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NOTE

From:	Presidency
To:	Delegations
Subject:	Synergies between Eurojust and the networks established by the Council in the area of judicial cooperation in criminal matters - Information by the Presidency

Introduction

In 2002, Eurojust was established by Council Decision 2002/187/JHA, which has been amended twice¹; as from 12 December 2019, Regulation (EU) 2018/1727 on the European Union Agency for Criminal Justice Cooperation (Eurojust) will apply in respect of Eurojust.

Previously, the European Judicial Network (EJN) was established under Joint Action 98/428. Council Decision 2008/976/JHA, which repealed the Joint Action, provided the EJN with a reinforced legal basis.

Other specialised judicial networks in criminal matters have also been established by the Council: the European Network of Contact Points in respect of persons responsible for genocide, crimes against humanity and war crimes ('Genocide Network')², the JITs Experts Network³, and the European Judicial Cybercrime Network (EJCN)⁴.

¹ Council Decision 2003/659/JHA and Council Decision 2009/426/JHA.

² Established by Council Decision 2002/494/JHA, amended by Council Decision 2003/335/JHA.

³ Established by Council document 11037/05.

⁴ Established by Council Conclusions of 9 June 2016.

Experience has revealed that coordination and cooperation between the networks established by the Council, on the one hand, and the other networks and Eurojust, on the other, could be further improved. This improvement would allow the entities to maximise the benefits of their coexistence and could draw on the efforts they have already made to improve the coordination of their activities.

Discussion and joint paper

In light of the above, the Presidency has invited Eurojust and the secretariats of the EJM, the Genocide Network and the JIJs Network, as well as the administrative support team of the EJCJ, to discuss how Eurojust and the networks could further improve their collaboration, it being understood that such improvement could include reaffirming established good practice from recent years. During this discussion process, the entities were advised to take certain questions into account, including the following:

1. What improvements are needed in the relationship between EU judicial networks, both in general and in relation to the respective networks?
2. Do you find it useful for the EJM, the Genocide Network, the JIJs Network and the EJCJ to consult one another on a regular basis regarding their work programmes and activities, with a view to avoiding duplication of activities and projects? In this respect, do you think that the heads of the secretariats of the respective networks should meet on a regular basis?
3. Would a 'double/multiple hat' for the members appointed by the Member States to serve in the networks be an advantage as regards improving cooperation between the networks?
4. In which areas and how should Eurojust and the EJM enhance their cooperation?
5. How could Eurojust ensure further coordination between the secretariats of these three networks and the administrative support team of the EJCJ in accordance with Article 25a(2) of the Eurojust Decision, while bearing in mind the need to preserve the autonomy of each secretariat/team and the specific nature of each network?

The Presidency has invited Eurojust, the EJM, the Genocide Network, the JIJs Experts Network and the EJCJN to draft a joint paper in which they set out their intentions regarding the abovementioned improvement in coordination and cooperation. The entities have indicated that they will submit this paper at the beginning of April 2019.

Handling in the Council

Once the joint paper has been received, the Presidency will submit it for examination at a future meeting of the Working Party, probably the one scheduled to take place on 12 April 2019.

Depending on delegations' reactions to it, the joint paper could then be revised.

The Presidency will then submit draft conclusions to be adopted at the June JHA Council, with the joint paper as an annex. The Presidency suggests that the conclusions refer to the annex, stating that the Council supports the intentions of Eurojust and the networks to further improve their coordination and cooperation and encourages them to implement these intentions. The conclusions could also contain some other points, depending notably on whether the entities involved have expressed a desire for the Council or the Commission to take any specific action to facilitate the improvement in their coordination and cooperation.

The Presidency will hold an initial exchange of views on these plans at the meeting of the Working Party that is scheduled to take place on 18 March 2019.