

Eurojust



Appraisal

Eurojust is a permanent network of judicial authorities, first established by the European Union in 2002, to support EU Member-States in dealing with serious cross-border and organized crime. It is the first body of its kind to be created anywhere in the world. Eurojust stimulates and improves the quality of co-operation and co-ordination between investigators and prosecutors from the competent authorities in the EU zone. It facilitates the speedy execution of international mutual legal assistance and the implementation of extradition requests. It hosts meetings of investigators and prosecutors from within the EU zone to deal with strategic issues, specific cases or types of criminality, such as terrorism, fraud, and the trafficking of human beings or drugs. It provides information to judges, prosecutors and police officers in the Member States. It plays an important consulting role in advising practitioners on comparative procedural and substantive laws so as to cut through the differences in legislation, languages and judicial systems of the EU Member States. As a key interlocutor with European institutions such as the Parliament, the Council and the Commission, Eurojust also fulfils a unique role as a forum of deliberation and research within the European judicial area.



Genesis

In October 1999, a mere three months after Europol had commenced its full activities in The Hague, the European Council meeting at Tampere in Finland concluded that a permanent judicial co-operation unit should be established to improve the fight against serious organized crime within the European zone. By decision of 14 December 2000, the Council formally established a provisional judicial co-operation unit. Eurojust, as the new institution was baptized, was to operate in accordance with the provisions of European treaties and the domestic legislation of each Member State. On 1 March 2001, the provisional unit called Pro-Eurojust started work in temporary accommodation in Brussels.



The Opening Phase

The provisional unit developed operational casework and strategy, ensured a wider awareness of Eurojust, and consolidated its internal organization. It operated as a clearing-house between national authorities and built up relations with other bodies or agencies in the field, notably the European Judicial Network and Europol. In the wake of 11 September 2001, the unit also developed relations with the United States of America. The instrument that created the definitive Eurojust was adopted by the Council in December 2001 and in spring 2002, the definitive Eurojust became operational. Eurojust has been located permanently in The Hague since 1 December 2002.

Organizational Structure

• College of National Members

Eurojust is composed of a College of 25 National Members, one seconded from each Member State, in accordance with its legal system being a prosecutor, judge or police officer of equivalent competence. These National Members elect a President and two Vice-Presidents for terms of three years. Several Member States have appointed Deputies and Assistants, based either in The Hague or in their home country, to assist their National Member.

Committees

The College established four committees to deal with Casework, Communications, Strategy and Evaluation respectively. Whilst National Members deal with individual cases, the Casework Committee works at a different level to establish good practice, policy and efficiency in the handling of cases, and to improve the effectiveness of co-operation and co-ordination meetings on cases and casework topics.

• Administration

Eurojust's first Administrative Director was appointed in September 2002. The Administrative Director reports to the College through the President and heads the Administration, which is composed of units and services dealing with Human Resources and General Administration, Press and Public Relations, Budget and Finance, Procurement, Information and Communications Technology, Security, and General Services.

Powers of Eurojust Members

Any powers which Eurojust members have derive from their domestic legal systems. In the process of appointing their National Representatives, Member States created a whole range of contrasting powers within Eurojust. For example, a majority of members have no authority to approach another country's authorities. Some retain their powers under national law to receive and to exchange information on criminal proceedings. Other Eurojust members are not authorized to request information directly from their national police authorities. The attribution of appropriate powers to the individual national members of Eurojust will be an important factor in building an effective and successful unit.



Obstacles

In streamlining mutual legal assistance and extradition procedures, prosecutors and investigators dealing with international criminal cases are faced with a variety of problems and blockages. These concern disparate procedural requirements for evidence gathering within the EU zone: differences in responsibilities and in understanding of the various legal systems and inquisitorial and accusatorial processes; requirements of dual criminality in some countries. Added to this are high level data protection regimes; absence of a central body to monitor linked investigations and of an expert supra-national investigative police force, or widespread reservations to apply newly emerging technology.

Recommendations

As part of it's work to overcome these barriers, Eurojust has made a range of recommendations, for example to encourage the speedy implementation of existing conventions on mutual legal assistance and extradition. In similar vein, Eurojust prepared draft rules of procedure concerning its own internal organization; secrecy and confidentiality; administrative and database rules. Clearly, the speed of response, clarity and certainty offered by Eurojust are key factors to improve the effective co-operation and co-ordination in criminal matters. Also, its capacity to provide in-depth analysis will be especially beneficial when combating complex forms of serious organized crime.



Relations with European counterparts

The development of good relations with its European counterparts and a good mutual understanding of respective functions are crucial factors for Eurojust to function effectively. Eurojust has privileged partnerships with The European Judicial Network (EJN), Liaison Magistrates, and law enforcement bodies such as the European police office (Europol) and Interpol, and the European Anti-Fraud Office (OLAF). From the outset, support given to Eurojust by the European Council Secretariat in terms of advice, infrastructure and practical assistance, and the constructive dialogue with the European Commission and Parliament have provided an excellent foundation for future success.







ORIGIN

2001 EUROJUST CREATED BY EUROPEAN COUNCIL



STATUS EU



MEMBERSHIP
22 EU MEMBER STATES



CONTACTS

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MANAGEMENT STRUCTURE

- THE COLLEGE: PRESIDENT, VICE-PRESIDENTS AND NATIONAL MEMBERS.
- JOINT SUPERVISORY BODY FOR DATA PROTECTION
- COMMITTEES
- Administrative Director
- Units and Services



STAFF: 103 (NATIONAL MEMBERS, DEPUTIES, ASSISTANTS AND ADMINISTRATIVE STAFF)



BUDGET: 2004: € 9.300.000



The establishment of Eurojust has brought the process of interstate co-operation and co-ordination to prevent and combat organized international crime onto a

new footing. Over the past three years, in reply to urgent social circumstance, and given the recent expansion of the EU zone, the staff of Eurojust, its internal fabric, the ambit of its permanent network, and the range of the body's activities has

expanded rapidly. Increasingly, Eurojust plays a pivotal role in the facilitation of mutual legal assistance requests and co-operation with third countries. Success in countering the growth of international terrorism and organized crime will require strenuous efforts, determination, by all the law enforcement agencies in Europe.

Eurojust will be at the heart of this work for many years to come.

Perspective

EUROJUST

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