

# JHA Agencies' contribution to EU solidarity with Ukraine

## Joint Paper

The third version of the JHA Agencies' contribution to EU solidarity with Ukraine covers the period from February 2023 to February 2024.





















#### Introduction

Russia's unprovoked and unjustified military aggression against Ukraine, which started at a full scale on 24 February 2022, triggered a firm and comprehensive political response by the European Union. Actions in the Justice and Home Affairs domain are integral parts of a successful and efficient response. The nine EU Agencies cooperating within the Justice and Home Affairs Agencies Network (JHAAN) play a vital role in this process by contributing to the implementation of political decisions made at the European level, assisting Member States and third countries, and providing support to people affected by the war, in particular persons displaced from Ukraine.

The JHAAN issued a Joint Statement¹ on 7 March 2022, declaring the nine Agencies' commitment to provide assistance, in line with the measures agreed by the Justice and Home Affairs Council on 3-4 March 2022, and the outcomes of the extraordinary Justice and Home Affairs Council meeting on 27 February 2022. Later policy developments, such as the 10-Point Plan² of the European Commission for stronger European coordination on welcoming people fleeing the war from Ukraine, have also been guiding the Agencies' response. The recent European Council conclusions on the opening of accession negotiations with Ukraine will probably pave the way for new projects within the JHAAN.

Agencies' contributions are determined by their respective mandates, and, in many cases, build on synergies established by prior inter-agency cooperation. Despite existing challenges in terms of resources, each of the nine Agencies have engaged in a substantial number of actions that have translated into tangible solutions and support. This would not have been possible without the commitment of the Agencies and their staff to do their utmost and to contribute to EU solidarity in this unprecedented crisis.

While the JHA Agencies' responses cover a broad spectrum of activities, ranging from presence on the ground to presence on cyberspace, the most prominent areas of actions include:

- Producing targeted analytical products and reports;
- Identifying key fundamental-rights challenges and ways to overcome them;
- Providing operational support to investigations of core international crimes allegedly committed in Ukraine:
- Providing operational support to national authorities, with a particular emphasis on those Member States bordering Ukraine and Moldova;
- Information provision-related activities and support, including developing guidance for practitioners and developing tools meant to support the implementation of the Temporary Protection Directive, as described in detail under the specific contributions of the Agencies.
- Contributing to EU tools such as the EU Migration Preparedness and Crisis Management Blueprint Network, the EU Integrated Political Crisis Response and the Solidarity Platform launched by the European Commission;
- Contributing to the implementation of the a Common Anti-Trafficking Plan addressing the risks of trafficking among people fleeing the military aggression against Ukraine.
- Contributing to the enforcement of EU sanctions;
- EU accession related support.

The first two overviews of this joint response were prepared by CEPOL in 2022 and EUAA in 2023, as chairing Agencies in the respective years for the Network. The present overview is prepared by eu-LISA and covers the reporting period from February 2023 to February 2024. The aim of this paper is to present to the European Institutions and the general public a concise, but as complete as possible, record of the activities, which may be used as a source of reference when referring to the support of the JHA community. As long as the current circumstances remain unchanged, it is considered a living document to be updated regularly.

<sup>&</sup>lt;sup>1</sup> https://euaa.europa.eu/news-events/joint-statement-eu-justice-and-home-affairs-agencies-ukraine

<sup>&</sup>lt;sup>2</sup> https://ec.europa.eu/home-affairs/system/files/2022-03/The%2010-Point%20Plan-

For%20stronger%20European%20coordination%20on%20welcoming%20people%20fleeing%20the%20war%20from%20Ukraine\_en.pdf

### Contributions of the JHA Agencies $^{\scriptsize 3}$

Introduction	. 2
Inter-agency cooperation in contributing to EU solidarity with Ukraine	. 4
European Union Agency for Law Enforcement Training (CEPOL)	. 6
European Institute for Gender Equality (EIGE)	. 7
European Monitoring Centre for Drugs and Drug Addiction (EMCDDA)	. 8
European Union Agency for Asylum (EUAA)	. 9
European Union Agency for the Operational Management of Large-Scale IT Systems (eu-LISA)	
European Union Agency for Criminal Justice Cooperation (Eurojust)	. 11
European Union Agency for Law Enforcement Cooperation (Europol)	. 12
European Union Agency for Fundamental Rights (FRA)	. 13
European Border and Coast Guard Agency (Frontex)	. 14

<sup>&</sup>lt;sup>3</sup> Contributions are included in alphabetical order following the acronyms of each Agency.

#### Inter-agency cooperation in contributing to EU solidarity with Ukraine

As per the practice since 2022, the JHA Agencies have been continuously working together to ensure that most adequate support is provided to the authorities of Ukraine, by joint efforts in order to ensure the delivery of effective tools and common expertise. Examples of cooperation among **JHA Agencies** are outlined below:

### » Training and Operational Partnership against Organized Crime (TOPCOP) project

**CEPOL** is implementing in cooperation with **Europol** the Training and Operational Partnership against Organized Crime (TOPCOP) project. Partner countries in the project are Armenia, Azerbaijan, Georgia, Moldova and Ukraine. Other partners in the project are the European Commission services, the European Union External Action Service (EEAS), Delegations of the European Union, **Europol, Frontex and Eurojust**.

The TOPCOP project has introduced the EMPACT Support Network to the partner countries. The network's objective is to establish a bridge among partner countries, EU MS and JHA Agencies. After identifying crime priorities, the project crafted joint regional training curricula on human trafficking, firearms trafficking, drug trafficking and cybercrime. continued supporting project Ukraine by capacity-building delivering tailored activities. including a sub-regional course on Hybrid Threats for Ukraine and Moldova. The mentoring programme addressed emerging threats from the Ukraine war. Responding to partner and EU programme recommendations. the offered opportunities for Moldova, Georgia and Ukraine to establish and consolidate National Firearms Focal Points in line with EU requirements. The finalised Eastern Partnership SOCTA, developed by Europol, reflected emerging threats, influencing the planning of further capacity-building activities.

Via the TOPCOP project, a sub-regional course on War crime investigations for Ukrainian and Moldovan officials was delivered by CEPOL in February 2023 in Chişinău, Moldova. The aim of this sub-regional training course was to enhance the knowledge of war crime investigations by demonstrating and introducing a systematic approach to processing international crimes and serious human rights violations as well as to utilise the evidence in documenting such cases. The training was organised in cooperation with the Office of the Prosecutor of the International Criminal Court (ICC OTP) with contributions and experts provided by France, **Europol** and UNICRI.

Furthermore, **EMCDDA** and **CEPOL** are working on the EU4MD II project. Under this project, EMCDDA provides financial support to neighbouring countries of the EU to engage in law enforcement training activities with CEPOL. In November 2023, a Ukrainian law enforcement officer attended the CEPOL-NL training

'Combatting drug production crimes through a VR application', and in March 2024, a law enforcement officer from Ukraine attended the CEPOL-Europol training 'Illicit Drug Laboratory Dismantling – Advanced'.

#### » Combating gender based violence

Russia's war of aggression against Ukraine has raised serious security concerns and resulted in increased risks of gender-based violence. In response, FRA is leading a pivotal project, the survey "Violence and related human rights abuses against women fleeing the war in Ukraine". This survey, which is being conducted in Czechia, Germany and Poland, stands as a prime example of collaborative efforts in combating gender-based violence. The EIGE, Eurojust and Europol are integral members of the project's steering committee, underscoring a strong multi-agency approach. The outcomes of this survey, expected in 2025, are to provide vital support to EU institutions and Member States in protecting victims of gender-based violence and ensuring they have access to necessary services and the justice system.

The **EIGE** has initiated additional activities on violence against women in conflict and crises.

#### » International protection

The EUAA and FRA are closely collaborating to support guardians of unaccompanied children seeking internal protection as result of the military aggression against Ukraine. Both agencies have joined forces in the development of a series of four practical tools for unaccompanied quardians of children international protection needs. The objective is to support guardians in their daily tasks responsibilities during the asylum procedure, including the temporary protection and the procedure under the Regulation (EU) No 604/2013 (Dublin III regulation). The four practical tools which have been released concentrate on the temporary protection of children displaced from Ukraine, international protection, the asylum procedure and transnational procedures. FRA and the EUAA are promoting and disseminating the tools to practitioners in Member States.

# » Support to the investigation and prosecution of core international crimes committed in Ukraine

Within their mandates, Europol and Eurojust provide complementary support to Member investigations and prosecutions into war crimes, crimes against humanity and other international crimes. Since the amended Eurojust Regulation entered into force on 1 June 2022, close cooperation in the area of war crimes has become a priority. On 5 October 2023, Europol joined as participant the Joint Investigation Team set up with Eurojust's support at the onset of the war in Ukraine. Both Agencies are seeking ways to collaborate in the field of core international crimes, in particular given establishment of Eurojust's Core International Crimes Evidence Database (CICED). Reflecting the shared ambition to further enhance their cooperation in this field, Europol and Eurojust, have agreed to work together towards establishing a joint mechanism to support core international crimes investigations, in line with the existing legal framework, data ownership and data protection rules. Work on the implementation of this proposal is ongoing.

In June 2023, Regulation (EU) 2023/969 concerning the JIT Collaboration Platform (CP) entered into force. This new platform will enhance the possibilities to coordinate JIT operations by enabling easy communication and the electronic sharing of information and evidence between JIT partners, representatives of international judicial authorities, Eurojust, Europol, OLAF and other competent Union bodies, offices and agencies. **eu-LISA** will be hosting the platform and actively collaborates with the JITs Network Secretariat, hosted at **Eurojust**, on its development. The JITs CP will be an important tool for, *inter alia*, JITs established to coordinate investigations and prosecutions of crimes committed in Ukraine.

The support of **Europol** and **Eurojust** to investigations carried out in the EU MS includes activities in relation to the enforcement of EU sanctions, including through their participation in the 'Freeze and Seize' Task Force set up by the Commission, as well as in the context of Operation OSCAR, an EU-wide operation launched by **Europol** jointly with EU Member States, **Eurojust** and **Frontex**, targeting criminal assets related to the Russian invasion of Ukraine.

#### » Identification and referral of children at risk

As the Co-Chair of the **Frontex** Consultative Forum, **FRA** has supported the deployment of 17 Consultative

Forum experts to **Frontex** operations in three airports (including Chişinău) as well as eight border crossing points in six countries (Croatia, Lithuania, Moldova, Poland, Romania, and Slovakia) to strengthen the identification and referral of children at risk, based on the Frontex VEGA handbook.

#### » Sharing fundamental rights expertise

FRA has regularly shared fundamental rights expertise on the situation of displaced people from Ukraine within the EU's Migration Preparedness and Crisis Blueprint framework, a mechanism established by the European Commission for better monitoring and anticipating migration movements.

FRA has also contributed to the training events for Ukrainian authorities organized by **Europol, CEPOL** and Frontex focusing on fundamental rights, covering thematic areas such as trafficking in human beings, child protection, data protection and preventing unlawful profiling.

### » Threat assessments and situational information

Frontex constantly monitors and analyses the crossborder crime related repercussions of the war in Ukraine contributing also to the **Europol** threat assessment about the implications of the war in Ukraine on serious and organised crime. In addition, Frontex plays an integral role in several EU coordinating platforms, sharing vital situational information, ensuring coherent EU support.

Furthermore, a communication channel to exchange relevant information on the developments resulting from the war in Ukraine to keep each other informed with up-to-date data and to facilitate coordination in their actions, if need be, have been established among EUAA, Europol and Frontex. Such continuous information exchange supports Europol in monitoring the potential implications of the war on serious and organised crime as well as terrorism, and in issuing threat assessments with contributions from the abovementioned JHA agencies as well as Eurojust.

Through regular peer exchange meetings, FRA has supported the Fundamental Rights Officers of Frontex, EUAA and Europol, in discussing the different topics, including displaced people from Ukraine.

#### **European Union Agency for Law Enforcement Training (CEPOL)**



Over two years ago, Russia started a war against Ukraine. While the EU and its international partners are united in condemning Russian aggression on Ukraine by offering strong political, financial and humanitarian assistance along with hard-hitting sanctions against Russia, the war itself has exacerbated the risks posed to the EU by criminal groups that operate in this context. War victims are at risk of being trafficked and exploited, while a porous border facilitates trafficking of firearms and other illicit products. Against this background CEPOL has utilised its resources to provide increasing support in capacity building activities to Ukrainians in particular in law enforcement training field.

The <u>Training and Operational Partnership against Organized Crime (TOPCOP) project</u>, entrusted to CEPOL by the European Commission DG NEAR, responded to the needs of Ukraine and delivered tailor made onsite and online capacity building activities. In addition in the referred period, CEPOL organised a <u>national training for Ukraine</u> "Open-Source Intelligence (OSINT)" in cooperation with the Council of Europe. Furthermore, along with officials from Moldova, Georgia, Armenia and Azerbaijan, Ukrainian officials participated in regional courses organised on the following topics "Counterfeit goods, dark web markets and trade of medicines investigations"; "Production, trafficking and distribution of cannabis, cocaine, heroin and synthetic drugs (online markets, cryptocurrencies, drugs routing and dark web"; "Illicit trafficking, distribution, and use of firearms - Online investigations, links to terrorism and dark web"; "Financial dimension of organised crime" and "Dark Web investigations, electronic evidence, cryptocurrencies". Complementary to the mentioned face-to-face activities, online modules, courses and seminars were implemented with high participation from Ukrainian officials on the topics "Forensic awareness for first responders"; "Trafficking in Human Beings in Ukrainian language"; "Cybercrime"; "Covert techniques in the context of mobile telecommunications" and "Firearms trafficking. Information exchange" during EMPACT Joint Actions Days.

Additionally, two **study visits** were organised for Ukrainian officials to Spain and Romania, to learn from the experience of both countries on the subjects like "Smuggling and trafficking in human beings for labour and sexual exploitation, and online child sexual exploitation investigations" and "Organised crime and law enforcement cross-border cooperation on drug trafficking". Under CEPOL Mentoring Programme, a Spanish mentor specialised in countering firearms trafficking and member of the EMPACT driver team of the Firearms EMPACT priority mentored a Ukrainian official.

Moreover, two study visits to Europol and the Ukrainian participation in the Eastern Partnership (EaP) Threat Assessment were implemented in cooperation with Europol, to ensure that Ukrainian officials align their methodologies and practices to enhance their cooperation within the EMPACT. The EaP Threat Assessment is an analytical product, to support Ukrainian decision-makers to enable them to provide an effective and operational response. To ensure sustainability in terms of training, CEPOL delivered four **Train-the-trainer courses** where Ukrainian officials participated, being certified trainers on the EMPACT priorities: Firearms, drugs trafficking, trafficking in human beings and cyber.

Additionally, along with EU Member States Ukrainian officials participated in the "Anti-fraud Intelligence Analysis" and "Disaster Victim Identification, Management and Joint Operations" (this latter course giving in-sight to post-mortem investigation methods is directly relevant for war crime investigations).



#### **European Institute for Gender Equality (EIGE)**

The Commission's response to support Ukraine is guiding EIGE's work, specifically in the areas of combating gender-based violence and monitoring gender equality, where EIGE provides knowledge and expertise. In the area of gender mainstreaming, EIGE provides expertise to Ukrainian institutions to support them in building and calculating the first Gender Equality Index in Ukraine.

During the EIGE Gender Equality Index release in October 2023, EIGE met with the Ukrainian Delegation and UN Women in Brussels to discuss how EIGE's Gender Equality Index can support national policy developments. On 1 March 2024, EIGE hosted a workshop with Ukrainian authorities (government representatives, statisticians, researchers) to discuss their progress of building Gender Equality Index for Ukraine and presentation of initial findings.

In the area of gender-based violence, EIGE explored the situation of women fleeing the war. Russia's war of aggression against Ukraine forced millions of persons, mainly women with children, to flee the country and exposed them to an increased risk of gender-based violence at every stage of their journey. Women and girls also face additional layer of risks related to their sexual and reproductive health such as unwanted pregnancy, sexually transmitted infections, or different types of genital trauma. Therefore, they urgently need holistic, trauma-informed and gender-sensitive care.

In February 2024, EIGE published a study on <u>Women fleeing the war: Access to sexual and reproductive healthcare in the European Union under the Temporary Protection Directive</u>. The study assesses the availability of sexual and reproductive healthcare services (SRH) for victims of violence arriving to the European Union. It gives particular attention to the implementation of the Temporary Protection Directive (TPD), which had been activated to offer an immediate support to millions fleeing Ukraine in terms of housing, work permits, social welfare and healthcare in the EU.

EIGE's report highlights that the adoption of the TPD prompted national authorities to integrate persons fleeing the war into their national health systems. However, several gaps in the SRH healthcare were identified. Key findings include lack of legal entitlement to some SRH services such as emergency contraception or safe abortion and post-abortion care. The evidence exposes a need for systemic solutions to ensure that minors can access confidential and comprehensive SRH care as parental consent and age limits mark a significant access barrier. Moreover, the study verifies that a great complexity of national healthcare frameworks results in significant inequalities in access to healthcare across the European Union and highlights concerns about the affordability of services.

Moving forward, the experience in applying the TPD should place the needs of victims at the heart of the response, which means that EU Institutions need to implement the Istanbul Convention and the new Directive on combating violence against women and domestic violence; provide clear guidelines and support Member States on the correct implementation of EU rules on temporary protection and victims' rights; and build on existing international guidelines on how healthcare providers should respond to sexual violence.

Member States need to make provisions for temporary protected unaccompanied minors to ensure that their age or lack of parental consent does not limit their access to services and to ensure that services are affordable, timely, and geographically accessible. Establishing accessible rape crisis centres is also pivotal.

# **European Monitoring Centre for Drugs and Drug Addiction (EMCDDA)**



Since the start of the Russian invasion of Ukraine, the EMCDDA has undertaken several actions to support the EU institutions and the Member States in their effort to respond to the crisis situation. The activities undertaken in the last year were conducted in several areas related to the EMCDDA work at institutional and technical level.

**Institutional coordination:** EMCDDA has signed an amended Working Arrangement with the Ministry of Health of Ukraine in February 2024, identifying the Center for Public Health of the Ministry of Health as a main contact point;

**Technical cooperation:** Ukraine actively participates in the EU4Monitoring Drugs II (EU4MD II) project, and the Center for Public Health of the Ministry of Health acts as the national contact point;

In June 2023, Ukraine nominated two contact points for law enforcement (Security Service and National Police) and submitted their requirements for assistance in the area of security.

#### Competence development, training provision and information dissemination

- In 2023, experts from Ukraine continued to participate in the European expert meetings on key epidemiological indicators and, for the first time, in the EMCDDA Supply Indicator Reference Group meeting held in Lisbon, Portugal. In 2023, 30 Ukrainian experts participated in the EMCDDA organised or supported capacity development activities.
- In April 2023, a Ukrainian law enforcement expert attended the CEPOL-EMCDDA training course 'Drug crime and markets strategic analysis' (in Hungary);
- In October 2023, EMCDDA, in the framework of EU4MD II project, supported the participation of a Ukrainian police officer in the training course 'Combatting drug production crimes through a VR application' organised by CEPOL and the Dutch Police in the Netherlands;
- The first national training on the European Prevention Curriculum (EUPC) was implemented online, in Ukrainian language, by two Ukrainian EUPC master trainers in September 2023;
- In December 2023, two representatives from the Center for Public Health of the Ministry of Health participated in the Reitox Academy for EMCDDA partner countries 'National Drug Observatory: Definition and main tasks', which was held in the framework of the EU4MD II project.
- In 2023, a total of 30 Ukrainian experts participated in the EMCDDA organised or supported capacity development activities.
- An online Information Hub on the EMCDDA website with information on access to drug services for professionals working in the EU with people displaced from Ukraine and for Ukrainians seeking drugrelated help in EU countries is available <u>here</u>.
- Ukraine will participate in the 2024 round of data collection as part of the European School Survey Project on Alcohol and Other Drugs (ESPAD) and in the 2024 round of data collection as part of the European Web Survey on Drugs (EWSD). In 2023, the respective research teams were trained and supported to enable them to embark on these research activities.



#### **European Union Agency for Asylum (EUAA)**

The EUAA has continued to support Member States (MS) in the implementation of the Implementing Decision 2022/382 related to Temporary Protection Directive 2001/55/EC (TPD). A dedicated section on the Agency's response to the situation in UA, can be consulted on the EUAA website <a href="here">here</a> (regularly updated). A brief overview of the EUAA support is below.

**Operational support:** In the reporting period, the Agency has provided operational support to <u>13 MS</u> and 10 of these (IT, EL, CY, MT, ES, RO, BE, BG, CZ, AT) have (also) been supported with the implementation of the TPD and other measures adopted due to Russia's invasion to Ukraine. This support inter alia consists of screening and registration, information provision, interpretation services, early identification of persons with special needs and support to flow management.

**Training:** In April 2022, a dedicated <u>training package</u> with different thematic sessions, including a newly-developed training on the TPD, was created in response to the situation in UA. In this context, between Feb. 2023 and Feb. 2024, 185 individuals successfully participated in 23 training sessions.

**Information material and communication campaigns for Ukrainian nationals:** The agency continued developing or updating <u>information provision material</u>, including <u>leaflets for adults</u>, <u>leaflets for children</u>, booklets, a <u>poster</u> and a <u>brochure</u> in different languages, including Ukrainian. The Agency has also continued working closely with DG HOME on implementing the Communication Strategy aiming to encourage Ukrainians to register for temporary protection (TP) by providing information on their rights and has produced and promoted several <u>video testimonials</u>, giving authentic examples of Ukrainians who have found safety in the EU.

Analysis, reports and tools: Considerable efforts and support have been provided to MS through the development and production of multiple practical tools, guides and recommendations to assist MS authorities and through organisation of a series of meetings with technical experts on various topics such as reception, vulnerable groups, country of origin, country guidance or exclusion to exchange information on nat. practices and share lessons learnt. The Agency has also been conducting different regular <u>analysis and reports</u> on TP in the EU+ to ensure constant situational monitoring. To go beyond statistics and explore the experiences and diverse needs of displaced individuals, the EUAA, OECD, and Gradus Research collaborated on a report titled "Voices in Europe" analysing the experiences, hopes, and aspirations of forcibly displaced Ukrainians, using 1,500 testimonies from the surveys of arriving migrants from Ukraine (<u>SAM-UKR surveys</u>). Additionally, the Agency's <u>Who is Who platform</u> features a section on TP with data visualisation providing an overview of the implementation of TP in EU+ countries.

**Support to third countries:** For the first time, the EUAA also deployed its personnel to a non-EU country – Moldova, in the context of voluntary transfers of displaced persons falling under TP from Moldova to pledging MS. This support provided between May 2022 and April 2023 focused on information provision directly in Moldova and also remotely. Furthermore, the EUAA has supported Western Balkan (WB) partners with online meetings between WB partners and national experts on topics related to TP to exchange best practices and experiences.

### **European Union Agency for the Operational Management of Large-Scale IT Systems (eu-LISA)**



From the onset of the war, eu-LISA has been actively involved in supporting Member States by ensuring the uninterrupted availability of the large-IT systems it manages. The Agency enhanced its vigilance on the systems under its operation and on its own corporate infrastructure, in view of increased cyber risks. eu-LISA's support projects have been implemented in different areas, such as:

**Operational level:** the Agency attends the meetings of the Blueprint Migration Network and contributes whenever requested to inform the European Commission on the use of the systems and cyber-threat levels for related policymaking.

Collaboration platform: Following the adoption of the regulation on establishing a collaboration platform to support the functioning of joint investigation teams, eu-LISA has been entrusted to develop, host and maintain the Joint Investigation Teams Collaboration Platform (JITs CP). The new system will facilitate exchange, traceability and storage of operational information and evidence. JITs CP will additionally ensure secured communication between the members of each JIT. The platform, after entering into operations (by 7 December 2025), will facilitate the investigation and the future prosecution of core international crimes committed among others during the war in Ukraine.

**Cyber-risks:** On a day-by-day basis, and considering the increased cyber risks, eu-LISA has been vigilantly monitoring cyber-threats to the central systems managed by the Agency: the Schengen Information System (SIS), the Visa Information System (VIS) and Eurodac. Permanent monitoring is ongoing and pertinent information is communicated to relevant parties.

**Institutional cooperation:** On an institutional level, eu-LISA participated in several meetings of the Council, such as the Standing Committee on Operational Cooperation on Internal Security (COSI) or the EU-Ukraine Council, or those organised by different European Parliament groups related to the topic. In October 2023, eu-LISA Executive Director also had a bilateral meeting with George Dubynskyi, Deputy Minister of Digital Transformation of Ukraine, at the European Strategic Event on "How cloud can help European Institutions transform and innovate in Homeland Security and Defence", to exchange on security and data storage during the war.

Raising awareness: eu-LISA has contributed to the solidarity with Ukraine through diverse projects aiming to raise awareness on the war in Ukraine and the solidarity measures put in place. Several campaigns on the agency's social media were dedicated to external communication about the situation, following the production of corporate reports, reports on events and reports on IT systems related to this topic. Internally, eu-LISA also aimed to bring the topic of solidarity to the attention of its staff, with charity actions and articles published in the agency's newsletter.

### **European Union Agency for Criminal Justice Cooperation (Eurojust)**



Since the start of the Russian invasion, Eurojust has been <u>at the forefront</u> of supporting accountability for core international crimes allegedly committed in Ukraine.

**Support to investigations:** Eurojust provides operational, analytical, legal, logistical and financial support to the <u>Joint Investigation Team</u> (JIT) set up between Ukraine and several EU Member States. The purpose of this JIT is to enhance judicial cooperation and coordination in the investigation and prosecution of core international crimes allegedly committed in Ukraine. In the last year, the JIT's national authorities signed a <u>Memorandum of Understanding with the United States</u> and agreed to <u>Europol's participation</u>. The JIT agreement was also amended to include investigations into the <u>crime of genocide</u>. On 29 February 2024, the Prosecutors General of the JIT countries agreed to its <u>extension for two additional years</u>. In parallel, Eurojust ensures that the work of the JIT remains aligned with over 25 cases opened at Eurojust by national authorities related to Russia's invasion of Ukraine.

The International Centre for the Prosecution of the Crime of Aggression against Ukraine (ICPA) started operating at Eurojust on 3 July 2023. The ICPA is a unique judicial hub embedded in Eurojust to support national and international investigations into the crime of aggression by securing key evidence and facilitating the process of case building at an early stage. Participants in the ICPA meet regularly at Eurojust and benefit from Eurojust's tailor-made support.

**Collection, preservation & analysis of evidence:** Following the extension of Eurojust's mandate in 2022, Eurojust set up the <u>Core International Crimes Evidence Database</u> (CICED) to centrally preserve, store and analyse evidence relating to genocide, crimes against humanity, war crimes and related criminal offences. CICED started operations in February 2023 and evidence contributions currently amount to nearly two thousand files.

Practical guidance and training for judicial practitioners: Eurojust hosts the Secretariat of the <u>Genocide Network</u><sup>4</sup>. This unique knowledge hub offers guidance and training on investigating and prosecuting core international crimes. In 2023, the Genocide Network and Eurojust published new practical **support tools**, addressing key topics such as the <u>Crime of Aggression</u> and <u>Universal Jurisdiction</u> in national legislations. The <u>Guidelines for Civil Society Organisations</u>, published in 2022, were awarded the European Ombudsman Award 2023.

Together with the Ukrainian Prosecutor General's Office, Eurojust co-chairs a work stream on national investigations as part of the <u>Ukraine Accountability Dialogue Group</u>, with a focus on common prosecutorial challenges and ways to address these. Eurojust also supports the organisation of several **practitioners' meetings** to share knowledge and exchange best practices, including the <u>33<sup>rd</sup></u> and <u>34<sup>th</sup></u> Genocide Network meetings and the <u>8<sup>th</sup> EU Day Against Impunity.</u>

Support to the EU Freeze & Seize Task Force set up by the European Commission: Eurojust cross-checks the list of individuals and companies sanctioned by the EU against Eurojust's data on a continuous basis, which has resulted in the identification of several links between ongoing investigations. Eurojust also collected information on past and ongoing national investigations related to persons and entities on the sanctions list, with the aim of identifying recurring legal and practical obstacles that may hinder the confiscation of assets. In addition, Eurojust supports cases of violation of EU sanctions and continues to participate in Operation OSCAR.

**Support to Moldova:** Eurojust participates in three EU-led platforms in support of Moldovan authorities: the EU Support Hub on Internal Security and Border Management in Moldova and the Task Forces on Tobacco Smuggling and on Firearms Trafficking established by the EU Border Assistance Mission to Moldova and Ukraine.

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<sup>&</sup>lt;sup>4</sup> European Network for investigation and prosecution of genocide, crimes against humanity and war crimes.

## **European Union Agency for Law Enforcement Cooperation (Europol)**



Europol is united with the EU in supporting Ukraine following the Russian invasion in February 2022. Ukraine is Europol's main operational partner in the Eastern Partnership region and hosts Ukraine's only law enforcement Liaison Office outside of the country. Europol has provided continuous early warning intelligence notifications and threat assessments on potential implications of the war on serious and organised crime and terrorism in the EU. Europol is supporting MS and Ukraine along five main strands of work (listed below), complemented by cross-cutting activities such as training and awareness sessions (e.g. on strategic analysis, TE-SAT methodology, explosives, data protection, and cryptocurrencies). Europol is equally committed to supporting Moldova in the fight against crime and terrorism both in the framework of bilateral cooperation as well as through the activities of the EU Support Hub for Internal Security and Border Management in Moldova.

**Cybercrime:** Europol enhanced its monitoring of the cyber threats and operational coordination together with partners from the EU MS and third countries, both in the Europol network, such as through the Joint Cybercrime Action Taskforce (J-CAT), and through the partial activation of the EU Law Enforcement Emergency Response Protocol (LE ERP) for Major Cross-Border Cyber-Attacks. Europol has also stepped up its support to the Ukrainian authorities in the area of digital forensics and investigation techniques through capacity building activities. Europol also supported Moldovan authorities in the area of cyber-attacks.

Weapons and explosives: Europol has been supporting capacity building activities in the field of Weapons and Explosives, and receives regularly records of lost, stolen and seized weapons from Ukraine's competent authorities for cross-checking in its databases and engages in other intelligence-sharing actions. Europol is supporting the implementation of the EU "List of actions to counter firearms and other small arms and light weapons diversion" and is progressing in the creation of a Firearms Intelligence Hub at Europol while also supporting Ukraine in the establishment of their National Firearms Focal Point (NFFP). Weapons trafficking is also a key topic in the cooperation with Moldova.

Migrant smuggling, trafficking in human beings (THB) and secondary security checks: Europol continues to monitor the threat of migrant smuggling of Ukrainian nationals, including the use of fraudulent documents. Regarding THB-related developments, Europol's European Migrant Smuggling Centre (EMSC) supported a task force, active since April 2022, and a dedicated Virtual Command Post (VCP) focussed on information sharing. Furthermore, Europol supported THB Action Days organised in the framework of EMPACT. A key element of Europol's work has been the deployments of Guest Officers (GOs) to MS and partner countries to assist local law enforcement authorities in the MS bordering Ukraine with secondary security checks, including to Moldova. In the reporting period, Moldova also joined a large operational task force with Europol and EU Member States focussed on countering migrant smuggling via the Western Balkans.

**Financial crime and the freezing of assets**: To support MS' investigations targeting criminal assets owned by individuals and legal entities sanctioned in relation to the Russian invasion of Ukraine, Europol launched Operation OSCAR, focused on cross-checking EU sanctions lists against available operational data and identifying links to organised crime and money laundering. Furthermore, Europol and actors in the private sector actively continued the cooperation within the Europol Financial Intelligence Public Private Partnership (EFIPPP) OSINT Task Force, aimed at collecting open source intelligence on the circumvention of sanctions, displacement of assets and criminal exploitation of the crisis. Additional initiatives focus on, inter alia, encrypted data exploitation.

Core international crimes (war crimes): Europol supports investigations conducted by Ukraine and other countries into war crimes committed in Ukraine by collecting various types of war crimes data from different sources for storage, crosschecking, analysis and sharing with relevant parties, as appropriate. A dedicated "Open sources intelligence" Operational Taskforce was launched in November 2023 to make use of the OSINT material available on line. The Taskforce comprises experts from different EU and non-EU countries, to support MS and Third Parties' active investigations on war crimes committed in Ukraine.

### **European Union Agency for Fundamental Rights (FRA)**



FRA has been covering the fundamental rights situation of displaced people from Ukraine in its different research and capacity-building activities. For example, FRA's May 2023 bulletin <u>Asylum and migration: Progress achieved and remaining challenges</u> where FRA takes stock of concerns and improvements regarding the fundamental rights of migrants, asylum seekers and refugees, also describes issues relating to temporary protection. In addition, FRA has conducted research and published the following reports specifically focusing on displaced persons from Ukraine.

<u>Fleeing Ukraine: Displaced people's experiences in the EU – survey findings</u> (February 2023): FRA's large-scale online survey collected responses from over 14,600 displaced people from Ukraine, with 91 % of them being women who registered for temporary protection in Bulgaria, Czechia, Estonia, Germany, Hungary, Italy, Poland, Romania, Slovakia and Spain. The survey showed that at the time, one-third of respondents hoped to return to Ukraine, while access to housing and education remained common challenges.

<u>How did cities welcome displaced people from Ukraine?</u> (February 2023): FRA's online publication provides a snapshot of initiatives taken by selected European cities to facilitate access to housing, education, healthcare, employment, and social services for people who fled Ukraine (reporting period: from February to July 2022).

<u>Barriers to employment of displaced Ukrainians</u> (June 2023): This joint publication by FRA and **Eurofound**, provides guidance to policymakers in how to improve job opportunities that benefit both the people who have fled Ukraine and their host societies.

<u>Focus Chapter of the Fundamental Rights Report</u> (June 2023): The 2023 Fundamental Rights Report, which is FRA's flagship publication, started with a focus chapter on the "Fundamental rights implications for the EU of the war in Ukraine". The chapter described the fundamental rights situation upon arrival in the EU, support in providing housing, employment, education, and healthcare as well as challenges for victims of violence, including sexual violence, and hate crime. The chapter presents also suggestions for EU MS on how to address identified issues.

The Russian aggression in Ukraine – displaced children finding protection in the EU (September 2023): FRA's 3<sup>rd</sup> bulletin after the Russian aggression in Ukraine focused on the responsibilities of child protection services towards children who had fled Ukraine, exploring respect, protection and fulfilment of the fundamental rights of displaced children and suggesting ways to safeguard the rights of the child.

<u>Fleeing Ukraine: Implementing temporary protection at local levels</u> (December 2023): This report explores the measures to ensure access to housing, education, employment and healthcare in 26 cities and regional authorities across 12 EU Member States. Despite unprecedented coordination and cooperation to overcome challenges, many uncertainties remain. Longer-term solutions will be needed after the directive expires in March 2025. Based on the information collected, the report identifies 12 priority actions and builds on FRA's bulletins and survey findings on experiences of people displaced from Ukraine.

FRA's Director participated in the "Freedom or Fear" conference organised by the Office of the Ombudsman of Ukraine, dedicated to the 75<sup>th</sup> anniversary of the Universal Declaration of Human Rights.

FRA updated an <u>online overview summarizing key aspects of national legislation</u> implementing the EU Temporary Protection Directive. It covers 16 EU MS, those with the most significant <u>number of displaced persons</u> from the war. The overview follows the categories in the <u>European Commission's Operational guidelines</u> to assist MS with the <u>EU Temporary Protection Directive (2001/55/EC)</u>.

In 2023, FRA initiated a <u>survey on violence against women fleeing the war in Ukraine</u>. It involves 1,200 interviews in Czechia, Germany, and Poland, addressing conflict-related violence and its consequences. Results, including qualitative interviews, will be published in 2025.

### European Border and Coast Guard Agency (Frontex)



The Agency maintains active communication with both EU and UN partners, ensuring a united response to the evolving crisis.

**Situational awareness and monitoring:** Frontex activated a 24/7 <u>crisis response team</u> upon the invasion of Ukraine, providing regular updates on border situations and migratory flows to MS and EU partners (including in the form of analytical reports). Weekly reports are generated on key developments in Ukraine and the situation along the EU-Russian borders. Furthermore, support has been extended in 2024 under the Joint Operation Moldova within the <u>EUROSUR</u> framework, enhancing situational awareness and facilitating data sharing for unauthorised border crossings and crime. In February 2024, the Agency also signed a <u>working arrangement with EUAM Ukraine</u> containing future-proof EUROSUR provisions which will be implemented when the mandate of this CSDP mission will be expanded.

**Operational support to MS:** Frontex amplified its operational assistance in several countries following the start of the war. Notably, in <u>Romania</u>, Frontex deployed significant resources, including 300 standing corps officers, to assist with various border-related tasks. Similar support extends to Slovakia.

Tackling cross-border crime: Frontex assists MS in combatting a range of <u>cross-border crimes</u>, emphasising human trafficking and firearms smuggling. Collaborative efforts with agencies like Europol and INTERPOL bolster local authorities' capabilities. Collective results by several joint action days (JADs) coordinated by Frontex and participated by its joint operations, have resulted in numerous arrests, case openings, and the seizure of illicit items, focusing particularly on THB (Frontex VEGA-activities with Consultative Forum) and firearms detections at the external borders, including on the detection of potential Foreign Terrorist Fighters based on Frontex's "Common Risk Indicators".

Support to Ukraine and Moldova: A grant agreement with Ukrainian State Border Guard Service was finalised at the end of 2023, providing EUR 12 million worth of equipment for border management. The grant enables greater capabilities, particularly at the country's Western borders, preparing the ground for possible joint operational activities under a future EU-Ukraine Status Agreement. Frontex offers support also to the National Police where recent high-level exchanges allowed for discussions on cross-border criminality in Ukraine and initiatives where Frontex could support Ukraine in participating in EMPACT activities supported by the Agency. Frontex also cooperates with the Ukrainian State Border Guard Service in the framework of the Eastern Partnership Risk Analysis Network providing a platform to share information for risk analysis and intelligence reports. In Moldova, after signing the EU-Moldova Status Agreement, Frontex has launched a comprehensive support initiative, deploying officers for border management functions and organising awareness sessions for Moldovan law enforcement on security subjects. For the first time ever Frontex officers started to perform first-line checks in a third country. Broader security dialogues with counterparts from Kyiv and Chisinau are channelled through high level platforms of the EU-Ukraine internal security dialogue and the EU Support Hub for internal security and border management in Moldova. Frontex actively contributes to both of them.

**Humanitarian voluntary returns and reintegration support:** From the start of the unprovoked Russian invasion of Ukraine and until the end of 2023, Frontex provided support to MS with humanitarian <u>voluntary returns</u>, assisting the return of 1179 individuals until the initiative ended in January 2024. The efforts involved third-country nationals fleeing the conflict zone, allowing them to return voluntarily to their home countries. Frontex is still not in a position to provide operational support to returns (voluntary or forced) to Ukraine or reintegration support to Ukrainian citizens under the Joint Reintegration Services due to the ongoing war.

**Training:** Ukraine takes part in two networks in the area of training coordinated by Frontex: the National Training Coordinators Network and the Partnership Academies Network with the National Academy of the State Border Guard Service of Ukraine being a member. Ukraine takes active part in updating and implementing the Frontex Common Core Curriculum for Basic Training in the EU. Frontex is also supporting the Ukrainian authorities in raising skills and competences of border guard officers serving at the country's Western borders with the EU. In 2023 Frontex representative took part in a study visit in Kyiv which identified two main training needs: motor vehicle crime detection and firearms detection, leading to the organisation of a Firearms Detection Course - Train the Trainer workshop for Moldovan officers where Ukrainian officers also participated. A second course on Firearms Detection for an additional group of Ukrainian officers will be concluded by late July 2024. In February 2024, Frontex organised a Motor Vehicle crime Detection Officers 1st level course for Ukrainian officers in Szeged, Hungary.