



EU Justice and Home Affairs agencies' cooperation in 2017

Final report

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Foreword

The Justice and Home Affairs (JHA) agencies' network was established in 2006 and is made up of nine European Union (EU) agencies ⁽¹⁾. The network plays key operational, coordination and advisory roles in the implementation of EU priorities and objectives in the areas of freedom, security and justice. Over the years, it has served as a forum for agencies to boost cooperation in the migration and security fields, to identify collaborative opportunities and to improve operational and technical support to Member States and EU institutions. The network deals with issues that are dynamic, multifaceted and constantly evolving: this calls on the agencies to react in a timely manner to an ever-changing environment.

The European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) had the honour of chairing the network in 2017. This report provides an insight into the main collaborative activities carried out over that period — an impressive number of inter-agency activities accomplished over the year — some 70 in the field of migration and about 80 in the area of security. The report also identifies challenges and opportunities for future inter-agency collaboration, to be taken forward by the European Institute for Gender Equality (EIGE), which will head the network in 2018.

This report shows that the sustained efforts within the JHA agencies' network during 2017 is a continuation of strong working partnerships developed, in some cases, over more than a decade, and illustrates how inter-agency collaboration and support is the way forward for Europe to face new challenges and increased demands. In a time when public resources are scarce, we must always endeavour to provide the best 'European added value' possible. In 2017, the JHA network has proven once again that the 'cluster' approach to coordinating actions undertaken by agencies by policy area can enhance mutual agency priorities. Using this approach ensures that activities, outputs and outcomes are joined up and complementary. This report clearly demonstrates how synergies between agencies lead to a clear added value for the EU Institutions and, ultimately, benefit the EU public in general.

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Conclusions of the Heads of Justice and Home Affairs agencies' meeting on 28 November 2017, Lisbon

The JHA agencies, with the support of the EU institutions and bodies, have proven their capacity to respond to the new and increasing challenges they are called to face by flexibly adjusting their working methods, building new capacities, optimising human and financial resources and, last but not least, by coordinating and implementing joint actions in their respective areas of competence. This brings them to provide added value where it is needed by maximising their efficiency and efficacy.

General points

1. The Heads of the JHA agencies called for striking a balance between the available resources and the constantly increasing expectations of their main stakeholders. The JHA agencies Directors are fully aware that the EU is facing a time of restrictions and trust that the importance of their roles will be duly taken into account in the framework of the negotiations on the EU Multi-Annual Financial Framework for 2021–2027.
2. In order for the JHA agencies to perform appropriate technical and analytical work, they depend on the exchange of high-quality data and information with the EU Member States (MSs). This exchange of data and information, combined with actions to achieve fully functioning interoperability, will greatly enhance the EU's capacity to face emerging challenges. Many tools and standards to facilitate this work already exist; full implementation needs to be assured by all actors involved to make sure they serve their purpose to the maximum of their capacity.
3. Directors agreed that in order to address new developments in the migration and security areas and links between internal and external threats, closer cooperation with non-EU countries is required. JHA agencies within their mandates, together with the European Commission and European External Action Service, will work with third countries on the exchange of best practices, capacity building, know-how and expertise and joint operational work. This should ultimately facilitate and reinforce the JHA agencies' capacity to act effectively and efficiently within the Union and beyond.

Use of cyberspace for criminal purposes (key cooperation theme for 2017)

4. The expanding influence of the internet, the exploitation of cyberspace and the transformational nature of new technologies present both challenges and opportunities for the work of the JHA agencies. Although individual JHA agencies have different mandates, expertise and priorities, these challenges are intertwined. The JHA agencies are committed to reinforce their mutual cooperation in this area by ensuring that the use of resources is maximised by further strengthening synergies.
5. Existing legislative frameworks were established before the digital age. In order to address current concerns in this field, existing legislation should be reviewed and, where necessary, adapted to provide a legal environment that is fit for purpose. The JHA agencies also noted that the judiciary and law enforcement authorities need to be equipped with the necessary tools in order to respond in a more coordinated manner to cyber criminality (e.g. on the darknet). The JHA agencies are ready to take on a supporting and advisory role on this matter.
6. JHA agencies acknowledged the importance of enhancing public-private partnerships in the field of cybercrime and cybersecurity. Building consensus on the legal framework to facilitate effective cooperation with the private sector is crucial. The JHA agencies intend to strengthen such partnerships whilst acknowledging their limitations related to mandate and resources. The JHA

agencies are of the view that concerted effort is required involving all the relevant major actors – the EU institutions and the MSs – along with the technical support and advice that the JHA agencies can provide. As one concrete follow-up action, eu-LISA will extend its roundtable events with industry to all JHA agencies.

7. Training of law enforcement officers and judicial authorities has been identified as an area that deserves further investment. A larger pool of officers with a broad set of skills – cyber expertise as well as expertise related to specific crime – is required to ensure increased operational success. A number of training activities are already in place, although the extent to which they are used should be improved. There is a need to reach out and involve all relevant actors to ensure awareness of ongoing initiatives as well as the development of new specialised and multidisciplinary training courses. The development of closer and more effective cooperation on training in this area will be followed up during the JHA agencies’ network meeting on training in 2018 and beyond.

8. A growing need to build monitoring capacity for strategic analysis and operational purposes in order to increase understanding and support operational priorities has been identified. JHA agencies Directors expressed their commitment to invest further in these areas, including monitoring the surface web, the darknet, as well as social media platforms. Some agencies underlined that conducting web-based surveys, structured data collection as well as awareness-raising and dissemination of preventive messages is a key opportunity area which needs to be expanded.

9. On a more technical level, consensus is needed on the terminology used to describe and define the different parts of cyberspaces and related crime. Individual JHA agencies have already undertaken work in this area. In order to ease cooperation and streamline activities, agencies agreed to share and merge existing experience in order to cover all terms relevant for the cyberspace ecosystem.

Migration and Health

10. In 2017, Frontex led the development of a ‘toolbox on migration’ in order to help identify gaps and opportunities for enhanced inter-agency cooperation, ranging from preventing irregular migration in third countries to capacity building and integration within the EU territory. The objective of the exercise is to strengthen the capacity of both the EU and MSs in responding to the migration crisis. In 2018, the network will continue to update the toolbox and perform a first analysis of the information it contains.

11. At the meeting, the Heads of the JHA agencies discussed the health threats facing both migrants and EU agencies’ staff and deployed experts working at the external borders and in the reception centres. Throughout the discussion, the role of the JHA agencies and the responsibilities of the EU MSs in this respect were made clear by recalling the principles of subsidiarity and duty of care. The JHA agencies recognise a need for striking a balance between the security and health aspects of migration and acknowledge the need to consider the subject from both angles. The work to develop and implement health and safety strategies tailored to addressing this problem has already started in some agencies. The JHA agencies agreed to exchange experiences amongst them to further reinforce this area of their work.

12. In the light of the conclusions of last year’s meeting of the Heads of JHA agencies regarding child protection in the context of migration, which was tabled by FRA, the Directors deemed important to continue the discussion on health and migration in 2018 and on the most vulnerable groups of migrants, in particular unaccompanied children and women.



13. The JHA agencies also agreed to create an inventory of existing materials and guidelines developed by the EU and International Organisations on occupational health, prevention and training tools that could be applied to the staff deployed to work in the reception centres. Here it would be important to consider the possibility of involving relevant partners such as DG Santé, ECDC and EU-OSHA.



Introduction

For several years now, the area of justice, freedom and security has witnessed a number of challenges related to the continued arrival of an unprecedented number of migrants and refugees to Europe; security threats at home and abroad; and the beginning of the negotiation process with the United Kingdom on Brexit.

In such difficult times, the need for strong collaboration and joint efforts is particularly apparent. The nine Justice and Home Affairs (JHA) agencies (CEPOL, EASO, EIGE, EMCDDA, eu-LISA, Eurojust, Europol, FRA and Frontex), together with their partners inside and outside the European Union (EU), acted to meet these challenges by fostering more intense bilateral and multilateral cooperation, creating synergies and, where necessary, adapting their work and activities to better serve their core mandates.

In 2017, several policy and legislative developments took place to better address the new threats posed by both organised crime and the actions of individuals. To ensure full efficiency of the instruments already in place, the revision of the European Agenda of Security took place. During the year the agencies actively contributed to the assessment process by providing their expertise and practical experience. The publication in March 2017 of the *European Union Serious and Organised Crime Threat Assessment 2017* (SOCTA 2017) by Europol — in cooperation with the EMCDDA, Eurojust and Frontex — resulted in the adoption of the new EU Policy Cycle for organised and serious international crime, including the elaboration of the relevant Multi-Annual Strategic Plans (MASPs), for the period of 2018–2021 as well as the Operational Action Plans (OAPs) for the year 2018.

The recent terrorist attacks in London, Stockholm, Manchester, Paris, Barcelona and Turku resulted in the deaths of dozens victims and left hundreds more injured. It highlighted the focus on soft targets (public areas and events) and led to calls for enhanced measures to protect EU citizens. A number of new policy instruments were introduced: the Directive on combating terrorism was adopted on 15 March 2017; the Firearms Directive was revised followed by its adoption on 17 May 2017; and the revision of the EU Regulation on explosives precursors was launched on 30 May 2017. In the area of countering terrorism, the agencies updated the JHA agencies' toolbox to address the phenomenon of foreign terrorist fighters (FTFs). Furthermore, CEPOL, Eurojust, Europol and FRA are members of the newly established High-Level Commission Expert Group on Radicalisation (HLCEG-R), tasked with strengthening capacity and know-how on anti-radicalisation measures. Also this year, the new EU Action Plan on Drugs 2017–2020 was adopted in July, emphasising the need to explore the links between drugs, terrorism, migration, and people smuggling and trafficking in human beings (THB).

The large-scale global cyber-attack on 12 May 2017 has once again highlighted the urgent need for the EU, its agencies and Member States to step up their actions to combat the growing threat of cybercrime, focusing also on detection and deterrence. Europol and its European Cybercrime Centre (EC3) are playing a major role in this area. In 2017, they contributed to successful enforcement operations, closing down two major criminal dark web markets. The newly established European Judicial Cybercrime Network (EJCN), with the support of Eurojust, is now fully operational, and CEPOL has increased its training activities in this domain. The internet and cybercrime were also at the centre of the work of the JHA agencies in 2017 with an expert meeting and a conference organised in Lisbon in April.

The continued arrival of significant numbers of migrants and refugees at the borders of the EU resulted in JHA agencies, EU institutions and Member States strengthening their common endeavours to address this situation. In 2016, legislative efforts defined the establishment of new systems to secure the external borders, including the EU Entry/Exit System (EES) and the European Travel



Information and Authorisation System (ETIAS). In 2017, both EES and ETIAS remain high on the agenda of priorities, although significant progress has already been made with inter alia the Council final adoption of the EES Regulation on 20 November. Other relevant legislative efforts are the proposal for a European Criminal Records Information System for third country nationals (ECRIS-TCN), the entering into force of the amendments to the Schengen Borders Code on 7 April 2017, the continued support to the Member States in implementing the Passenger Name Record Directive (PNR Directive) as well as ongoing initiatives regarding the exchange of PNR data with third countries (TCs). The JHA agencies continued their operational role in the 'hotspots' in Greece and Italy, through close inter-agency cooperation and by providing support to those two Member States to help fulfil their obligations under the asylum and migration *acquis* and assist with investigations and prosecutions related to the smuggling of migrants. Progress has also been made in breaking the business model of smugglers on all major migration routes to Europe, where JHA agencies, together with relevant Common Security and Defence Policy (CSDP) missions, played an important role. Tackling smuggling is also a core part of the Partnership Framework approach and, for example, EU support to the strong commitment of the Nigerian government has resulted in a decrease in the number of irregular migrants transiting through Agadez, Niger, from 340 per day on average in 2016 to 40-50 per day in 2017. Significant progress has also been made in establishing migration partnerships with other Western African countries, as part of the effort to reduce pressure on the central Mediterranean route.

In response to major policy developments in the fields covered by justice and home affairs, continued reforms of JHA agencies have taken place with the new Europol Regulation entering into force on 1 May 2017, the adoption of the European Public Prosecutor Office Regulation in October, and the significant advancement in the legislative process of the new Eurojust Regulation, a proposal to revise the eu-LISA mandate published in June and ongoing efforts to change EASO into the EU Agency for Asylum. The new legislative package on new psychoactive substances (NPS) was adopted on 10 November 2017, and the EMCDDA founding Regulation was adopted accordingly on 21 November.

Preamble

JHA agencies focused their bilateral and multilateral activities around two main levels of cooperation in 2017 (thematic and horizontal), which were broken down further into priority areas:

1) Thematic, policy-driven operational cooperation in the fields of asylum and migration, security and organised crime, with a focus on fundamental rights and gender equality as cross-cutting aspects.

- strengthen technical and operational work and the exchange of information between the JHA agencies, within the limits of their mandates, with a view to responding in a timely and proactive way to a dynamic and changing situation in the areas of migration and internal security;
- address the expanding influence of the internet and the transformational nature of new technologies and their impact on the JHA field and the work of the agencies.

2) Horizontal cooperation on issues such as coordination and information exchange, training, external relations with third countries (TCs) and communication activities.

- continue to increase synergies in all areas linked to operational responses, such as delivery of training and sharing of best practice in this area, ICT and cybersecurity and the exchange of relevant data and analytical tools;
- enhance coordination and better use of resources in developing technical and operational cooperation with non-EU countries, within the limits of the agencies' mandates, in close cooperation with the European Commission (EC) and the European External Action Service (EEAS);
- communicate the work of the network in the areas specified in order to enhance its visibility and added value, in particular among its main stakeholders, such as the EU institutions, the national authorities and the general public.

This report is structured around these main headings, comprising the network's seven priorities in 2017. The report concludes with a summary of priorities for joint actions in 2018. An overview of joint activities can be found in the scorecard (Annex 1). Following established practice, the training activities of the JHA agencies of the previous year (i.e. 2016) are set out by the JHA Training Matrix Report prepared by CEPOL (Annex 2) with particular focus on training activities jointly implemented by the agencies.

1. Implementation of thematic priorities in 2017

1.1 Migration, asylum and border management

Strengthen collaboration among the JHA agencies and increase effectiveness of joint activities in the area of migration, asylum and border management. Support the Member States and EU institutions in implementing the European Agenda on Migration ⁽²⁾

Agenda on Migration ⁽¹⁾

The arrival of an unprecedented number of migrants and refugees to Europe since 2015 called for intensified work at the national, regional and international levels. This, together with a number of legislative proposals, had a great impact on the work of the JHA agencies. They provided information, advice and support in relation to policymaking in the field of migration and border management and effective operational support to Member States' border control authorities.

The year 2017 saw a continuation of technical support provided by the JHA agencies to the implementation of the European Agenda on Migration in all four priority areas: (1) irregular migration, (2) border management including security checks, (3) asylum policy and (4) legal migration. In 2017 the agencies also contributed to the mid-term review conducted by the EC in order to assess what has been achieved so far in delivering the agenda.

On 3 February 2017, the European Council adopted the Malta Declaration on external aspects of migration, in particular addressing the central Mediterranean route. The Malta Declaration includes commitments to strengthen the support to and cooperation with third country partners (such as Libya) as well as international organisations (such as the International Organization for Migration (IOM) and the United Nations High Commissioner for Refugees (UNHCR)). The follow-up was decided by the Committee of Permanent Representatives in the European Union (COREPER) and involves several JHA agencies providing training and support. Furthermore, actions decided in the Malta Declaration were further developed by the Action Plan adopted on 4 July 2017 to support Italy, reduce pressure and increase solidarity. The Action Plan sets out a series of measures that can be taken by the EU Member States, the Commission, the EEAS and JHA agencies.

Throughout the year, JHA agencies worked together on some 70 ⁽³⁾ activities in the area of migration, asylum and border management (see Annex 1 of the report). The activities related to the implementation of the European Agenda and covered information exchange, training and expert contributions to policymakers.

⁽²⁾ https://ec.europa.eu/home-affairs/what-we-do/policies/european-agenda-migration_en

⁽³⁾ The number will be updated when all the JHA agencies have contributed to the scorecard. It is important to highlight that at present this figure is only an estimate based on the information provided in the scorecard; however, the list is not exhaustive and the number is most probably underestimated.

Key joint activities and achievements

Child protection

In 2015 and 2016, 30% of asylum applicants in the EU were children. At last year's Heads of Agencies' meeting, it was recognised by all present that the agencies' work engages children and that further collaboration is needed to address the issues of unaccompanied and missing children, particularly in light of the increased number of children arriving undocumented in the EU. Following up on this commitment, FRA and Frontex finalised a video on child protection issues for border guards deployed in operational areas including hotspots to raise awareness on this topic. The 'VEGA Handbook: Children at airports' for border guards at airports led to the release of a video on 'VEGA children' ⁽⁴⁾. Furthermore, with support from FRA, Frontex is developing a similar tailor-made VEGA Children Handbook for sea and land borders. Frontex organised a kick-off meeting on the development of training material on child protection on 18–19 July 2017, which was also attended by representatives from FRA and EASO. The participants identified existing training materials in the field of child protection and discussed the potential target group and learning outcomes of the future training. Frontex is also revising its Fundamental Rights Strategy, which will include a focus on child protection. In Italy, EASO, with the support of FRA, is assisting national authorities in the training of newly recruited volunteer guardians of unaccompanied minors, with the first training session held in Florence in October 2017.

Moreover, EASO is developing a number of support tools for authorities dealing with asylum-seeking children: 'EASO Guidance on Reception Conditions for Children: operational standards and indicators' ⁽⁵⁾ and 'EASO Practical Guide on Best Interests Assessment' ⁽⁶⁾. EASO is also finalising the 'EASO Practical Guide on Age Assessment'. All initiatives are supported by FRA, which provides input as part of a reference group.

People smuggling

The European Agenda on Migration and the EU Action Plan against migrant smuggling, adopted in 2015, identified the need to better prioritise prevention and the fight against migrant smuggling, including reducing irregular migration and loss of life in the Mediterranean. EU Member States look to the agencies to support them in their difficult tasks of dismantling organised criminal groups and to ensure sound judgements. In 2016, Europol set up a dedicated European Migrant Smuggling Centre (EMSC), designed to help address these challenges; the operational (content-related) effectiveness is strongly supported by Frontex (e.g. providing information packages containing personal data). EU cooperation platforms on migrant smuggling to more effectively target interventions in high-priority locations have already been launched in Nigeria and Pakistan.

⁽⁴⁾ <https://www.youtube.com/watch?v=TW1fdpBiolQ>

⁽⁵⁾ <https://www.easo.europa.eu/sites/default/files/EASO%20Guidance%20on%20reception%20conditions%20-%20operational%20standards%20and%20indicators%5B3%5D.pdf>

⁽⁶⁾ <https://www.easo.europa.eu/training-quality/vulnerable-groups>



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Eurojust and Europol work closely together in operational cases dealing with migrant smuggling. Europol participated in several coordination meetings organised at Eurojust at which national judicial and law enforcement authorities exchanged information and reached agreement on their cooperation and on the coordination of investigations and prosecutions at national level.

Each year various JHA agencies are extensively involved in the OAPs drafting, among them the Facilitation of Illegal Immigration and THB EU Policy Cycle Priorities. In 2017, under the new EU Policy Cycle, both MASPs and OAPs were prepared. A number of Operational Actions within 'Facilitation of Illegal Immigration' EU Policy Cycle Priority, co-driven by Frontex aimed at dismantling the criminal networks behind people smuggling. Specifically, out of 24 actions, Frontex led/co-led nine and participated in eight. These activities included Joint Action Days (JADs). In addition, with the support of eu-LISA, a training activity was held in Tallinn in cooperation with the EC and Member States on Schengen Information System (SIS) II and European Dactyloscopy (EURODAC) in the context of 'Facilitated Illegal Immigration' counteractions. Frontex and Europol are mutually supporting each other in the organisation and implementation of Joint Action Days under the umbrella of the EU Policy Cycle and providing joint support to the French leadership of the Horizontal Expert Group on document fraud (as cross-cutting priority).

Eurojust organised a meeting with practitioners from the EU Member States to discuss what judicial authorities can do to investigate migrant smuggling more efficiently and effectively, to share experience and best practice and to further develop the EU response. The meeting was attended by representatives of the EC, the EEAS, EUNAVFOR MED (European Union Naval Force Mediterranean), Europol and Frontex. The meeting concluded *inter alia* on the necessity to take the judicial dimension into consideration at an early stage while collecting and storing information/material, so that the latter can turn into admissible evidence if and when relevant.

Information exchange

In 2017, JHA agencies continued to collect data and exchange information within the network and with the EC with the aim of developing better-informed analysis, operational work and decision-making processes. EASO, Frontex, eu-LISA and FRA continued sharing monthly reports with the EC, and Frontex continued its work on sending analytical packages to Europol based on personal data collected during its joint operations. Frontex and Eurojust are enhancing their cooperation by working on developing a solution to transmit personal data to Eurojust. Frontex continues to perform risk analysis to publish its Annual and Quarterly Risk Analysis Reports on the irregular migration phenomenon. It also regularly provides reports pinpointing specific regions or issues. These are prepared using its risk analysis networks which are either thematic (the European Document Fraud-Risk Analysis Network (EDF-RAN)), or geographical (linked to specific Third Countries or regions (e.g. Western Balkans, Eastern Partnership, Turkey RAN reports and Africa-Frontex Intelligence Community Joint Reports)). The reports are shared via the Europol Platform of Experts for the Facilitation of Illegal Immigration. On a monthly basis, EASO also produces and shares Country Intelligence Reports on pull, push and enabling factors related to asylum and migration for selected key countries of origin or transit. FRA continued to publish monthly updates on the fundamental rights situation of people arriving in 14 EU Member States (MSs) in 2017. Some of these FRA reports covered thematic topics that are also of interest to other JHA agencies such as EIGE and the EMCDDA, including, for example, lesbian, gay, bisexual, transgender and intersex asylum seekers; torture, trauma and its possible impact on drug use; and oversight of national reception facilities. EASO produces weekly reports on migration-related information gathered from social media and other open sources in Arabic- Pashto/Dari- and Tigrinya-speaking communities. EASO is in contact with,

and cooperates with, Europol, and other relevant EU agencies and stakeholders, in order to ensure productive communication and follow up on the findings. CEPOL, EASO, Eurojust, Europol, Frontex and FRA regularly share information with the EC on their activities relating to combating migrant smuggling. Further, FRA in cooperation with the Frontex Fundamental Rights Officer has supported the evaluation of EUROSUR from a fundamental rights perspective, focusing on the potential for search and rescue and data protection.

Hotspots

The agencies continue to work together closely in operational activities related to the hotspot approach implementation in Italy and Greece in the framework of the European Migration Agenda. In 2017, EASO, Frontex and Europol were intensively involved in assisting MSs in better managing the flows of migrants, improving the management of the EU's external borders and increasing the effectiveness of asylum and return procedures. FRA staff regularly visited the hotspots in Greece and Italy, providing fundamental rights expertise to actors on the ground, and flagging gaps, promising practices and protection risks. The agency complemented this work through targeted capacity-building activities, such as workshops on the protection of children and persons in a vulnerable situation, organised in partnership with UNHCR in some Greek hotspots. Together with the national authorities, the EC, EASO, Europol, FRA and Frontex held a workshop in Messina in October 2017 to ensure the smooth running of the new hotspot. Similarly, EIGE provided expertise on gender equality with a particular focus on women/girls as victims of crime. Europol is also active in the hotspots, with experts employed in both Greece and Italy on disembarkation procedures, focusing on prevention of migrant smuggling. More specifically, over the last year, Europol made increasingly use of 'guest officers', national law enforcement personnel trained by Europol, with the view to strengthen the security checks on the inward flows of migrants, in order to identify suspected terrorists and criminals. Eurojust has designated judicial contact points at the hotspots in Greece and Italy to channel relevant information and cases to Eurojust's National Desks for judicial follow-up and coordination at EU level.

EASO and Frontex signed an annual cooperation plan during their first joint Management Board meeting in Malta on 8 February 2017, at which eu-LISA and Europol were also represented. As a follow-up, Frontex and EASO are exploring a coherent approach to the implementation of the hotspots, including joint Standard Operational Procedures to the Migration Management Support Teams (MMSTs), taking into account the relevant guidelines from the EC. Cooperation between the agencies in hotspots in Greece and Italy, exchange of data and analysis on migration and asylum in the EU and future cooperation in the light of the reform to the legal basis of Frontex and EASO were some of the items on the agenda of the meeting. eu-LISA, EASO and Frontex are continuing their cooperation on issues relating to asylum and to identification and registration, to assist those MSs facing disproportionate migration pressure at their borders, by providing knowledge and expertise (follow-up to the previous pilot project for registration).

Training

A number of training initiatives are undertaken jointly by JHA agencies in the migration field. Detailed information is provided in the training section of this report (see section 2.2). However, it is important to mention that in 2017 FRA and Frontex collaborated on return monitoring training as part of a project led by the International Centre for Migration and Development (ICMPD) to set up a European pool of return monitors with unified European approach and procedures. CEPOL, Frontex, FRA and eu-LISA supported the training of Schengen evaluators, with Frontex and eu-LISA developing an e-learning



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module on Schengen Evaluation (SCHEVAL), and eu-LISA and EASO explored the possibility of collaborating on training on the new Dublin Regulation and EUODAC. CEPOL, in close cooperation with other agencies, also provided a range of training on people smuggling and EU external border policy to the EU law enforcement audiences. eu-LISA experts contributed to the development of Frontex harmonised training sessions on Automated Border Control (ABC) solutions and attended a dedicated training on vulnerability assessment and testing for ABC. Frontex and CEPOL joined efforts to prepare the curricula for specific training courses on the prevention of migrant smuggling.

Challenges and opportunities for joint cooperation

The Toolbox on Migration is a new tool established by the network in 2017, with Frontex leading the work. The purpose of the toolbox is twofold: (1) to enhance shared understanding among JHA agencies of the other agencies' roles at various stages of the migration cycle and to assess possible gaps and to identify areas to further cooperation; and (2) to raise awareness of the role of JHA agencies and give visibility to their contribution to migration policies among other EU actors. The structure of the toolbox has been agreed by the network members and was presented at the Heads of Agencies meeting in November. In 2018, the network will continue to input information in the toolbox and perform a first analysis of the information.

In 2017, the EMCDDA suggested a discussion on health and migration issues within the network, with the possibility of the EMCDDA acting as a bridge between JHA and Health agencies. A mapping exercise was carried out, which provided insight into the ongoing work already undertaken by the JHA agencies in the health area. For example, FRA has published a report on healthcare practices and access to health services for migrants in selected MSs ⁽⁷⁾, and in 2017 published a paper titled '*Current migration situation in the EU: Torture, trauma and its possible impact on drug use*' ⁽⁸⁾. The agency also looked at the health risks among vulnerable groups of immigrants. Frontex addressed the issue of health risks in its Risk Analysis Reports of 2015 and 2016 and developed an Occupational Safety & Health Policy and a Mental Health Strategy directed at persons deployed in Joint Operations (JO), including hotspots. In addition, Frontex continues to closely cooperate with the EU's Consumers, Health, Agriculture and Food Executive Agency (CHAFEA) and the Directorate-General for Health and Food Safety (DG SANTE), namely in the Joint Action 2017 '*Preparedness and action at points of entry (ports, airports, ground crossings)*', part of the EU Health Programme 2014-2020. The EMCDDA published *Health and Social Responses to Drug Problems: a European Guide* on 24 October 2017, focusing on the situation and the needs of immigrants related to drug problems. Moreover, migration and drugs were a key issue discussed at the annual meeting of the EMCDDA Reitox network ⁽⁹⁾, attended by representatives from the Western Balkans and European Neighbourhood Policy (ENP) countries, as well as from countries in Central Asia and from the Russian Federation and Switzerland, and supported by Frontex. The Directors of the JHA agencies discussed the health of migrants, including vulnerable groups such as unaccompanied minors and women, and the health risks for the staff of the JHA agencies on the ground, based on the JHA agencies' experiences and aiming at

⁽⁷⁾ <http://fra.europa.eu/en/publication/2012/migrants-irregular-situation-access-healthcare-10-european-union-member-states>.

⁽⁸⁾ <http://fra.europa.eu/en/publication/2017/february-monthly-migration-focus-torture>

⁽⁹⁾ Réseau Européen d'Information sur les Drogues et les Toxicomanies.



analysing specific implications for the work of the agencies and potential topics for joint collaboration (more information on this can be found in section 3 of the conclusions from the Director’s meeting).

In September 2017, the EC presented the conclusions of the mid-term review of the European Agenda on Migration, identifying key areas where further efforts will be needed in the coming months. The JHA agencies will be involved in a number of follow-up activities in different areas, for example improving the work and the potential of the hotspots approach, addressing the needs of vulnerable groups (unaccompanied minors and women in a vulnerable situation in particular) or increasing synergies in information exchange and interoperability of IT systems in full compliance with fundamental rights.

In response to major policy developments in fields covered by Justice and Home Affairs, the JHA agencies’ mandates have been revised, the establishment, already in 2016, of the European Border and Coast Guard Agency (Frontex) shifting the integrated management of the EU external borders from solely national competences towards a shared responsibility of MSs and Frontex; the new Europol Regulation entering into application on 1 May 2017, the adoption of the EPPO Regulation, the new Eurojust Regulation’s legislative process advancement, a proposal to revise the eu-LISA mandate published in June and ongoing efforts to change EASO into the EU Agency for Asylum. These changes will have an impact on the work of the agencies and how they cooperate which needs to be further discussed and worked out in the future.

The challenge of strengthening the judicial response to the smuggling of illegal migrants and the transfer of relevant information from front-line EU agencies to judicial proceedings, often highlighted by Eurojust, can be facilitated by exploring the possibilities for concluding a cooperation agreement between Eurojust and Frontex that would allow the exchange of personal data.

1.2. Internal security

Strengthen and foster inter-agency cooperation, while ensuring increased synergy and coherence — in priority areas such as terrorism, serious and organised crime and cybercrime — in order to support implementation of the areas covered by the Renewed EU Internal Security Strategy 2015–2020 ⁽¹⁰⁾ and the European Agenda on Security ⁽¹¹⁾

In 2017, a number of important policy and institutional developments and processes took place in the security area. These involved, for example, the comprehensive assessment of the EU security policy being carried out by the Directorate-General for Migration and Home Affairs (DG HOME) with the participation of all JHA agencies by means of a questionnaire and thematic seminars. CEPOL, Eurojust, Europol and FRA are members of the newly established HLCEG-R. This group is tasked with strengthening capacity and know-how on anti-radicalisation measures.

The EU Policy Cycle for organised and serious international crime, which proved to be an effective mechanism for increasing operational cooperation and delivering more coordinated strategic directions and joint operational activities on the ground (also with TCs), came to an end in 2017. Based on the findings of SOCTA 2017, in May the Council presented priorities for the EU Policy Cycle for organised and serious international crime for the period 2018–2021 ⁽¹²⁾. They identified 10 EU crime priorities: cybercrime; drugs; facilitated illegal immigration; organised property crime; THB; excise and missing trader intra-community fraud; firearms; environmental crime; criminal finances and money laundering; and document fraud. The last two have been indicated as the cross-cutting, horizontal area, applicable in other EU Policy Cycle Priorities. In September–October, the MASP and OAP drafting took place, assisted by the Europol EMPACT Support Team.

Security continued to be closely linked to the field of asylum, migration and border management, as well as organised crime. JHA agencies — although they have different roles to play — contribute in a multiplicity of ways to the implementation of key policy instruments. Throughout the year, the agencies cooperated in about 80 ⁽¹³⁾ activities (see Annex 1 of this report), working together to support the MSs and the EU institutions to ensure security and to contribute to the implementation of the EU Policy Cycle relating to serious and organised crime.

⁽¹⁰⁾ <http://data.consilium.europa.eu/doc/document/ST-9798-2015-INIT/en/pdf>

⁽¹¹⁾ <http://www.europarl.europa.eu/cmsdata/125863/EU%20agenda%20on%20security.pdf>

⁽¹²⁾ <http://data.consilium.europa.eu/doc/document/ST-7704-2017-INIT/en/pdf>

⁽¹³⁾ The number will be updated when all the JHA agencies have contributed to the scorecard. It is important to highlight that at present this figure is only an estimate based on the information provided in the scorecard; however, the list is not exhaustive and the number is most probably underestimated.



Key joint activities and achievements

Organised crime

Intensive work towards the implementation of the Operational Action Plans (OAPs) in the framework of EMPACT (European Multi-Disciplinary Platform against Criminal Threats) with the participation of CEPOL, Eurojust, Europol, EMCDDA, Frontex and eu-LISA continued in 2017. The preparation and organisation of JADs under the EU Policy Cycle and joint engagement in operational actions under thematic operational action plans allowed JHA agencies to collaborate more effectively and practically. For example, Frontex has been actively engaging in JADs whose aim is a short-term targeted strike of criminal structures across Europe by means of a multi-agency approach, bridging the police, border police and customs authorities. These activities included three thematic JADs coordinated by the agency, JAD Danube 2 (June), JAD Aeolos (September) and JAD Dual (October), aimed at dismantling the criminal networks behind people smuggling took place in the last year. All the JADs coordinated by Frontex have been co-led by one of the Member States and extensively supported by Europol. JHA agencies are also involved in the EU Policy Cycle/EMPACT Firearms Priority, thus contributing to counteract the use of firearms for terrorist attacks.

For example, Frontex also co-led Firearms-FII WB JAD led by UK, and supported Large-Scale JAD (LS-JAD) and Global Arline Action Day both led by Europol. Frontex, with the good support of Europol, provided support to the detections and investigations in domains such as facilitated illegal immigration, organised property crime (stolen vehicles smuggling), excise fraud, firearms trafficking and THB.

Eurojust participated in all EMPACT crime priority areas to increase judicial support to the related OAPs, by facilitating coordination meetings, setting up Joint Investigation Teams (JITs) and identifying judicial contact points in relevant TCs. Eurojust participated in all JADs and in the LS-JADs.

In March 2017, Europol published SOCTA 2017, with contributions from the EMCDDA, Eurojust and Frontex. SOCTA 2017 identified eight priority crime threats to the EU and built a basis for a discussion in the Council for new priorities of the EU Policy Cycle on organised and serious international crime 2018–2021. They have been consequently set in May 2017.

Counter-terrorism

In 2017, the agencies updated the JHA agencies' toolbox to address the phenomenon of FTFs. The latest version of the toolbox, which was first drafted by the JHA agencies in 2015, provides an up-to-date overview of the role of each agency and the measures they contributed to the overall policy objectives related to the prevention, investigation and prosecution of FTFs, in addition to measures that JHA agencies take to follow up and cooperate with TCs.

On 29 June 2017, Eurojust presented to the European Parliament's Committee on Civil Liberties, Justice and Home Affairs (LIBE Committee) the findings of the report entitled *Foreign Terrorist Fighters: Eurojust's Views on the Phenomenon and the Criminal Justice Response*, issued in December 2016. This annual report was an update on the criminal justice response to the FTF phenomenon, including an overview of legislative developments in the MSs in the field of counter-terrorism, and recommendations to reinforce the effectiveness of investigations, prosecutions and judicial cooperation with support from Eurojust. The report was shared with the Council, the



Commission, the EU Counter-Terrorism Coordinator (EU CTC), Europol and other relevant stakeholders. On 31 May–1 June 2017 Eurojust organised the annual meeting of the Eurojust national correspondents for terrorism matters discussing the judicial response to the foreign terrorist fighter phenomenon. The meeting was also attended by the EU CTC, the Head of the European Counter-terrorism Centre (ECTC) at Europol and a representative from Frontex.

There has been ongoing work by Frontex to support the implementation of common risk indicators (CRIs) for FTFs by means of border control. Frontex developed a booklet for the operationalisation of the CRIs (a tool for first-line border checks). The CRIs booklet aims to complement the detailed and classified CRIs for foreign terrorist fighters, which were collated by DG HOME and the Dumas working group (set up in October 2015 to deal with the issue of FTFs) for checks conducted at border crossing-points in 2015. In 2017 the booklet was translated into several EU languages (Greek, Bulgarian, Hungarian, Italian, French, German) and regional versions for the neighbouring countries were developed by Frontex in the local language. The operationalisation of CRIs is done by Frontex building on the Indicators developed and updated in cooperation with Europol.

Frontex is also processing and transmitting to Europol data packages including personal data of people suspected of involvement in the smuggling of migrants, THB, terrorism and other forms of cross-border crime using the Secure Information Exchange Network Application (SIENA) tool.

On 15 June 2017, Europol published the 2017 *EU Terrorism Situation and Trend Report (TE-SAT)* — which, among others, relies on quantitative and qualitative data provided by Eurojust — providing a comprehensive overview of the nature of terrorism that the EU faced in 2016, its evolving modus operandi and detailed insight of the terrorist attacks that occurred.

Eurojust and Europol signed on 26 October an agreement on the temporary placement of a Eurojust representative to the ECTC.

Cybercrime

The large-scale global cyber-attacks in 2017 have once again highlighted the urgent need for the EU, its agencies and the MSs to step up their actions to combat the growing threat of cybercrime and cyber-attacks, focusing also on detection and deterrence. This topic was debated at the JHA agencies' network's expert meeting and conference entitled 'The expanding influence of the internet, the exploitation of cyberspace and the transformational nature of new technologies — challenges and opportunities for the work of the JHA agencies', where representatives from all the agencies shared their views on challenges and opportunities of new technologies and how to further strengthen cooperation and joint activities in this area.

The EJCEN, established by the Council Conclusions of 9 June 2016, met twice, on 6–7 April 2017 and 11–12 October 2017, in The Hague and adopted its work programme centred on the issues of access to electronic data, data retention, encryption and emerging topics such as virtual currencies and undercover investigations online. These meetings were attended by the EC, the Council, Europol/EC3 and the European Judicial Network.

Several JHA agencies were involved in the EC's information collection on the role of encryption in criminal investigations. Eurojust (together with the EC and the EJCEN), Europol and FRA organised expert workshops to map the existing challenges and capabilities and to discuss the implications of possible ways of addressing encryption.

In September 2017, Europol published the *2017 Internet Organised Crime Threat Assessment* (IOCTA)', which reports on how cybercrime continues to grow and evolve. The report stresses that, while many aspects of cybercrime are firmly established, other areas of cybercrime have witnessed a striking upsurge in activity, including attacks on an unprecedented scale, as cybercrime continues to take new forms and new directions. In addition, eu-LISA issued a report on modern technical approaches to improving IT- and cyber- security as one of its biannual reports on research and technology monitoring. (For more information on cybercrime, see section 1.3.)

Trafficking in human beings

Concerning the fight against THB, JHA agencies' cooperation continued in the framework of regular meetings organised by the EU Anti-Trafficking Coordinator. Throughout the year, JHA agencies also contributed to the Matrix that has been developed by the Office of the Anti-Trafficking Coordinator and which outlines joint JHA activities to counter THB. In 2017, JHA agencies supported the EC's efforts to prioritise prevention and responses to THB in the hotspots, with Frontex carrying out a series of training courses on Greek islands and FRA compiling an overview table on measures in place to prevent and respond to sexual and gender-based violence.

A number of Operational Actions and JADs on THB were prepared and implemented under the THB EMPACT priority. Others were also undertaken in conjunction with the Facilitated Illegal Immigration EMPACT priority and with the participation of Europol, Frontex and Eurojust.

The final evaluation report on the Implementation of the Eurojust Action Plan against THB 2012–2016 was presented in January 2017. It highlights the complexity of THB-related cases, which involve increasingly well-organised groups who target vulnerable victims and cooperation with Europol in the field of THB. It refers also to a significantly increased number of JITs on THB, including JITs supported by Europol. In March 2017, Europol presented the one year European Migrant Smuggling Centre's activity report to LIBE that provides an overview of the latest trends in the migrant smuggling European criminal landscape.

Finally, a large part of training on THB and various aspects of organised crime is coordinated by CEPOL, and provided with support from Europol, FRA, EIGE, Frontex and Eurojust. CEPOL, in cooperation with Europol, organised a residential training activity on financial investigation and asset recovery for THB investigations. A webinar took place with FRA involvement on criminal forms of labour exploitation in the EU and an online module on THB is being prepared with FRA, EIGE, Europol, Eurojust and Frontex. Frontex is organising screening and THB workshops and awareness sessions in the hotspots for the team members and host authorities, at which EASO and Europol guest officers are also present.

EASO also continued training on THB for asylum officials in cooperation with FRA and Frontex, and Frontex updated a handbook on THB victim (and perpetrator) profiles with input from Europol.

Drugs

In the area of combating drugs, the EMCDDA together with Europol (with support from Eurojust) launched in November a joint report on drug trafficking on darknet marketplaces called *Drugs and darknet markets*.

The EMCDDA organised an annual EU Reference Group on drug supply indicators in October, which was attended by Europol. The aim of the meeting was to improve data collection on drug supply in line with the EU Council Conclusions of 2013. Furthermore, the EMCDDA attended the first meeting of the Programme Board on drug supply reduction, a new Europol initiative that aims to elaborate ideas on how to significantly improve the strategic and operational approach of the MS community, Europol and the EU Policy Cycle in the drugs area, as outlined in their report of June 2017 'Towards a Bold Europol Response to Drugs in Europe'. In addition, at the time of writing (November 2017), Europol is organising a conference with all relevant partners and stakeholders, including the JHA agencies, to further conceptualise their activities in this area.

The EMCDDA and Europol play a key role in supporting the implementation of the EU Early Warning System on NPS. In 2017, the EMCDDA and Europol issued 39 formal notifications of NPS, prepared nine EMCDDA-Europol Joint Reports and submitted nine risk assessments to the Council and the EC. Subsequently, in September 2017, the EU reacted to serious concerns over the use of synthetic opioids by deciding to subject two of them to 'control measures' throughout the EU.

Recognising emerging drug threats, at the time of writing two joint threat assessments are under way, both in the context of the EMPACT synthetic drugs priority. The first relates to the production and supply of methamphetamine in Europe, which will update previous work completed in 2014. The second addresses the highly potent synthetic opioids that have recently become available on the EU drug market. On the same topic, the EMCDDA contributed to an awareness-raising session organised by Europol and the United States Drug Enforcement Agency on fentanyl and new synthetic opioids, held in March.

CEPOL, in close cooperation with the EMCDDA and Europol, continued to implement training targeting the European law enforcement forces (more details can be found in section 2.2).

IT systems and Interoperability ⁽¹⁴⁾

Efficient and effective information exchange amongst JHA agencies and other key actors and access to relevant data across IT platforms are often key elements of enhanced operational and analytical work in the migration, asylum and security fields. In 2017, the HLEG on Information Systems and Interoperability ⁽¹⁵⁾, set up by the EC in June 2016, worked intensively in these areas, with significant contributions from the JHA agencies eu-LISA, Europol, EASO, Frontex and FRA.

⁽¹⁴⁾ Interoperability is a theme that is wider than internal security, as alluded to in this chapter. It touches on border management, asylum, migration, etc., as well as security. To this extent this paragraph covers latest development with regards to interoperability subject and outlines further prospect for the best use of it.

⁽¹⁵⁾ <http://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupDetailDoc&id=32600&no=1>

The aim of interoperability is to make existing and planned IT systems interconnected and interoperable in order to maximise their benefits for end-users and thus contribute to enhanced security and efficiency of operations in the EU. As outlined in its scoping paper ⁽¹⁶⁾, the HLEG was tasked with identifying and addressing shortcomings and information gaps caused by the complexity and fragmentation of information systems at European level. It was given a core task of elaborating on the legal, technical and operational aspects of options to achieve interoperability of information systems, including their data protection implications. The group concluded that it is necessary and technically feasible to work towards particular instruments for interoperability and that they can, in principle, be established in compliance with data protection requirements.

As well as preparing several discussion documents and factual input material to facilitate the group's work, eu-LISA took the group's work forward following the publication of its final report in May 2017, coordinating studies and supporting the EC in analyses on, inter alia, a shared biometric matching service, a European search portal and a common identity repository. FRA contributed with a report on fundamental rights and the interoperability of EU information systems with respect to borders and security, drawing on research conducted by the Agency in this field. Frontex also contributed to the work of the HLEG by presenting the perspective and information needs of border guards. Furthermore, JHA agencies, including Eurojust, are taking part in the implementation of the Action Plan to enhance information exchange and information management including interoperability solutions in the JHA area ⁽¹⁷⁾. HLEG released its final report on 11 May 2017 ⁽¹⁸⁾, presenting conclusions and recommendations on existing systems, new systems and interoperability, with special attention to fundamental rights and data protection. A number of follow-up studies have been undertaken following the conclusion of the work so that the vision of interoperable systems outlined can be realised. The JHA agencies involved in the work towards interoperability have a significant role to play in many of the anticipated activities and are looking forward to the interoperability omnibus proposal to be delivered by the EC which, it is envisaged, will set the agenda for future work.

Challenges and opportunities for joint cooperation

The JHA agencies, under the guidance of Europol, are providing support to the ongoing work on translating the objectives of the new EU Policy Cycle for organised and serious international crime for the period 2018–2021, including the setting of horizontal priorities, the Multi-Annual Strategic Plans (MASPs) and the annual OAPs. Once finalised, the work will have significant implications for the work programmes and prioritisation of work by the JHA agencies from 2018 onwards.

The comprehensive assessment of the EU's action in the area of internal security conducted by the EC in 2017 acknowledges the key role played by the JHA agencies in facilitating information exchange and providing operational cooperation and support to national authorities in their efforts to build a secure and fairer Europe. It cites, as examples, EC3's work in the fight against cybercrime and Eurojust's role in facilitating the implementation of the European Arrest Warrant.

⁽¹⁶⁾ <http://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupDetailDoc&id=24081&no=2>
⁽¹⁷⁾ Council Conclusions on Interoperability 12223/2/17 REV2
⁽¹⁸⁾ <http://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupDetailDoc&id=32600&no=1>



The Renewed EU Internal Security Strategy 2015–2020 and the European Agenda on Security underline the need to ensure full compliance of the EU's approach to security with fundamental rights, recognising that security and fundamental rights are not conflicting aims but complementary policy objectives. The impact of existing measures and policies on fundamental rights was also covered by the EC's comprehensive assessment of EU security policies conducted in 2017, to which JHA agencies were asked to contribute ⁽¹⁹⁾.

The JHA agencies continued to collaborate and exchange knowledge to further embed fundamental rights in their joint activities in this field. Findings from relevant FRA research also informed policy processes at the EU level which involved several JHA agencies, such as the HLEG and HLCEG-R.

Regarding the further exchange of information and analytical work and support provided to the operational work: the newly established European Counter-terrorism Centre (ECTC) and the European Migrant Smuggling Centre (EMSC) at Europol offer new opportunities for interagency cooperation. For example, in line with the EU Agenda on Security, Eurojust is considering how to be fully involved in the activities of the ECTC and EMSC, in line with the current approach used by the EC3, by placing a Eurojust representative at the Centre — based on a placement agreement — to ensure coordination and judicial follow-up. The new cooperation plan between Europol and Frontex foresees the possibility of placing liaison officers (LOs) in each other's agency, but currently this is not yet the case. EASO has a LO working at Frontex headquarters since 2016 and Frontex, eu-LISA and EASO all have LOs in Brussels who share an office. Europol is currently also considering having a LO in Brussels.

The enhanced mandate of Frontex opens up possibilities for closer cooperation on other criminal areas, for example excise goods smuggling or firearms and drug trafficking, and enhanced cooperation with JHA agencies active in this domain, for example the EMCDDA, Europol and Eurojust. The new Frontex mandate allows for the better cooperation between customs, border and coast guards as well as the police. This too creates additional areas for cooperation between Frontex and Europol.

Taking into consideration the importance of the appropriate implementation of the EU Policy Cycle and the provision of the support to this initiative by JHA agencies, in September, CEPOL organised a training for the Drivers and Co-Drivers of the new EU Policy Cycle Priorities, among them Europol and Frontex.

⁽¹⁹⁾ https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-security/20170726_ninth_progress_report_towards_an_effective_and_genuine_security_union_swd_en.pdf and https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-security/20170726_ninth_progress_report_towards_an_effective_and_genuine_security_union_swd_part2_en.pdf

1.3. The use of cyberspace for criminal purposes

Focus on the expanding influence of the internet, the exploitation of cyberspace and the transformational nature of new technologies — challenges and opportunities for the work of the JHA agencies

Security issues are increasingly moving beyond physical, to digital, borders as the ‘digital dimension’ of criminal activity grows. While acknowledging the benefits of the internet, the increasing use of cyberspace as a tool for criminal activity is a matter of grave concern for the JHA agencies. Collaboration and exchange of knowledge was intensified in the areas of joint JHA agencies’ work in 2017.

Internet resources create a range of opportunities and challenges that need to be addressed in a systematic way. It is important to note that the internet is a broad topic that can be approached from a number of different perspectives, based on the relevance of its functions:

- the internet as an information repository (storing and retrieving information);
- the internet as an operational and communication tool (dissemination of information shaping narratives);
- the internet as a marketplace (consumers/suppliers, access);
- the internet as a driver of transnational crime, including cyber(-enabled) crime (enhanced efficiency and security of criminal activity), as a platform for the proliferation of hate crime, in particular against girls and women, online child abuse and child pornography, and the online recruitment and exploitation of THB victims;
- the internet as an intervention tool (prevention, awareness-raising, training);
- the internet as a platform for developing common methods and tools.

While all of the above-mentioned categories are relevant to the work of the JHA agencies, in the current framework of activities it was not possible to fully examine them all. A selection of these categories was discussed and analysed at the expert meeting *‘The expanding influence of the internet, the exploitation of cyberspace and the transformational nature of new technologies — challenges and opportunities for the work of the JHA agencies’* on 20–21 April 2017.

Key joint activities and achievements

All JHA agencies participated in the expert meeting and conference in order to explore the challenges and opportunities for their work and to enable them to learn from other agencies’ expertise in particular areas. These included the exchange of information and data, methods and tools, to ultimately be better positioned to support EU MSs in this critical area. Participants in the expert meeting identified a number of challenges in three domains relating to cyber-legislation, operations and monitoring. While addressing some of these challenges, particularly in the legislative domain, many remain beyond the

mandates of the JHA agencies. There are, however, areas where the agencies could improve cooperation and the impact of their work (for example in training, data collection and operational activities that relate to the cyberdomain). Expert meeting discussions, agencies' contributions and meeting conclusions are summarised in a final meeting report ⁽²⁰⁾. The conference addressed, among other topics, conceptual issues, law enforcement responses to cybercrime and issues around the monitoring of darknet markets and open sources.

On 28 November 2017, the EMCDDA and Europol launched the first joint publication on the topic of drugs and darknet markets, *Drugs and the darknet: Perspectives for enforcement, research and policy*. The report brings together the latest findings from international research, fresh empirical data, and operational information and intelligence. The review is comprehensive but accessible and policy orientated, intended to facilitate discussions at EU level on how to respond to the growth of darknet drug markets. This is accompanied by the identification of key priority areas that require attention and where activities are likely to have most impact. Eurojust was involved in peer reviewing the report.

Europol and Eurojust prepared an update to the joint paper on common challenges in combating cybercrime ⁽²¹⁾ summarising the legislative challenges in the area, based on Eurojust's and Europol's EC3 casework, joint deliberations and expert input.

Europol, in a Cyber Patrol action, held on 12–14 June 2017, brought together experienced investigators and experts from across the EU in an intelligence-gathering exercise to map out the criminality on the darknet. The EMCDDA and Eurojust were associated with the activity.

EC3 continues to strengthen the law enforcement response to cybercrime in the EU, including positive engagement with the industry and the access to solutions through an academic advisory group that deals with significant cross-sectorial issues. It has also continued to work on the development of the EU Cyber Training Competency Framework and the Training Needs Analysis together with Eurojust, CEPOL, the European Cybercrime Training and Education Group (ECTEG) and the EC.

Challenges and opportunities for joint cooperation

Following up on President Juncker's State of the Union speech on 13 September 2017, the EU set out a new package of concrete cybersecurity measures. This includes a restructuring of the European Union Agency for Network and Information Security (ENISA), turning it into a fully-fledged cybersecurity agency. The JHA agencies' network has already involved ENISA in its work by having a representative of the agency participate in the ICT and security experts meeting held by the EMCDDA in June 2017. Further enhancing close cooperation with ENISA could be very beneficial. The package of measures also includes stepping up the EU's cybersecurity capacity, creating an effective criminal law response, strengthening international cooperation and setting up a cyberdefence training and education platform.

⁽²⁰⁾ This is a JHA agencies' network internal document that can be obtained only upon request.

⁽²¹⁾ <http://data.consilium.europa.eu/doc/document/ST-7021-2017-INIT/en/pdf>

The internet expert meeting identified several challenges as well as opportunities which are explained in detail in the internal meeting report. Some of the main challenges, combined with possible solutions, are explained below; some of the challenges identified are already addressed by the proposals under the new package of cybersecurity measures. This shows a positive trend in the recognition of the need to tackle these types of crime.

Increased criminal use of encryption, anonymisation tools, virtual currencies and the darknet make it increasingly difficult to establish the physical location of the crime, perpetrator and other actors involved (known as loss of location) and to prosecute even when identification of the perpetrators is possible. A potential solution could stimulate increased cooperation between professionals in different MSs from the law enforcement, legal and technical fields. This would include cooperation with networks of experts from law enforcement, the judiciary and academia.

The use of the internet for criminal purposes also creates victims of crime, ranging from victims of online fraud to victims of child abuse and online hate speech. Increased recognition is being given in the context of EU law, policy, and practitioner responses to the rights of crime victims, including victims of cybercrime. Agencies would benefit from enhanced cooperation with each other with respect to relevant areas of expertise in these fields.

A number of challenges for investigation and prosecution of internet-enabled crime stem from an identified shortage of law enforcement officers and judicial authorities possessing the required broad set of skills — cyber expertise as well as expertise related to specific crime. Training and capacity-building is a critical factor in addressing this challenge. Having recognised this, CEPOL, supported by the European Anti-Fraud Office (OLAF), is launching a major project on digital forensics and is working to increase its cyber training capacity. In addition to gaps in the expertise of investigators, underreporting and poor-quality data entry into applications/systems that support efforts to address online cybercrime and cyber-enabled crime can pose challenges to meaningful interoperability. As well as the need for increased cooperation between different professional groups, more effective communication is required between the JHA agencies as resources could be more effectively pooled to reduce duplication. Furthermore, since the tools provided by agencies are often ultimately used by MSs, agencies must continue to communicate good practices and guidelines to MSs and, further, perhaps assist with implementation.

The success of law enforcement operations against cyber-related crime often depends on the cooperation of private technological companies. Electronic service providers increasingly encrypt their services by default, and the data required for evidence are often held by private companies. A need has been identified to have standardised rules of engagement with private companies. Agencies should have input into drawing up these rules. In addition, eu-LISA organises roundtable events with industry partners twice a year and broader JHA agencies' representation at these events could be beneficial.

The JHA agencies will continue to develop other possible initiatives to allow for an exchange of best practices and tools that address the use of cyberspace for criminal purposes. For example, in 2018, Europol will continue to develop the darknet investigation unit as a central service to coordinate law enforcement activity on the darknet.

Building on existing expertise, the EMCDDA is exploring options for drug-related darknet data gathering for strategic EU analysis.



During the internet expert meeting, as well as other JHA agencies' network meetings, it became clear that the internet, and the challenges and opportunities that come with it, plays a role in the work of all the agencies. It has therefore been suggested that the internet be a recurring theme for discussion and cooperation in the network.

2. Regular (horizontal) activities of the network in 2017

2.1 Coordination and information exchange, including on ICT and cybersecurity

Increase efforts to exchange information about current developments in the agencies' various areas of expertise and responsibility, share key strategic documents, data and analytical tools in view of strengthening and coordinating joint actions in the JHA area, while fully respecting data protection and fundamental rights

Key joint activities and achievements

ICT

In the area of ICT and security, the JHA agencies in 2017 focused on improving their exchange of information regarding service management, compliance and performance, as well as addressing matters of shared interest relating to the streamlining of security inspections and risk assessments conducted by the EU institutions. In 2016 it was decided to open up the ICT and security expert group to ENISA on an *ad hoc* basis. A representative of ENISA joined the expert meeting for the first time in 2017, and provided the group with some useful information on the Directive on security of network and information systems (NIS Directive). In the light thereof, ENISA offered to open up some of its training portfolio to JHA agencies, namely on the topics of information security and cloud computing. Agencies' current preference goes to on-premise solutions rather than cloud computing; however, where deployment/implementation of private and/or public cloud solutions are actively considered such training could prove to be beneficial. It was agreed that ENISA's presence at this expert meeting contributes to further enhance collaboration between the JHA agencies in this field and ENISA expressed their intent to continue attending meetings when information security topics are on the agenda.

Consequently, several concrete actions are being conducted, with outcomes expected by the end of 2017, namely:

- taking stock of reusable approaches and tools to implement bilateral EU classified information (EUCI) agreements and operations, which includes exploring the possibility of adopting the EC RUE system (Système de messagerie Restreint UE) for some specific implementations;
- continued work on further securing email exchanges between the JHA agencies and between JHA agencies and the EC, which currently use the European System of Certification in Energy Management (SECEM) (the European Maritime Safety Agency (EMSA) is also engaged in this work);
- further structuring and use of the shared JHA document repository base provided by eu-LISA since 2015 (based on the SharePoint system);
- conducting a proof-of-concept study on a possible document-sharing approach based on secure interconnects and workflows across the different JHA document management systems (eDocX217);
- improving knowledge on how the different JHA agencies are providing information security for their mobile services;
- collaborating on the implementation of business continuity and disaster recovery capabilities based on existing options within the JHA agencies.



With regard to the technical platform needed for the exchange of sensitive but not classified information, considerable progress was made. For example, in August 2017, SIENA was set up at the EMCDDA, enabling the sharing of classified information with Europol.

The JHA agencies' network further exploited the advantages offered by the network's SharePoint, the common document repository set up by eu-LISA, by restructuring it and refiling existing content to make it more efficient and easier in use.

Exchange of information on EU-funded research

The EMCDDA brought the topic of EU-funded research to the table. EU-funded research provides a number of opportunities that JHA agencies could profit from, yet it would appear that there is no streamlined approach and agencies could be better involved in the process as well as the follow-up. As a result of the discussion, the EMCDDA launched a survey of all nine agencies and presented the results during the third network meeting in September. Responses to the survey indicated that the level of involvement of the agencies varies widely. Only one agency is, to some extent, involved throughout all the stages (planning, selection, and follow-up and dissemination), and agencies experience difficulties in being consulted as well as obtaining results. The agencies agree that a more structured and formal involvement of the JHA agencies in EU-funded research would be mutually beneficial for all actors involved and that better cooperation could avoid overlap, address gaps and promote synergies. The survey further brought to light the fact that several agencies have some sort of policy/procedure (whether formal or informal) in place regarding participation in ongoing EU research projects. It was suggested that the agencies share these procedures in order to facilitate drawing up or reviewing a similar procedure. This initiative is based on the work of the EU Agency Network on Scientific Advice (EU-ANSA) - a sub-network of the Heads of Agencies Network - which is represented by those Agencies that undertake and are engaged extensively in research activities, a number of which come under the JHA Agencies cluster.

Working arrangements

Aside from the regular cooperation and contact maintained through the network, in 2017, several specific cooperation activities took place. Eurojust and eu-LISA concluded a Memorandum of Understanding (MoU), Europol and the EMCDDA are revising their MoU. Europol and Eurojust continued the successful cooperation of the Eurojust representative placed at EC3 signed a placement agreement for placing a Eurojust representative at the ECTC. Frontex has also concluded a Cooperation Plan with eu-LISA and EASO, and a Joint Action Plan with Europol.

Challenges and opportunities for joint cooperation

In 2016, the agencies agreed they would work towards a multilateral agreement on EUCI. When these discussions took place in 2016, there was no legal basis for sharing EUCI and the agencies thus had complete freedom to agree an approach to exchanging EUCI.

However, on 8 February 2017, the Council issued a Communication on a common approach on sharing EUCI with EU institutions. This communication sets out the procedures that need to be followed to share EUCI, which has to be done through bilateral agreements. As a result, there is no longer a legislative vacuum and a multilateral agreement is no longer an option. However, it was



agreed to develop some documentary tools and examples that could be used by the JHA agencies to speed up the implementation of future bilateral agreements to be signed between agencies.

The Index of Analytical Products, initiated by eu-LISA, with the objective of enhancing the analytical work of the agencies, was discussed by the network and it was agreed that the tool offers several opportunities. However, it could be updated to make it more user-friendly, and it should be better promoted within the agencies to reach its intended audience. The EMCDDA proposed a new structure, and the JHA agencies contributed by providing feedback and providing the data for the new Index, which now contains publications launched in 2016 and 2017. The network listed a total of 274 products, of which 188 were published/realised in 2017 and 16 were prepared jointly. This will go a long way towards enabling the network to better explore possibilities to collaborate and build synergies — for example, with regard to the different data collected and analyses in the migration and security fields.

During 2017, the JHA agencies' network opened up its work to other agencies and networks competent in cross-cutting areas of the agencies' work. For example, participation of ENISA in the ICT work and of the European Security and Defence College (ESDC) and the European Judicial Training Network (EJTN) in training was ensured. On an individual basis, Frontex, within its broadened mandate, has successfully concluded a pilot project on coastguard functions with the EMSA and the European Fisheries Control Agency (EFCA). In 2017, Europol organised a joint seminar on the links between internal and external security, while CEPOL organised with ESDC courses on civilian crisis management missions, security sector reform and cybersecurity. This approach will be further explored in 2018 in order to make full use of existing resources and competences at EU level.

2.2 Training

Further enhance cooperation in the area of training and capacity building to promote synergies and joint planning and avoid duplication of effort

Exchange best practice through sharing of methodologies and tools

In 2017, the JHA agencies continued to cooperate in the area of training and capacity building, and further cemented the cooperation with other significant partners in the justice, security and migration field in the EU, of which the main actors are the ESDC and the EJTN. The systematic update of information on training activities in the EU and beyond is achieved using the JHA Training Matrix, hosted by CEPOL. The exchange of best practices on how training is organised and what tools are used continued throughout the year in various formats, one of which was the JHA agencies' network training expert meeting, hosted by the EMCDDA. All these efforts are contributing towards promotion of synergies within the JHA agencies' network and lay down a platform for enhanced joint planning with the ultimate objective of avoiding duplication of effort.

This section summarises the activities of the JHA agencies' network in 2017 in the training field but the big picture of inter-agency cooperation is presented in CEPOL's annual JHA Training Matrix Report in 2016 (Annex 2 of this report).



Key joint activities and achievements

Improved sharing of knowledge and practices on emerging and on-going topics of common interest in the field of security

In 2017, according to the preliminary data submitted through the JHA Training Matrix, the agencies, together with ESDC and EJTN, implemented more than 460 training activities, of which one quarter were delivered jointly by two or more agencies. CEPOL remains a champion in building joint capacity development activities in cooperation with JHA agencies as well as other partners. The majority of beneficiaries were trained in fields of international cooperation, the EU Policy Cycle as an instrument, forensics and fundamental rights.

Promotion of joint actions in the fields of asylum, migration, THB, terrorism, cybercrime and other forms of serious and organised crime, as well as on cross-cutting issues — gender and fundamental rights — remained a priority for the JHA agencies in 2017.

Several agencies have training in the field of asylum and migration in their portfolio, and a number of joint training events have taken place. For example, eu-LISA and Europol implement joint activities in the context of EMPACT, while FRA and Frontex, in cooperation with ICMPD, continued to cooperate in forced-return monitoring training and CEPOL organised, together with Eurojust, training on policing the impact of migration. In 2017 the vast majority of forced-return monitor pool members have been trained and the next training is scheduled for March 2018. CEPOL has also put in place an online module on irregular migration, together with Europol and Frontex, and EASO has been developing a Training Module for Interpreters (Frontex and FRA were members of this module's Reference Group).

In this context, national capacities to manage EU external borders are of particular interest. eu-LISA, Frontex, CEPOL and FRA continued to jointly provide training for Schengen evaluators in line with their mandates.

The completion of the first cycles of CEPOL's European Joint Master's Programme dedicated to the legal and operational aspects of international and European police cooperation and the Joint Masters in Strategic Border management and the launch of the next cycles are the main highlights of 2017. Frontex contributed to CEPOL's Joint Master's Programme by delivering lectures on different research methodologies and their practical application to tackle challenges and identify new solutions (in border management).

Training on cybercrime is gaining a particular interest across the European law enforcement and justice authorities. CEPOL and Europol cooperate on the delivery of the residential activities as well as e-learning (webinars and the online module). In 2017, a total of 16 activities took place, while the online module attracted around 600 users. Nevertheless, in several meetings, the JHA agencies agreed to further explore existing training tools and increase cooperation in this field as well as potentially to expand the audiences and target other beneficiaries, such as judges or prosecutors. For example, ESDC and EJTN could be considered as potential partners.

In the field of drug markets, a total of six residential training courses and five webinars were organised by CEPOL with support from the EMCDDA and Europol. A highlight of 2017 was the first training course for senior law enforcement officers and strategic analysts titled *'The EU drug market: strategic analysis'*, which took place in June in Lisbon, and was based on the joint publication on the topic released in 2016 by the EMCDDA and Europol.



The agencies continued to further promote and streamline fundamental rights in the area of freedom, security and justice. For example, CEPOL and FRA cooperated in the provision of eight webinars on various topics, and together with EIGE updated an online training manual on gender-based violence. Frontex, joined by FRA and EASO, is working on training in child protection at the borders. In addition, an online training module on hate crime was launched by CEPOL and FRA; EIGE is willing to support with regard to hate crime against girls and women by providing relevant expertise. Furthermore, Frontex and EASO have been delivering training to the Libyan Coast Guard in cooperation with EUNAVFOR MED Operation Sophia.

Make training widely accessible, efficient and appropriate

Acknowledging that European law enforcement professionals and border guards are the main target audience for training within the JHA area, it is important to stress that the topics addressed by JHA agencies go well beyond the interest of this target audience and address also members of the judiciary, researchers, professionals working in the field of drugs, and even students. Together with the ESDC, there is also potential to reach out to civilian and military experts in the field of security and defence. Nevertheless, face-to-face activities, even with a broad pool of national trainers, remain costly and time-consuming. One potential option would be to grant access to some e-learning components to other interested parties. Implementation and the potential to broaden access to e-learning resources was one of the central topics discussed during the JHA agencies' network training expert meeting.

It is recognised that, in the context of the JHA agencies, online training is crucial to reach their growing audiences, such as border guards and law enforcement officials. However, it is also a supplement to a face-to-face or exchange types of training, which are crucial for skill development and contact building. One of the challenges for online training is assessment of its impact, and exchange on this aspect was deemed to be important among the participants of 2017 JHA agencies' network training expert meeting.

In May 2017, CEPOL organised the first workshop on coordination of law enforcement training with participation from EASO, EIGE, EJTN, eu-LISA, Europol, FRA and Frontex, with a written contribution by the EMCDDA.

Challenges and opportunities for joint cooperation

In 2017, CEPOL launched, after closely consulting its JHA partners, the pilot EU Strategic Training Needs Analysis (STNA). The STNA should bring new ideas, but also a challenge for modification of the training offer based on the needs of law enforcement partners across the EU.

Frontex has led an exercise on development of a concept paper on possible harmonisation of training programmes via Sectoral Qualification Frameworks (SQF) in the framework of the Law Enforcement Training Scheme (LETS).

The agencies continued to share information about their training programmes through the online Training Matrix hosted by CEPOL. This tool allows potential areas of cooperation to be identified. In 2017, the mapping of terminology used in the Training Matrix was started. The agencies' joint work could also benefit from a more structured needs analysis. In that regard, the JHA Training Matrix could be further developed as a tool that can be used for planning, and agencies could extend its use to

respond even more effectively to policy requirements. The JHA Training Matrix Report 2016, prepared by CEPOL, can be found in Annex 2 of this report.

There are already some aspects on which the JHA agencies could consider discussion and fostering cooperation in the future. Thus, the experts in the field, and also the training professionals, note a growing need for training in the area of cybercrime and cyber-enabled crime. The network could further explore potential capacity building, training activities and tools on this topic to propose a common approach.

Many agencies implement training in TCs, and in two discussion forums this year (the JHA agencies' network training expert meeting and an international cooperation meeting) this topic was addressed. Enhanced exchange on capacity building in TCs, and increased cooperation between JHA agencies as well as ESDC, particularly in the Middle East and North Africa (MENA) region, is desirable. This should be done in close cooperation and under leadership of EEAS, and also involvement of the Directorate-General for Justice and Consumers (DG JUST) and DG HOME.

Finally, the spirit of cooperation could also be boosted by proactive sharing among the agencies of the existing e-learning tools of common interest. This would support knowledge exchange among the agencies, as well as increase the number of potential beneficiaries of these programmes.

2.3 External relations

Develop synergies between the JHA agencies in their technical and operational cooperation with non-EU countries and adopt a coherent approach towards partner countries, in close cooperation with the European Commission and the European External Action Service

The increased importance of the cooperation with TCs in the area of freedom, security, migration and justice and the need to ensure effective coordination between the EC/EEAS and the relevant JHA agencies was highlighted on many occasions in 2017.

Significant policy developments concerning cooperation with TCs in the area of migration and security were developed by the EC recently, namely the revised ENP ⁽²²⁾, the New Partnership Framework ⁽²³⁾, EU efforts to support the stabilisation of Libya, the implementation of the EU/Turkey statement and the renewed engagement in counter-terrorism. The importance of engaging with TCs, integrating migration and security into the whole bilateral political agenda of the EU with each partner country (tailor-made package), was highlighted.

Following consultations with the EC, the JHA agencies engaged in numerous cooperation and capacity-building activities in TCs, such as delivering training, sharing expertise or providing technical

⁽²²⁾ https://ec.europa.eu/neighbourhood-enlargement/news_corner/news/revised-european-neighbourhood-policy-supporting-stabilisation-resilience-security_en

⁽²³⁾ http://europa.eu/rapid/press-release_IP-17-1595_en.htm



assistance throughout the year. This also included the establishment, operational management and use of specialised IT systems, and promoting fundamental rights.

It is worth noting that, as in other parts of this report, the examples presented below relate only to bilateral and multilateral activities. The JHA agencies also actively contributed to EU counter-terrorism dialogues with TCs during the year and TCs are increasingly involved in the Operational Actions/JADs within the EMPACT priorities.

Key joint activities and achievements

Cooperation with EASO continues in the framework of the Frontex led technical assistance project 'Regional support to protection-sensitive migration management in the Western Balkans and Turkey' to cover the period 2016–2018 (financed by the New Instrument for Pre-Accession Assistance (IPA II)). In 2017, Eurojust also provided support through an IPA II project ("Western Balkans Prosecutors' Network"). Europol's operational activity is being gradually integrated into the Africa-Frontex Intelligence Community.

The EC/EEAS issued a Communication on establishing a new Partnership Framework with TCs under the European Agenda on Migration in June 2016. Under the framework, Frontex is actively involved in return activities and risk analysis, and Eurojust and Europol are engaging in work related to THB and migrant smuggling. The Framework also foresees observers from TCs being placed in Italy in cooperation and with support of the agencies.

After the Malta summit and declaration on EU efforts to manage migration from the central Mediterranean route, COREPER adopted follow-up with indication of responsibilities. This includes continued cooperation of Europol, Eurojust and Frontex with EUNAVFOR MED Operation Sophia — whose mandate has been extended until the end of 2018 — by providing support on the training of the Libyan Coast Guard as well as enhanced information sharing on THB. Also important is EASO support in the form of training to EUNAVFOR MED in Italy.

Furthermore, a LO from Operation Sophia ⁽²⁴⁾ has been placed at Europol. Frontex is present in EUNAVFOR MED Operational Headquarters and Force Headquarters and EUNAVFOR MED is represented in JO Triton International Coordination Centre and in EU Regional Task Force Catania. Europol has a LO from Turkey at its headquarters, as part of the EU-Turkey statement, and Frontex has a LO in the EU delegation to Turkey. The Frontex LO to Niger (in Niamey) took up office in August 2017 and the first LO to the Western Balkans (Belgrade) took up duties in September 2017. More LOs, both to the MSs as well as to TCs, are being recruited and should have taken up their roles by the end of 2018. Europol will also have LOs in the Western Balkans (three countries identified: Albania, Serbia, and Bosnia and Herzegovina) under IPA, financed by the Directorate-General for Neighbourhood and Enlargement Negotiations (DG NEAR) in 2018. The deployment of one associated expert from Frontex and another one from Europol to the EU Border Assistance Mission (EUBAM) in Libya has increased information sharing, helped develop synergies and improved coordination of efforts. Similarly to Operation Sophia and EUBAM Libya, LOs of the

⁽²⁴⁾ https://eeas.europa.eu/sites/eeas/files/mission_eunavfor_med_english.pdf



agencies present in the areas with other ongoing projects work closely with the EU services. Eurojust held a number of meetings with EUNAVFORMED, and signed a Letter of Understanding with EEAS on 10th October 2017 to enhance cooperation and identify potential areas for cooperation including on the opportunity to raise awareness on the dynamics of judicial cooperation in CSDP missions. A Eurojust Contact Point in Libya has also been nominated among other Eurojust Contact Points nominated by MENA countries over the last two years.

On 27 September 2017, the EC published a Communication on the Delivery of the European Agenda on Migration, in which it announces the revision of the Immigration Liaison Officers Regulation in the first quarter of 2018. This revision aims, among other things, to establish a common formal framework and clear mandates for staff positioned in TCs to take actions to counter migrant smuggling.

European migration liaison officers (EMLOs) have been deployed to 12 EU delegations as of March 2017 to contribute to the enhanced cooperation on migration with key countries of origin and transit. The deployment and operationalisation of EMLOs is one of the major deliverables of the Partnership Framework. The EMLOs maintain close contact with their counterparts in the administration of the host country, as well as with the Immigration Liaison Officers Network, relevant international organisations, non-governmental organisations and civil society on the ground with the purpose of gathering, exchanging and analysing information on migration. Hence they constitute an important asset in stepping up coordination to maximise the impact of EU action on migration and enhance the engagement of the authorities in the entire spectrum of migration issues, while they are also instrumental in the operational implementation of the comprehensive approach presented in the European Agenda for Migration and the Migration Partnership Framework. EMLOs provide reports and assessments to the EU and its MSs and EU agencies, contributing both to a better understanding of local realities and specificities and to better communicating EU migration policy.

Aside from engaging in such activities, in 2017 the JHA agencies participated in regular meetings under the coordination of the EC in the area of external actions, particularly in the context of the hotspots and the EU Regional Task Force. Work often also included international partners such as UNHCR, the IOM and the ICMPD.

Efforts were made to enhance the expertise and potential of the JHA agencies in promoting an EU approach in TCs among EU institutions and EEAS — the JAI Net meeting on 18 May 2017 and the annual meeting between the EC (DG HOME and DG JUST), EEAS and JHA agencies on 19 May provided such an opportunity. These meetings highlighted the importance of the external dimension of the EU's policy in the area of freedom, security, migration and justice and acknowledged the role of the JHA agencies in delivering strong added value and building a robust knowledge and know-how in TCs. Recent changes in the regulations of some of the JHA agencies, such as Europol, open up new possibilities for closer cooperation with TCs, in close coordination with the EC and EEAS.

Challenges and opportunities for joint cooperation

The EU Global Strategy for Foreign and Security Policy, announced in June 2016, outlines clear areas where the EU, including the JHA agencies, can step up its contribution to Europe's collective security. For example, CSDP missions and operations working alongside EU specialised agencies to enhance border protection and maritime security to save more lives, fight cross-border crime and disrupt smuggling networks. The strategy was set up to steer EU external action and brings together EU



institutions, MSs and civil society, and the JHA agencies will cooperate and contribute to its implementation going forward.

The JHA agencies are closely cooperating under the IPA II framework in implementing the ‘Integrated Internal Security Governance’ for the Western Balkans region. This refers to enhanced coordination of EU and other donor assistance in the Western Balkans region, consisting of three pillars: (1) a Western Balkans Counter Terrorism initiative; (2) a Western Balkans Border Security initiative; and (3) cooperation in combating serious and organised crime.

Improved sharing of information is a cross-cutting theme important throughout all the areas of JHA agencies’ cooperation. In the area of the external dimension, information exchange has been greatly enhanced since 2015 at all levels, both through dedicated EU inter-agency coordination mechanisms as well as through the setting up of a network of dedicated contact points in each MS. However, information exchange between EU military and civilian missions and operations and law enforcement agencies requires further improvement.

The JHA agencies also made efforts to develop synergies in their technical and operational cooperation with non-EU countries and adopt a coherent approach towards partner countries. At the first network meeting of the JHA agencies in February, it was agreed to create a network of external relations officers, and the EMCDDA organised the first informal meeting of this network on 19 May in Brussels. The external relations officers agreed to meet informally on a yearly basis and to combine the informal meeting with the regular EC coordination meetings on external relations. It was decided that meetings should be organised around thematic areas of work related to cooperation with non-EU countries. The EMCDDA, as the chair of the JHA agencies’ network, mapped all the agreements of JHA agencies with DGs (on general matters and specifically on external relations) and agreements with EEAS. This document also informs on the existing international cooperation strategies. This information is now included in the matrix on the external dimension of the JHA agencies’ network.

Moreover, the EMCDDA project EU4 Monitoring Drugs — currently in development — aims to develop capacity for drug monitoring and responses in the neighbouring countries to the south and east of the EU. This EU-funded project should start in the first half of 2018 and will create opportunities for joint cooperation with Europol, Frontex, CEPOL and other JHA agencies.

2.4 Communication activities

Promote and enhance visibility of the joint work and of the added value of the agencies

Communicating the work of the network to enhance its visibility and provide added value, in particular among its main stakeholders (EU institutions, national authorities and the general public) is one of the horizontal areas specified among the priorities of the JHA agencies’ network for 2017. The objectives listed in the ‘Priorities paper for 2017’ were executed as shown below.

Awareness-raising

In consultation with the JHA agencies’ network, the EMCDDA produced a web page at the beginning of 2017 (www.emcdda.europa.eu/about/partners/jha) outlining the origins and work of the network, its priorities for the year and key dates. This web page embeds the JHA video, the JHA brochure and a



new one-page flyer. An animated web banner was also produced for use on the JHA agencies' websites.

In the course of the year, the agencies were encouraged to provide examples of their joint products and services to be showcased through the above web page, demonstrating the network's added value (www.emcdda.europa.eu/working-together_en). Examples include joint publications from the EMCDDA and Europol; a CEPOL-FRA webinar on 'Police and public relations: media cooperation in a diverse society'; and Frontex-EASO press trips to field operations.

EU institutions and bodies

The Network's 'Priorities paper' was shared with the Council of the EU's Standing Committee on Operational Cooperation on Internal Security (COSI) and the LIBE committee in March 2017.

Key achievements of the network in 2017 and priorities for 2018, as outlined in its annual report, were presented to the COSI (joint presentation: EMCDDA and EIGE) in December. The above mentioned annual report will also be presented to the LIBE committee early in 2018.

As current chair of the JHA agencies' network, the EMCDDA was asked by the EU agencies' Heads of Communication and Information Network (HCIN) to head a working group building a 'Message House' on issues relating to freedom, security and justice. The messages agreed by the HCIN were included on the web page www.emcdda.europa.eu/working-together_en. As part of this exercise, the HCIN was asked to identify promotional opportunities and submit a communication plan for 2017–18. The JHA agencies were informed of this work with the broader communication network.

News, social media and advertisements

News: Four news releases were produced in the course of the mandate and are accessible at www.emcdda.europa.eu/about/partners/jha. These were accompanied by social media posts (mainly Twitter (twitter.com/emcdda), Facebook (facebook.com/emcdda) and LinkedIn (www.linkedin.com/company/emcdda) (other agencies were encouraged to share these posts)).

The EMCDDA communicated on the work of the network in its quarterly newsletter *Drugnet Europe* (six issues, 95–100). The network was invited to use the same content for its newsletters/websites.

Advertisements: Two advertisements were published in media targeting the EU institutions: The Parliament Magazine (20 March, Issue 451, with the JHA web banner running for three weeks); and E!Sharp (web banner running for two months). These adverts brought readers to the web page www.emcdda.europa.eu/about/partners/jha

Priorities for 2018

The Heads of the JHA agencies agreed that the Network will be chaired by EIGE in 2018 and by Europol in 2019.

Network priorities for 2018 will include:

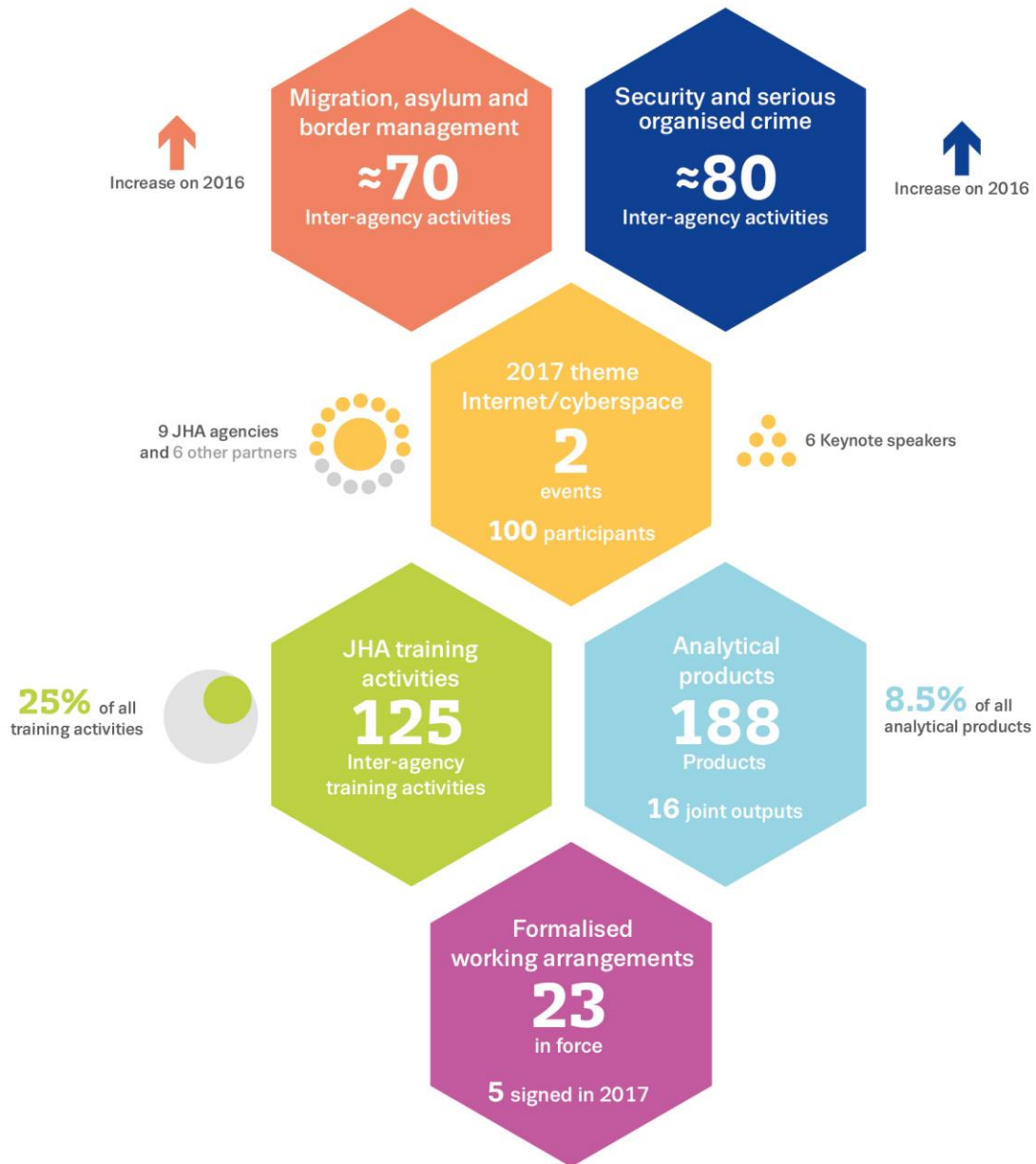
Thematic areas:

- To support the current and upcoming EU Presidencies, and EU policies in wide, EIGE proposes to put focus on **the impact of digitalisation on women and men in the policy areas covered by the JHA agencies**. EIGE will coordinate the collection of input from all JHA agencies and other specialists from the area. As a result of the discussions, the network would establish a set of recommendations, adopted in the Directors' meeting in November 2018. In order to ensure the policy relevance, EIGE proposes that each Agency selects one topic of high priority, such as border management, cybercrime, cyber violence, human trafficking. The angles would be the following:
 - How has digitalisation changed the process? What are the challenges and opportunities? How should this be reflected in the EU policies?
 - How does this impact women and men in the EU?
- Improve the added-value of the JHA agencies by **highlighting gender equality aspects of their work** through:
 - Encouraging the collection of sex disaggregated data and gender statistics for each operational area;
 - Exchange of best practises to counter sexual harassment.

Horizontal areas:

- Continue cooperation and the exchange of information in operational and technical areas of the JHA agencies, in accordance with the relevant legal framework and their mandates. The aim of the cooperation is to facilitate timely and proactive communication among the agencies, especially in the areas of internal security and migration;
- Create synergies in all relevant areas linked to the operational work of the agencies, such as the provision of tailored training, sharing knowledge on ICT solutions and cybersecurity and the exchange of relevant data and analytical tools;
- In close cooperation with the European Commission and the EEAS further enhancing the coordination among the agencies and in the area of third countries, within their existing mandate;
- Communicate the work around digitalisation and the rolling activities of the network to its main stakeholders, such as the EU institutions and the national (law enforcement) authorities, with the aim to raise awareness of added value of the JHA agencies network.

Justice and Home Affairs agencies network Inter-agency activities in 2017





Annex 1: 2017 JHA agencies' Scorecard

Annex 2: 2016 Training Matrix Report

Annex 3: List of acronyms and abbreviations

CHAFEA	Consumers, Health, Agriculture and Food Executive Agency
COREPER	Committee of Permanent Representatives in the European Union
CRI	common risk indicator
CSDP	Common Security and Defence Policy
DG HOME	Directorate-General for Migration and Home Affairs
DG JUST	Directorate-General for Justice and Consumers
DG NEAR	Directorate-General for Neighbourhood and Enlargement Negotiations
DG SANTE	Directorate-General for Health and Food Safety
EC RUE system	Système de messagerie Restreint UE
EC	European Commission
EC3	European Cybercrime Centre
ECRIS-TCN	European Criminal Records Information System – Third Country Nationals
ECTC	European Counter-terrorism Centre
ECTEG	European Cybercrime Training and Education Group
EEAS	European External Action Service
EES	Entry-Exit System
EFCA	European Fisheries Control Agency
EIGE	European Institute for Gender Equality
EJCN	European Judicial Cybercrime Network
EJTN	European Judicial Training Network
EMLO	European migration liaison officer
EMPACT	European Multi-Disciplinary Platform against Criminal Threats
EMSA	European Maritime Safety Agency
EMSC	European Migrant Smuggling Centre
ENISA	European Union Agency for Network and Information Security
ENP	European Neighbourhood Policy
ESDC	European Security and Defence College
ETIAS	European Travel Information and Authorisation System
EU	European Union
EUBAM	EU Border Assistance Mission
EUCI	EU classified information
EU CTC	EU Counter-Terrorism Coordinator
EUNAVFOR MED	European Union Naval Force Mediterranean
EURODAC	European Dactyloscopy
FTF	foreign terrorist fighters
FRA	European Union Agency for Fundamental Rights



HCIN	Heads of Communication and Information Network
HLCEG-R	High-Level Commission Expert Group on Radicalisation
HLEG	High-Level Expert Group on Information Systems and Interoperability
ICMPD	International Centre for Migration Policy Development
IOCTA	Internet Organised Crime Threat Assessment
IOM	International Organization for Migration
IPA	Instrument for Pre-Accession Assistance
JAD	Joint Action Day
JIT	Joint Investigation Team
JHA	Justice and Home Affairs
JO	Joint Operation
LETS	Law Enforcement Training Scheme
LIBE Committee	European Parliament's Committee on Civil Liberties, Justice and Home Affairs
LO	liaison officer
MENA	Middle East and North Africa
MoU	Memorandum of Understanding
MMST	Migration Management Support Team
MS	Member State
NIS Directive	Directive on security of network and information systems
NPS	new psychoactive substances
OAP	Operational Action Plans
OLAF	European Anti-Fraud Office
PeDRA	Processing Personal Data for Risk Analysis
PNR	Passenger Name Record
SCHEVAL	Schengen Evaluation (Working Group)
SECEM	European System of Certification in Energy Management
SIENA	Secure Information Exchange Network Application
SIS	Schengen Information System
SOCTA	Serious and Organised Crime Threat Assessment
SQF	Sectoral Qualification Frameworks
STNA	Strategic Training Needs Analysis
TC	third country
TE-SAT	EU Terrorism Situation and Trend Report
THB	trafficking in human beings
UNHCR	United Nations High Commissioner for Refugees