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**GENVAL 59
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Evaluation report on the sixth round of mutual evaluations:

"The practical implementation and operation of the Council Decision 2002/187/JHA of 28 February 2002 setting up Eurojust with a view to reinforcing the fight against serious crime and of the Council Decision 2008/976/JHA on the European Judicial Network in criminal matters."

Report on Malta

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1. EXECUTIVE SUMMARY

Malta operates a common law criminal justice system with the separation of functions between the police and prosecutors. They also have investigating magistrates.

Malta did not require a new legislation to implement Council Decisions 2002/187/JHA of 28 February 2002 setting up Eurojust and 2009/426/JHA of 16 December 2008 (from now on referred to as the “new” Eurojust Decision) on the strengthening of Eurojust. The evaluators were made to understand that, to that end, Malta has used existing powers of their Attorney General relating to international cooperation and other administrative measures.

The flow of information as required under Article 13 of the new Eurojust Decision related to the exchange of information between Eurojust and the Maltese authorities seems to be satisfactory. Investigating and prosecuting authorities, as well as judicial authorities, often solicit Eurojust’s assistance in facilitating mutual legal assistance or coordination of investigations.

The important role played by the National Member for Malta at Eurojust in the field of judicial cooperation and coordination was praised and highly appreciated by local authorities in view of the efficient assistance provided. Eurojust is seen as “part of the system”, in particular taking into account that the National Member is also the Deputy Attorney General in Malta and plays a crucial role as central judicial authority in all matters falling within the field of international legal cooperation. It was also acknowledged that the Malta Police correspondent, who exercises several functions as required by the new Eurojust Decision, carries a lot of responsibility.

It is worth noting that due to the small size of Malta and the close working relationship between the prosecuting and investigating authorities, officials know each other on a personal level and contacts are direct.

2. INTRODUCTION

Following the adoption of the Joint Action 97/827/JHA of 5 December 1997¹, a mechanism for evaluating the application and implementation at national level of international undertakings in the fight against organised crime has been established.

In line with Article 2 of the Joint Action, the Working Party on General Matters including Evaluations (GENVAL) decided on 22 June 2011 that the sixth round of mutual evaluations should be devoted to the practical implementation and operation of the Council Decision 2002/187/JHA of 28 February 2002 setting up Eurojust with a view to reinforcing the fight against serious crime², as amended by Decisions 2003/659/JHA³ and 2009/426/JHA⁴ and of the Joint Action 98/428/JHA of 29 June 1998 on the creation of a European Judicial Network⁵ repealed and replaced by Council Decision 2008/976/JHA on the European Judicial Network in criminal matters⁶.

The evaluation aims to be broad and interdisciplinary and not focus on Eurojust and European Judicial Network (EJN) only but rather on the operational aspects in the Member States. This is taken into account to encompass, apart from cooperation with prosecution services, also, for instance, how police authorities cooperate with Eurojust National Members, how the Europol National Units will cooperate with the Eurojust National Coordination System (ENCS) and how feedback from Eurojust is channelled to the appropriate police and customs authorities.

¹ Joint Action of 5 December 1997 (97/827/JHA), OJ L 344, 15.12.1997 pp. 7 - 9.

² Council Decision of 28 February 2002 setting up Eurojust with a view to reinforcing the fight against serious crime (2002/187/JHA), OJ L 63, 2.3.2002, pp. 1-13.

³ Council Decision 2003/659/JHA of 18 June 2003 amending Decision 2002/187/JHA setting up Eurojust with a view to reinforcing the fight against serious crime, OJ L 245, 29.9.2003, p. 44-46.

⁴ Council Decision 2009/426/JHA of 16 December 2008 on the strengthening of Eurojust and amending Decision 2002/187/JHA setting up Eurojust with a view to reinforcing the fight against serious crime, OJ L 138, 4.6.2009, pp. 14-32.

⁵ Joint Action 98/428/JHA of 29 June 1998 adopted by the Council on the basis of Article K.3 of the Treaty on European Union, on the creation of a European Judicial Network, OJ L 191, 7.7.1998, p. 4-7.

⁶ Council Decision 2008/976/JHA of 16 December 2008 on the European Judicial Network, OJ L 348, 24.12.2008, p. 130-134.

The evaluation emphasises the operational implementation of all the rules on Eurojust and the EJN. Thus, the evaluation will also cover operational practices in the Member States as regards the first Eurojust Decision, which entered into force in 2002. Experiences from all evaluations show that Member States will be in different positions regarding implementation of relevant legal instruments, and the current process of evaluation could provide useful input also to Member States that may not have implemented all aspects of the new Eurojust Decision.

The questionnaire for the sixth round of mutual evaluations was adopted by GENVAL on 31 October 2011⁷. As agreed in GENVAL on 17 January 2012, Eurojust was also provided with a questionnaire. The questionnaire to Eurojust was adopted by GENVAL on 12 April 2012⁸. The answers to the questionnaire addressed to Eurojust were provided to the General Secretariat of the Council on 20 July 2012, and have been taken into account in drawing up the present report.

The order of visits to the Member States was adopted by GENVAL on 31 October 2011⁹. Malta was the eleventh Member State to be evaluated during this round of evaluations.

In accordance with Article 3 of the Joint Action, a list of experts in the evaluations to be carried out has been drawn up by the Presidency. Member States have nominated experts with substantial practical knowledge in the field pursuant to a written request on 15 July 2011 to delegations made by the Chairman of GENVAL.

The evaluation teams will consist of three national experts, supported by two staff from the General Secretariat of the Council and observers. For the sixth round of mutual evaluations, GENVAL agreed with the proposal from the Presidency that the European Commission, Eurojust and Europol should be invited as observers.

⁷ Council doc. 12384/3/11 REV 3

⁸ Council doc. 5241/2/12 REV 2

⁹ Council doc. 13040/2/11 REV 2

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The experts charged with undertaking this evaluation were Ms Beatriz Diz Bayod (Spain - Ministry of Justice, Madrid), Mr Alessandro di Taranto (Italy - Magistrate, Ministry of Justice, Rome) and Mr Ebrima I Chongan (United Kingdom - policy adviser, Home Office, International Directorate, London). Two observers were also present: Mr Jose Castillo Garcia (Eurojust, senior legal officer), Ms Anna Richterova (Eurojust, Deputy National Member for the Czech Republic), together with Mr Steven Cras and Mr Peter Nath from the General Secretariat of the Council. The EU Commission and Europol did not participate in this evaluation mission.

This report was prepared by the expert team with the assistance of the General Secretariat of the Council, based on findings arising from the evaluation visit that took place in Malta between 11 and 15 February 2013, and on Malta's detailed replies to the evaluation questionnaire together with their detailed answers to ensuing follow-up questions.

3. GENERAL MATTERS AND STRUCTURES

3.1. General information

3.1.1. *Council Decision 2002/187/JHA of 28 February 2002 and Council Decision 2009/426/JHA*

Malta did not require any legislative instruments to bring its national law into conformity with the Council Decision 2002/187/JHA of 28 February 2002 setting up Eurojust with a view to reinforcing the fight against serious crime and its amendments according to Decision 2009/426/JHA on the strengthening of Eurojust since this was done on the basis of administrative practice. The National Member (NM), the Deputy National Member (DNM) and the Assistant to the National Member (ANM) are lawyers within the Office of the Attorney General and occupy the posts of Deputy Attorney General (DAG) and Lawyers (Prosecutors) respectively. Under Maltese law, the Attorney General is the prosecutor before the criminal courts. Moreover the Attorney General acts as central judicial authority in all matters falling within the field of international legal cooperation. It is part of the functions of the Attorney General's Office to assist the police in prosecutions when the need arises since police are also prosecutors before the Courts of Magistrates.

3.1.2. *Joint Action 98/428/JHA of 29 June 1998 on the creation of a European Judicial Network and Council Decision 2008/976/JHA of 16 December 2008*

For the reasons mentioned above, Malta did neither require any legislative instruments to implement Joint Action 98/428/JHA of 29 June 1998 on the creation of a European Judicial Network nor to implement Council Decision 2008/976/JHA adopted on 16 December 2008 and repealing the Joint Action. The EJN contact points also work within the Attorney General's Office and this places them in a better position to assess which requests for legal assistance should be forwarded to Eurojust or the EJN as the case may warrant.

3.2. Implementation of the Eurojust National Coordination System

3.2.1. Authorities designated within the ENCS

The Eurojust National Coordination System (ENCS) has been established. Apart from the two national correspondents for Eurojust, one from the Attorney General's Office and one from the Malta Police no other contact points have been formally designated although given that the head of SIRENE closely collaborates on a day to day basis with the Attorney General's Office (in the execution and processing of all requests for legal assistance), one can safely assert that the said person acts also as contact point for Europol. It is worth noting that due to the small size of Malta and the close working relationship between the prosecuting and investigating authorities where officials know each other on a personal level, contact is also maintained directly with the Europol liaison officer in The Hague and the Deputy Attorney General/National Member.

Moreover the Office of the Attorney General enjoys a very close working collaboration with the Internal Audit and Investigations Directorate (IAID), the OLAF interlocutor in Malta, as Article 18 of the Internal Audit and Financial Investigations Act of 2003 stipulates:

"Whenever, and as soon as, the Director firmly establishes the existence of suspected cases of irregularities and, or suspected cases of fraud concerning the responsibilities of the auditee under review, the Director shall, if he is of the opinion that the irregularity, if proved, would constitute a criminal offence, immediately inform the Attorney General; otherwise, if the Director is of the opinion that the irregularity is of an administrative nature, he shall inform the Permanent Secretary of the auditee: (...)"

At that stage of the IAID proceedings the Attorney General may decide that the conduct being reviewed is criminal by nature and in which case the matter is then referred to the police or if the conduct is deemed to warrant solely disciplinary measures, in which event the case will then be referred to the Public Service Commission. Another function of the Attorney General, is to be represented on committees and/or boards which may also be designated to ensure compliance with specific regulations and hence in cases of breach of the said legal dispositions, it is best placed to assume those responsibilities dictated by the Eurojust Decision in real time. Salient among such boards are the Joint Committee for the Prevention on Money Laundering, the Joint Committee

against Trafficking of Persons and the Sanctions Monitoring Board, with the latter being the implementing and monitoring entity responsible for UN and EU sanctions. A close working relationship is also enjoyed with Customs, the Financial Intelligence Analysis Unit and the Malta Financial Services Authority.

3.2.2. National correspondents

Malta has designated two national correspondents for Eurojust, one from the Attorney General's office and one from the Malta police. As in Malta police officers also act as prosecutors in front of the Magistrates Courts, a national correspondent for Eurojust is seated within the Malta police as well. The main task of these national correspondents is to guarantee an efficient flow of exchange of information between the police and the Attorney General's Office that would in turn transmit such information in real time to Eurojust, given that the appointed members are prosecutors within the Attorney General's Office.

3.2.3. Practical operation of the ENCS and connection to the CMS

As already explained, two national correspondents for Eurojust have been nominated, one from the police and another one from the Attorney General's office. All information handled by the police which is seen as potentially useful for Eurojust will be transmitted to the police national correspondent for Eurojust. The latter will transmit this information to the Attorney General's Office. The national correspondent for Eurojust is responsible for the functioning of the ENCS although given the low amount of work this is more frequently taken care of by the DAG/NM. In any case that requires that information is transmitted to Eurojust, this is done by filling in the prescribed form (according to Article 13) which is then sent by email to Eurojust. To date no connection exists linking the ENCS database to the Case Management System (CMS).

3.2.4. Division of tasks of ENCS members

Given the small size of Malta, the relatively small police force and the limited number of members of the judicial services (two of which deal with execution of MLA requests), the volume of work generated which would fall within the purview of the Eurojust Decision is relatively low and hence it would not make any sense to have a strict amount of hours dedicated solely to this task. Instead the work related to the ENCS is considered as part and parcel of the normal tasks and hence the necessary amount of hours dedicated to this will vary as the need arises.

3.2.5. ENCS Cooperation with the Europol National Unit and other law enforcement authorities

In Malta both Europol National Unit and the SIRENE bureau are housed under the same roof and are actually within the same unit, namely the international relations unit of the Malta Police. This proximity facilitates the coordination and the exchange of information. Moreover the head of this unit is responsible both for the Europol and the SIRENE bureau. Thus this structure facilitates a more efficient transmission of information to the ENCS. The head of unit works on a daily basis with the international cooperation unit of the Attorney General's Office where the ENCS is seated since, together with officers from the Attorney General's Office, he executes requests for mutual legal assistance and appears as prosecutor before the courts when such requests require execution by the latter (e.g. when obligations of professional secrecy prevent a witness from voluntarily tendering information to the police, or when there are reluctant witnesses or when it is necessary to have evidence confirmed on oath). Moreover together with prosecutors from the Attorney General's Office the head of the international cooperation unit will act as prosecutor in European Arrest Warrant (EAW) and extradition cases.

3.3. National desk at Eurojust

3.3.1. Organisation

The Maltese National Desk at Eurojust currently comprises of the following persons: the National Member, the Deputy National Member, the assistant to the National Member, supported by a secretary.

3.3.2. Selection and appointment

Being a part of the Attorney General's Office, their work is supervised by the Attorney General, which in turn falls under the responsibility of the Ministry for Justice (although it acts independently from the executive). In their capacity as civil servants the work of these officials is also subject to the rules and regulations governing the Maltese civil service while as lawyers, these officials are also bound by the rules of ethics governing the legal profession.

3.3.3. Powers granted to the National Member

3.3.3.1. General powers

The Attorney General acts as prosecutor before the criminal courts, and also assists and advises the police in prosecutions before the magistrate's courts (that have the competence to decide on cases carrying a maximum punishment of ten years imprisonment). This allocation of tasks and powers has facilitated a very close working relationship between the prosecutors within the Attorney General's Office and the police, and for this reason it was not necessary to bestow the NM, the DNM or the Assistant to the NM with any additional powers. Hence the powers and functions, with which these officials are endowed under domestic law instantaneously enable them to carry out their functions under the new Eurojust Decision.

3.3.3.2. Access to national databases

The NM has access to the following databases through direct access: Central Data Base on Civil Status and the Malta Registry of Companies. Other databases, such as criminal records, road and weapons licences can be accessed through the police and maritime licences through Transport Malta.

Once the access to the CMS is established, the NM and the DNM will be the only ones to have access.

3.3.4. Access by the national desk to the restricted part of the Case Management System (CMS)

In Malta the Deputy Attorney General and the national correspondent (the Deputy National Member) have access to the national part in the CMS.

3.4. EJM contact points

3.4.1. Selection and appointment

The European Judicial Network (EJM) contact points were selected due to their work on mutual legal assistance matters.

3.4.2. *Practical operation of the EJM contact points in Malta*

Two lawyers working within the Attorney General's Office are assuming the tasks as contact points for the European Judicial Network in Malta.

3.4.2.1. National correspondent

The deputy National Member at Eurojust is the national correspondent for the European Judicial Network.

The head of the Malta Police Special Branch Counter Terrorism Unit is the national correspondent for Eurojust for terrorism matters.

3.4.3. *Updating of the EJM website*

Whenever any changes need to be affected, these are transmitted to the EJM so that the necessary measures are taken to amend the website accordingly.

3.5. Conclusions

3.5.1. *Legal framework*

- Malta did not require a new legislation to implement Council Decisions 2002/187/JHA of 28 February 2002 setting up Eurojust and 2009/426/JHA of 16 December 2008 on the strengthening of Eurojust. The evaluators were informed that Malta has used existing powers of their Attorney General¹⁰ relating to international cooperation and other administrative measures.

3.5.2. *The national desk at Eurojust*

- The national desk is composed of a National Member, a Deputy National Member, an Assistant to the National Member, supported by a secretary. Their work is supervised by the Attorney General and is also subject to the rules and regulations governing the public service.

¹⁰ Chapter 90, Attorney General Ordinance, as amended 2004.

- The National Member is designated by the Attorney General after evaluating which of the prosecutors working within the Attorney General's Office is best suited to perform the said function. It is imperative for the members of the desk to be prosecutors within the Attorney General's Office since their very role and functions reflect the powers of the National Member as envisaged by Article 9 of the Eurojust Decision.
- The National Member for Malta is also the Deputy Attorney General. In addition, the Deputy National Member and the assistant to the National Member are lawyers within the Attorney General's Office. Their position within the Maltese judicial system as prosecutors before the criminal courts, as well as the role of the Attorney General's Office as central judicial authority in all matters falling within the field of international legal cooperation, is crucial for the carrying out of Eurojust's tasks in Malta. It is also part of the functions of the Attorney General's Office to assist the Police in prosecutions when the need arises since police are also prosecutors before the Magistrates Courts.
- In practice, there is no distinction between the powers exercised by the National Member for Malta, either in her capacity as Eurojust National Member or Deputy Attorney General. The National Member exercises the very same functions and powers (in the sense of competences) by virtue of her role in the Maltese legal system.
- With respect to the powers exercised in accordance with Articles 9b to 9d of the Eurojust Decision, they are exercised as part of the daily work performed by the National Member acting as an officer within the Attorney General's Office which is the central authority tasked with drawing up and executing requests for mutual legal assistance and mutual recognition instruments.
- Indeed the powers envisaged by Articles 9b to 9d of the Eurojust Decision can all be exercised by the National Member in her capacity as an officer within the Attorney General's Office. The request to undertake investigations can also be exercised by the said officer either by requesting the police to undertake investigations or directly by filing an application before an investigating magistrate in accordance with Article 546 of the Maltese Criminal Code.
- The National Member, being the Deputy Attorney General, has wide powers and functions under the Attorney General's Ordinance, Chapter 90.

- Controlled deliveries are authorised by the Attorney General or a magistrate and executed by the Malta Police, in accordance with Maltese law. The National Member, in her capacity as national competent authority, can assist in the coordination of controlled deliveries provided that a matter of affording or receiving legal assistance would be involved.
- With respect to exercising the tasks under Articles 6 and 7 of the Eurojust Decision, the Maltese authorities reported that no use has been made so far of both provisions. However, as a matter of good practice, there is a constant exchange of information between the National Member and the Maltese authorities.
- The evaluation team was informed that the present National Member, also holding the office of Deputy Attorney General of Malta, does not have her regular place of work at the seat of Eurojust. The team notes that this might be understandable in the light of the small size of the Maltese administration. The team was also informed that the National Member travels to The Hague and attends the plenary meetings of Eurojust at least once a month and also whenever presence is necessary (e.g. when Level II and Level III meetings are taking place).
- Although the team was told that the National Member is always available by phone or e-mail, the team notes that the absence of a permanent National Member in The Hague could potentially reduce prompt action and efficacy in Malta's Eurojust activities, both on the board and the national desk although to date no evidence of this potential exists.

3.5.3. Eurojust National Coordination System

- The Eurojust National Coordination System (ENCS) has been established. Two national correspondents for Eurojust, one from the Attorney General's Office and one from the Malta Police have been appointed. It should be noted that police officers act as prosecutors in front of the Magistrates Courts and, in light of that, the Maltese authorities considered it appropriate to have a national correspondent for Eurojust within the Malta Police as well.
- The evaluators noted that, owing to the size of the country, Malta has a very informal system. Consequently few officials are carrying out different functions (national correspondents, EJNI) as noted above. Although the evaluators had no doubts that this system is working in practice they nevertheless felt that the assignments should be more formalized and a stand-in assistant clearly identified in the event of sickness or unavailability. In the opinion of the evaluation team, this would also give more officials in the Maltese administration, particularly in the Malta Police, a chance to obtain experience in working with the European Union structures and instruments.

- With respect to the operation of the ENCS: all information handled by the Police which is useful for Eurojust is transmitted to the Police national correspondent for Eurojust. The latter transmits that information to the Attorney General's Office. The National Correspondent for Eurojust within the Attorney General's Office is responsible for the functioning of the ENCS. However, given the low amount of work, this is more frequently taken care of by the National Member.
- The Head of SIRENE from the Malta Police who closely collaborates with the Attorney General's Office in practice acts as a contact point for Europol. Moreover the head of the SIRENE office is also the liaison officer with the Attorney General's office in executing and transmitting letters of request. He is also the prosecutor before the Courts in letters of request, MLA requests and European Arrest Warrants.
- Contact is also maintained directly with the Europol liaison officer in The Hague.
- The evaluators visited the Internal Audit and Investigations Directorate (IAID) which are the OLAF interlocutor in Malta. They coordinate closely with the Attorney General of Malta. The end result of their investigations are forwarded to the Malta Police for appropriate action. This may give them a link to Eurojust.
- The Attorney General is also represented in a number of committees and boards, such as the Joint Committee for the Prevention on Money Laundering, the Joint Committee against Trafficking of Persons and the Sanctions Monitoring Board, responsible for implementing and monitoring UN and EU sanctions.
- The Attorney General also enjoys a close working relationship with Customs, the Financial Intelligence Analysis Unit and the Malta Financial Services Authority, the latter being the regulator of all financial services.
- The EJM contact points also work within the Attorney General's Office and this places them in a better position to assess which requests of mutual legal assistance should be forwarded to Eurojust or the EJM.

4. EXCHANGE OF INFORMATION

4.1. Exchange of information from judicial and law enforcement authorities to Eurojust

4.1.1. *Databases relevant for the information exchange with Eurojust*

The police databases are all accessible to the Attorney General and the courts. There is no automated direct access to the police databases. However, the Attorney General or another judicial authority may ask the police to furnish information, which is found in the police database. Furthermore through the police authorities, the judicial authorities may ask for information, which is also held in the private sector such as mobile and telephony service providers. So ultimately the judicial authorities have access to data held within the law enforcement/public authorities and also data held by the private sector.

4.1.2. *Obligation to exchange information under Article 13(5) to (7)*

The Maltese authorities involved in the exchange of information under Article 13 are the police and the Attorney General. Where international judicial cooperation is involved, it is the Attorney General's office which is the competent national authority to process and execute such requests. Thus, the National Member for Eurojust will be automatically informed since the National Member is the Deputy Attorney General, with the Deputy National Member and the Assistant to the National Member being housed in the Office of the Attorney General.

4.1.3. *Application of obligation to exchange information under Article 2 of Council Decision 2005/671/JHA*

Within the Malta Police there is a specific unit that deals with anti-terrorism offences. The head of this unit is the national correspondent for Eurojust for terrorism matters. This national correspondent works closely with the Deputy Attorney General and any relevant information is directly relayed to her or the national correspondent for Eurojust at the Attorney General's Office. Moreover the said officer works closely with other prosecutors from the Attorney General's Office and thus the flow of information is ensured in the most efficient manner.

4.1.4. Channels for information transfer to Eurojust

With respect to the obligations under Article 2 of Council Decision 2005/671/JHA, e-mail is generally used to transfer information to Eurojust.

The Office of the Attorney General has developed a software application that automatically alerts the members of the Office as soon as a case falls under Article 13 (5-7) Eurojust Decision. At the time of the visit, it was reported that the Maltese authorities had transmitted two Article 13 forms to Eurojust.

4.1.5. Concrete content in practice of the information provided to the National Members according to Article 13(5) to (7)

Any information that is relevant for Eurojust will be relayed to the National Member, and the exceptions provided under Article 13(8) have never been applied so far. Invariably it would be the National Member herself to relay that information in the first place.

4.2. Feedback by Eurojust

4.2.1. Experience regarding the obligation to inform under Article 13a of the New Eurojust Decision

To date there have only been two cases where information has been transmitted to Eurojust through the form; these however, did not entail the subsequent transmission of information.

4.2.2. Qualitative perception of the information flows between Eurojust and Malta

At the time of the drafting of this report, no experience has been afforded following the transmission of information according to Article 13 and therefore, no assessment can be made. On other Eurojust cases the flow of information has been described as being very satisfactory and there continues to be more interest generated in Eurojust's work by investigating and prosecuting authorities on the one hand and judicial authorities on the other, who often solicit Eurojust's assistance facilitating requests for legal assistance or coordination of investigations.

4.2.3. *Practical or legal difficulties encountered when exchanging information with Eurojust*

Malta has not been encountering any practical or legal difficulties when exchanging information with Eurojust.

4.2.4. *Suggestions for the improvement of the information exchange between Malta and Eurojust*

The Maltese authorities have maintained that the information exchange between their judicial authorities and Eurojust would benefit from a connection of the Maltese system to the CMS in the near future.

4.2.5. *The E-POC IV project*

Malta does not participate in the E-POC¹¹ IV project.

4.3. Conclusions

- The evaluators were informed that the obligation to transmit information to Eurojust in accordance with Article 13(5-7) EJD has been implemented in Malta. The Maltese authorities involved in the exchange of information are the Police and the Attorney General.
- As already explained above, the Attorney General's Office acts as central judicial authority in all matters falling within the field of international legal cooperation. The Eurojust National Member is automatically informed of all requests as she is also the Deputy Attorney General. The Deputy National Member and the assistant to the National Members are also officers within the Office of the Attorney General.
- The Office of the Attorney General has developed a software application that automatically alerts the members of the Office as soon as a case falls under Article 13(5-7) of the Eurojust Decision.
- To date, the Maltese authorities have transmitted two Article 13 forms to Eurojust. In these two cases no results have been obtained and hence there was no information to transmit.

¹¹ European Pool against Organised Crime

- The evaluators have been informed that Council Decision 2005/671/JHA of 20 September 2005 on the exchange of information and cooperation concerning terrorist offences has been implemented in Malta. The head of the Special Branch Counter Terrorism Unit within the Malta Police is the national correspondent for Eurojust for terrorism matters (NCT). The NCT works closely with the Deputy Attorney General/National Member for Eurojust and any relevant information is directly transmitted to the Deputy Attorney General or the national correspondent for Eurojust at the Attorney General's Office.
- Although no specific date for an implementation was given, the Maltese authorities informed that connection of the Maltese system to the CMS was envisaged for the near future. The Maltese judicial authorities expected that the information exchange between them and Eurojust would benefit from such a connection and the experts would therefore encourage that measures to implement such a solution are accelerated.

5. OPERATIONAL ASPECTS

5.1. Statistics

Statistics are only kept with regard to the number of cases opened at Eurojust. The experts were informed that in the opinion of the Maltese authorities, the fact that the members of the Maltese desk at Eurojust are at the same time representatives of national authorities, would obviate the need for keeping other statistics.

5.2. Practical experience in relation to Eurojust

As Eurojust continues to acquire familiarity with the Maltese courts and law enforcement investigators it is obvious that cases get referred to it more frequently although this does not necessarily translate itself into the registering of a case. Experience of the Maltese desk has shown that very frequently a direct exchange between national desks is followed by a phone call to the requested state that may well result in expediting the execution of a request. Such anticipated direct impact appears to be the primary reason why a contact with Eurojust is preferably sought before choosing the EJM channel. The Maltese authorities have explained that in their view this was due to Eurojust being part of a formalised structure that enjoyed a direct and more personal contact (not least owing to the familiarity Eurojust desks are enjoying with each other) and that this structure facilitated more expeditious results for the benefit of achieving the optimum judicial response in fighting crime.

According to the experience of the Maltese desk, cases are very often registered at Eurojust because the courts order that Eurojust is involved to expedite the execution of the request in cases where evidence may be lost or where persons are detained under preventive arrests. These are more often than not non-complex cases but cases that warrant extreme urgency. These types of cases seem to be evenly divided between cases relating to investigations and prosecutions.

5.3. Allocation of cases to Eurojust, the EJM or others

As already explained in paragraph 5.2 the choice between the Eurojust or the EJM channel is made on the basis of the urgency of the case, the requested country itself and the number of countries or crime type involved, with serious crimes being directly referred to Eurojust for the practical reason that in the fight against crime any medium should be used. In the view of the Maltese authorities, criminals do not decipher who does what and hence although it was rated as commendable to have this differentiation in mutual legal assistance, it was not perceived as being always practical and logical in view of what would be at stake if precious time is lost.

5.4. Experience of cases in relation to the competences attributed to Eurojust

The National Member and Deputy National Member are generally involved in assisting in the facilitation of requests and participating in coordination meetings with other national authorities. They assist national authorities as the need arises often being themselves charged with the drawing up and execution of outgoing and incoming requests for mutual legal assistance respectively.

5.4.1. Cases related to the tasks of Eurojust acting through its National Members (Article 6)

The Maltese authorities have never been solicited to perform any tasks under Article 6. Although, as a matter of good practice, there is a constant exchange of information. When the National Member is aware of a case brought by another authority to Eurojust and if it is seen that this could have a bearing for the local authorities or, if any action from the Maltese authorities may help to assist an investigation/prosecution in another state or states. Then, the national correspondents for Eurojust, terrorism or the liaison officer (i.e. the head of the Maltese SIRENE office) are informed as may be warranted and investigations or other relevant actions are undertaken. Any results obtained would then be communicated to the national desk to take appropriate action..

5.4.2. Requirements for cooperation between Malta national authorities and Eurojust

There are no formal requirements or specific procedures foreseen by the Maltese national law in respect of the cooperation between the national authorities and Eurojust; cooperation takes place in an entirely informal way.

5.4.3. Cases related to the powers exercised by the National Member (Article 6)

In order to outline the specificities of the Maltese legal scenario in which the National Member and Deputy Attorney General operates, it was emphasised vis-à-vis the evaluation team that since the role of the Attorney General is that of prosecutor before the Criminal Courts, as well as that of legal advisor to the police, the Attorney General enjoys a persuasive role and is regarded in high esteem by the police and other law enforcement authorities. Although the decision to investigate and prosecute lies entirely with the Commissioner of Police, there has never been a case where the Attorney General's advice was not heeded or where a request for a particular investigation to be undertaken refused. Moreover, the Attorney General can also refer a matter to an investigating magistrate for the initiation of a magisterial inquiry.

If a case needs an investigation to be carried out following a request emanating from Eurojust (or a particular desk at Eurojust), or whether some form of assistance is requested requiring police or/and court intervention, and that request has been communicated to the National Member, then the National Member will clearly inform the relevant authorities that this is being requested in her capacity as National Member, although there is absolutely no distinction whatsoever to the extent and nature of powers she enjoys whether acting as Deputy Attorney General or National Member. The powers perfectly coincide with each other and indeed can be perceived as the two faces of the same coin.

5.4.4. Experience with respect to the powers granted by Malta to its National Member

5.4.4.1. Powers granted at national level (Article 9 a)

The fact that the National Member is the Deputy Attorney General, in exercising her functions at Eurojust she is simply exercising the very same functions and ‘powers’ (in the sense of competences) enjoyed by virtue of her capacity in the Maltese legal system. This adds value to the work performed at Eurojust level. Therefore, in exercising functions in connection with drawing up or executing requests for mutual legal assistance, or when an investigation may be warranted and hence police intervention is sought, the National Member of the Maltese desk would be acting entirely in the official capacity enjoyed as a legal officer within the Attorney General’s office.

5.4.4.2. Ordinary powers (Article 9b)

Given that the National Member is the Deputy Attorney General and heads a unit dealing with international cooperation in criminal matters, she is tasked with the drawing up and execution (together with other judicial authorities as may be necessary) requests for legal assistance, including execution of mutual recognition instruments. Thus in the exercise of functions, be it as National Member or as Deputy Attorney General, she is simultaneously acting and using powers bestowed by virtue of belonging to the Attorney General’s Office.

5.4.4.3. Powers exercised in Agreement with a competent national authority (Article 9 c)

As stated earlier no significant experience can be reported stemming from the fact that these functions form part of the daily work performed by the National Member acting as an officer within the Attorney General’s Office which is the central judicial authority tasked with drawing up and executing requests for MLA and mutual recognition instruments.

5.4.4.4. Powers exercised in urgent cases (Article 9 d (b))

For reasons outlined above, the very nature of the National Member's role as Deputy Attorney General, has not given rise to any experience. In the case of controlled deliveries the Attorney General may in terms of law, order these and hence no question arises as to whom such requests may be addressed. The small size of Malta and the designation of specific officials and magistrates dealing with requests for MLA, assists in no small measure in allowing Malta to adopt this system which caters for efficiency in real time. With regards to mutual recognition instrument it is the Attorney General that certifies the said order and once certified that order can be executed forthwith by the police.

Derogatory arrangements as they are described in Article 9 e are not applicable as the National Member can exercise those powers as has been described above.

5.4.5. *Cases related to the tasks of Eurojust acting as a College (Article 7)*

To the date of the on-site visit, the Maltese authorities have never been solicited to perform any tasks under Article 7.

The Maltese authorities have reportedly no experience of cases where the College of Eurojust has been asked to issue a written non-binding opinion on the solving of issues concerning conflicts of jurisdiction.

Furthermore, no case has occurred where a written non-binding opinion of the College of Eurojust has been asked or received in relation to recurrent refusals or difficulties concerning the execution of requests for, and decisions on, judicial cooperation, including regarding instruments giving effect to the principle of mutual recognition.

5.5. Practical experience related to coordination meetings

From the information received from the Maltese authorities, their participation in coordination meetings have by far rated as the most positive experience. They have asserted that in cases where a coordination meeting has been held investigations and prosecutions yielded positive results without exception. Furthermore, they suggested that Eurojust should continue to focus more on this aspect since this animates the principle at the very heart of Eurojust, namely that of coordinating investigations/prosecutions of a cross-border nature. The pooling of resources – be this financial, evidentiary or intelligence only - was seen a powerful tool in the fight against crime. Eurojust and the national authorities have both acknowledged the vital role these meetings have for both Eurojust itself (which is seen as instrumental by national authorities in the furtherance of their cases) and the national authorities who invariably return to their cases with new/more information and a clearer picture which gives direction as what future steps are to be undertaken. The authorities can consequently act in the knowledge that their actions will not distort a potentially greater picture given that the meeting would have established who does what so as not to prejudice either player.

5.6. Role of the ENCS

To date the role of the ENCS with respect to these meetings has been absent given the particular characteristics of the Maltese set up and it is unlikely that any change will be experienced given that the officers within the ENCS will be involved in the same coordination meetings as both national authorities as well as ENCS players.

5.7. Use of the On-Call Coordination (OCC)

The entry into force of the on-call coordination has not resulted in any changes in the organisation of the national desk at Eurojust or of the national authorities with a view to complying with the mandatory 24/7 days availability as well as on any practical issue the OCC has eventually raised.

The Maltese national authorities have not been officially informed about the existence of the on-call coordination since it is considered that this was of little value for the Maltese authorities given that officers within the Attorney General's office designated to deal with international cooperation are well-known to other judicial and police authorities and solicited on a very frequent basis on such matters. These same officers are members of the Maltese desk at Eurojust and any request for a contact from outside the Maltese Police or the judicial authorities would be answered by the National Member personally.

5.8. Experience of cases relating to the cooperation between the ENCS and the Europol National Unit

Cooperation between the Europol National Unit and the ENCS is constant and almost on daily basis. As already explained before one police officer is nominated as a national point for the ENCS and is housed in the same police building as the Europol Unit.

5.9. Conclusions

- The Maltese authorities have emphasised the function that coordination meetings have for the practical impact of Eurojust's work and have therefore suggested that Eurojust should continue to focus more on this aspect since this animates the principle at the very heart of Eurojust, namely that of coordinating investigations/prosecutions of a cross-border nature.
- Apart from the members of the ENCS which need to be officially designated in accordance with Article 12 of the new Eurojust Decision, no other authorities have been formally designated. However, it should be noted that there are certain aspects in implementing the Eurojust Decisions that have led the evaluation team to consider it as best practice for other smaller Member States, e.g.
 - a) including the ENCS within the Attorney General's Office ensures that Eurojust is seen as part of the criminal justice system and facilitates that national competent authorities comply with their obligations vis-à-vis Eurojust;

- b) although combining different functions in one person can present the advantage of ensuring an optimal coordination with Eurojust and facilitates the exchange of information, clear lines of responsibility have to be properly defined;
- c) the ENCS acting as a ‘filter’ in order to ensure that only cases falling under the competence of Eurojust are referred to it.



6. COOPERATION

6.1. Cooperation with EU agencies and others

In respect of cooperation with EU agencies and others, Malta takes decisions on a case-by-case basis. As already explained, the Attorney General's Office enjoys excellent relations with the IAID (the Olaf interlocutor in Malta) and hence any matter regarding OLAF would also be channelled via the IAID. The same seemed to apply with respect to Frontex and Europol where the excellent rapport enjoyed by the Attorney General's Office with representatives of these agencies within the Army and Malta Police respectively, serve as an alternative to dealing directly with these EU agencies.

6.2. Cooperation with third states

6.2.1. Policy with respect to the involvement of Eurojust

The Attorney General's office deals and advises the Maltese government in negotiations of treaties or relations with third states. Therefore, it is frequently the case that Eurojust is solicited through its legal service for assistance in the form of providing the most recent documents and legislation emanating from the EU with respect to a particular country which serves to ensure that the Maltese desk is kept abreast on matters of EU policy in relations with a particular country.

6.2.2. Added value of Eurojust involvement

The evaluation team was informed that the support from the legal service of Eurojust to Malta has been invaluable in recent years. Also, since Malta is a financial hub it is likely that Eurojust will be requested to assume more coordination functions in the future.

6.3. Practical experience of the EJM

6.3.1. *Cooperation between the National Member and the EJM*

Both the National Member and Deputy National Member are contact points for the EJM. Hence cases that can easily be dealt with by the EJM are immediately recognised as such and acted upon accordingly. The representatives from the Maltese national desk also considered it appropriate to consult the EJM Secretariat in cases that required such direct communication.

6.3.2. *Resources of Malta EJM contact points*

All functions which pertain to the contact points by reason of their roles as prosecutors, also charged with MLA and mutual recognition instruments, are made use as a matter of fact for this same reason.

6.3.3. *Operational performance of EJM contact points*

No statistics with regard to the operational performance of the Maltese Eurojust contact points exists since this is minimal. The Maltese authorities reported that often Eurojust was solicited due to previous unsuccessful attempts to establish contact with another contact point and the particular case would not allow for any further delay. Another frequent reason for consulting Eurojust was that a contact point cannot be reached directly and communication is hampered due to language problems.

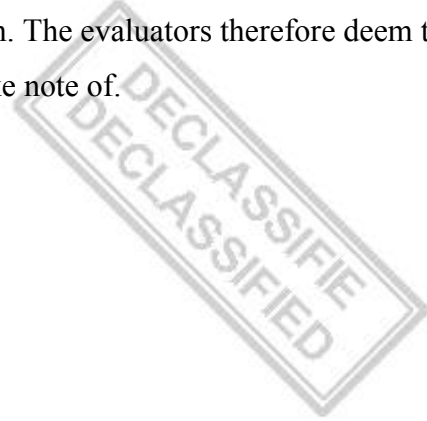
The Maltese contact points are allowed to contact all relevant authorities and exchange information within their country to be able to perform their tasks, as they are officers of the Attorney General's Office.

6.3.4. *Perception of the EJM Website and its tools*

The EJM Website and its tools have proven helpful particularly when identifying the designated competent authorities for executing requests for MLA or instruments of mutual recognition and for giving the relevant details as to the accepted languages in which a mutual recognition order or other types of MLA requests must be sent.

6.4. Conclusions

- While the evaluators were aware of the specific characteristics owing to the size of Malta as a jurisdiction, they nevertheless took note of the fact that it was a good example where the combining of the roles and structures of Eurojust and the European Judicial Network (EJN) ensures economy of resources and optimal coordination. The evaluators therefore deem this as a good practice of which other Member States should take note of.



7. SPECIAL INVESTIGATIVE TECHNIQUES - PRACTICAL EXPERIENCES

7.1. Controlled deliveries (Article 9d (a))

The Attorney General is the competent authority to authorise a controlled delivery in Malta which is executed by the Malta Police.

Art 435E of the Maltese Criminal Code stipulates:

“435E. (1) Notwithstanding anything contained in any other law it shall be lawful for the Attorney General to authorise the Executive police and, where appropriate, the Customs authorities to allow a controlled delivery to take place with a view to identifying persons involved in the commission of any criminal offence under the laws of Malta or under the laws of another country.

For the purposes of this subarticle a "controlled delivery" shall mutatis mutandis have the same meaning assigned to it by article 30B(2) of the Dangerous Drugs Ordinance so however that the illicit or suspect consignment referred to in that subarticle may for the purposes of this subarticle consist of anything whatsoever and that the consignment may be intercepted and allowed to continue with the original contents intact or removed or replaced in whole or in part.

(2) With the same objective of identifying persons involved in the commissions of a criminal offence under the laws of Malta or under the laws of another country, it shall also be lawful for the Attorney General to authorise the Executive police or a person under the supervision or direction of the Executive police, to acquire or procure an illicit or suspect consignment of anything from any person or place.

(3) Pursuant to any arrangement, including any treaty, convention, agreement or understanding, to which Malta is a party or which is otherwise applicable to Malta, the Attorney General may authorise the competent authorities of another country to conduct in Malta, jointly with or under the supervision or direction of the Executive police, investigations into criminal offences by officers acting under covert or false identity, provided that the Attorney General is satisfied of the true identity and official capacity of the officers in question and is fully informed of the nature of any documents which purport to guarantee, certify or authenticate the false identity assumed by any such officers.

Notwithstanding the provisions of any other law the making or use of such documents by the said competent authorities or by such officers for the purpose or in the course of such investigations authorised as aforesaid shall be deemed to be lawful and shall not entail any liability, civil, criminal or otherwise, on the part of such authorities or officers.”

The Maltese National Member for Eurojust when acting as National Member has no authority to authorise a controlled delivery. However, as Deputy Attorney General, the National Member would invariably assist in the coordination of affording or receiving legal assistance with the Attorney General or if delegated.

Until this report was drafted, the Maltese competent authorities have not made any referral to Eurojust with a view to following a controlled delivery in another Member State and can therefore not assess the use of such possibility by Eurojust.

7.2. Participation of National Members in joint investigation teams (Article 9f)

7.2.1. Practical experience

Malta was involved in four Joint Investigation Teams (JITs), with EU funding being received for one of these JITs. JITs are an important tool to investigate and combat cross border serious crime whilst proving also pivotal for the efficacious and swift transmission of exchange of information. In some instances they are a good tool for circumventing the need of formulating requests for MLA in cases which do not allow for delays.

Malta has had one occasion on which such participation in a JIT was carried out partly on its territory and this operation was considered to have yielded positive results.

7.2.2. Added value

JITs are considered to be of an added value, especially when it comes to the coordination of some actions and also to hosting coordination meetings.

7.3. Other special investigative techniques (SITs)

Malta has had no cooperation between the national authorities and Eurojust (acting through the National Member or as a college) relating to other special investigative techniques.

7.4. Conclusions

- Maltese authorities praised the support provided by Eurojust in the setting up of JITs, in particular when it comes to providing funding.
- So far, Malta was involved in four JITs, with EU funding being received for one of these JITs. The National Member for Eurojust was involved with the police in one of those JITs in her capacity as National Member and in another one in her capacity as national competent authority.

8. TRAINING AND AWARENESS RAISING

8.1. Promoting the use of Eurojust and the EJV

8.1.1. Training

Malta operates a common law system and the evaluation team has been informed that the relevant officials are actively involved in international cooperation since they themselves are responsible for discharging their duties in this field. If there are new developments as well as the promulgation of new instruments these are discussed by the officials who regularly meet to coordinate various cases as the Ministry of Justice officials receive them, thus affording more experience on a daily basis to officials tasked with these functions.

Furthermore, the fact that prosecutors from the Attorney General's Office as well as the police find easy access to discuss the drawing up of requests for MLA with the courts, , ensures training in itself. Since these requests are discussed and all stakeholders have access to the expertise which Attorney General personnel have in this field; an expertise is shared with the police and judiciary with the latter having come to rely on the Attorney General's Office on matters of an international purport.

8.1.2. Other measures

The evaluation team has also been informed that officials receive promotional material during training and marketing seminars as well as annual reports. However, according to the Maltese authorities, one-to-one discussions are crucial for international cooperation.

No experience has been made with regard to the national Maltese authorities being informed about the projects on which Eurojust or the EJV are working, since to date no documents from Eurojust that could be of particular interest to national authorities (outside the Attorney General's Office and police) have been disseminated.

8.2. Specific training for National Members and EJM contact points

The Maltese authorities did not consider the need for specific training in relation to setting up Eurojust structures.

8.3. Conclusions

- The evaluators were informed that no specific training for Maltese officials on Eurojust would be needed as they obtain on the job experience in addition to their normal training. The evaluation team noted that material is distributed during seminars. However, the evaluators recommend that formal training to be considered since such training can enhance awareness to facilitate practical judicial cooperation, particularly through Eurojust and the EJM.

9. GENERAL OBSERVATIONS AND FINAL REMARKS

9.1. Overall assessment

Malta is operating a common law system with separate functions between the police and prosecutors. The evaluators noted that the police prosecuted all cases at magistrate level. Malta however, also has investigating magistrates, which is very similar to the continental system. Malta is in a very unique position, being a small jurisdiction where officials tend to know each other. These officials directly cooperate on all matters regarding judicial cooperation. Also all the offices are within walking distance, which facilitates cooperation and collaboration in a very informal and practical way.

9.2. Further suggestions from Malta

Malta believes that the EJM should no longer be separate and distinct from Eurojust. Eurojust steadily continues to garner more publicity due to the pivotal role it enjoys in the coordination of cases of a cross-border nature. The EJM should become one with Eurojust, with the contact points becoming an extension of the respective desks. Funds allocated to the EJM could be channelled to further bolster Eurojust's role in coordination meetings and the setting up of JITs a role in which the EJM itself may find new scope as it is already of immense value in affording assistance in so far as the implementation and manner of the said implementation of MLA and mutual recognition instruments is concerned. It should be a focal point assisting Eurojust in keeping relevant information emanating from the Member States constantly updated.

The EJM should become Eurojust's representation in the Member States, with a distinction being drawn between its work and the ENCS. The former becomes responsible for continuing to update the wealth of information regarding legal assistance (including mutual recognition instruments, multilateral and bilateral treaties, conventions to which different MS are parties etc. and their implementation in the respective national systems). Thereby assisting Eurojust and national authorities in the discharge of its functions whilst the ENCS focuses on the operational work of the national authorities as decreed by the Eurojust Decision.

9.3. Conclusions

- The proposal from Malta to amalgamate the functions of Eurojust and the EJM would not necessarily work for bigger Member States. The roles of the EJM and Eurojust are complimentary but very distinct because Eurojust should be focussing on complex multilateral cases while the EJM is designed to deal with smaller bilateral issues. The EJM can be a useful tool for filtering issues that would allow Eurojust to concentrate on its mandated tasks.

10. RECOMMENDATIONS

The evaluation team thought fit to make a number of suggestions for the attention of the Maltese authorities. This does not detract from the fact that Malta has a justly deserved reputation for adopting a policy with regard to promoting Eurojust and the European Judicial Network. It appeared to the evaluation team that the practitioners who are working in this field are highly motivated and dedicated to their tasks and duties.

The experts would like to summarise their suggestions in the form of the following recommendations:

10.1. Recommendations to Malta

1. The evaluators agree that Malta can have an informal ENCS with officials carrying out several functions. However, it is recommended to formalize the assignments and a stand in assistant clearly identified in the event of sickness or unavailability; (cf. 3.5.3)
2. Furthermore, it is recommended that Malta endeavours that more officials in their administration, particularly in the Malta Police, can obtain experience in working with the European Union; (cf. 3.5.3)
3. It is recommended that steps should be taken to speedily connect the Maltese system to the CMS; (cf. 4.3)
4. It is recommended that formal training be considered since such training can enhance awareness to facilitate practical judicial cooperation, particularly through Eurojust and the EJM; (cf. 8.3)

10.2. Recommendations to the European Union, its institutions and agencies, and to other Member States

5. Other Member States should take note of the good practice where, while taking into account the specificities of Malta's size, combining of the roles and structures of Eurojust and the European Judicial Network (EJN) ensures economy of resources and optimal coordination; (cf. 6.4)

10.3. Recommendations to Eurojust/the EJN

6. Eurojust should continue to focus more on the aspect of coordination meetings and the practical added value they bring to coordinating investigations and/or prosecutions of a cross-border nature; (cf. 5.9)
7. Eurojust should consider more flexibility in relation to the application of certain provisions with regard to smaller Member States who have a limited number of cases and resources; (cf. 3.5.2)

ANNEX A: PROGRAMME FOR THE ON-SITE VISIT

Monday 11th February 2013

Arrivals of delegates

Tuesday 12th February 2013

09.15 h Departure from the hotel to the Attorney General's Office in Valletta
09.45 h Meeting at the Attorney General's Office
12.30 h Lunch break
14.00 h Meeting with the Judiciary at the law courts
15.30 h Meeting with the Internal Audit and Investigation Department
17.00 h Departure to the hotel
19.45 h Departure to Valletta
20.00 h Dinner at Valletta Palazzo Preca hosted by the Attorney General
22.30 h Departure to the hotel

Wednesday 13th February 2013

09.15 h Departure from the hotel to the General Police Headquarters
09.30 h Meeting at the Police General Headquarters
10.45 h Coffee break
11.15 h Meeting at the Police General Headquarters
12.30 h Lunch hosted by the Commissioner of Police
14.30 h Meeting at the Financial Investigation Analysis Unit
16.00 h Departure to the hotel

Thursday 14th February 2013

09.30 h Departure from the hotel to Valletta
10.00 h Meeting at the Justice Unit Valletta
11.00 h Sanctions Monitoring Board
12.00 h Meeting at the Ministry of Foreign Affairs
13.00 h Lunch Break hosted by Ministry of Foreign Affairs
15.00 h Departure to the hotel

Friday 15th February 2013

Departure of evaluation team-/-

ANNEX B: PERSONS INTERVIEWED/MET

Attorney General's Office

Attorney General Dr Peter Grech

Deputy Attorney General Dr. Donatella Frendo Dimech

Dr Elaine Rizzo, Prosecutor and Deputy National Member to Eurojust and EJP contact point

Dr Maurizio Cordina, Prosecutor and Assistant Member to Eurojust

Judiciary

Magistrate Dr Miriam Hayman

Magistrate Dr Anthony Vella

Magistrate Dr Claire Stafrace Zammit

Police

Supt. Dr Dominic Micallef, Prosecutions Unit and National Correspondent to Eurojust and JIIs

Supt. Paul Vassallo, Economic Crimes Unit

Supt. Norbert Ciappara, Drugs Squad

Inspector Dr Mario Cuschieri, Head SIRENE and Liaison Officer AG's Office –Police

Legal Procurator Mr George Cremona, Security Branch, National Correspondent on Terrorism

FIAU

Dr Manfred Galdes, Director

Dr Alexander Mangion, Legal and International Relations Officer

Internal Audit and Investigations Directorate

Mr Kenneth Farrugia, A/Director

Mr Antoine Dalli, Auditor

Justice Unit

Dr Vanni Bruno, Head,

Ms Marilu Gatt, Coordinator

ANNEX C: LIST OF ABBREVIATIONS/GLOSSARY OF TERMS

LIST OF ACRONYMS, ABBREVIATIONS AND TERMS	ACRONYM IN LANGUAGE OF THE MEMBER STATE	ENGLISH
ANM	-/-	Assistant to the National Member
CMS	-/-	Case Management System
DAG	-/-	Deputy Attorney General
DNM	-/-	Deputy National Member
EAW	-/-	European Arrest Warrant
EJN	-/-	European Judicial Network
ENCS	-/-	Eurojust National Coordination System
E-POC	-/-	European Pool against Organised Crime
GENVAL	-/-	Working Party on General Matters including Evaluations
IAID	-/-	Internal Audit and Investigations Directorate
JIT	-/-	Joint investigation team
MLA	-/-	Mutual Legal Assistance
NCT	-/-	National correspondent for Eurojust for terrorism matters
NM	-/-	National Member
OCC	-/-	On-Call Coordination
SIT	-/-	Special investigative techniques