

Assessment of the **Justice and Home Affairs Agencies' Network**

Report 2021

FRONTX



EUROPOL



EU-LISA

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Executive summary

With the Justice and Home Affairs Agencies' Network (JHAAN) celebrating its **10-year anniversary** in 2020, the nine Heads of the JHA Agencies sought an assessment of the Network's achievements and working methods.

The Network was found to be a very good platform for working-level coordination. It allows for concerted and focused actions on chosen thematic priorities, such as trafficking in human beings, digitalisation, information exchange and joint strategic reflection. The joint activities and the valuable documents produced by the Network support the Agencies' efforts in developing the area of freedom, security, and justice.

The assessment included a quantitative analysis of the overall organisation of the Network and a quality-based reflection on its practical organisation and content. This report highlights the main outcomes of this process. It provides an overview of the key achievements of the Network as well as

observations regarding the Network's format and functioning, so it can be strengthened to make it even more effective.

The report includes a set of concrete, focused recommendations, including:

- Establishment of a TRIO Coordination,
- Ensuring adequate budgeting and human resources,
- Adopting new guidelines for the establishment and functioning of Working Groups and thematic expert meetings,
- Strengthening cooperation with key stakeholders such as the European Parliament and the Council.

The assessment report was endorsed by the Heads of JHA Agencies on 22 November 2021.

Acronyms

AWP	Annual Work Programme	EU-RTF	European Union Regional Task Force
CEPOL	European Union Agency for Law Enforcement Training	EU SatCen	European Union Satellite Centre
COSI	Committee on Operational Cooperation on Internal Security	EUAN	EU Agencies' Network
GSC	General Secretariat of the Council	EUISS	European Union Institute for Security Studies
DG ECHO	Directorate-General for European Civil Protection and Humanitarian Aid Operations	Eurojust	European Union Agency for Criminal Justice Cooperation
DG HOME	Directorate-General for Migration and Home Affairs	Europol	European Union Agency for Law Enforcement Cooperation
DG JUST	Directorate-General for Justice and Consumers	FRA	European Union Agency for Fundamental Rights
EASO	European Asylum Support Office	Frontex	European Border and Coast Guard Agency
EEAS	European External Action Service	FTE	Full-time equivalent
EIGE	European Institute for Gender Equality	ICT	Information and Communication Technologies
EJTN	European Judicial Training Network	Interpol	International Criminal Police Organization
EMCDDA	European Monitoring Centre for Drugs and Drug Addiction	IOM	International Organization for Migration
EMPACT	European Multidisciplinary Platform Against Criminal Threats	IPA	Instrument for Pre-Accession Assistance
EMSA	European Maritime Safety Agency	IT	Information Technology
ENP	European Neighbourhood Policy	JHA	Justice and Home Affairs
EPPO	European Public Prosecutor's Office	JHAAN	Justice and Home Affairs Agencies' Network
ERCC	Emergency Response Coordination Centre	LIBE	Committee on Civil Liberties, Justice and Home Affairs
ESDC	European Security and Defence College	PAD	Public Access to Documents
eu-LISA	European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice	RELEX	External Relations Working Group
		SPD	Single Programming Document
		SSO	Shared Support Office
		THB	Trafficking in human beings
		UNHCR	United Nations High Commissioner for Refugees

Introduction

In May 2010, COSI agreed on a new approach for ensuring cooperation between JHA Agencies.¹ The accompanying final report,² drafted jointly by CEPOL, Eurojust, Europol and Frontex, laid out a set of actions, which became the foundation of JHAAN. The Network continued to grow, and since 2012 it has comprised nine EU Agencies: [CEPOL](#), [EASO](#), [EIGE](#), [EMCDDA](#), [eu-LISA](#), [Eurojust](#), [Europol](#), [FRA](#) and [Frontex](#). Its main objective is to increase inter-agency cooperation and explore synergies in areas of common interest within JHA area.

In 2020, marking the 10-year anniversary of the Network's existence, the Heads of JHA Agencies agreed that a thorough reflection on the functioning and the value of the Network should be conducted and a discussion concerning the future of JHAAN should be held. In 2020, during the Presidency of Eurojust, JHAAN agreed on a concept, a methodology and a timeline to conduct the assessment. Due to the COVID-19 pandemic, the work of the Network in 2020 was readjusted and the timeline for concluding the assessment was moved under the Frontex Presidency in 2021. The following analysis presents JHAAN's key achievements and challenges from 2010 to 2021 and sets out a list of recommendations to further improve the functioning of the Network.

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- 1 Ensuring consistency of action in the light of the joint report on cooperation between JHA Agencies, Council of the European Union, 9441/2/10 REV 2, 26 May 2010.
 - 2 Final report on the cooperation between JHA Agencies, Council of the European Union, 5816/10 JAI 87 COSI 2, 9 April 2010.

I. Key achievements of the Network

The past 11 years of JHAAN's existence are an opportunity to reflect on the work done and how to further improve the functioning of the Network. The analysis of previous Final Reports and Scorecards (documents prepared on an annual basis by JHAAN Presidencies) allowed to collect examples illustrating over a decade worth of work in different areas. Exercising this result-based approach showcases the value of the Network in enhancing inter-agency cooperation.

The added value of the Network is highlighted by the mechanisms it has created, which have not only improved the general coordination and governance of the Network but, most importantly, further strengthened and facilitated multilateral cooperation among its members.

The Presidency of the Network rotates among the nine Agencies every year. From 2010 onwards, JHAAN has held annual meetings of the **Heads of the Agencies** and, regularly met on working level among the **Contact Points**. Additional channels for cooperation and discussions have been established through thematic **Working Groups**. Focusing on the existing challenges and possible solutions in their area of expertise the Working Groups allow to exchange views on the latest developments and discuss issues of shared interest. For example, in 2019, the discussions carried out by the Data Protection

Working Group after the adoption of the new *Data Protection Regulation for EU institutions, bodies, offices and Agencies* (Regulation 2018/1725) facilitated the cooperation with data protection authorities as regards the processing of operational data. The External Relations Working Group (RELEX) allows, among other things, to explore synergies and collaboration between Agencies implementing capacity building projects in third countries (e.g. via IPA and ENP funds) and facilitating exchange on good practices in relation to cooperation with third countries in the JHA area.

Throughout the last ten years, the Network has created tools and products which keep track of and facilitate the Agencies' and the Networks' day-to-day and long-term activities. Since 2010, the Network has been preparing and presenting to COSI its annual **Final Report** that summarises the implementation of the Network's priorities and activities agreed for a given year and sets the priorities for the next one. In addition, the ongoing bilateral and multilateral cooperation activities among JHA Agencies are included in the **Scorecard** that is prepared on annual basis - a document that keeps all Agencies aware of the ongoing and completed multilateral and bilateral activities.

Networks' highlights



YEARLY MEETINGS OF HEADS OF AGENCIES



**YEARLY PRESENTATION OF FINAL REPORTS
TO COSI**



7 JOINT STATEMENTS



9 JOINT PAPERS



21 SEMINARS & CONFERENCES

In order to further enhance the collaboration between the Agencies in specific areas of common interest, the Heads of JHA Agencies issue Joint Statements which outline shared priorities. The Agencies reflect the guidance included in the Joint Statements in their activities. The following Joint Statements have been adopted so far:

- Joint Statements on the common work against Trafficking in Human Beings (2011, 2018),
- Joint Statement on zero tolerance for sexual harassment (2017);
- Joint Statement on the Charter on Fundamental Rights (2019);
- Joint Statement on Diversity and Inclusion (2019).

Moreover, in 2020 the Agencies' Data Protection Officers adopted a Joint Statement on the data protection implications of the COVID-19 crisis.

In addition to the joint statements by the Heads, the Network issues joint documents, such as the 2014 paper titled *From strategic guidelines to actions: the contribution of the JHA Agencies to the practical development of the area of freedom, security and justice in the EU*. The document outlined the role of JHA Agencies in the development of the area of freedom, security, and justice.

Through increased multilateral cooperation and coordination of activities, JHAAN has accomplished significant achievements in specific thematic areas.

Operations in the JHA domain are highly data-driven, thus the exchange of information is significant. One of the examples of a successful inter-agency cooperation around **data sharing** was the involvement in the European Commission-led Information

Mapping Project Team, which in 2011 reviewed the legal aspects, communication channels, information flows and IT aspects of cross-border law enforcement data sharing. The continuously improving and well-established regular exchange of data and information among Agencies to support each other's early warning and risk analysis as well as other analytical work is also an important achievement.

The Network has been actively cooperating as regards **trafficking in human beings** – a topic relevant to the mandates of most of the Agencies, whose representatives actively participate in meetings organised by the EU Anti-Trafficking Coordinator. One of the key instances of multilateral cooperation is the 2015 joint pilot project for data gathering on facilitators of smuggling and trafficking in human beings³. In 2021, JHAAN published a joint report on the identification and protection of victims of human trafficking on the occasion of the EU Anti-Trafficking Day. The report responds to one of the key actions of the EU Strategy on Combatting Trafficking in Human Beings 2021-2025 and serves as a key reference document for national authorities engaged in tackling human trafficking.

JHAAN provides a forum for cooperation in other specific **crime areas** such as combating organised crime, drug trafficking or terrorism. Operational cooperation was further strengthened by many instances of collaboration between the Agencies, including but not limited to the development and improvement of key indicators on drugs supply (2013) and the implementation of the EU Policy Cycle for organised and serious international crime, which allow for the regular exchange of intelligence, situational awareness and risk analysis.

3 Participating Agencies: EASO, Frontex, CEPOL, Europol, Eurojust

A significant part of the inter-agency cooperation has been policy-driven operational cooperation in the areas of **migration** and internal security. This includes the establishment of the EU Regional Task Force (EU-RTF) in Catania, Italy⁴ and in Piraeus, Greece (2015)⁵ as well as the mapping of the data collection and information exchange tools and reports developed by each Agency in the area of asylum, migration and border management (2016).

In order to strengthen the Agencies' ability to fulfil their objectives, both individually and as a Network, it is important to develop competences and skills for the Agencies' staff. The Network provides a unique opportunity to expand on internal **capacity building** through joint trainings and, to a limited extent, staff exchange. A good illustration of multiagency cooperation is the 2015 launch of the European Joint Master's programme.⁶ Moreover, another particularly important element of cooperation in the area of capacity building and training among Agencies is mutual support in development and delivery of training materials and training for Member States officers. The Agencies consult each other to make use of available training and/or jointly develop training materials in line with their respective mandates. Aiming at efficiency gains and savings, the Agencies continue to explore options to jointly use (digital) training and learning tools in the context of digitalisation. Finally, the Agencies aim to coordinate and mutually support each other in capacity building projects outside the EU.

JHAAN has also made strides in the area of **innovation and research**, with the EU Innovation Hub for Internal Security being a good example. This coordination mechanism aims to support sharing of information and knowledge, facilitating the setting up

of joint projects, as well as disseminating the findings and technological solutions developed by the participating innovation labs. As such it contributes to the establishment of a common innovation picture for internal security and the promotion of the alignment of innovation and security research efforts across the EU.

While implementing its activities, the Network continued to **cooperate with key stakeholders**, including various EU institutions and bodies as well as occasionally – international organisations. This is also pertinent to the meetings of JHA Agencies experts. A coordinated approach to EU institutional affairs allowed for the streamlining of exchange of information and the strengthening of the voice of JHA Agencies who are members of the Network. Continued cooperation with partners, such as EU Agencies' Network (EUAN), allowed the Network to avoid duplication of efforts and actions.

The inter-agency cooperation was tested with the challenges brought forth by the **COVID-19 pandemic**. The Agencies' individual and joint efforts to deal with the impact of the pandemic were captured in the Joint Paper on the JHA Agencies COVID-19 response. First published in July 2020 and again in January 2021 (to cover all actions taken by JHA Agencies in 2020), 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.

Throughout its activities, the Network continues to underline its commitment to **fundamental rights and gender equality as core values of the EU**.

4 Participating Agencies: Frontex, Europol, EASO and Eurojust

5 Participating Agencies: Frontex, EASO and eu-LISA

6 Developed by Frontex in cooperation with Member States, Schengen Associated Countries and partner organisations including FRA and EASO.

As contributing to internal security and safeguarding fundamental rights remains a key element in the objectives and mandates of JHA Agencies, issues related to fundamental rights are horizontally referenced and integrated into the Network's activities. Fundamental rights mainstreaming takes place across the broader thematic priorities of the Network including through training, research, and operational activities. As a follow-up to the joint statement on the implementation of the Charter of Fundamental Rights of the European Union, in 2020 and in 2021 the JHA Agencies exchanged experiences regarding its application.

Raising awareness about the work of the Agencies and the Network both internally as well as externally is equally important from the perspective of greater visibility and synergies with stakeholders. The

results and the contributions of JHAAN should be showcased and recognised. JHAAN has continued to participate in joint awareness raising activities in the European Parliament (including the exhibitions in 2011 and 2013 displaying **EU Agencies – The Way Ahead**). In 2015 a promotional video, *Our bonds are our strength*, was produced presenting the work of JHAAN and its member Agencies. Moreover, the communication experts of all nine Agencies developed a practice of coordinating any actions related to the promotion of the Network. As a result, the communication activities not only facilitate internal work and inter-agency cooperation but also inform the public on the Agencies' mandates and the European added value the Agencies' cooperation in the JHA area.

II. Methodology of the Network's assessment

The scope of the assessment encompassed both a quantitative analysis of the overall organisation of the Network and a quality-based reflection on the format, practical organisation and content. The data sources included replies to three questionnaires disseminated among the members of the Network as well as analysis of Final Reports, Scorecards, and other Network documents. The review has shown that the Network has a well-established foundation for cooperation. In the past 11 years the Agencies have created a common sphere of governance which aims at better alignment of planning, achieving consistency and interoperability.

The review allowed for the identification of some challenges and the areas where improvements can be sought such as ensuring adequate human and financial resources, raising awareness amongst the staff and stakeholders about the Network or harmonising the functioning of and reporting from the Working Groups. Reforms are possible if only there is the commitment and the dedication of the Contact Points, and the high-level support from the Heads of Agencies. Further growth and successful implementation of the Network's priorities can be achieved through the implementation of the recommendations set forth in the sections below.

III. JHA Agencies

in the Presidency of the Network

1. Trio Presidency Coordination

The idea of a yearly, rotating Presidency of JHA Agencies' Network was one of the key foundations for creating a functioning Network with a common sphere of governance. The Agency holding the Presidency of the Network is responsible for organising the Network's meetings, laying out the Network's thematic priorities, and coordinating the implementation of activities as set out and agreed upon by the Network's members.

The agenda and thematic priorities of the Presidency are consulted with all JHA Agencies as well as with the Network's observers, i.e. the European Commission (DG HOME and DG JUST) and European External Action Service, and finally approved by the Heads of JHA Agencies. Considering the general EU context and priorities, the Presidency may use this opportunity to focus on specific issues relevant to its mandate and distinctive responsibilities, however, making sure that they are of relevance to the entire Network.

RECOMMENDATION 1: Establishment of a Trio Presidency coordination

It is recommended to explore the modalities and functionality of a Trio Presidency format. This would allow the introduction of overarching topics pertinent to the Network and discussing them in a more thorough way. This will also facilitate long-term planning, reflect EU policy developments, ensure a smooth transition from one Presidency to the other and by consequence contribute to the agenda of the Agency that holds a presidency in a given year.

One of the possibilities for tangible long-term planning could be the Trio Presidency Programme. The upcoming Trio could explore the added value of this option at the working level and provide the following Trio with lessons learnt. Due to the Network's composition of nine Agencies, the rotating Trio will consist of the same three Agencies in the course of the three-years period. The next Presidency trio would be CEPOL, EASO and eu-LISA (2022, 2023, 2024). The following trio would consist of FRA, EMCDDA and EIGE (2025, 2026, 2027) while Europol, Eurojust and Frontex would make up the third Trio (2028, 2029, 2030).

A dedicated meeting to discuss Trio priorities will be held once a year in Q3-Q4. It will be organised by the Agency that holds the Presidency in the upcoming year, unless agreed otherwise among the Trio. The meeting will provide an opportunity to reflect on ongoing discussions and developments in EU JHA policy (relevant papers, initiatives, strategies etc.). To better align the priority topics the Network can consider involving observers and partners (such as the European Parliament, the General Secretariat of the Council, the European Commission, and the European External Action Service).

Establishment of a Trio Presidency coordination



2. Annual JHAAN activities and reporting

The Annual Heads of JHA Agencies meeting offers a possibility for a high-level strategic discussion on the Network's activities and priorities. Furthermore, the presence of the Agencies' key stakeholders at the meeting also gives an opportunity for an exchange of views between Heads of JHA Agencies and high-level observers.

The adopted approach and the number of the meetings works well and the current practice of having one meeting of the Heads of JHA Agencies and at least three meetings of the Contact Points annually should continue.

The assessment of the Network's activities underlined the added value of the working level meetings between the Contact Points. The active cooperation and communication provide a great opportunity to exchange information and learn about activities carried out by the Agencies. The working level consultation of the respective SPDs/AWPs contributes to a better understanding of the work of the Agencies and consequently results in increased opportunities for joint actions.

JHAAN annually reports to the Council (COSI) and the European Parliament (LIBE Committee) about the activities of the Network. The reports are usually elaborate and long, covering a wide range of topics.

RECOMMENDATION 2: Meetings of the Network

The agenda of the annual Heads of JHA Agencies meeting should be designed not only to facilitate formal discussions on agreed topics but also to enable a free exchange of views between the Heads of JHA Agencies.

In order to increase cost-effectiveness and limit the environmental impact, each Presidency is invited to consider the balance between face-to-face and virtual (online) meetings. It is, however, recommended that at least one meeting of the Contact Points be held in person. Additionally, it would be useful, when appropriate, to continue the practice of organising *ad hoc* online meetings as they give flexibility to the Network to discuss concrete topics or urgent issues on short notice.

RECOMMENDATION 3: Streamlining the Final Reports

The annual reporting to EU Institutions should aim to be shorter and more focused on chosen topics to foster discussion and seek political guidance from the Institutions. This would not only allow for more guided cooperation but also increase awareness about the products and achievements of the Network.

Additionally, the use of infographics and other visual material is recommended.

3. Resources

Holding the Presidency of the Network has an impact on the Agencies' resources, including human and financial. While the budget of each Presidency may vary and should be adjusted according to each Agencies' proposed programme and capabilities, the assessment identified **a minimum baseline of €5 000 as the budget for the hosting Agency in**

a given year. The preparation and the implementation of the Presidency activities is time consuming and requires input of dedicated experts. The assessment found that **the optimal solution foresees an allocation of minimum FTE to work on Presidency related matters.**

RECOMMENDATION 4: Ensuring adequate budgeting and human resources

It is recommended that the Agencies holding the Presidency allocate adequate and sufficient budget and sufficient human resources for the purpose of carrying out the Presidency of the Network and implementation of its priorities in a given year. Besides the actual year of the Presidency, resources should be allocated for the preparation (6 months prior) and reporting process (3 months after).

4. Working Groups

Cooperation within the Network facilitated meetings of experts, which allow for sharing of experiences and lessons learnt. With time, some of those meetings became more regular and gained a more formalised setting. On the other hand, for certain topics JHA Agencies' experts developed a practice to consult each other on *ad hoc* basis, for example on THB or legal matters.

While some of the topics, which are of general interest to all EU agencies, may naturally overlap with EUAN, the JHAAN experts focus on issues which are exclusive to JHA Agencies (e.g. processing of operational personal data, security of JHA IT systems, communication on EMPACT).

Following the analysis and discussions carried out during the assessment, the Contact Points agreed

that there should be two types of frameworks for experts' cooperation:

1. permanent Working Groups that meet on a regular basis (at least once a year) and
2. lists of contact points for targeted *ad hoc* cooperation/meetings.

The Contact Points agreed that the permanent Working Groups will either have a chair rotating on annual basis (in line with the Presidency rotational order) or a permanent one.

The existing formations were grouped considering their historical status, number of participating Agencies per Working Group and the regularity of their meetings to differentiate them from lists of experts to be used on *ad hoc* basis.

Working groups with a rotating chair

Working Group on Data Protection: established in 2012, following the Agencies Experts' Conference on Data Protection, it has a leading role in maintaining the closer collaboration and discussion relating to harmonisation of the rules implemented by the adoption of the new Data Protection Regulation. All JHA Agencies and relevant partners/invitees meet on regular basis.

Working Group on External Relations (RELEX): established in 2013, the objective of the group is to bring together external relations officers to exchange information and practices concerning external relations. The representatives of the European Commission and EEAS attend the meetings in observer capacity. While the group has not met regularly in the past, consultations concluded that it should be transformed into a permanent Working Group.

Working Group on Communication: with all JHA Agencies meeting within this forum since 2014, the group facilitates the coordination of inter-agencies internal and external communication.

ICT & Cybersecurity Working Group: the aim of the group is to improve the digital exchange of classified and sensitive information. All JHA Agencies and relevant partners/invitees meet annually since 2015.

Working groups with a leading chair

Working Group on Training: established in 2013, it serves as a platform for coordination of capacity building and training activities. It promotes synergies concerning training in areas of common interest. While it meets annually, not all Agencies attend on regular basis. Besides the participating Agencies (CEPOL, Frontex, Europol, EMCDDA, EASO, eu-LISA) the meetings are also attended by representatives of EJTN, ESDC and DG JUST in case of relevance. The

leading Agency which will hold the permanent chairmanship in the Working Group is CEPOL.

Working Group on European Situation Monitoring: the group meets since 2018 and its objective is to focus on the creation of a common situation picture and exchange of information on operational topics. Besides the interested JHA Agencies (in 2018: Frontex, EASO, EIGE, eu-LISA, Eurojust, Europol; in 2019: Frontex, Europol, EMCDDA) the meetings involve a number of external entities including: DG HOME, EEAS, EMSA, ERCC/ECHO, EU SatCen, EUISS, Interpol, IOM, UN-HCR. The leading Agency which will hold the permanent chairmanship of the Working Group is Frontex.

Ad hoc meetings of experts via the established list of contacts

On Trafficking in Human Beings: meeting since 2012 as a follow-up to the JHA Agencies' Joint Statement signed in 2011 and the EU Strategy towards the Eradication of Trafficking in Human Beings 2012-2016. The experts from CEPOL, EASO, EIGE, eu-LISA, Eurojust, Europol, FRA and Frontex meet with the EU Anti-Trafficking Coordinator to discuss progress and coordinate activities.

On Public Access to Documents (PAD): meeting since 2019, experts on public access to documents exchange best practices and discuss new developments. In 2021 the representatives of Eurojust, Europol, EASO, CEPOL, EMCDDA, eu-LISA, Frontex as well as EMSA and the European Commission were present at the meeting. In view of this assessment exercise, all JHA Agencies as well as the European Commission were asked if they would like to become a Working Group. The replies indicated that experts wish to meet on *ad hoc* basis.

Working Groups



WORKING GROUP ON DATA PROTECTION

**WORKING GROUP ON EXTERNAL
RELATIONS (RELEX)**



WORKING GROUP ON COMMUNICATION

ICT & CYBERSECURITY WORKING GROUP



WORKING GROUP ON TRAINING

**WORKING GROUP ON EUROPEAN
SITUATION MONITORING**



**AD HOC EXPERTS MEETING ON
TRAFFICKING IN HUMAN BEINGS**

**AD HOC EXPERTS MEETING ON
PUBLIC ACCESS TO DOCUMENTS**



**AD HOC EXPERTS MEETING
ON DIVERSITY AND INCLUSION**

On Diversity and Inclusion: met only once in 2019 and led to the adoption of the [Joint Statement on Diversity and Inclusion](#). In 2020 the experts did not exchange any updates. In 2021, in view of the establishment of the EUAN's working group on the diversity and inclusion, CEPOL as the chairman of this Working Group ran an assessment on the added value of having a dedicated Working Group in JHAAN. The assessment suggested that the discussions on Diversity and Inclusion topics in JHAAN should continue on *ad hoc* basis based on the established list of experts rather than take a form of a structured exchange characteristic for the Working Groups.

In order to devise a common approach to the establishment of new Working Groups, **the JHAAN Contact Points have developed the following guidelines:**

- Each JHAAN Working Group shall be composed of experts from some or all JHA Agencies.
- Each JHAAN Working Group shall consist primarily of JHA Agencies but other EU entities or international organisations may be invited to participate, either on a regular or *ad hoc* basis. Every represented JHA Agency or any other entity is considered to be a member of a Working Group and shall nominate a dedicated contact point.
- Any JHA Agency has the right to propose the establishment of a Working Group. This proposal shall be presented to and discussed by the JHAAN Contact Points.
- Each JHAAN Working Group shall be established or terminated on the basis of a joint decision of JHA Agencies represented by JHAAN Contact Points, after they consult their respective Heads. This decision has to be duly recorded by the Presidency.
- Any change to the functioning of a Working Group such as list of members, chairmanship, etc., has to be communicated to all JHA Agencies through the JHAAN Contact Points and duly recorded by the Presidency.
- Each JHAAN Working Group should in principle be chaired by the Presidency, unless:
 - another JHA Agency, upon request of the Presidency, agrees to chair a Working Group (e.g. the Presidency is not a member of a Working Group or the Presidency does not have sufficient capacities to lead a Working Group in a given year). It is the responsibility of the Presidency to approach JHA Agency(ies) with such a request through JHAAN Contact Points, or
 - the decision on the establishment of a Working Group defines a permanent chairmanship.
- Each JHAAN Working Group shall meet at least once a year. The Presidency shall in this respect include the list of Working Groups in its JHAAN Work Programme for the following year.
- Each JHAAN Working Group is responsible for setting its own agenda. It should, however, align it, when possible, with the priorities of the Presidency. It is the role of the chair of a Working Group to draft an agenda in coordination with contacts points of a Working Group. The agenda should be forwarded to the JHAAN Contact Points for information in advance of a meeting.
- Each JHAAN Working Group **shall report on its work and the composition of members** to the Presidency. The Presidency will share the outcome of the meetings and achievements of each Working Group with the JHAAN Contact Points and reflect their activities in the final JHAAN report each year. The list of members shall be recorded by the holding Presidency and communicated to the upcoming Presidency.

RECOMMENDATION 5: Confirmation of new guidelines on the establishment and the functioning of the Working Groups

It is recommended that the proposed guidelines be adopted and implemented. The formalisation of the establishment and the functioning of the Working Groups will further structure and streamline their operation.

The list of Working Groups and its members, as well as the contact lists of experts that meet on *ad hoc* basis, should be posted on SharePoint and updated annually by the Presidency.

IV. The JHA Agencies

as members of the Network

1. Raising awareness of JHAAN and its activities

Internal and external communication of the Network about its activities and member Agencies is an important element of its functioning. Raising awareness among Agencies' staff provides a better understanding of the working methods, enhances trust, and improves daily cooperation. The Network should aim to enhance its visibility within the Agencies. The work of the Contact Points could be

particularly useful in this regard, as they serve as the focal point of information about the Network within individual Agencies.

Raising awareness among external stakeholders is also important to improve the knowledge and the public perception of the work done by the Agencies and the Network.

RECOMMENDATION 6: Support of awareness raising initiatives

It is recommended that the Network continues to implement awareness raising activities directed at both external and internal stakeholders. Among the initiatives worth considering are to:

- Develop a yearly Newsletter,
- Organise topical briefings open to Agencies' staff,
- Carry-out staff exchange programmes and
- Hold an annual online event aimed at familiarising selected staff with JHA Agencies mandates and activities.

Each Presidency should have the flexibility to plan awareness raising according to its programme and priorities.

The Network should consider a more interactive way of raising awareness about its activities among the Member States (mainly COSI), and other stakeholders, such as the LIBE Committee. This might involve shorter reporting and the use of infographics.

2. JHAAN joint products

The Network reports on its annual activities to the European Parliament (LIBE Committee) and the Council (COSI) by presenting its Final Report and the Scorecard. Since 2010, the Network has developed a number of tools and products aimed at improving its operational activities. The assessment process allowed for a more thorough analysis and discussion on the structure and added value of the

existing joint products. So far, the Presidency has been responsible for the update of all tools and products, requiring the engagement of significant resources. Consequently, the Agencies agreed to share the responsibility and the workload of revising and leading the future updates of relevant products and tools. They also agreed on the revised format of the tools, making them more user-friendly.

RECOMMENDATION 7: Revision and continuation of annual update of the JHAAN tools and products

The revisions of annual tools and products, such as the Final Report and the Scorecard, agreed amongst the Contact Points should be implemented. The products should undergo an annual update carried out either by the Presidency or the designated Agencies.

In order to maximise the effect of the JHAAN annual tools and products, it is also recommended to increase awareness amongst the Agencies' staff about their existence and content.

In order to simplify work on the tools and products, the Agencies are encouraged to use the online JHAAN platform stored at the SharePoint. The Agency responsible for providing access (two-step authentication for security reasons) to the JHAAN platform is eu-LISA.

V. Relations

with stakeholders and partners

Since its establishment, JHAAN has cooperated with a number of key stakeholders. The 2010 interim report to COSI highlighted that the support of other key players (EU Institutions and Member States) is important to increase cooperation between the Agencies. Over the past 10 years stakeholders with whom the Network cooperated have been categorised as observers and partners. The European Commission (DG HOME and DG JUST) and the EEAS have been considered observers since 2011 and 2012 respectively. Other stakeholders with whom the Network cooperates but who have not been granted observer status are considered partners. In addition, *ad hoc* guests are invited to attend JHAAN meetings (e.g. EUAN, EPPO).

Observers and some partners (LIBE Committee of the European Parliament⁷, the GSC and EU Council Presidency⁸) are invited and take part in the annual Heads of JHA Agencies and/or the regular Contact Points meetings. The same applies to the *ad hoc* guests – EUAN SSO, coordination with whom is essential for ensuring synergies, avoiding overlaps and consolidating efforts on shared topics.

The role and scope of the observers and partners were some of the key elements of the JHAAN ten-year assessment. Aiming to include the specific guidance and feedback of the observers and partners themselves, the observers and selected partners were approached with specific questions developed by JHAAN.

RECOMMENDATION 8: Granting observer status and participation of observers and partners in JHAAN meetings

It is recommended that the decision on who is granted observer status should be approved by the Heads of JHA Agencies. A formal invitation can be issued by the Presidency following the approval of the Heads of JHA Agencies.

The decision on which partners or *ad hoc* guests should be invited to the Contact Points meetings should rest in the hands of the Presidency after having consulted the Network.

7 In the meeting of the Heads of JHA Agencies, LIBE is represented by its Chair or a Member; representative of the LIBE Committee Secretariat represents the Committee during the Contact Points meetings.

8 Representatives of (current and incoming) EU Presidencies as well as GSC are invited to the Heads of JHA Agencies meeting only.

RECOMMENDATION 9: Strengthening cooperation with the European Parliament and the Council

It is recommended to develop deeper cooperation with the Council through inviting the GSC to take on the role of an observer. Giving GSC the status of an observer might be instrumental in strengthening cooperation with the Council and its rotating Presidencies. The observer status means that GSC will be invited to Contact Points regular meetings as well as to the Heads of JHA Agencies annual meetings.

It is recommended that LIBE Secretariat should be invited to take on the role of an observer. In past years cooperation with LIBE Secretariat has been carried out on *ad hoc* basis. The European Parliament is an important stakeholder, and it would be valuable for the Network to develop a more structured and permanent cooperation with it. The observer status means that LIBE Secretariat will be invited to Contact Points regular meetings as well as to the Heads of JHA Agencies annual meetings.

Granting the GSC and LIBE Secretariat the status of observers should facilitate further convergence, keep JHAAN better informed about policy and legal developments and involve JHAAN more in the implementation of EU policies, the EU legislative process and the Council Presidency's initiatives. Furthermore, it would increase the visibility of JHAAN.

Finally, future Presidencies are encouraged to consider the participation of EUAN SSO in JHAAN meetings on *ad hoc* basis.

RECOMMENDATION 10: Facilitating the active role of observers during Network meetings

In order to facilitate active involvement of observers during the Network meetings, it is recommended that observers who take part in the Network's meetings are given a possibility to actively propose agenda items to the Presidency and present them accordingly.

When asked about the biggest added value of the JHA Agencies' Network the responders highlighted the fact that it can be used as a forum for the **exchange of information** and joint reflection on topical issues, discussion of **common actions** and the **development of synergies**. In their views being involved in the activities of the Network allows external partners to **keep up-to-date** knowledge and be informed on activities and priorities of individual JHA Agencies. The possibility to establish stronger working relations and making use of the expertise of topical Working Groups was also highlighted as particularly valuable.

The exchange of information on the development of EU policies, future legislative actions and policy priorities could also be highly beneficial from the perspective of the Network and its individual members. The increased information flows could feed into complementarities in planning and synergies in the execution of common activities.

Most of the Network's stakeholders **were aware** of JHAAN reports and products and generally found them useful. At the same time, more forward-looking content which would feed into future policy-making would be even more beneficial. Notably **no overlaps** between JHAAN activities and other cooperation formats were identified. When asked about future areas of focus, stakeholders highlighted the added value of working towards the **improvement to the core business** of JHA Agencies and further improvement of the **daily cooperation between** the Agencies and respective partners and observers.

Overall, the Network is well perceived. Its observers and partners seem committed towards reinforcing its further activities and effectiveness.

VI. Role of the Network and its long-term plan

Since the creation of JHAAN in its current format, the Network has developed a well-established model of operation. The main objective of the Network is streamlining and improving the cooperation between the Agencies with specific mandates, distinctive responsibilities, and capabilities in the area of freedom, security, and justice. While the model is working well, small changes should be introduced. The assessment has found some areas where further improvement would be beneficial, and the implementation of the recommendations mentioned in this report should tackle the identified challenges.

JHA Agencies play an important role in facilitating the implementation of EU policies. Increasing the effectiveness of the Network can further benefit this process. With the established structure, growing interoperability and coordinated approach, JHAAN can move forward with implementing and contributing to relevant EU policies. Thanks to its established mechanisms including the meetings

of the Heads of JHA Agencies alongside the Contact Points meetings, Working Groups and *ad hoc* meetings of experts, the focus of the Network can be placed on important common strategic issues as well as thematic areas of interest.

The Network should continue to avoid overlaps of the work of the Agencies in operational sphere such as the activities carried out within the EU policy cycle – EMPACT, which, along with other frameworks, may be promoted by the Network. The members of the Network should continue to work together, and the Network shall further serve as the coordination platform with key stakeholders, including European Commission, European Parliament, the Council, and other partners such as EUAN.

Conclusion

The assessment report was endorsed by the Heads of JHA Agencies on 22 November 2021.

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 EUROPEAN BORDER AND
COAST GUARD AGENCY

European Border and Coast Guard Agency
Plac Europejski 6, 00-124 Warsaw, Poland

T +48 22 205 95 00

F +48 22 205 95 01

frontex@frontex.europa.eu

www.frontex.europa.eu

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