



EUROJUST

European Commission

DG Justice –Unit B2. Criminal Law



Mission

- Coordination and cooperation between national authorities of investigations and prosecutions:

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





Objectives of the reform

"Ensure that Eurojust becomes more operational and that the status of national members is approximated"

- Organisation
- Powers
- Enhancing operational capacities





Structure

-National members: prosecutor, judge or police officer of equivalent competence

- regular place of work at the seat of Eurojust
- assisted by Deputy/Assistant

-The College

-The Administrative Director



Powers

Power to request competent authorities :

- to investigate or prosecute specific acts
- to accept that one country is better placed to prosecute than another
- to co-ordinate with one another
- to set up a Joint Investigation Team
- to provide Eurojust with any information necessary to carry out its tasks
- to take special investigative measures
- to take any other measure justified for the investigation or prosecution



Powers: National members

Exchange of information between Eurojust and member States/Direct contact with competent authorities

- *Ordinary powers*
- *Powers exercised in agreement with a national authority*
- *Powers exercised in urgent cases*

Equivalent access to registers as would be available to him at national level (Criminal records, arrested persons, DNA, etc)

Participation in Joint Investigation Teams



Powers: College

Written non-binding opinions regarding:

- *conflicts of jurisdiction*

- *recurrent refusals or difficulties concerning the executions of requests for, and decisions on judicial cooperation*



Enhancing Operational Capabilities

On-Call Coordination (OCC):

Urgent cases; OCC contact point/OCC representative 24/7

Eurojust national coordination system (ENCS) :

- ensuring that the Case management system receives information*
- assisting in determining who should deal with the case*
- maintaining close relations with the Europol National Unit*





Relations with other bodies/states

Cooperation with the European Judicial Network

Relations with UE institutions, bodies and agencies (Europol, Frontex)

Relations with 3rd States

- *Agreements*
- *Liaison magistrates*





The way ahead of the reform

- New structure
- Data protection 45/2011
- Relation with Third Parties (agreements only by Council and Commission)
- Closer cooperation with Europol: automatic cross-checking of information
- Support to European Public Prosecutor's Office(EPPO)





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 2009/426/JHA on the strengthening of Eurojust and amending Decision 2002/187/JHA (O.J. L138/14 4.06.2009): BE, CZ, EE, ES, FR, IT, LU, NL, AT, PL, PT, SV, SK, SE
- Draft regulation: 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)





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