



Council of the  
European Union

**Brussels, 14 June 2024  
(OR. en)**

**10980/24**

**JAI 992  
COPEN 311**

### **OUTCOME OF PROCEEDINGS**

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From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	10253/24
Subject:	Council conclusions on 'Fighting drugs trafficking and organised crime: Setting up a Judicial Organised Crime Network'

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At its meeting on 13-14 June 2024, the Council (Justice and Home Affairs) approved a set of Council conclusions on 'Fighting drug trafficking in organised crime: Setting up a European judicial organised crime network'. The text as approved by the Council is set out in the [Annex](#).

**Council Conclusions****‘Fighting drug trafficking and organised crime:****Setting up a Judicial Organised Crime Network‘****Introduction****The general issue**

1. Organised crime including illicit drug trafficking represent a major threat to European citizens, businesses and institutions, as well as to the European economy and the security of the Member States. Organised crime groups increasingly use extreme violence, infiltration of the licit economy and corruption, thus eroding the rule of law and putting the fundamentals of our democracies at risk.
2. The EU Strategy to tackle organised crime 2021-2025<sup>1</sup> aims to boost law enforcement and judicial cooperation, tackle organised crime structures and high priority crimes, remove criminal profits and ensure a modern response to technological developments. The EU Drugs Strategy 2021-2025<sup>2</sup> and the EU Drugs Action Plan 2021-2025<sup>3</sup> provide the overarching political framework on drugs policy. They take an evidence-based, integrated, balanced and multidisciplinary approach to the drugs phenomenon at national, EU and international level. A more recent document, the Commission Communication on the EU Roadmap to fight drug trafficking and organised crime<sup>4</sup>, sets forth actions on strengthening the resilience of logistic hubs, including via the European Ports Alliance, on dismantling high-risk criminal networks, on prevention and on international cooperation.

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<sup>1</sup> 8085/21 + ADD1

<sup>2</sup> EU Drugs Strategy 2021-2025: OJ C 102I of 24.3.2021, p. 1

<sup>3</sup> EU Drugs Action Plan 2021-2025: OJ C272 of 8.7.2021, p. 2

<sup>4</sup> 14114/23

3. Building on this framework, and against the backdrop of the increasingly alarming drugs situation, there is a compelling need to take impactful actions to fight drug-related organised crime, in a collaborative effort by EU Member States, institutions and agencies, and in a multifaceted approach. These conclusions address the aspects of these actions that relate to setting up a dedicated judicial network to address emerging trends and threats from organised crime.

### **Judicial cooperation**

4. Criminal networks and their illicit activities often span different jurisdictions. In order to fight the criminal networks and their business models across the EU, judicial authorities must strengthen their cooperation and exchange of information across all Member States. Eurojust plays an important role in this context by supporting and strengthening coordination and cooperation between national investigating and prosecuting authorities in relation to serious crime.
5. The exchange of information and cooperation between judicial authorities on complex cross-border investigations into organised crime could be strengthened through the creation of a judicial network of specialised prosecutors from Member States, which could build on and be coordinated with the work of Eurojust, the European Judicial Network in criminal matters (EJN) and other stakeholders. During the informal ministerial meeting on 26 January 2024, Ministers of Justice of the Member States expressed clear support for this idea.
6. Such a network, provided with appropriate and sufficient tools and resources, could provide effective support and guidance to European judicial authorities on relevant issues, such as:
  - identification and mapping of trends and *modi operandi* of organised crime groups;
  - strategic guidelines on fighting drug trafficking and organised crime;

- identification of opportunities in concrete cases to further facilitate the operational work of Eurojust, Joint Investigation Teams (JITs) and law enforcement, including as regards the preparations needed to set up a JIT, in conformity with the applicable legal framework and without duplicating the tasks of other actors;
- the implications of the diversified legal framework across and beyond Europe.

## **Conclusions of the Council**

### **General considerations on the creation of the network**

1. A European Judicial Organised Crime Network (hereinafter: "the Network") should be set up and provide a hub of specialised expertise supporting judicial authorities in the area of organised crime. The Network will bring together national experts leading criminal investigations, primarily prosecutors and, if appropriate given the national context, investigative judges or law enforcement officers.
2. To this end, the Network will primarily facilitate and enhance cooperation between the competent judicial authorities dealing with drug trafficking and organised crime and should be able to benefit from the methods developed by other EU instruments, such as EMPACT. The Network will thereby ensure that resources are pooled efficiently, that efforts are not duplicated and that existing structures and competences, in particular within Eurojust, Europol and the EJM, are fully respected.
3. It should be ensured that the Network can function in a continuous manner, which will allow it to react quickly to the changing activities of organised crime groups. The knowledge and expertise built up by the Network should be sustainable. To achieve this, Eurojust is invited, depending on available resources, to organise the Network at its premises.

## Tasks of the network

4. Given the diversified nature of the activities of organised crime groups, the Network shall have a broad mandate to address all aspects of the fight against organised crime. In this sense, the Network shall have a flexible mandate, allowing it to choose specific focuses for their activities, in accordance with changing criminal trends and threats.
5. As a first priority focus, it is recommended that the Network focuses on hubs for illegal trade in drugs, in particular sea ports and other logistic hubs used by organised crime groups to import illegal drugs and transport them through the Union.
6. In particular, the Network will, in close coordination with Eurojust and other relevant actors:
  - a) facilitate the exchange of expertise, best practices and other relevant knowledge and experience in the investigation and prosecution of organised crime, including the practical application of current legal frameworks and relevant case law and effective cross-border judicial cooperation;
  - b) exchange information about general developments and trends, as well as exchange, without prejudice to applicable Union and national legislation, non-personal information, which can feed into and be used in the operational activities of Eurojust and national judicial authorities, in particular within Joint Investigation Teams (JITs);
  - c) foster dialogue among different actors and stakeholders that have a role in fighting organised crime, such as Europol, Eurojust and the EPPO, without duplication of efforts and with full respect for existing structures and competences;
  - d) constitute a hub of specialised expertise;

## Organisation

7. Eurojust will ensure that the work of the Network is aligned with the work of Eurojust and other structures and provide the logistical and operational support required for the tasks set out in point 6 above.
8. The Network should meet regularly depending on the needs of the members, in principle twice a year, with Eurojust hosting the meetings. The first meeting should be organised as a pilot event with ad hoc financing in the second half of 2024. It should ideally focus on the highly topical issue of the fight against drug-related organised crime connected to the illegal import of drugs through European sea ports and other logistical hubs.
9. The Network will base its work on an agenda drafted in the first quarter of every second year in consultation with the relevant EU institutions, agencies and bodies and taking into account available analyses and risk assessments, such as Europol's report on decoding criminal networks. Nevertheless, the Network should be given the flexibility to pursue other strands of work than those indicated in the agenda when this is warranted by the situation.
10. The allocation of resources for the purpose of the Network should be subject to the decision of the budgetary authorities and without prejudice to the future Multi-annual Financial Framework. With this in mind, the Council requests the Commission and Eurojust to examine and prepare the financial and other practical aspects and modalities necessary for the functions and tasks of the Network in a timely manner respecting the allocation of budget and human resources to existing networks and structures.
11. The creation of a permanent Network support structure would appear to meet a real and pressing need for qualified support for the Network. The conditions for the creation of such a support structure should be analysed further as a matter of priority.

12. The synergies between the Network and Eurojust or between the Network and other networks would be ensured in line with Council conclusions of 18 June 2019 entitled ‘Synergies between Eurojust and the networks established by the Council in the area of judicial cooperation in criminal matters.’<sup>5</sup> In the same vein, the Council asks the Commission to ensure synergy between the various initiatives under the Roadmap, and specifically between this Network and actions taken by the European Ports Alliance.
13. Each Member State is requested, according to its national procedure, to designate at least one national representative primarily from its prosecution authorities, with appropriate expertise, to participate in the Network. A Member State may also designate an investigative judge or a law enforcement officer, if national circumstances render this appropriate.

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<sup>5</sup> [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52019XG0618\(01\)&from=GA](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52019XG0618(01)&from=GA)