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Written contribution to JPSG
Reporting on Europol Activities from September 2020 to January 2021

Introduction

This report provides an update on Europol activities since the last reporting to the JPSG on 28-29 September 2020.

Even with the COVID-19 pandemic and related restrictions, activity at Europol has remained high. Europol's support has continued and was not significantly hampered by the pandemic. The number of SIENA messages exchanged in 2020 increased by 1.8% and the number of new cases initiated in 2020 increased by 4.7%.

Europol was able to adapt to the pandemic by equipping its operational and strategic analysts and specialists with appropriate means (so-called Mobile Offices) in order to ensure information flow and the provision of operational and strategic analysis services to its partners. Europol has introduced a secure video conference application, which allows for the exchange of operational data, which is accessible to EU Member States' Liaison Bureaux. This has allowed Europol and EU law enforcement to shift towards cooperating virtually during this pandemic.

Europol continues to monitor the impact of the pandemic on criminality and terrorism in the EU. As well, Europol co-host with the Italian authorities the 3rd Working group on COVID-19 crime threats and law enforcement responses on 12 November 2020.

Operational Overview[1]

A total of 302,395 messages were exchanged via SIENA in Q3 2020 and 346,666 messages in Q4 2020. 1,266,233 messages were exchanged in 2020 compared to 1,243,943 in 2019. The number of new cases initiated reached 22,077 in Q3 2020 and 26,315 in Q4 2020. 88,748 new cases were initiated in 2020 compared to 84,804 in 2019.

The number of EIS objects was 1,453,186 in the end of 2020. The number decreased by 8% in 2020 as compared to 2019. The number of QUEST and EIS searches was 7,489,410 in 2020. The number of searches increased by 34% in 2020 as compared to 2019.

The European Serious and Organised Crime Centre (ESOCC) supported 498 operations and produced 1101 reports in Q3.

The European Cybercrime Centre (EC3) provided operational support to 217 operations and produced 724 operational reports in Q3.

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[1] The collection of data regarding the number of operations supported and operational reports produced for Q4 2020 is still in process.

The European Counter Terrorism Centre (ECTC) supported 189 operations and prepared 437 operational reports in Q3. The cooperation with Eurojust in the context of SIRIUS continued.

The new European Financial and Economic Crime Centre (EFECC) has provided support to 121 operational cases in Q3.

Implementation of Europol's Strategy 2020+

Europol's Strategy Implementation Steering Committee (SISC) continued to monitor the implementation of the organisational changes and developments stemming from the Europol Strategy 2020+. The main developments to highlight during the reporting time include: i) Adoption of the Information Management Strategy for Europol by the Management Board in December 2020. Europol is now finalising an Implementation plan. The purpose of Europol's new Information Management Strategy is to ensure that Europol has the necessary information management capabilities, in order to provide the best possible products and services to the Member States. ii) Full operationalisation of the Analysis & Strategic Coordination Unit, with the appointment of its Head of Unit in December 2020. This also marks the transfer of the tasks of the Task Force Analysis to the Analysis & Strategic Coordination Unit.

Strategic developments and thematic reports

Here below summarized some of the most relevant strategic developments and thematic reports by Europol since September 2020.

1. The Internet Organised Crime Threat Assessment (IOCTA) 2020 was published on 5 October. The report identifies the following key threats:

   ʃ Social engineering, malware and ransomware remains top threats.
   ʃ Cryptocurrencies continue to facilitate payments for various forms of cybercrime.
   ʃ Reporting challenges hinder the ability to create an accurate overview of the crime.
   ʃ Criminals take advantage of the COVID-19 crisis.

2. Report "How COVID-19-related crime infected Europe during 2020" was published on 11 November:

   ʃ The (online and offline) distribution of counterfeit and substandard personal protective equipment, pharmaceutical and sanitary products, including fake 'corona home test kits' and alleged vaccines preventing COVID-19 infection, remains a consistent pandemic-related criminal activity.
   ʃ The area of child sexual abuse material (CSAM) has remained a grave concern during the pandemic;
   ʃ Pandemic-themed campaigns have appeared across a wide range of cybercrime activities, including phishing campaigns, ransomware, malware and business email compromise attacks. Healthcare and health-related organisations have been targeted and fallen victim to ransomware attacks.
   ʃ After initial disruptions in the supply of some drugs to some European drug markets, the overall impact of the crisis on the EU drug market appears to have been limited.
   ʃ The impact of the pandemic on terrorism and violent extremism has been limited and primarily involved some extremists adapting narratives and propaganda materials to the COVID-19 topic.

) The volume of fake news, conspiracy theories and harmful narratives undermining public institutions disseminated online around the COVID-19 pandemic has been substantial.

3. In December 2020, Europol and Frontex signed an agreement for the exchange liaison officers. The agreement is part of the Joint Action Plan of the two agencies, aimed at strengthening the agencies' common effort in enhancing the security of EU citizens.

4. On 20 November 2020, Heads of JHA Agencies meeting was held by Eurojust. It was the final event of the annual Chairmanship of the JHA Agencies Network (JHAAN). The meeting touched upon digitalisation and artificial intelligence, including ways to further strengthen cooperation and identify synergies among the JHA agencies.

5. In December 2020, Europol launched a Decryption Platform, developed in close cooperation with the European Commission's Joint Research Centre, which will significantly increase Europol's capability to decrypt information lawfully obtained in criminal investigations.

6. In December 2020, Europol co-organised with the German Presidency a meeting with the EU Chiefs of Police. A discussion was held on EU initiatives in the field of internal security with European Commissioner for Home Affairs Ylva Johansson. As well as a discussion on effective policing and how to support and uphold the resilience of EU police forces in view of societal fragmentation characterised by radicalisation, extremism, the propensity for violence and disinformation trends.

7. Working group on COVID-19 crime threats and law enforcement responses: On 12 November 2020, the working group held its third meeting via video conference (VC). Police chiefs and senior police leaders attended the meeting from Austria, Belgium, France, Germany, Italy, Netherlands, Poland, Spain, Switzerland, UK, Interpol and Europol. Building up on past work, Europol and Italy, the Working Group co-chairs, identified two crime areas of concern for the majority of the members during the pandemic, namely: 1) Online Child Sexual Exploitation; 2) Identification and monitoring of the indicators related to the infiltration of OCGs into the legal economy.

    The Fourth meeting of the Working Group will take place on 12 February 2021 in Rome.

8. Upcoming developments: In March 2021, publication of the new European Union Serious and Organised Crime report (SOCTA)

External and Institutional Relations

The working arrangement between Europol and European Anti-Fraud Office (OLAF) entered into force on 9 October 2020.

At its meeting on 9-10 December 2020, Europol Management Board approved the draft Working Arrangements with the European Public Prosecutor's Office (EPPO) and Chile. Both working arrangements are ready and in the process of being signed. The Working Arrangement with the EPPO is reasonably expected to enter into force second half of January.

The Management Board meeting also approved another annual revision of the List of priority external partners with which Europol may conclude working

arrangements. Peru, South Korea, Singapore and Sri Lanka were added to the second priority group of third countries.

As of 1st January 2021, Europol External Relations Strategy 2021-2024 came into effect.

<u>Follow up EDPS Decision on Europol's 'big data challenge'</u>

The JPSG was briefed by Europol and the EDPS on 28 September 2020 about the EDPS Decision on Europol's 'big data challenge' which was issued on 18 September 2020.

The background can be summarised as follows:

> EU Member States and operational cooperation partners collect large datasets, in particular while conducting judicial investigations on serious organised crime, terrorism and cyber-crime, including the fight against sexual exploitation of children online.

> These large datasets are submitted to Europol for conducting operational and forensic support tasks in order to find the relevant information for the investigations and to provide new leads. Europol's work supports and strengthens activities by the competent authorities of the Member States in preventing and combating all forms of crime within Europol's mandate.

> The EDPS Decision of September 2020 on Europol's 'big data challenge' highlights that "… this inquiry has shown that it is not possible for Europol, from the outset, when receiving large data sets to ascertain that all the information contained in these large datasets comply with these limitations" [note: as set out in in the Europol Regulation].

> Europol acknowledges the concerns of the EDPS with respect to data minimisation and the requirement to process data within the scope and limitations of the categories of personal data foreseen by the Europol Regulation.

> <u>The processing of large data sets relates to the core essence of Europol's working methods and operational support capabilities</u>, expected from Member States' law enforcement authorities to fulfil the tasks given to the organisation. This is recognised in the EDPS Decision.

On 28 September 2020, the EDPS explained to the JPSG that the issue is not about a "misuse of the data" but relates to the restrictions of the use of large datasets based on the current Europol Regulation (ER).

On 17 November 2020, Europol provided an Action Plan to the EDPS. Europol Action plan devises mitigation measures that can both reduce further the risks for data subjects and ensure that Europol can meet the expected operational demand from Member States. Accordingly,

The Europol Action Plan focusses on:

⌡ Reducing the risks for data subjects by ensuring an enhanced data review;

⌡ Continuing Europol's efforts for building a dedicated New Forensic Environment (NFE), which provides additional features and improvements to Europol's operational environment for handling large datasets on a new technical platform.

On 4 December 2020, the EDPS provided a response to the Action Plan and offered Europol a further exchange of views and expertise on the way forward. The Europol Management Board (MB) was updated on 9-10 December 2020.

A full status update report will be provided to the EDPS in March 2021.

The proposal for amendments to the Europol Regulation, which was published by the European Commission in December 2020, provides for a unique opportunity to ensure that Europol will uphold its key operational support capabilities, while, at the same time, addressing the concerns brought forward by the EDPS with respect to the current legal framework of Europol.

Annex : Highlights

8th Victim Identification Taskforce

⎰ Between 2 and 13 November 2020, Europol's European Cybercrime Centre (EC3) successfully supported efforts to identify victims of child sexual abuse through its 8th Victim Identification Taskforce. In total, 23 law enforcement experts from EU Member States and non-EU countries participated

⎰ Participating agencies and countries: Australia, Belgium, Canada, Cyprus, Denmark, Finland, Hungary, INTERPOL, Moldova, Norway, Portugal, Spain, Sweden, Switzerland, US ICE and US FBI.

⎰ By working on pictures and videos stored in Europol databases, experts were able to identify the country of production of CSA material, which could led to new leads in national investigations.

⎰ The investigation resulted in the identification of overlaps in cases, which enabled officers to combine efforts to locate the victims.

⎰ Results: Nine confirmed victims and another two victims tentatively identified.

EU Most Wanted Campaign on Sex offenders

⎰ Every two minutes a sexual offence is reported to the police in the European Union, be it rape, sexual violence or assault, mostly affecting women and children.

⎰ End October 2020, Europol launched campaign in 18 countries across Europe to ask for your help in finding some of Europe's most dangerous sex offenders.

⎰ Eighteen fugitives suspected or convicted of sexual offences have been targeted and prioritised to feature on Europe's Most Wanted Fugitives website, eumostwanted.eu.

⎰ For four weeks, law enforcement authorities circulated their images online to attract as many visitors to the eumostwanted.eu website.

Drug trafficking operation against the biggest-ever crackdown against drug ring smuggling cocaine from Brazil into Europe

⎰ 27 November 2020, over a thousand police officers with the support of Europol carried out coordinated raids against the members of a highly professional criminal syndicate. Some 180 house searches were executed, resulting in the arrest of 45 suspects.

⎰ The investigation uncovered that this drug trafficking network was responsible for the annual importation of at least 45 tonnes of cocaine into the main European seaports, with profits exceeding €100 million over the course of 6 months.

⎰ This international sting, led by the Portuguese, Belgian and Brazilian authorities, was carried out simultaneously by agencies from three different continents, with coordination efforts facilitated by Europol (Europe: Portuguese Judicial Police , Belgian Federal Judicial Police, Spanish National Police, Dutch Police and the Romanian Police; South America: Brazilian Federal Police; Middle East: Dubai Police Force and Dubai State Security).

⎰ Results: 45 arrests with 38 in Brazil, 4 in Belgium, 1 in Spain and 2 in Dubai; 179 house searches; over €12 million in cash seized in Portugal, €300 000 in cash seized in Belgium and over R$1 million and US$169 000 in cash seized in Brazil; 70 luxury vehicles seized in Brazil, Belgium and Spain and 37 aircrafts seized in Brazil.

⎰ 163 houses seized in Brazil worth in excess of $132 million, 2 houses seized in Spain worth €4 million, and two apartments seized in Portugal worth €2.5 million.

⎰ Financial assets of 10 individuals frozen in Spain.