

Eurojust



Funded by European Union's
Justice Programme (2021-2027)



EIPA

European
Institute of
Public
Administration



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Eurojust's set-up

- Council Decision 2002/187/JHA sets up Eurojust
 - Reinforce fights against serious and organized crime in the European Union
 - Facilitate coordination and cooperation between national investigative and prosecutorial authorities
 - Assist investigations involving third countries
 - Cases affecting more than one Member State
 - Reinforces mutual trust
 - Bridge between Member States' legal systems
- Council Decision 2009/426/JHA of 16 December 2008 strengthens Eurojust

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Why does it matter?

Table 1: Crimes falling under Eurojust's competence

Crimes falling under Eurojust's competence	
Unlawful drug trafficking	Murder, grievous bodily injury
Illegal money-laundering activities	Illicit trade in human organs and tissue
Crime connected with nuclear and radioactive substances	Kidnapping, illegal restraint and hostage taking
Illegal immigrant smuggling	Racism and xenophobia
Trafficking in human beings	Organised robbery
Motor vehicle crime	Illicit trafficking in cultural goods including antiquities and works of art
Swindling and fraud	Racketeering and extortion
Computer crime	Counterfeiting and product
Corruption	Piracy
Illicit trafficking in arms, ammunition and explosives	Forgery of administrative documents and trafficking therein
Illicit trafficking in endangered animal species,	Forgery of money and means of payment
Illicit trafficking in endangered plant species and varieties	Environmental crime
Illicit trafficking in hormonal substances and other growth promoters	

Source: Annex Council Decision of 6 April 2009 establishing the European Police Office (Europol) (2009/371/JHA).

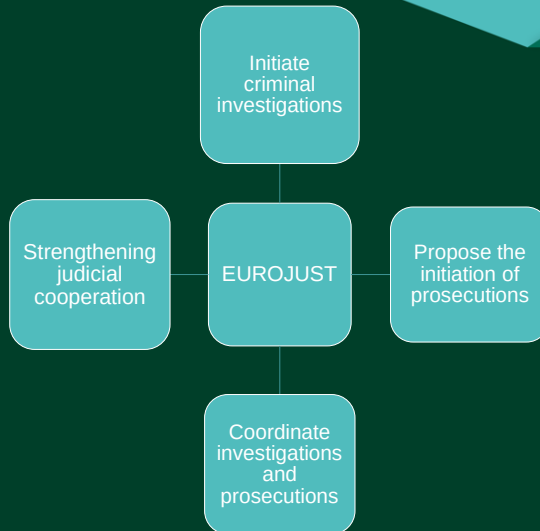
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Art 85 (ex Art 31 TEU)

(1) Eurojust's mission shall be to support and strengthen coordination and cooperation between national investigating and prosecuting authorities in relation to serious crime affecting two or more Member States or requiring a prosecution on common bases, on the basis of operations conducted and information supplied by the Member States' authorities and by Europol.

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Art 85 (ex Art 31 TEU)



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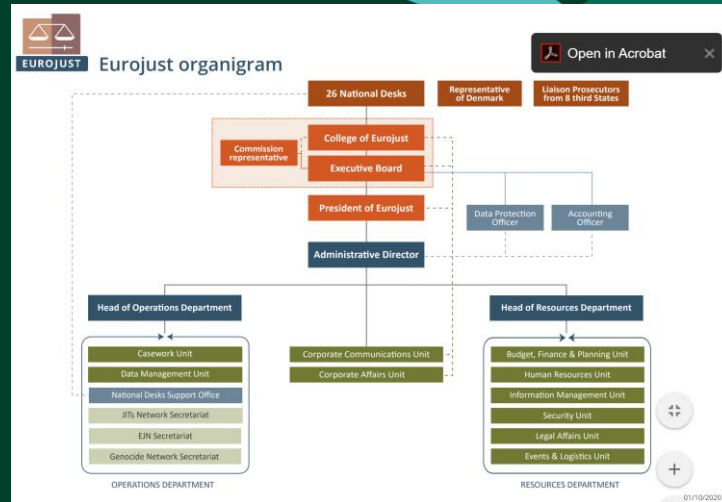
Eurojust structure: Regulation (EU) 2018/1727

Based in:
The Hague



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Organisational structure of Eurojust



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Tasks of Eurojust acting through its national members (1)

May ask the competent authorities of the Member States concerned to:

1. undertake an investigation or prosecution of specific acts
2. accept that one of them may be in a better position to undertake an investigation or to prosecute specific acts;
3. coordinate between the competent authorities of the Member States concerned;
4. set up a joint investigation team in keeping with the relevant cooperation instruments;
5. provide it with any information that is necessary for it to carry out its tasks;
6. take special investigative measures;
7. take any other measure justified for the investigation or prosecution;

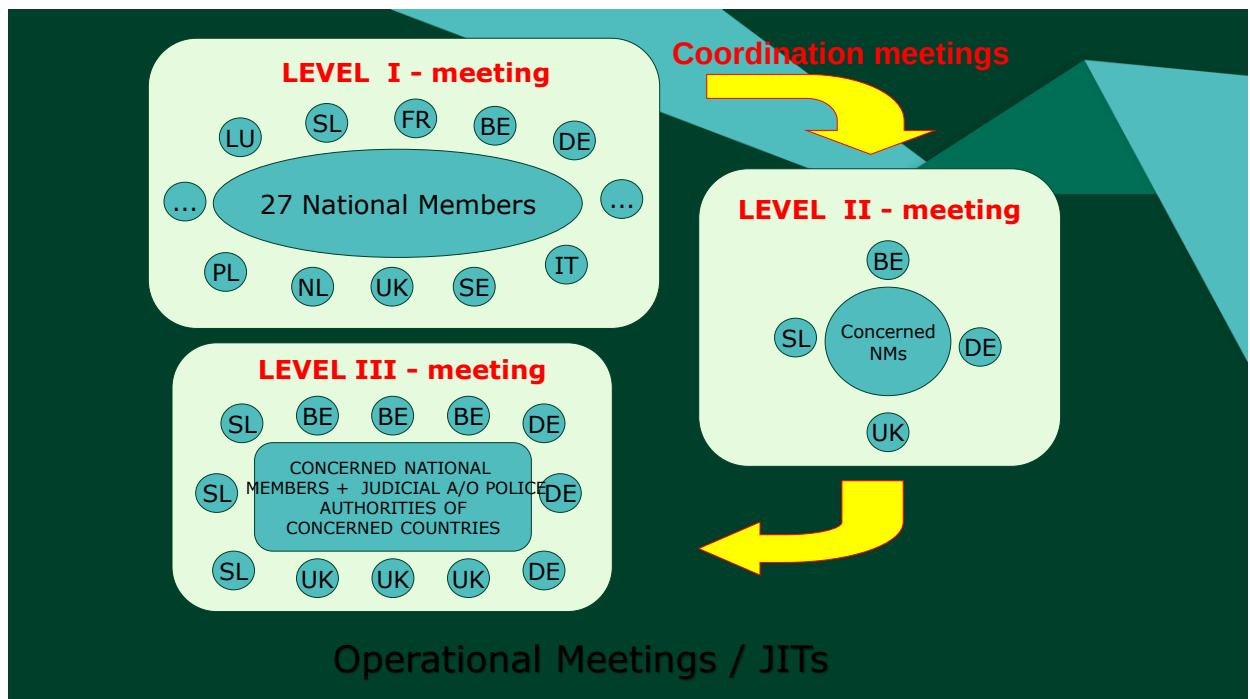
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Tasks of Eurojust acting through its national members (2)

Eurojust shall also:

1. ensure that the competent authorities of the Member States concerned inform each other on investigations and prosecutions of which it has been informed;
2. assist the competent authorities of the Member States, at their request, in ensuring the best possible coordination of investigations and prosecutions;
3. give assistance in order to improve cooperation between the competent national authorities;
4. cooperate and consult with the European Judicial Network, including making use of and contributing to the improvement of its documentary database;
5. in the cases referred to in Article 3(2) and (3) and with the agreement of the College, assist investigations and prosecutions concerning the competent authorities of only one Member State;

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Eurojust National Coordination System

- Coordinate the work carried out by the key national players responsible for judicial cooperation
 - the national correspondents for Eurojust and for the EJNI
 - representatives of other relevant networks
 - JIT
 - Genocide Networks
- the ENCS supports the exchange of information between Eurojust and the Member States by ensuring that Eurojust's CMS receives information in an efficient and reliable manner
- Facilitates the allocation of cases between Eurojust and the EJNI;
- Maintains a close relationship with the Europol National Units

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Case Management System

- Member States shall transmit certain information to Eurojust relevant for fulfilling its mission
- the Case Management System (CMS) is the software tool of Eurojust that facilitates secure storage and processing of case related data
- the lawfulness of the processing of personal data in conformity with data protection guidelines is guaranteed by the Eurojust Data Protection Officer and the JSB
- information exchange and the CMS
- the 'smart' Article 13 form Tool Connections between ENCS and CMS

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Information exchange and data protection

• Revised Eurojust Decision

- General obligation for Member States to exchange with Eurojust "any information necessary for the performance of its tasks"
- The obligation to transmit information applies from 04 June 2011 and specifically includes information about:
 - Joint Investigation Teams
 - Cross border cases of particular gravity
 - Cases involving (potential) conflicts of jurisdiction, controlled deliveries, repeated problems in judicial cooperation
- o facilitate a structured transmission of information, Eurojust has prepared a form for competent national authorities 'Smart Art 13 form'



• Rules of Procedure of Eurojust

- Operational data processing
- Case management system
- Access policies
- Data transfer to third countries and international organizations

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Added value / powers

- Facilitating execution of international MLA
- Assistance in the resolution of conflict of jurisdiction
- Advising on competing EAW
- Organisation of coordination meetings (JITs)
- Possibility to ask the competent authorities:
 - To investigate or prosecute specific acts
 - Accept that one of them may be in a better position to undertake an investigation/prosecution
 - To coordinate with one another
 - To set up a JIT
 - To provide EJ with necessary information

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