

Final Report on the JHA agencies network activities 2020

February 2021



Table of Contents

Foreword by the President of Eurojust	2
1. Executive Summary	3
1.1. General overview 2020	3
1.2. Thematic topics	3
1.2.1 COVID-19 and Digitalisation	3
1.2.2 Victims of Trafficking	4
1.2.3. Assessment of the JHAAN	4
1.3. Other topics in areas of common interest	4
2. JHAAN Work Plan 2020	6
2.1. Introduction	6
2.2. Thematic priorities.....	6
2.2.1. COVID-19 Pandemic.....	6
2.2.1.1. JHA response to COVID-19	6
2.2.1.2. Informal VC Meeting of the Heads of JHA agencies on COVID-19	7
2.2.1.3. Annual Meeting on Digitalisation	8
2.2.2. Victims of Trafficking	9
2.2.3. Assessment of the JHAAN	10
2.3. Other topics in areas of common interest	10
2.3.1. EU Charter of Fundamental Rights	10
2.3.2. Diversity and Inclusion	11
2.3.3. Public Access to Documents	11
2.3.4. Relations with the EPPO	12
2.3.5. Second Annual Risk Management	12
2.3.6. EU Innovation Hub for Internal Security	13
2.4. JHA meetings	14
2.4.1. Timeline	14
2.4.2. Online presentations EJCN, EJN, JIT and Genocide Networks for JHA agencies' staff	14
2.4.3. JHA agencies' expert groups	15
2.4.3.1. Communication	15
2.4.3.2. Training	15
2.4.3.3. ICT & Security	15
2.4.3.4. DPOs	16
2.4.3.5. External Relations.....	17
3. Inter-agency cooperation.....	17
3.1. CEPOL - Coffee Talk.....	17
3.2. EASO - Joint Analysis on secondary movements	17
3.3. EIGE - Gender-specific measures in anti-trafficking actions.....	18
3.4. EMCDDA - EU Drug Markets Report.....	18
3.5. eu-LISA - ETIAS.....	18
3.6. Eurojust - SIRIUS EU Digital Evidence Situation Report	18
3.7. Europol – Support to capacity building projects	19
3.8. Frontex - Occupational Safety and Health	19
3.9. FRA - Fundamental rights expertise	19
4. Priorities for 2021	20
5. Annexes	21

Foreword by the President of Eurojust

In 2020, Eurojust had the honour of chairing the Justice and Home Affairs (JHA) Agencies Network (JHAAN). We warmly welcome this standing practice of directly reporting to the COSI on our joint progress and achievements in the past year.

Established in 2010, the JHAAN unites nine EU agencies working together on a wide range of topics related to the area of freedom, security and justice. We were hoping to seize the occasion of the JHAAN's 10-year anniversary to assess the functioning of the network and reflect on the future way forward. We also agreed to designate the victims of trafficking in human beings as the second priority topic for 2020. However, it will not come as a surprise that the sudden outbreak of the COVID-19 pandemic forced us to adapt to the new reality and reprioritise part of the JHAAN's original work plan.

Our agencies' individual and joint efforts to deal with the impact of the pandemic have been captured in the Joint Paper on the JHA agencies COVID-19 response that was first published in July 2020 and updated in January 2021. It describes relevant developments, including the fundamental rights implications of government COVID-19 measures, the quick adaptation of organised crime to the changing circumstances and the recent surge in drug use, domestic violence and child abuse.

One of the key lessons learned from the pandemic is the importance of digitalisation. While digitalisation was already playing an increasingly central role in the activities of our agencies, we were now confronted with real and urgent digital business needs that we could not always predict beforehand. It is against this background that we decided to make digitalisation the central topic of our annual Heads of JHA agencies meeting in November, where we discussed possible avenues for closer cooperation and increased synergies in this field.



I am grateful to Executive Director Leggeri for agreeing to continue the work on the assessment of the JHAAN and the topic of victims of trafficking in human beings during Frontex' chairmanship in 2021. I wish him and his colleagues the best of luck and am certain that we will make great progress on these and other files in the coming months.

Finally, I take this opportunity to thank my fellow Heads of agencies and their staff for their valuable contribution to the work of the JHAAN in 2020. Once again, we have shown that we are capable of achieving great things together, even when facing unprecedented challenges.

Ladislav Hamran, President of Eurojust

1. Executive summary

1.1. General overview 2020

The Justice and Home Affairs agencies' network (JHAAN) approved its Work Plan 2020 in January and selected two thematic topics: *victims of trafficking* and *an assessment of the JHAAN*. In April 2020, COVID-19 pandemic and its impact on the work of JHA agencies was introduced as a new third thematic topic.

The COVID-19 pandemic had an impact on the implementation of the Work Plan 2020 and made meeting via videoconferencing a standard practice. The activities regarding victims of trafficking and the assessment of the JHAAN were put temporary on hold until autumn 2020. Eurojust will lead and finalise the priority topic of the protection of victims of human trafficking in 2021. During its chairmanship in 2021, Frontex will continue the work on the assessment of the JHAAN.

The JHAAN Work Plan also included activities to follow up on the joint statements signed by the Heads of JHA agencies in 2019 on the Charter on Fundamental Rights and on Diversity and Inclusion. The JHAAN further worked on topics of Public Access to Documents, relations with the European Public Prosecutor's Office (EPPO), risk management, the EU Innovation Hub for Internal Security, as well as organised online presentations to raise awareness and to identify potential synergies between the JHA agencies and the networks supported by Eurojust.

Work also continued to increase inter-agency cooperation and explore synergies in areas of common interest, in particular through existing JHA agencies' expert groups dealing with communication, training, ICT and cybersecurity, data protection and external relations.

1.2. Thematic topics

1.2.1. COVID-19 and Digitalisation

The JHAAN looked into ways to intensify cooperation in times of COVID-19. As a result, the JHAAN

- adopted a list of actions regarding COVID-19 pandemic and inter-agency cooperation;
- made a compilation of the impact of COVID-19 on the work of the agencies and how the latter ensured business continuity;
- called for an informal meeting of the Heads of JHA agencies on 9 July 2020 to discuss the implications of and response to COVID-19;
- published a joint paper on the JHA agencies' response to COVID-19 on 15 July 2020 and an update of the [joint paper](#) on 28 January 2021;
- launched a [COVID-19 JHA subpage](#) on the Eurojust website on 15 July 2020.

In July 2020, the Heads of JHA agencies further agreed to include digitalisation to the agenda of their annual meeting in November. As a result, the JHAAN

- discussed *artificial intelligence* and *digital capacity building, training tools and innovative learning* during the annual meeting of the Heads of JHA agencies held on 20 November;
- identified the following key messages with regard to **artificial intelligence**:
 - AI is not a question of if, but when and how. AI brings benefits but at the same time carries many risks, including to fundamental rights;
 - AI is an indispensable building block in digitalisation;
 - JHA agencies stand ready to collaborate closely with the EU institutions and the Member States to further develop the use of AI;
 - a multidisciplinary approach is crucial for bringing together the different AI perspectives, including technical, legal and human rights expertise;
 - JHA agencies call for an EU wide approach as well as a robust legal framework and proper safeguards, in full compliance with the EU Charter of Fundamental Rights.

- identified the following key messages with regard to **digital capacity building, training tools and innovative learning**:
 - digitalisation has a great impact in this field and offers opportunities and benefits;
 - JHA agencies plea for secure (fast) communication channels for law enforcement and for judicial authorities, as well as secure video conferencing tools;
 - the shift from physical to digital brings threats, such as vulnerability of IT systems and calls for strong cybersecurity measures;
 - AI will also be beneficial for training purposes;
 - the technical tools used should be in line with data protection requirements and should be fully accessible, allowing persons with disabilities to access.

The Heads of JHA agencies also endorsed a list of components of digitalisation that the network will explore in the next years, involving the JHA agencies' expert groups and other existing platforms such as the EU Innovation Hub for Internal Security.

In December, the Data Protection Officers of the JHA agencies also agreed to a Joint Statement on issues related to the COVID-19 pandemic (in Annex).

1.2.2. Victims of Trafficking

JHA agencies responded to a questionnaire on the protection of victims of trafficking of which the results will be presented at a meeting of trafficking in human beings experts in 2021. A joint paper is envisaged for dissemination to the Member States in order to raise awareness about the roles and victims' related actions undertaken by the JHA agencies.

1.2.3. Assessment of the JHAAN

The JHAAN launched a ten-year assessment of the activities of the network, focusing on the value of the network in enhancing inter-agency cooperation, implementing the EU priorities in the areas of freedom, security and justice and aligning activities in areas of common interest. A concept, methodology and timeline for the assessment were approved in 2020 and work will be continued in 2021. Based on the assessment report, the Heads of the JHA agencies will reflect on the way forward of the JHAAN.

1.3. Other topics in areas of common interest

EU Charter of Fundamental Rights: On 24 September 2020, the JHA agencies exchanged experiences with regard to their contributions to the application of the Charter. The group exchanged a rich array of institutional practices, such as in the area of training and awareness raising etc., discussed challenges and shared experiences regarding the difficulties encountered.

Diversity and Inclusion: Eurojust prepared a joint press initiative for the international women's day on 8 March 2020. In March, the JHAAN extranet platform on diversity and inclusion related matters, developed by eu-LISA, was launched with the objective to share relevant documents among agencies.

Public Access to Documents (PAD): All institutions and agencies are required to comply with the rules set in EU Regulation 1049/2001 and respond in a timely manner to requests made by citizens for PAD. With the support of the European Commission, a workshop was organised in January 2020 to share good practices and discuss the challenges.

Relations with the EPPO: The EPPO participated in the meeting of the JHA agencies' expert group on ICT & Security and was represented at the annual meeting of the Heads of JHA agencies in November.

Risk management: The JHAAN conducted the second annual risk assessment peer review exercise of the JHA agencies, in the framework of a wider risk assessment exercise of EU agencies, that has led to an enhanced level of awareness, identification and best practice exchange concerning risk management and a discussion of corporate risks, which JHA agencies face in their area of competence.

EU Innovation Hub of Internal Security: In a series of virtual meetings which started on 17 November, the Innovation Labs (or contact points) of the JHA agencies together with the European Commission and the Council General Secretariat explored avenues to deliver the base tasks as identified by COSI. A virtual Hub Team was established. However, agencies expressed concern about the limited resources.

Online presentations on the European Judicial Cybercrime Network (EJCN), the European Judicial Network (EJN), the Network of National Experts on Joint Investigation teams (JITs Network) and the European Network for investigation and prosecution of genocide, crimes against humanity and war crimes (Genocide Network): Eurojust organized four online presentations on the activities of these networks in view of mapping existing working relationships between the JHA agencies and the networks, as well as to identify possible synergies.

2. JHAAN Work Plan 2020

2.1. Introduction

In January 2020, the Heads of the JHA agencies (CEPOL, EASO, EIGE, EMCDDA, eu-LISA, Eurojust, Europol, FRA and Frontex) approved the JHAAN Work Plan 2020. The JHAAN agreed to focus on two thematic topics: *victims of trafficking* and *an assessment of the JHAAN*.

The Work Plan also included activities to follow up on the joint statements signed by the Heads of JHA agencies in 2019: the [JHA Agencies' Statement on the Charter on Fundamental Rights](#) and [the JHA Agencies' Statement on Diversity and Inclusion](#). It further introduced topics such as training on public access to documents, awareness about and potential synergies with the networks supported by Eurojust, relations with the European Public Prosecutor's Office (EPPO), and the external relations of the agencies.

In accordance with previous practice, the network was committed to continue the work to increase cooperation and explore synergies in areas of common interest, in particular through existing JHA agencies' expert groups dealing with communication, training, ICT and cybersecurity, data protection and external relations.

In April 2020, the JHAAN added a third new thematic topic: *JHA agencies response to the COVID-19 pandemic*. The Heads of JHA agencies recognised an immediate need to intensify inter-agency cooperation.

The COVID-19 pandemic had an impact on the implementation of the JHAAN Work Plan. It required reprioritising of activities, caused delays in some activities, as well as resulted in new activities and made meeting via videoconferencing a standard practice. Some activities were not implemented, such as a side event on Victims of Trafficking, the joint European Commission - EEAS meeting on 'JHA agencies' external relations'. The planned publication of a joint paper on the role and position of JHA agencies in the EU Security Landscape was replaced by the publication of the joint paper 'JHA Response to COVID-19'.

The network continued to function smoothly during these difficult times and all JHAAN meetings and the annual meeting of the Heads of JHA agencies took place via video-conferencing technologies. The activities regarding victims of trafficking and the assessment of the JHAAN were temporary put on hold and started in autumn 2020.

2.2. Thematic priorities

2.2.1. COVID-19 pandemic

2.2.1.1. JHA response to COVID-19

In April 2020, the JHAAN looked into ways to intensify cooperation in times of COVID-19. On 2 June 2020, the Heads of JHA agencies adopted a list of actions regarding the COVID-19 pandemic and inter-agency cooperation.

The COVID-19 pandemic has brought many challenges for the Member States. Primarily, the focus was on protecting public health but measures were strongly needed in other areas as well to ensure the proper functioning of the area of freedom, security and justice.

Whilst ensuring business continuity, the pandemic forced the agencies to reconsider activities and to shift priorities. The agencies are responding to the crisis within their respective mandates. They are supporting the Member States and the EU institutions in coping with the impact of the COVID-19 pandemic in cross-border police and judicial cooperation, border management and asylum matters, etc. while complying with fundamental rights.

The JHAAN decided to map the impact of COVID-19 on the operational work of the JHA agencies. On 15 July 2020, the JHAAN published a joint report capturing agencies' individual and joint efforts to deal with the impact of the pandemic. The network also launched a [COVID-19 JHA subpage](#) on the Eurojust website with information, products and joint actions of the JHA agencies regarding this topic, including links to the respective websites of the agencies.

From the outbreak onwards, all the agencies took the necessary measures to ensure business continuity and support to the operational work. The agencies have been supporting Member States and the EU institutions in meeting the unprecedented challenges resulting from the outbreak of the virus. The joint paper also addressed the latest developments, including the fundamental rights implications of COVID-19 measures adopted by the Member States, the quick adaptation of organised crime to the changing circumstances and the recent surge in drug use, domestic violence and child abuse.

The paper was published as Council document 9918/20 on 24 July 2020. In November 2020, the network decided to update the paper to cover the entire year 2020, issued as Council document 5707/21 on 28 January 2021.

Through exchanging information, sharing expertise and knowledge, the agencies are considering new avenues to foster bilateral and multilateral cooperation among them and with key stakeholders inside and outside the European Union. The Heads of JHA agencies met in July 2020 to discuss the impact of the COVID-19 pandemic (*see 2.2.1.2*) and invited the respective chairs of the JHA agencies' expert groups to discuss the topic in their area of expertise (*see 2.4.3*).

2.2.1.2. Informal VC Meeting of the Heads of JHA agencies on COVID-19

On 9 July 2020, the Heads of JHA agencies discussed the impact of the COVID-19 pandemic on the work of the agencies. All the JHA agencies faced organisational and operational challenges but ensured business continuity. They continued to operate in online environment by moving to teleworking and paperless workflows. They further activated contingency plans and called for internal structures, such as taskforces, to monitor the situation and to provide advice to the management of the agencies.

The agencies produced new products on the impact of COVID-19 and conducted analysis to assist the Member States and EU institutions in dealing with the challenges caused by the crisis, each agency within its respective mandates. They noticed an increase in domestic violence and saw increasing incidents of racism and xenophobia and exacerbated inequalities for some of the most vulnerable groups, such as Roma, older people, persons with disabilities, asylum seekers and migrants. They also considered data protection and privacy concerns associated with contact-tracing apps and other technological tools to combat the pandemic. COVID-19 pandemic has impacted various fundamental rights, while posing an unprecedented collective challenge to the right to life and to the right to health. Criminal groups are taking advantage of the new situation, prompting the agencies to launch prevention campaigns, to conduct analysis, to deliver trainings and to support law enforcement and judicial authorities in their investigations and prosecutions.

The agencies remained committed to ensure justice, respecting fully human and fundamental rights, security and public health.

The Heads of JHA agencies shared their views on common areas of interest and possible joint activities. Identified common areas were:

- Technology, innovation and digitalisation
- Considering common crisis response, including coordinated security measures
- Mainstreaming human rights and fundamental rights in the agencies' work
- Enhancing capacity building and joint analytical work
- Improving business continuity plans and resilience
- Increasing the joint procurement initiatives
- Exchanges on teleworking policies

The Heads concluded that the network should explore these ideas in upcoming months and they should discuss digitalisation already at the annual meeting in November (*see 2.2.1.3*).

The JHAAN further supported close partnership with the Shared Support Office (SSO) of the EU Agencies Network (EUAN) to avoid any duplication or overlap. For instance, the EUAN was addressing areas such as teleworking and joint procurements. The SSO attended the regular meeting of the contact points of the JHAAN in September 2020 and the annual meeting in November 2020.

2.2.1.3. Annual meeting of the Heads of JHA agencies on digitalisation

The annual meeting took place on 20 November 2020 by videoconference with digitalisation as a central theme. The meeting commenced with a video message by the Commissioner for Justice, Mr Didier Reynders. He announced the upcoming Communication on the digitalisation of justice in the EU and elaborated on the challenges in the way forward: the need to enhance digital cooperation capabilities between the agencies, e-evidence, the need to strengthen coordination and exchange of information and artificial intelligence.

The meeting featured two discussion rounds: one on *artificial intelligence (AI)* and another on *digital capacity building, training tools and innovative learning*. Participants to the meeting were the Heads of JHA agencies, the Chair of the European Parliament's LIBE Committee, incumbent and future COSI (Vice-) Chairs, the General Secretariat of the Council, the European Commission (DG JUST, DG HOME and DG NEAR), the EEAS, the contact points of the JHAAN, as well as two guests, the Administrative Director *a.i.* of EPPO and the Head of the Shared Support Office of EUAN.

In the first discussion round, the agencies shared their views on the impact of AI on the work of their agency, presented their AI products and plans, gave practical examples to demonstrate needs and pointed out the challenges, as well as opportunities for joint initiatives. These were complemented by reactions from other invitees.

Key messages from the discussions were:

- AI is not a question of if, but when and how. AI brings benefits but at the same time carries many risks, including to fundamental rights. It is an indispensable building block of digitalisation.
- JHA agencies are analysing the impact of AI on their work and are assessing the benefits and capabilities of AI, as well as the challenges (e.g. fundamental rights, gender equality, transparency in the development of algorithms, digital divide, processing of large data sets, issues related to quality of data, including the ones used to train algorithms, and its potential for discrimination, analysis of data, interoperability, training needs, impact on criminal investigations and proceedings, accountability).
- JHA agencies have published reports, findings and studies and are planning projects and initiatives (working groups, fora) to continue the debate on AI. They need to continue the dialogue and deepen their cooperation, including on AI related joint projects.
- JHA agencies stand ready to collaborate closely with the EU institutions, as well as support and assist the Member States. A multidisciplinary approach is crucial for bringing together the different perspectives, including technical, legal and human rights expertise at EU, national and institutional level.
- The agencies call for an EU wide approach, as well as a robust legal framework and proper safeguards, grounded in and in full compliance with the Charter of Fundamental Rights of the European Union.

In a second round of discussions, the agencies shared their experiences in e-learning capacity building and ideas for synergies and pointed out the challenges and opportunities stemming from digital capacity building and digital transformation. These were complemented by reactions from the invitees.

Key messages from the discussions were:

- Digitalisation has a great impact in this field and offers opportunities and many benefits. During COVID-19, JHA agencies stayed connected and ensured business continuity. Digital tools allowed for continued interaction with stakeholders.

- The JHA agencies plea for secure (fast) communication channels for law enforcement¹ and for judicial authorities, as well as secure video conferencing tools.
- Each agency has gained experience in using and developing digital tools in its area of competences, such as electronic learning platforms and tools, e-learning activities, systematic use of web surveys, online consultation hubs, virtual joint actions days, VC operational meetings with law enforcement and VC coordination meetings with prosecutors and virtual conferences.
- COVID-19 pandemic has been a catalyst for accelerating the speed of digital transformation.
- The shift from physical to digital also brings threats, such as vulnerability of IT systems and calls for strong cybersecurity measures and will require resources, skills and continued training at all levels. It will also have certain limitations.
- AI will also be beneficial for training purposes.
- The technical tools used should be in line with data protection requirements and should be fully accessible, allowing persons with disabilities to access. Agencies call for synergies, harmonisation and interagency cooperation in this area, as well as stress an urgent need to exchange best practice and organise a JHA Heads of ICT meeting in the mid-term.

In advance of the meeting, the Heads of JHA agencies also endorsed a list of (non-exhaustive) components of digitalisation that the network will explore in the next years in view of a coordinated approach amongst the JHA agencies. They further agreed to request the JHA agencies' expert groups and other existing platforms, such as the EU Innovation Hub for Internal Security, to look into these components and to remain in close contact with the EUAN ensuring complementary of actions.

The list of components of digitalisation:

- *Artificial Intelligence*
- *Joint web platforms for meetings and secure video-communication*
- *Exchange information in a secure way amongst JHA agencies*
- *Digital capacity building, training tools and innovative learning*
- *Cybersecurity*
- *Interactive platforms, cooperation with the networks*
- *Current and future challenges in the processing of large operational datasets*

The annual meeting confirmed the importance of digitalisation and the need to work more closely together in this field. It will therefore remain on the agenda of future meetings of the JHAAN. The EU Innovation Hub for Internal Security will also be asked to support the coordination amongst the agencies when it comes to identifying and developing innovative solutions.

2.2.2. Victims of Trafficking

The interest and protection of victims of serious cross-border crime were put high on the agenda of the EU in 2020. It was agreed that the JHAAN will support the EU efforts by increasing the visibility and assistance of EU agencies in relation to victims of human trafficking, in particular in the victims' identification, protection, assistance, access to justice, compensation and reparation. A joint paper of the JHAAN was envisaged to this end, based on the Joint Statement of commitment to working together against trafficking in human beings renewed in 2018 by the JHA agencies.

Due to COVID-19, the final input for this thematic priority will be issued in Q1/Q2 of 2021.

In October, Eurojust prepared a questionnaire on protection of victims of trafficking to get inputs for the joint paper. The EU Anti-Trafficking Coordinator (ATC) was closely consulted on the questionnaire.

¹ In 2020, the Europol Innovation Lab established a core group of Member States on secure communications for law enforcement. They prepared an overview of existing tools for secure communication and the roadmap (12860/1/20) regarding the extension of secure communications for EU law enforcement in the short-, medium- and long term.

On 18 November, the questionnaire was disseminated to the JHAAN and all responses were collected by the end of 2020.

In January 2021, Eurojust will analyse all inputs from the JHA agencies. The results of the analysis will be presented and discussed at a meeting with THB experts from the JHA agencies. Eurojust will prepare and host this meeting in Q1/Q2 of 2021.

After the expert meeting, a short paper will be produced with an overview of JHA agencies' support to victims of human trafficking. The paper will then be disseminated to the Member States to make them aware of the roles and victims' related actions undertaken by the JHA agencies in the implementation of the 2018 Joint Statement. The paper could also contribute to the implementation of the Council Conclusions on Victims' Rights adopted in December 2019 and of the EU Strategy on Victims' Rights 2020-2025 adopted in June 2020 and upcoming strategic approach against trafficking in human beings in relation to the Agenda to tackle Organised Crime.

2.2.3. Assessment of the JHAAN

In 2020, the JHAAN celebrated its 10th anniversary. The momentum was there to assess the value of this network in enhancing inter-agency cooperation by implementing the EU priorities in the area of freedom, security and justice and in aligning activities in areas of common interest. The reflection on the functioning and value of the network and the way forward of the JHAAN will be launched in 2021.

Due to COVID-19, the JHAAN evaluation exercise only started in September 2020. The exercise was prepared by the JHAAN contact points in 2020 when the concept, methodology and timeline were approved. The work will be continued by Frontex under its chairmanship in 2021. The finalisation of the evaluation in 2021 provides an opportunity to include the experience from 2020 when the network had to continue functioning in different circumstances due to the COVID-19 pandemic.

The assessment covers organisational aspects and the question how the purpose for which the network was established has been achieved, specifically in the following areas²:

- Cooperation between agencies in specific crime areas, including warning and risk analysis
- Common sphere of governance
- JHA information systems and interoperability
- Coordinated approach to EU institutional affairs and external relations
- Fundamental rights and gender equality
- Training and efforts in the field of research and developments
- Raising awareness about the work of the agencies

Based on the assessment report, a reflection should allow the Heads of the JHA agencies to suggest a list of recommendations on the way forward of this network in Q4 2021.

'It is 10 years now that this Network, by closely collaborating, has made tangible progress in the area of JHA. You have been an example of fruitful collaboration in the EU institutions.'

Mr Didier Reynders, European Commissioner for Justice, video message, 20 November 2020

2.3. Other topics in areas of common interest

2.3.1. EU Charter of Fundamental Rights

On 24 September 2020, at the occasion of the regular meeting of the contact points of the JHAAN, the agencies exchanged experiences and practices with regard to the application of the Charter of Fundamental Rights of the European Union. In November 2019, the Heads of the JHA agencies signed a

² The agencies' joint report to COSI on cooperation between JHA agencies, COSI adopted an approach (EU Council doc. 9441/2/10) to ensure consistency of action. COSI invited the agencies to implement the measures contained in the 2010 final report (EU Council doc. 8387/10) on cooperation between JHA agencies and to organise regular meetings of the Heads of the agencies.

joint statement on the implementation of the Charter of Fundamental Rights of the European Union.³ They committed, amongst others, *to contribute to the protection of fundamental rights, as they are an integral part of their work; to promote and raise awareness regarding fundamental rights, as enshrined in the Charter and to exchange, within the JHAAN, practices regarding the implementation of the Charter in the justice and home affairs area on an annual basis.* The meeting on 24 September 2020 constituted the first edition of the annual exchange on the Charter among the agencies participating in the network of agencies active in the justice and home affairs domain.

The exchange brought to the fore a rich array of institutional practices. This includes training opportunities; access to data and data protection; awareness of complaint mechanisms; availability of specific focal points such as whistleblowing contact points, antifraud contact points, anti-harassment focal points etc. Furthermore, agencies referred to affirmative actions for example for persons with disability; specific programmes such as health programmes, programmes for psychological support; specific policies for instance on ethics and integrity or on anti-harassment, fully-fledged fundamental rights strategies. They also spoke about specific implementing rules e.g. on prevention of psychological and sexual harassment; specific technical tools to guarantee fundamental rights for instance an e-recruitment tool that guarantees anonymity vis-à-vis the selection board. Finally, agencies pointed to regular training sessions on relevant internal documents such as a code of good administrative behaviour; the existence of internal groups such as ‘Diversity and Inclusion Steering Group’ and to a variety of mechanisms and tools to ensure that fundamental rights are mainstreamed also in all external activities of the agencies. Some have dedicated staff coordinating and overseeing fundamental rights, such as fundamental rights officers.

Agencies further pointed to challenges. These include issues related to how efficiently incorporate fundamental rights considerations in a day-to-day legal review of documents; how to approach the liability of staff or of closely associated contractors for alleged fundamental rights violations or on how to best deal with (alleged) cases of maladministration. Agencies found the meeting useful and shared some thoughts on how to further improve this annual exchange.

2.3.2. Diversity and Inclusion

Despite the COVID-19 situation, the topic of *Diversity and Inclusion* was kept on the agenda. Eurojust liaised with the experts of the other JHA agencies in view of possible joint initiatives and prepared a joint press initiative for the international women’s day on 8 March 2020. In that same month, the online platform, developed by eu-LISA, was launched with the objective to share relevant documents.

In October 2020, Eurojust invited all JHA representatives in the area of diversity and inclusion to inform each other about activities and initiatives in their respective agencies. The use of the extranet platform hosted by eu-LISA for sharing diversity and inclusion information among the agencies should be encouraged in 2021.

2.3.3. Public Access to Documents

A workshop was organized in January 2020, to build strong contacts through the agencies’ network to tackle the challenges but also to share good practices on public access to documents (PAD). All institutions and agencies are required to comply with the rules set in Regulation (EU) 1049/2001 (PAD Regulation)⁴ and respond in a timely manner to requests made by citizens for public access to documents.

The European Commission presented the legal framework and highlighted in particular that all applicants, including third country citizens residing or having their registered office in the EU, should be treated the same way. Also, all documents (including written and digital documents, records etc.) held by an institution, either drawn up or received by it and in its possession, in all areas of activity of

³ Heads of JHA Agencies’ statement on the occasion of the 10th Anniversary of the Charter of Fundamental Rights of the European Union, available at [this link](#).

⁴ Regulation (EC) 1049/2001 of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43)

the EU, should be considered as a document in the scope of the PAD Regulation. If no general presumption for refusing access is applicable then each document has to be assessed individually.

Further topics discussed were amongst others:

- wide-scope requests;
- exceptions for operational cases;
- the need to have a proper document management system to search for the document requested;
- third party consultations;
- redaction tools;
- organisational structures such as a transparency office to support managing PAD requests;
- cross-agency and institution alignment on similar requests;
- awareness raising and training;
- adoption of new rules and workflows;
- declassification of documents and
- the process in the European Commission for confirmatory applications.

The workshop was evaluated very positively and helped in building a better network among experts dealing with PAD requests. A similar event may be organised again, if requested.

2.3.4. Relations with the EPPO

JHA agencies are establishing bilateral working relations with the EPPO, as a new partner in the EU's security and justice arena. In April 2020, Eurojust, on behalf of the JHAAN, invited the EPPO to also become associated to some of the activities of the JHAAN. While fully aware of the fact that the EPPO is not an EU agency, the JHAAN offered the possibility to contribute to the development of the joint paper on COVID-19. Due to institutional constraints, the EPPO refrained from this particular activity but welcomed a cooperative dialogue. The Administrative Director *a.i.* of the EPPO was invited to the annual meeting of the Heads of JHA agencies in November.

2.3.5. Second Annual Risk management

Under the lead of the EU Agencies Network (EUAN) and at the request of DG Budget and the Secretariat General of the European Commission, the JHAAN conducted the second annual risk assessment peer review exercise in 2020. The aim was to identify the common critical risks across EU Agencies, Europol chaired the exercise for the JHA agencies cluster.

Following the assessment of corporate risks specific to each JHA agency – as identified in the Single Programming Documents 2020-2022 and 2021-2023 – four (4) cross-agency corporate risks of a critical nature emerged, namely three (3) threats and one (1) opportunity. These risks can be summarised as follows:

- The delivery of the continuously evolving operational demand on time and within initially planned resource margins, in view of available and required infrastructure needs, and against compliance requirements as well as business needs specific to the operating environment of the respective JHA agency;
- The implementation of the additional (including *ad hoc*) requests, resulting in changes to the existing business planning, thus reducing the resources (budget and staff) available for initially envisaged objectives;
- JHA agencies encounter a multifaceted, complex business continuity risk profile, including based on the ever-evolving technology pace and cyber security threats, the impact of Brexit and the uncertain effects resulting from the COVID-19 pandemic;
- An opportunity for a profile and awareness boost for JHA agencies, supported by legislative initiatives and resource allocation, in the context of the further development of the EU Security Union Strategy (released in July 2020) under the lead of the European Commission, the political priorities brought forward by the European Parliament and the European Council, as well as the

MFF 2021-2027, given internal security being perceived as a connecting factor across Member States.

To respond to the identified risk profiles, JHA agencies carry out robust planning and performance management, next to continuous monitoring and management of the organisational demand, and identify appropriate prioritisation to achieve an efficient and effective use of available resources. JHA agencies endeavour to build a strong and positive, complementary approach, while upholding and communicating realistic ambitions and plans, as well as the projected resource availability for the MFF 2021-2027. JHA agencies reinforce and refine existing business continuity arrangements and related response capabilities, in particular with regard to the cyber response and COVID-19 pandemic related aspects.

From an overall perspective, and building upon the outcome of the previous exercise, the risk assessment peer review exercise has led to:

- Enhanced level of awareness on risk management across JHA agencies;
- Identification and best practice exchange concerning risk management in JHA agencies;
- Discussion of corporate risks which JHA agencies face in their area of competence, including corresponding mitigating measures.

On the way forward, JHA agencies will continue the dialogue and cooperation to exchange views and best practices in mitigating corporate risks as well as to explore collaboration opportunities with the respective partner DG in the European Commission.

2.3.6. EU Innovation Hub for Internal Security

Last year in November 2019, JHA Heads of agencies took note of the Council Decision to establish an Innovation Lab at Europol and the ensuing COSI decision to establish an EU Innovation Hub for Internal Security (the Hub). The COSI detailed the future functions and governance structure in the Council document 7829/20.

The work of the Hub is being supported by the Hub Team, which is coordinating the work on the four base tasks in the inception phase in cooperation with the participating Innovation Labs (or contact points). The Hub Team will support the production and dissemination of products, individual projects, and produce other outputs (e.g. mapping of projects and funding opportunities). The Hub Team has already set-up a common platform, for exchanges and dissemination of information on activities and it will periodically report its activities to the Steering Group.

In a series of virtual meetings which started on 17 November 2020, the Innovation Labs (or contact points) of the agencies together with the European Commission (DG Home and JRC) and the GSC are exploring avenues to deliver the base tasks. Outcome of the first virtual meeting includes the establishment of the virtual Hub Team, and the start of a regular exchange of information about their research and innovation activities to map existing and future projects in different sectors of the internal security domain.

In addition, members of the Hub Team have agreed to identify “quick wins”: existing projects carried out by the agencies and Commission DGs that could contribute to reaching the objectives of the Hub in particular with regard to the sharing of knowledge and information, developing synergies, and disseminating the findings and technological solutions of the participating innovation labs. In parallel, the Hub Team has initiated discussion about long-term priorities, operational and financial models to support sustainable operation of the Hub.

All agencies have shown strong commitment to achieve the objectives of the Hub jointly. However, agencies expressed concern about the limited resources, which will not allow at this stage to devote one full time staff for the EU Innovation Hub or free any agency budget for the tasks of the Hub. Resources have to be drawn from existing staff and budget of each agency (and hence from other tasks assigned to the agencies) which limits its ability to plan and initiate new projects and initiatives.

2.4. JHA meetings

2.4.1. Timeline

- *Meeting of the CPs JHAAN, 18-19 March – CANCELLED*
- **VC JHA experts Communication, 1 April**
- **Ad hoc VC meeting of the CPs of JHAAN, 28 May**
- **VC meeting of the CPs of JHAAN and Observers, 17-18 June**
- **VC meeting of the DPOs, 2 July**
- **Ad hoc VC meetings of the CPs of JHAAN, 3 July**
- **Informal VC meeting Heads of JHA agencies, 9 July**
- **Online Presentation, EJN, 14 September**
- **VC Meeting of the CPs JHAAN and Observers, 23-24 September**
- **Online Presentation, Genocide Network, 28 September**
- *COM-EEAS joint meeting external relations, September – CANCELLED*
- **Online Presentation, EJCEN, 05 October**
- **Online Presentation, JIT experts Network, 12 October**
- **Ad hoc VC meetings of the CPs of JHAAN, 16 October**
- **JHA experts Training, 27 October**
- **VC meeting of the DPOs, 29-30 October**
- **Ad hoc VC meetings of the CPs of JHAAN, 6 November**
- **JHA experts ICT and Cybersecurity, 9 November**
- **JHA experts External Relations, 13 November**
- *Side event THB, 19 November – CANCELLED*
- **VC annual meeting of the Heads of JHA agencies, 20 November**
- **VC meeting of the DPOs, 7 December**

2.4.2. Online presentations EJCEN, EJN, JIT and Genocide Networks for JHA agencies staff

With the aim of raising awareness among JHA agencies about the activities of the networks involved in judicial cooperation in criminal matters, Eurojust invited the networks to present their activities at the regular meetings of the CPs of JHAAN in 2020.

The networks supported by Eurojust, some have of which their secretariat at Eurojust – *i.e.* the secretariats from the JITs Network, Genocide Network and the EJCEN - are:



- The European Judicial Network (EJN)
- The Network of National Experts on Joint Investigation Teams (JITs Network)
- The European Network for investigation and prosecution of genocide, crimes against humanity and war crimes (Genocide Network)
- The European Judicial Cybercrime Network (EJCEN)

Due to the impact of COVID-19, Eurojust took the initiative to organise four separate and short online presentations given by the Heads of the networks' secretariats and the Eurojust Coordinator of EJCEN Support Team between September and October 2020.

This initiative was well received and allowed a wider audience of representatives from all JHA agencies (in addition to the JHAAN contact points) and observer institutions (DG JUST, DG HOME, EEAS) to listen and participate in the discussions.

In addition to raising awareness of the activities of these networks, these events provided an opportunity to map the existing working relationships between the JHA agencies and these networks and their secretariats and to identify potential areas for cooperation in the future.

2.4.3. JHA agencies' expert groups

2.4.3.1. Communication

The JHAAN meeting for communication experts took place on 1 April 2020 via videoconference. Due to the timing, the agenda had a focus on internal and external communication related to COVID. It was clear from the meeting that there is a lot of scope for sharing best practices and resources, as well as ideas on internal communication as part of the crisis response. Before the meeting, the external communication was more individual as each JHA agency indeed has stepped up its communication on COVID related response within their mandates. After the meeting, JHAAN cooperation in external messages increased: the agencies started combining key messages, showing how we all contribute from different angles to ensure the proper functioning of the area of freedom, security and justice in these challenging times, as EU agencies.

In relation to communication, the Heads of JHA agencies agreed - as part of the list of actions to enhance inter-agency cooperation - to a number of actions, i.e. the development of an infographic, the publication of a joint news item in July and the launch of a COVID-19 JHA subpage on the Eurojust website (*see 2.2.1.1*).

2.4.3.2. Training

The annual meeting of the training contact group took place on 27 October and was hosted by CEPOL. EASO, EMCDDA, Eurojust, Europol, FRA, Frontex, DG JUST, EJTN, ESDC participated as invitees. The meeting focused on the impact of the COVID-19 pandemics on training activities. Participants identified the following main findings:

- There has been a strong demand for on-line training services of the agencies from the MSs and beyond;
- The existing infrastructure proved effective for the emergency situation, yet, some upgrade is needed;
- The agencies were able to react rapidly to the needs and support or adapt training delivered by the MS;
- The agencies have been delivering specific analytical and information products on different aspects of the impact of the pandemic for their relevant audiences;
- Standard methodologies of on-line training activities had to be adapted to the specific circumstances;
- There has been a strong need for the development of the digital skills for the staff of the agencies;
- In the short run, agencies reacted to the unprecedented situation by themselves. In the longer run, there is room and need for more inter-agency cooperation in this respect;
- On-line training has its limitations and may not replace on-site training entirely; yet, there is huge potential in it and there have been improvements that are helpful to minimize this gap;
- The sustained extraordinary situation requires continuous development from the agencies.

2.4.3.3. ICT & Security

The ICT & Security expert group from the JHA agencies met over video conference on 9 November 2020. All JHA agencies were represented, as well as the EPPO, the EDPS and the JHA agencies' DPOs who were invited to participate for the agenda point "Experiences with cloud solutions".

The expert group discussed different topics including the use of cloud based ICT security tools, processing operational personal data in cloud solutions, the handling of the complex legal aspects of

software and cloud licensing models, experiences related to secure video conferencing, the exchange of EU classified information and the use of electronic signatures in JHA agencies.

As all JHA agencies had to find video conferencing solutions during the COVID-19 pandemic, one of the key discussion points during the meeting was establishing secure video conferencing solutions between the agencies. eu-LISA offered to share the architecture of their solution for evaluation by the other agencies during later expert meetings.

At the annual meeting in November, the Heads of JHA agencies, exchanged their experiences regarding video conferencing tools. The topic *joint web platforms for meetings and secure video-communication* is also included in the list of components of digitalisation (see 2.2.1.3).

2.4.3.4. DPOs

The DPOs of the JHA agencies met on three occasions (2 July, 29-30 September and 7 December 2020). These meetings were again very useful opportunities for the JHA DPOs, who are often dealing with similar issues related to operational data, to share experiences and discuss freely and in full confidence between peers.

In 2020, many topics were discussed, such as the rules in application of article 25 of Regulation 2018/1725, the new legal framework applicable at Eurojust since 12 December 2019, the experiences regarding data breaches as well as with cooperation with the EDPS, and the digital justice project. Particular attention was given to the issue of international transfers, especially after the Schrems II judgement, and ideas were exchanged as to how to deal with the mapping exercise launched by the EDPS on this topic.

However, the topic mostly discussed was COVID-19. In particular, the DPOs discussed the many issues linked to the pandemic, which had to be dealt with by the agencies, both related to the medical side of the pandemic and the need for putting in place new online methods of work due to the immediate and unexpected switch to teleworking. The DPOs discussed points of concern and shared experiences regarding the difficulties of operating under time pressure and the need to have clear and timely guidance from the EDPS, while at the same time having to consider as well the guidance given by the national Data Protection Authorities of the countries where the agencies have their seat.

These discussions led to the drafting of the *Joint Statement on issues related to the present COVID-19 pandemic*, annexed to this report. The DPO of Eurojust presented the joint statement in the network of the DPOs of the EU on 10 December 2020 and, following this presentation, many DPOs of the EU institutions, agencies and bodies⁵ endorsed the Statement.

The joint statement was also shared with the EDPS who considered it an excellent initiative.

Mr Wojciech Wiewiórowski, the European Data Protection Supervisor, replied as follows:

‘This initiative is very much appreciated and one that I strongly encourage. I am fully aware of the challenges that come with the work carried out by the DPOs in the EU institutions and bodies under normal circumstances, and I do not underestimate the increasingly complex situation that you have faced since March last year. After the outbreak of pandemic, DPOs found themselves, in addition to their usual tasks, advising their organisations on privacy-friendly solutions for managing ‘the new normal’, ensuring that the suggested tools and policies are in line with the EUDPR.’

⁵ EUROFOUND, REA, ECHA, ENISA, CEDEFOP, EFCA, EACEA, EUIPO and CPVO, CdT, ERC, EMA, EMSA, Council of the EU, Ombudsman, EFSA, EDA, EASME, European Parliament, EEAS, EU-OSHA and ECA.

2.4.3.5. External Relations

Due to the impact of COVID-19, the European Commission and the EEAS decided not to organise the meeting with the JHA agencies on external relations in 2020. Instead, a joint meeting of the JHA external relations officers and the JHAAN Contact Points took place on 13 November via videoconference and with the observer institutions present.

The meeting provided a good opportunity for all JHA agencies to report on the main developments in the legal frameworks since their last meeting in 2018. In addition, the participants provided updates on relations with partners and exchanged experiences on EU funded projects and programmes.

Identified areas for further exchange of information and practices were cooperation with the EEAS and the inclusion of specific third countries in respective lists of priority countries. In future discussion, the agencies will also address activities in technical capacity building projects, as well as the new external relations strategies and action plans implementing relevant activities adopted by all agencies.

The RELEX Matrix, capturing information on external relations of JHA agencies was updated for 2020 and a new sheet on relations with networks was introduced.

3. Inter-agency cooperation

In this chapter, each agency presents an example of joint inter-agency cooperation activities carried out in 2020.

The JHAAN also prepared the **Multilateral JHA agencies Scorecard 2020** which includes a full list of inter-agency activities in relation to asylum, migration and border management, security and serious and organised crime, coordination and information exchange, training, research & innovation, communication and safety & health. The Scorecard is published as an Addendum to this report. Annexed to this report is also the Infographic on the involvement of the JHA agencies in the 13 EMPACT Operational Action Plans 2020.

3.1. CEPOL – Coffee talk

CEPOL is continuously looking for innovative learning actions to ensure better law enforcement training. The new product “Coffee talk” is envisaged as new learning product that through an intentionally less formal approach shares perspective on actual strategic issues of EU law enforcement and by orienting participants towards European solutions it would directly contribute to the building of common law enforcement culture. The idea behind it is that shaping personal/professional attitude has much more long-lasting effect than just simply conveying a knowledge on a particular technique or instrument. A free discussion of two senior officials, broadcasted like a webinar and listeners/attendees sending questions via a chat box functionality to the moderator of the conversation. The first Coffee talk took place on 20 January 2021, with the participation of the President of Eurojust Mr. Ladislav Hamran and CEPOL Executive Director Dr.h.c Detlef Schröder. The talk covered the coronavirus impact on Eurojust operations and services, digitalisation of judicial cooperation, digital information sharing and digital evidence sharing.

3.2. EASO - Joint analysis on secondary movements

In October 2020, EASO, Frontex and Europol published a joint analysis of secondary movements in the EU and Schengen Associates countries (SAC) as a continuation of the joint reporting on secondary movements initiated in 2019 by these three agencies. The report provides an important insight into flows of secondary movements at EU/SAC countries’ level, main citizenship undertaking secondary movements, patterns and trends and the involvement of organised crime. Moreover, the report assesses the implications of the pandemic for secondary movements over the next year. Overall, the report

provides a comprehensive situational picture on the secondary movements of third-country nationals in the EU/SAC. The report has been presented at the JHA Counsellors meeting on Migration.

3.3. EIGE - Gender-specific measures in anti-trafficking actions

In June 2020, CEPOL with EIGE and the Office of the EU Anti-Trafficking Coordinator organised a joint webinar on 'Gender-specific measures in anti-trafficking actions'. The webinar targeted EU law enforcement officials and aimed at discussing the gender dimension of the trafficking in human beings and how to implement gender sensitive measures from the identification to the protection of women and girls victims of THB.

3.4. EMCDDA - EU Drug Markets Report

On 29 May 2020, EMCDDA and Europol released a supplement to the EU Drug Markets Report on the ongoing impact of the COVID-19 pandemic on the drug markets. This joint publication analyses the impact of the pandemic on the market for the main drug types (cannabis, heroin, cocaine, amphetamines, NPS). It covers production, trafficking and availability as well as some of the impacts on organised crime groups and adaptations observed. The study reports higher prices, local shortages and reduced purity for some drugs, while noting continued violence among suppliers and distributors. It also shows how organised crime groups remain active and resilient, by adapting transportation models, trafficking routes and concealment methods during the pandemic. This report provides comprehensive and strategic analysis for policy and action.

3.5. eu-LISA - ETIAS

As one of the examples of inter-agency cooperation, since 2018, eu-LISA has been developing the European Travel Information and Authorisation System (ETIAS) in close cooperation with Frontex and Europol. The system will help improve internal security, limit public health risks and reduce delays at the borders by identifying persons who may pose a risk before they arrive at the EU's external borders. Each of the three agencies have an essential role:

- eu-LISA will technically develop the ETIAS Central System, a national uniform interface, secure communication infrastructure, a public website, an app for mobile devices, an email service, a carrier gateway and other technical tools;
- Frontex will establish the ETIAS Central Unit and the ETIAS Screening Board;
- Europol will be responsible for entering data to the ETIAS watchlist and will be a member of the Screening Board.

In 2020, the collaboration between eu-LISA, Frontex and Europol was intensified. The agencies are cooperating either under the umbrella of the EES-ETIAS Advisory Group, official governance structure for the project, set-up and managed by eu-LISA. In parallel, discussions are taking place also during the meetings organised by Frontex on setting up the ETIAS Central Unit and ETIAS National Units. In relation to the carriers, in 2020 close cooperation continued between eu-LISA and Frontex. The main focus was on setting up the cooperation model for the establishment of services towards the carriers and assisting the European Commission in drafting the Carriers Implementing Act. The services towards the carriers will be established in order to provide support to the carriers and to enable the smooth organisation of traffic flows at the external borders.

3.6. Eurojust - SIRIUS EU Digital Evidence Situation Report

On 1 December 2020, Europol, Eurojust and the EJM published the second annual edition of the SIRIUS EU Digital Evidence Situation Report. The report outlines the status of EU authorities in retrieving electronic data held by foreign-based online service providers (OSPs) in 2019. Cross-border access to digital information is paramount to an ever-increasing number of investigations, ranging from economic crimes and drug trafficking to terrorism, cybercrime and child sexual exploitation. This joint report

clearly shows the great impact of electronic evidence on all partners of the EU's security chain. This report encompasses extensive information gathered from over 325 surveyed officials of EU Member States' law enforcement and judicial authorities, together with relevant input coming from a dozen major OSPs and reference to national legislation. The SIRIUS Project is a central reference in the European Union for knowledge sharing on digital cross-border investigations for law enforcement and judicial authorities. SIRIUS products and services are currently available to more than 4 500 practitioners, representing all EU Member States and 17 third countries. Eurojust, being partner in the project since 2018, became a full co-beneficiary of the funded action by the end of 2020. Also the European Judicial Network (EJN) closely collaborates with the project.

3.7. Europol – Support to capacity building projects

CEPOL - Europol capacity building projects target MENA, Eastern Partnership and Western Balkans (WB) regions. In line with the newly approved External Strategy of Europol, whose main and balanced focus remains on the EU neighbourhood, Europol has engaged together with CEPOL in a number of capacity building projects whose implementation started in 2020. Indirect management of the project funds has been entrusted to CEPOL with Europol contributing to some components of the projects. The three projects are:

- EUROMED Police V to enhance institutional capacity to protect EU neighbours' citizens against transnational serious and organised crime. Partner Countries: Jordan, Lebanon, Tunisia, Algeria, Morocco, Egypt, Israel, Libya, Palestinian Authority.
- Eastern Partnership TOPCOP: to improve effectiveness in fighting transnational organised crime in priority crime areas. Partner countries: Armenia, Azerbaijan, Belarus, Georgia, Moldova, and Ukraine.
- WB PaCT – Partnership against Crime and Terrorism project to enhance the capacities of authorities in the WB to fight organised crime and terrorism including preventing and countering violent extremism by enhancing cooperation within the region and with the EU. Partners countries are: Albania, Bosnia and Herzegovina, Kosovo*, Montenegro, North Macedonia, Serbia.

3.8. Frontex - Occupational Safety and Health

Frontex, Europol and EASO have over recent years established a network for information exchange and mutual support in order to strengthen the safety and health capabilities for the three agencies in their respective operational activities. The scope covers Occupational Safety and Health (OSH), which includes both physical and mental health. Building on the Frontex Health and Safety Guidelines, the revision process was a joint effort with all three agencies contributing to the new Deployment Information, published in early 2020 and which now also contains COVID-19 related information.

3.9. FRA – Fundamental rights expertise

FRA continues providing the JHA agencies with fundamental rights expertise in their respective areas of work. In the field of border management, Frontex and FRA concluded a Service Level Agreement to set up the Fundamental Rights Monitors, foreseen under Article 110 of the 2019 European Border and Coast Guard Regulation. FRA has supported Frontex to develop a comprehensive manual, a training curriculum as well as other materials for the full integration of the monitors in future Frontex operations. In the area of migration and asylum, FRA contributes with its expertise to the Taskforce, which set up to create a new Multi-purpose Reception and Identification on Lesbos. In the field of judicial and police cooperation in criminal matters, FRA has developed cooperation with Europol and Eurojust in its research project (requested by the European Commission) on the fundamental rights impact of the EU Terrorism Directive. Europol and Eurojust provided valuable expert inputs, including support in reaching out to relevant practitioners at national level.

4. Priorities for 2021

4.1. Thematic priorities

In 2021, Frontex wishes to focus the JHAAN activities on “**JHA Turning Green**”, with “**Digitalisation**” as one of its important components. The choice of this topic reflects the overall strategic political direction set up by the European Council’s Agenda 2019-2024 towards a climate-neutral, green, fair and social Europe, and the leading political priority of the European Commission towards a healthy planet under a comprehensive growth strategy – the European Green Deal. Moreover, the EU Security Union Strategy also recognises the climate change as an important factor that affects Europe’s security. Frontex believes that JHA community might increasingly contribute to the achievement of the green goals and protection of the environment.

Additionally, Frontex will continue the assessment of the JHAAN, a process that started under the Eurojust Presidency.

4.2. Activities

FRONTEX INTENDS TO:

- Give more prominence and visibility to **operational activities** regarding phenomena such as maritime pollution, waste trafficking, and relevant cooperation with customs.
- Increase focus of **research and innovation** on green topics.
- **Increase awareness** of JHA community on environmental issues.
- Promote **environmentally friendly behaviour** among staff.
- Exchange views on **workplace management policy** in order to reduce its carbon footprint.
- Increase the **perception among general public** that the EU, including its JHA components, is truly conscious and committed to the environment.

TO ACHIEVE THESE GOALS, FRONTEX WILL INITIATE THE FOLLOWING NETWORK ACTIVITIES:

1. Operational dimension:

- A questionnaire to the Network to map ongoing activities related to environmental crime.
- A Seminar on environmental crime.

2. Research and innovation:

- On-line seminar “Understanding the influence of climate change on Justice and Home Affairs”.
- Within the framework of Frontex Industry Days 2021: “I-Days on Innovative Green Solutions” and “I-Days on Digitalisation of Training Tools”;
- Research study for European Border and Coast Guard (EBCG) and Frontex with a focus on green solutions – “How our community can become greener?”;
- Research study “Artificial Intelligence based capabilities for the EBCG.

3. Administrative dimension:

- Green Training to raise awareness and targeting staff on adopting green behaviours in everyday and working life;
- Seminar on “How to make the JHA Agencies administrations carbon neutral by 2030?”;
- Promotion of JHA green activities to the public.

WORKING GROUPS

In 2021, the Network will continue thematic discussions in dedicated Working Groups dealing, among others, with ICT, Diversity and Inclusion, Data Protection, Training, Public Access to Documents, Situation Centres, Communication and External Relations.

5. Annexes

1. Joint Statement of the JHA agencies' DPOs
2. Infographic on cooperation instruments with third States
3. Infographic on European Commission and JHA agencies involvement in EMPACT OAPs 2020



JOINT STATEMENT OF THE JHA AGENCIES' DPOs

Since the beginning of 2020 the COVID-19 pandemic has affected in an unprecedented manner the life of all of us and continues affecting all organisations of the EU. It has raised many novel and complex issues which impact on the respect for privacy and the protection of personal data. Such issues touch upon managing the pandemic itself, which involves processing special categories of data concerning health in the context of activities such as temperature checks or contact tracing. The pandemic has also led to the development, or further strengthening, of teleworking and online working methods, which requires the selection or implementation of software for secure tele- and video-conferencing under exceptional time pressure.

The pandemic has shown the need for data controllers and senior management of EU organisations to consult DPOs at the earliest possible time and actively involve them in considering the issues at hand, which often require an urgent response. DPOs of EU organisations play a major role in assessing the compliance of considered processing with data protection principles, especially proportionality and necessity. The additional efforts required from DPOs in terms of resources and time investment in working on all these complex new issues should however not be underestimated.

The pandemic has also shown the need for the EDPS to strongly support and provide guidance to the DPOs when taking positions on these sensitive issues. In this context, the timely and specific guidance of the EDPS becomes of crucial importance for a coordinated and efficient management of the pandemic by organisations of the EU.

We as DPOs believe that efficiently managing the pandemic and complying with the data protection requirements, ensuring the respect for private life and the protection of personal data, is the only correct answer in these challenging times. We look forward to continuing working together with data controllers, senior management and the EDPS to find both efficient and compliant solutions to the novel issues raised by the pandemic.

7 December 2020

Diana Alonso Blas, DPO Eurojust (present chair)

Daniel Drewer, DP Function, Europol; Encarna Gimenez, eu-LISA DPO; Alexandru George Grigore, EASO DPO; Olli Kalha, DPO CEPOL; Nayra Perez, DPO Frontex; Robert Jan Uhl, DPO FRA; Ieva Vasiliune, DPO EIGE; Ignacio Vázquez Moliní, EMCDDA DPO.

Justice and home affairs agencies

Cooperation instruments with third countries



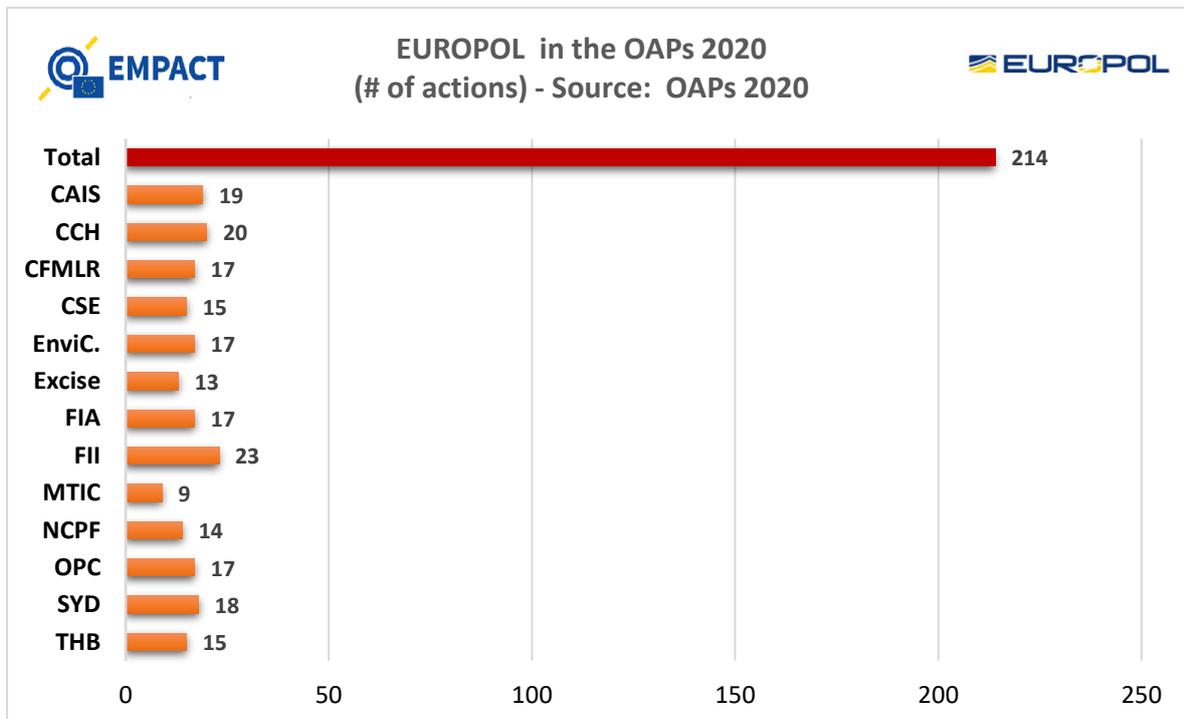
¹ For Frontex, States participating in the relevant development of the Schengen acquis in the meaning of the Treaty on the Functioning of the European Union and its Protocol (No 19) on the Schengen acquis are not considered third countries.

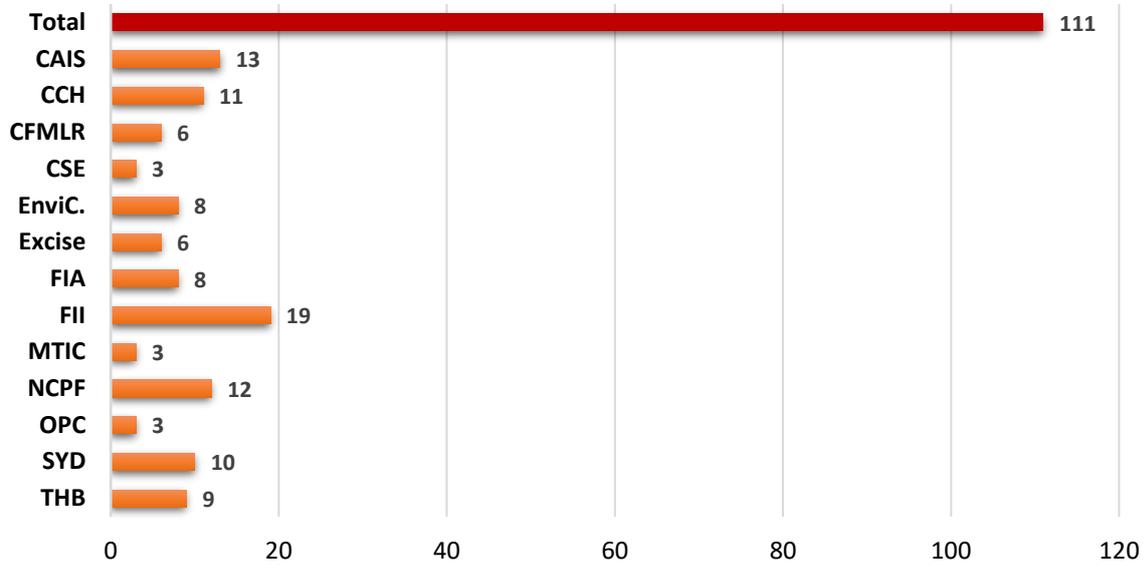
² This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ opinion on the Kosovo Declaration of Independence.

EU COM AND EU AGENCIES INVOLVEMENT IN OAPs 2020

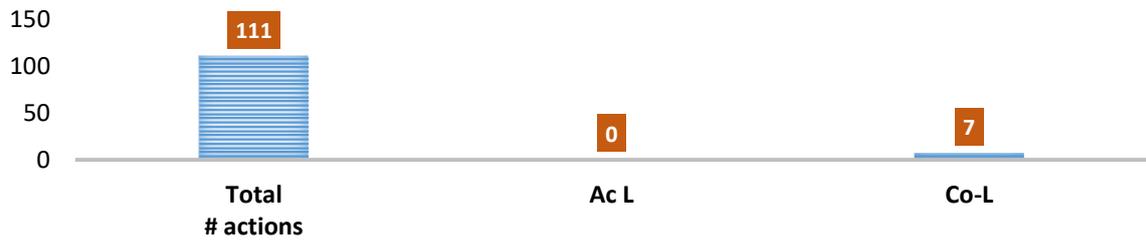
The priorities are abbreviated as follows :

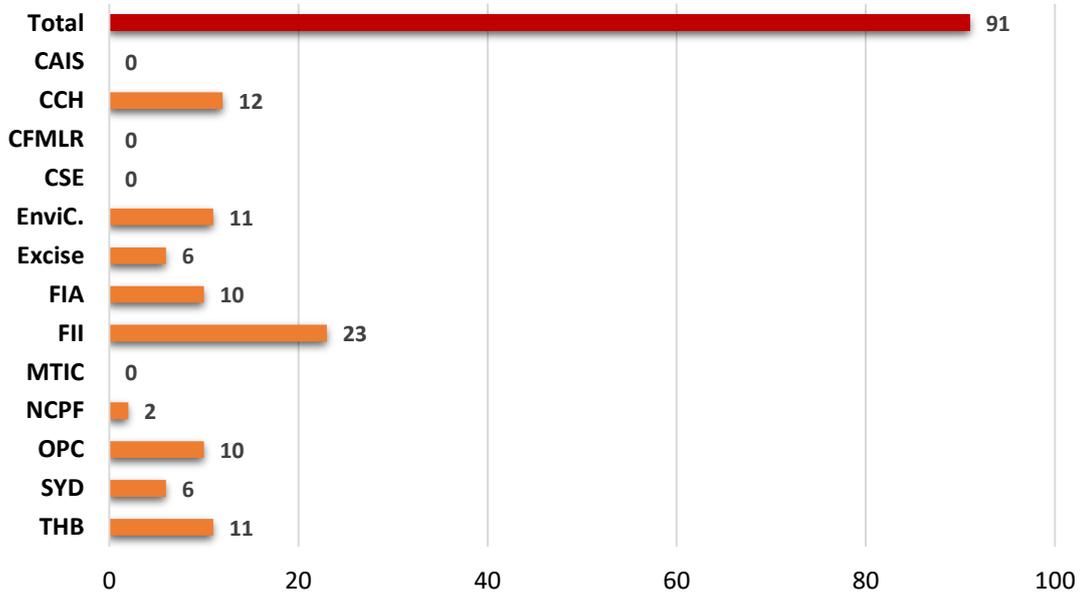
- CAIS:** Cybercrime Attacks Information Systems
- CCH:** Cannabis, Cocaine and Heroin
- CFMLR:** Criminal Finances, Money Laundering and Asset Recovery
- CSE:** Child Sexual Exploitation
- EnviC.:** Environmental Crime
- Excise:** Excise fraud
- FIA:** Firearms
- FII:** Facilitated Illegal Immigration
- MTIC:** MTIC fraud
- NCPF:** Non-cash Payment Fraud
- OPC:** Organised Property Crime
- SYD:** New Psychoactive Substances and Synthetic drugs
- THB:** Trafficking of Human Beings.



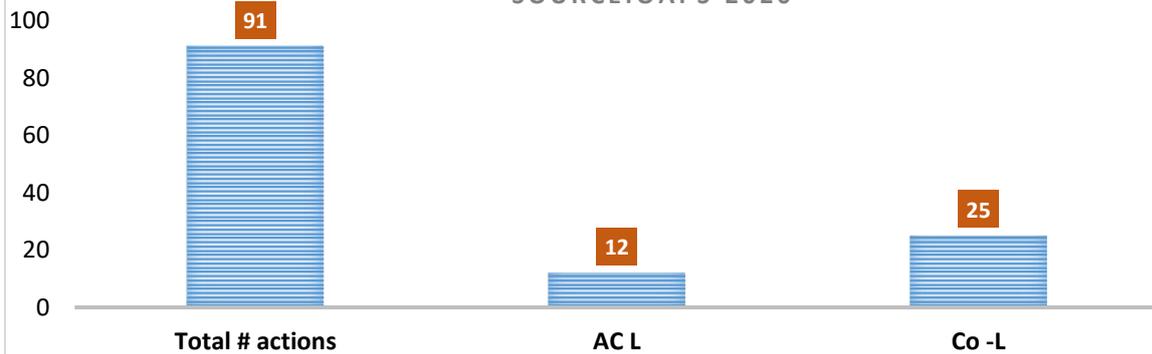


EUROJUST - TOTAL INVOLVEMENT AND LEADING ROLE (ACTION LEADER [AC L]/CO-LEADER [CO-L])
 SOURCE: OAPS 2020



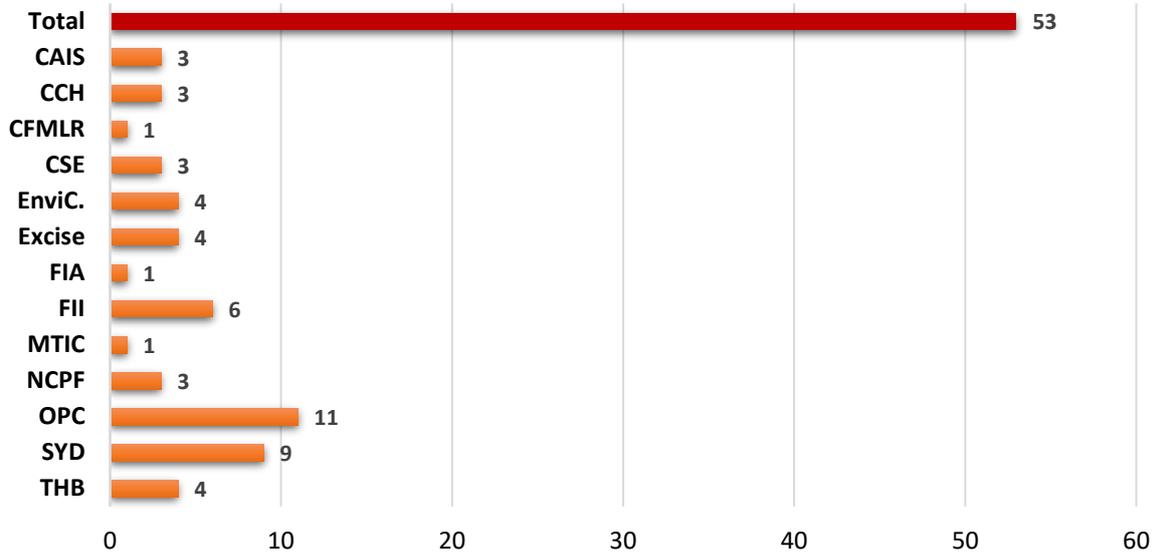


FRONTEX - TOTAL INVOLVEMENT AND LEADING ROLE (ACTION LEADER [AC L] /CO-LEADE [CO-L])
 SOURCE:OAPS 2020

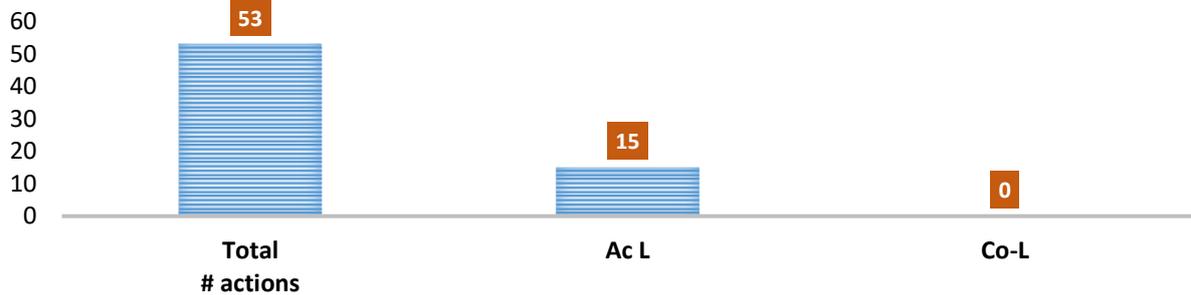




CEPOL in the OAPs 2020 (# of actions) - Source OAPs 2020

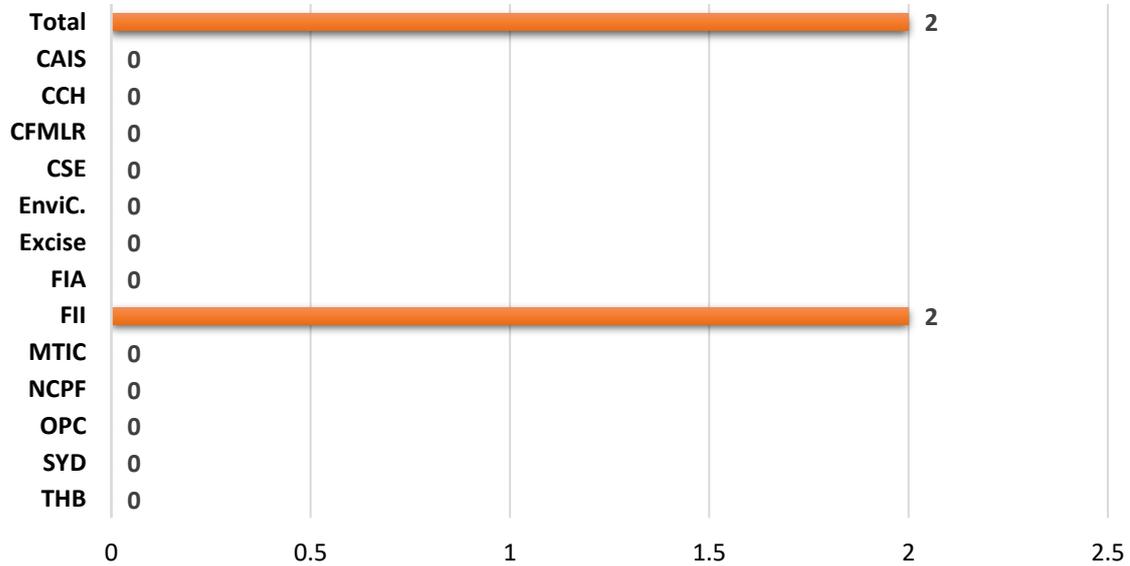


CEPOL - TOTAL INVOLVEMENT AND LEADING ROLE (ACTION LEADER [AC L] /CO-LEADE [CO-L]) SOURCE:OAPS 2020

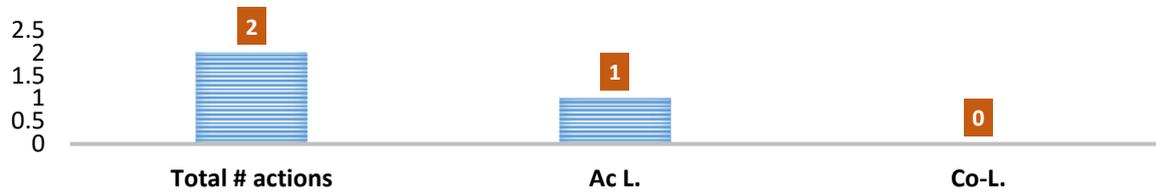




eu-LISA in the OAPs 2020 (# of actions) - Source OAPs 2020

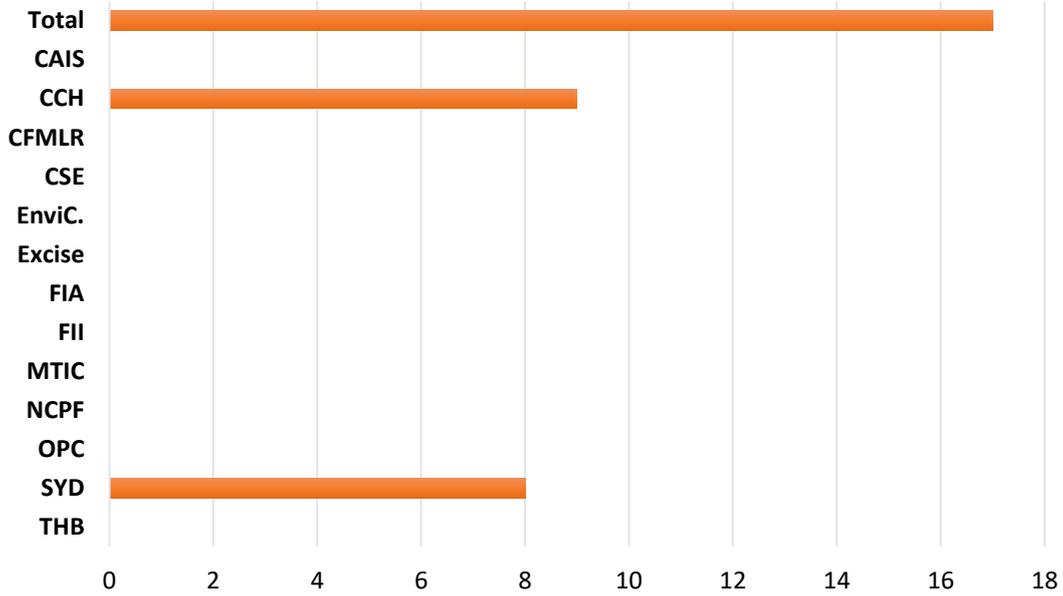


EU-LISA - TOTAL INVOLVEMENT AND LEADING ROLE (ACTION LEADER [AC L] /CO-LEADER [CO-L]) SOURCE:OAPS 2020

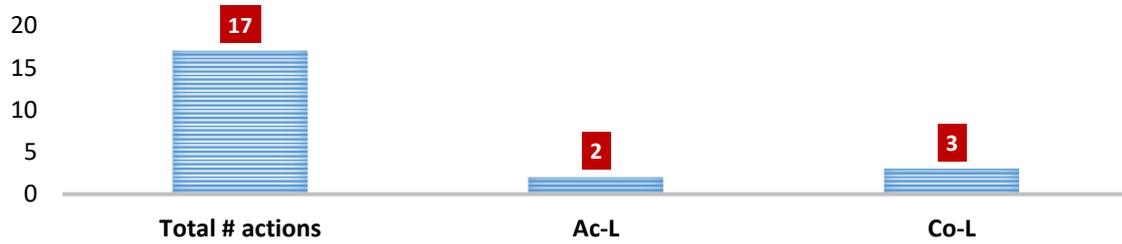




EMCDDA in the OAPs 2020 (# of actions) - Source OAPs 2020

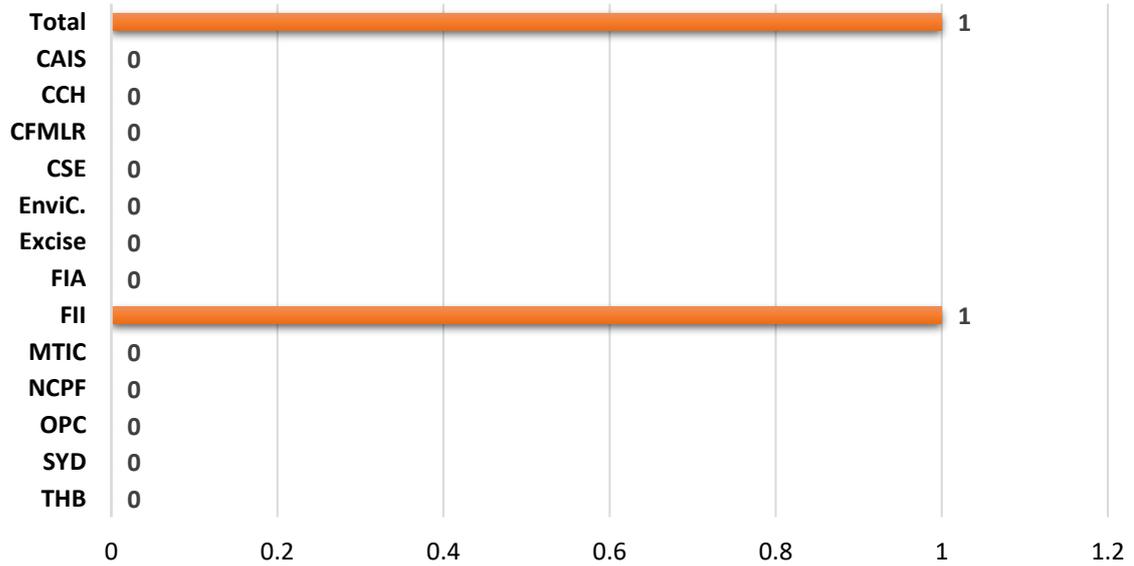


EMCDDA - TOTAL INVOLVEMENT AND LEADING ROLE (ACTION LEADER [AC L] /CO-LEADER [CO-L]) SOURCE:OAPS 2020

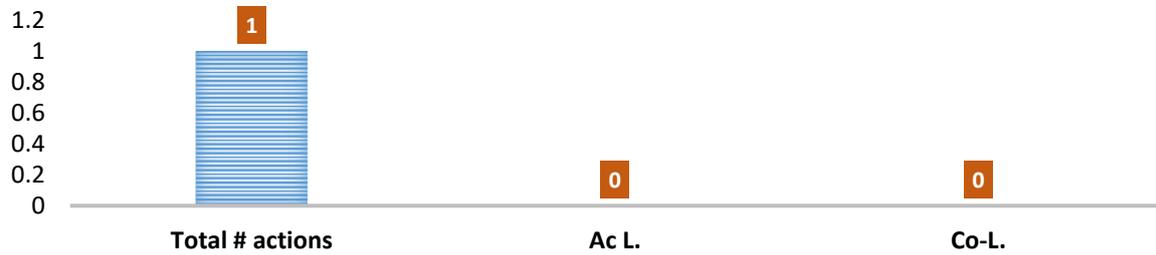




EASO in the OAPs 2020 (# of actions) - Source OAPs 2020



EASO - TOTAL INVOLVEMENT AND LEADING ROLE (ACTION LEADER [AC L] /CO-LEADER [CO-L]) SOURCE:OAPS 2020





Eurojust, Johan de Wittlaan 9, 2517 JR The Hague, The Netherlands
www.eurojust.europa.eu • info@eurojust.europa.eu • +31 70 412 5000
Twitter & LinkedIn: @Eurojust