



EUROJUST

Consolidated Annual Activity Report 2017





Consolidated Annual Activity Report

2017

Planning, Programming and Reporting Office

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Acronyms and abbreviations

<p>ABAC Accrual Based Accounting System ACC Accounting Office AD Administrative Director AMAT Application Management Authorisation Tool AOO Annual Organisational Objectives AST Assistant AWP Annual Work Programme CA Contract Agent CAAR Consolidated Annual Activity Report CARIN Camden Asset Recovery Inter-Agency Network CBRN-E Chemical, biological, radiological and nuclear substances and explosives CC Coordination Centre CCO Corporate Communications Office of Eurojust CDR Career Development Report CEPOL European Police College CICTP Board for casework related ICT projects CIF Case Information Form CIS Customs Information System CJEU Court of Justice of the European Union CJM Cybercrime Judicial Monitor CM Coordination Meeting CMS Case Management System Consultative Forum Consultative Forum of Prosecutors General and Directors of Public Prosecution CONT Standing Committee on Budgetary Control of the European Parliament COSI Standing Committee on Operational Cooperation on Internal Security CSDP Common Security and Defence Policy CSE Child Sexual Exploitation EAW European Arrest Warrant ECA European Court of Auditors ECJ European Court of Justice ECRIS European Criminal Record Information System EC3 European Cybercrime Centre ECTC European Counter Terrorism Centre EEAS European External Action Service EIO European Investigation Order EIPP European Intellectual Property Prosecutors Network EJ ICS Eurojust Internal Control Standards for Effective Management and Requirements EJCN European Judicial Cybercrime Network EJN European Judicial Network EJTN European Judicial Training Network EMCDDA European Monitoring Centre for Drugs and Drug Addiction eMS enterprise Management System EMSC European Migrant Smuggling Centre</p>	<p>FTE full-time equivalent FTF foreign terrorist fighters FWC Framework Contract GEN Network Network for the prosecution of genocide, crimes against humanity and war crimes HLCEG-R High-Level Commission Expert Group on radicalisation HoU/S Heads of Units and Services HR Human Resources IAO Institutional Affairs Office of Eurojust IALN Inter-Agency Legal Network IAS Internal Audit Service ICC International Criminal Court ICT Information Communication Technology ICTAC ICT Agencies Coordination -The Network of Heads of ICT of the EU Agencies ICTY Criminal Tribunal for the former Yugoslavia IIS illegal immigrant smuggling IPR intellectual property rights JCI judicial cooperation instruments JHA Justice and Home Affairs JIT joint investigation team JIT-PS JIT Portal J-CAT Joint Cybercrime Action Task Force JSB Joint Supervisory Body of Eurojust KMI Knowledge Management Interface KPI Key Performance Indicator MAS Multi-Annual Strategy MLA mutual legal assistance MOCG Mobile Organised Crime Group MoU Memorandum of Understanding NPS new psychoactive substances OAP Operational Action Plan OCG organised crime group OICTP Board Organisational ICT Projects Board OLAF European Anti-Fraud Office OPC organised property crime PDN Performance Development Network PIF Protection of the financial interests of the European Union PoR Programme of Requirements PRO Planning, Programming and Reporting Office of Eurojust SIS II Schengen Information System II SLA Service Level Agreement SMART Specific, Measurable, Accepted, Realistic and Timed SNE Seconded National Expert SOCTA Serious Organised Crime Threat Assessment SR Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community SYSPER Système de gestion du Personnel</p>
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<p>EMPACT European Multidisciplinary Platform against Criminal Threats</p> <p>ENCS Eurojust National Coordination System</p> <p>ENVR European Network on Victims' Rights</p> <p>EP European Parliament</p> <p>EPPO European Public Prosecutor's Office</p> <p>eRec Eurojust time recording system</p> <p>EU European Union</p> <p>EUCI EU classified information</p> <p>EU-CELAC Community of Latin American and Caribbean States</p> <p>EU-LISA European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice</p> <p>EUIPO European Union Intellectual Property Organisation</p> <p>EUNAVFOR MED European Union Naval Force at the Mediterranean Sea</p> <p>EUROPOL European Police Office</p> <p>FD EAW Council Framework Decision 2002/584/JHA of 13 June 2002 on the European Arrest Warrant and the surrender procedures between Member States</p> <p>FR Eurojust Financial Regulations</p> <p>FRA Fundamental Rights Agency</p> <p>FRONTEX European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union</p>	<p>TA Temporary Agent</p> <p>TCM Terrorism Convictions Monitor</p> <p>TCN Third Country Nationals Index</p> <p>TE-SAT Terrorism Situation and Trend Report</p> <p>TF Task Force</p> <p>TFEU Treaty on the Functioning of the European Union</p> <p>THB trafficking in human beings</p> <p>UMF Unified Message Format</p>
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Management Board's analysis and assessment

See *Eurojust College Assessment of the Consolidated Annual Activity Report 2017*, enclosed.

Introduction

This **Consolidated Annual Activity Report** (CAAR) provides information, in accordance with Article 47 of the Financial Regulation applicable to Eurojust, on the implementation of its work programme 2017 in terms of budget and resources; management performance, including internal control systems applied; and achievements of its Annual Organisational Objectives.

Eurojust is the European Union's Judicial Cooperation Body. Its **mission** is to support and strengthen coordination and cooperation between national authorities in the fight against serious cross-border crime affecting the European Union. In this context, Eurojust's **vision** is to enhance such cooperation and coordination by becoming a key player and the reference centre of expertise at judicial level; cooperating with the other agencies in the Area of Freedom, Security and Justice; and improving efficiency, flexibility and professionalism in assisting EU practitioners and policy makers.

To this end, the annual work programme implements Eurojust's Multi-Annual Strategic Plan covering the period 2016 - 2018. It was devised to be a flexible and future-oriented tool supporting the development of Eurojust, taking into account the crucial phase of development of the organisation with a view to the adoption of a Regulation on Eurojust and the establishment of a European Public Prosecutor's Office, expected to take place within this time frame.

Executive Summary

The year 2017 has been transitional for Eurojust in terms of organisational developments. The upper level of management changed with the appointment of **Mr Nikolaos Panagiotopoulos**, as **Administrative Director**, **Mr Ladislav Hamran**, National Member for the Slovak Republic, as **President**, and **Mr Filippo Spiezia**, National Member for Italy, as **Vice-President**. Messrs Hamran and Spiezia, together with Vice-President Mr Klaus Meyer-Cabri, National Member for Germany, form the Presidency Team.

On 30 June, Eurojust moved to its **new premises**. The transition was managed successfully, ensuring that **no loss of operational capacity occurred**. The first fully operational working day was 3 July; on 5 July, Eurojust held its first coordination centre at the new premises.

Finally, Eurojust **implemented an in-depth reorganisation of the Administration**, with more resources devoted to reinforcing support to operational work, which has created synergies and efficiency gains. These efficiency gains were exemplified by an outstanding **99.97% rate of budget execution** and a payment execution rate of 83.95% for a EUR 48 689 237 budget for 2017.

Concerning the core business of the agency, in 2017, Eurojust strengthened its position as the centre for judicial cooperation and coordination in the fight against serious cross-border crime. The **number of cases referred to Eurojust continued to rise**, with a steady increase in cases registered. In 2017, 4 125 cases were handled, 2 550 of which were newly opened, representing a **10.55% increase** compared to 2016. The number of coordination meetings increased by 21% and the number of coordination centres increased by 70%, respectively, when compared to 2016. In addition, Eurojust supported **200 JITs**, 87 of which were newly signed, and provided funds to support the operations of such JITs for EUR 1.31 million. These figures show Eurojust's dynamic and quality judicial coordination support to national authorities.

As **the centre of judicial and legal expertise in the European Union**, Eurojust continued to provide advice and produce relevant strategic products based on its operational experience in judicial cooperation in criminal matters. In 2017, Eurojust provided advice to national authorities in executing **European Investigation Orders in criminal matters (EIO)**, a new instrument that entered into force on 22 May. During the year, Eurojust assisted the national authorities with the application of the EIO on 86 occasions and provided legal advice in operational cases when encountering difficulties. Eurojust will continue monitoring and analysing potential problems that may arise. In addition, the College held 33 operational meetings devoted to both operational discussions and adoption of strategic products and other tools for practitioners and policymakers. Eurojust held 38 strategic meetings and strategic seminars and delivered strategic reports, contributing to enhancement of, and identifying best practice in, international judicial cooperation. Eurojust produced **judicial monitors on terrorism and on cybercrime, the Fifth Foreign Fighters Report, a drug trafficking report and the Trafficking in Human Beings Report**.

Cooperation with stakeholders and partners in the EU Area of Freedom, Security and Justice was also enhanced by the support to the activities of the European Judicial Cybercrime Network (EJCN) and the 12th Consultative Forum meeting. Eurojust supported the EU internal security initiatives by contributing to the EU Terrorism Situation and Trend Report (TE-SAT); and through its involvement in the EU policy cycle against organised crime through the activities carried out in all priority crime areas

within the Multidisciplinary Platform against Criminal Threats (EMPACT). Furthermore, Eurojust signed a **Memorandum of Understanding with EU-LISA** and a **Letter of Understanding with the European External Action Service**.

Part I. Main achievements

The Strategic Goals and Objectives¹ of the Eurojust Multi-Annual Strategy 2016 – 2018 were translated into 26 Annual Organisational Objectives² (AOO) in the Annual Work Programme (AWP) 2017, describing the activities to be implemented per Strategic Action Area. This section provides an overview of the main achievements under each Strategic Action Area³, mirroring the structure of the AWP 2017. Complementary information on Eurojust's performance is provided in its Annual Report 2017⁴.

The following graphs provide a snapshot of the main achievements in 2017 per Strategic Action Area.

¹ This terminology applied by the [Eurojust Multi-Annual Strategy 2016-2018](#).

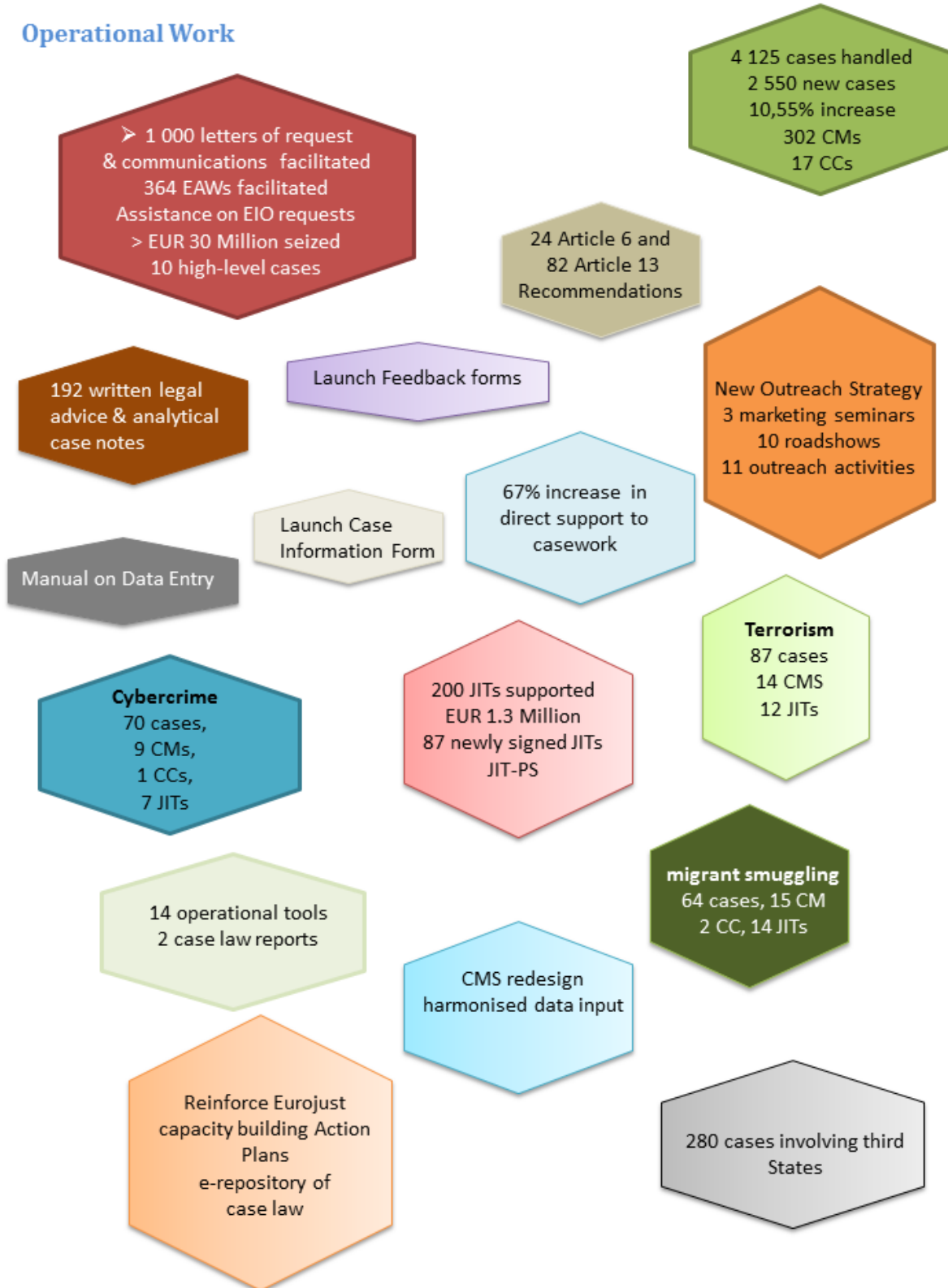
² This terminology applied by the [Eurojust Programming Document 2017-2019](#).

³ *Idem*.

⁴ [Eurojust Annual Report 2017](#).

2017 in figures

Operational Work



Strategic Work



Organisational Development



Strategic Action Area 1- Operational Work

Strategic Objective 1.1 - Strengthen the position of Eurojust as the centre for operational judicial cooperation and coordination

1.1.1. Implement awareness-raising actions

For the achievement of this strategic objective, Eurojust focused on **increasing its visibility and raising awareness** among the practitioners. To do so, **three marketing seminars and ten roadshows** were organised in 2017, equivalent to the activities undertaken in 2016. In addition, **11 joint outreach activities with key stakeholders to promote Eurojust** took place and Eurojust organised 6 strategic and tactical meetings.

The multi-annual awareness-raising strategy that was adopted by the College in 2013 has been revised and the 2014 policy on Marketing Seminars and Roadshows was replaced in December 2017 by the adoption of a **new Outreach Strategy**, replacing marketing seminars and roadshows with national workshops. The aim is to further increase awareness of national authorities of the services and operational added value of Eurojust. The strategy refers to the usefulness of the regular visits of National Members to national authorities to discuss case-related matters and/or mutually update each other on policies and development. The strategy also highlights the practical knowledge acquired by practitioners attending study visits to Eurojust, particularly those carried out in cooperation with the European Judicial Training Network (EJTN).⁵

With regard to specific key crime areas, the following table outlines the main outreach activities that were organised in the field of: terrorism, cybercrime and migrant smuggling.

Key crime area	Outreach activities
Terrorism	<ul style="list-style-type: none"> Hearings at the LIBE Committee of the European Parliament. Visit to Eurojust of the TERR Committee of the European Parliament in December 2017. Eurojust hosted a number of visits of counter-terrorism and judicial cooperation experts from third States, such as Tunisia, Taiwan and the League of Arab States.
Cybercrime	<ul style="list-style-type: none"> Eurojust presented its work on cybercrime during several LIBE Committee hearings of the European Parliament. At the hearing at the European Parliament on child sexual abuse and exploitation, Eurojust presented its casework analysis in relation to online child sexual exploitation.
Migrant smuggling	<ul style="list-style-type: none"> Eurojust contact point to Analysis Project Checkpoint. Enhanced exchange of information with relevant partners, such as Common Security and Defence Policy (CSDP) missions and operations (EUNAVFOR MED). Eurojust contributed to the mid-term review of the European Agenda on Migration.

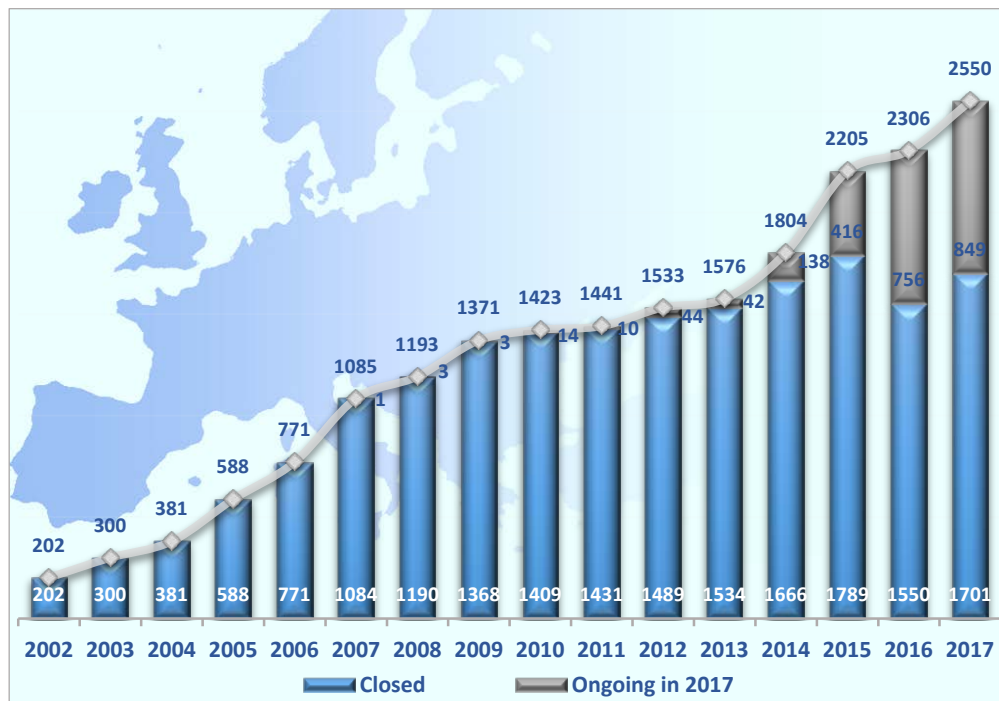
Source: Eurojust Annual Report 2017

Eurojust's success in meeting this Organisational Objective is demonstrated by the **continued increase in its casework**. In 2017, 4125 cases were handled; 2 550 of these cases were newly opened,

⁵ More information on external communication activities is referred to under the strategic objective 3.2 (A00 3.2.6).

representing a **10.5% increase** over the caseload in 2016, and demonstrating a steady annual rise in registered cases.

The table below shows the evolution in the number of cases since the establishment of Eurojust.



The table below provides an overview of the comprehensive approach in Eurojust’s direct support to casework per priority crime type:

Source: Eurojust Annual Report 2017

Crime type	Cases			Coordination meetings			JITs		
	2015	2016	2017	2015	2016	2017	2015	2016	2017
Terrorism	41	67	87	15	18	14	3	4	12
Cybercrime	62	60	70	19	13	9	11	8	7
Migrant smuggling	60	65	64	20	12	15	9	11	14
THB	79	93	132	32	33	57	21	32	51
Fraud	647	654	700	76	44	75	34	35	45
Corruption	90	74	61	10	15	15	4	2	4
Drug trafficking	274	254	324	57	41	40	25	24	28
Mobile organised crime group	201	199	208	21	19	14	13	12	12
PIF crimes	69	41	61	11	11	14	5	5	6
Money laundering	283	295	315	55	67	85	30	35	45
Environmental crime	5	6	9	1	0	3	0	0	2


1.1.2. Enable and assist practitioners by facilitating judicial cooperation and the use of mutual recognition instruments, overcoming legal obstacles and sharing best practices through providing guidance and feedback


The increase in the number of cases is combined with increased complexity of the issues addressed thereby and the requirement for swift and efficient multilateral cooperation. Eurojust, building upon its operational experience gathered through its casework, focused on developing and providing practitioners with **appropriate operational tools, caselaw reports and outcome reports of Eurojust meetings** relating to judicial cooperation instruments as shown in the table below:

2017 Main Output
<ul style="list-style-type: none"> • Asset recovery: <ul style="list-style-type: none"> - Analysis Report on Eurojust cases.
<ul style="list-style-type: none"> • Conflict of jurisdiction: <ul style="list-style-type: none"> - Update of Report on Eurojust cases - Update of Overview of ECJEU case-law on <i>ne bis in idem</i>
<ul style="list-style-type: none"> • European Arrest Warrant (EAW): <ul style="list-style-type: none"> - Report on case law (update) - Revision of Guidelines for deciding on competing EAWs
<ul style="list-style-type: none"> • European Investigation Order(EIO): <ul style="list-style-type: none"> - Note on the meaning of ‘corresponding provisions’ and the applicable legal regime in the event of delayed transposition of the EIO Directive
<ul style="list-style-type: none"> • Data retention: <ul style="list-style-type: none"> - Analysis of ECJEU case-law on rulings by Swedish and UK courts - Compendium on data retention in MS, including first update.

The **Eurojust National Coordination System (ENCS)** and the number of secure network connections remained unchanged in 2017. The ENCS has so far been established in 25 Member States; 14 Member States are connected to the secure network. The development and implementation of specific functionality in the Case Management System (CMS) for members of the ENCSs in the Member States was de-prioritised due to financial constraints. Instead, laptops were provided to members of ENCSs in the Member States when they can be considered as an Assistant to the national member. Even though the regular meetings with the National Correspondents of Eurojust had been identified as a suitable forum to foster the exchange of best practice and information on the functioning of the ENCS, these meetings did not take place in 2016 or 2017. In 2017, however, the *fiches suèdoises* were updated. In light of these results, this organisational objective may be reviewed in future annual work programmes.

Key Performance Indicators (KPIs) related to Strategic Objective 1.1.

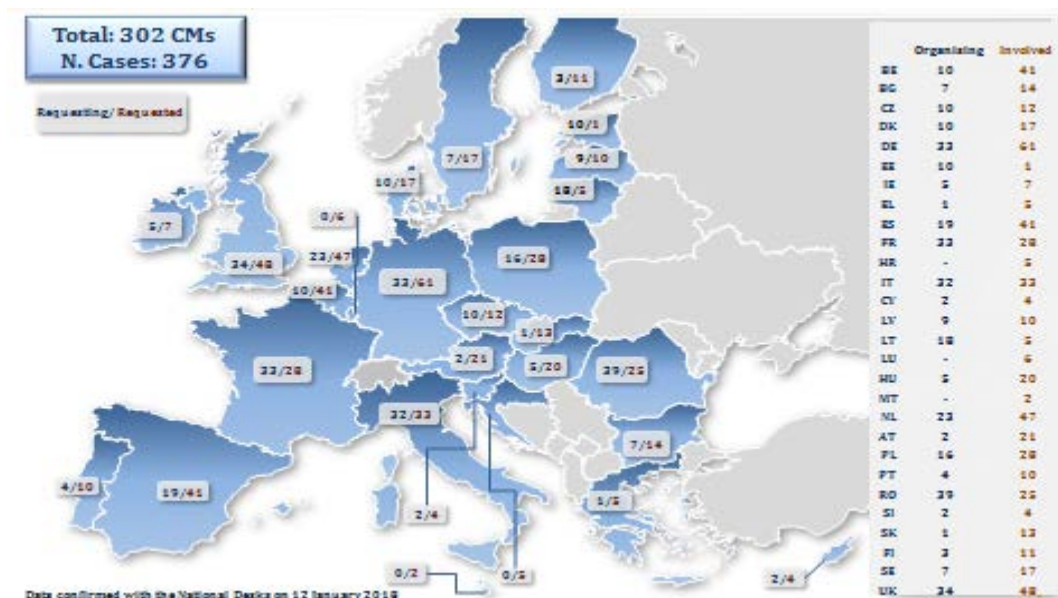
KPI	2016 Results	2017 Results	Progress
<ul style="list-style-type: none"> • Increase in casework across all case categories 	<ul style="list-style-type: none"> • 2306 cases • 4% increase 	<ul style="list-style-type: none"> • 2550 cases • 10,55 % increase (4,125 cases handled) 	

<ul style="list-style-type: none"> • Practical guidelines, case-law and advisory overviews, reports on application of judicial cooperation and mutual recognition instruments, based primarily upon Eurojust's casework 	<ul style="list-style-type: none"> • 8 operational tools for practitioners • 2 tools for practitioners (e.g. updated guidelines on conflicts of jurisdiction) • 2 case law reports (excl. Judicial Monitors) 	<ul style="list-style-type: none"> • 14 operational tools for practitioners • 3 tools for practitioners: (e.g. updated guidelines on conflicts of jurisdiction): • 3 case law reports (excl. Judicial Monitors) 	
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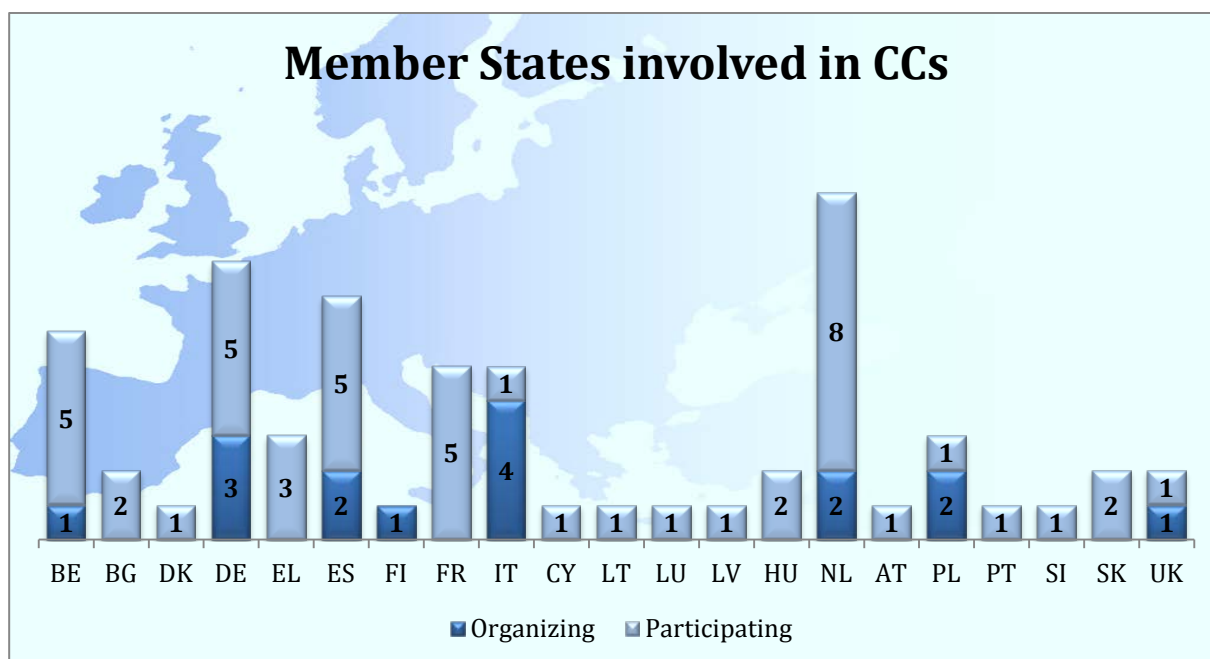
Strategic Objective 1.2 – Provide dynamic and quality support to national authorities on judicial cooperation and coordination

1.2.1. Conduct effective coordination meetings and judicial coordination centres and ensure expeditious follow-up

- The steady increase in casework in 2017 correlates with an **increase** in the number of **coordination meetings and coordination centres** organised by Eurojust: 302 coordination meetings (CM) were held in 2017, supporting 376 cases. This figure represents a 21% increase in this activity.



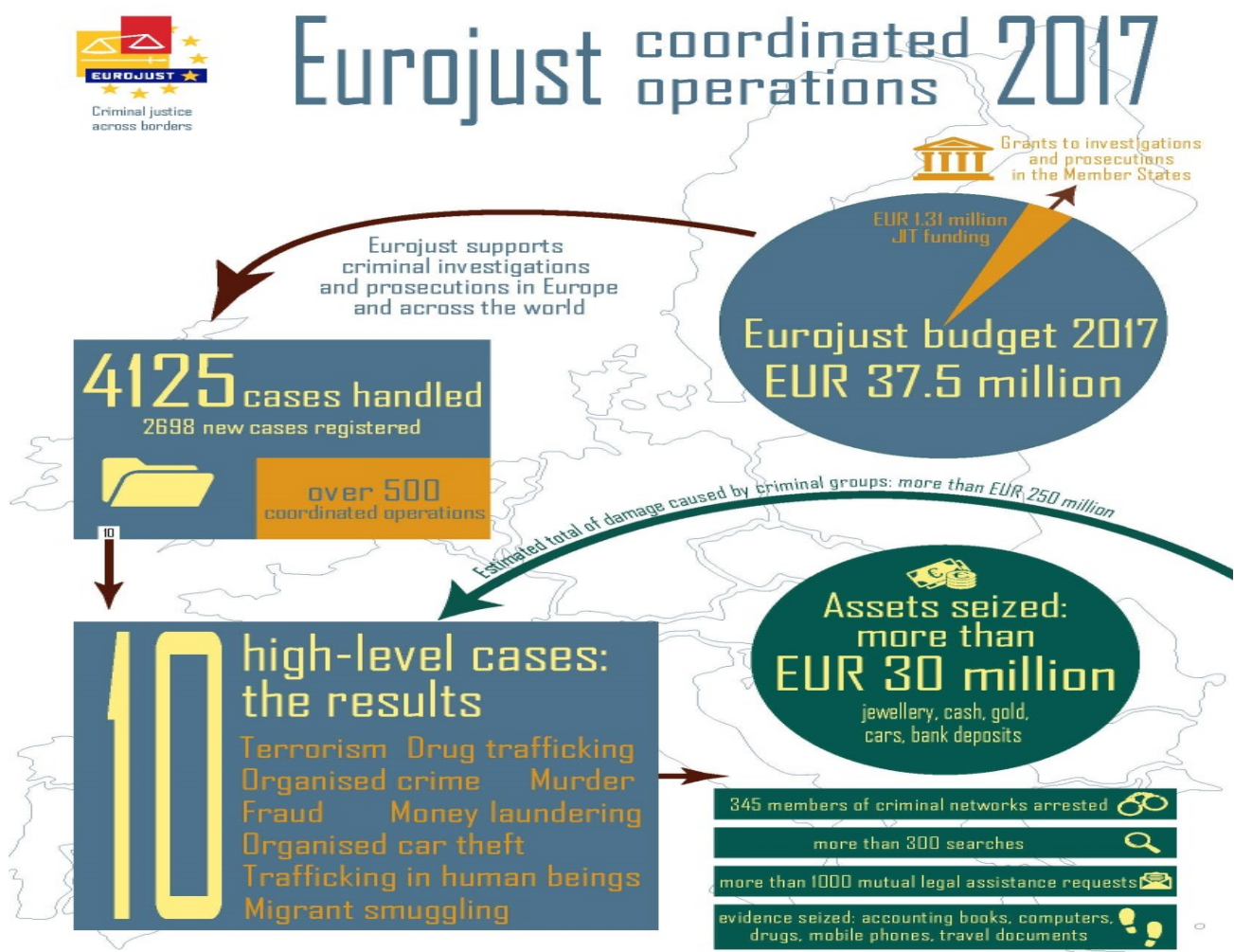
Further, 17 **coordination centres** (CC) were organised in 2017, a 70% increase compared to 10 CCs organised in 2016. The table below provides an overview of the Member States involvement in CCs.



- The level of satisfaction of participants in the CMs and CCs was measured for the first time in 2017 through **feedback forms**, established in the Operations Manual adopted by the College of Eurojust in February 2017. Such feedback forms were implemented as of 1 September 2017. An assessment of these forms after a six-month pilot phase shows that most participants were highly satisfied both with contents and logistics of coordination meetings (an average of 3.6 and 3.7 points respectively on a scale of 1 to 4). Efforts continue to increase its use among the participants to coordination meetings (44% during the pilot phase).
- Eurojust supported its cases by providing **192 written legal advice and analytical case notes**. Together with the conclusions to CMs, -which are an essential tool to the effective follow-up of the case-, minutes of level II cases and other products elaborated in direct support to casework, a total of **480 deliverables** were produced in 2017, compared to 271 deliverables produced in 2016. These figures show a **high increase of 67% in the direct support** provided by Eurojust to cases; direct support to CMs increased by 39% and direct support to CCs increased by 70%. Eurojust has been providing 100% support to CCs since they were established as a cooperation tool.
- In addition, timely, high-quality assistance to the national judicial authorities in the coordination of investigations and prosecutors was provided by the adoption of **24 recommendations based on Article 6 of the Eurojust Decision** (tasks of Eurojust acting through its National Members), which represents a 60% compared to the 15 recommendations of the same nature issued in 2016. The number of **joint recommendations** issued by two or more National Members for specific Eurojust cases where they were participating increased from 1 in 2016 to 9 in 2017.
- An **Operations Manual** was adopted in November 2016 and implemented throughout 2017. This manual provides guidelines for consolidating a common and inclusive approach to

management of casework across the organisation. During 2017, special focus was placed on Chapter 12, which refers to improving capabilities for retention of knowledge from Eurojust casework. The chapter establishes a **Case Information Form (CIF)** for files with a special interest for Eurojust, to collect experiences about obstacles encountered and how they were overcome, and inform further analysis and best practice.

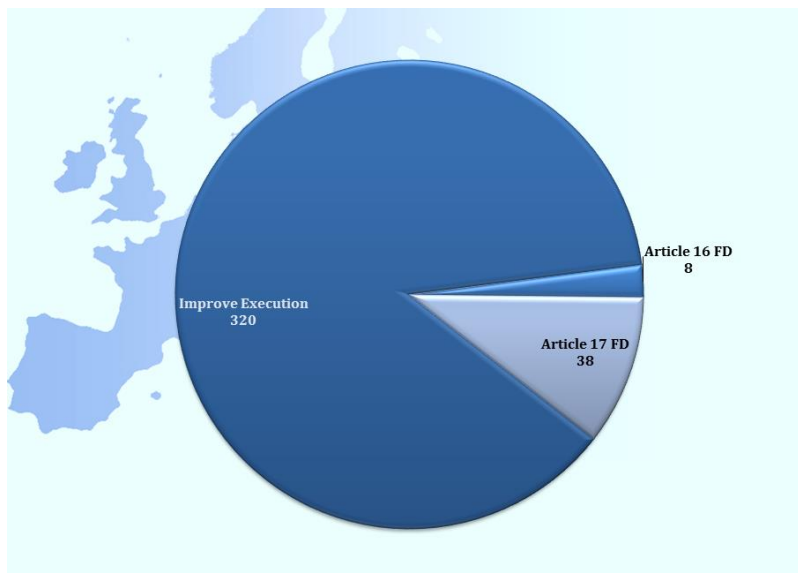
This steep increase in direct support to Eurojust casework has been made possible due to the reorganisation of the Eurojust Administration that took place in 2017, which increased the number of resources devoted to direct support and implemented a “one-stop shop” approach to rationalise the response of the Administration to operational requests⁶.



⁶ For additional information on the reorganisation of the Eurojust Administration, please refer to section 3.2 of this Report.

1.2.2. Increase capacity-building for cross-border tools to enhance operational and judicial cooperation

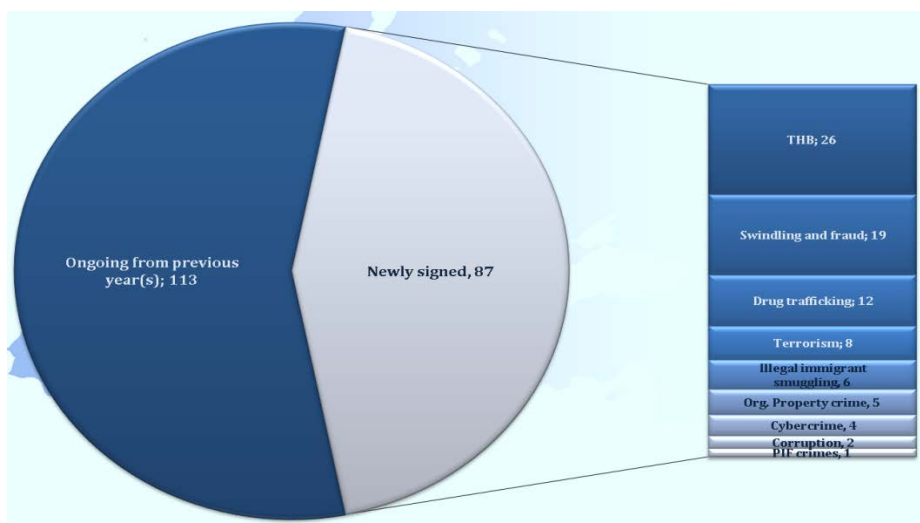
- Operational judicial cooperation was enhanced in 2017 by **reinforcing Eurojust's capacity-building**, particularly through the implementation of the **Action Plan** in response to the recommendations addressed to Eurojust in the context of the **Sixth round of mutual evaluations** on the implementation of the Eurojust Council Decision (Sixth round of mutual evaluations); and the Action Plan that resulted from the external Evaluation of Eurojust under Article 41a of the Eurojust Decision. During 2017, both Action Plans were updated. By the end of 2017, 75% of the activities included in the Action Plan stemming from the Sixth round of mutual evaluations were completed or became established practice. Most of the actions in the Action Plan related to the **Evaluation of Eurojust under Article 41a** of the Eurojust Council Decision were covered under the Sixth round of mutual evaluations Action Plan. Remaining actions have been completed or embedded under dedicated processes at Eurojust. Both Action Plans indicate some actions as ongoing -due to their recurring nature.
- Eurojust's operational capacity was reinforced through the **enlargement of the e-repository of case-law** overviews on its [website](#), as part of the actions conducted to strengthen on-line resources for practitioners.
- Eurojust's **Extranet** was significantly improved with a new version of the system and enhanced the authentication mechanism.
- The number of cases involving mutual recognition instruments significantly increased. In 2017, Eurojust assisted in the execution of **364 European Arrest Warrants (EAWs)** i.e., sixteen more cases than the 348 2016. The graph below provides additional information on Eurojust' s assistance in this area:



- In 2017, Eurojust had its first experience in advising national authorities on the **European Investigation Order in criminal matters (EIO)**, which entered into force on 22 May. During the year, Eurojust assisted the national authorities with the application of the EIO on 86 occasions and provided legal advice in operational cases when difficulties were encountered in operational cases. Eurojust, together with the EJN, published the *Note on the meaning of*

'corresponding provisions' and the applicable legal regime in delayed transposition of the EIO Directive. Eurojust will continue monitoring and analysing potential problems that may arise.

- Out of 200 Joint Investigation Teams (JITs) supported in 2017, 87 were newly signed, which means an increase of 18 compared with 2016. Eurojust funded 128 JITs compared to 90 funded in 2016. Eurojust provided financial support to 82.6% of the JITs it supported. JIT funding amounted to EUR 1.31 million in 2017, out of a total Eurojust budget of EUR 37.5 million. Following the increasing trend of recent years, third States were involved in 21 of the JITs supported by Eurojust, 11 of which were newly established. The presence of the Swiss and Norwegian Liaison Prosecutors at Eurojust has led to further development of JITs with these countries.



KPIs related to Strategic Objective 1.2.

KPI	2016 Results	2017 Results	Progress
• Full Implementation of the Operations Manual (OM)	• OM adopted in Nov2016	• OM implemented in 2017	👍
• Increase in cases involving mutual recognition instruments (e.g. EAW, EIO)	• 315 improve execution (out of 348 EAW cases), • Cases on EIO: n/a	• 320 improve execution (out of 364 EAW cases), • Cases on EIO: 86	👍
• Number of first time applications of JITs	• 69 newly signed JITs out of 148 JITs supported	• 87 newly signed JITs out of 200 JITs supported.	👍

Strategic Objective 1.3 - Operationally contribute to the European Union policy cycle for organised and serious international crime

1.3.1. Support the operational priorities of the European Union and report systematically on the contribution of Eurojust's operational work thereto






In the context of the EU policy cycle against organised crime, in 2017 Eurojust contributed from a judicial perspective to the implementation of all Operational Action Plans set for each of the EU organised crime priorities. More precisely, Eurojust produced six Outcome Reports of Eurojust meetings related to key crime areas.

As an example of the steady increase in casework in the key crime areas, the number of cases referred to Eurojust by Member State's (MS) national authorities for assistance in the field of **terrorism** increased from 67 cases in 2016 to 87 cases in 2017. Further, 14 CMs took place and 12 JITs were supported in this field.

On **cybercrime**, in 2017 Eurojust dealt with 70 cases, organized 9 CMs, 1 CC and supported 7 JITs (4 of which were newly established). These figures represent an overall increase in Eurojust's operational action in this area compared to 2016, during which 60 cases were registered.

The operational work against **migrant smuggling** resulted in 64 cases. Although the number of cases decreased by 1 compared to 2016 (65 cases), the qualitative support increased in 2017, as 15 CMs and 2 CCs were organised, compared to 12CMs in 2016, and 14 JITs were supported (6 of which were newly established), compared to 11 JITs in 2016.

KPIs related to Strategic Objective 1.3.

KPI	2016 Results	2017 Results	Progress
<ul style="list-style-type: none"> Increase in casework 	<ul style="list-style-type: none"> % of cases falling under Eurojust priority crime areas: 63% 	<ul style="list-style-type: none"> % of cases falling under Eurojust priority crime areas: 64%, 	
	<ul style="list-style-type: none"> Terrorism: 67 cases, 18 CM, 1 CC, 4 JITs 	<ul style="list-style-type: none"> Terrorism: 87 cases, 14 CM, 12 JITs 	
	<ul style="list-style-type: none"> Cybercrime: 60 cases, 13 CM, 8 JITs 	<ul style="list-style-type: none"> Cybercrime: 70 cases, 9 CM, 1 CC, 7 JITs (4 newly established) 	
	<ul style="list-style-type: none"> Migrant smuggling: 65 cases, 12 CM, 11 JITs 	<ul style="list-style-type: none"> Migrant smuggling: 64 cases, 15 CM, 2 CC, 14 JITs (6 newly established) 	
	<ul style="list-style-type: none"> Art. 13 notifications: 64 out of 158 on serious crimes, i.e. 40.5% 	<ul style="list-style-type: none"> Art. 13 notifications: 45 out of 82 on serious crimes, i.e. 54.8% 	

Strategic Objective 1.4 - Strengthen the operational information management capabilities of Eurojust

1.4.1. Implement a holistic approach to further enhance judicial analysis capabilities

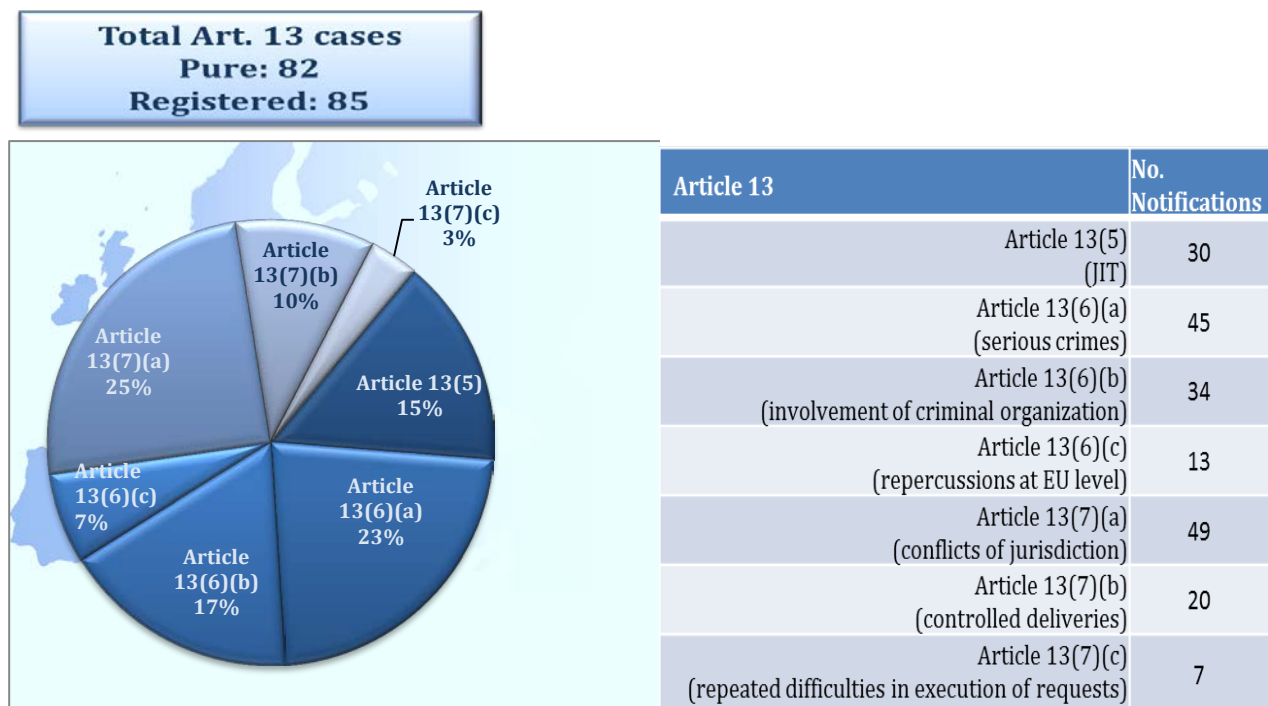
- Article 16 of the Eurojust Decision defines the obligation for Eurojust to establish and maintain a Case Management System (CMS) to process case-related information. After ten years of operation, the CMS is reaching the end of its technological lifespan. For that reason, following a

technical and functional assessment of its performance, Eurojust decided to review the business requirements of the system with a view to a possible redesign of the system, rather than merely updating the current technical infrastructure. In 2017, these activities entailed, among others, a stakeholder analysis, AS-IS analysis and envisioning workshops. The analysis and redesigning process is expected to continue for several years.



- In 2017, Eurojust approved a **Manual on Data Entry**, consolidating a more harmonised system of data insertion across National Desks. The Manual includes structured data quality reviews and will improve the quality of data to support operational work at Eurojust and in the Member States.
- To enhance the use of the CMS, one-on-one **trainings** to all new National Members was provided in 2016 and 2017.
- A new tool, the **JIT Portal** (JIT-PS), was developed for the JITs Network Secretariat to support the collection, dissemination and processing of information about Eurojust’s financial assistance to JITs operational activities. The JIT-PS has been operational since Q1 2018.

1.4.2. Encourage the submission of Article 13 cases and provide feedback under Article 13a

In 2017, 167 the number of Article 13 notifications were received; 82 of them (49.10%) became operational cases. These figures represent a net increase of relevant cases compared with the notifications submitted in 2016, when 37.97% of them became operational cases (i.e.: 60 out of 158). Concerning terrorism, Eurojust was informed about 367 investigations and prosecutions and 159 convictions.



KPIs related to Strategic Objective 1.4.

KPI	2016 Results	2017 Results	Progress
<ul style="list-style-type: none"> % of milestones achieved in CMS project development plan 	<ul style="list-style-type: none"> Initiatives taken to assess the redesigning of the CMS by target date: 100% completed by target date CMS trainings: one-on-one trainings to all new National Members 	<ul style="list-style-type: none"> Number of initiatives taken to assess the redesigning of the CMS: 100% of those envisaged in CMS AWP. Launching of new components of the JIT-PS by target date: JIT Portal and 1 tool launched CMS trainings: one-on-one trainings to all new National Members 	
<ul style="list-style-type: none"> Increase in Article 13 cases 	<ul style="list-style-type: none"> 158 notifications, 60 of which became operational cases (i.e.37.97%) 	<ul style="list-style-type: none"> 167 notifications, 82 of wich became operational cases (i.e. 49.10%) 	

Strategic Objective 1.5 - Reinforce operational cooperation with key partners

1.5.1. Enhance operational cooperation with Europol and other JHA Agencies in priority crime areas and action plans, including facilitation of exchange of information where appropriate

- Europol was involved in 43 Eurojust cases and participated in 108 coordination meetings, a 22.68% increase compared to 2016 (Europol participated in 87 CMs) and its participation in coordination centres remained at 7.
- **Operational information** received by Eurojust was facilitated in 2017 by 20 initiatives to implement the exchange of information with Europol.
- Eurojust’s contribution to Europol’s **counter-terrorism** projects was further strengthened by its association with “Hydra” and “Travellers”. A Seconded National Expert (SNE), a prosecutor specialised in counter-terrorism, was recruited to facilitate the exchange of information between Eurojust and the European Counter Terrorism Centre (ECTC). His tasks include the promotion of the early judicial follow-up of the ECTC’s activities and the use of Eurojust’s coordination tools.
- In the field of **cybercrime**, cooperation with the European Cybercrime Centre (EC3) continued via Eurojust’s SNE for Cybercrime, promoting an early involvement of judicial authorities and facilitating the exchange of information, as well as supporting the Joint Cybercrime Action Task Force (J-CAT). Eurojust and Europol updated the joint paper on common challenges in combating cybercrime, the *Joint Eurojust-Europol paper on common challenges in combating cybercrime* (EU doc. 7021/17), which identified legal obstacles and the effectiveness of legal instruments for judicial cooperation in criminal matters in this field.
- On the fight against **migrant smuggling**, Eurojust appointed a contact point to Europol’s Analysis Project Checkpoint, to discuss cases of common interest. In addition, Eurojust is

exploring the possibilities for further developing close operational relations with the Europol-based European Migrant Smuggling Centre (EMSC).

- The European Anti-Fraud Office (OLAF) participated in Eurojust cases on four occasions.

1.5.2. Maintain cooperation with and support to EJN, Genocide Network Secretariat and the Consultative Forum

Eurojust hosts the Secretariats of the European Judicial Network (EJN), the Network of National Experts on Joint Investigation Teams (JITs Network) and the Network for investigation and prosecution of genocide, crimes against humanity and war crimes (Genocide Network). In 2017 25 contributions were published relating to judicial cooperation instruments (JCI): 17 by EJN, 6 by the JITs Network and 2 by the Genocide Network. These figures consolidate the level of collaboration reached in 2016

The **Genocide Network Secretariat in collaboration with Eurojust** produced 3 Expert papers on investigating and prosecuting core international crimes: (i) on the use of open source information (particularly from social media) for investigating and prosecuting war crimes relating to the conflict in Syria and Iraq and a corresponding case law compendium from domestic jurisdictions; (ii) on the jurisprudence of the European Court of Human Rights in relation to genocide, crimes against humanity and war crimes; and (iii) on the contextual overview of sexual and gender-based violence committed by ISIL as genocide, crimes against humanity and war crimes with a reference to existing international jurisprudence.

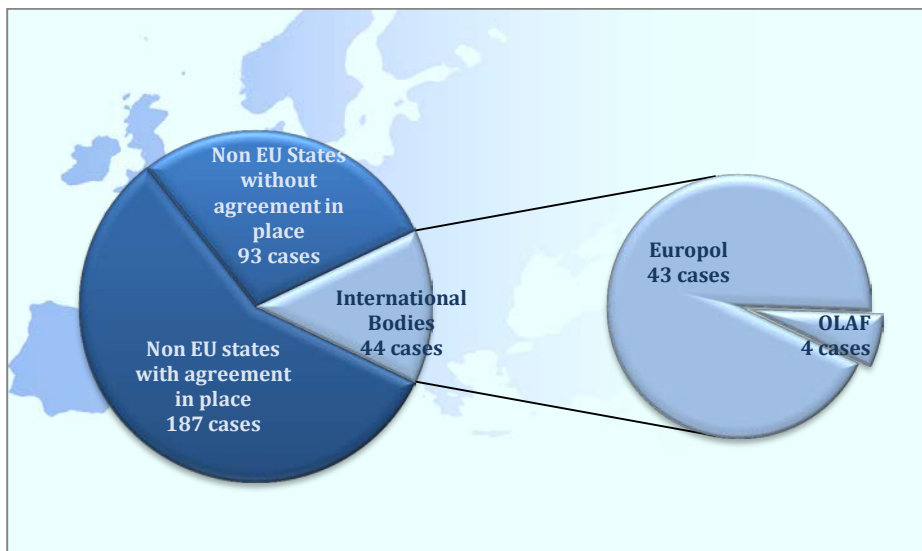
The **EJN and Eurojust** worked together on the introduction of the EIO in the Member States. A *Note on the meaning of 'corresponding provisions' and the applicable legal regime in case of delayed transposition of the EIO Directive* was made available to practitioners and published as Annex II of Council doc. 9936/17. In collaboration with the Commission and the EJCEN, guidelines were drafted on how to fill in the EIO and how to use it to obtain e-evidence.

Further, the EJN and Eurojust continued to implement their action plans on the Sixth Round of Mutual Evaluations in the Member States and updated the joint paper: [*Assistance in International Cooperation in Criminal Matters for Practitioners: EJN and Eurojust, 'What can we do for you?'*](#). This joint paper informs judicial practitioners in the Member States of the assistance that can be provided by the EJN and Eurojust. The paper also clarifies whether to address the EJN or Eurojust with a request for assistance.

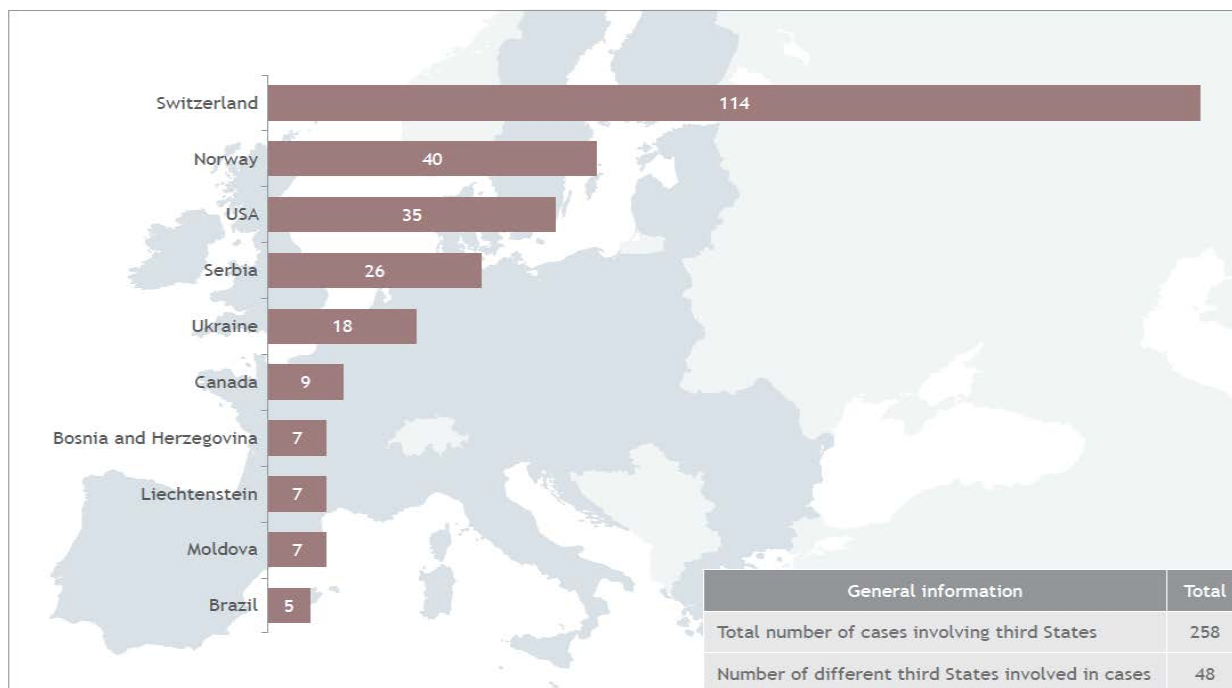
Based on an internal assessment in the identification of synergies between the meetings of Eurojust and the ones organised by the Network Secretariats hosted at Eurojust (EJN, JITs and Genocide), the College of Eurojust adopted two Decisions to rationalise the organisation of meetings and hence introducing cost-saving measures. The College asked the Network Secretariats to report by the end of 2017 on the results of the implemented cost-saving measures. The report was received in January 2018.

1.5.3. Strengthen operational cooperation with third States, including arrangements for the possible posting of Eurojust Liaison Magistrates in third States, establishing judicial contact points and developing joint initiatives with relevant EU neighbours

The **involvement of third States**, international bodies and EU bodies in Eurojust casework in 2017 is represented in the graphs below. In 2017, Eurojust registered 258 cases involving third States (compared to 300 in 2016). Third States were involved in 61 CMs (out of 302), representing a slight increase compared to 2016 (involved in 50 cases out of 249). Their participation in CCs remained at 5.



As in 2016, Switzerland, Norway and the USA represented the greatest involvement of third States in Eurojust coordination meetings, as shown in the tables below:








Eurojust realised its goal to host more **Liaison Prosecutors of third States**. Following the Cooperation Agreement signed in May 2016, Montenegro posted a Liaison Prosecutor in 2017, bringing to 4 the

number of Liaison Prosecutors hosted at Eurojust⁷. In 2017, for the first time, a CC was organised to support coordinated actions on the initiative of the Swiss Liaison Prosecutor posted at Eurojust.

Eurojust further strengthened its operational cooperation thanks to its network of **Eurojust contact points** in third States. In 2017, six additional Eurojust contact points were appointed in third States, including one in Niger, bringing the total number of Eurojust contact points with third States to 42.

KPIs related to Strategic Objective 1.5.

KPI	2016 Results	2017 Results	Progress
<ul style="list-style-type: none"> Increase in reciprocal attendance of OMs Europol at Eurojust CMs 	<ul style="list-style-type: none"> CMs attended by Europol: 87 CCs attended by Europol: 7 Number of Eurojust cases with involvement of Europol: 32 	<ul style="list-style-type: none"> CMs attended by Europol: 108 CCs attended by Europol: 7 Number of Eurojust cases with involvement of Europol: 43 	
<ul style="list-style-type: none"> Extent of exchange of information on operational activities 	<ul style="list-style-type: none"> Initiatives to implement the exchange of information with Europol: 15 	<ul style="list-style-type: none"> Initiatives to implement the exchange of information with Europol: 19 Strengthen operational cooperation with Europol and EU centres of expertise hosted by it: <ul style="list-style-type: none"> - Terrorism: Hydra, Travellers. - Cybercrime: SNE at EC3, support J-CAT and update Joint paper on common challenges in combating cybercrime (EU doc. 7021/17). - Explore closer cooperation with EMSC 	
<ul style="list-style-type: none"> Joint CC's and joint press releases 	<ul style="list-style-type: none"> Joint/collaborative press releases with JHA agencies and EU bodies and institutions: 10 	<ul style="list-style-type: none"> Joint/collaborative press releases with JHA agencies: 9 	
<ul style="list-style-type: none"> Action Plan for integrated approach [on EJN, GEN Secretariat and CF] 	N/A	Two Decisions to rationalise the organisation of meetings. Follow-up ongoing	
<ul style="list-style-type: none"> Number of cases involving third States 	<ul style="list-style-type: none"> Cases involving third States: 300 	<ul style="list-style-type: none"> Cases involving third States: 258 	

⁷ The Liaison Prosecutors posted at Eurojust are representatives of: Montenegro, Norway, Switzerland and the USA.

Strategic Action Area 2 - Policy Work

Strategic Objective 2.1 - Contribute to the improvement of European Union action in judicial cooperation in criminal matters

2.1.1. Casework evaluation of judicial cooperation in criminal matters to identify legal issues, practical difficulties and lessons learnt and provide strategic advice to EU stakeholders

In 2017, Eurojust continued the production of **strategic reports** and the analysis of casework on judicial cooperation in criminal matters, with special emphasis on priority crime areas. Casework analysis implied the identification and study of legal issues, practical difficulties and lessons-learned stemming from Eurojust cases, the European Union Court of Justice cases or national jurisprudence of Member States. Within this framework, Eurojust prepared **Judicial Monitors on Terrorism and on Cybercrime, the Foreign Fighters Report, the Drug trafficking Report and the Trafficking in Human Beings Report**.

These analyses were complemented by strategic meetings and strategic seminars with practitioners, such as the annual meeting of the national correspondents for Eurojust for terrorism matters; the strategic seminar on migrant smuggling, jointly organised with the Maltese and Estonian Presidencies; the Thematic Group on analysis of national jurisprudence and the North Sea Task Force meeting.

Based on the outcome of these initiatives, Eurojust provided its strategic **contribution to the EU Terrorism Situation and Trend Report (TE-SAT)**.

The table below provides a more detailed list of the **strategic meetings, strategic seminars and strategic reports** from 2017.

2017 Main Output
<ul style="list-style-type: none"> • Contributions provided for TE-SAT
<ul style="list-style-type: none"> • Terrorism: <ul style="list-style-type: none"> - 3 Terrorism Convictions Monitors - Updated Handbook on CBRN-E - 5th Report on Foreign Terrorist Fighters: Eurojust's Views on the Phenomenon and the Criminal Justice Response to the JHA Council - Contribution to the discussions and activities of the High-Level Commission Expert Group on radicalisation (HLCEG-R), - Annual meeting of the national correspondents for Eurojust for terrorism matters.
<ul style="list-style-type: none"> • Cybercrime: <ul style="list-style-type: none"> - 2nd Cybercrime Judicial Monitor, - casework analysis of on-line child sexual exploitation - Cooperation with Europol on encryption and data retention, - Darknet investigations and e-evidence
<ul style="list-style-type: none"> • THB and migrant smuggling: <ul style="list-style-type: none"> - Strategic seminar on migrant smuggling, jointly organised with the Maltese and Estonian Presidencies

<ul style="list-style-type: none"> - Publication of analyses of national jurisprudence - North Sea Task Force meeting (June 2017) - Trafficking in Human Beings Final Evaluation Report
<ul style="list-style-type: none"> • Drug trafficking: <ul style="list-style-type: none"> - Eurojust-EMCDDA Report on New Psychoactive Substances (NPS) and Pre-Precursors in Europe: legislation and prosecution- current challenges and solutions (ongoing update of the casework and jurisprudence, including a section on legislation). - Eurojust's follow-up contribution to the Council of Europe's Handbook on controlled deliveries (legal and operational issues identified by Eurojust). Final delivery by the Council of Europe envisaged in the course of 2018. - 6th meeting of the Council of Europe Working Group on Controlled Deliveries
<ul style="list-style-type: none"> • Intellectual property rights: <ul style="list-style-type: none"> - Compilation of legislation in Member States - Compilation of casework in Member States - Analysis of Eurojust cases. - Meeting of the European Intellectual Property Prosecutors Network (EIPPN)
<ul style="list-style-type: none"> • EAW: <ul style="list-style-type: none"> - Joint Eurojust/Fundamental Rights Agency (FRA) expert meeting on EAW and detention conditions - Eurojust's casework report in the field of EAW - Case law report in the field of EAW

2.1.2. Develop operational knowledge-base and implement knowledge management



In addition to the Case Information Forms⁸, Eurojust further developed its capacity as a centre of expertise in judicial cooperation matters with the organisation of internal monographic discussions, namely on operational topics (13) and thematic sessions (2). In addition, it continued making use of the Knowledge Management Interface, a tool that provides structured access to all of Eurojust's products.

In 2017, Eurojust published 40 case illustrations, a tool to show how the agency supports national cases in practice.

2017 Main Output
<ul style="list-style-type: none"> • 13 operational topics • 2 thematic discussions
<ul style="list-style-type: none"> • Percentage of replies by National Members to Eurojust operational topics (Knowledge Management Interface): 60%
<ul style="list-style-type: none"> • New operational topics opened in the KMI: 4
<ul style="list-style-type: none"> • Number of case illustrations published: 40

⁸ For any additional information on the CIF, please refer to Section 1.2. *supra*.

KPIs related to Strategic Objective 2.1.

KPI	2016 Results	2017 Results	Progress
<ul style="list-style-type: none"> Number of strategic meetings, strategic seminars, strategic reports 	<ul style="list-style-type: none"> 6 (1 strategic seminar, 4 tactical meetings and 1 ad hoc meeting) 	<ul style="list-style-type: none"> 38 	
<ul style="list-style-type: none"> The number of initiatives implemented [in the Development of operational knowledge-base and implement knowledge management] 	<ul style="list-style-type: none"> 9 (7 new operational topics, 2 thematic discussions). 	<ul style="list-style-type: none"> 61 (4 new operational topics, thematic discussions, launching of feedback forms, launching of CIF, KMI) 	

Strategic Objective 2.2 – Strengthen the pivotal role of Eurojust in joint investigation teams

2.2.1. Enhance the awareness and establishment of JITs between Member States as well as with third States, including by increasing knowledge of national legislation, evaluating the use of JITs in individual cases and disseminating reports on best practice.

Eurojust’s support to the Joint Investigation Teams and to the strategic activities conducted by the JITs Network Secretariat continued increasing in 2017. Eurojust **continued its support to the organisation and outcome reports of the JITs plenary meeting** which took place in May. Following discussions at this meeting, participants agreed on the need to modernise the framework of the JITs Network and asked the Secretariat to propose guidelines to supplement the Council document on the basis of which the Network still operates. JITs experts also considered possible avenues to improve the exchange of information between JIT partners and supported the idea of a collaborative operational environment, to be further explored in cooperation among the Network, Eurojust and Eurojol.


Eurojust’s **financial support to JITs** in 2017 was of EUR 1.3 million, which represents a net increase of EUR 300,000 from 2016. In the course of 2017, Eurojust faced a significant increase in the demand from Member States for JITs grant funding, and was successful in securing additional credits in the amount of EUR 310 000 from the Commission. As a consequence, Eurojust was able to adopt an amending budget of EUR 48 689 237 in September, and supported a greater number of JITs grant beneficiaries than in previous years.

To collect best practice in the use of JITs and assess their outcome, Eurojust together with the JITs Network Secretariat continued to support evaluation meetings, collect JIT evaluation forms completed by national authorities (27) and to assess Eurojust’s experience in this field, in view of the publication of the **2nd joint report on the evaluation of JITs**. Based on an analysis of JITs cases closed between 2014 and 2016, the College held a thematic discussion on JITs, the outcome of which is reflected in the report. This approach offers a complementary perspective to the evaluation of JITs by national authorities at each stage of the life cycle of the JIT.

By the **Joint Eurojust-JITs report on national case law** (ongoing) and the **Updated Model Agreement for JITs**, Eurojust seeks to enhance the awareness and foster the establishment of JITs between Member States (including the participation of third States).

For further information on Eurojust's operational support to JITs, please refer to Section 1.2.

KPIs related to Strategic Objective 2.2.

KPI	2016 Results	2017 Results	Progress
<ul style="list-style-type: none"> Level of participation in JITs Network meetings 	<ul style="list-style-type: none"> Support to JITs meetings and their outcome reports: 2 Papers, publications and reports to share expertise on JITs, elaborated by the JITs Network Secretariat: 18 	<ul style="list-style-type: none"> Support to JITs meetings and their outcome reports: 2 Number of JITs Network evaluations supported by Eurojust and the JITs Network: 18 Number of joint strategic activities between Eurojust and the JITs Network Secretariat: 8 Number of common products/services between JITs Network Secretariat and Eurojust: 6 Publications and reports to share expertise on JITs, elaborated by the JITs Network Secretariat in collaboration with Eurojust: 3 	

Strategic Objective 2.3 - Strategically contribute to the European Union policy cycle for organised and serious international crime

2.3.1. Prepare Eurojust's input to the new policy cycle 2018-2021

Based on its operational experience, in 2017 Eurojust contributed to the preparation of the new **European Union policy cycle for the period 2018-2021**. Eurojust also incorporated the priorities therein identified in the Eurojust multi-annual strategy (MAS) for the years 2019-2021, that was adopted by the College in May 2017.



With regard to the Council priorities for the fight against serious and organised crime for the period 2014-2017, Eurojust continued to streamline and align its strategic and operational goals with the priorities set by the European Agenda on Security, the renewed EU Internal Security Strategy 2015-2020 and the European Agenda on Migration.

2.3.2. Supporting activities (including evaluation of Eurojust involvement) related to judicial cooperation/expertise in the EU Internal Security Strategy and OAP's of the European Multidisciplinary Platform Against Criminal Threats (EMPACT)

Eurojust’s commitment to offer immediate operational response to these priorities was complemented by the **contributions to all Operational Action Plans (OAPs) within the European Multidisciplinary Platform against Criminal Threats (EMPACT)**, emphasizing the need to enhance the operational judicial component in this area and taking into consideration the differences in the legal systems of the Member States.

These contributions were periodically presented by Eurojust to the Standing Committee on Operational Cooperation on Internal Security (COSI). In 2017, Eurojust was requested to provide its input in 42 EU legislative and policy documents. On four occasions Eurojust provided written formal and informal contributions to EU draft documents. These figures demonstrate the consolidation of Eurojust as strategic reference partner of the EU institutions. Most of the contributions made to EU draft legislation in priority crime areas and on judicial cooperation instruments were accepted by the EU institutions (80%). The contributions made by Eurojust in promoting the judicial and prosecutorial dimension of the fight against serious cross-border crime received even a higher acceptance by the EU institutions (90%). In 2017, the EU legislator made reference to Eurojust on 43 occasions, two more than in 2016.

KPIs related to Strategic Objective 2.3.

KPI	2016 Results	2017 Results	Progress
<ul style="list-style-type: none"> Timely contributions to the reports 	<ul style="list-style-type: none"> Eurojust’s input to EU policy cycle: 100% completed contributions to the operational actions (e.g.: EMPACT seminar on OPC) Number of mandates and assignments given to Eurojust in EU policy documents: 12 Eurojust references in EU legislation or in EU policy documents: 41 	<ul style="list-style-type: none"> Eurojust’s input to EU policy cycle: 100% completed contributions to the operational actions Number of mandates and assignments given to Eurojust in EU legislative and policy documents: 42 Eurojust references in EU legislation or in EU policy documents: 43 Number of written formal and informal contributions to EU draft legislation delivered by target date: 4 Number of topics where Eurojust intervened at EU institution policy meetings: 3 	
<ul style="list-style-type: none"> Increase of casework 	See 1.3	See 1.3	

Strategic Objective 2.4 - Enhance strategic cooperation with stakeholders and partners in the Area of Freedom, Security and Justice

2.4.1. Support the set-up of a Cybercrime Network and prepare a roadmap for the establishment of a Secretariat, if decided by the Council

Eurojust's **support to the strategic activities of the practitioner's networks** continued to increase in 2017.

The **European Judicial Cybercrime Network (EJCN)** was established by the Council on 9 June 2016. Eurojust was tasked to provide support to and ensure cooperation with the EJCN. Both in 2016 and 2017 Eurojust has been supporting its setting up and the organisation of two meetings per year of the network. The goal of the EJCN is to facilitate and enhance cooperation between competent judicial authorities by enabling the exchange of expertise, best practice and other relevant knowledge regarding the investigation and prosecution of cybercrime. The EJCN also fosters dialogue among different actors and stakeholders that play a role in ensuring the rule of law in cyberspace.

2.4.2. Continue to support the Consultative Forum in line with College decision

With regard to the **Consultative Forum of Prosecutors General and Directors of Public Prosecution** (Consultative Forum), in October 2017 Eurojust adopted its policy on practical arrangements for Eurojust's support to the Consultative Forum meetings, with the objective of consolidating current support practices and offering guidance to those involved in organising the meetings. The Consultative Forum was established in 2010 to reinforce judicial cooperation and mutual trust among the Member States, and to provide input from the judiciary to the EU institutions for the development of the EU Area of Freedom, Security and Justice. Since then, Eurojust has been hosting and supporting the meetings of the Consultative Forum, together with the EU Presidencies. Since 2016, the EU Presidencies call for a joint meeting. Hence, in 2017 the **12th Consultative Forum meeting** was organised under the joint auspices of the Maltese and the Estonian Presidencies. This year, the agenda was focused on the use of digital tools in criminal proceedings, migrant smuggling and Eurojust's developments in key priority areas.

2.4.3. Establish, review and enhance the implementation of cooperation agreements/arrangements and MoUs with other EU Agencies, international organisations and relevant non-EU actors which are of strategic interest

The **strategic collaboration with EU Agencies and other EU entities** continued in 2017. Following the entry into force of the revised Frontex Regulation in 2017, **Eurojust and Frontex** are currently engaged in assessing new cooperation opportunities in accordance with Frontex's new legal framework, which provides for the possibility of Frontex transmitting personal data to Eurojust for the purpose of criminal investigations. In addition, the exchange of strategic information between Eurojust and the European Union Naval Force at the Mediterranean Sea **EUNAVFOR MED** continued throughout the year.

The ties with the EU JHA Agencies were enhanced by the signing of the **Memorandum of Understanding between Eurojust and EU-LISA**, in September 2017. This MoU sets the basis for

cooperation in exchanging expertise and best practices developed in implementation of their respective mandates and facilitates the exchange of non-operational information on relevant research activities.

In September 2017, Eurojust and the **European External Action Service (EEAS)** signed a Letter of Understanding, which provides the framework for the regular exchange of non-operational strategic information and experience, particularly in the areas of counter-terrorism, cybercrime, migrant smuggling and Trafficking in Human Beings (THB).

A Leaflet was produced jointly by Eurojust and **OLAF** on mutual cooperation. This joint leaflet is a practical document that clarifies the complementary roles of Eurojust and OLAF and encourages the national authorities to consider involving both bodies, if appropriate. As no mechanism exists to direct national authorities to contact Eurojust following an OLAF recommendation involving prosecution or judicial follow-up the leaflet provides guidance to national authorities and practitioners working at Eurojust and OLAF on when the involvement of the other organisation is merited, particularly judicial follow-up of OLAF recommendations to national authorities. The leaflet is available in electronic format on Eurojust's and OLAF's websites, and has been widely promoted for practitioners in the Member States.

The **support to training activities organised by the European Police College (CEPOL)** or within the framework of the **European Judicial Training Network (EJTN)** traineeship programme for judges and prosecutors, remained at a similar level as in 2016.

The table below lists **the strategic activities** that were organised by Eurojust **jointly with EU and non-EU actors** in priority crime areas or to further analyse specific aspects of common interest with regard to judicial cooperation instruments:

2017 Main Output	
Intellectual Property Rights	<ul style="list-style-type: none"> Meeting of the European Intellectual Property Prosecutors Network (EIPPN), jointly organised by Eurojust and EU Intellectual Property Office (EUIPO)
European Arrest Warrant (EAW)	<ul style="list-style-type: none"> Expert meeting on EAW and detention conditions, jointly organised by Eurojust and the EU Fundamental Rights Agency (FRA).
Cybercrime	<ul style="list-style-type: none"> Expert meeting to discuss obstacles and best practice in investigating and prosecuting cases involving encryption, jointly organised by Eurojust, the EJCEN and the European Commission. The outcome of this workshop was incorporated in the Commission's 11th progress report, <i>Towards an effective and genuine Security Union</i>
Drug trafficking	<ul style="list-style-type: none"> Eurojust's participation in the 6th Meeting of the Council of Europe Working Group on Controlled Deliveries.
Security	<ul style="list-style-type: none"> Eurojust's participation in the EU-CELAC

	(Community of Latin American and Caribbean States) seminar on citizen security.
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In addition to the operational synergies created between Eurojust and the three Network Secretariats that it hosts⁹ and further to the strategic support provided to the JITs Secretariat¹⁰, Eurojust continued supporting the European Judicial Network and of the Network for the prosecution of genocide, crimes against humanity and war crimes (GEN Network) through the strategic activities of their Secretariat, which Eurojust hosts.

Most precisely, in 2017, Eurojust continued providing support to the plenary meetings of the **European Judicial Network (EJN)** and contributed to the drafting of their outcome reports. Further, Eurojust continued supporting the organisation of the EJN meeting of national correspondents and the EJN meeting on tool correspondents. Eurojust and the EJN Secretariat co-organised three strategic activities.

Eurojust continued providing support to the plenary meetings of the **Genocide Network**, including contribution to the drafting of their outcome reports. The **2nd EU Day against Impunity** was hosted at Eurojust, with the participation of the EU Presidencies and the European Commission, as well as representatives of the International Criminal Court and the judiciary of the States Parties to the Genocide Network. This annual event's goal is to raise awareness of the most heinous crimes, to promote national investigations and prosecutions, to address the position and participation of victims in criminal proceedings and to reinvigorate the EU-wide commitment to fight impunity for these crimes. In addition, the Genocide Network Secretariat co-organised two strategic activities.




2017 Main Output
<ul style="list-style-type: none"> • Outcome reports of the plenary meetings of the EJN, and Genocide Networks: EJN:3 Genocide: 4 Total: 7
<ul style="list-style-type: none"> • Number of joint strategic activities between Eurojust and the EJN and Genocide Secretariats: EJN: 3 Genocide: 2

On the brink of the adoption of the Eurojust Regulation, in 2017 Eurojust continued enhancing the cooperation with third States, in close cooperation with the European Commission and with the European External Action Service. As implementation of the Cooperation Agreement between Eurojust and Montenegro in 2016, a Montenegrin Liaison Prosecutor was posted to Eurojust in 2017.

⁹ For any further information, please refer to Section 1.5.

¹⁰ For any further information, please refer to Section 2.2.

KPIs related to Strategic Objective 2.4.

KPI	2016 Results	2017 Results	Progress
<ul style="list-style-type: none"> • European Judicial Cybercrime Network (EJCN) established and a roadmap for the establishment of a Secretariat if decided by the Council 	<ul style="list-style-type: none"> • Network established • Eurojust support to 2 EJC� meetings 	<ul style="list-style-type: none"> • Eurojust support to 2 EJC� meetings 	
<ul style="list-style-type: none"> • College decision on participation and support from Eurojust to Consultative Forum 	<ul style="list-style-type: none"> • Drafting conclusions of Consultative Forum meetings: 1 	<ul style="list-style-type: none"> • Drafting conclusions of Consultative Forum meetings: 1 	
<ul style="list-style-type: none"> • Number of new MoUs/Cooperation Agreements, number of reviews 	<ul style="list-style-type: none"> • Cooperation Agreements signed with Ukraine and Montenegro. (total of 9 Cooperation Agreements) • MoU between Eurojust and EUIPO. (total of 3 MoUs) • Strategic partnership initiatives launched (preparatory meetings for new Cooperation/Strategic Agreements): 6 	<ul style="list-style-type: none"> • No Cooperation Agreements signed in 2017 • MoU between Eurojust and EU-LISA. (total of 4 MoUs) • Letter of understanding between Eurojust and EEAS 	

Strategic Action Area 3 - Organisational development and support

Strategic Objective 3.1 - Ensure timely internal preparation for implementing organisational change


3.1.1. Develop Action Plan deriving from the potential entry into force of the new Regulation on Eurojust in 2018/2019, including the necessary transitional arrangements.

The 2017 Work programme envisaged the development of an Action Plan derived from the potential entry into force of the Regulation on Eurojust in 2018/2019. In 2017, Eurojust continued monitoring and analysing the impact of the legislative developments regarding the draft Regulations on Eurojust and on the establishment of the European Public Prosecutor's Office (EPPO), through the work of the **Task Force on the future of Eurojust (TF)**. The TF is composed of National Members, the Administrative Director and other staff members from several Units. The TF held regular meetings in 2017, discussed the developments of the Eurojust Regulation and ensured regular monitoring of ongoing discussions.

In addition, on 12 October 2017, the Regulation establishing the **EPPO** was adopted by enhanced cooperation. The TF continued making a detailed legal analysis of successive revisions of the draft Regulation on the EPPO until its adoption. The expected close interaction between the EPPO and Eurojust will have a cross-cutting impact on Eurojust from 2019 onwards. Despite the uncertainties that an EPPO by enhanced cooperation would entail regarding working methods and practical arrangements, the nature of their mandates and the EPPO Regulation itself provide that Eurojust and the future EPPO will work closely together.

2017 Main Output
• Number of legal analyses on the future of Eurojust: 30
• Number of legal opinions provided on the future of Eurojust: 11
• Number of contributions/opinions provided to relevant stakeholders on the Eurojust and EPPO Regulations: 2
• Proportion of Eurojust opinions, advice and documents used by stakeholders (Commission, Council, European Parliament, MS) with regard to the Eurojust and EPPO Regulations: 70%

KPIs related to Strategic Objective 3.1.

KPI	2016 Results	2017 Results	Progress
• Making of the Action Plan [deriving from the potential entry into force of the new Regulation on Eurojust in 2018/2019, including the necessary transitional arrangements]	N/A	N/A	

Strategic Objective 3.2 - Ensure the delivery of excellent support services

3.2.1. Sound human resources management, financial and budget management and accounting

Sound human resources management¹¹

At 31 December 2017, Eurojust had 332 post-holders, including 76 National Members, Deputies and Assistants, 202 Temporary Agents, 21 Contract Agents, 17 Seconded National Experts and 16 interns.

Eurojust had **208 temporary agent (TA) posts authorised in 2017**, which represents a net increase of five posts compared to the 2016 establishment plan. The new posts, allocated to operational work, were all filled by the end of 2017, when the rate of **vacant posts filled was 97.2%**, compared to 96.6% in 2016. The average length of the recruitment process was reduced from 7 months in 2016 to 4 months in 2017. The introduction of the e-Recruitment tool in the first quarter of 2018 is expected to bring more efficiency in the handling of external recruitment procedures.

In addition, in 2017, Eurojust launched **26 internal mobility procedures** to fill vacant posts and as a result 8 staff members were transferred under Article 7(1) of the Staff Regulations (SR). The rest of the vacant posts were published in external selection procedures. In total, 26 offers were made.

The **vacancy rate decreased** in 2017 compared to 2016, from 3.45% to 2.8%. At the same time, **the turnover** of temporary agents **also decreased**, from 6% over the course of 2016 to 5.6% in 2017.

Despite the introduction of significant cuts in the staff training and development budget, in 2017 the **average number of training days per staff member amounted to 2.7**. To compensate for these budget cuts, Eurojust fostered informal learning methods such as: self-study, on the job coaching, on the job mentoring, knowledge sharing and experiential learning. Nevertheless, Eurojust remained below the target of 2% of the Eurojust staff budget, as identified by the EU agencies as best practice.

Since its adoption in 2015, the **Eurojust Competency Framework is embedded in key HR processes**. This Framework is reflected in the **Eurojust Guide on Ethics and Conduct** that was adopted in 2017, which includes the new Eurojust Code of Good Administrative Behaviour. By 31 December 2017, 100% of the career development reports (including the personal development plan of the staff members) were finalised, which fully integrated the Competency Framework in the appraisal process.

A staff engagement survey was conducted at the end of 2016 to gather comprehensive information on all aspects related to the working environment at Eurojust. It included 57 questions covering the following main issues: Eurojust as a workplace; health, safety and wellbeing; evaluation of workload, job content and overall job satisfaction; and relationship with management. The results of the staff survey were analysed during 2017 and an **Action Plan** has been prepared that will be implemented in the course of 2018.

Internal work processes and working arrangements are being reviewed to encompass the new organisational structure and to continue providing efficient and effective management of Eurojust human resources in full observance of the principles of sound financial management.

¹¹ For any additional information on Eurojust's HR management, please refer to Part II (a) 2.4 of this Report.

Budget financial and budget management¹²

A **budget execution rate of 99.97 %** was achieved, with a payment execution rate of 83.95%. These figures show a higher commitment appropriation than in 2016, when 99.89% was committed and the payment execution amounted to 80.42%. With the postponement of the delivery of the new building and the resulting surplus from the new premises project, the opening deficit on Title 1 for staff remuneration was alleviated.

Under the expenditure lifecycle, **ongoing improvements towards more efficient and strengthened processes** yielded the following achievements:

- All budget workflows and delegations were realigned to the new organisational structure, including de-centralisation of the financial workflow for the Corporate Communications Office;
- Workarounds were established for the budget planning and cost accounting tools at Eurojust (eMS and eRec) pending budget allocation for system reconfigurations in 2018;
- Proposal to decentralise the grants workflow at the end of 2017 was approved for implementation in 2018;
- Proposal to further centralise the procurement function at the end of 2017 was approved for implementation in 2018;
- Preparation to pilot the Commission's Legal Commitment Kernel were made, improving the management and oversight capabilities in terms of legal commitments (Framework Contracts, FWC);
- Ongoing analysis of change requirements in the activity-based budget planning tool eMS, implementation of which was delayed due to budget constraints;
- Analysis of requirements for a new generation mission management system provided the opportunity to improve the functionality and reporting capabilities as well as to review the business process and workflows (changes pending new system development in 2018).

In 2015 Eurojust put in place specific tools to perform Activity Based Costing (ABC) for the financial resources (in ABAC) and for the human resources (in eRec). Nonetheless, it has not been possible to date to report on the actual consumption of the human and financial resources per activity, due to the lack of resources (significant annual budget reductions) and the de-prioritisation of further advancements in Eurojust's ABC and Activity Based Management tools and approach. . In 2018, based on past experience, Eurojust is initiating an analysis of these tools in view of optimising their potential usefulness for an effective Activity Base Management of financial resources.

Sound accounting management

Following the recommendation of the Internal Audit Service, on 1 January 2017 the accountant role was detached from the Budget, Finance and Procurement Unit to enhance its independence. The Accounting Officer, as Head of **the Accounting Office**, is appointed by the College according to Article 50 of the







¹² For any additional information on Eurojust's HR management, please refer to Part II (a) 2.3 of this Report.

Eurojust Financial Regulation. The main responsibilities deriving from the Eurojust Financial Regulation are divided into two main areas:

- **cash management:** ensure sufficient cash in the bank accounts of Eurojust following the adoption of the budget, enabling the swift execution of payments.
- **financial accounting:** ensure that the revenue and expenditure have been properly accounted for in the general ledger and in the budgetary accounts of Eurojust and that those are reliable.

In 2017, the **Advisory Group on budgetary and financial matters** set up by the College in 2016, continued its work. This Advisory Group is composed of members of the College and supported by the Administration. Its mandate is to provide additional support and assurance to the College and the Administration in respect of budgetary processes and financial matters.

KPIs related to Strategic Objective 3.2.1.

KPI	2016 Results	2017 Results	Progress
HR management			
<ul style="list-style-type: none"> • Competency Framework embedded in key HR processes; 	<ul style="list-style-type: none"> • Competency Framework embedded in key HR processes: 	<ul style="list-style-type: none"> • Competency Framework embedded in key HR processes: 	
<ul style="list-style-type: none"> • 94% of the establishment plan posts (TA) filled; 	<ul style="list-style-type: none"> • 96.6% of the establishment plan posts (TA) filled 	<ul style="list-style-type: none"> • 97.2% of the establishment plan posts (TA) filled 	
<ul style="list-style-type: none"> • maximum 4% of staff leaving Eurojust 	<ul style="list-style-type: none"> • 6% of staff leaving Eurojust 	<ul style="list-style-type: none"> • 5.6% of staff leaving Eurojust 	
<ul style="list-style-type: none"> • maximum 2% vacancy rate; 	<ul style="list-style-type: none"> • 3.45 %vacancy rate 	<ul style="list-style-type: none"> • 2,8% vacancy rate 	
<ul style="list-style-type: none"> • average of 3 training days per staff member; 	<ul style="list-style-type: none"> • 2.7 average training days per staff member: 	<ul style="list-style-type: none"> • 2.7 average training days per staff member 	
<ul style="list-style-type: none"> • review of performance evaluation (CDR) 	<ul style="list-style-type: none"> • review of performance evaluation (CDR): 99% completed 	<ul style="list-style-type: none"> • review of performance evaluation (CDR): 100% completed 	
Budget, Finance and Procurement management			
<ul style="list-style-type: none"> • Budget execution minimum 97% of total commitment appropriations; 	<ul style="list-style-type: none"> • 99.89% commitment appropriations Payment execution: 80.42% 	<ul style="list-style-type: none"> • 99.97% commitment appropriations Payment execution: 83.95% 	

3.2.2 Comprehensive risk and compliance management and effective follow-up to recommendations of internal and external audits

According to Eurojust Internal Control Standard No 6 (**Risk Management**): “... a risk management process that is in line with applicable provisions and guidelines is integrated into the annual activity planning”.

In 2017, the **Eurojust Action Plan for High-Risk Processes** was updated. This Action Plan lists the requirements Eurojust must meet with regard to the high-risk processes identified by the Internal Audit Service (IAS). In addition, following the best practice provided by the European Commission (“the Commission”)¹³, risk management at Eurojust is composed of comprises the following elements:

- Business Impact Assessment,
- Business Continuity Plan,
- Risk Register,
- Risk Management Questionnaire,
- Risk Management Requirements Checklist.

For the updated of the above, the specific Commission guidance provided for contracts and procurement¹⁴, grants¹⁵ and IT risks management¹⁶ were observed.

For any additional information on risk managements, please refer to Part III 3.1. of this Report.

In 2017, **the number of recommendations by the Internal Audit Service decreased from 6 to 4**¹⁷.

- The “very important” recommendation (Rec. No 2: reinforce the Accounting Officer’s independence) was closed by the creation of the Accounting Office in January 2017.
- Recommendation No 1 (risk management), was requalified from “very important” to “important” and is ready for review.
- Recommendation No 3 (objectives and KPIs and their reporting) was closed.

Eurojust’s internal control mechanisms continued to ensure the highest level of compliance with EU standards. In 2017, Eurojust adopted its **Anti-Fraud Strategy**.

After negotiations started in 2015, the Commission issued their new Internal Control Framework (ICF) in April 2017 and their guidance on implementation in July 2017. Eurojust has been involved in the discussions within the EU agencies PDN Network on how to best adapt and implement the new Commission ICF to the EU agencies.

For any additional information on the compliance and effectiveness of the ICS, please refer to Part III. 3.2. of this Report.

¹³ **Risk Management in the Commission. Implementation Guide.** -2016 edition, version updated in November 2015.

¹⁴ European Commission, **Risk Management in the Commission, Specific Guidance for Procurement and Contracts**, January 2013.

¹⁵ European Commission, **Risk Management, Specific Guidance for Grants (direct management)**, October 2013;

¹⁶ European Commission, **IT Risk Management, Specific Guidance for Management, in the DGs/Services**, Version 1.0, December 2008.

¹⁷ *For any additional information on the follow-up of recommendations and action plans for audits, please refer to Part II. 2.8. of this Report.*




Data protection rules are systematically applied in different sectors, ensuring compliance with the rules (including data subjects' rights) for non-case-related data across the organisation. To enhance accountability to stakeholders, Eurojust applies robust document and records management procedures and is improving its performance monitoring and reporting practices.

In 2017, the Data Protection Service continued monitoring access to the Case Management System by post-holders with a need to know by maintaining a **register of authorisations**, and continued to participate in the CMS Board. Compliance by National Desks with the applicable provisions on the protection of personal data in the CMS was monitored by performing **weekly checks** of its use, and **monthly overviews** of time limits reviews in the CMS were conducted to monitor compliance by National Desks with applicable time limits.

The Data Protection Service continued participating in the CMS Board, advising on projects and defining priorities to develop the CMS. These activities contributed to the **implementation of the recommendations of the Joint Supervisory Body (JSB)**, further to the latest report submitted by the inspection team in 2016, which praised the efforts made by Eurojust so far¹⁸. The Data Protection Service has been monitoring and following up the 11 recommendations issued by the JSB. Implementing these recommendations also required close cooperation with the IM Unit, ICT security and other relevant administrative entities. By the end of 2017, 8 recommendations had been closed and 3 were ongoing.

The Data Protection Service advised the College on data protection matters affecting Eurojust by conducting an **annual survey** that it presented to both the College and the JSB. The Data Protection Service also legally monitored draft amendments to both the Eurojust Regulation and Regulation 45/2001 on the processing of all non-case-related or administrative data and proposed amendments to the EU institutions to improve the clarity of their drafting.

KPIs related to Strategic Objective 3.2.2.

KPI	2016 Results	2017 Results	Progress
Risk and compliance management			
<ul style="list-style-type: none"> • Maximum 2 audit recommendations on the liability of the accounts 	<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • None 	
<ul style="list-style-type: none"> • 100 % of internal audit recommendations ('critical' and 'very important') implemented within the deadline anticipated in the follow-up action plan. 	<ul style="list-style-type: none"> • 1 out of 2 (creation of the Accounting Office). 50% 	<ul style="list-style-type: none"> • 1 out of 1 (KPIs): 100% 	
<ul style="list-style-type: none"> • Not more than 2 audit recommendations on risk/compliance management 	<ul style="list-style-type: none"> • 1 audit recommendation on risk/compliance management 	<ul style="list-style-type: none"> • The audit recommendation on risk/compliance management reclassified from "Very Important" to "Important" 	

¹⁸ See 2016 Activity Report of the Joint Supervisory Body of Eurojust, Council document 11209/17, dated 12 July 2017.

3.2.3.

- 1) Enhance facility management and general support to ensure office supporting, corporate and operational infrastructure availability; and**
(2) Enhance management of ICT infrastructure and services to support high ICT project management accountability and availability of corporate and operational ICT systems

In 2017, the focus was put on the consolidation of the move to the new premises and the assurance of business continuity (from the perspectives of ICT and facility management) to ensure the efficient and effective support of Eurojust.

In 2017, Eurojust continued to review and improve its processes related to providing ICT services through creating, updating and monitoring a number of ICT policies and procedures. Appropriate resources were dedicated to ICT projects, giving priority to operational needs, such as the **redesign of the Case Management System (CMS)**, which was decided by the College in April 2017, at the proposal of the CMS Board¹⁹.

For **non-operational IT projects**, Eurojust maintains and, if needed, further develops, the ICT tools that assist the efforts to increase performance of Eurojust post-holders, as guided by the strategic priorities provided by the **Organisational ICT Projects Board (OICTP Board)**. More precisely, these projects cover:

Project	2017 Main output
<ul style="list-style-type: none"> Application Management Authorisation Tool (AMAT) 	<ul style="list-style-type: none"> Delivered and accepted end of 2017, in production use as of Q1 2018
<ul style="list-style-type: none"> Human Resource Management System (eHR) 	<ul style="list-style-type: none"> Maintenance of the current system, including technical changes and user enhancements, delivered and accepted end of 2017. In production use as of Q1 2018 Upgrade of the system ordered. First version delivered in the test environment at end of 2017
<ul style="list-style-type: none"> eRecruitment 	<ul style="list-style-type: none"> Delivered and accepted end of 2017. In production use as of Q1 2018
<ul style="list-style-type: none"> Mission Management System (eMission) 	<ul style="list-style-type: none"> Maintenance of the current system delivered in production in Q1 2017 Requirements Analysis for the new Missions system based on the MobileXpense solution launched in 2017. As outcome of the analysis, Eurojust will proceed with a custom-built solution in 2018
<ul style="list-style-type: none"> Enterprise Management System (eMS) 	<ul style="list-style-type: none"> Requirements Analysis for the new eMS system launched Maintenance of the current system, including technical changes and user enhancements, delivered and accepted end of 2017. In production use as of Q1 2018
<ul style="list-style-type: none"> EventsForce 	<ul style="list-style-type: none"> Delivered and accepted end of 2017. In production use as of Q1 2018

¹⁹ For further information on the CMS redesign, please refer to Section 1.4.1.

Due to the move to the new premises, in 2017 the Eurojust Custom InfoPath Forms (Visitors form, Vehicle Registration form, etc.) were updated. In addition, the following systems were maintained: Document Management System (DMS), ABAC, ePRIOR/eProcurement (including e-Invoicing, e-Submissions, etc.), eSec(urity).

On 4 July 2017, the College decided to expand the competences of the CMS Board and create a **Board for casework-related ICT projects (CICTP)** to oversee the development, implementation and management of ICT systems relevant for the operational and policy work of the College. The scope of competence of this Board covers, *inter alia*:




- the CMS, the Schengen Information System (SIS II) Interface,
- the Customs Information System (CIS) Interface,
- the secure communication line between Eurojust and Europol, the use of Siena, and the reciprocal access by Eurojust and Europol to information on the basis of a hit/not hit system,
- the On Call Coordination Scheduler,
- the Knowledge Management Interface and
- the Library of Topics.


In addition, the CICTP Board is also mandated to prepare the work of the College for the implementation of the secure connections with the European Public Prosecutor’s Office and Frontex, the interoperability of EU information systems for border and security and the creation of a European Search Portal in the EU Agency for the operational management of large-scale IT systems (eu-LISA), the European Criminal Record Information System (ECRIS) and Third Country Nationals Index (TCN).

The strategic guidance on ICT projects is currently conducted at Eurojust by:

- **CICTP Board:** on casework-related ICT projects
- **OICTP Board:** on non-casework-related ICT projects
- **ICT Steering Group:** strategy and technical infrastructure projects

KPIs related to Strategic Objective 3.2.3.

KPI	2016 Results	2017 Results	Progress
Facility management and general support			
<ul style="list-style-type: none"> • Office supporting infrastructure availability superior to 95% 	<ul style="list-style-type: none"> • 99% 	<ul style="list-style-type: none"> • 99%, 	
<ul style="list-style-type: none"> • Overall corporate and operational infrastructure availability of 99% 	<ul style="list-style-type: none"> • 99% 	<ul style="list-style-type: none"> • 99% 	
<ul style="list-style-type: none"> • Office supporting infrastructure availability: <u>system availability</u> superior to 95% office hours (max of 103 hours of accumulated down time over the year) 	<ul style="list-style-type: none"> • >95% 	<ul style="list-style-type: none"> • 99% Reported unplanned down time for office supporting infrastructure within 	

<ul style="list-style-type: none"> • Corporate and operational supporting infrastructure availability (websites, databases, web applications, security etc.): runs on a 14x7 basis with overall availability target of min. 99% availability (excl. planned maintenance windows) 	<ul style="list-style-type: none"> • $\geq 99\%$ 	<p>the specified limits set</p> <ul style="list-style-type: none"> • $\geq 99\%$ Reported unplanned down time for corporate and operational supporting infrastructure within the specified limits set. 	
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3.2.4. Sound organisational performance management based on robust forecasting and reporting tools, including a methodology in the strategic programming to prioritise objectives and activities and ensure alignment of resources

The unprecedented reorganisation of the Eurojust Administration that was adopted in 2016 was implemented in 2017, when **three major organisational changes** were accomplished: (i) the reorganisation of the Administration, (ii) the reorganisation of College sub-structures and (iii) the implementation of a new concept of support to National Desks.

The **reorganisation of the Administration** created synergies and efficiency gains by reinforcing the support to operational work, by devoting more resources to it. The changes have resulted in the re-definition or streamlining of existing processes and on a re-distribution of roles and responsibilities between different administrative entities. The merging of the Case Analysis Unit and parts of the Legal Service Unit into a new Operations Unit under the direct supervision of the Head of the Operations Department enhanced a service-minded “one-stop shop” system that coordinates all support provided to Eurojust casework with an interdisciplinary approach.

In addition, by the creation of three specialised Offices (Corporate Communications Office, Institutional Affairs Office and the Planning, Programming and Reporting Office), internal workflows were streamlined and the Administration enhanced its role as expert service provider. During 2017, the selection procedure for the Head of the Resource Department was launched.

Eurojust will complete and evaluate these changes in the course of 2018-2019 and propose additional measures, when necessary.

Following the recommendation of the Organisational Structure Review Project and the external Report on the Evaluation of Eurojust under Article 41a of the Eurojust Council Decision, during 2017, the College of Eurojust **explored ways to better rationalise the working methods of the College sub-structures** and proposed a new structure to be implemented in 2018. The changes adopted mainly relate to the mandates of the new structures, their working methods, the Contacts Points of Eurojust to third parties and the Contact Points to Analysis Projects of Europol and EMPACT. The new model ensures a coordinated corporate response to strategic matters and the retention of operational know-how and information.

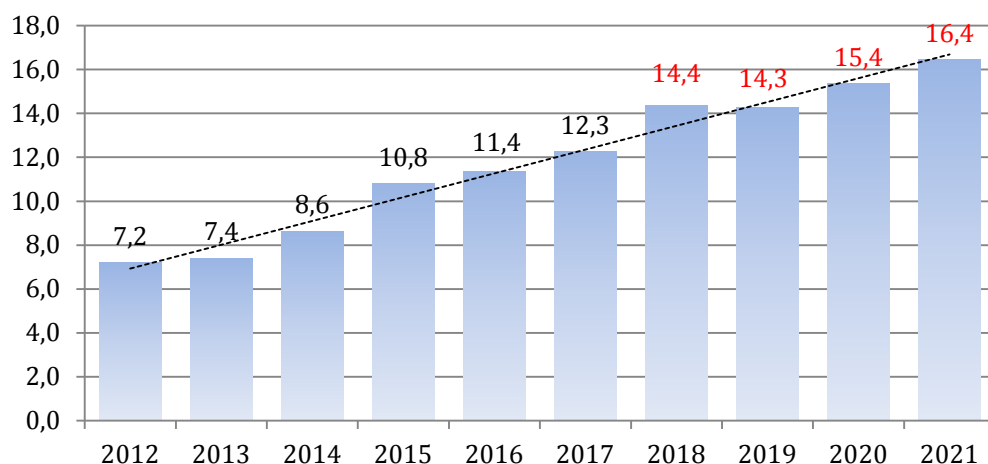
Since 2016, Eurojust has been conducting a **prioritisation exercise for the deliverables on policy work**. In 2017, this prioritisation exercise was inserted into Eurojust’s programming cycle and addressed two years (2018 and 2019).

In the course of 2017, **operational and support processes are being refined** to improve efficiency and effectiveness on a permanent basis. The Administrative Director has reviewed practices related to, among others, the organisation of Eurojust meetings, external representation and the outreach strategy in Member States, to identify the most efficient way of providing these services. The Administrative Director will continue to proactively identify the areas that may require remodelling or innovation. With regard to support to the National Desks, on 4 July 2017, the College adopted a **new methodology for enhancing resource planning at the National Desks**.


This new methodology includes the Administrative Support Back-up Plans for National Desks and the Administrative Support Assessment Forms, with the following objectives:


- establishing clear administrative workflows to ensure effective resource planning at the National Desks; and
- determining the guiding criteria that will allow the Administrative Director to decide on the granting of additional administrative support to the National Desks.

Eurojust expects the adoption of the Regulation on Eurojust in the course of 2018. The new legal basis will require the adoption of more organisational changes. For example, developments such as the creation of an Executive Board and the appointment of the European Data Protection Supervisor as the competent body to monitor the processing of personal data at Eurojust, may have a substantial impact on processes and resources at Eurojust. The table below provides an overview of the increasing correlation between casework and staff since Eurojust's establishment in 2012:



KPIs related to Strategic Objective 3.2.4.

KPI	2016 Results	2017 Results	Progress
Sound organisational performance management			
<ul style="list-style-type: none"> • Approach to planning and control (incl. prioritisation methodology) drafted; 	<ul style="list-style-type: none"> • N/A 	<ul style="list-style-type: none"> • Creation of PRO, as outcome of reorganisation 2017 • Tasks carried out for the preparation of the Brainstorming workshop on the strategic vision of Eurojust MAS 2022 – 2027 by the target dates: 2 brainstorming workshops and 	

<ul style="list-style-type: none"> • Implementation of resource allocation process 	<ul style="list-style-type: none"> • Preparation of reorganisation of the Administration • First prioritisation exercise on policy work. 	adoption of MAS 2019-2021 <ul style="list-style-type: none"> • Implementation of reorganisation of the Administration • Second prioritisation exercise on policy work • Prioritisation methodology on policy work adopted • Reinforcement of the eMS team by including review of organisational and UP objectives and KPIs by PRO. • Redesign of the College sub-structures (finalised in Q1 2018) new methodology adopted for enhancing resource planning at National Desks	
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3.2.5. Develop a strategy and priority list towards shared services with other EU Agencies, a.i. Europol


Eurojust's move to its new premises in proximity to Europol in June 2017 fostered the bilateral discussions throughout the year regarding opportunities for shared services, particularly in the areas of human resources, procurement, ICT and facility management. Options for **shared services with Europol** led to concrete measures for implementation, such as 2 joint tender procedures and the punctual use of Eurojust's conference rooms for Europol activities. Discussions continue on a regular basis to expand concrete measures for implementation. A potential SLA with Europol on specific shared services may be contemplated.

Possibilities exist for further alignment of annual procurement plans between EMA, Europol and Eurojust. A procurement strategy will be developed to establish the ongoing arrangements in the context of inter-agency and inter-institutional procedures.

In parallel, **participation in networks**, including the JHA agencies, pursued, such as the Performance Development Network (PDN), the Inter-Agency Legal Network (IALN) and the various sub-groups of the EU Agencies Network (e.g.: NAPO), to harmonise and develop common practices.

The possibility was explored in 2017 for Eurojust to contribute to an inter-agency approach among the EU JHA agencies to share service for an IT common project on EU classified information (EUCI).

KPIs related to Strategic Objective 3.2.5.

KPI	2016 Results	2017 Results	Progress
Shared services			
<ul style="list-style-type: none"> • Strategy proposal and priority list 	N/A	<ul style="list-style-type: none"> • 2 joint meetings with Europol to agree on a list of possible services to be shared. • 2 joint tender procedures successfully completed in 2017. • Eurojust meeting facilities made available to Europol 4 times. (for a total of 10 days) 	

3.2.6. Implementation of the Communication Action Plan 2017

A Corporate Communications Office (CCO), an Institutional Affairs Office (IAO) and a Planning, Programming and Reporting Office (PRO) were set up during the reorganisation exercise that took place in the last quarter of 2016 with the goal of strengthening Eurojust’s corporate governance and communication abilities and enhancing Eurojust’s profile towards stakeholders. During 2017, each of these entities have been consolidating their specialisation in their respective mandates. The newly established Corporate Communications Office was strengthened in 2017 by the allocation of additional FTEs (Communications Officer, Multimedia Specialist) and by converting a post for an Administrative Assistant into one for a Proof reader/Copywriter.

The Communication Action Plan was adopted by the College in October 2012 and has since then been updated several times.

In 2017, CCO, in close cooperation with all internal stakeholders, launched a review of the Communication Action Plan and day-to-day communication practices, and achieved the following:

- strengthening internal workflow for identifying communication opportunities;
- reviewing existing communication tools (Eurojust News, Annual Report) and starting the debate on their future;
- creating and publishing videos and new infographics as communication tools;
- proposing for adoption and implementing the new policy on external representation of the College;
- proposing for adoption the new policy on crisis communications;
- assisting the internal communication workflow by providing advice on content and format (especially for the move to the new premises);
- strengthening internal communication by emphasizing operational successes at internal meetings;
- planning for participation in the activities proposed under the Eurojust Outreach Strategy in the Member States; and
- integrating knowledge management into the communication workflow, thus ensuring retention of knowledge as well as external communication.


The table below provides an overview of the implementation of the Communication Action Plan in 2017, which represents a significant increase from 2016, especially with regard to media inquiries and the number of reports/studies/leaflets published by Eurojust on its activities and achievements.

2017 Main Output
• 1 Eurojust Newsletter
• 107 press communications published (press releases, news items)
• 300 media inquiries
• 21 reports/studies/leaflets published by Eurojust on its activities and achievements
• 116 communications distributed via the dedicated distribution lists to key stakeholders
• 320 meetings held with key stakeholders to promote Eurojust

In 2018, Eurojust will reinforce its commitment to increase its ability to efficiently and effectively manage institutional knowledge and to communicate with EU stakeholders, institutional partners and the media.

For further information on the Eurojust Communication Action Plan and outreach activities, please refer to Section 1.1.1.

KPIs related to the Strategic Objective 3.2.6.

KPI	2016 Results	2017 Results	Progress
Communication Action Plan 2017			
• % of implementation of Communication Action Plan	30% ongoing	30% ongoing	

3.2.7. Smooth transition to the new premises with minimal disruption to operations

On schedule, Eurojust received the keys to its new building on 24 March 2017. **On 30 June Eurojust moved to its new premises**; 3 July was the first fully operational working day and on 5 July Eurojust held the first coordination centre at its new premises.


Eurojust's Administration ensured that all necessary financial, security, legal and other practical arrangements were made in a timely manner to facilitate the smooth transition to the new premises. Tender procedures, physical and ICT security policies, Host State relations matters and transition period and move preparations were **managed successfully and no loss of operational capacity occurred**.

The new premises allow Eurojust to offer a strengthened technical capability to cope with increasing demand. A dedicated operational room has been set up to ensure that participating authorities can easily maintain direct contact via Eurojust to exchange information during large-scale multilateral joint actions.

The budgetary authority had approved EUR 18.4 million for the co-financing of the construction project. Regarding the investments in the new premises that were planned for 2017, EUR 11.13 million was committed, of which EUR 8.79 million (79%) had been paid by 31 December 2017.

In 2018, the New Premises Programme will be officially closed, ensuring proper aftercare for post-move activities for the period of 30 June 2017 - 30 June 2018. The EU Eco-Management and Audit Scheme (EMAS) which supplies benchmarking for management of Eurojust's carbon footprint has commenced in the new premises.

KPIs related to Strategic Objective 3.2.7.

KPI	2016 Results	2017 Results	Progress
Smooth transition to the new premises			
• No loss of operational capacity	• N/A (the move took place in June 2017)	• No loss of operational capacity	

Part II (a) Management

2.1. Management Board

The College of Eurojust is responsible for the organisation and operation of Eurojust. In 2017, the College held seven Management Board meetings, in addition to 33 operational meetings (level I meetings). Furthermore, the College was involved in two brainstorming sessions to redefine the vision of Eurojust and discuss the Multi-Annual Strategy (MAS) for the period 2019-2021 and in two workshops to adopt a new methodology for prioritisation of policy work.

In 2017, the Management Board activities were related *inter alia* to:

- **Governance:** appointment of the Administrative Director (September); elections of the President (October) and Vice-President (December); adoption of the charter of tasks and responsibilities of Eurojust's accounting officer; adoption of an Anti-Fraud Strategy; adoption of the Eurojust Outreach Strategy; review of the Eurojust external representation policy;
- **Planning and programming:** adoption of the Multi-annual strategy for the period 2019-2021, adoption of the Single Programming Document (SPD) for 2018-2020 (incl. Annual Work Programme, AWP, 2018); 1st reading of the SPD for 2019-2021 (incl. AWP 2019); adoption of a new methodology for prioritisation of policy work; adoption of a Eurojust policy on meetings and a policy on practical arrangements for Eurojust's support to the organisation of the meetings of the Consultative Forum;
- **Budget and Finance:** College Decision 2017-3 adopting the non-automatic carryover of payment appropriations to 2017 from financial year 2016; adoption of the Final Accounts 2016; adoption of the Final Budget 2018 and the Amending Budget 2017;
- **Human Resources:** adoption of a concept for overall support to the National Desks; of five implementing rules to the Staff Regulations and to three opt-outs from Commission Implementing Rules to the Staff Regulations. The College also took note of the adoption by the Administrative Director of: the Eurojust recruitment policy, internship policy and the setting-up of the Eurojust historical archives. The College was informed of the elaboration of the Staff Engagement Survey 2016 Report and its Action Plan;
- **Transparency:** the College of Eurojust considered two requests for access to personal data. For information on access to documents requests, please refer to Annex VII. In June 2017 the College took note of the setting-up of the Eurojust historical and internal organisational memory.

In accordance with the Memorandum of Understanding of 20 July 2012 between Eurojust and the European Commission, representatives of the European Commission attended five meetings of the College as Management Board in 2017 as observers.

2.2. Major developments

External developments

- **Eurojust Regulation**

At the time of drafting of the AWP 2017, the replacement of the current Council Decision with the Eurojust Regulation would have plausibly been adopted and entered into force in 2017. Upon adoption of the new Eurojust Regulation, Eurojust will need to review all necessary internal legal acts, processes and procedures to ensure conformity. During 2017, discussions on the data protection regime under the Eurojust Regulation and any connection with the recast of Regulation 45/2001 were closely monitored by Eurojust, together with the analysis of the impact of the legislative developments in the Draft.

- **EPPO Regulation**

The Regulation establishing the EPPO was adopted by enhanced cooperation on 12 October 2017. The expected close interaction between the EPPO and Eurojust will have a cross-cutting impact on Eurojust from 2018 onwards.

- **New Europol Regulation**

The new Europol Regulation entered into force on 1 May 2017, entailing revised powers for Europol and a number of changes with an impact on Eurojust. The new Europol Regulation results in an increased flow of operational information between the two agencies, enhancing close cooperation.

- **New Frontex Regulation**

On 14 September 2016, the new Frontex Regulation was adopted; it entered into full force on 7 January 2017. This Regulation provides that within the respective mandates of the agencies concerned, Frontex and Eurojust shall cooperate and provide support to Member States in circumstances requiring increased technical and operational assistance at the external borders in the fight against organised cross-border crime such as illegal immigrant smuggling, trafficking in human beings and terrorism.

- **EU Strategy on Justice and Home Affairs**

Numerous EU Strategies and Action Plans contribute to setting the priorities of Eurojust, such as: (1) the European Agenda on Security, (2) the Renewed EU Internal Security Strategy Implementation, (3) the European Agenda on Migration, (4) the EU Action Plan against Migrant Smuggling, (5) the EU Policy Cycle for organised and serious international crime for 2014-2017 and EU crime priorities for the upcoming 2018-2021 cycle (SOCTA 2017), and a number of obligations stemming from EU legal instruments, which emphasize the necessity for:

- closer frontline judicial cooperation and coordination in combating serious cross-border crime;

- intensified information-sharing; and
- best possible use of judicial cooperation instruments to facilitate investigations and prosecutions, and ultimately convictions of criminals.

- **New EU legal instruments in the area of judicial cooperation in criminal matters**

Eurojust was expected to play a key role in advising the Member States on the implementation of the Directive on the European Investigation Order (2014/41/EU) (the EIO Directive). The EIO Directive replaces several existing laws and judicial cooperation instruments dealing with the transfer of evidence between Member States. The deadline for transposing the EIO Directive was 22 May 2017. The direct impact on Eurojust casework has already been noted in 2017, when Eurojust played an active role in facilitating the execution of the EIO Directive on 86 occasions and provided legal advice in operational cases when difficulties with the new system were encountered.

- **Decisions on allocation of budgetary and human resources in a changing environment**

A stringent budgetary climate and continued pressure on Eurojust's limited resources have prompted Eurojust to optimise its financial and human resources with a view to ensuring maximum efficiency and effectiveness in the fulfilment of its mission. Eurojust adopted a new methodology on prioritisation of policy work and sought further synergies and efficiency gains within its Administration by the implementation of its reorganisation.

Internal developments

- **Implementation of the 2016 reorganisation of the Eurojust Administration**

The unprecedented reorganisation of the Eurojust Administration that was adopted in 2016 was implemented in 2017. It has created synergies and efficiency gains by the reinforcement of support to operational work, where more resources have been devoted. The changes have resulted in the re-definition or streamlining of existing processes and on a re-distribution of roles and responsibilities between different administrative entities. The merging of the Case Analysis Unit and parts of the Legal Service Unit into a new Operations Unit under the direct supervision of the Head of the Operations Department enhanced a service-minded "one-stop-shop" system that takes an interdisciplinary approach to the coordination of support provided to Eurojust casework.

- **Move to the new Premises**

On 30 June Eurojust moved to its new premises. The move was managed successfully and no loss of operational capacity occurred. Reuniting Eurojust in the same building has increased its operational capacity with regard to the growing number of coordination meetings and coordination centres that it can accommodate, and has also provided opportunities to build its corporate identity and create more synergies among post-holders.

In terms of budgetary and human resources, expenditures relating to the new premises form a substantial part of Eurojust's 2017 budget, more precisely, EUR 12.31 million, of which EUR 11.13



million constituted the final tranche of the EUR 18.4 million approved by the Budgetary Authority for the co-financing of the construction project. In December 2017, the College of Eurojust decided to allocate for the payment of rent in 2018 a 2017 budget windfall, amounting to approximately EUR 1.1 million and concerning recovered '*double rent and additional m2 costs*' from the Host State to Eurojust.

To ensure the smooth move, six Contract Agents were engaged in 2017 to perform tasks related to the move to the new premises. Eurojust had 21 FTE contract agents at 31 December 2017

2.3. Budgetary and financial management

2.3.1. Revenue

In 2016, Eurojust received a budget of EUR 48 689 237 from the general budget of the European Union (out of which EUR 597 000 was surplus for year 2015 returned back to the Commission in 2016), EUR 47 879 237 of which was cashed, composed of non-differentiated appropriations and differentiated appropriations for budget item B03720 only (Grants related to JITs). The main revenue cashed in 2017 came from the compensation from the Host State on overlapping rental obligations in the amount of EUR 1 304 943. An additional EUR 148 425 came from recovery of expenses (mainly security costs, insurance taxes and telecommunications costs).

2.3.2. Amending budget 2017

In 2017 Eurojust received **commitment appropriations** of EUR 1.000 000 for grants related to JITs. In the first half of that year, the number of applications rose by 46.5% compared to the same period in 2016. With no internal source of funds to transfer to JITs grants, Eurojust assessed the additional budgetary needs and an amending budget request was made to meet the shortfall anticipated in the amount of EUR 310 000. DG Justice and DG Budget supported a transfer of additional credits to Eurojust's 2017 budget in the full amount. This credit solely affected the commitment appropriations, as the accompanying payment appropriations were planned for subsequent years.

Table - List of amending budgets adopted by the Board

	Date of Adoption	Description	Impact on Commitment Appropriations (€)	Impact on Payment Appropriations (€)
1	06.12.2016	Final budget 2017 (College Decision 2016-22)	48 379 237	47 879 237
2	19.09.2017	Amending budget 2017 (College Decision 2017-32)	+ 310 000	0

2.3.3. Budget transfers made during the financial year

There were **six budget transfer occasions** during the year, which is one more than in 2016. Funds were needed to cover additional costs for staff salaries, interim (staffing) costs and costs related to recruitment, coordination meetings, legal fees, and library purchases.

For an illustration of the transfers per Title, please see the table under the **Implementation Overview**.

2.3.4. Implementation Overview and Expenditure ²⁰

C1 fund source:

The **commitment budget execution reached 99.97%**, representing a surplus of 0.03% (EUR 14 869). This is an improvement from the previous year (99.89%). Unused appropriations were mostly a result of small de-commitments in missions at the end of the year and some unused amounts related to PMO services.

Table - Budget 2017 with budget (commitment) implementation (C1)

	Voted 2017 Budget (incl. Amending Budget) (€)	Net Transfers (€)	Final 2017 Budget (after Transfer s) (€)	Committed 2017 (€)	Paid 2017 (€)	Execution Rate Committed over Voted (%)	Execution Rate Committed over Final (%)	Execution Rate Paid over Committed (%)
Title 1	18 501 261	1 257 832	19 759 093	19 752 656	19 495 029	106.76%	99.97%	98.70%
Title 2	21 601 302	-1 017 031	20 584 271	20 583 724	15 766 639	95.29%	100.00%	76.60%
Title 3	8 586 674	-240 801	8 345 873	8 337 989	5 614 246	97.10%	99.91%	67.33%
Total	48 689 237	0	48 689 237	48 674 368	40 875 914	99.97%	99.97%	83.98%

Title 1: Expenditures relating to persons working within Eurojust

The budget in Title 1 increased by 4% compared to 2016; however, this increase represented a deficit in terms of the means to support the recruitment of all establishment plan posts. As a result, a transfer of EUR1 257 832 was necessary. The commitment execution level was 99.97% of the budget after transfer; the payment execution was 98.7% of the committed amount.

Title 2: Investments in immovable property, rental of buildings and associated costs

All funds under Title 2 were committed in 2017. The overall budget for Title 2 saw a significant increase of EUR 4 444 735 (or 27.5% increase) due to the higher tranche of ring-fenced budget funds and associated premises transition expenditures in 2017.

Title 3: Operational Expenditures

The budget for Title 3 decreased by 0.8% compared to 2016. The commitment execution was 99.91% of the budget after transfer, reflecting a marginal increase of 0.3% compared to 2016. For clarity, further comparison of 2017 and 2016 in Title 3 is made excluding the differentiated appropriations for JITs grants (Budget Line 3720).

²⁰ **Nomenclature of appropriations:** C1: Current appropriations; C3: Appropriations not automatically carried over; C4: Appropriations internal assigned revenue; C5: Appropriations internal assigned revenue carried over; C8: Appropriations automatically carried forward; IC1: Income voted in the budget; IC4: Internal assigned revenue; R0: External assigned revenue.

The payment execution level was 72.8%. The level of payments decreased by EUR 935 690 (from EUR 6 049 936 to EUR 5 114 246). This is explained by the uncertainty in Title 1 in 2017 for which funds in Title 3 were reserved to ensure coverage of any deficits at the end of the year. The Title 1 expenditures were only definitive in the final payroll December 2017, for which a transfer of EUR 1.2 million was made. It was only after this final transfer that the reserved funds were released for commitment, thus it was too late to receive invoices and deliveries for these orders.

Table - Multi-annual comparison of budget execution data 2011-2017 ²¹

	2011	2012	2013	2014	2015	2016	2017
Voted Budget (€ thousands)	31 734	32 967	32 359	33 667	33 818	43 540	48 689
Executed Budget (€ thousands)	30 341	32 299	32 234	33 607	33 770	43 493	48 674
Commitment Execution Rate (%)	95.61 %	97.97 %	99.61 %	99.82 %	99.86 %	99.89 %	99.97 %
Payment Execution Rate (%)	78.67 %	87.96 %	86.82 %	87.31 %	88.97 %	80.42 %	83.95 %

C2 fund source:

The total amount of **payment appropriations carried over from 2016 to 2017** under the C2 fund source was EUR 559 043.

2.3.5. Budget implementation of assigned revenue and expenditure

C4 fund source:

In accordance with Article 23 of the Eurojust Financial Regulation, Eurojust used the following items of revenue to finance specific items of expenditure:

Title 1 (Staff): Revenue in the total amount of EUR 369 500, arising from the repayment of overpaid training advances;

Title 2 (Administrative): Revenue in the total amount of EUR 1 441 329.79, arising from the reimbursement by the Host State of rent, and refunds relating to Dutch insurance premium tax (building and asset-related insurance), security costs, postal charges, overpaid telecom costs, as well as recovery of telephone costs from staff members; the majority of these funds (EUR 1 304 943) concerned the Host State reimbursement paying rent for its Interim and New Premises simultaneously; and

²¹ For comparability, all figures represent the data as at 31 December of each financial year. Payment execution indicates the payment execution of the final budget after transfers, not the committed amount. In practice, the figures are adjusted once the final implementation of carry-forwards is known (at the end of the following year).

Title 3 (Operational): Revenue in the amount of EUR 11 668.58, arising from the repayment of overpaid mission costs, Dutch Insurance Premium Tax refund (mission-related insurance), and overpaid telecom costs.

Of this C4 fund source, 18.83% was committed; the rest of the appropriations were carried over. The level of payment execution under this fund source was 14.44% and the remaining payment appropriations were carried over to 2018 as a C5 fund source to be used in 2018.

C5 fund source:

Commitment appropriations of internal assigned revenue carried over from 2016 to 2017, which were executed in full, totalled EUR 200 013.20. The appropriations were utilised for the same expenses for which the revenue was initially assigned, i.e. training and missions for staff, rent, insurance tax, telecommunications, operational missions, Seconded National Experts and EJN projects. The majority of commitments were fully paid in 2017, only 0.05% of the payment appropriations were carried over to fund source C8.

C8 fund source (Carry-over from the previous financial year, i.e. from 2016 to 2017):

The amount carried over from 2016 to 2017 was EUR 7 920 877 of which 97.04% was paid (compared to 94.43% in 2016). Cancellations amounted to EUR 234 228 or 2.96% (compared to 5.57% in 2016). These cancellations were due to lower than estimated expenditures for security costs, ICT project costs, telecommunications, consultancy costs, and costs related to coordination meetings which are subject to variability and include, in some cases, risk/contingency components.

Table - Implementation of carry-overs from 2016 (C1+C4+C5)

Title	Amount Carried-Over (€)	Amount Paid (€)	Amount Paid over Carried-Over (%)	Amount Cancelled (€)	Amount Cancelled over Carried-Over (%)
Title 1	136 975	124 149	90.64%	12 826	9%
Title 2	6 446 531	6 337 148	98.30%	109 382	2%
Title 3	1 337 372	1 225 351	91.62%	112 020	8%
Total	7 920 877	7 686 649	97.04%	234 228	3%

2.3.6. Carry-over to the following financial year (i.e. from 2017 to 2018)

As at 31 December 2017, 83.98% of the commitments had been paid, resulting in an automatic carry-forward of EUR 7 798454 as C8 commitments, reflecting a decrease of EUR 681 160 compared to carry-forwards from 2016 to 2017.

This amount includes both non-differentiated (EUR 6 988 454 – commitment and payment appropriations) and differentiated appropriations (EUR 810 000 of commitment appropriations for Grants). For grants no payment appropriations were carried forward as all C1 payment appropriations were depleted and C2 payment appropriations cannot be carried forward to a second subsequent year (thus cancelled).

Of the total carry-forwards, 30% are attributable to the expenditures on New Premises (ring-fenced budget).

Table - Carry-overs to 2018 by Title

Title	Final Budget (€)	Amount Committed (€)	Amount Committed over Final Budget (%)	Appropriation Not Utilized (€)	Amount Paid (€)	Amount Paid over Committed (%)	Amount Carried-Forward (€)	Amount Carried-Forward over Committed (%)
Title 1	19 759 093	19 752 656	99.97%	6 437	19 029 495	98.70%	257 627	1.30%
Title 2	20 584 271	20 583 724	100.00%	548	15 639 766	76.60%	4 817 084	23.40%
Title 3	8 345 873	8 337 989	99.91%	7 884	5 614 246	67.33%	2 743 723 ²²	32.67%
Total	48 689 237	48 674 368	99.97%	14 869	40 914 875	83.98%	7 798 454	16.02%

Title 1 carry-forwards relate to:

The European School subsidy, expenditures related to recruitment, legal fees, training costs for staff (related to trainings in 2017 but not yet reimbursed to staff or paid to external suppliers).

Title 2 carry-forwards relate to:

Building-specific costs, invoiced by the Host State on a retroactive basis, e.g. service costs for the building, utility costs, etc. In addition, a backlog of incorrect invoices for cleaning services were under review with the supplier. The amount of carry-forwards under these expenditures amounted to EUR 1.7 million.

A significant part of the carry-forwards in this title (EUR 2.3 million) relate to orders under the 'ring-fenced' budget of the new premises project, due to be settled predominantly with the Host State in 2018. These commitments comprise 49% of costs carried over in Title 2.

Finally, outstanding orders have been placed related to ongoing ICT projects and hardware that in Title 2 amount to EUR 0.74 million. The delay in placing these orders arises because Eurojust faced a deficit in Title 1 that may have required the de-prioritisation of these ICT expenditures.

²² Includes differentiated appropriations for JIT grants.

Title 3 carry-forwards relate to:

Coordination meetings and seminars which took place in the latter part of 2017. The outstanding payments of approximately EUR 300 000 relate to expenditures on accommodation, interpretation and catering expenses as well as reimbursement of external participants for travel.

Additionally, EUR 1.26 million for (ICT-related) projects was carried forward in Title 3. This amount represents 44.9% of total carry-forwards related to Title 3. The delay in placing these orders arises because Eurojust faced a deficit in Title 1 that may have required the de-prioritisation of these ICT expenditures.

The rest of the carry-forwards in this Title relate to outstanding payments in press and public relations costs, translations, library books and subscriptions, as well as EJN costs and grants.

2.3.7. Interest paid to suppliers through late payments

Three interest payments were made in 2017 totalling EUR 1 928.16, to two suppliers (Gispen International and Koninkrijk Der Nederlanden) as a result of late payments (more than 30 days).

2.3.8. Commitments for multi-annual actions overview

The joint investigation team (JIT) grants comprise the only Eurojust action that extends for more than one financial year.

In 2017, the initial budget allocated for JIT grants was EUR 1 000 000. Due to the increased demand for JIT funding in terms of requested amounts and number of received applications, Eurojust proposed and with the support of the European Commission, received an additional EUR 310 000 through an amending budget (see *supra*).

With the introduction of differentiated appropriations for JIT grants as of 2016, in 2017 Eurojust was able to reuse EUR 335 190 of released commitment appropriations from 2016 (i.e. as C8 fund source), which otherwise would have been cancelled. At the end of 2017, EUR 810 000 in commitment appropriations for JIT grants were carried forward to 2018.

Historically, the voted budget and total awarded amount have deviated due to the low average implementation rate of approximately 55%. Throughout each year Eurojust has been able to re-award amounts that were awarded in previous calls but not implemented/claimed by beneficiaries in full, due to various external and uncertain factors an investigative/judicial nature. The use of differentiated appropriations as of 2016 has provided more flexibility in the re-use of commitment appropriations.

Forecasting the level of payment appropriations for the annual budget due to the aforementioned C1/C2 priority issue under the Eurojust Financial Regulation remains a difficulty.

Owing to the continuous efforts to promote the JITs grants funding and its success, the demand for Eurojust's funding increased by 32% from 2016 to 2017.

Table – Key metrics for JIT grants in 2016-2017

Metric	2016	2017
Allocated budget	EUR 1 000 000	EUR 1 310 000
Total requested amount	EUR 4 294 979	EUR 5 689 068
Number of calls for proposals	8	8
Number of received applications	180	253
Number of awarded grants	146	226
Number of JITs supported in total	90	128

As regards the time to grant (Art 138 FR), the operational nature of the JITs funding programme requires that practitioners plan their activities bearing in mind the schedule of grants, which is published at the beginning of the year. To remain as close as possible to operational needs, the evaluation phase is reduced to a period of 13 to 21 days following the deadline for submission of applications (depending on the call). In the latter part of 2017, additional resources were assigned to the JITs Network Secretariat in recognition of this workload increase and the backlog that had developed.

Table – Time to Pay for JITs Grants

Terms and Conditions Regime ²³	Payments execution comparison (1 January-31 December)			
	Number of claims reimbursed	Average of Net Payment Days	Average of Absolute Days	Average of Suspension Days
2016 Grants	79	50.04	82.82	32.78
2017 Grants	268	65.30	107.60	42.30
Total	347	57.67	95.21	37.54

²³ In 2016, Eurojust reimbursed claims under two grant management regimes. Under the 2015 regime, Eurojust applied different implementation rules; for grants awarded in 2015, multiple suspension was not in use. The Decision on multiple suspension was only in force from March 2016 for grants awarded under Terms and Conditions Regime 2016

2.3.9. Procurement activities

In 2017 Eurojust **signed 24 contracts** with a value above EUR 15 000, representing a decrease compared to 2016 (30 contracts). The open procurement procedure was used for 100 % of the contracts, representing 87.5 % of the procurement amount²⁴. The proportion of contracts resulting from negotiated procedures signed in 2017 did not increase appreciably compared to earlier years.

Table - Overview of procurement procedures for contracts above EUR 15 000 concluded in 2017

Type of procedure applied	Number of contracts signed	Value
Open/restricted (including inter-institutional)	17	EUR30 367 779
Low value	2	EUR 85 000
Middle value	2	EUR 209 000
Negotiated Art. 134 (a-g)/135 (a-d)	3	EUR 7 410 000

Table – Information on contracts above EUR 15 000 concluded in 2017 from negotiated procedures referred to in points (a) to (g) of Article 134(1) and points (a) to (d) of Article 135(1) of the Rules of Application

Title	Contractor	Article	Comments	Value
Trans-European Services for Telematics between Administrations - New Generation network	T-Systems International GmbH	134(1)(b)(ii)	Inter-institutional procedure lead by DG DIGIT	EUR 7 200 000
Professional Network Services (LinkedIn)	LinkedIn Ireland Unlimited Company	134(1)(b)	Inter-institutional procedure lead by EFSA	EUR 110 000
ORACLE software licenses and services	Oracle Belgium BVBA	134(1)(a)(ii),(iii)	Inter-institutional procedure lead by DG DIGIT	EUR 100 000
TOTAL:				EUR 7 410 000

²⁴ See footnote *infra*.

2.4. Human Resources (HR) management

Staff composition and Establishment Plan

Eurojust had **208 temporary agent (TA) posts authorised in 2017**. The Commission originally proposed a reduction of five posts in the 2017 establishment plan. However, the Budgetary Authority allocated 10 additional posts, bringing the number of authorised TA posts to 208, a net increase of five posts compared to the 2016 establishment plan. By 31 December 2017, **97.2% of Eurojust's 2017 establishment plan was executed** compared to 96.6% in 2016.

In accordance with Article 38(1) of the Financial Regulation applicable to Eurojust, the College modified the 2017 establishment plan by upgrading three AD10 posts to AD11. This upgrade was necessary to secure the availability of grades for the reclassification exercise. This modification did not affect the volume of appropriations corresponding to the 2017 financial year.

The table below provides Eurojust post-holder population (in FTE terms) by 31 December 2017.

Non-statutory staff		
National Members	28	
Deputy NM and Assistants	48	
SNEs	17 (out of 21 authorised)	
Liaison Prosecutors	4 ²⁵	
Interim staff	6	
Structural service providers (external consultants)	2	
Statutory staff		
	Authorised	filled
TA	208	202
CA	24.5	21
TOTAL post-holders	328	

²⁵ By 31 December 2017, Eurojust hosted four Liaison Prosecutors from Montenegro, Norway, the USA and Switzerland, two of whom are supported by an Assistant.

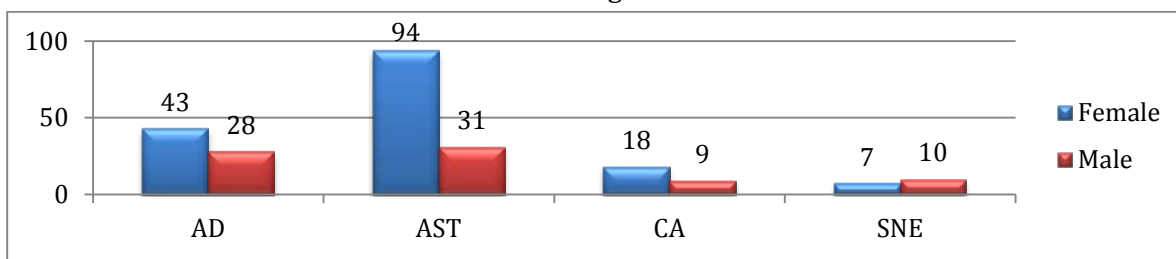
Vacancy rate

The **vacancy rate on 31 December 2017 was of 2.8%** compared to 3.45% on 31 December 2016. From the 208 TA posts in Eurojust’s 2017 establishment plan, 202 posts were filled on 31 December 2017 and a further 5 posts were under recruitment. In addition, the turnover of temporary agents over the course of 2017 was 5.6%, compared to 6% for 2016.

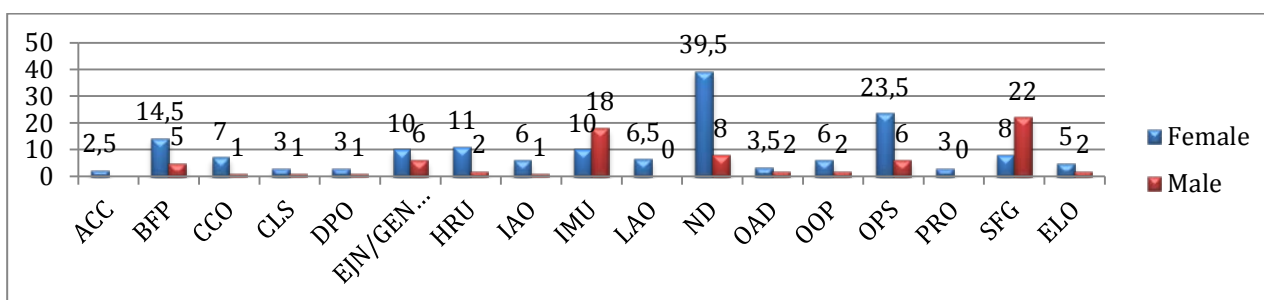
Gender balance

The gender balance on 31 December 2017 was **67% female to 33% male**, which narrows the imbalance compared to 2016, when the ratio was 69% female to 31% male. Eurojust continued throughout 2017 to encourage applications from male candidates to enhance the diversity of its workforce. Eurojust had seven middle management positions by 31 December 2017. Of these seven positions, three were filled by female staff (42.8%).

The distribution of female and male staff across grades can be seen below:



The staff gender distribution in Eurojust in 2017 is shown below by unit and for the organisation as a whole:



Sick leave and well-being activities

In July 2017, Eurojust adopted the **implementing rules on absences as a result of sickness or accident**. The new implementing rules strengthened the role of the Eurojust doctor in absence management and resulted in clearer workflows for staff and managers.

On average, Eurojust’s staff was on sick leave 4.7 days per year per member of staff in 2017, compared to 7 days per member of staff in 2016.

Eurojust has several support programs in place to promote the **well-being** of staff, such as short lunch-time training sessions organised throughout 2017 (“Lunch and Learn” initiative) on mental, emotional and physical well-being, respect and dignity at work and ethics and integrity in the workplace.

The **Eurojust Social Association** (ESA) was established by the Administrative Director in December 2016 to coordinate and support the organisation and delivery of social welfare activities and events and to enhance the corporate culture of Eurojust. Since then, ESA has organised various activities for staff and has facilitated the creation of Eurojust social clubs.

As a result, the **number of days staff spent in well-being activities** has been increased from 0.13 days per staff member in 2016 to **0.24 days in 2017**.

To foster life-work balance, in preparation for the adoption of the implementing rule on teleworking, Eurojust set up a **teleworking pilot** scheme as of April 2017 to allow the organisation to gain further experience in handling this working arrangement. The pilot scheme allowed for occasional teleworking only, limited to 2 days per month. In total, 60% of Eurojust staff participated in the pilot experience. The decision on the implementation of teleworking at Eurojust will be adopted in 2018, based on the outcome of the pilot scheme.

Eurojust’s commitment as a harassment-free organisation

In September 2017, the Administrative Director adopted the [Eurojust Guide on Ethics and Conduct](#). This Guide contains the **new Code of Good Administrative Behaviour** (“Code”) which was adopted on 1 June 2017. The Code devotes a chapter to whistle-blowing and their essential role in helping Eurojust to deter breaches of the principle of integrity at work. In June 2018, Eurojust adopted its **internal rules concerning disclosure in the public interest (‘whistle-blowing’)**, based on the Commission’s model rules for agencies.

In addition to the well-being activities that took place in 2017 to promote work ethics, respect and dignity at work, a **new network of confidential counsellors** was appointed in September 2017 for a mandate of two years, as part of the policy on protecting personal dignity and preventing psychological and sexual harassment. After a call for volunteers, which received many positive responses, the newly appointed confidential counsellors followed an in-depth training course.

In April 2017, the network of confidential counsellors that had been appointed in 2015 finalised their mandate. The report over their two years of service was provided to the budgetary authorities.

Reclassification exercise

The 2017 reclassification exercise was launched on 13 October 2017. The delay in the launching of the exercise was due to earlier concerns regarding budget constraints. The exercise was carried out in accordance with College Decision 2016-08 establishing the implementing rules for the reclassification of all Temporary Agents, and College Decision 2016-10 setting out the implementing rules applicable to the reclassification of all Contract Agents (CA). Eurojust applied reclassification for its contract agent staff for the first time in 2017. The 2017 reclassification exercise was finalised in April 2018, with retroactive effect to 1 January 2017.

Due to the extraordinary situation created by the implementation of transitional provisions in the first year of application of the new reclassification system, the total number of staff reclassified was 56, which corresponds to 42% of the staff population²⁶.

Temporary Agents	
AD	18
AST	33
Contract Agents	
TOTAL	56

Additional changes to Human Resources policies

In December 2017, Eurojust adopted a **new recruitment policy** for the selection of temporary agents (TAs), contract agents (CAs) and seconded national experts (SNEs). The policy entered into force on 1 January 2018. Eurojust’s new recruitment policy incorporates the Eurojust Competency Framework in the selection process and applies the implementing rules on TA 2f. In addition, final preparations, testing and training for a new e-Recruitment tool took place. The e-Recruitment tool was launched at the beginning of 2018 and is expected to improve efficiency by automating some of the administrative steps in the process and reducing the paper workflow.

With regard to the **Commission Decisions implementing the Staff Regulations**, in 2017, Eurojust decided to **adopt by analogy five of them and to opt-out of three**, as shown in the table below:

Commission IR to the Staff Regulations
Adopted by analogy
<ul style="list-style-type: none"> • Commission Decision C(2013) 9035 on home leave for officials, TAs and CAs posted in third States (second paragraph of Article 7 Annex V to the Staff Regulations)
<ul style="list-style-type: none"> • Commission Decision C(2013) 8965 on rules for the implementation of housing policy in EU delegations
<ul style="list-style-type: none"> • Commission Decision C(2013) 9032 on the living conditions allowance and the additional allowance referred to in Article 10 of Annex X to the Staff Regulations
<ul style="list-style-type: none"> • Commission Decision C(2013) 8990 on reimbursements due to officials assigned to non-member countries
<ul style="list-style-type: none"> • Commission Decision C(2013) 9027 on management of rest leaves pursuant to Article 8 of Annex X to the Staff Regulations
Opted-out

²⁶ In this context “staff population” refers to the total number of posts filled at the moment of the launching of the reclassification exercise.

- | |
|---|
| <ul style="list-style-type: none">• Commission Decision on learning and development (<i>waiting for the model decision for EU agencies</i>) |
| <ul style="list-style-type: none">• Commission Decision C(2016) 3214 concerning the function of adviser |
| <ul style="list-style-type: none">• Commission Decision C(2016) 3288 on middle management |

Screening exercises

Eurojust conducted the **fourth job screening exercise** in December 2017, based on the Commission methodology. In total, 364 jobs were evaluated and screened based on their organisational role, job title/description and job purpose. The exercise resulted in the following categorisation:

Job purpose	Proportion in Eurojust jobs
Operational	63.5%
Administrative Support/Coordination	29.4%
Neutral	7.1%
TOTAL	100%

2.5. Assessment by management

Eurojust conducts its operations in compliance with the applicable laws and regulations, working in an open and transparent manner and meeting the expected high level of professional and ethical standards.

Eurojust has adopted a set of internal control standards²⁷, based on international best practice, to ensure the achievement of policy and operational objectives. As required by the Financial Regulation applicable to Eurojust, the Administrative Director has put in place the organisational structure and the internal control systems suited to the achievement of the policy and control objectives, in accordance with the standards and having due regard to the risks associated with the environment in which it operates.

Eurojust has assessed the effectiveness of its key internal control systems during the reporting year and has concluded that the internal control standards are effectively implemented. Furthermore, Eurojust has taken measures to further improve the efficiency of its internal control systems in the area of “Risk Management Process” (Eurojust ICS No. 6).

In addition, Eurojust has systematically examined the available control results and indicators, as well as the observations and recommendations issued by internal auditors and the European Court of Auditors.

In conclusion, management has reasonable assurance that, overall, suitable controls are in place and working as intended, risks are being appropriately monitored and mitigated, and necessary improvements and reinforcements are being implemented. The Administrative Director, in his capacity as Authorising Officer, has signed the Declaration of Assurance.

2.6. Budget implementation tasks entrusted to other services and entities

Eurojust does not have crossed sub-delegations granted to another agency or institution.

2.7. Assessment of audit results during the reporting year

2.7.1. Internal Audit Service (IAS)

In October 2017, the IAS conducted a full risk assessment covering all processes (administrative, financial, operational and IT), as a basis for the IAS Strategic Internal Audit Plan 2018-2020 for EUROJUST, to be issued in 2018.

2.7.2. European Court of Auditors (ECA)

²⁷ Eurojust Internal Control Framework – Internal Control Standards for Effective Management and Requirements, dated 15 December 2010..

In the opinion of the European Court of Auditors: “***Eurojust’s annual accounts 2016 present fairly, in all material respects, its financial position as at 31 December 2016, the results of its operations, its cash flows and the changes in net assets for the year then ended, in accordance with the provisions of its Financial Regulation and with accounting rules adopted by the Commission’s accounting officer***”²⁸.

In the opinion of the European Court of Auditors, the transactions underlying Eurojust’s annual accounts for the year ended 31 December 2016 are *legal and regular in all material respects*²⁹.

2.7.3. Joint Supervisory Body (JSB)

In March 2018, a new inspection was carried out by the JSB, following up on the ongoing recommendations. The outcome report of this new inspection is expected by mid-2018.

In 2017, the **JSB** members met four times and held one plenary meeting of the appointees in The Hague. Eurojust regularly updated the JSB on the ongoing reorganisation of the Administration and, in accordance with Articles 26(2) and 26a(2) of the Eurojust Council Decision, Eurojust reported regularly to the JSB on the status of negotiations between Eurojust and third States and parties.

During 2017, Eurojust received two **requests from data subjects to access their personal data**, based on Article 19 of the Eurojust Decision and on Article 21 of the Rules of Procedure on the Processing and Protection of Personal Data at Eurojust. This represents a decrease compared to 2016, when five requests were received. Two appeals were lodged at the JSB in 2017, which considered that on both occasions the decision taken by Eurojust had been in conformity with Article 19 of the Eurojust Decision.

2.8. Follow-up of recommendations and action plans for audits

2.8.1 Internal Audit Service

In 2017 there were six outstanding recommendations issued by the Internal Audit Service (IAS). Eurojust has made a significant effort to address them, as follows:

- **Audit Recommendation No 1 (risk management)** was **requalified from “very important” to “important”** and is ready for review. An action plan for full compliance in 2018 has been presented.
- **Audit Recommendation No. 2 (Reinforce the Accounting Officer’s independence)**. On 1 January 2017, the accountant role was detached from the Budget, Finance and Procurement Unit to enhance its independence. The Accounting Officer, as Head of **the Accounting Office**, is appointed by the College of Eurojust, according to Article 50 of the Eurojust Financial Regulation. **The recommendation was closed.**
- **Audit Recommendation No 3 (objectives and KPIs and their reporting)**. Eurojust improved its reporting in its CAAR 2016. **The recommendation was closed.**

²⁸ European Court of Auditors, Report on the annual accounts of the European Union’s Judicial Cooperation Unit for the financial year 2016 together with Eurojust’s reply, dated 12 September 2017.

²⁹ *Ibid.*

- **Audit Recommendation No 4 (ABM and reporting landscape)** is under development. An action plan for full compliance in 2018 has been presented.
- **Audit Recommendation No 5 (Assessment of Internal Control Standards)**. A self-assessment on compliance with ICS has been conducted for this CAAR. This recommendation is expected to be closed after publication of the CAAR 2017.
- **Audit Recommendation No 6 (content and structure of the CAAR)**. The CAAR 2017 incorporates the requested enhancements and this recommendation is expected to be closed after presentation of the CAAR 2017.

Finally, Eurojust has presented its action plan to address High-Risk Processes identified by the IAS, to be implemented during 2018.

2.9. Follow-up of observations from the Discharge Authority

On 28 April 2017, the European Parliament **granted discharge** to the Administrative Director of Eurojust in respect of the **implementation of Eurojust’s budget for the financial year 2015**.

On 13 October 2017, the Administrative Director provided his Report to the Discharge Authority on the measures taken in light of the observations and comments made by the European Parliament in its discharge for the year 2015 (Article 110(2) of the Framework Financial Regulation). Complementary to this Report, an update on the measures taken is presented below:

No	<i>Prevention and management of conflict of interest and transparency</i>	
	Observations of the Discharge Authority	Measures taken by Eurojust
11	<i>Notes Eurojust’s reaffirmation that clear rules for the protection of whistleblowers play an integral part in achieving a culture of trust and in the fight against fraud [...] invites Eurojust to further report on the process and on the subsequent adoption of its rules for the protection of whistleblowers;</i>	In September 2017, the Administrative Director adopted the Eurojust Guide on Ethics and Conduct . This Guide contains the new Code of Good Administrative Behaviour that was adopted on 1 June 2017 and devotes a chapter to whistle-blowing and their essential role in helping Eurojust to deter breaches of the principle of integrity at work. On 26 June 2018, Eurojust adopted its internal rules concerning disclosure in the public interest ('whistle-blowing') , based on the Commission’s model rules for agencies.
12	<i>Observes that short summaries of the curriculum vitae (CVs) of College members are published online but that declarations of interest are not; [...] notes also that Eurojust is currently finalising the process of compiling declarations of interest and that its outcomes will subsequently be</i>	In June 2018, the College of Eurojust adopted a new template for the declaration of interest of its members, which includes their consent for its publication on the website of Eurojust. Consequently, the register of the original

	<i>published on its website; asks Eurojust to report to the discharge authority on the progress on this issue;</i>	<p>declarations of interest will be kept in the College Secretariat and copies will be uploaded on the Eurojust website.</p> <p>In addition, the College decided to also request that the Deputy National Members and Assistants to the National Members sign the same Declaration.</p>
14	<i>Regrets that the administration and the members of the independent joint supervisory body did not publish their declarations of interest; calls for the immediate publication of these declarations; calls upon Eurojust to adopt a practical guide on institutional management and one on conflicts of interest, according to the guidelines published by the Commission in December 2013 and to establish clear rules against “revolving doors”;</i>	<p>The Administrative Director signed a declaration of absence of conflict of interest, which will be published on the Eurojust website together with the declarations of the Members of the College.</p> <p>The Chair of the Joint Supervisory Body (JSB) issued a signed statement concerning the absence of conflict of interest of the members of the JSB which will be published on the Eurojust website together with the declarations of the Members of the College.</p> <p>In June 2018 Eurojust adopted a Standard Operating Procedure on the management of conflict of interest applicable to its staff.</p>

No	Internal audit	
	Observations of the Discharge Authority	Measures taken by Eurojust
15	<i>Acknowledges that, according to Eurojust’s annual report, the Commission’s Internal Audit Service (IAS) postponed its audit on “Monitoring and Reporting / Building Blocks of Assurance” due to its scarce IT audit resources, which was finally conducted in January 2016; looks forward to the next annual report of Eurojust and further details regarding the audit;</i>	Please refer to Sections 2.7 and 2.8 of Part II(a) of this Report.

No	Other comments	
	Observations of the Discharge Authority	Measures taken by Eurojust
19	<i>Acknowledges that Eurojust is currently, together with its host Member State, in the process of preparing for the transition to its new premises; notes that the construction of the premises started in spring 2015 and the expected move was planned for spring 2017; invites Eurojust to report further to the discharge authority on the transition to its new premises, as well as to outline total incurred</i>	<p>Eurojust successfully completed the move to its new premises during the weekend of 29 June - 02 July 2017 without operational disruption. For further information on the move to the new premises, please refer to Section 3.2.7 of Part I of this Report.</p> <p>A status report on the transition costs is</p>

	transition costs;	submitted as an <i>addendum</i> to the Report on Budgetary and Financial Management that accompanies the Final Accounts 2017.
20	<i>Notes with concern a significant gender imbalance both in Eurojust's senior management and College members; urges Eurojust to correct this imbalance as quickly as possible and to communicate the results to Parliament and to the Council;</i>	The gender balance on 31 December 2017 was 67% female to 33% male , which narrows the imbalance compared to 2016, when the ratio was 69% female to 31% male. Eurojust continued throughout 2017 to encourage applications from male candidates to enhance the diversity of its workforce. Eurojust had seven middle management positions by 31 December 2017. Three of these positions were filled by female staff, which corresponds to 42.8% of the staff population

In January 2018, Eurojust replied to the questionnaire received from the Standing Committee on Budgetary Control of the European Parliament (CONT) in preparation of the CONT hearing on decentralised Agencies' **2016 discharge**. In its answers to the questionnaire, Eurojust provided information on horizontal questions posed to all EU decentralised agencies and specific questions to Eurojust, including the observations made by the ECA on the discharge for the financial year 2015³⁰.

On 20 March 2018 the Members of the Committee on Budgetary Control (CONT) voted on the draft reports concerning the 2016 discharge to decentralised Agencies and Joint Undertakings. Eurojust received a positive vote on its draft discharge report.

On 18 April 2018 the European Parliament voted on the "*Discharge 2016: Performance, financial management and control of EU Agencies*" report and decided on discharge in respect of the implementation of the budget of Eurojust for the financial year 2016. According to the official communication received by the Administrative Director, Eurojust was **granted discharge in respect of the implementation of its budget for the financial year 2016** ³¹.

N.B.: For the follow-up on observations concerning Internal Controls, please refer to Part III of this report. For additional information on observations regarding Internal Audit, please refer to sections 2.7 and 2.8 of Part II (a) of this report.

³⁰ See European Court of Auditors *Report on the annual accounts of Eurojust for the financial year 2016, together with Eurojust's reply*, of 26.03.2018.

³¹ Discharge 2016: EU Judicial Cooperation Unit (Eurojust). 1. European Parliament decision of 18 April 2017 on discharge in respect of the implementation of the budget of Eurojust for the financial year 2016 (2017/2155(DEC)).

Part II (b) External Evaluation

Article 41a of Council Decision 2009/426/JHA on the strengthening of Eurojust requires that the College of Eurojust shall commission an independent external evaluation of the implementation of the 2008 Eurojust Council Decision and the activities carried out by Eurojust every five years. In line with Article 41a, Eurojust appointed the consulting firm EY (formerly Ernst and Young) to conduct the independent external evaluation in July 2014, which Final Report was issued on 30 June 2015. For the implementation of the Recommendations provided in this Report, the College of Eurojust approved the internal Action Plan at the end of 2015, which includes actions to be put in place across the organisation.

In addition, in 2015, Eurojust set up an Action Plan for the implementation of the recommendations addressed to Eurojust in the context of the 6th round of mutual evaluation on the implementation of the Eurojust Council Decision (Sixth round of mutual evaluations).

The implementation of both **Action Plans** continued in 2017 and they were updated. By the end of 2017, 75% of the activities included in the Action Plan stemming from the **Sixth round of mutual evaluations** had been completed (including all high-level priority actions) or had become established practice. Most of the actions in the Action Plan related to the **Evaluation of Eurojust under Article 41a** of the Eurojust Council Decision were covered under the Sixth round of mutual evaluations Action Plan. Remaining actions have been completed or embedded under dedicated processes at Eurojust. Both Action Plans indicate some actions as “ongoing” -due to their recurrent nature.

Part III Assessment of the effectiveness of the internal control systems

3.1. Risk Management

In 2017, the Eurojust Action Plan for High-Risk Processes was updated. This Action Plan lists the requirements Eurojust shall satisfy with regard to the high-risk processes identified by the IAS.

For 2017, Eurojust had identified the following serious risks associated with its operations:

No.	Risk Title and Description	Risk Type	Residual Risk Level (1 lowest - 5 highest)	Risk Response (Avoid/Transfer/Reduce/Accept)	Action Plan Summary
1	New Premises	External	3	Reduce	<ul style="list-style-type: none"> • Conduct regular meetings with the Host State on the progress of the new premises project; • Raise the awareness of the Host State of the financial implications of project delays; • Prepare a contingency plan for ensuring uninterrupted real-life support in the current premises.
2	Interim Premises	External	4	Reduce	<ul style="list-style-type: none"> • Raise the awareness of the Host State of the financial implications of new premises project delays; • Raise the awareness of the Budgetary Authority of the necessity of additional funding for the interim premises during the transition period
3	Retention of staff	Internal	3	Reduce	<ul style="list-style-type: none"> • Raise the awareness of the Budgetary Authority on the current most unfavourable ratio of AST posts to AD posts in Eurojust; • Endeavour that Eurojust remains a career organisation despite reductions in the establishment plan; • Earmark lower grade AST posts to meet reduction requirements; • Ensure that annual reclassification exercises are used to the appropriate extent.
4	JITs funding	External	3	Reduce	<ul style="list-style-type: none"> • Continue and intensify the dialogue with the Budgetary Authority regarding the problems related to the inclusion of the funding for joint investigation teams (JITs) in the financial envelope with the objective

					<ul style="list-style-type: none"> of finding a sustainable solution; Improve the methodology used to forecast demand for future JIT funding.
5	Case load	External	3	Reduce	<ul style="list-style-type: none"> Mitigate through intensified priority planning by the College the resource constraints resulting from an increase in the number of cases referred to Eurojust by the competent authorities of the Member States due to new criminal phenomena e.g. migrant smuggling.
6	Budget amendments	External	3	Reduce	<ul style="list-style-type: none"> Continue and intensify the dialogue with the Budgetary Authority regarding the funding requirements resulting in a need for amended budgets; As a priority, ensure that legal requirements resulting from existing contracts are met.

The Administrative Director of Eurojust had decided to base the implementation of risk management at Eurojust on the Commission's *"Risk Management in the Commission Implementation Guide, 2016 Edition, Version updated in November 2015"* and to apply this guidance *mutatis mutandis* at Eurojust.

By the end of 2017, the identification of objectives at the level of Eurojust Units and Offices as well as at the agency level had been 100% implemented. Risk identification and assessment were implemented at 94.45%.

Eurojust will also continue the review the risk registers to identify any additional risks at agency level or the existence of cross-cutting risks that require special attention.

Fraud prevention and detection

With a view to enhancing Eurojust's procedures to safeguard the financial interests of the European Union, the first **Eurojust Anti-fraud strategy** was adopted by the College on 27 June 2017 and a Eurojust **Anti-fraud Contact Point** was appointed to assist the Administrative Director in its implementation.

Awareness-raising activities for all post-holders were organised throughout the year to promote a clear anti-fraud culture at Eurojust.

Moreover, as foreseen by the Strategy, an **internal fraud risk assessment** was conducted by the anti-fraud contact point in cooperation with all administrative Units and Offices, to assess the likelihood and impact of fraud risks occurring. Based on its results, an **Action Plan** and specific **Strategic Objectives** are currently in preparation and will be the basis for the work of the Anti-fraud Contact Point in 2018.

For any additional information on risk managements, please refer to section 3.2.2. of Part I of this report.

3.2. Compliance and effectiveness of Internal Control Standards

Eurojust adopted its current Internal Control Standards (ICS) for effective management and requirements³² in 2010, following a review based on the European Commission’s updated framework at the time.

ICS No 17, Assessment of Internal Control Systems, foresees that ‘*Management assess the effectiveness of [the] Eurojust’s key internal control systems, including the processes carried out by implementing bodies, at least once a year.*’

For the year 2017, Eurojust carried out the annual assessment of its internal control system to ascertain the level of compliance of each ICS, to identify gaps and to propose internal recommendations to address these by taking the following steps:

- Interviews with key stakeholders to confirm compliance with the self-assessment requirements, accuracy and completeness, and verification of input collected;
- Desk reviews of previous assessments and state of play of ICS; review of available sources of information, e.g. Eurojust website, Document Management System (DMS), intranet; comprehensive compilation and review of documentation and other evidence per ICS and corresponding requirements.

The following key documentation, among others, was reviewed:

- Record of Exceptions (RoE) 2017 and Joint Investigation Teams (JITs) Minor Exceptions 2017
- European Court of Auditors (ECA) and IAS Recommendations
- European Parliament Recommendations concerning the discharge procedure
- Consolidated Annual Activity Report (CAAR) 2016, including supporting evidence under PART IIa
- Report on the Eurojust Staff Engagement Survey (SES) 2016
- Risk Management overview 2017

Considering the above, the following overview provides a summary of the assessment of Eurojust’s compliance with its ICS in 2017:

Eurojust ICS		Compliant Y/N	Comments
1	Mission	Y	
2	Ethical and organisational values	Y	
3	Staff allocation and mobility	Y	
4	Staff development	Y	
5	Objectives and Performance Indicators	Y	

³² Eurojust Internal Control Framework – Internal Control Standards for effective management and requirements, 15 December 2010.

6	Risk Management Process	Partially compliant	<i>Measures to be implemented in 2018</i>
7	Operational Structure	Y	
8	Processes and Procedures	Y	
9	Management Supervision	Y	
10	Business Continuity	Y	
11	Security, Fire and Safety	Y	
12	ICT Security	Y	
13	Document Management	Y	
14	Information and Communication	Y	
15	Accounting and Financial Reporting	Y	
16	Evaluation of Activities	Y	
17	Assessment of Internal Control Systems	Y	
Eurojust ICS		Compliant Y/N	Comments

In conclusion, Eurojust complies with its Internal Control Standards. For most ICS, the measures in place have been regularly reviewed and updated in accordance with organisational developments and the applicable regulatory and legal framework. For ICS No 6, *Risk Management Process*, progress has been made in comparison to 2016, and further measures to achieve full compliance are planned to be implemented in 2018, namely the adoption of a policy implementing the Commission's "*Risk Management in the Commission Implementation Guide, 2016 Edition, Version updated in November 2015*", which Eurojust decided to apply *mutatis mutandis*.

Review and adoption of a new Eurojust Internal Control Framework (ICF) in line with the revised Commission ICF is planned to be implemented before the end of 2018.

Part IV Management Assurance

4.1. Review of the elements supporting assurance

Eurojust's building blocks of assurance supporting the Administrative Director's declaration of assurance are mainly founded on the assessment of the observations stemming from both internal and external audit capability, referring to the observations and recommendations from the Accounting Office and the Data Protection Office, the reports from the Joint Supervisory Body and the Internal Audit Service and the reports of the European Court of Auditors.

The independence of the Accounting Officer, which was reinforced in 2017, contributed to reinforcing the Eurojust building blocks of assurance.

The self-assessment conducted on the compliance and effectiveness of the Eurojust Internal Control Standards (ICS) concluded overall that the ICS were observed in 2017.

Hence, the information reported in this Consolidated Annual Activity Report stems from the management's opinion based on results of self-assessments, follow-up of the observations and recommendations of the Internal Audit Service, the Accounting Office, Data Protection Office and the JSB, as well as lessons learned from the reports of the European Court of Auditors.

This approach provides sufficient guarantees as to the completeness and reliability of the information reported and results in a complete overview of the Eurojust budget.

The information reported does not result in any major issues meriting a reservation, as shown by the key arguments for the assurance:

- Partial compliance with Eurojust Internal Control Standard No. 6 (Risk Management Process) and full compliance with the remaining Eurojust Internal Control Standards; weaknesses are known and addressed³³.
- No critical issues highlighted by internal or external auditors; and
- No major issues pointed out by the Authorising Officers by Delegation.

4.2. Reservations

No reservations are issued for the year 2017.

³³ In 2017, the Eurojust Action Plan for High-Risk Processes was updated. This Action Plan lists the requirements Eurojust is required with satisfy to the high-risk processes identified by the IAS.

4.3. Overall conclusions on assurance

Taking into account the above, the conclusions of the review of the elements supporting assurance and the expected corrective capacity of the implemented controls and those to be implemented in subsequent years, a conclusion can be drawn that the internal control systems implemented by Eurojust provide sufficient assurance to adequately manage the risks relating to the legality and regularity of the underlying transactions. Furthermore, a conclusion can be drawn that the internal control systems provide sufficient assurance with regard to the achievement of the other internal control objectives.

Part V Declaration of Assurance

I, the undersigned, Administrative Director of Eurojust,

In my capacity as Authorising Officer,

Declare that the information contained in this report gives a true and fair view.

State that I have reasonable assurance that the resources assigned to the activities described in this report have been used for their intended purpose and in accordance with the principles of sound financial management, and that the control procedures put in place give the necessary guarantees concerning the legality and regularity of the underlying transactions.

This reasonable assurance is based on my own judgement and on the information at my disposal, such as the results of the evaluation of Eurojust, internal controls, the work of the Internal Audit Service, and the lessons learned from the reports of the Court of Auditors in the years prior to the year of this declaration.

Confirm that I am not aware of anything not reported herein that could harm the interests of Eurojust.

The Hague, 26 June 2018

A handwritten signature in blue ink, appearing to read "Nick Panagiotopoulos".

Nick Panagiotopoulos
Administrative Director

Annexes

Annex I. Core business statistics

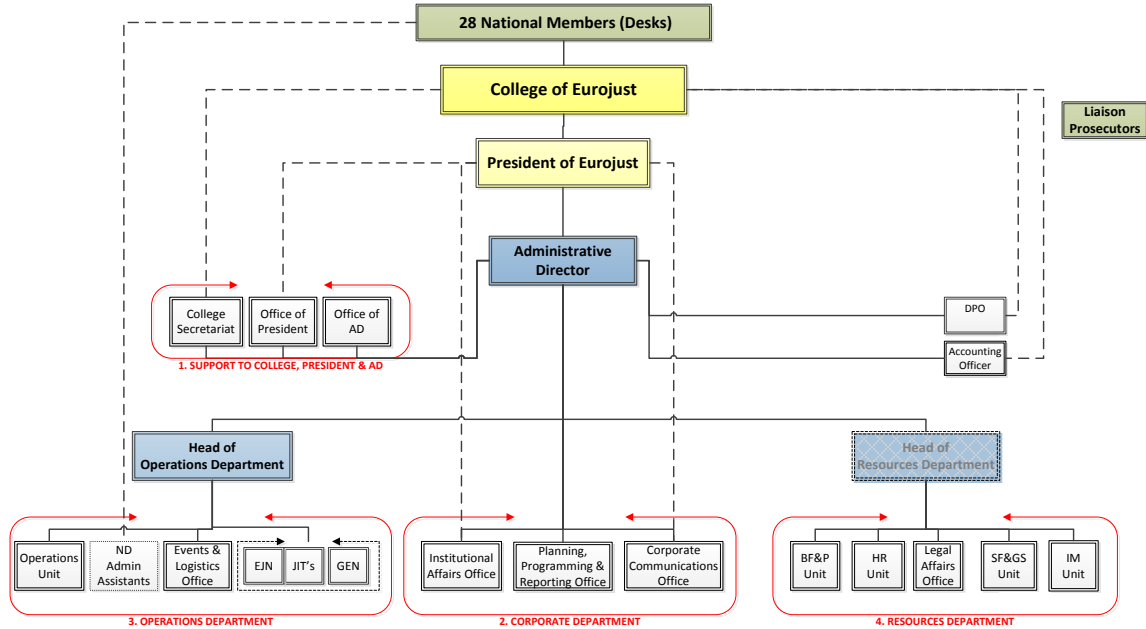
Statistics and graphics inserted throughout the corresponding sections above.

Annex II. Statistics on financial management

*Please refer to section 2.3 **Budgetary and financial management** above, and to the **Eurojust Report on Budgetary and Financial Management for the year 2017**, enclosed.*

Annex III. Eurojust Organisational Chart

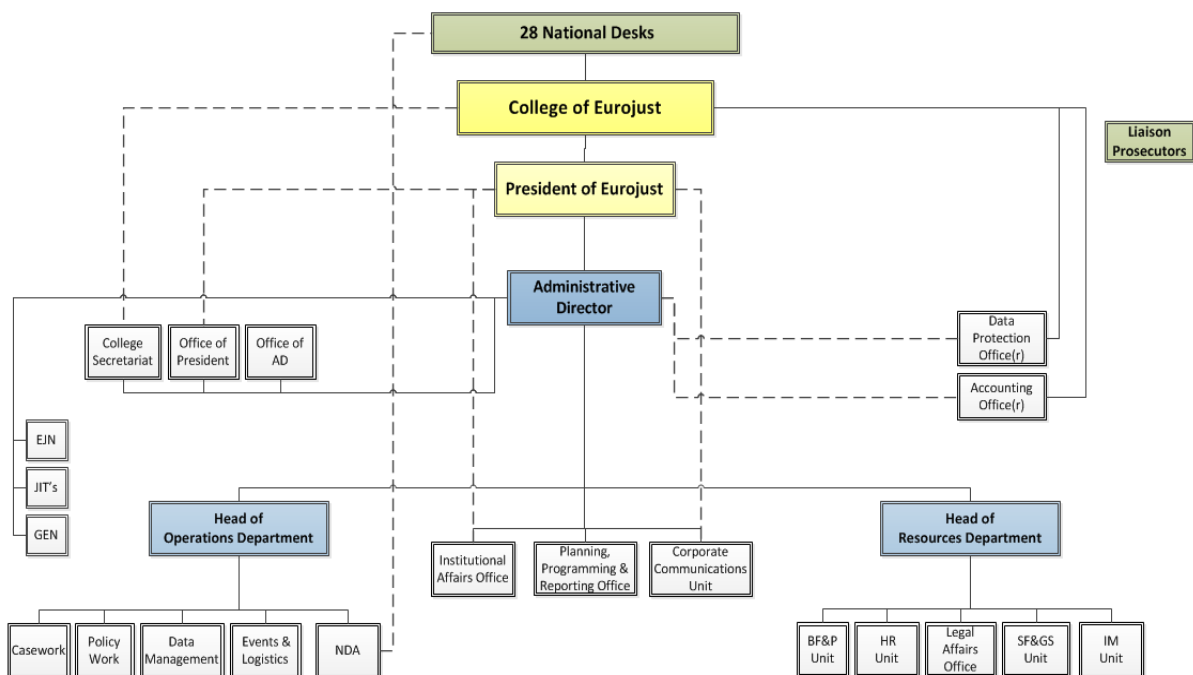
Organisational chart from 1 January 2017



HIGH LEVEL ORGANISATION CHART – ADMINISTRATION OF EUROJUST

15/12/2016

Organisational chart from 22 December 2017



Annex IV. Eurojust Establishment Plan 2017

a) Temporary Agents

Function group and grade	2015				2016		2017			
	Authorised under EU Budget		Filled as of 31/12/2015		Authorised under EU Budget		Request of the Agency		Authorised under EU Budget	
	Perm. posts	Temp. Posts	Perm. posts	Temp. Posts	Perm. Posts	Temp. Posts	Perm. posts	Temp. Posts	Perm. posts	Temp. Posts
AD 16										
AD 15										
AD 14		1		1		1		1		1
AD 13		1		1		1		1		1
AD 12										
AD 11										3
AD 10		7		7		9		9		6
AD 9		9		9		8		11		10
AD 8		20		19		22		23		26
AD 7		20		19		27		28		30
AD 6		18		18		12		9		12
AD 5		4		4		3		3		4
AD total	0	80	0	78	0	83	0	85	0	93
AST 11										
AST 10										
AST 9		1		1		1		1		1
AST 8										
AST 7										
AST 6		1		1		2		4		3
AST 5		17		14		19		27		24
AST 4		48		48		62		55		54
AST 3		42		42		25		22		22
AST 2		16		16		11		11		11
AST 1										
AST total	0	125	0	122	0	120	0	120	0	115
AST/SC6										
AST/SC5										
AST/SC6										
AST/SC4										
AST/SC3										
AST/SC2										
AST/SC1										
AST/SC Total	0	0	0	0	0	0	0	0	0	0
GRAND TOTAL	205		200		203		205		208	

b) Contract Agents

Contract Agents	Authorised 2015 ¹	Recruited as of 31/12/2015	Agency 2016 estimate	Agency 2017 estimate	DB 2017 estimate
Function Group IV	7	7	5	5	7
Function Group III	3	7	6	8.5	3
Function Group II	3	8.5	11	11	3
Function Group I	2	0	1	0	2
Total	15	22.5	23	24.5	15

c) Staff population and its evolution: overview of all categories of staff

Staff Population		Actually filled as of 31.12.2016	Authorised under EU budget 2017 ²	Actually filled as of 31.12.2017 ³
Officials	AD	0	0	0
	AST	0	0	0
	AST/SC	0	0	0
TA	AD	70	93	74
	AST	126	115	128
	AST/SC	0	0	0
Total¹		196	208	202
CA FG IV		15	5	4
CA FG III		11	8,5	8
CA FG II		5	11	9
CA FGI		0	0	0
Total CA⁴		31	24,5	21
SNE ⁵		21	21	17
<i>Structural service providers⁶</i>		8,09	8	2
TOTAL		256,09	261,5	242
<i>External staff for occasional replacement⁷</i>				6

¹Headcounts

²As authorised for TAs and as estimated for CAs and seconded national experts (SNEs)

³Offer letters sent are counted as posts filled. By 31 December 2017, 8 offer letters had been sent in relation to vacant posts.

⁴FTE.

⁵FTE.

⁶Service providers are contracted by a private company and carry out specialised outsourced tasks of horizontal/support nature, for example in the area of information technology.

⁷FTE.



Annex V. Human and financial resources by activity

Annex II of the *Report on Budgetary and Financial Management* presents a comparison of the final budget 2017 with the actual commitment and payment appropriations for fund source C1. However, this comparison is provided per budget line and not per activity.

Annex VI. Eurojust Financial Accounts 2017

Enclosed

Annex VII. Requests for public access to Eurojust documents 2017

The number of requests for public access to Eurojust documents slightly increased in 2017, with a total of 18 requests compared to 15 in 2016.

Request concerning non-case-related documents	Request concerning case-related documents
14	4
Access granted or partially granted: 11	Access granted or partially granted: 0
Access refused: 0	Access refused: 2 Grounds: exceptions in Article 4(1)(a): protection of the public interest as regards fulfilment of Eurojust's tasks in reinforcing the fight against serious crime and as regards national investigations and prosecutions in which Eurojust assists.
Document not held by Eurojust: 3	Document not held by Eurojust: 2
TOTAL request: 18	

In addition, Eurojust received three consultation requests in accordance with Art. 4(4) of Regulation 1049/2001 as a third-party author of a requested document.

In 2017, one confirmatory application was received and access to the requested documents was partially granted after redaction.

During 2017, Eurojust continued to update its [Public Register of documents](#). The growing list of documents made directly available to the public via the Public Register is designed to make documents held by Eurojust easier for citizens to access without the need to make a formal access to documents request and to further increase transparency and the availability of information about Eurojust's activities.



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