



---

## **STRENGTHENING EUROJUST AND THE EJC**

---

Michèle Coninx  
Vice-President of Eurojust  
National Member for Belgium  
ERA – Trier, 2 April 2009

<b>What is the Challenge?</b>
Enable Eurojust to achieve the objectives it was given ... 7 years ago!

Enable Eurojust to achieve the objectives it was given  
... 7 years ago!

## What is Eurojust

- European Judicial Cooperation Unit

- Council Decision of 28 February 2002, the 'Eurojust Decision'
- Pro-Eurojust, Brussels (1 March 2001)
- The Hague, the Netherlands (December 2002)
- Legal personality
- Financed from the general budget of the European Union

- Aim: ***'to deal more effectively with serious cross border crime, particularly when it is organised, and involves two or more Member States'***

*JHA Council Decision of 14 December 2000*

- Council Decision on the Strengthening of Eurojust of 16 December 2008, the 'new Eurojust Decision'

## Objectives

- To stimulate and improve the coordination of investigations and prosecutions in the Member States
- To improve cooperation by facilitating mutual legal assistance and extradition (EAW) requests
- To support competent authorities in Member States when dealing with serious cross-border cases

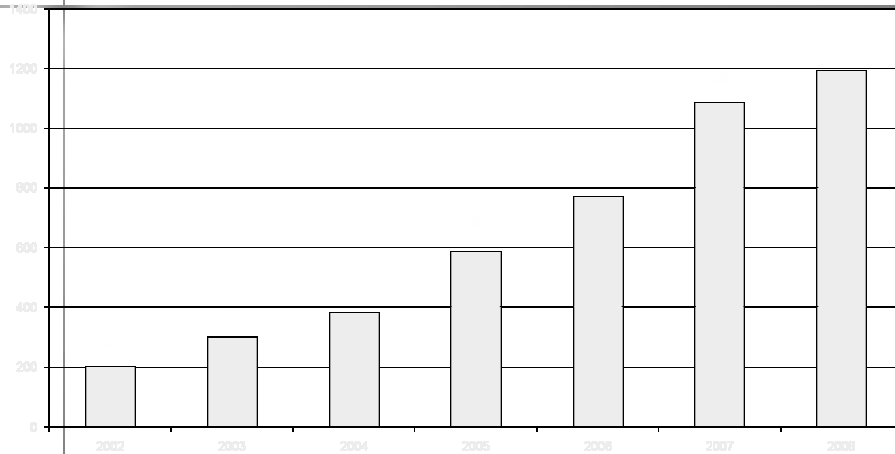
## Tasks of Eurojust

- Eurojust acts through 1 or more National Members **or** as a College
- **Powers** to request competent authorities :
  - to investigate or prosecute specific acts
  - to accept that one country is better placed to prosecute than another
  - to coordinate with one another
  - to set up a Joint Investigation Team
  - to provide Eurojust with any information necessary to carry out its tasks

## Areas of added value

- Permanence
- Empowered
- Facilities - Casework Meetings & Conferences
- Contact Points
- Voice Influencing Law-Makers & Others

## Case Evolution 2002 -2008



## Cooperation with third States

Turkey  
Croatia  
Liechtenstein  
Norway - *Liaison Prosecutor*  
Switzerland  
Western Balkans  
USA - *Liaison Prosecutor*  
Canada  
Russia  
Ukraine  
South America (IBERRED)

	<b>Relations with privileged partners</b>
	<ul style="list-style-type: none"><li>■ Europol</li><li>■ European Judicial Network (EJN)</li><li>■ OLAF</li><li>■ Other bodies</li><li>■ Liaison magistrates</li></ul>

	<b>A lot has been done.</b>
	<b>Much more was to be done in order to enable Eurojust to</b>
	<ul style="list-style-type: none"><li><input type="checkbox"/> Performing its tasks effectively</li><li><input type="checkbox"/> Making use of its unexploited potential</li><li><input type="checkbox"/> Adopting a proactive approach in assisting competent national authorities</li><li><input type="checkbox"/> Increasing its capacities to process data and achieve cross reference analysis</li></ul>

<b>History of the Revision Process</b>	
1.	The Vienna Seminar, <i>September 2006</i>
2.	The EJM "Vision paper", <i>December 2006</i>
3.	The Eurojust Contribution, <i>March 2007</i>
4.	The Eurojust Questionnaire, <i>June 2007</i>
5.	The Commission Communication, <i>October 2007</i>
6.	The Lisbon Seminar Lisbon, <i>October 2007</i>
7.	The Council Conclusions, <i>6 December 2007</i>
8.	The initiative by 14 MS (SI, FR, CZ, SE, ES, BE, PL, IT, LU, NL, SK, EE, AT and PT), <i>January 2008</i>
9.	The Council Decision on the Strengthening of Eurojust, <i>16 December 2008</i>

<b>New Eurojust Decision: Five main areas of improvement</b>	
A.	<b>Enhancing the operational capabilities of Eurojust</b>
B.	<b>Strengthening of Eurojust's powers</b>
C.	<b>Improving the exchange of information</b>
D.	<b>Reinforcing cooperation between Eurojust – EJM contact points and national authorities</b>
E.	<b>Enhancing relations with privileged partners &amp; third States</b>

<b>A. Enhancing the operational capability of Eurojust</b>
<ul style="list-style-type: none"><li>■ <b>Reinforcement of the status of National Members</b></li><li>■ <b>Reinforcement of National Desks</b></li><li>■ <b>On-Call Coordination (24/7 availability of Eurojust)</b></li></ul>



<b>B. Strengthening of Eurojust's powers</b>
<ul style="list-style-type: none"><li>■ <b>New powers of the College acting as a College (written non-binding opinions)</b></li><li>■ <b>New tasks of Eurojust acting through its NM (special investigative measures)</b></li><li>■ <b>Powers of NM acting as national authorities (equivalent level of powers)</b></li><li>■ <b>Participation of NM in Joint Investigation Teams</b></li></ul>

	<p><b>C. Improving the exchange of information</b></p> <ul style="list-style-type: none"> <li>■ <b>Improvement of transmission of information to Eurojust</b></li> </ul>
	<ul style="list-style-type: none"> <li>■ <b>Access of NM to national registers:</b> <ul style="list-style-type: none"> <li>- criminal records</li> <li>- registers of arrested persons</li> <li>- investigation registers</li> <li>- DNA registers</li> <li>- other registers of the Member State, necessary for fulfilment of his tasks</li> </ul> </li> <li>■ <b>Exchange of information with MS and between NM</b></li> <li>■ <b>Exchange of information with Europol (AWF)</b></li> </ul>

<p><b>D.</b></p>	<p><b>Reinforcing cooperation between Eurojust – EJM contact points and national authorities</b></p>
	<ul style="list-style-type: none"> <li>■ <b>Obligatory National Correspondent for Eurojust</b></li> <li>■ <b>Creation of the Eurojust National Coordination System</b></li> <li>■ <b>Cooperation with EJM-contact points</b> <ul style="list-style-type: none"> <li>➤ <b>The ENCS will create a point of intersection at national level between Eurojust and the EJM</b></li> <li>➤ <b>The key for a more successful cooperation against cross-border crime</b></li> </ul> </li> </ul>



## **E. Enhancing relations with privileged partners & third States**

- ❑ **Secretariats of JIT Network, War Crimes Network, and of other networks by decision of the Council shall form part of the staff of Eurojust,**
- ❑ **Cooperation with Europol, OLAF, Frontex, Siscen**
- ❑ **Secondment of Liaison Magistrates to third States**
- ❑ **Requests for judicial cooperation from third States**

## **Eurojust : More Effective Judicial Coordination & Cooperation**

