

# Network of five organised crime groups disrupted in Romania

## Successful action day with Eurojust's support

23 November 2018

Yesterday, the Romanian Territorial Office of the Directorate for Investigation of Organised Crime of Vâlcea and judicial police officers of the Vâlcea Organised Crime Service dismantled a network of five organised crime groups (OCGs) involved in cybercrime, money laundering and computer fraud in Romania and various other States. Since January 2018, Eurojust has supported the national authorities by swiftly executing requests for cooperation, by accelerating the real-time exchange of information, and by providing regular updates on the case.

✘ The Romanian judicial and law enforcement authorities identified 93 suspects and brought them before the Romanian case prosecutor for further measures. In addition, 51 house searches were carried out in the counties of Vâlcea, Mureş, Bacău, Argeş, Olt, Ilfov, Giurgiu, Suceava and in Bucharest.

Starting in spring 2017, the suspects managed to gain systematic control of the financial flows of 200 bank accounts that were fraudulently opened in Romania, nine other European States and Mexico. The suspected fraudsters used the compromised bank accounts and computer systems to defraud **more than 500 people** of a **total amount of € 3 million**.

The network used multiple modi operandi, but the criminal activity of each of the five OCGs revealed a common organisational pattern, including three levels: level 1 was made up of coordinators who unlawfully obtained data from bank accounts opened in different States and shared those data with their level 2 accomplices. They then transferred approximately 30% of those bank accounts to other accounts owned by level 2 members. Level 2 members are the actual fraudsters who used the bank accounts opened abroad to victimise people and profit from the agreed share of money that had been transferred to their accounts by the level 1 criminals. The members of level 3 were tasked with opening bank accounts in Romania and other States, which they made available to level 2 criminals to illegally transfer money from foreign accounts to their own accounts.

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# Major step against organised crime in Western Balkans

## **First Liaison Prosecutor for the former Yugoslav Republic of Macedonia at Eurojust**

23 November 2018

**On 12 November 2018, Ms Lenche Ristoska took up her duties as the first Liaison Prosecutor for the former Yugoslav Republic of Macedonia (fYROM) at Eurojust. Her appointment is an important contribution to the growing relationship between the European Union and the Western Balkan region in the area of criminal law.**


Since 2008, Eurojust has established an increasingly strong framework for structural judicial cooperation in the fight against serious cross-border crime between EU Member States and the Western Balkan States. Cooperation agreements, which unlock the possibility of safe and efficient exchange of judicial information and sharing of evidence, have been concluded with Albania, Montenegro and fYROM. The agreements also allow for the partner States to take part in, and benefit from, all the practical cooperation tools offered through Eurojust to prosecute serious, transnational crime cases.

Since the conclusion of the cooperation agreement with fYROM in 2008, prosecutors from various EU Member States and fYROM have worked together in a growing number of cases, including in investigations of swindling and fraud, drug trafficking and migrant smuggling.



The cooperation agreement also provides for the appointment of a Liaison Prosecutor to Eurojust. Ms Ristoska, a prosecutor from the Special Public Prosecutors' Office, is the second Liaison Prosecutor from a Western Balkan State at Eurojust after the arrival of the Liaison Prosecutor for Montenegro earlier this year. Liaison Prosecutors work side by side with magistrates from the EU Member States and play an important role in facilitating ongoing investigations of serious cross-border organised crime.

*Upon her arrival, Ms Ristoska said: 'It is a great honour and privilege to be the first Liaison Prosecutor for my country at Eurojust. As soon as I joined the Eurojust family, I witnessed the inspiring working atmosphere and deep commitment of all employees. I strongly believe that my country's presence at Eurojust will contribute to enhancing international cooperation in the fight against transnational organised crime. I am also confident that this will be beneficial not only for my country but also for all countries with which international cooperation exists or will be established.'*

 *Ms Lenche Ristoska is warmly welcomed by Mr Ladislav Hamran, President of Eurojust. Photos © Eurojust*

### **Quick facts**

Ms Ristoska graduated with honours from the Law Faculty of the St Cyril and Methodius University of Skopje and obtained a degree in law. In 2008, she passed her Bar Examination. Currently, she is working on her master thesis in the area of seizure of illegally gained assets.

In 2013, Ms Ristoska was appointed as public prosecutor at the Primary Public Prosecutor's Office of Skopje, after graduating from the Academy for Judges and Public Prosecutors. In the Primary Public Prosecutor's Office of Skopje, she worked in the Department for International Mutual Legal Assistance in Criminal Matters, executing incoming mutual legal assistance (MLA) requests, as well as in the Department for Drugs, Sexual and Violent Crimes.

In November 2015, she was appointed as prosecutor to the Special Public Prosecutor's Office, where she was in charge of matters of international cooperation and MLA requests. She also conducted national criminal investigations into complex cases of illegal interception of communications, abuse of official powers, corruption, illegal political party financing and money laundering.

### **Background**

The negotiation of cooperation agreements between Eurojust and Western Balkan States and the appointment of Liaison Prosecutors to Eurojust are facilitated through the [Instrument for Pre-Accession Assistance 2014-2020 \(IPA II Project\)](#) 'Countering Serious Crime in the Western Balkans', which fosters structural judicial cooperation between EU Member States and the Western Balkan States. The project is jointly funded by the European Union, Germany and Italy.

### **More information**

[Q & A on Eurojust's cooperation with Albania and the Western Balkans](#)

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## **EU moves to bolster free movement of goods through extended mutual recognition**

The Austrian presidency of the Council today reached a provisional agreement with the European Parliament on measures which will facilitate the circulation of goods across the EU. The new rules improve and expand the application of the mutual recognition principle.

More reliance on the principle of mutual recognition is good for manufacturers, good for traders and good for consumers. The new rules will lead to less bureaucracy, more business opportunities, a

wider choice for consumers and more competitive prices.

*Margarete Schramböck, Federal Minister for Digital and Economic Affairs of Austria*

The draft regulation is expected to improve the application of the principle of mutual recognition in the following ways :

- it clarifies the **scope of mutual recognition**. This will increase legal certainty for businesses and national authorities as to when the principle of mutual recognition can be applied;
- it introduces a **mutual recognition declaration** to make it easier to demonstrate that the goods in question have already been lawfully marketed in an EU country. This is meant to enable economic operators to benefit from the use of such a declaration within the framework of assessment of goods in question;
- it establishes a **problem-solving mechanism** based on the SOLVIT network. This is expected to provide practical solutions in case of disputes regarding the compatibility of an administrative decision denying or restricting market access with the principle of mutual recognition;
- it improves administrative cooperation through **Product Contact Points** and enhanced recourse to **IT technology**. These are expected to enhance the exchange of information and trust among national authorities;
- it provides for the possibility of **EU financial support** for setting up the above mechanisms established under the new rules.

After formal approval of the proposed regulation by the Parliament and the Council, the new rules will be applied **twelve months** after the entry into force of the regulation.

## **Next steps**

The provisional agreement will have to be endorsed by the European Parliament and the Council before it is formally adopted.

## **Background**

The existing legislative framework does not allow businesses to rely sufficiently on the principle of mutual recognition when they enter new markets in other EU countries. Goods which are lawfully commercialised in one EU country are still occasionally denied market access in another EU country for no good reason. As a consequence, businesses tend to adapt their goods to the various requirements of each national market when trying to enter new markets. This entails unwarranted costs and delays.

The principle of mutual recognition derives from the case-law of the Court of Justice of the European Union. It is one of the means of ensuring the free movement of goods within the internal market. According to this principle, a member state may not prohibit the sale on its territory of products which are lawfully marketed in another member state, even where those products were manufactured in accordance with technical rules different from those to which

domestic products are subject. The only exceptions to the principle are restrictions which are justified on grounds of a legitimate public interest and which are proportionate to the pursued objectives.

The Commission tabled the proposal for the new regulation on 19 December 2017 as part of the “Goods package”, which also contains a proposal for a regulation laying down rules and procedures for compliance with and enforcement of Union harmonisation legislation on products.

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## [Commissioner Miguel Arias Cañete welcomes the political agreement on a proposal to improve the EU's risk preparedness in the electricity sector](#)

Today's deal means that five out of the eight legislative proposals of the 2016 [Clean Energy for All Europeans](#) package have been politically agreed by the co-legislators, after the agreements in the first half of 2018 on the [Governance proposal](#), the [revised Energy Efficiency Directive](#), the [revised Renewable Energy Directive](#) and the [Energy Performance in Buildings Directive](#). It is clear progress and momentum towards completing the Energy Union and combatting climate change are well under way. The Juncker Commission, working under its political priority “[a resilient Energy Union and a forward-looking climate change policy](#)”, is delivering.

Commissioner for Climate Action and Energy Miguel **Arias Cañete** said: “Today's deal is another major delivery in our transition to a clean and secure energy system Today's electricity markets are increasingly interlinked.

*With today's deal, Europeans will be better protected against black-outs. It will ensure that all Member States put in place appropriate tools to prevent, prepare for and manage crisis situations in the supply of electricity. Even when markets and systems function well, the risk of an emergency due to unforeseen circumstances cannot be excluded. Such situations can be managed more effectively through cross border co-ordination in a spirit of solidarity among neighbours.”*

The new Regulation will provide new common methods for the identification of possible electricity crisis scenarios at national and regional levels; ensure maximum preparedness against electricity crises and effective management

thereof through the preparation and publication of risk-preparedness plans by Member States developed on the basis of the electricity crisis scenarios identified; help national authorities prevent and manage crisis situations in cooperation with each other in a spirit of solidarity; set up a new framework for a more systematic monitoring of security of supply issues via the Electricity Coordination Group; and ensure that markets can work as long as possible.

Following this political agreement, the text of the Regulation will have to be formally approved by the European Parliament and the Council. Once endorsed by both co-legislators in the coming months, the Regulation will be published in the Official Journal of the Union and will immediately enter into force.

## **Background**

The regulation on Risk Preparedness of the electricity sector is part and parcel of the implementation of the Juncker Commission priorities to build “a resilient Energy Union and a forward-looking climate change policy”. The Commission wants the EU to lead the clean energy transition. For this reason the EU has committed to cut CO2 emissions while modernising the EU’s economy and delivering on jobs and growth for all European citizens. In doing so, the Commission is guided by three main goals: putting energy efficiency first, achieving global leadership in renewable energies and providing a fair deal for consumers. All this must be done whilst guaranteeing the security of energy supply of the EU and the resilience and stability of the system against potential threats and crises.

The proposed Regulation focuses on how to secure the resilience of the electricity system as a whole and how to manage electricity crises when they occur, by ensuring that all Member States put in place the appropriate tools to prevent, prepare for and manage these situations. This is necessary given that even where markets and systems function well, the risk of an electricity crisis as a result of a variety of circumstances (e.g. extreme weather circumstances, malicious attacks including cyber-attacks, a fuel shortage) cannot be excluded. In addition, given that electricity systems are integrated, where crisis situations do occur, they often have a cross-border effect. Some circumstances (e.g., a prolonged cold spell or heat wave) might affect several Member States simultaneously and incidents that start locally may rapidly spread. Currently, Member States behave very differently when it comes to preventing and managing crises. National rules and practices tend to focus on the national context only, disregarding cross-border effects. In addition, there is limited sharing of information amongst Member States.

The new rules will provide common methods for assessing risks, will bring more comparability and transparency to the preparation phase and during an electricity crisis, and will ensure that even in a crisis, electricity is delivered where it is needed most. A new framework for a more systematic monitoring of security of supply issues will be set up via the Electricity Coordination Group. The proposal contributes to the [revised Third Package](#) by

ensuring that, even in crisis situations, priority is given to market-based measures and that markets can work as long as possible.

The Regulation complements and updates the existing network codes and guidelines that set out harmonised principles for the operational planning and scheduling processes required to anticipate real time operational security difficulties. This will help national authorities prevent and manage crisis situations in cooperation with each other, while avoiding undue interference on the market and on the tasks of the Transmission System Operators (TSOs).

### **More information**

[Energy Union](#)

[Proposal on risk preparedness](#)

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## **Déclaration de la Haute Représentante Federica Mogherini, au nom de l'UE, sur la République Démocratique du Congo**

Déclaration de la Haute Représentante Federica Mogherini, au nom de l'Union Européenne, sur la RDC

1. L'Union européenne est un partenaire de longue date de la République Démocratique du Congo et de sa population et prête une attention constante à l'évolution politique, sécuritaire et humanitaire du pays.
2. Les élections prévues le 23 décembre 2018 constituent une opportunité historique pour la République Démocratique du Congo d'opérer le premier transfert démocratique et pacifique du pouvoir. L'Union européenne réitère son soutien à l'organisation d'un scrutin qui doit se tenir de manière inclusive, transparente, crédible et pacifique, dans le plein respect des droits de l'Homme et des libertés fondamentales. L'Accord de la Saint Sylvestre et la résolution 2409 du Conseil de sécurité des Nations Unies indiquent clairement à tous les acteurs politiques et aux autres parties prenantes les conditions à respecter pour une sortie de crise durable, la tenue d'élections crédibles et un transfert de pouvoir apaisé. L'Union européenne encourage toutes les parties concernées à les mettre en œuvre.
3. Le Gouvernement et la CENI ont une responsabilité majeure pour l'avenir du pays. Ils doivent œuvrer à la bonne tenue des élections en respectant la date prévue et les standards de transparence et d'efficacité nécessaires. L'observation électorale indépendante, par des organisations régionales et

par les acteurs de la société civile, joue un rôle clef. La participation réelle des femmes dans toutes les étapes du processus électoral doit être assurée.

L'UE encourage aussi le Gouvernement à consolider la confiance des électeurs et la crédibilité du processus et à associer de manière transparente toutes les parties prenantes à l'ensemble du processus, ainsi qu'à garantir la liberté de l'espace politique. L'UE appelle l'ensemble des parties prenantes à s'abstenir de toute incitation à la violence, à respecter le code de conduite et les obligations en vigueur, et à régler de manière pacifique leurs différends. La liberté de la presse et de manifestation pacifique et l'accès équitable aux médias – dans le respect des obligations internationales de la RDC – constitueront également des éléments essentiels pour la crédibilité du processus.

4. La situation à l'est du pays nécessite davantage d'engagement de la part des autorités congolaises, aussi en vue de pouvoir y organiser le scrutin dans les meilleures conditions.

5. L'Union européenne suivra attentivement le déroulement des élections en RDC. La tenue d'élections inclusives, transparentes, crédibles et pacifiques sera importante pour son engagement futur en RDC avec les autorités démocratiquement élues pour le développement du pays dans l'intérêt de la population congolaise.

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