

**Medlemmerne af Folketingets Europaudvalg
og deres stedfortrædere**

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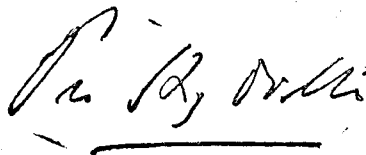
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Til underretning for Folketingets Europaudvalg vedlægges fra Justitsministeriet en rapport udarbejdet af den midlertidige Eurojust-enhed vedrørende enhedens virksomhed i 2001.

Rapporten er ligeledes sendt til Folketingets Retsudvalg.







14 DEC. 2001

Udenrigsminister Per Stig Møller
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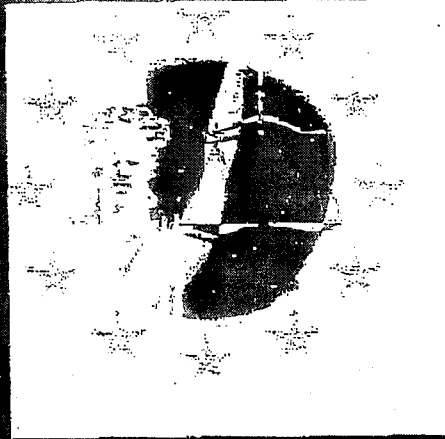
Kære udenrigsminister.

Med henblik på oversendelse til Folketingets Europaudvalg sendes vedlagt en rapport udarbejdet af den midlertidige Eurojust-enhed vedrørende enhedens virksomhed i 2001.

Rapporten vil ligeledes blive oversendt til Folketingets Retsudvalg.

Med venlig hilsen

Lene Espersen



PRO EUROJUST

REPORT

2001

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INTRODUCTION

This end of year report aims to present a picture of the provisional Eurojust Unit, its work and some important results during the first ten months of its existence. The Unit and its activity have been described in earlier reports of March to June, July, August to September and October¹, which were published under a restricted cover. These reports complement each other and together provide an analysis of the early months and the way in which the Unit operates. In this report the main focus will be on general conclusions about the operational work and the results during the period from March to December 2001. It will also describe the experience of the Unit so far. Finally the report will suggest some future expectations.

¹ The report of March to June describes the preparations and the start of the Unit, working methods, models for the meetings and gives some conclusions for the first period, the July report describes a development of the internal organisation in working teams and the work in the negotiations, the August to September report describes the case work and the October report gives an overview on steps against terrorism.

CHAPTER I : STATE OF PLAY

Background and Development

Legal framework

The European Council in Tampere on 15 and 16 October 1999 concluded that a permanent judicial co-operation Unit called Eurojust should be established. The goal of the Unit is to improve the fight against serious crime, in particular when it is organised, involving two or more Member States, in accordance with Articles 29 et seq. of the Treaty on European Union.

By decision of 14 December 2000² the Council of the European Union formally established the provisional judicial co-operation Unit, with the following objectives:

- To improve co-operation between the competent national authorities in the investigation and prosecution of serious crime, particularly when it is organised, involving two or more Member States;
- In the same framework, to stimulate and improve the co-ordination of investigations and prosecutions in the Member States, taking into account any request emanating from a competent national authority and any information provided by any body competent by virtue of provisions adopted within the framework of the Treaties (OLAF, Europol, the European judicial network and liaison magistrates); and
- Provide expertise to the Member States and to the Council, where necessary, with a view to the negotiation and the adoption by the Council of the instrument establishing Eurojust.

² J.O : No L 324, 21.12.2000, p2

The provisional judicial co-operation Unit started work on 1st March 2001. The Unit began work as a prototype Unit on a provisional basis as the forerunner to Eurojust, and was called Pro-Eurojust. The Unit will remain in operation until the date on which the instrument establishing the definitive Eurojust comes into being.

The Unit is temporarily located in Brussels and is "composed of prosecutors, judges or police officers of equivalent competence from each Member State"³. The Unit has a designated meeting room in the Justus Lipsius building.

Members of the Unit

Each Member State has designated a representative to the Unit. The Member States have the option of sending more than one person to assist the designated representative. The members work as equals at a "round table". The Unit has no interpretation service and relies on the linguistic resources of the Members.

As representatives who are members of the Unit have varying powers, status and conditions. Some have full prosecutorial or judicial powers and others do not. Most members have diplomatic status. The level of technical equipment available to each member varies considerably from member to member. Many of the members, but not all, have a working space, and get administrative support, at their Permanent Representations.

Most members have a separate filing system in accordance with the legal system of each Member State. These circumstances make it possible for members to meet the demands and requirements of their states for the protection of personal data.

Judicial co-operation operates in accordance with the provisions of treaty law and the domestic legislation of each Member State as it applies to the case in question.

³ Article 3 of the Council Decision of 14 December 2001

Support from the Council

The support given by Council in terms of advice, infrastructure and dialogue has been significant. The Unit has begun a constructive dialogue with the Commission, which has been associated with the Unit's work in accordance with the Council decision of 14 December 2001.

The Unit has a small secretariat but has no database or interpreters. The Unit has a non-automated index as a reference system for its cases. The index contains no personal data. Each Member is responsible for keeping a separate filing system for those cases involving his/her own country.

The work of the Unit

Planning the Workload

During the first year the Unit identified a number of streams of work:

- Operational casework
- Developing an operational strategy
- Contributing to the Working Group negotiations on the definitive Eurojust
- Developing a wider awareness of and "marketing" Eurojust
- Consolidating internal organisational issues

The Unit assembles for operational meetings, in general, for three days a week and the members work in accordance with the legal system of his/her Member State. The operational work of the Unit is perhaps best described as a case co-ordination centre or a clearinghouse for co-ordination and facilitation of co-operation between competent authorities concerned with investigations and prosecutions into serious or organised crime. The Unit has consequently built up close relations with other bodies or agencies involved in investigation and prosecution. Special attention has been paid to the European Judicial Network, the organisation of liaison magistrates and to Europol. After the 11th September 2001 there has been a special focus on the relations with the United States of America.

Operational Casework

The members of Pro-Eurojust have sought to work to a practical but flexible definition of what might constitute co-operation and co-ordination within the meaning of the Council decision of 14 December 2000.

Co-ordination is taken to have a fairly specific meaning involving the taking of active steps by arrangement with others (or in some cases refraining from taking steps) prior to or in the course of an investigation or prosecution. It may involve as little as indicating a view as to where an investigative or prosecutorial measure is likely to be most effective or as much as the implementation of sweeping contemporaneous coercive measures across several Member States with a view to optimising their evidence-gathering effectiveness. It would also include assembling relevant personnel strategically or operationally and providing facilities for meetings and translations.

Co-operation is a wider concept. It involves the rendering of assistance, whether in the traditional sense of responding to a request or unilaterally, and whether by way of mutual assistance such as in the gathering of evidence or by way of facilitation such as in identifying contacts, or advising on comparative procedural and substantive laws of Member States in the context of the investigation and prosecution of offences.

From the beginning the Unit placed a strong emphasis on operational work. During this first period of ten months more than 180 cases have been referred to the Unit. In a large proportion of these cases the work of the Unit has been concluded successfully⁴.

The Unit has also organised a number of co-ordination meetings attended by senior magistrates, prosecutors and police officers from Member States. The meetings covered a range of different criminal activity and are described in earlier reports. This new approach of working together has ensured key investigators and prosecutors meet together to discuss cases of mutual interest and so have shared information and added value to their individual cases. They have also been able to develop and share best practice. Europol was also associated with and attended these meetings.

⁴ Of 180 cases, 61 are closed

The Unit also made some arrangements in relation to a number of special events. In this context measures were taken for the efficient handling of requests from competent authorities during the Göteborg and Genoa summits and also during the High Impact Operation against illegal immigration in October 2001. The terrorist attack of 11 September 2001 provoked an intensification of efforts by Pro-Eurojust. These measures were aimed at facilitating co-operation and co-ordination between the competent authorities in the Member States.

Statistical Presentation of Operational Work

Statistical details of the casework referred to the provisional Unit is contained in the Annexes to this report.

In order to give a picture of the work some examples of the cases handled by the Unit have been detailed in earlier reports. For obvious reasons the examples have been presented in an anonymous way.

Communication and Marketing

Apart from operational casework and other work relating to the Unit, members have participated in different fora both national and international. They have made presentations to advertise the facilities offered by the Unit. The launch of the Unit and the marketing of its work have been and continue to be an important task. Today the awareness of Pro-Eurojust within Member States and the possibilities it can offer to facilitate better co-operation and improved co-ordination has reached a reasonable level, but efforts must be continued. Marketing is explored in more detail in Chapter II.

Contribution to the Working Party on the Eurojust instrument

The Unit participated in meetings of the Council Working party on the Eurojust instrument between March and November. During the Swedish presidency the Unit prepared for and then participated in seven meetings and during the Belgian presidency in a further 13 meetings. The Unit contributed and gave statements and opinions drawing on its experience of operational work from a practitioner's point of view.

Organisational Issues

During the period from July to December the work of Pro-Eurojust was enhanced by the creation of five teams within the Unit, all with defined and specific responsibilities. The distribution of tasks between the Pro-Eurojust members and the constant exchange and interaction between the five teams has become a cornerstone of our strategy. Each team reports on their work to the Unit at plenary meetings.

The President/chairperson took overall responsibility to co-ordinate the work of the five teams, while also acting as team leader.

The teams have the following areas of responsibility:

- Team 1 : operational work.
- Team 2 : input to the Working party on Eurojust.
- Team 3 : relations with European institutions.
- Team 4 : relations with law enforcement agencies such as Europol, Interpol, World Customs Organisations etc.
- Team 5 : relations with non-EU states, especially candidate countries

This model has been very successful and allows the Unit to have the capacity to cover a wide range of topics more effectively as well as handling operational casework.

CHAPTER II: OPERATIONAL WORK

This chapter contains some observations relating to the operational work and capacities of the provisional Unit during the first ten months of its existence.

It is not always easy for practitioners to obtain effective co-operation and cut through the differences in legislation, languages and judicial systems in the member states. Since 1st March 2001 members of the Unit have worked hard to break down these perceived and real barriers and have shown a willingness to bring the best out of the national systems to improve co-operation and to achieve results. Involvement in cases which demonstrate successful co-operation and co-ordination have proved to be indispensable to show prosecutors and investigators in the member states that Pro-Eurojust can add value to their work combating international organised crime.

Co-ordination meetings

Since 1st March 2001 the Unit has organised 15 co-ordination meetings in a variety of investigations including terrorism, trafficking of human beings, fraud and drug trafficking. This practice was established before the tragic events of 11 September in the USA. The Unit continued to develop its work in this area generally and as a direct consequence of the JHA Council conclusions of 20 September 2001.

Powers

Appropriate powers for the individual national members of Pro-Eurojust and effective marketing of the Unit are important factors in building a successful unit, which can deliver results. Any powers which Pro-Eurojust members have derive from their domestic legal systems. The Unit's strength is directly related to its members network of contacts, their personal abilities and their powers. It was soon apparent that the extent of a member's powers had an immediate and practical impact on the work of facilitating and stimulating investigations.

By way of example, in one case an urgent request for judicial assistance in the form of the criminal record in country A of a defendant being tried in a criminal court in country B was dealt with rapidly because the Pro-Eurojust member to whom the request was addressed was authorised under his national law to act on the request directly. A mere two hours elapsed between the requesting state's prosecutor asking for and receiving the information. But not all Pro-Eurojust members may consult criminal records, or their equivalent, in their home countries.

By the same token and for the same reasons in another case, authorisation was very quickly given outside normal working hours for investigators from country A to travel to the territory of another to execute a letter of request.

The speed of response, clarity and certainty offered by the Unit are the essence of effective co-operation in criminal matters. The additional capacity to analyse is very beneficial when combating complex forms of serious organised crime.

It is an interesting fact that in the process of appointing their national representatives Member States have created a mosaic of powers in Pro-Eurojust. Unlike the draft instrument under negotiation establishing Eurojust proper, the decision establishing the provisional Unit makes no specific mention of its members' powers. For most members, appointment as national representative results in them being completely removed from investigative functions in the strict sense. A small minority retain full prosecutorial or investigative powers.

A large majority of members have no authority to approach another country's authorities. Some retain their powers under national law to receive and to exchange information on criminal proceedings. Activities may be hampered when information can only be exchanged with the judicial authorities. In addition, some Pro-Eurojust members are not authorised to request information directly from their national police authorities.

Not all members are authorised to transmit or receive letters of request, although these are the most widely used tools in judicial co-operation against serious crime. Moreover, powers are not necessarily cumulative. Some members, for example, have the right to direct hot pursuit or the right to conduct investigations but have no power or authority to receive letters of request. The reverse may also be true. Activities may be hampered when information can only be exchanged with the judicial authorities.

Marketing

Providing information to judges, prosecutors and police officers in the Member States was high priority task for the members of the provisional Unit. It is during the first ten months of operations a very important that the competent authorities who handle cases requiring mutual legal assistance and international criminal cases are fully aware of the work of the unit. An awareness of the work of the Unit is also important to ensure cases are referred to the Unit for help.

Dissemination of information about the Unit is conducted in different ways in the various legal systems of the different countries. Methods range from the dissemination of circulars to the organisation of briefing sessions with the judicial or police authorities or visits to the Pro-Eurojust premises by high-ranking prosecutors and senior officials responsible for prosecution agencies.

More specifically, special circulars have been published about the provisional Unit which have been forwarded to the competent authorities in Austria, Denmark, France, Italy, Portugal, Luxembourg Greece and Spain. Similar material is being prepared in other countries. In Finland, an e-mail has been sent to prosecutors and police officers⁵. In Sweden, information about Eurojust has been given through a special prosecutor intranet and in educational seminars. Members have also attended prosecutors' conferences both of domestic and international level.

In legal systems where it is not customary to send circulars, a range of meetings were systematically held with the police and prosecution authorities.

⁵ In the Finnish General Prosecutor 's Website, information on Pro Eurojust is available.

Several members have given interviews to the media resulting in articles in specialist journals and national newspapers. Members have written books on judicial co-operation in the European Union and this also helped to publicise the work of the Unit. Pro-Eurojust members have also given interviews on radio and television.

The timetable for the Unit's work allows members to devote time to developing contacts and relations with the national authorities and to work domestically. The Unit was engaged in academic commentary.

Meetings with the European judicial network and the preparation of a joint brochure have also made a contribution to the dissemination of information and facilities offered by the provisional unit.

Co-ordination meetings with prosecutors and examining magistrates on a specific case took place as soon as the Unit was under way and remain the best proof of the usefulness of Pro-Eurojust.

Obstacles to Mutual Legal Assistance

As part of our liaison work with competent authorities in member states and the USA (see the section of this report dealing with International Relations) on terrorism and other issues, a number of blockages relating to mutual legal assistance and extradition have been identified. These are set out below and provide an interesting insight into the problems that continue to exist for prosecutors and investigators dealing with international criminal cases.

1. Poor quality letters of request
2. Poor quality and delays in the translation of letters of request
3. Disparate procedural requirements for evidence gathering
4. Poor understanding of different legal systems
5. Differences in understanding of the systems and inquisitorial and accusatorial processes
6. Failure on behalf of requesting parties to lay foundations prepare so that those executing a request know exactly what is required
7. Unwillingness to use emerging technology

8. Lack of speed in legal procedures dealing with mutual legal assistance and extradition
9. Requirements of dual criminality in some countries
10. Insistence on the speciality rule for the execution of requests in some jurisdictions
11. Bars on extradition of own nationals
12. Problems with extradition where death or life imprisonment is available as a penalty
13. High level data protection regimes
14. Need to streamline forfeiture practices
15. Inflexibility or rigid adherence to formal transmission procedures (e.g. insistence on authentication and originals)
16. Identification of the proper authorities to whom urgent requests should be sent
17. Unwillingness of some authorities to share intelligence with specialist counterparts
18. Absence of a central body to bring together linked investigations (Europol or Eurojust?)
19. Absence of supra national investigative police force with expertise to ensure and support quality investigations
20. Absence of an advisory capacity to ensure early investigations are best focused and where prosecutions might take place, and where not - for Eurojust?
21. Need for joint investigation teams (JITs)
 - The capacity to set up JITs quickly,
 - States involved to agree working methods; and,
 - To commit adequate resources to ensure JITs work well.
22. Delay in ratification of EU and other mutual legal assistance Conventions

Recommendations

The obstacles identified above lead to us to make the following recommendations:

1. The existing conventions on mutual legal assistance and extradition should be implemented as soon as possible by all the member states;
2. The application of existing international legal instruments by the judicial authorities of the member states has to be encouraged and stimulated;
3. There should be a regular analysis of the obstacles to successful mutual legal assistance and extradition between the member states. Recommendations should be made which provide possible solutions to the problems and obstacles which have been identified;

4. The instrument of Eurojust should have to be brought into force as soon as possible in order to help achieve a higher level of co-operation and co-ordination between the member states in the field of heavy international organised crime;
5. The budget of Eurojust must be sufficient to achieve its main goals, including a budget for an IT database system;
6. Relations with third countries, especially the candidate Member States, will have to be developed and intensified;
7. The Unit needs to organise the necessary publicity so that its capacity to assist is better known amongst competent authorities in the Member States;
8. The Eurojust Unit will be fully involved in establishing a joint investigation strategy in 2002 and will be made operational by among other things setting up one or more joint investigative teams with the participation of competent authorities in member states, Europol, and the Police Chiefs Task Force.

Rules of Internal Procedure

The Unit has started to prepare a comprehensive draft for the rules of internal procedure to provide guidance and clarity as to how the Unit should operate. The rules will cover topics such as:

- Internal organisation and;
- Secrecy and confidentiality,
- Administrative and other rules concerning databases; and,
- Preparation, monitoring of the budget.

The work completed so far is a preliminary draft but the aim is to give the members of the permanent Eurojust Unit a clear framework within which to operate.

CHAPTER III : RELATIONS WITH EUROPEAN COUNTERPARTS

Good relations with its European counterparts are a crucial factor for the success both of the provisional Unit and later of the definitive Eurojust. The main European counterparts are the Council, the Commission- including OLAF, the European judicial network (EJN), the liaison magistrates, and the European Parliament.

The Council

Under recital 4 in the Preamble to the Council decision of 14 December 2000 setting up Pro-Eurojust, Eurojust should be supported by the infrastructure of the Council. Consequently Pro-Eurojust has developed permanent contacts with the General Secretariat of the Council to open a channel for advice and to resolve present practical problems and needs. During these meetings the General Secretariat is informed of the progress of the operational work such as special co-ordination meetings and of the co-operation with Europol and OLAF so that the experience gained by Pro-Eurojust through operational work is shared with the Council. The Council is also informed of the seminars and conferences at which members of the Unit participated and also of the results of meetings with other institutions. A representative of the Secretariat has always been invited when Pro-Eurojust was visited by a special guest or by an expert.

The Commission

In accordance with Article 4 of the decision of 14 December 2000, "the Commission shall be fully associated with the work of the provisional Unit". Therefore, the Commission has been invited to take part in the of Pro-Eurojust meetings in order to be involved in the discussions on general matters and to be informed about the current position on caseload numbers relations with other bodies and candidate countries. These meetings take place the second Thursday of each month. In addition, informal meetings for constructive discussions are scheduled every fortnight.

At these meetings, the Commission has given Pro-Eurojust an overview of important topics such as:

- The European arrest warrant
- Joint investigative teams
- Common definition on terrorism
- the state of play for OLAF, including possible co-ordination of activities between Europol, OLAF and Pro-Eurojust
- Other forthcoming Commission proposals and framework decisions.

In this context, Eurojust is prepared to offer its experience in advance to inform those who are responsible for the preparation of those subjects.

- **OLAF**

After an initial informal meeting with OLAF's Unit 5 (magistrates and judicial advisers), some preliminary meetings took place between this group and Pro-Eurojust in order to identify how to co-operate and how to organise operational work between the two organisations. The first case referred to Pro-Eurojust involving alleged crimes against the financial interest of the Community provided useful experience for members of Pro-Eurojust. Pro-Eurojust will continue to invite OLAF to take part in such co-ordination meetings.

The European Parliament

In March, a delegation from the European Parliament held a meeting with the Unit. Members of the Parliament were informed about the proposals, the progress and the state of play of the Unit. This was continued through informal follow-up contacts between members of the Unit and Members of the Parliament from their own countries.

Liaison Magistrates

Pro-Eurojust members met liaison magistrates from several countries (France, United Kingdom and the United States) to discuss further co-operation and to exchange experience on mutual legal assistance. These relations will continue and invitations will be sent to other liaison magistrates from Germany, Italy and Spain to visit the provisional Unit.

The European Judicial Network (EJN)

The EJN is a privileged partner of Pro-Eurojust. So far a large number of contact points have established and have given helpful support to Pro-Eurojust.

It is very beneficial for both organisations if the members of Pro-Eurojust have close contacts and attend the meetings of the EJN contact points in their respective countries. Joint leaflets are being prepared to explain their different functions and relationship.

The Unit has attended the EJN meetings in Stockholm during the Swedish Presidency and in Brussels during the Belgian Presidency. At both meetings members of the Unit took the floor to explain their work and give examples of the cases they have dealt with. Relations between the future Eurojust and the EJN have been discussed. In co-operation with the EJN a way must be found to avoid the wasted effort caused by both organisations dealing with the same case. It could also be useful to prepare a common report about the experiences of the EJN and Pro-Eurojust facilitating mutual legal assistance and to identify any obstacles which should be removed. In that perspective Pro Eurojust has suggested the establishment of a common task force with the EJN to work on these issues.

CHAPTER IV: RELATIONS WITH LAW ENFORCEMENT BODIES

Europol

The development of an effective working relationship between Eurojust and Europol is a key factor for the future success in fighting organised crime in Europe. The future relationship must draw on the tasks established set Pro-Eurojust and Europol and the legal framework, which envisage co-operation between the two organisations. This framework comprises the Europol Convention of 26 July 1995, the Tampere conclusions of 15 and 16 October 1999 (and especially conclusions 40 to 58), the Council decision of 14 December 2000 creating Pro-Eurojust, the Treaty of Amsterdam (new art 30 § 2 b of the Treaty of the European Union), the Treaty of Nice (new articles 29 and 31 of the Treaty of the European Union), the Conclusions of the JHA Council of September 20th §12 and of the European Council held on the 19th of October § 2 and the anticipated decision creating the definitive Eurojust.

The 30th October 2001 a delegation from Europol met Pro-Eurojust members in Brussels to prepare issues with a view to opening negotiations on an agreement in accordance with the conclusions of the JHA Council of 20th September 2001. These discussions continued at a meeting in The Hague on 19th November and already some potential heads of agreement have been identified and the project is very much under way. Key issues like the sharing of analyses and the building of joint teams were discussed.

Discussions were linked with the outcome of negotiation on the draft instrument creating Eurojust, in particular those articles concerning data protection. These provisions will define the basis on which Eurojust could enter into any agreement concerning data exchange.

In accordance with the conclusions of the JHA Council on 20 September 2001, a common document about joint co-operation between Eurojust, Europol and the Chief Police Task Force has also been prepared for the Article 36 Committee.

Interpol

Pro-Eurojust is also keen to establish relations with other law enforcement bodies amongst whom Interpol is of primary importance. Accordingly a Pro-Eurojust delegation had a preliminary meeting with Interpol in Lyon on the 8 October 2001. The meeting involved an exchange of views on the working practices of our respective bodies in very positive anticipation of reaching a future agreement.

The World Customs Organisation

Pro-Eurojust intends to establish contacts with the World Customs Organisation with a view to the building a strong relationship between the two organisations. Pro-Eurojust recognises the need for good mutual understanding of respective functions and so that in future cases referred to the Unit to facilitate co-operation and co-ordination can be handled effectively.

CHAPTER V : INTERNATIONAL RELATIONS

The provisional Unit has continued to develop and build relations with countries outside the European Union. As yet, the provisional Unit has no formal legal basis to build official relationships, but nonetheless we have made a range of contacts at an informal level with prosecutors and members of Ministries of Justice and Home Affairs of none EU countries.

As we have noted in our earlier reports the Justice and Home Affairs Council conclusions of 20th September 2001 gave the provisional Unit was given a specific remit to discuss and develop and relationships and working understandings with the United States of America on terrorist issues.

Representatives from the provisional Unit have given a series of presentations about the work of the Unit at conferences in Europe. Several of these conferences were either specifically for candidate countries or where candidate countries had sent senior prosecutors and/or representatives from their Ministries of Justice.

In response to the Council conclusions of 20 September 2001 the Unit met in Brussels with members of the US Mission to the European Union to explain the terms of reference for provisional Eurojust, and the working methods employed, caseload and future plans. As a result of these meetings and at the invitation of the Department of Justice in the United States, three representatives from the provisional Unit, with members of the Belgian presidency, gave further presentations to US prosecutors and representatives of other American criminal justice agencies.

These presentations have produced a very positive response. The United States have nominated, with immediate effect, their liaison magistrate based in Paris to have specific responsibility to work with provisional Eurojust and later the definitive Eurojust unit. A senior member of staff from the US Department of Justice has also been appointed as the Washington-based contact point for communications with the provisional Unit.

The Canadian Ministry of Justice has also appointed liaison magistrate with similar specific role. She will take up her post in Brussels in January 2002.

As part of our liaison work with the USA and other countries on terrorism and other issues a number of blockages relating to mutual legal assistance and extradition have been identified. These are set out in the section of this report dealing with operational work.

FINAL OBSERVATIONS

While the provisional Unit was preparing this report, the JHA Council adopted the instrument creating the definitive Eurojust on 6th December 2001. Apart from the tasks set out in the Decision its adoption will give Eurojust the capacity to discharge a number of responsibilities which it has been allocated within the European Judicial framework:

1. Eurojust is to deliver an opinion in the event of a multiple request for the same person if such a question is submitted to Eurojust (article 16 of the proposal for a Council framework decision on the European arrest warrant and the surrender procedures between the Member States doc. 14207/01).
2. Eurojust should be informed of the reasons for the delay in the execution of an arrest warrant in a Member State (article 17 of the doc. 14207/01).
3. Article 10 of the Protocol to the Convention on Mutual Assistance in Criminal Matters between the Member States of the EU⁶ enables the competent authority of the requesting Member State to report any problems encountered in relation to the execution of a request for information on bank accounts to Eurojust.

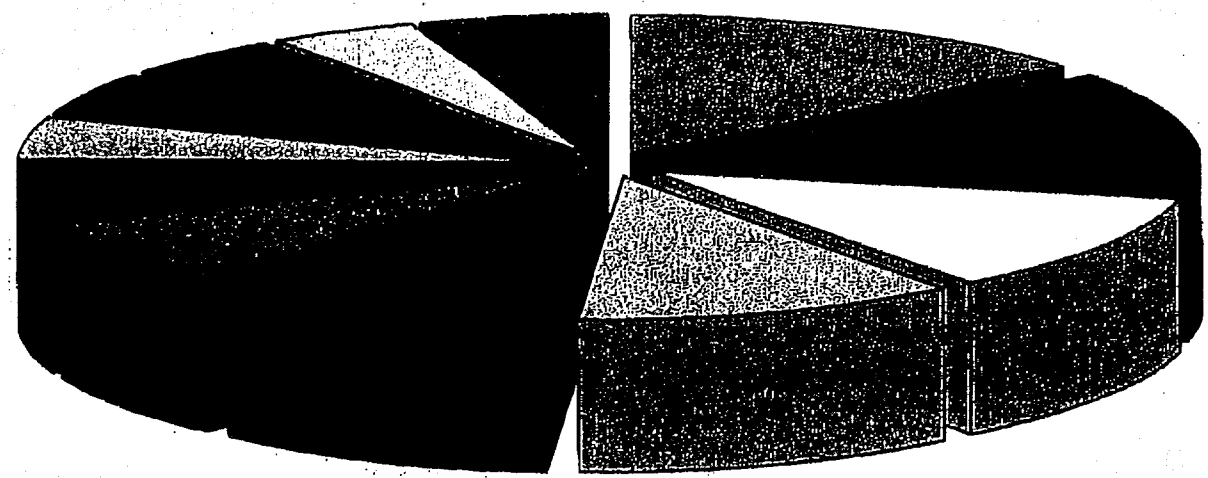
Eurojust will also play an important role in the transmission of mutual legal assistance requests from third countries in the framework of an agreement based on the articles 24 and 38 of the TUE on international co-operation in criminal matters (articles 1 and 13 of the doc. 12276/2/01 rev.2 CRIMORG 102).

Eurojust will also contribute to establish joint investigation teams and will take part in such teams, in accordance with Article 13 paragraph 6 of the Convention of 29 May 2000 concerning mutual assistance in criminal matters, the conclusions of the JHA Council of 20th of September 2001, and the proposal for the adoption of the framework decision on joint investigation teams (doc. 12442/01 COPEN 56, 9/10/2001) by the Council.

⁶ Council Act of 16 October 2001, in accordance with article 34 of the Treaty on the European Union.

Finally, members of the provisional Unit have commented that the central location of Pro-Eurojust was of significant practical advantage to them in their work and they express the hope that the definitive Eurojust will be similarly centrally located within Europe.

REQUESTING COUNTRIES *

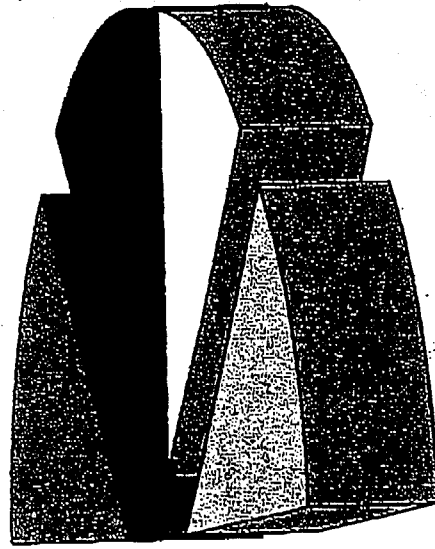


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- BELGIUM
- FRANCE
- GERMANY
- SWEDEN
- LUXEMBOURG
- SPAIN
- PORTUGAL
- AUSTRIA
- UNITED KINGDOM
- FINLAND
- DENMARK
- IRELAND
- GREECE
- NETHERLANDS

* Figures are loosely based on information generated during the level 1 meetings and are compiled by the team itself.
From 1 March to 5 December 2001.

REQUESTED OR INVOLVED COUNTRIES *

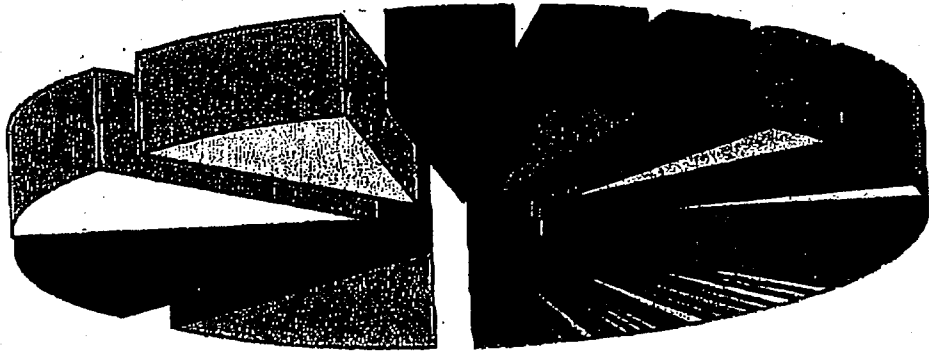
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- NORTH AFRICA
- RUSSIA
- TURKEY
- UKRAINE



46

* Figures are loosely based on information generated during the level 1 meetings and are compiled by the team itself.
From 1 March to 5 December 2001.

OFFENCES *



- MURDER
- TRAFFICKING IN ARMS
- FORGERY
- FINANCIAL CRIME
- CHILD PORNOGRAPHY ON INTERNET
- FRAUD AGAINST THE FINANCIAL INTEREST OF THE COMMUNITY
- SEXUAL ABUSE
- CRIMES AGAINST PUBLIC HEALTH
- POLITICAL AND MILITARY ESPIONAGE
- KIDNAPPING
- SMUGGLING ALCOHOL
- TRAFFICKING IN DRUGS
- TRAFFICKING IN HUMAN BEINGS
- TRAFFICKING IN VEHICLES
- TRAFFICKING IN WEAPONS
- BANKRUPTCY
- COURT ORDER
- CHILD ABUSE
- SERIOUS ASSAULT
- EXPLOITATION OF PROSTITUTION
- SERIOUS PUBLIC ORDER
- TRAFFICKING IN MEAT
- TRAFFICKING IN DIAMONDS
- CHILD PORNOGRAPHY
- FRAUD ON COMPANIES
- ILLEGAL IMMIGRATION
- TAX FRAUD
- ROBBERY
- TERRORISM
- MONEY LAUNDERING
- CORRUPTION
- THEFT
- COMPUTER CRIME
- INSURANCE FRAUD
- CRIMINAL CONSPIRACY
- EV FRAUD

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