European Commission

EUROJUST

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DG for Justice and Consumers –Unit B1.

General Criminal Law and Judicial Training

Disclaimer: These slides accompany the explanation of the acquis to Albania and North Macedonia and can only be used for that purpose. Their content is subject to further development of the acquis and interpretation by the Court of Justice of the European Union

References

- Council Decision 2002/187/JHA setting up Eurojust with a view to reinforcing the fight against serious crime (O.J. L63 6.03.2002)
- Council Decision 2003/659/JHA amending decision 2002/187/JHA (budgetary aspects)
- Council Decision 2009/426/JHA on the strengthening of Eurojust and amending Decision 2002/187/JHA (O.J. L138/14 4.06.2009)
- Proposal for a Regulation of the European Parliament and of the Council on the European Union Agency for Criminal Justice Cooperation (COM(2013)535 17.07.2013) - to be published in November 2018 and to become applicable as of November 2019

Mission

- Support and strengthen coordination and cooperation between national investigating and prosecuting authorities:
  - serious crime/ involving 2 or more Member States

- Facilitating judicial cooperation:
  - *mutual legal assistance/mutual recognition requests*

- Support otherwise the competent authorities to render their investigations/prosecutions more effective

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Eurojust competence

Structure

- College:
  - 28 National Members; 1 per EU Member State
  - a status as a prosecutor, judge or representative of judicial authority with equivalent competences in accordance with the national law
  - supported by Deputies, Assistants

- Operational and administrative support by Administration

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Eurojust case cycle

1 National authority/EU body sends request/initial information to Eurojust National Member

2 Case opened: National Member registers case and presents it before the College of Eurojust, i.e. all National Members (**level I meetings**)

3 National Members concerned discuss the case and next coordination steps (**level II meetings**)

4 Typical **issues for coordination**: execution of MLA requests, conflicts of jurisdiction, coordination of parallel investigations/prosecutions, transfer of proceedings *

5 Coordination meetings with national authorities (judicial and law enforcement) (**level III meetings**)

6 **Coordination centres**: real-time sharing of information and joint execution of arrests, searches and seizures and other measures in different countries

7 **Joint investigation teams**: one team working for and on behalf of all concerned national authorities *

8 Case closed at Eurojust

* *May also occur at different stages of the cycle*

Operational tools

- Coordination meetings (302 in 2017)
- Coordination centers (17 in 2017)
- Joint Investigations teams
  - Eurojust supported 200 JITs (35 % increase over 2016)
  - Third States were involved in 21 JITs

Relations with other bodies/states

- Cooperation with the European Judicial Network and other Union networks involved in judicial cooperation in criminal matters (EJTN, EJCN)

- Relations with UE institutions, bodies and agencies (Europol, European Border and Coast Guard Agency …)

External dimension

Relations with 3rd States

- Cooperation Agreements (9 and soon to be 10, after the entry into force of the Cooperation Agreement with Albania)
- Liaison magistrates and/or Liaison Prosecutors (5)
- 45 contact points

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Eurojust Regulation

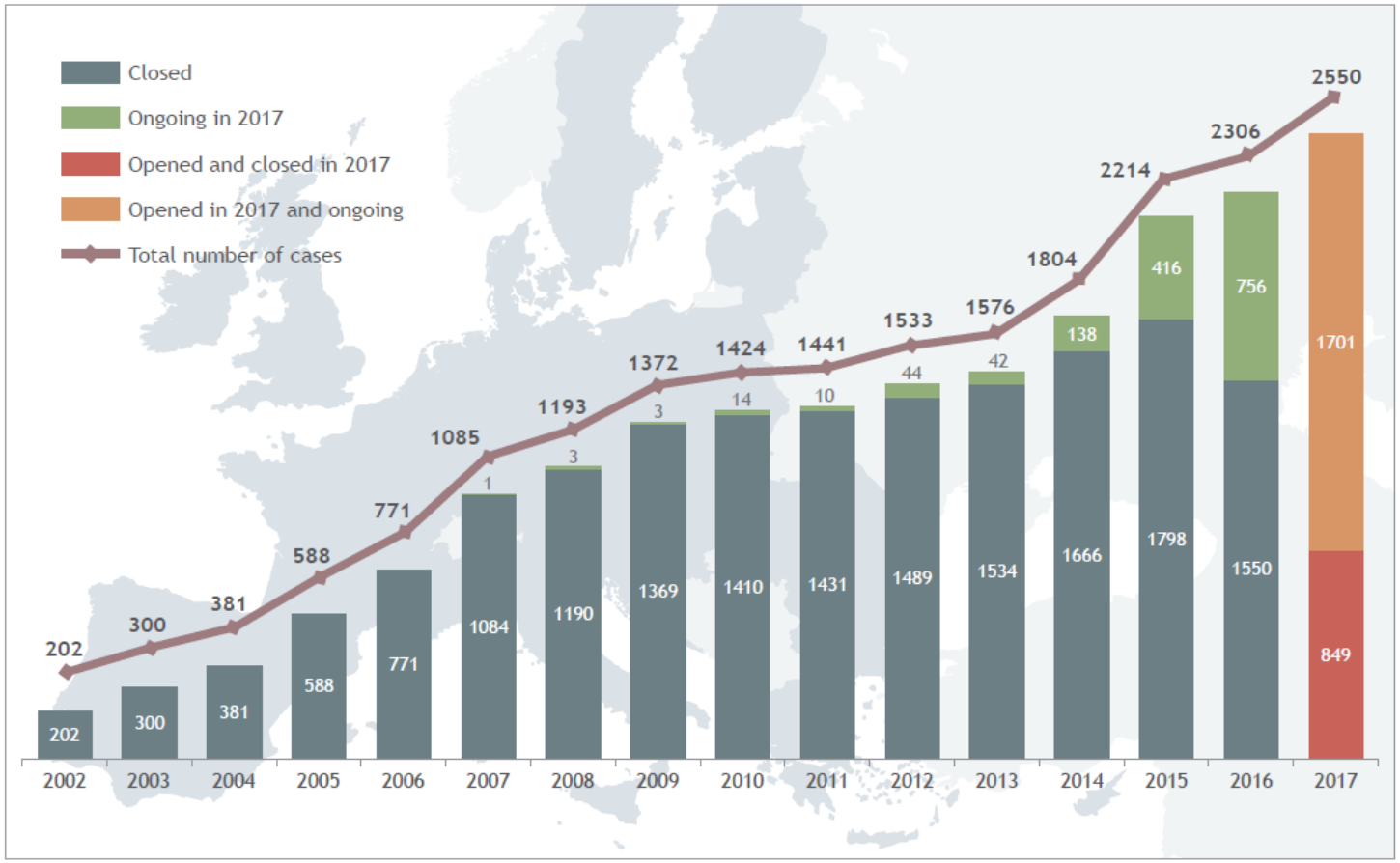
- COM Legislative proposal in 2013
  - Establish a modern and renovated legal framework
  - Enable increase of efficiency and maintain current functions
- « Lisbonisation » under Article 85 TFEU (co-decision):
  - Determine Eurojust's structure, operation, field of action and tasks by Regulation(s)
  - Determine arrangements for involving the European Parliament and the national Parliaments in the evaluation of Eurojust's activities
- To be published in November 2018 and to become applicable in December 2019

Some of the novelties

- Governance reform: introduction of the Executive Board dealing with administration tasks
- DP reform:
  - Revised rules on the protection of individuals with the regard to the processing of personal data (specific and general rules)
- Co-operation with the EPPO
  - Rules on co-operation between Eurojust and the EPPO
- External relations:
  - Negotiations of operational agreements to be done by the Commission after the mandate from the Council

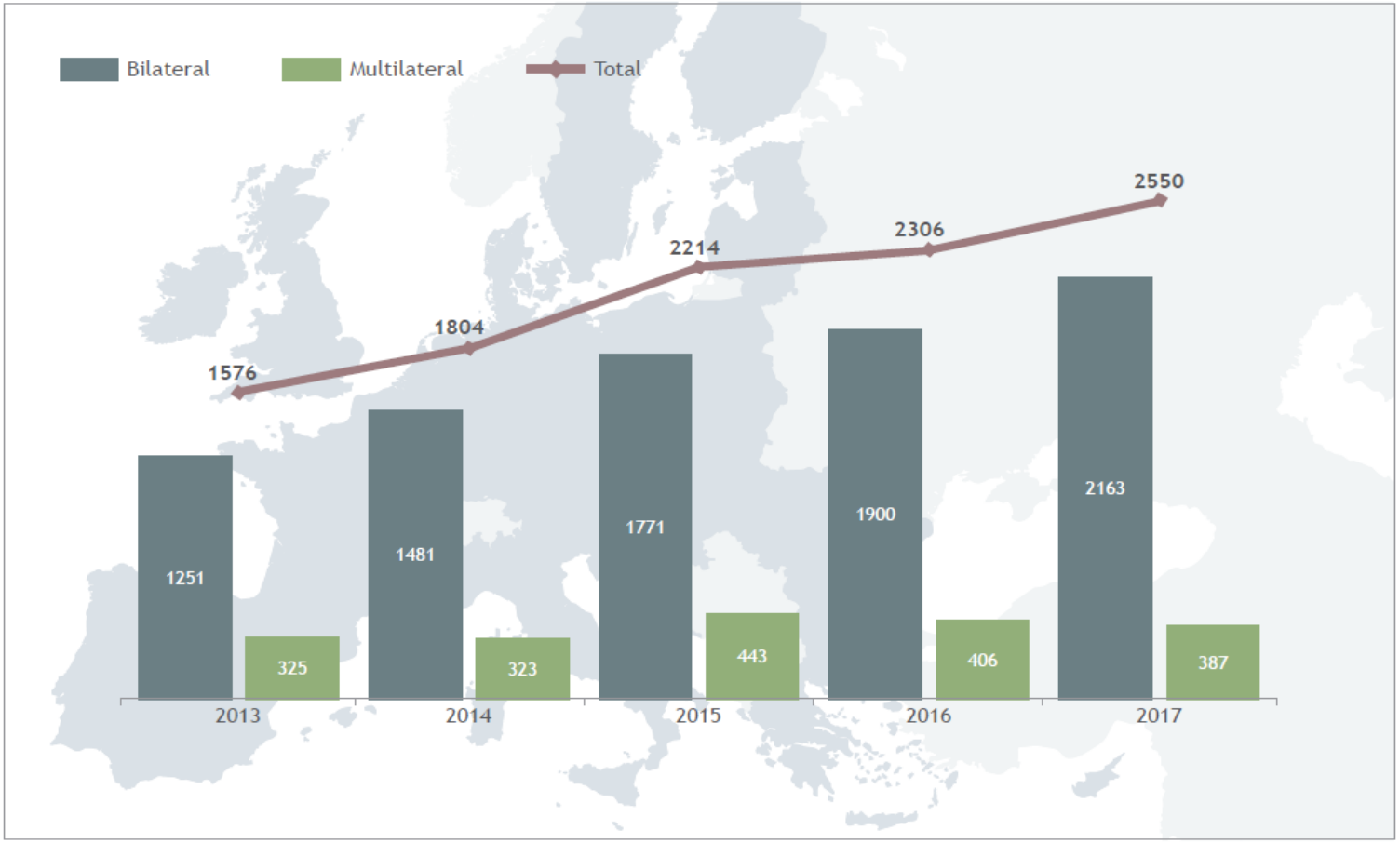
Some figures

Casework 2002 - 2017



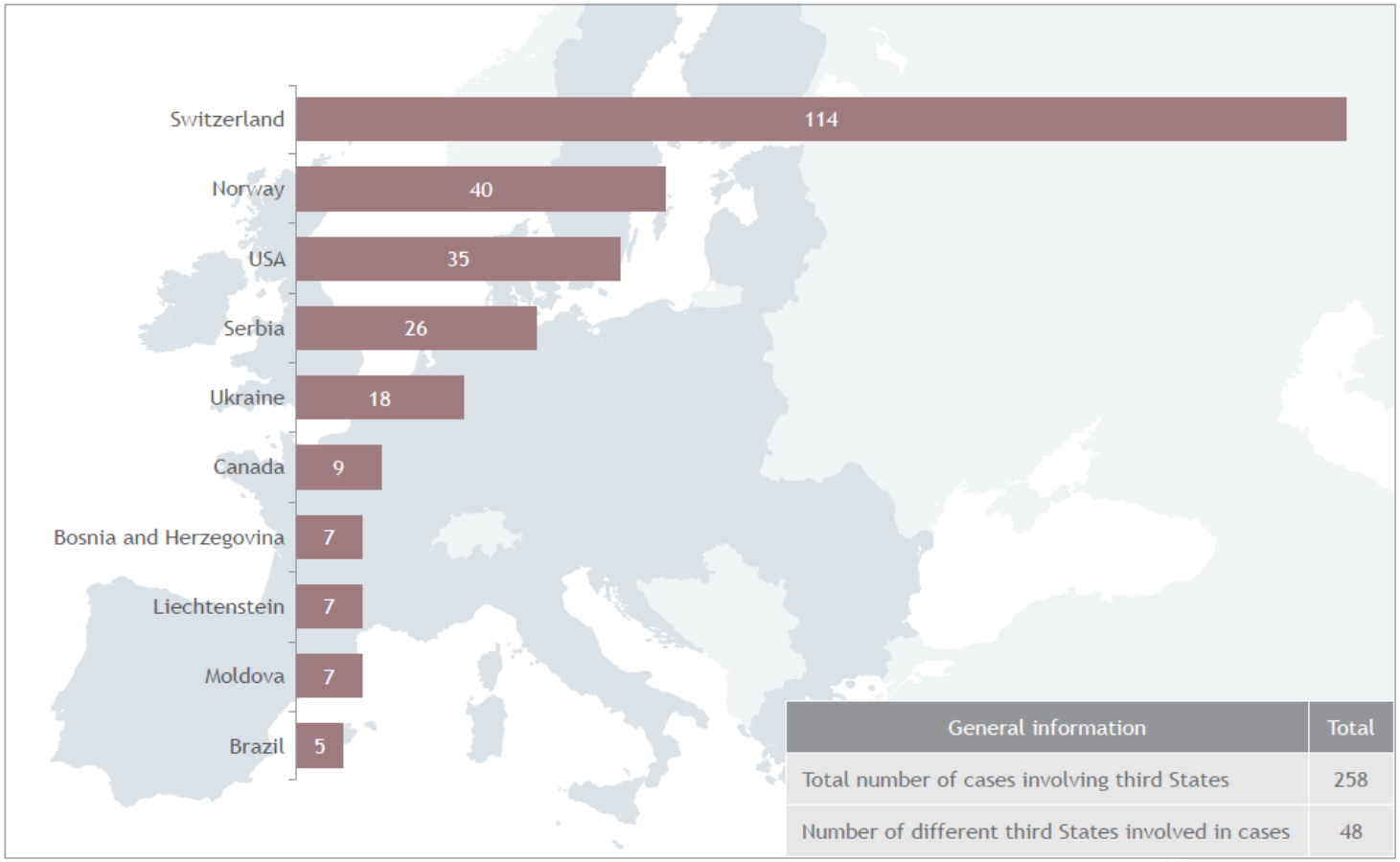
Some figures

Bilateral/multilateral cases 2013 - 2017



Some figures

Top ten third States involved in Eurojust casework



General information	Total
Total number of cases involving third States	258
Number of different third States involved in cases	48