



# Eurojust

The European Union's  
Judicial Cooperation Unit



# THE ROLE OF EUROJUST IN THE FIGHT AGAINST TERRORISM

Istanbul, 25 October 2013



# Outline

1 Introduction

2 Mission and mandate

3 Eurojust's counter-terrorism work

4 Case

# I Introduction



- EU Agency
- Permanent seat  
The Hague

# I Introduction

- 1986: Single European Act
- Establishing a single European market
- Free movement of goods, capital, services and people
- -> no boarder controls in Schengen area
- It all evolved into..

# I Introduction



28

EU States

500 million  
inhabitants



# I Introduction



Freedom  
of  
goods,  
capital,  
services,  
persons

# I Introduction

- Downside:
- Also for a criminal no more borders
- Meeting European Council 1999 in Tampere
- Aim: ‘creation of an area of freedom, security and justice in the EU, based on solidarity and on the reinforcement of the fight against trans-border crime by consolidating cooperation among authorities’



# I Introduction

- 2000: Pro-Eurojust
- 2001: Nice Treaty; Eurojust in EU-Treaty
- 2002: Eurojust

# I Introduction

- 28 National Members + desks
- (public prosecutors / investigative judges)
- 2 liaison magistrates; US & NO
- Case Analysis Unit
- Legal Service

# II Mission and mandate

## Eurojust's mission

to support and strengthen coordination and cooperation between national authorities in the fight against serious cross-border crime affecting the European Union.

(article 85 Lisbon Treaty)

## II Mission and mandate

- Mandate
- Article 4 of the Council Decision establishing Eurojust (2002/187/JHA)

# II Mission and mandate

- terrorism
- drug trafficking
- trafficking in human beings
- illegal immigrant smuggling
- trafficking in nuclear and radioactive substances
- vehicle crime
- counterfeiting and forgery
- money laundering
- computer crime
- fraud, corruption and financial crime
- environmental crime
- participation in a criminal organisation

## II Mission and mandate

Important (operational) tools:

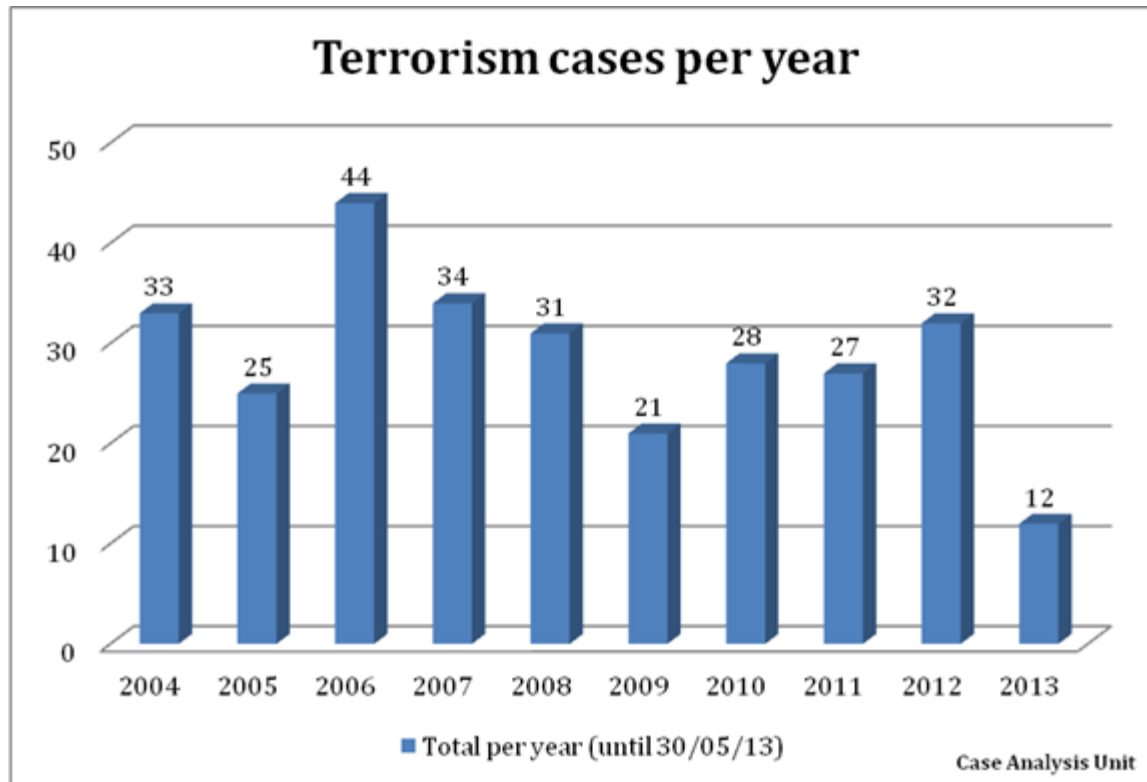
- Coordination Meeting
- Coordination Centre
- JIT

# II Mission and mandate





# III Counter-terrorism work



# III Counter-terrorism work

- In 2004, Counter-Terrorism Team
- Operational meetings, tactical meetings and strategic meetings on terrorism.
- Networking with Key Players Terrorism
- Contact with Third States
- Financing of Terrorism

# III Counter-terrorism work

## Tactical meetings

- Aim: tackle the dimension of a particular terrorism problem.
- Questionnaire and analysis of replies
- Identification of loopholes and common difficulties, but also of best practices and possible solutions and ways ahead.
- Eurojust contributes to an efficient EU legal framework. The answers to the questionnaire and the reached conclusions are shared with EU legislators, relevant legal authorities, law enforcement actors and, if possible, representatives of the private sector.

# III Counter-terrorism work

- PKK (20 MS, Turkey, US)
- Returning Foreign Fighters (14 MS + US)
- LTTE front organisations (9 MS + Sri Lanka + Norway + US + Switzerland) (Liberation Tigers of Tamil Eelam)
- VSIE/T (27 MS) (Violent Single Issue Extremism / Terrorism)

# III Counter-terrorism work

## Terrorism Conviction Monitor (TCM)

- Obligation to transmit terrorism related information to Eurojust according to Council Decision 2005/671/JHA of 20 September 2005.
- Eurojust shall provide information and feedback on the results of the processing of information, including the existence of links with cases already stored in the Case Management System (Council Decision 2009/426/JHA , Article 13a, paragraph 1).

# III Counter-terrorism work

- Feedback as a regular overview of the terrorism related judicial developments throughout the EU.
  - Open sources information.
  - Information 671/JHA/2005  
(council decision on the exchange of information (...) terrorist offences)
- General objectives:
  - Verification process.
  - Evaluate the impact of the 2002 and 2008 Framework Decisions on terrorism. Have legislation amendments affected the success of prosecutions and severity of sentences?



Internal EUROJUST Report

**Terrorism**  
**Convictions**  
**Monitor**

Issue 15 January 2013





# IV Case

“Prosecuting pirates is a problem”



# IV Case

Situation beginning of 2009:

Pirates in Gulf of Aden, ships being attacked

The Netherlands, Denmark, Germany and the US

Capture -> Disarm -> Release

Perpetrators were not being prosecuted

# IV Case

- Obstacles:
  - jurisdiction
  - timely involvement investigating judge
  - evidence gathering
  - sharing of information

Different countries facing problems

No cooperation / cohesion

# IV Case

2009

First Coordination Meeting at EUROJUST  
Maritime Piracy Case

Meeting for practitioners in the field  
Prosecutors dealing with Maritime Piracy

# IV Case

- Coordination Meeting



# IV Case

Prosecutors

(NE, BE, DE, FR, DK, IT, ES, UK, SE US, NO, SC )

Case Analysis Unit Eurojust (CAU)

Europol

Interpol

# IV Case

- Resulting in:
  - I) Exchange of best practices
    - how to conduct investigations;
    - how to deal with legal obstacles
  - II) Exchange of information

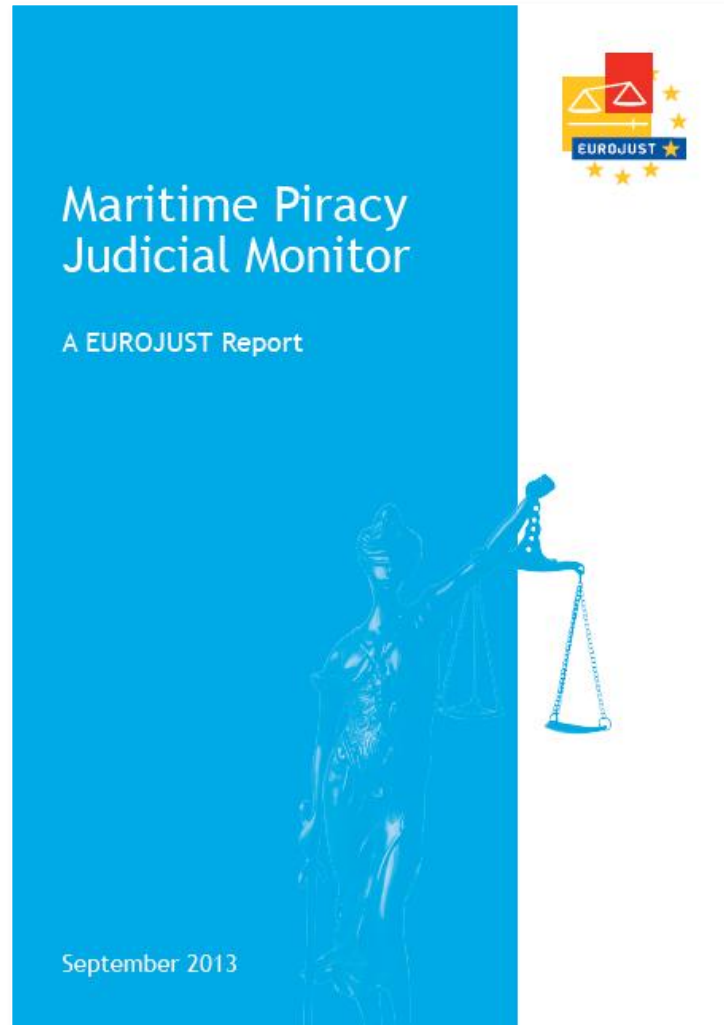


# IV Case

III) AWF Maritime Piracy  
Analysis data

IV) Maritime Piracy Judicial Monitor  
(MPJM)

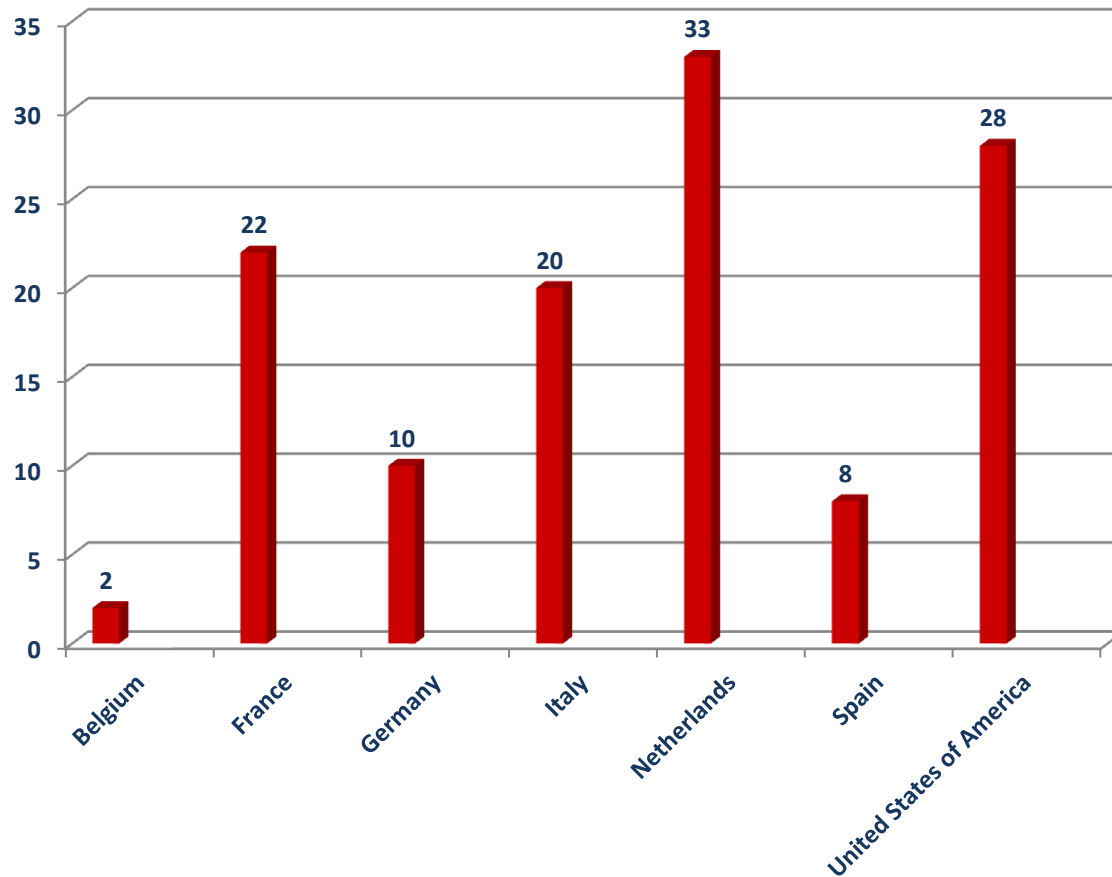
# IV Case



# IV Case

- Information on ongoing investigations, prosecutions and court decisions
- Insight into relevant developments and experiences
- Presenting common challenges, possible solutions and lessons learned
- Highlights judgments with special emphasis on issues of interest

# Prosecutions 2008 - 2012



■ Number of piracy prosecutions

THANK YOU FOR YOUR ATTENTION



# Contact Information

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