

Draft Bill for New German Law on International Cooperation in Criminal Matters



News

Thomas Wahl

On 11 September 2024, the German Federal Ministry of Justice presented a [draft for a recast of the German Act on International Mutual Assistance in Criminal Matters](#) (*Gesetz über die Internationale Rechtshilfe in Strafsachen - IRG*). The draft revises, restructures and modernises the current Act. A main objective is to reinforce the rights of the individual in transnational criminal proceedings. At the same time, the draft transposes recent EU legislation in the field of cooperation in criminal matters and implements case law of the Court of Justice of the European Union and the German Federal Constitutional Court. In detail, the [draft includes](#) the following:

- Clarifying the structure of the law and making it more workable;
- Strengthening new forms of cooperation, including, for the first time, rules on police cooperation and transfer of criminal proceedings;
- Improving the individuals' legal protection and guaranteeing a high level of data protection in transnational proceedings in criminal matters; this includes laying down important procedural safeguards and highlighting the limits of admissibility of mutual assistance;
- Adapting the German law on requirements of Union law, including the implementation of Regulation 2023/2844 on the digitalisation of judicial cooperation (→ [eucrim 4/2023, 331-332](#)) and Directive 2023/977 on the exchange of information between the law enforcement authorities of Member States and repealing Council Framework Decision 2006/960/JHA (→ [eucrim 1/2023, 36-39](#)).

The draft was forwarded to the federal states and stakeholders who can submit their statements to the Federal Ministry of Justice before the draft will be submitted to the German Parliament. It is accompanied by a [synopsis](#) juxtaposing the rules of the new draft and the current ones. The draft was prepared by working groups in which scholars as well as representatives from legal practice (courts, prosecution offices, attorneys) and justice ministries of the federal states participated.

AUTHOR

Thomas Wahl

Senior Researcher
Max Planck Institute for the
Study of Crime, Security and
Law

Published in
2024, Vol. 19(2) [eucrim](#)

ISSN: 1862-6947

<https://eucrim.eu>



About eucrim

eucrim is the leading journal which regularly informs about current developments in European criminal and “criministrative” law.

All news items are freely accessible at: <https://eucrim.eu/news/>

Stay informed by emailing to eucrim-subscribe@csl.mpg.de to receive alerts for new releases of issues.

The project is co-financed by the [Union Anti-Fraud Programme \(UAFP\)](#), managed by the [European Anti-Fraud Office \(OLAF\)](#).



Co-funded by
the European Union