of supporting and strengthening the coordination and cooperation between national investigating and prosecuting authorities.

In this context, the case study seeks to examine the following questions:

Case study-specific questions	Linked evaluation criteria
Q1. How the new legal basis to act on its own initiative has been employed by Eurojust (number of initiatives, crime areas, involvement of College or national members)?	• Effectiveness • Relevance
Q2. What informed the decisions of Eurojust to act on its own initiative?	• Effectiveness • Relevance • EU Added Value
Q3. What particular data analysis is used/foreseen to identify areas where the fight against crime requires prosecution on a common bases / operational actions / complementarity with judicial practitioners' networks?	• Effectiveness • Efficiency
Q4. How new operational data analysis and cross-matching capabilities are capitalised to proactively identify links and investigation or prosecution gaps?	• Coherence • EU Added Value
Q5. What type of operational functions are mostly triggered when Eurojust acts on its own initiative?	• Effectiveness
Q6: To identify best practices on the basis of exemplary cases of Eurojust acting on its own initiative;	• Effectiveness, • EU Added Value • Relevance

³⁵⁶ Eurojust's Action Plan implementing Article 2(3) of the Eurojust Regulation, as regards strengthening its proactive role in coordinating cross-border cases

Case study-specific questions	Linked evaluation criteria
Q7: Exemplary cases of Eurojust acting on its own initiative including; and initiatives such as the International Centre for the Prosecution of the Crime of Aggression against Ukraine (ICPA) and the EU Freeze and Seize Task Force to identify best practices how Eurojust's proactive stance can be best put to use	All

The desk research primarily relies on internal Eurojust documents for an understanding of the institutional approach to the proactive functions while its results are reported on the basis of publicly available data. A relative data and information scarcity has been observed in comparison to the other two case studies.

In the course of the desk research the following sources were reviewed:

EU legal instruments and case law

- [REGULATION \(EU\) 2018/1727](#) OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust), and replacing and repealing Council Decision 2002/187/JHA
- [Council Decision](#) on the strengthening of Eurojust and amending Council Decision 2002/187/JHA setting up Eurojust with a view to reinforcing the fight against serious crime

Eurojust publications

- Eurojust, [Multi-Annual Strategy 2022-2024](#)
- Eurojust (2021), [Single Programming Document 2022 – 2024](#)
- Eurojust, CMS Guide: Acting on Eurojust's own initiative
- Eurojust (2024), [Eurojust Consolidated Annual Activity Report 2023](#)

Eurojust internal documents

- Eurojust (2024), College position on the evaluation of the Eurojust Regulation
- Eurojust (2023 ed.), Operations Manual - Chapter 1A: Eurojust Own Initiative
- Eurojust (2022), Strategic Concept Paper on Eurojust's "Own Initiative"
- Eurojust (2022), Activity Report of Portugal's National member of Eurojust
- Eurojust (2023), Eurojust's Action Plan implementing Article 2(3) of the Eurojust Regulation, as regards strengthening its proactive role in coordinating cross-border cases, as approved by the College for the implementation of the Strategic Concept Paper on Eurojust's Own Initiative on 4 July 2023

Assessing and implementing Eurojust's own initiative function

Legal basis

The own initiative function has gained express recognition in the EJR that provides an explicit legal basis for the Agency to carry out its tasks not only at the request of the competent authorities of the Member States, but also **on its own initiative** as per Article 2(3)³⁵⁷ – thereby confirming the proactive dimension of the Eurojust mandate³⁵⁸.

This legal basis enabled Eurojust to strengthen its proactive functions and through those its operational competencies to support and strengthen coordination and cooperation between national investigating and prosecuting authorities in relation to serious crimes falling within its competence where that crime affects two or more Member States, or requires prosecution on

³⁵⁷ The Article further provides a legal basis to act at the request of the EPPO within the limits of the EPPO's competence.

³⁵⁸ Eurojust (2023 ed.), Operations Manual – Chapter 1A, p 1

common bases, on the basis of operations conducted and information supplied by the Member States' authorities, by Europol, by the EPPO and by OLAF under Article 2(1) EJR.

In addition, the EJR also provides that Eurojust is to issue a **written opinion on recurrent refusals or difficulties** concerning the execution of requests for, and decisions on, judicial cooperation, including requests and decisions based on instruments giving effect to the principle of mutual recognition in line with Article 2(5) EJR. This is only so if it is not possible to resolve such cases through mutual agreement between the competent national authorities or through the involvement of the national members.

Even though legally non-binding, Recital 12 EJR provides clarification on the foreseen working processes that were reportedly useful in practice as the Agency developed its workflows and its overall approach to implementation. Accordingly, when exercising its operational functions including on its own initiative, Eurojust should act either through one or more of the national members or as a College. By acting on its own initiative, Eurojust may also take a more **proactive role** in coordinating cases, such as by supporting the national authorities in their investigations and prosecutions. This may include involving Member States that might not initially have been included in the case and discovering links between cases based on the information Eurojust receives from Europol, OLAF, the EPPO and national authorities. This also allows Eurojust to produce guidelines, policy documents and casework-related analyses as part of its strategic work.

- *Hindering factor*: the lack of explicit mention of the role and powers of the Eurojust Administration in the implementation of the Regulation can be particularly limiting in the effective implementation of its own initiative provisions as the Administration is day-to-day part of the operational work and is heavily involved in strategic works as well.

Operationalisation

While the Regulation provided the legal basis, how the own initiative function is to be exercised in practice required further clarification of key concepts and workflows by the Agency. To that end, an *ad hoc* working group was set up in 2021 to define the concept of 'own initiative' and set out related workflows that were further elaborated on in a dedicated chapter in Eurojust's Operations Manual. The need for the clarification of concepts is reflected in how long it took for the **Working Group on Own Initiative** (WGOI) to arrive at a shared understanding of the concept, which was elaborated on in the Strategic Concept Paper on Eurojust's Own Initiative as adopted by the College on 13 December 2022 after over a year of discussions among the WGOI members.

Chiefly, the WGOI agreed on the **definition** of what 'own initiative' is at Eurojust as *"Eurojust acts on its own initiative, through its National Members or the College, when it takes a proactive role, producing strategic work or exercising its operational functions in accordance to its mandate, without a prior request of the competent authorities of the Member States, EPPO or Commission"*.³⁵⁹

The WGOI also organised, in line with Article 2 EJR, the **triggers** on the basis of which Eurojust can act on its own initiative into three categories that can also be combined: a) information by the national authorities, for which an example often mentioned by stakeholders is the Counter-Terrorism notifications in the European Judicial Counter-Terrorism Register (CTR); b) Information provided by a Union institution, body, office or agency: EJN, Europol, the EPPO, OLAF and, once Working Arrangements are concluded also with the EUAA and Frontex; and c) information collected by Eurojust.

Under this definition, and activated by one or more of the above triggers, Eurojust's can play a proactive role **both in its operational and its strategic functions**. In the context of the

³⁵⁹ Eurojust (2021), Strategic Concept Paper on Eurojust's Own Initiative, p 2

former, the Agency carries out a variety of tasks under Article 4(1-2) EJR that are at the heart of its core mandate to support cross-border operations and investigation as well as the coordination and cooperation among relevant national authorities, as well as between them and relevant third parties, European Institutions, bodies, offices and Networks.

- *Hindering factor:* the Strategic Concept Paper notwithstanding, the lack of explicit clarification in the Regulation chiefly of the meaning and scope of “investigations or prosecutions which have repercussions at Union level” (Art. 5.2. (a) (ii) EJR), reportedly hinders Eurojust’s ability to act on its own initiative. This ambiguity has a potential chilling effect on the development and identification, and with that visibility, of its related case load.
- *Hindering factor:* Eurojust’s ability to act on its own initiative is not fully aligned with the relevant working processes of Europol. The latter already opens investigations and operational task forces where there are not yet judicial cases opened at the national level but where it could be very beneficial if Eurojust could open an own initiative case to be involved in those operational task forces, to have that information and have the capacity to convey that information to the national authorities for them to decide how to proceed. Now, many times Eurojust has no access to the task forces or other tools implemented by Europol as it is not clear whether the case will have repercussion on Union level.

It is in this context, that only 39% of the respondents of the survey targeted at National members and Liaison Prosecutors found that Eurojust has taken the necessary measures to fulfil its mandate in relation to its own initiative functions within the meaning of Article 2(3) EJR to a great or moderate extent, while 33% could not tell and 11% found that Eurojust has not at all taken the necessary measures.

Stakeholder interviews conducted for this Study have also shown that NMs and LPs largely consider own initiative work in its narrow meaning and, accordingly, either not mentioned them or reported not pursuing them, for instance, with reference to high demand for their ordinary case work. At the same time, they described dynamic, proactive and active collaborations with their respective national authorities – suggesting that there might be **significant undetected own initiative work done as part of the ordinary operational work of the Agency**. This points to **limited awareness of the expansive understanding of the own initiative work in its operational dimension as defined in the Strategic Concept Paper**.

Overall, the past two years since the adoption of the Concept Paper in December 2022 and the related Action Plan in July 2023, respectively, have not brought about a significant improvement in the implementation of the Eurojust’s proactive functions in its operational dimension. This limited impact, chiefly in the area of awareness raising and as they relate to recording them in the CMS, is concluded despite 80% of the activities required by the Action Plan having reportedly been implemented. In addition to the operational dimension, Eurojust’s **proactive role in its strategic functions** includes the drafting of guidelines, policy documents and casework-related analyses (Recital 12 EJR), as well as supporting and participating in the Union centres of specialised expertise developed by Europol and other Union institutions, bodies, offices and agencies. In this capacity, Eurojust mainly provides input for DG JUST and the Council of the European Union, however, this function is, reportedly, utilised to a lesser degree. Eurojust’s casework, and related **knowledge retention** work are the bases for its strategic products. It is the analysis of these cases that may point to the need to address recurrent legal and practical issues in judicial cooperation, **triggering written opinions referred to in Art. 4(5) EJR** or the drafting of strategic documents³⁶⁰. Even though the written opinions under Art. 4(5) EJR have not been issued, the provision and related proactive work is being done that feeds into resolving these cases through the National Members concerned.

³⁶⁰ Eurojust (2021), Strategic Concept Paper on Eurojust’s Own Initiative, p 2

When acting on the above triggers, **National Members can act on their own initiative** in their operational functions directly or can request the College to act as per the instances outlined in Art. 5(2)(a) EJR. In urgent cases, where it is not possible to contact the competent national authority, they can issue or execute a request for mutual legal assistance or mutual recognition on their own initiative, or order, request or execute investigative measures under Article 8(3) EJR, or submit a proposal to the competent national authority to carry out such measures as per Article 8(5) EJR. Accordingly, National Members can act proactively on their own initiative in executing Eurojust's operational functions. Nevertheless, 99% of the cases continue to be based upon the request of national authorities. Statistics, however, are misleading as much of the own initiative work is embedded in the ordinary operational work of the Agency. To illustrate, stakeholder interviews with both the Eurojust Administration and National Members confirmed that finding links between existing proceedings is a routine part of their day-to-day operational work – even though these would not be registered as own initiative. An illustrative example is the work within the framework of the JITs, where continuous collaboration is the *modus operandi* with proactive analyses, among others, through the case notes and legal notes prepared by the Casework Unit.

We act at the request of national authorities. It makes no sense to open a case if no criminal investigations are opened at home. We need to make sure a prosecutor is behind. It is also safer for the ownership of the case.

National member

- *Hindering factor*: hindering the identification and visibility of the own initiative element or even the origin of a Eurojust case is that whether a case was considered based on the information collected or received by the National member is often not discovered due to the fact that such preliminary assessment precedes the opening of the case and related information and analyses are developed in Temporary Work Files (TWF) to which access is wholly dependent on the preferred privacy setting of the National Member in charge (which as a result may not at all be visible in the CMS and would not be registered as related to own initiative work).

In practice, what routinely takes place is that when a National Member obtains information that point to a crime within the competence of the Agency, the NM opens a TWF and conveys the information to its relevant national authorities. When the national authority reverts to the NM and asks for support, the case is opened as an ordinary Eurojust case upon the request of national authorities. Even if the NM was to open a case on its own initiative, and mark it as such in the CMS, once the national authority requests support of any kind the case would immediately be turned into an ordinary Eurojust case. As a result, the own initiative work in its operational dimension can remain less visible.

There's enough cases that we don't have to create cases. Imposing strict workflow and you have to have own initiative cases, I don't see the need for that.

I have some reservations about own initiative. I can advise, support, but the decision belongs to the one bearing responsibility. If we diverge from that principle, EJ would require more resources.

National members

Consultations with National Members suggest that some of them would not mention this line of preliminary work as own initiative but would rather consider own initiative as additional to the demand driven case work they routinely conduct.

A dichotomy could also be observed between the views of the Eurojust Administration and the interviewed former member of the WGOI, with the Administration seeing own initiative work as being at a stage where this is being built up whereas in the former WGOI member's experience National Members now have a shared understanding of and vision for the own initiative work, which is an integral part of the day-to-day operational work and largely overlaps with the strategic work.

Next to the own initiative work through the National Members, Eurojust can also carry out its tasks on its own initiative through the **College**. Eurojust can act on its own initiative both in the context of carrying out operational and strategic work. In operational matters, firstly, the WGOI stipulated that the following guiding **principles** must be observed:

- The College cannot mandate National members to open an operational case;
- The exchange of information with the national authorities shall always be conducted through the respective national members (Art. 7(8) EJR);
- When opening a case, the College act on the basis on Art. 4(1) or (2) and Art.5 EJR.
- The College as such cannot exercise the powers of National members (Art. 8 EJR);
- The College cases follow the data protection rules applicable to other cases, including on closure of cases.

Within this framework, the College can act on its own initiative, firstly, in situations where it executes any of the operational functions the Regulation accords to Eurojust under Art. 4(1-2), where the case involves investigations or prosecutions which have **repercussions at Union level** (Art. 5(2)(a)(ii) EJR). It is in this case that the College can consider opening a College case on its own initiative. Similarly to when such preliminary analyses are made by National Members, the College will first open a Temporary Work File (TWF). The TWF is to facilitate the cross-check and preparatory analysis of information received, with the support of the Operations Department, if so requested. A Task Force may also be set up comprising of National Members whose Member States are affected by the prospective case.

- Enabling factor: The WGOI developed a checklist, annexed to the Strategic Concept Paper, that guides the College through in practice on the determination whether a case under consideration for own initiative actions by the College meets the ‘repercussion at Union level’ leg of the Article 5(2)(a)(ii) criteria. To that end, the check-list requires preliminary and territorial checks, the need for a collective response, the check whether there was damage to the EU’s interests, or impacts on victims in a significant number of Member States, or other consideration that would justify the College to take action.
- Hindering factor: the concept of ‘repercussions on Union level’ needs clarification in the Regulation, as it is ambiguous in practice whether, for instance, a less significant crime with the vast majority of Member States affected would fall under this category.

Several provisions in the EJR are not clear. Art 3(6) – one year discussion on the possibility of College to open cases on own initiative when it might have repercussions at EU level but affecting only one country. Interpretations were varied – a compromise was achieved [...] but they remain a dead letter.

Member of Eurojust Administration
- Hindering factor: more clarity is required from the Regulation in particular on the concept of ‘repercussions on Union level’. Conceptually this is the most sensitive for the College to act on its own initiative, as it is only in this situation that the College through its Working Group would decide that there is a potential criminal activity affecting two or more countries with repercussion on Union level. This is the element of the proactive mandate that is perceived by some as pushing the border of the existing mandate of Eurojust. It is, nevertheless, critical to recognise that even in these

Inform cooperation [...] between and among national authorities. That is also what we should carry out. Even when we can do it on own initiative. Not to replace national authorities or assume investigative role in these cases, but to flag the relevance of a case to national authorities to decide if investigation should be initiated.

National member

cases the College is not mandated to carry out an own investigation but only to identify which Member State should be involved in the case. Once that determination is made, it is for the competent national member to decide whether to open an ordinary Eurojust case. This qualification has appeared unclear for some of the interviewed stakeholders who expressed concerns about the over-expansion of the mandate.

In these situations, the College will open a TWF to facilitate the cross-check and preparatory analysis of information received. The College can request preparatory work from the Operations Department and a Task Force may also be set up to follow the case and prepare proposals for the College, as applicable. If the case warrants it after the preparatory analysis, a College case can be opened based on the TWF, which however, can be partially or fully closed at any point when the competent authority is identified at national level with a jurisdiction to act and there is no need to keep the College case open. In that case, the College will ask the National Member(s) of the affected Member States to take the lead on the case³⁶¹ – with that the College case closes and technically turns into an ordinary operational case handled by the NM whose Member State the case is most closely linked to.

In addition, the College can also act on its own initiative in a second set of situations:

- And take any of the actions referred to in Art. 4(1) or (2) EJR (Art 4(1-2) EJR), where the case involves investigations or prosecutions which might **affect Member States other than those directly concerned** (Art. 5(2) EJR).
- Involve Member States that might not initially have been included in the case (Recital 12 EJR).
- **Discover links** between cases based on the information it receives from Europol, OLAF, the EPPO and national authorities and any information collected by Eurojust itself (Recital 12 EJR and Art. 2(2)(a) EJR). This, reportedly, does not happen in practice, as the National members of the Members States involved carry out the work directly without requiring the help of the College.

In these situations, the workflow follows as above with the opening of the TWF, however, once the analysis is completed the College will immediately ask the NM of the Member State affected to take the lead. Hence, in these situations a College case is not opened and the College's work concludes at the preparatory stage. It will be the National Member in the lead who will drive the process with informing, exchanging information, promoting cooperation and coordination and supporting their national authority, and deciding consequently if an operational case should be eventually opened.

Lastly, the third set of situations when the College can act on its own initiative arises when it provides Europol with **opinions** based on analysis carried out by Europol in line with Art. 4(3) EJR; or when it produces written opinions on recurrent refusals or difficulties concerning the execution of requests for, and decisions on, judicial cooperation as foreseen by Art. 4(5) EJR – although the latter procedure has, reportedly, not been utilised in practice. In these situations, after opening the TWF and asking support from Operations or other parts of the Agency, the College will issue an opinion.

³⁶¹ Eurojust (2021), Strategic Concept Paper on Eurojust's Own Initiative, p 4

It is underlined that with the exception of the first situation, none of the own initiative work described would present in statistics as own initiative College cases. Similarly, this is the case when the College acts on its own initiative in the context of the strategic work of the Agency. In light of the foregoing, it is unsurprising that only 11 cases were registered as own initiative cases in 2023³⁶² and, reportedly, 10 in 2024.

I have seen only two cases supporting own initiative. Reluctance from the desks. Someone has to register a case. Might also be a blurry line. Is this division necessary? Specific example - From Europol we received information, merits to open a case, then someone has to pick it up, but no one wants to.

Member of Eurojust Administration

The internal analysis of these 11 cases – as pilot cases – by Eurojust is forthcoming and should inform lessons learned as well as the renewed version of the Action Plan on the Implementation of the Strategic Concept Paper for 2025.

The College carries out its **strategic work** on its own initiative through its working groups when those (a) produce casework-related analyses, reports, policy papers, or guidelines for the benefit of national authorities; (b) develop opinions pertaining to the operational work, or (c) provide input to EU policy-makers based on Eurojust's operational experience stemming from its casework.

Eurojust's role as a bridge between practitioners and policymakers, that is a success factor – they are often the voice of practitioners.

Member of an EU institution

While the Strategic Concept Paper provides authoritative guidance on the interpretation of Eurojust's own initiative work and together with Chapter 1A of the Operations Manual explains in detail related workflows, the stakeholder consultations for this Study broadly suggest that a difference in understanding of both what is meant by own initiative work and how that fits into the Agency's mandate seems to prevail. It is in this context, that the Action Plan on the implementation of the Strategic Concept Paper plays a central role in the effective operationalisation of the own initiative mandate through the implementation of the Strategic Concept Paper (**at the time of preparing this first draft, access to the Action Plan is pending but is expected to be granted for the finalisation of the case study*).

Implementation

Eurojust specified the proactive identification of links and investigation or prosecution gaps as a Strategic Action Area for 2022 - 2024, and identified the percentage of actions reinforcing Eurojust's ability to act on its own initiative as its key indicator. In line with the aspiration to strengthen its proactive function, Eurojust's Single Programming Document 2022 – 2024 also defined 'reinforcing Eurojust's ability to act on its own initiative and where the fight against crime requires prosecution on common bases' as a specific objective. It further required monitoring and implementing the action plan for applying the EJR's own initiative provisions and promoting a more proactive role of Eurojust in coordinating cases – and allocated annually increasing budget specifically to the implementation of this objective³⁶³.

Eurojust's mandate to support and strengthen coordination and cooperation between national investigating and prosecuting authorities is clearly established by the Regulation and understood broadly. In implementing this mandate, Eurojust carries out both operational and strategic work. As elaborated above, own initiative work is embedded in Eurojust's ordinary casework, which increased by 14% in 2023, while the Agency also continued building up its ability to act on its own initiative³⁶⁴. While no targets are set for own initiative cases, throughout 2024 Eurojust registered 11 cases implementing the own initiative provisions that concerned

³⁶² Eurojust (2023), [Consolidated Annual Activity Report](#), p 19

³⁶³ Eurojust (2021), [Single Programming Document 2022 – 2024](#), p 21. and 39.

³⁶⁴ Eurojust (2023), [Consolidated Annual Activity Report](#), p 5

alleged drug trafficking, money laundering, product piracy, terrorism, crimes against life, limb or personal freedom. The implementation of the actions planned to reinforce Eurojust's ability to act on its own initiative were also well on-track with ($\geq$) 80% implementation rate already in 2023 for the target set for 2022-2024³⁶⁵ – with, reportedly, only an awareness-raising training outstanding. The Eurojust Administration notes that more education internally towards the National Desk Assistants as well as the National members, as needed, would be beneficial (and is forthcoming) to better anchor the scope and recording of their own initiative work.

Strategic work is integral to the Agency's own initiative portfolio, as elaborated above. Related targets are well met and even exceeded. In this context, for instance, 93 products were developed in 2023 alone on priority crime areas and judicial cooperation instruments (around 80% of the total target foreseen for 2022-2024), and the target for servicing stakeholder requests for strategic contributions well exceeded the plans with 268 serviced requests in 2023– against a target of ($\geq$) 120 for 2022-2024³⁶⁶. Similarly, the percentage of cases for which strategic knowledge was retained saw a nearly three-fold increase from 2021 to 2023 (from 12 to 34)³⁶⁷.

Lastly, since the amended Eurojust Regulation entered into force on 1 June 2022 and the establishment of Core International Crimes Evidence Database (CICED), cooperation with the Europol Counter Terrorism Centre in the area of core international crimes has become a priority³⁶⁸.

- *Enabling factor:* key to effective own initiative work is adequate access to data. Reportedly, terrorism cases see more engagement on the Agency's own initiative due to the better access to relevant data in the Counter-Terrorism Register. A feature that is also key to the Agency's impact in the context of CICED, where the relevant members of the Eurojust Administration have full access to the database. It is on this basis that they can act proactively.
- *Hindering factor:* a clear legal basis for the use of open-source data is required as for now this remains to be a grey zone where the Agency, reportedly, often finds itself "walking on eggshells" in a "culture of self-restraint". Even in the context of CICED, which is a promising practice of proactivity, there are continued doubts about, for instance, whether an article by an investigative journalist available online can be referenced. In these grey areas, the Agency resorts to preparing two Evidence Reports: one on the basis of information and data received from national authorities where the legal basis for the use cannot be questioned; and a separate one with appropriate warnings about reliance on open-source information. This leads to the duplication of work and related institutional capacities, and also appears detached from the reality of evidence gathering in an increasingly online era.

Similarly, in the context of the International Centre for the Prosecution of the Crime of Aggression against Ukraine (ICPA), which can be considered "one big own initiative case", data exchange with the ICC would also be a priority. While due to strict confidentiality around these initiatives there is limited information available on the use of the own initiative prerogatives in these contexts, Eurojust can act on its own if relevant information or links are noticed in the data they manage.

- *Hindering factor:* it is critical that the Regulation provides the Agency with a clear legal basis to exchange data with the ICC in operational cases related to the crime of aggression against in Ukraine.

The work of CICED as a whole can be considered as being carried out on Eurojust's own initiative, with ICPA also expected to have a large own initiative component – especially once

³⁶⁵ Eurojust (2023), [Consolidated Annual Activity Report](#), p 19

³⁶⁶ Eurojust (2023), [Consolidated Annual Activity Report](#), p 43

³⁶⁷ Eurojust (2023), [Consolidated Annual Activity Report](#), p 47-48

³⁶⁸ Eurojust (2023), [Consolidated Annual Activity Report](#), p 27

its translation capabilities are fully in place. Through these latest initiatives, the Agency's own initiative work can become even more central and visible enhancing Eurojust's proactive role and overall impact. Overall, Eurojust's own initiative work in its strategic dimension has grown and gained increased visibility throughout the evaluation period.

Annex 7: Comparative legal analysis of EJR and Council Decision 2009/426/JHA

This Annex presents the results of a comparative legal analysis conducted to identify and examine the differences between the provisions of the Eurojust Regulation and the Council Decision 2009/426/JHA. This analysis was primarily based on an internal analysis conducted by Eurojust that categorised the differences according to three categories: (i) major differences – i.e. those points that implied significant changes and/or degree of implementation by Eurojust; (ii) medium-level differences; and (iii) minor differences.

This Eurojust analysis was cross-checked against the study team's mapping and review of the relevant legal texts and supporting literature.

Major differences: EJR and Council Decision

The **new major aspects** introduced by the EJR are summarised below:

- A **new relationship between Eurojust and the European Public Prosecutor's Office (EPPO)** based on mutual cooperation within their respective mandates and competences, is foreseen in the EJR (**Art. 2**). New is the concept that Eurojust shall be able to act "on own initiative" providing Eurojust with a more proactive role. Moreover, the new **Art. 3** defines Eurojust's competence in relation to crimes affecting the financial interests of the Union in respect of which the EPPO does not have competence or decides not to exercise its competence.
- **Art. 4(e)** adds a **new operational function to Eurojust**, according to which it shall cooperate closely with the EPPO on matters relating to its competence.
- An **Executive Board** is to be established according to **Art. 6(c)**. The new article follows a different concept than Art 2 of the 2009 Council Decision, as it defines the composition of Eurojust by listing the mandatory entities responsible for the operational and administrative functioning of Eurojust.
- **Article 10(1)(b) reforms the composition of the College**. The College shall be composed of: 1 [...] b) one representative of the Commission when the College exercises its management functions. The representative of the Commission nominated should be the same person as the Commission's representative on the Executive Board under **Art. 16 (4)**.
- The **new Art. 18** specifies the responsibilities of the AD including preparing an anti-fraud strategy for Eurojust and presenting it to the Executive Board for adoption – **Art. 18(4)(g)**. The status quo and the role of the AD are clarified.
- According to the new **Art. 20(3b)** each Member State shall set up a Eurojust national coordination system (ENCS) to ensure coordination of the work carried out by: **b)** any national correspondents for issues relating to the competence of the EPPO. This is a new provision which requires contact points for the EPPO to be integrated in the ENCSs.
- The EJR introduces a **new data protection regime**, adapted to the revised EU legal framework on data protection (**Art. 26** and following): application of both Regulation 2018/1725 to the processing of administrative personal data, with a new chapter on operational personal data as 'lex generalis' and the Eurojust Regulation as 'lex specialis' with regard to the processing of operational personal data. Chapter IX of the EJR refers to the processing of operational personal data by Union bodies, offices and agencies when

carrying out activities which fall within the scope of Chapter 4 or Chapter 5 of Title V of Part Three TFEU.

- In particular, the following provisions are introduced:
 - **Art. 28** establishes a new processing under the authority of Eurojust or processor.
 - **Art. 29** on time limits for the storage of operational personal data, introduces under paragraph 2, the obligation to inform the EDPS if operational personal data referred to in Article 27(4) are stored for a period exceeding five years. According to **Art. 29(3)**, the reasons for the continued storage shall be justified and recorded. If no decision is taken on the continued storage of operational personal data at the time of the review, those data shall be deleted automatically.
 - **Art. 30** on the security of operational personal data requires Eurojust and Member States to define mechanisms to ensure that the security measures referred to in Article 91 of Regulation (EU) 2018/1725 are addressed across information system boundaries.
 - **Art. 31** on the right of access by the data subject, establishes in paragraph 3, that the decision on access to data shall only be taken by Eurojust in close cooperation with the Member States directly concerned by the communication of such data. Where a Member State objects to Eurojust's proposed decision, it shall notify Eurojust of the reasons for its objection. Eurojust shall comply with any such objection.
 - According to **Art. 35**, Eurojust shall maintain a record of all categories of processing activities under its responsibility. The new article introduces new records of categories of processing activities.
 - **Art. 37** introduces requirements for the position of the Data Protection Officer.
 - **Articles 36 and 38** broaden significantly the scope of the tasks of the DPO. Unlike the 2009 Decision, the EJR regulates the selection process of the DPO, the length of the term of office (4 years), the dismissal and refers to a potential conflict of interest. In case of non-compliance, the DPO shall inform the Executive Board, not the College as foreseen by the 2009 Decision.
- The new **Art. 49** establishes the obligation for Eurojust to take all appropriate measures to enable Europol, within Europol's mandate, to have indirect access on the basis of a hit/no hit system, to information provided to Eurojust.
- The new **Art. 50** establishes institutional, operational and possible administrative links with the EPPO. The following obligations are introduced: obligation to treat requests from the EPPO as requests from Member States; obligation to inform the EPPO on relevant cases; obligation to enable indirect access of the EPPO to Eurojust's CMS and vice-versa; possibility to establish shared administrative service with EPPO.
- **Art. 52** adds a new requirement for Eurojust: to prepare, every four years, a cooperation strategy in consultation with the Commission, which specifies the third countries and international organisations with which there is an operational need for cooperation.

- **Art. 56** sets out general principles for transfers of operational personal data to third countries and international organisations.³⁶⁹ New provisions are also set in paragraphs 3³⁷⁰, 4³⁷¹ and 5³⁷².
- **Art. 71** on language arrangements establishes a new obligation for the College to decide on an internal language regime, including the use of the EU Translation Centre.
- The new **Art. 74** on transparency refers to Regulation (EC) No 1049/2001. The Executive Board shall, within six months of the date of its first meeting, prepare the detailed rules for applying Regulation (EC) No 1049/2001 for adoption by the College. Eurojust shall publish on its website a list of the Executive Board members and summaries of the outcome of the meetings of the Executive Board – **Art. 74(4)**.
- **Art. 75** formalises a new concept on external audits, including formalising OLAF's role vis-à-vis Eurojust. There is no article on internal audit in the EJR, unlike in the 2009 Decision.
- **Art. 76** establishes new rules on the protection of sensitive non-classified information and classified information. Unlike the EJR, the 2009 Decision required Eurojust only to apply the security principles and minimum standards of the Council's security regulations in the management of EU classified information.
- The new **Art. 80** defines transitional arrangements. **Art. 82** states that the Regulation as legal instrument is directly applicable in the Member States, unlike the 2009 Council Decision which required transposition into the laws of the Member States.

Medium-level differences: EJR and Council Decision

Medium level differences are listed below:

- **Art. 5(1)** of the EJR keeps the **College** as the Management Board but specifies that it should mainly focus on **operational work**. In particular, the College shall only be involved in administrative matters to the extent necessary to ensure that its operational tasks are fulfilled.
- **Art. 11(7)** introduces a new compensation possibility for Member States. According to it, when a National Member is elected President of Eurojust, the Member State concerned may second another suitably qualified person. A Member State which decides to second such a person shall be entitled to apply for compensation in accordance with Article 12.
- In line with **Art. 11(7)**, **Art. 12** defines a **new compensation mechanism** for the election to the position of President at the charge of Eurojust's budget.

³⁶⁹ In paragraph 2, it is stated that: 'Subject to the conditions set out in paragraph 1 of this Article, Eurojust may transfer operational personal data to a third country or to an international organisation only where one of the following applies: a) the Commission has decided pursuant to Article 57 that the third country or international organisation in question ensures an adequate level of protection, or in the absence of such an adequacy decision, appropriate safeguards have been provided [...].

³⁷⁰ Para. 3: The working arrangements referred to in Article 47(3) may be used to set out modalities to implement the agreements or adequacy decisions referred to in paragraph 2 of this Article.

³⁷¹ Para 4: Eurojust may in urgent cases transfer operational personal data without prior authorisation from a Member State in accordance with point (c) of paragraph 1. Eurojust shall only do so if the transfer of the operational personal data is necessary for the prevention of an immediate and serious threat to the public security of a Member State or of a third country or to the essential interests of a Member State, and where the prior authorisation cannot be obtained in good time. The authority responsible for giving prior authorisation shall be informed without delay.

³⁷² Para 5: Member States and Union institutions, bodies, offices and agencies shall not transfer operational personal data received from Eurojust onward to a third country or an international organisation. As an exception, they may make such a transfer in cases where Eurojust has authorised it, after taking into due account all relevant factors, including the seriousness of the criminal offence, the purpose for which the operational personal data were originally transmitted and the level of personal data protection in the third country or international organisation to which the operational personal data are transferred onward.

- The new **Art. 13(3)** requires **Eurojust to closely involve the EPPO** in matters of common interest. In particular, it shall send the EPPO the agenda of College meetings whenever issues are discussed which are of relevance for the exercise of the tasks of the EPPO. Eurojust shall invite the EPPO to participate in such meetings, without the right to vote.
- The **new Art. 16** defines the **role and functions of the Executive Board**. An Executive Board has been established by the EJR to assist the College, consisting of Eurojust's President, the two Vice-Presidents, a representative of the European Commission and two other College Members designated on a two-year rotation system. The Executive Board is responsible for taking certain administrative decisions (e.g. adopting and implementing rules of the Staff Regulations, financial rules, anti-fraud strategy), reviewing certain administrative documents before they are submitted to the College and establishing or modifying internal administrative structures.
- According to **Art. 17(2)**, the Administrative Director shall be appointed by the College from a list of candidates proposed by the Executive Board. The term of office of the Administrative Director shall be four years (five years under the 2009 Decision). By the end of that period, the Executive Board shall undertake an assessment that takes into account an evaluation of the performance of the Administrative Director – **Art. 17(3)**. The College, **acting on a proposal from the Executive Board** that may extend the term of office of the Administrative Director once and for no more than four years – **Art. 17(4)** – (under the 2009 Decision there was no explicit limitation of length of such extension) and/or may remove him/her – **Art. 17(5)**.
- **Art. 21(5)** adds **new offences** to the list covered by the exchanges of information with the Member States and between National Members. In particular, it requires that the competent national authorities shall inform their National Members without undue delay of any case affecting at least three Member States for which requests for or decisions on judicial cooperation have been transmitted to at least two Member States, where one or more listed crimes apply.³⁷³
- **Art. 22** regulates information provided by Eurojust to competent national authorities. Such information must be provided **without undue delay**. That information may include personal data.
- **Art. 27(4)** establishes that the Data Protection Officer (referred to in **Art. 36**) shall be informed immediately when operational personal data are processed, and shall be informed of the specific circumstances **which justify the necessity** of the processing of those data.
- **Art. 29(7)(a-e)** provides for **new exceptions** to the requirement of eradication of paragraph 5; according to the latter, once the deadline for the storage of the last item of automated data from the file has expired, all documents in the file shall be destroyed.
- According to the new **Art. 36(4)**, the Data Protection Officer shall be appointed for a term of four years and shall be eligible for reappointment up to a maximum total term of eight years. The Officer may be dismissed from his or her post of Data Protection Officer by the Executive Board only with the agreement of the EDPS, if the he or she no longer fulfils the conditions required for the performance of his or her duties.
- **Art. 39** introduces a **new notification obligation** for Eurojust of a personal data breach to the authorities concerned.

³⁷³ ii. sexual abuse or sexual exploitation including child pornography and solicitation of children for sexual purposes; iii. drug trafficking; iv. illicit trafficking in firearms, their parts or components or ammunition or explosives; v. corruption; vi. crime against the financial interests of the Union; vii. forgery of money or means of payment viii. money laundering activities; ix. computer crime.

- The new **Art. 45** regulates Eurojust's responsibility in data protection matters.
- **Art. 47** specifies that bilateral working arrangements cannot form the legal basis for the exchange of personal data. The possibility to conclude cooperation agreements has been removed from the EJR.
- **Art. 51** introduces the new obligation for OLAF and FRONTEX to contribute to Eurojust's work.
- **Art. 53** of EJR is aligned with Art. 27a of the 2009 Decision; however, its scope is wider as it specifies the tasks of the liaison magistrates. The working arrangement is the instrument foreseen in the EJR to formalise cooperation on the posting of liaison magistrates. Under the EJR, the College shall draw up the terms and conditions for the posting of liaison magistrates, including their level of remuneration. The activities of liaison magistrates posted by Eurojust shall be subject to the supervision of the EDPS.
- **Art. 55(2)** establishes that where the operational personal data are transmitted following a request from another Union institution, body, etc. both the controller and the recipient shall bear the responsibility for the legitimacy of that transfer.
- The new **Art. 57** regulates transfers of operational personal data to a third country or to an international organisation on the basis of an adequacy decision. In the absence of such decision, Eurojust may transfer operational personal data to a third country or an international organisation subject to appropriate safeguards (**Art. 58**). In the absence of an adequacy decision, or of appropriate safeguards, Eurojust may transfer operational personal data only on the condition that the transfer is necessary (**Art. 59**).
- **Art. 60(3)** establishes that without prejudice to other resources, Eurojust's revenue shall comprise: [...], b) any voluntary financial contribution from the Member States; c) charges for publications and any service provided by Eurojust; d) ad hoc grants. The expenditure of Eurojust shall include staff remuneration, administrative and infrastructure expenses and operating costs, including funding for joint investigation teams – **Art. 60(4)**. Thus, there is a new possibility for additional financing sources in the EJR.
- According to **Art. 61(2)**, the Executive Board shall, on the basis of the draft statement of the estimates, review the provisional draft estimate of Eurojust's revenue and expenditure for the following financial year, which it shall forward to the College for adoption. New deadlines for sending the provisional draft estimate and the final draft estimate to the Commission are set out by **Art. 61(3)**. **Art. 61(8)**³⁷⁴ has also been added.
- **Art. 62** on the implementation of the budget specifies that the AD shall act as the authorising officer of Eurojust and shall implement Eurojust's budget under his or her own responsibility, within the limits authorised in the budget. The obligation for the AD to report to the College on the implementation of the budget, foreseen in the 2009 Decision, is removed from the EJR.
- **Art. 63** slightly amends the implementation of the budget and discharge including the steps of the discharge procedure and including the role of the Executive Board in the internal procedure at Eurojust.
- **Art. 64** sets out the new obligation for Eurojust and Europol to jointly establish rules and conditions for joint investigation teams' funding, and the possibility to award grants without call for proposals explicitly stated.

³⁷⁴ Art. 61(8): Article 88 of Commission Delegated Regulation (EU) 1271/2013 shall apply to any building project likely to have significant implications for Eurojust's budget.

- **Art. 66** establishes a new obligation for Eurojust. In particular, the College shall adopt a decision laying down rules on the secondment of national experts and on the use of other staff, in particular to avoid potential conflicts of interest. Eurojust shall take appropriate administrative measures, inter alia through training and prevention strategies, to avoid conflicts of interest, including conflicts of interest relating to post-employment issues.
- **Art. 67** foresees the new possibility to present observations and conclusions on Eurojust's Annual Report. According to it: 'Eurojust shall transmit its annual report to the European Parliament, to the Council and to national parliaments, which may present observations and conclusions.' **Art. 67(2) and (3)** introduce a new obligation for the newly elected President towards the European Parliament and the obligation for the President to participate in yearly evaluation by the European Parliament and national parliaments. **Art. 67(4)** sets out the explicit obligation for Eurojust for the translation and submission of specific documents to European Parliament and to national parliaments.
- Under **Art. 69** on evaluation and review, it is for the Commission to commission and determine the terms of reference of the evaluation; the College is only to be heard.
- Under **Art. 73** new conditions of confidentiality of national proceedings are established.
- **Art. 78** introduces the jurisdiction of the Court of Justice of the EU on judgments pursuant to any arbitration clause contained in a contract concluded by Eurojust.
- Under **Art. 79**, the seat of Eurojust shall be The Hague. The necessary arrangements shall be laid down in a headquarters agreement between Eurojust and the Netherlands concluded once the College's approval is obtained.

Minor differences: EJR and Council Decision

Differences of minor entity are summarised below. Given that such differences bring to minor or no change at all, only the main ones have been selected:

- The EJR provides a **new legal basis** to Eurojust, it establishes the European Union Agency for Criminal Justice Cooperation (**Art. 1**).
- **New categories of offences** under Eurojust's competence are listed in **Art. 3(4)**. Unlike the previous 2002 and 2009 Council Decisions, Annex I of EJR provides a detailed list of crimes under Eurojust's competence. Moreover, unlike the 2002 and 2009 Decisions, **Art. 3(4)** of EJR extends Eurojust's competence to cover 'related criminal offences' and, offences beyond the crimes listed in Annex I, at the request of a MS – **Art. 3(3)**.
- At the request of either the competent authority of a Member State or of the Commission, Eurojust may assist in investigations and prosecutions that only affect that Member State but which have repercussions at Union level. According to the new **Art. 3(6)**, before acting at the request of the Commission, Eurojust shall consult the competent authority of the State concerned. That competent authority may, within a deadline set by Eurojust, oppose the execution of the request by Eurojust justifying its position in every case.
- **Art. 4(1) of EJR adds new operational functions to Eurojust.**³⁷⁵
- **Art 4(6)** requires that the competent authorities of the Member States concerned shall **respond to requests from Eurojust** and to the written opinions **without undue delay**;

³⁷⁵ f) provide operational, technical and financial support to Member States' cross-border operations and investigations, including to joint investigation teams; g) support, and where appropriate participate in, the Union centres of specialised expertise developed by Europol and other Union institutions, bodies, offices and agencies; h) cooperate with Union institutions, bodies, offices and agencies, as well as networks established in the area of freedom, security and justice regulated under Title V of the TFEU.

however, there is no specific requirement to provide reasons for refusal unlike in the 2009 Decision.

- **Art. 5(2)** introduces the explicit requirement for **majority of two thirds**: d) when adopting Eurojust's annual budget; e) when adopting the programming document referred to in Article 15 or the annual report on Eurojust's activities.
- According to **Art. 5(2)**, **Eurojust shall act as a College** when i) adopting rules for the prevention and management of conflicts of interest; j) when adopting reports, policy papers; and l) when taking any decision which is not expressly attributed to the Executive Board by this Regulation. The EJR extends the cases in which Eurojust shall act as a College.
- **Art. 5(4)** introduces the right of delegation for the College to the Executive Board and Administrative Director and the right of suspending the specific delegation of appointing authority powers of the Administrative Director.
- **Art 5(5)** stipulates that the College shall adopt Eurojust's rules of procedure on the basis of a two-thirds majority of its members. If it cannot be reached, the decision shall be taken by simple majority. This is a new explicit fall-back mechanism foreseen in EJR.
- **Art. 7(2)** stipulates that the deputy and Assistant shall have their regular place of work at Eurojust whereas the 2009 Council Decision stipulated that they may have their regular place of work at Eurojust. **Art 7(3)** requires Member States to notify Eurojust and the Commission of the appointment of National Members, deputies and Assistants. According to **Art. 7(5)** the term of office of the National Members and their deputies shall be five years, renewable once. Member States shall appoint National Members and deputies on the basis of a proven high level of relevant, practical experience in the field of criminal justice – **Art. 7(6)**.
- **Art. 8** grants **new powers to National Members** under letters b), c) and d). Regarding the participation of National Members in Joint Investigation Teams (Art. 8(d)), the limitations and link to community funding foreseen in the 2009 Decision, are removed in EJR.
- The new **Art. 14** establishes new voting rules of the College whereas the new **Art. 15** regulates the annual and multi-annual programming.
- **Art.19** gives a new possibility for seconded national experts to be the OCC (on-call coordination mechanism representatives).
- **Art. 20 on Eurojust National Coordination System (ENCS)**: provides flexibility for the Member States to add additional entities deemed relevant; it intensifies the link between the respective Eurojust National Member and his/her ENCS and provides flexibility for each ENCS to cooperate with additional entities deemed relevant. Under paragraph 2, it requires national correspondents appointed by the Member States to have the skills and experience necessary for them to carry out their duties.
- **Art. 27** refers to '**operational**' personal data to mark the distinction to administrative data.
- Under the new **Art. 40**, the EDPS replaces the previous JSB as external supervision body regarding data protection matters.
- The new **Art. 41** stipulates explicitly duty of professional secrecy for the EDPS and his/her staff.
- The new **Art. 42** stipulates cooperation principles between the EDPS and national data protection authorities.

Annex 8: Objectives set out in the multi annual strategies

The tables below set out the annual activities and objectives linked to each of the multi-annual strategic objectives (MASO) taken from the multi-annual strategies. They are coded in colours similar to those used in the intervention logic to help the reader understand their correlation, as per the below key.

Colour	Area of intervention as per the intervention logic
Blue	Cooperation with IBOAs, network etc.
Orange	Support Member States
Green	Cooperation with third countries
Pink	Operational organisation of the Agency

Table 56: MAS 2019-21, MASO1 – Casework

2019		2020		2021	
SAA 1(a) Provide quick and qualitative support to competent authorities.					
Annual Activity 1 Strengthen Eurojust's position and operational capabilities to provide dynamic and quality support to judicial cooperation and coordination	Objective to the Annual Activity 1.1. Keep encouraging referral to more complex cross-border crime cases, by offering comprehensive and tailor-made operational and legal expertise and reinforcing the sharing of experience and best practice	Annual Activity 1 Improve Eurojust's dynamic and quality support to judicial cooperation and coordination	Objective 1.1 Increase referral of quality cross-border crime cases by offering comprehensive and tailor-made operational and legal expertise	Annual Activity 1.1 Improve Eurojust's dynamic and quality support to judicial cooperation and coordination	Objective 1.1.1 – Support increased referral of quality cross-border crime cases, by offering comprehensive and tailor-made operational and legal expertise

Evaluation of the implementation and impact of Regulation (EU) 2018/1727 of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust), and of the effectiveness and efficiency of Eurojust and its working practices

2019		2020		2021	
	Objective to the Annual Activity 1.2. Enhance Eurojust's capabilities to process and analyse substantial case-related information, particularly in key crime areas and especially by enhancing the CMS		Objective 1.2 Provide qualitative feedback to and from casework		Objective 1.1.2 – Enhance consistency and efficiency in support to cases, by drawing lessons and best practices from casework
	Objective to the Annual Activity 1.3. Explore a more operational role for the ENCS in MSs		Objective 1.3 Enhance Eurojust's IT capabilities for operational information management		Objective 1.1.3 – Enhance digitalisation in the JHA area, through information exchange and interoperability solutions
SAA 1(b) Reinforce operational cooperation with key partners					
Annual Activity 2 Continue developing operational cooperation, interaction and complementarities with Eurojust's main operational partners	Objective to the Annual Activity 2.1. Further develop operational cooperation with JHA agencies, Europol and Frontex, particularly to provide a European multi-disciplinary response to criminal phenomena	Annual Activity 2 Continue developing operational cooperation with Eurojust's main operational partners	Objective 2.1 Develop operational cooperation with EPPO and OLAF	Annual Activity 1.2 Continue developing operational cooperation with Eurojust's main operational partners	Objective 1.2.1 – Develop operational cooperation with the EPPO
	Objective to the Annual Activity 2.2. Continue to explore synergies and the operational involvement of existing networks		Objective 2.2 Further develop operational cooperation with Europol		Objective 1.2.2 – Further develop operational cooperation with Europol
	Objective to the Annual Activity 2.3. Continue to develop operational cooperation with third States, including		Objective 2.3 Further develop operational cooperation with FRONTEX		Objective 1.2.3 – Further develop operational cooperation with FRONTEX

2019		2020		2021	
	through use of Eurojust contact points		Objective 2.4 Continue to develop operational cooperation with third States and international organisations		Objective 1.2.4 – Continue to develop operational cooperation with third States and international organisations

Table 57: MAS 2019-21, MASO2 – Policy work

2019		2020		2021	
SAA2(a) Contribute to the EU internal security strategy and to measures concerning judicial cooperation in criminal matters					
Annual Activity 3 Deliver advice and reports, based on operational experience, to EU decision- and policy-makers	Objective to the Annual Activity 3.1. Reinforce strategic contribution in priority crime areas and instruments of judicial cooperation	Annual Activity 3 Provide advice and feedback on policy developments related to common internal security	Objective 3.1 Enhance the judicial cooperation element in the EU policy cycle based on Eurojust's expertise in casework	Annual Activity 2.1 Provide advice and feedback on policy developments related to common internal security	Objective 2.1.1 – Enhance the judicial cooperation element in the EU policy cycle based on Eurojust's expertise in casework
	Objective to the Annual Activity 3.2. Active promotion of the judicial and prosecutorial dimension of the fight against serious cross-border crime in the European Union by regular reporting to stakeholders				

2019		2020		2021	
SAA2(b) Reinforce strategic cooperation with key partners					
Annual Activity 4 Enhance strategic cooperation with partners and stakeholders in the Area of Freedom, Security and Justice, exploring possible synergies and coordinated responses to identified threats	Objective to the Annual Activity 4.1. Reinforce strategic cooperation with a view to increasing synergies with the EU institutions and relevant JHA agencies and bodies (particularly Europol, Frontex and EEAS) and strategic relations with other EU agencies or bodies and international organisations closely related to Eurojust's field of work	Annual Activity 4 Improve alignment in cooperation with key partners	Objective 4.1 Increase synergies with EU institutions and relevant JHA agencies and bodies	Annual Activity 2.2 Improve alignment in cooperation with key partners	Objective 2.2.1 – Increase synergies with EU institutions and relevant JHA agencies and bodies
	Objective to the Annual Activity 4.2. Further explore the strategic involvement of the existing networks and contact points, especially in the identification and sharing of best practice		Objective 4.2 Further explore the strategic involvement of the existing networks		Objective 2.2.2 – Further stimulate and explore the strategic involvement of the existing networks

Table 58: MAS 2019-21, MASO3 – Organisational development

2019		2020		2021	
SAA3(a) Ensure effective organisational structure and processes					
Annual Activity 5 Ensure the support services required for the smooth implementation of the Eurojust Decision, the Regulation on Eurojust and the changes required from this new founding act on organisational level, as well as relations with the European Public Prosecutor's Office	Objective to the Annual Activity 5.1. Ensure smooth implementation of the organisational changes stemming from the new Regulations on Eurojust and the EPPO	Annual Activity 5 Improve Eurojust's organisational efficiency and ensure the smooth implementation of the Regulation on Eurojust, as well as administrative cooperation and synergies with the European Public Prosecutor's Office	Objective 5.1 Ensure smooth implementation of the organisational changes stemming from the new Regulations on Eurojust and the EPPO	Annual Activity 3.1 Improve Eurojust's organisational efficiency and ensure the smooth implementation of the Regulation on Eurojust, as well as administrative cooperation and synergies with the EPPO	Objective 3.1.1 – Ensure smooth implementation of the organisational changes stemming from the new Regulations on Eurojust and the EPPO
	Objective to the Annual Activity 5.2. Further strengthen Eurojust's organisational capacity to improve efficiency and flexibility in the deployment of resources with the objective of meeting operational needs and delivering quality services		Objective 5.2 Further improve Eurojust's organisational efficiency and flexibility to meet operational needs		Objective 3.1.2 – Further improve Eurojust's organisational efficiency and flexibility to meet operational needs
SAA3(b) Ensure excellent communication capacities					
Annual Activity 6 Further invest in developing a solid reputation based on operational and strategic results and on the trust of Member States	Objective to the Annual Activity 6.1. Increase Eurojust's ability to effectively communicate with European citizens and institutional partners and to promote the added value of the European reaction against serious cross-border crime and crisis situations	Annual Activity 6 Efficiently use communication capabilities to support operational and strategic goals	Objective 6.1 Effectively communicate Eurojust's successes and added value to stakeholders	Annual Activity 3.2 Efficiently use communication capabilities to support operational and strategic goals	Objective 3.2.1 – Effectively communicate Eurojust's successes and added-value to stakeholders

2019		2020		2021	
	Objective to the Annual Activity 6.2. Continue to ensure organisational knowledge retention		Objective 6.2 Ensure organisational knowledge use, distribution and retention		Objective 3.2.2 – Ensure organisational knowledge use, distribution and retention
Horizontal Annual Activity					
				Horizontal Annual Activity Provide recurring administrative services	Horizontal Objective – Provide effective and efficient recurring administrative services

Table 59: MAS 2022-24, MASO 1 – Casework

2022		2023		2024	
SAA 1(a) Swift and qualitative response to Member States’ requests					
Activity 1.1 – Provide comprehensive and tailor-made operational and legal expertise to referred cases	Objective 1.1.1 – Improve dynamic and quality support to increased referral of complex cross-border crime cases	Activity 1.1 – Provide comprehensive and tailor-made operational and legal expertise to referred cases	Objective 1.1.1 – Improve dynamic and quality support to increased referral of complex cross-border crime cases	Activity 1.1 – Provide comprehensive and tailor-made operational and legal expertise to referred cases	Objective 1.1.1 – Improve dynamic and quality support to increased referral of complex cross-border crime cases
SAA 1(b) Proactive identification of links and investigation or prosecution gaps					
Activity 1.2 – Capitalise on new operational data analysis and cross-matching capabilities	Objective 1.2.1 – Reinforce Eurojust’s ability to act on its own initiative and where the fight against crime requires prosecution on common bases	Activity 1.2 – Capitalise on new operational data analysis and cross-matching capabilities	Objective 1.2.1 – Reinforce Eurojust’s ability to act on its own initiative and where the fight against crime requires prosecution on common bases	Activity 1.2 – Capitalise on new operational data analysis and cross-matching capabilities	Objective 1.2.1 – Reinforce Eurojust’s ability to act on its own initiative and where the fight against crime requires prosecution on common bases

2022		2023		2024	
SAA1(c) Operational cooperation with the networks hosted and supported by Eurojust					
Activity 1.3 – Further support and develop synergies with practitioners’ networks	Objective 1.3.1 – Reinforce operational actions and complementarity with judicial practitioners’ networks	Activity 1.3 – Further support and develop synergies with practitioners’ networks	Objective 1.3.1 – Reinforce operational actions and complementarity with judicial practitioners’ networks	Activity 1.3 – Further support and develop synergies with practitioners’ networks	Objective 1.3.1 – Reinforce operational actions and complementarity with judicial practitioners’ networks
SAA2(a) Cooperation with JHA partners					
Activity 2.1 – Further develop cooperation with JHA partners and OLAF	Objective 2.1.1 – Strengthen cooperation with the EPPO, Europol, FRONTEX and OLAF	Activity 2.1 – Further develop cooperation with JHA partners, EPPO and OLAF	Objective 2.1.1 – Strengthen cooperation with the EPPO, Europol, FRONTEX and OLAF	Activity 2.1 – Further develop cooperation with JHA partners, EPPO and OLAF	Objective 2.1.1 – Strengthen cooperation with the EPPO, Europol, FRONTEX and OLAF
	Objective 2.1.2 – Enhance effectiveness in criminal justice cooperation through joint initiatives with other relevant JHA partners		Objective 2.1.2 – Enhance effectiveness in criminal justice cooperation through increased joint initiatives with JHA and other relevant partners		Objective 2.1.2 – Enhance effectiveness in criminal justice cooperation through increased joint initiatives with JHA and other relevant partners

Table 60: MAS 2022-24, MASO 2 – Cooperation

2022		2023		2024	
SAA2(a) Cooperation with JHA partners					
Activity 2.1 – Further develop cooperation with JHA partners and OLAF	Objective 2.1.1 – Strengthen cooperation with the EPPO, Europol, FRONTEX and OLAF	Activity 2.1 – Further develop cooperation with JHA partners, EPPO and OLAF	Objective 2.1.1 – Strengthen cooperation with the EPPO, Europol, FRONTEX and OLAF	Activity 2.1 – Further develop cooperation with JHA partners, EPPO and OLAF	Objective 2.1.1 – Strengthen cooperation with the EPPO, Europol, FRONTEX and OLAF
	Objective 2.1.2 – Enhance effectiveness in criminal justice cooperation through joint initiatives with other relevant JHA partners		Objective 2.1.2 – Enhance effectiveness in criminal justice cooperation through increased joint initiatives with JHA and other relevant partners		Objective 2.1.2 – Enhance effectiveness in criminal justice cooperation through increased joint initiatives with JHA and other relevant partners
SAA2(b) Cooperation with third countries and international organisations					
Activity 2.2 – Implement multi-annual strategy and other initiatives for cooperation with third countries and international organisations	Objective 2.2.1 – Strengthen cooperation with third countries and international organisations	Activity 2.2 – Implement multi-annual strategy and other initiatives for cooperation with third countries and international organisations	Objective 2.2.1 – Strengthen cooperation with third countries and international organisations	Activity 2.2 – Implement multi-annual strategy and other initiatives for cooperation with third countries and international organisations	Objective 2.2.1 – Strengthen cooperation with third countries and international organisations
			Objective 2.2.2 – Fulfil Eurojust’s new role as ECRIS-TCN contact point for third countries and international organisations		Objective 2.2.2 – Fulfil Eurojust’s new role as ECRIS-TCN contact point for third countries and international organisations

2022		2023		2024	
SAA2(c) Externally funded projects for operational cooperation					
Activity 2.3 – Implement externally funded projects for cooperation	Objective 2.3.1 – Reinforce operational capabilities and/or cooperation with partners through external funding agreements	Activity 2.3 – Implement externally funded projects for cooperation	Objective 2.3.1 – Reinforce operational capabilities and/or cooperation with partners through external funding agreements	Activity 2.3 – Implement externally funded projects for cooperation	Objective 2.3.1 – Reinforce operational capabilities and/or cooperation with partners through external funding agreements

Table 61: MAS 2022-24, MASO 3 – Digitalisation

2022		2023		2024	
SAA3(a) ICT operational capabilities					
Activity 3.1 – Further develop ICT operational capabilities	Objective 3.1.1 – Ensure Eurojust’s active contribution to the Digitalisation of Justice to improve information exchange and interoperability	Activity 3.1 – Further develop ICT operational capabilities	Objective 3.1.1 – Ensure Eurojust’s active contribution to the Digitalisation of Justice to improve information exchange and interoperability, primarily through implementing and integrating its new CMS	Activity 3.1 – Further develop ICT operational capabilities	Objective 3.1.1 – Ensure Eurojust’s active contribution to the Digitalisation of Justice to improve information exchange and interoperability, primarily through implementing and integrating its new CMS
	Objective 3.1.2 – Enhance support to casework and judicial practitioners through existing ICT systems and operational data reporting solutions		Objective 3.1.2 – Enhance support to casework and judicial practitioners through existing ICT systems and operational data reporting solutions		Objective 3.1.2 – Enhance support to casework and judicial practitioners through existing ICT systems and operational data reporting solutions

Table 62: MAS 2022-24, MASO 4 – Strategic work

2022		2023		2024	
SAA4(a) Expertise sharing with EU bodies and judicial practitioners					
Activity 4.1 – Collect, analyse and disseminate best practices and lessons learned from casework	Objective 4.1.1 – Enhance Eurojust’s institutional knowledge and expertise to support judicial practitioners and EU strategic initiatives in the JHA area	Activity 4.1 – Collect, analyse and disseminate best practices and lessons learned from casework	Objective 4.1.1 – Enhance Eurojust’s retention of knowledge and expertise to support judicial practitioners and EU strategic initiatives in the JHA area	Activity 4.1 – Collect, analyse and disseminate best practices and lessons learned from casework	Objective 4.1.1 – Enhance Eurojust’s retention of knowledge and expertise to support judicial practitioners and EU strategic initiatives in the JHA area
SAA4(b) Corporate communication and outreach					
Activity 4.2 – Communicate Eurojust’s successes and added-value to stakeholders	Objective 4.2.1 – Effectively and efficiently use communication capabilities to support operational and strategic goals	Activity 4.2 – Communicate Eurojust’s successes and added-value to stakeholders	Objective 4.2.1 – Effectively and efficiently use communication capabilities to support operational and strategic goals	Activity 4.2 – Communicate Eurojust's successes and added-value to stakeholders	Objective 4.2.1 – Effectively and efficiently use communication capabilities to support operational and strategic goals

Table 63: MAS 2022-24, MASO 5 – Organisational capabilities & efficiency

2022		2023		2024	
SAA5(a) Organisational efficiency					
Activity 5.1 – Implement efficiency gains strategy	Objective 5.1.1 – Further improve organisational efficiency and flexibility in meeting operational needs	Activity 5.1 – Implement efficiency gains strategy	Objective 5.1.1 – Further improve organisational efficiency and flexibility in meeting operational needs	5.1 – Implement efficiency gains strategy	Objective 5.1.1 – Further improve organisational efficiency and flexibility in meeting operational needs

Evaluation of the implementation and impact of Regulation (EU) 2018/1727 of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust), and of the effectiveness and efficiency of Eurojust and its working practices

2022		2023		2024	
SAA5(b) Organisational management and internal control					
Activity 5.2 – Implement strategy for organisational management and internal control	Objective 5.2.1 – Strengthen organisational management and internal control, enabling the College to focus on its operational tasks	Activity 5.2 – Implement strategy for organisational management and internal control	Objective 5.2.1 – Strengthen organisational management and internal control, enabling the College to focus on its operational tasks	Activity 5.2 – Implement strategy for organisational management and internal control	Objective 5.2.1 – Strengthen organisational management and internal control, enabling the College to focus on its operational tasks
SAA5(c) Environmental impact					
Activity 5.3 – Implement environmental management strategy	Objective 5.3.1 – Reduce Eurojust's carbon footprint and CO2 emissions	Activity 5.3 – Implement environmental management strategy	Objective 5.3.1 – Reduce Eurojust's carbon footprint and CO2 emissions	Activity 5.3 – Implement environmental management strategy	Objective 5.3.1 – Reduce Eurojust's carbon footprint and CO2 emissions
SAA5(d) Revision of the Eurojust Regulation					
Activity 5.4 – Support process for amending the Eurojust Regulation and tasks	Objective 5.4.1 – Ensure timely implementation of legislative process outcomes affecting Eurojust tasks	Activity 5.4 – Support process for amending the Eurojust Regulation	Objective 5.4.1 – Ensure timely implementation of approved Eurojust Regulation amendments	Activity 5.4 – Support process for evaluating and amending the Eurojust Regulation and tasks	Objective 5.4.1 – Ensure adequate support to the Eurojust Regulation evaluation commissioned by the Commission
					Objective 5.4.2 – Ensure timely implementation of legislative process outcomes affecting Eurojust tasks
Horizontal Activities					
Horizontal Activity – Provide recurring administrative services	Horizontal Objective – Provide effective and efficient recurring administrative services	Horizontal Activity – Provide recurring administrative services	Horizontal Objective – Provide effective and efficient recurring administrative services	Horizontal Activity – Provide recurring administrative services	Horizontal Objective – Provide effective and efficient recurring administrative services

Annex 9: Eurojust's cooperation with partners

This Annex presents a supporting analysis on the nature and scope of Eurojust's cooperation with EU and international partners.

Eurojust's cooperation with EU partners

Eurojust maintains close relationships with key actors in the EU institutional framework, including the European Commission, the European Parliament and the Council. Eurojust also works closely with EU agencies, bodies and offices in the Justice and Home Affairs (JHA) and anti-fraud domains, including the EPPO, Europol and OLAF.

In particular, at EU level, Eurojust cooperates with the following partners: CEPOL, EIGE, EJTN, EUDA, the EPPO, EU agencies, eu-LISA, European Commission, European Parliament, Europol, FRA, Frontex, OLAF. Other forms of collaboration have been established with European and national parliaments, JHA Agencies Network (JHAAN) and the EU Innovation Hub for Internal Security; these have not been examined in this Annex since they are not formalised in a working arrangement nor a memorandum of understanding.

The sections below outline the type of collaboration that Eurojust has with each partner, however, some general considerations regarding the similarities and differences among the various agreements are here presented:

- While few bodies are bound by working arrangements with Eurojust (the EPPO, OLAF), the majority have concluded a MoU with Eurojust prior to the entry into force of the EJR (Europol, Frontex, CEPOL, eu-LISA, EUIPO, EJTN, EUDA, FRA, European Commission). Within the scope of the existing MoU, eu-LISA and Eurojust also signed a cooperation plan, while the relationship between Europol and Eurojust is also governed by a 2010 cooperation agreement.
- The difference between working arrangements and MoU is not clearly stipulated; however, from the analysis conducted it seems that working arrangements are more detailed and tend to cover operational, institutional and administrative matters. MoUs are usually not legally binding and set the frameworks for future agreements.
- Some MoU contain very general provisions (CEPOL, EUIPO, EJTN, FRA) whereas others go into more detail (Frontex, Europol, Eu-LISA, EUDA, European Commission).
- The type of provisions contained in the working arrangements and MoU tend to vary from one body to another; more information is provided in the following sections.

Europol

Eurojust and Europol have been working together closely in the fight against serious cross-border crime since the early 2000s. In 2010 Eurojust and Europol signed a working **agreement** to foster closer cooperation between them, increase their effectiveness in combating serious forms of international crime and avoid duplication of work, in particular by increasing information exchange and improving strategic and operational cooperation, as well as Europol's further participation in Eurojust's strategic and coordination meetings. The agreement also provided for additional cooperation activities, including the possibility of temporarily posting representatives of one or both agencies in the other's premises, as well as the obligation to inform each other about participation in JITs. Moreover, Eurojust and Europol have concluded **two agreements for the temporary placement** of Eurojust representatives to different Union Centres of Expertise hosted at Europol, namely the European Cybercrime Centre (EC3) and the European Counter Terrorism Centre (ECTC).

To further strengthen their collaboration, in **2018** the Agencies signed a **MoU** on the joint establishment of rules and conditions for financial support to JIT activities. Among other points, the MoU underlines the need for the agencies to efficiently exchange information, including on applications for JIT funding, in order to prevent duplication of efforts, including double funding for JITs.

Key provisions of the 2010 cooperation agreement and the 2018 MoU are included in the box below:

Agreement between Eurojust and Europol (2010)

- Chapter 2 covers consultation and cooperation mechanisms, including on temporary posting of representatives (Art. 5) and JITs (Art. 6).
- Chapter 3 covers exchange of information, including communication of information by both Europol (Art. 7) and Eurojust (Art. 8).
- Chapter 4 covers provisions on processing of information.
- Chapter 5 (Art. 19) covers confidentiality.
- Within the Final Provisions (Chapter 7), Art. 22 states that both parties shall report annually to the Council and the Commission on their cooperation.

Memorandum of Understanding (2018)

- Art. 2 Compliance with the principle of non-cumulative award (no multiple financial contributions for the same expenditure)
- Art. 3 Preventive and evaluation measures (exchange of information on grants/calls for proposals/applications for JIT and joint assessment of their implementation)
- Art. 4 Common aspects of JIT applications to be ensured by both organisations
- Art. 5 Duty to inform each other of their participation in a JIT
- Art. 6 Information to national authorities on financial support to JIT's activities by both parties

The EPPO

The EPPO is the independent, decentralised prosecution office of the European Union with a mandate to investigate, prosecute and bring to judgment the perpetrators of crimes affecting the EU budget.

The EPPO and Eurojust are privileged partners with a shared responsibility to protect the financial interests of the EU. The specific provisions of Eurojust's relationship with the EPPO are outlined in Article 50 of the EJR (and Article 100 of the EPPO Regulation), according to which:

- the President of Eurojust and the European Chief Prosecutor meet regularly to discuss issues of common interest;
- Eurojust shall respond to requests for support from the EPPO without undue delay;
- to support its cooperation with the EPPO, Eurojust makes use of the Eurojust national coordination system, as well as its relations with third countries, including Eurojust's Liaison Magistrates;
- Eurojust informs the EPPO of relevant cross-border cases;
- Eurojust and the EPPO have indirect access to information in each other's case management systems;
- the EPPO may rely on the support and resources of the administration of Eurojust.

In February 2021, Eurojust and the EPPO concluded a **working arrangement** covering operational cooperation, institutional relations and administrative matters. This arrangement outlines the framework for collaboration between the two entities in combating PIF Crimes. It delineates mechanisms for sharing information, coordinating investigations, and supporting judicial proceedings, thereby enhancing the effectiveness of the judicial efforts across EU Member States.

The box below includes key provisions of the working arrangement between Eurojust and the EPPO.

- Art. 3 Areas of crime within the mandates of both parties: criminal offenses affecting the financial interests of both parties
- Art. 5 and Art. 6 EPPO's access to information in Eurojust' case management system and vice-versa
- Art. 7 Exercise of competence of EPPO and duty to inform Eurojust without undue delay
- Art. 9 Mutual support on operational matters (e.g. organisation of coordination meetings)
- Art. 12 High-level meetings at least once per year to discuss issues of common interest
- Art. 13 Each party shall establish a liaison team to discuss institutional and operational matters
- Art. 14 EPPO's attendance of Eurojust College and Executive Board meetings
- Art. 15 Exchange of strategic information (trends, challenges etc.) and invitation to training etc.
- Art. 18 Obligation to meet certain requirements in case of exchange of personal data (e.g. data must be lawfully and fairly processed etc.)
- Art. 19 Safeguards in case of transmission of special categories of data
- Art. 20 Rights of data subjects
- Art. 21 Time limits for data storage
- Art. 22 Data security
- Art. 23 Onward transfers
- Art. 24 Exchange and protection of classified information
- Art. 27 Liability for unauthorised, incorrect or inaccurate processing of data
- Art. 29 Joint review of implementation of the working agreement every 2 years

Frontex

Eurojust has cooperated with Frontex since 2005 to promote inter-agency collaboration and support the fight against cross-border crime, including migrant smuggling and trafficking in human beings.

To consolidate their cooperation, in December 2013 Eurojust and Frontex signed a **MoU**, through which the agencies agreed to:

- establish a Contact Point tasked with coordinating the cooperation between the two parties;
- consult with each other on issues of common interest;
- coordinate, where appropriate, their cooperation activities in multilateral fora such as the Heads of JHA Agencies network and COSI Standing Committee;
- exchange relevant strategic and technical information and analysis related to serious cross-border crime (but not to exchange operational information, including data relating to an identified or identifiable person);

- prepare and implement joint training activities; and
- exchange expertise and best practices in areas of common interest.

The entry into force of the new Frontex Regulation and the entry into application of the new Eurojust Regulation represented a significant change in the two agencies' mandate and relations. Moreover, Frontex has faced data protection challenges in recent years, related to the processing of data on migrants, including in the context of its working arrangement with Europol.³⁷⁶

Key provisions of the MoU include:

- Art. 2 Contact points
- Art. 3 Mutual consultation and coordination
- Art. 4 Exchange of strategic and technical information
- Art. 5 Joint training and exchange of best practices
- Art. 6 Assessment of cooperation once per year

CEPOL

In October 2009, Eurojust and CEPOL signed a **MoU** to define their cooperation in the field of training. Under the terms of the MoU, the Agencies agreed to each establish a Contact Point to coordinate cooperation.

The Agencies support each other, for example: they jointly contribute to training sessions for law enforcement and prosecutors; support the development of course material and common curricula for training activities; Eurojust experts participate in CEPOL courses, seminars and webinars. During recent years, Eurojust has also been working closely with CEPOL and the EJTN to provide training on JITs to law enforcement and judicial authorities in the Member States.

The MoU allows Eurojust officials web-based access to the open-source information stored in the CEPOL scientific e-Library database.

Key provisions of the MoU include:

- Art. 2 Contact points
- Art. 3 Organisation of training
- Art. 5 Exchange of information

eu-LISA

In September 2017, Eurojust and eu-LISA signed a **MoU** for cooperation in areas of common interest and to exchange expertise and best practice in areas such as ICT and cooperation with regard to Eurojust's right to access SIS II.

Key provisions of the MoU include:

- Art. 2 Areas of cooperation
- Art. 3 Exchange of information
- Art. 4 Cooperation in ICT-related matters
- Art. 5 Cooperation in relation to Eurojust's access to SIS II

³⁷⁶ European Data Protection Supervisor (EDPS). (2023). [Audit Report on the European Border and Coast Guard Agency \(Frontex\)](#), Warsaw, 5-6 October 2022 – EDPS Case number 2022-0749.

- Art. 6 Consultation on strategic and operational matters
- Art. 7 Confidentiality and security
- Art. 9 Contact points
- Art. 10 Evaluation of cooperation every year

In October 2021, Eurojust and eu-LISA Executive signed a **three-year Cooperation Plan** to implement the MoU. It establishes access for Eurojust to eu-LISA's new large-scale IT system ECRIS-TCN, as well as the Interoperability architecture that will strengthen the Justice and Home Affairs domain. The plan also covers future cooperation in the context of the Digital Criminal Justice initiative and e-CODEX.

EUIPO

The EUIPO is the EU agency responsible for managing EU trademarks, registered Community designs etc. EUIPO provides intellectual property protection across all Member States of the European Union. In 2016 EUIPO and Eurojust signed a **MoU** for cooperation in areas of common interest.

Key provisions of the MoU include:

- Art. 2 Areas of enhanced cooperation (e.g. specific cooperation projects etc.)
- Art. 3 Exchange of technical and strategic information
- Art. 4 Confidentiality
- Art. 5 Contact points and evaluation of cooperation every year

Moreover, in March 2021, Eurojust and the EUIPO signed a **Service Level Agreement** to boost EU-wide enforcement for intellectual property and provide a more cohesive and robust response to IP infringements.

OLAF

Eurojust and OLAF signed a **Working Arrangement in 2023**, replacing an earlier agreement signed in 2008. The Working Arrangement regulates cooperation between the parties, including operational and strategic cooperation, collaboration in JITs and involvement in relevant professional training, seminars and workshops.

Moreover, this arrangement facilitates the exchange of information, expertise, and resources to support investigations and legal proceedings. Based on this Arrangement, regular meetings are organised between dedicated teams of Eurojust and OLAF (at least once per year), strategic as well as case-related information may be exchanged, and monitoring of the progress made in the implementation of the Arrangement can be performed. At the same time, the President of Eurojust meets regularly (at least once per year) with the Director-General of OLAF to evaluate and reinforce cooperation.

Key provisions of the working arrangement include:

- Art. 3 Scope of cooperation
- Art. 4 Liaison Teams
- Art. 5 High level meetings
- Art. 6 Forms of strategic cooperation
- Art. 9 Forms of operational cooperation
- Art. 11 Joint Investigation Teams

- Art. 13 Exchange of operational information
- Art. 15 and 16 Data protection
- Art. 20 Assessment of implementation every 2 years

European Judicial Training Network (EJTN)

The basis for cooperation between Eurojust and the EJTN is set out in the **MoU** of February 2008. A key focus of the MoU is an exchange programme through which practising judges and prosecutors from Member States are seconded to Eurojust. Seconded judges and prosecutors are assigned to the National Desk of their Member State of origin and are involved in the daily work of their Desk, as well as other Eurojust activities (e.g. College plenary meetings, strategic meetings, coordination meetings and team meetings). Besides, Eurojust and the EJTN can engage in other forms of cooperation including participation in meetings, conferences, seminars and other training activities organised by Eurojust or the EJTN.

Key provisions of the MoU include:

- Art. 2 Secondment to Eurojust
- Art. 3 Other forms of cooperation

EUDA

Eurojust and the EUDA share a common commitment to strengthening action against illicit drugs and related crime in the EU and to the enforcement and implementation of drug trafficking laws.

Since 2007, Eurojust and EUDA have cooperated closely through the exchange of strategic and technical information. In July 2014, Eurojust and the EMCDDA (predecessor of EUDA) signed a **MoU** to enhance cooperation on drug-related matters and legislation issues relevant to judicial cooperation. Under the provisions of the MoU, the Agencies mutually exchange strategic and technical information, pool technical expertise, establish joint projects, and ensure the optimal use of resources and information.

Key provisions of the MoU include:

- Art. 2 Areas of enhanced cooperation (e.g. specific cooperation projects etc.)
- Art. 3 Mutual consultation
- Art. 4 Exchange of technical and strategic information
- Art. 5 Confidentiality
- Art. 6 Evaluation of cooperation every year

FRA

Eurojust and FRA cooperate to raise awareness on issues relating to fundamental human rights, in various areas such as: victims' rights, detention conditions, the application of the EAW, and encryption.

The working relationship between the Agencies was consolidated through a **MoU** signed in 2014. Specifically, the MoU provides for:

- coordination and mutual exchanges of general information;
- regular consultation on issues of common interest;

- coordination activities involving multilateral fora such as seminars, conferences or meetings of Heads of JHA Agencies;
- exchanges of strategic and technical information; and
- joint training activities and the exchange of best practices.

Key provisions of the MoU include:

- Art. 2 Contact points
- Art. 3 Mutual consultation
- Art. 4 Exchange of technical and strategic information
- Art. 5 Joint training and exchange of best practice
- Art. 6 Evaluation of cooperation every year

European Commission

The European Commission and Eurojust cooperate closely in a number of matters, for example:

- the European Commission participates in the Executive Board of Eurojust.
- the European Commission participates in the College of Eurojust.
- Eurojust consults the Commission on its annual and multi-annual programming. Further, Eurojust is required, on an annual basis, to provide the Commission with a draft estimate of its revenue and expenditure for the following financial year.
- Eurojust consults with the Commission to prepare a four-year cooperation strategy specifying the third countries and international organisations with which there is an operational need for cooperation.

The European Commission and Eurojust signed a **MoU** in 2012. This memorandum establishes a framework for collaboration in matters related to judicial cooperation and the fight against transnational crime. It promotes information sharing, mutual assistance, and coordination of activities to strengthen the EU's capacity to address emerging security challenges and uphold the rule of law across Member States.

Key provisions of the MoU include:

- Art. 1 Regular meetings
- Art. 2 COM participation at EJ's College meetings
- Art. 3 Central coordination point
- Art. 4-5 Reciprocal information and consultation
- Art. 8-9 Relations with other EU institutions and bodies
- Art. 10-11 External relations
- Art. 12 Management of financial transfers under a separate MoU
- Art. 13-16 Human resources and training
- Art. 17 Channels of communication

Eurojust's cooperation with third countries

As a facilitator of cross-border judicial cooperation, Eurojust plays an important role in promoting effective working relationships between the national authorities of Member States and third countries.

In the context of judicial cooperation with third countries (TC), the following authorities come into play:

- **Contact Points** appointed by the national authorities of third countries and located in those countries enable prosecutors from Member States to provide support in cross-border investigations, obtain information on TC's legal systems and solve problems in judicial cooperation when a crime extends beyond the European Union's borders. Contact Points also ensure that authorities in non-EU countries can swiftly communicate with Eurojust and obtain information on EU legal systems.
- **Liaison Prosecutors** from countries outside the EU are posted at Eurojust. They work side by side with their colleagues from the Member States to provide support in cross-border investigations involving their country. Currently, twelve countries, outside the EU, have Liaison Prosecutors at Eurojust: Albania, Georgia, Iceland, Moldova, Montenegro, North Macedonia, Norway, Serbia, Switzerland, Ukraine, the United Kingdom and the United States. Liaison Prosecutors at Eurojust can open cases or requests for cross-border cooperation with EU Member States and other countries, as long as at least one EU Member State is involved. Vice versa, National Members at Eurojust can open cases towards and request assistance in investigations and prosecutions from Liaison Prosecutors.

The cooperation with TC takes place through working arrangements or cooperation agreements. The difference between them is outlined in the box below.

Differences between a Working Arrangements and Agreements on Cooperation:

- Agreements on Cooperation provide the possibility to exchange operational information, including evidence and personal data, between Eurojust and the national competent authorities of the countries involved in a systematic way. They can also be the basis on which to post a Liaison Prosecutor at Eurojust. Agreements on Cooperation, also referred to as International Agreements, are negotiated by the European Commission and approved by the Council of the European Union and the European Parliament.
- Working Arrangements are instruments that Eurojust can conclude directly with the competent authorities of a third country, if the Agency identifies a strategic interest to cooperate. A Working Arrangement does not provide for the appointment of a Liaison Prosecutor at the Agency. Its posting can be based only on an Agreement on Cooperation.
- More information is provided in the sections below.

Cooperation agreements

As of 1 May 2024, Eurojust had concluded agreements on cooperation with 12 non-EU countries: Albania (Date of agreement: 2018), Georgia (2019), Iceland (2005), Liechtenstein (2013), Moldova (2014), Montenegro (2016), North Macedonia (2008), Norway (2005), Serbia (2019), Switzerland (2019), Ukraine (2016), and the United States (2006). In addition, the United Kingdom (UK) has a unique position in relation to Eurojust. While there is no self-standing Eurojust-UK cooperation agreement, the relationship is governed by: the [TCA](#) (April 2021), which contains specific provisions on cooperation with Eurojust (Title VI), including on the secondment of an LP by the UK to Eurojust (Art. 585 TCA); and a working arrangement (December 2021), which aims to support the implementation of the TCA by outlining the

practical and administrative details on which judicial cooperation between Eurojust and the UK will be based.

These agreements provide the possibility of exchanging operational information, including evidence and personal data, between Eurojust and the national authorities of the country involved in a systematic way. These agreements create an enabling environment in which third countries can participate in and benefit from the practical cooperation tools offered through Eurojust. They also give national authorities in third countries the opportunity to post Liaison Prosecutors at Eurojust's headquarters to work side by side with their colleagues from Member States, with access to Eurojust's operational tools.

The structure of cooperation agreements, with slight differences among them, is usually the following:

Example of cooperation agreement with Albania

- Art. 1 Definitions
 - Art. 2 Purpose of the agreement: to enhance cooperation in combating serious crime
 - Art. 3 Scope of cooperation
 - Art. 4 Competent authorities of the TC and Eurojust to execute the agreement
 - Art. 5 Possibility for the TC to post a liaison officer at Eurojust
 - Art. 6 Possibility to post a Eurojust liaison magistrate in the TC upon agreement of the parties
 - Art. 7 TC's contact point to Eurojust
 - Art. 8 Reciprocal participation by TC's authorities and Eurojust, in operational and strategic meetings
 - Art. 9 Exchange of information that is adequate and relevant between the parties
 - Art. 10 Channels of transmission of information
 - Art. 11 Privacy and data protection
 - Art. 12 Transmission of special categories of personal data (e.g. data on racial, ethnic origin) under adequate safeguards
 - Art. 13 Right to information and access to personal data of the data subject
 - Art. 14 Right of correction, blockage and deletion of personal data of the data subject
 - Art. 15 Time limits for storage of personal data
 - Art. 16 Data security
 - Art. 17 Onward transfer of information to any third state or body without consent or without adequate safeguards
 - Art. 18 TC's liability for any factual or legal errors in data exchange
 - Art. 18 Regular consultations on data protection
 - Art. 20 Parties' joint annual reviews of the implementation of these agreements
 - Art. 22 Expenses: parties cannot make pecuniary claim for expenses arising from the execution of the agreement
 - Art. 23 Settlement of disputes concerning the application and interpretation of the agreement
 - Art. 24 Amendments of the agreement by mutual consent of the parties
 - Art. 25 Possibility to terminate the agreement by each party with 3 month's notice
 - Art. 26 Entry into force
-

All agreements except the UK TCA and related Eurojust-UK working arrangement, regardless of the date in which they were adopted, refer to the 2002 Council Decision. Those that were adopted following the 2009 Decision, refer to it; however, only the UK TCA and working arrangement make reference to the 2018 Eurojust Regulation.

Since 1 May 2024, a number of developments have occurred in this regard. As per the Council Decision of March 2021 authorising the European Commission to open negotiations on international agreements between the EU and third countries on cooperation with Eurojust, agreements have been signed with Lebanon and Bosnia and Herzegovina, and concluded with Armenia, to enter into force pending a data protection assessment. However, these activities are outside the temporal scope of this evaluation support study.

Additional third countries with which cooperation agreements may be sought in future on this basis include: Algeria, Argentina, Brazil, Colombia, Egypt, Israel, Jordan, Morocco, Tunisia, and Türkiye.³⁷⁷

Working arrangements

As of 1 May 2024, Eurojust had working arrangements with the following: the UK (2021); AIAMP (2022), Nigeria (2023), and Panama (2024). All these working arrangements make reference to the 2018 Eurojust Regulation.

Eurojust concludes working arrangements with TC, as well as judicial networks and associations established outside the EU, for a range of purposes, including: to enable strategic cooperation in combatting serious crime; to enable operational cooperation with EU partners, as established in the EJR and other pieces of EU legislation; to support the implementation of cooperation agreements (e.g. in the case of the UK); and, while this has not happened yet, to establish the modalities for the posting of liaison magistrates from Eurojust to third countries. These arrangements allow exchanging strategic information and sharing best practices but are not a basis to share operational personal data. These arrangements underline the common principles and aims for cross-border cooperation and the establishment of direct links and contacts for concrete collaboration.

Working arrangements usually cover the following topics:

- The exchange of legal, strategic and technical information and best practices;
- Inviting each other to awareness raising and knowledge building events;
- Facilitating the communication between the competent authorities;
- Ensuring mutual understanding and familiarisation with the requirements in cooperation.

As explained in the box above, working arrangements do not provide for the appointment of Liaison Prosecutors at Eurojust.

The structure of working arrangements, with slight differences among TC, cover the following issues:

- Art. 1 Purpose and scope of the arrangement
- Art. 2 Relation to other international instruments
- Art. 3-4 Contact points and their functions
- Art. 5 Functions of Eurojust
- Art. 6 Exchange of information: purpose and use

³⁷⁷ See: COM(2020) 743 final, <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:52020PC0743>; and <https://www.eurojust.europa.eu/news/eurojust-welcomes-mandate-commission-negotiate-agreements-third-countries>

- Art. 7 Confidentiality in respect of information received in the implementation of this Arrangement.
- Art. 8 Onward transmission to a third party with the prior written consent of the transmitting Party and subject to any conditions or restrictions indicated by that Party
- Art. 9 Liability: Each Party shall be responsible for damages caused to the other Party or to third parties in accordance with its respective legal framework.
- Art. 10 Amendments: This Arrangement may be amended in writing, at any time, by mutual consent between the Parties.
- Art. 11 Expenses: Each Party shall bear their own expenses that may arise in the course of implementation of this Arrangement, unless otherwise agreed on a case-by-case basis.
- Art. 12 Settlement of disputes: they shall be settled by means of consultation and negotiation between the Parties
- Art. 13 Assessment of cooperation: At least once every two years, the Parties shall report to each other on the implementation of this Arrangement and propose methods for improvement.
- Art. 14 Termination: This Arrangement may be terminated by either Party upon three months written notification.
- Art. 15 Entry into force

Since 1 May 2024, Eurojust has concluded further working arrangements with: Costa Rica (2024), Bolivia (2024), Chile (2024), Ecuador (2024), Peru (2024), and, to specifically support the cooperation agreement, Armenia (2024). However, these arrangements are outside the temporal scope

Additional third countries with which working arrangements may be sought in the future, as per the 2024-27 Eurojust Strategy on Cooperation with International Partners include: Australia, the Dominican Republic, India, Kosovo, the Philippines, the Seychelles, South Africa, Thailand and Vietnam.³⁷⁸

Other forms of cooperation with TC

Cooperating with South Countries and Western Balkans

Eurojust hosts and implements two specific programmes for enhanced judicial cooperation with TC: EuroMed Justice (EMJ) and Western Balkans Criminal Justice (WBCJ). The EMJ project aims to develop sustainable cooperation mechanisms for cross-border judicial cooperation between Member States of the European Union and the South Partner Countries (Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Palestine and Tunisia). It brings together the most relevant stakeholders in the field of criminal justice from the South Partner Countries, participating EU Member States, representatives from EU bodies and international organisations active in the field of justice and security.

WBCJ is implemented by Eurojust to strengthen cooperation within the Western Balkans and between the region and the European Union in the fight against organised crime and terrorism, involving Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia and Serbia.

Cooperation with Latin America

In the framework of the EL PACCTO project fostering closer dialogue with Latin America, Eurojust developed a guide on cooperation with Eurojust Contact Points in the region. Meetings between Eurojust representatives and Latin American Contact Points are envisaged to discuss the implementation of the guide.

³⁷⁸ [Eurojust Strategy on Cooperation with International Partners 2024–2027](#)

Cooperation with international organisations

In recent years, international developments have led Eurojust to intensify its cooperation with international organisations. This cooperation aims to ensure that national borders are no obstacle to prosecuting crime and getting justice done. So far cooperation has been established with the following international organisations: ICC, UNODC, Interpol, Iber-RED, and the Council of Europe.

In future, Eurojust will also pursue the conclusion of strategic working arrangements with the International, Impartial and Independent Mechanism – Syria (IIIM) and with the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD).³⁷⁹ Ameripol has recently been granted international legal personality, and the potential role of the organisation as a main hub for information exchange in Latin America is of interest to Eurojust. Collaboration will also be sought with the Organization for Security and Co-operation in Europe (OSCE), in specific areas such as trafficking in cultural property.³⁸⁰

The sections below provide more information on the cooperation between Eurojust and the main organisations.

International Criminal Court (ICC)

Cooperation with the ICC takes many different forms. Since 2023, the organisation participates in the Eurojust-supported JIT for alleged core international crimes committed in Ukraine. The ICC also participates in the ICPA, which was established by Eurojust to provide members with tailored operational, technical, logistical and financial support.

Another example of collaboration between Eurojust and ICC is the development of the Guidelines to help Civil Society Organisations document international crimes and human rights violations, which were jointly developed by Eurojust, the Genocide Network and the Office of the Prosecutor of the ICC.

In this context, it should also be noted that the recent amendment to the Eurojust Regulation mandates Eurojust to exchange evidence with, or otherwise make evidence directly available to, international judicial authorities, in particular the ICC; however, there is no legal basis for the exchange of personal data between Eurojust and the ICC.

United Nations Office on Drugs and Crime (UNODC)

UNODC and Eurojust signed a [memorandum of understanding](#) in 2010. The memorandum refers to the 2002 Council Decision. Its purpose is to facilitate cooperation between the parties with a view to reinforcing the fight against serious crime (Art. 2). To this end, the parties have designated central points of contact (Art. 4). The parties consult each other regularly and at least once per year (Art. 5). The parties may exchange relevant information (Art. 7); they invite each other to mutual meetings (Art. 8) and they collaborate in the field of professional training, technical assistance and study visits (Art. 9).

According to the report on the 'Eurojust Strategy on Cooperation with International Partners 2024–2027'³⁸¹, cooperation with UNODC has been particularly fruitful resulting in closer ties between West Africa and Europe. In this context, in 2023, Eurojust and UNODC organised joint events to support cooperation between Europe and West Africa in order to better fight transnational organised crime. In June, Eurojust hosted a study visit, facilitated by the UNODC and with the participation of the European Judicial Network, for officials from Nigeria and selected West African countries, while in November, Eurojust hosted a Conference on

³⁷⁹ [Eurojust Strategy on Cooperation with International Partners 2024–2027](#)

³⁸⁰ [Eurojust Strategy on Cooperation with International Partners 2024–2027](#)

³⁸¹ <https://www.eurojust.europa.eu/sites/default/files/assets/eurojust-strategy-on-cooperation-with-international-partners-2024-2027.pdf>

Transnational Organised Crime affecting West Africa and Europe, co-organised with UNODC and the Siracusa International Institute for Criminal Justice and Human Rights.

Interpol

Eurojust and Interpol signed [a memorandum of understanding](#) (MoU) in 2013. Reference is made to the 2002 Council Decision, as last amended in 2009. The structure of the memorandum mirrors the structure of the MoU between Eurojust and UNODC. The only slight differences are the following: the exchange of information is covered under Art.4 which makes a clear distinction between technical and strategic information; Art. 6 foresees an evaluation of state of implementation of the memorandum at least once per year; Art. 8 on confidentiality and Art. 9 on liability for damages as result of incorrect or unauthorised information processing are also included.

The MoU lays down the foundations for operational cooperation between Eurojust and Interpol. A good example of this is the Agency's collaboration with Interpol in October 2023 in the coordinated arrest of a Swedish national in a cross-border drug trafficking case involving Sweden, Montenegro and Serbia.

In future, cooperation will be enhanced by the conclusion of the international agreement currently under negotiation between the EU and Interpol.

Iberoamerican Network of International Legal Cooperation (Iber-RED)

Eurojust and Iber-RED signed an MoU in 2009. As it was adopted prior to the 2009 amendment, the MoU refers solely to the 2002 Council Decision. Its purpose is to reinforce the fight against serious forms of trans-national crime through strengthening the relationship between the two parties. In this context, the MoU states that both parties should designate contact points, ensure regular contact and clear communication channels, and work to exchange experience and information of a non-operational nature. This MoU was supplemented in 2020 by an Implementing Arrangement on the use of Iber@ Secure Communication System. This arrangement permits Eurojust to access the Iber@ system, which aims to establish secure, fluid and reliable communications between the Contact Points and the Liaison Points of the Iber-RED Network's Central Authorities and other international cooperation networks, and establishes the basis for this access.

Council of Europe (CoE)

The CoE and Eurojust have reportedly been collaborating closely to enhance judicial cooperation across Europe. This collaboration is part of a broader effort to improve the efficiency and effectiveness of judicial responses to various forms of crime, including cybercrime and money laundering. Recently, they co-hosted a workshop on the spontaneous exchange of information obtained during criminal investigations.

Moreover, the Agency cooperates with an increasing number of CoE working groups and committees in areas such as human and drug trafficking, counter-terrorism and cybercrime. This cooperation will be streamlined and advanced in the future, including by establishing ties with other specialised groups and committees.³⁸² However, it is unclear on what basis this cooperation takes place, with no memorandum of understanding publicly available.

Other forms of cooperation with international organisations

Eurojust also cooperates with United Nations Investigative Mechanisms. Several international organisations, including the UN OHCHR Sri Lanka accountability project, the Independent Impartial Investigative Mechanism in Syria (IIIM), and the Independent Investigative

³⁸² <https://www.eurojust.europa.eu/sites/default/files/assets/eurojust-strategy-on-cooperation-with-international-partners-2024-2027.pdf>

Mechanisms for Myanmar (IIMM) participated in the 33rd and 34th Genocide Network meetings in 2023.

Cooperation strategy with international partners

Eurojust's cooperation with TC and international organisations, described above, is embedded in a Cooperation Strategy. In line with the EJR, the Agency works closely with the European Commission to develop **four-year strategies** to enhance its international reach at operational level. These strategies specify the TC and international organisations with which there is an operational need for cooperation (Art. 52). At the Commission's recommendation, international agreements for cooperation with Eurojust are concluded by the Council of the EU pursuant to Article 218 TFEU. Under the previous legal framework, Eurojust concluded cooperation agreements with TC directly.

So far **two cooperation strategies** have been adopted: the Strategy for 2020-2023 and 2024-2027.

In November 2019 the College adopted the first strategy on cooperation with international partners, for 2020-2023. The strategy outlined the TC with which there was a pressing need for operational cooperation, namely Algeria, Argentina, Bosnia and Herzegovina, Colombia, Egypt, Israel, Jordan, Lebanon, Morocco, Tunisia and Türkiye. Eurojust also identified the following international organisations for possible operational cooperation: the ICC; the ICPO-Interpol; the Iber-RED; the Office of the Prosecutor of the IIMM regarding crimes committed in Syria; the UNITAD; and Ameripol.

Based on this list, the Commission submitted to the Council of the EU its Recommendation for a Decision authorising the opening of negotiations for agreements on cooperation with Eurojust between the European Union and ten third States: Algeria, Armenia, Bosnia and Herzegovina, Egypt, Israel, Jordan, Lebanon, Morocco, Tunisia and Türkiye. Following this Recommendation, on 1 March 2021 the Council adopted its Decision authorising the opening of negotiations with the States recommended by the Commission, to which it added three more, namely Argentina, Brazil and Colombia.

The **Eurojust Strategy on Cooperation with International Partners 2024–2027** was adopted by the College in March 2024. It highlights the steps that the Agency intends to take to strengthen its role. The Eurojust Strategy on Cooperation with International Partners 2024–2027 focuses on six priorities:

- Intensify efforts to enable the conclusion of international agreements
- Formalise, where possible, cooperation with relevant non-EU countries
- Reinforce the global network of Eurojust contact points
- Increase engagement with regional judicial networks and associations
- Seek opportunities for closer cooperation with like-minded international organisations
- Build mutual trust with partner countries and provide support to strengthen their capacities.

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