

Informal Justice Affairs Meetings under Portuguese Presidency



Thomas Wahl

News

Discussions of the [ministers of justice at the first informal videoconference under the Portuguese Council Presidency](#), held on 29 January 2021, focused on two topics in the area of criminal law:

- Problems of organised crime as regards counterfeiting of medicine and protective equipment. Portuguese Minister for Justice, *Francisca Van Dunem*, and European Commissioner for Justice, *Didier Reynders*, called on the Member States to ratify the CoE's Medicrime Convention (→ [euCRIM 2/2016, 84-85](#)). The Convention is the first binding international instrument in the criminal law field on counterfeiting of medical products and similar crimes involving threats to public health that have a global relevance.
- Digitalisation of justice. Ministers agreed to leverage the digitalisation in the justice area on the basis of the new recovery and resilience budget. They supported the promotion of e-CODEX (→ [euCRIM news of 19 January 2021](#)), in order to achieve the widest possible application.

The project “e-CODEX” (launched by the European Commission) consists of a package of software components that enables the connectivity between national systems. Thus, it allows users (competent judicial authorities, legal practitioners and citizens) to electronically send and receive documents, legal forms, evidence or other information in a swift and secure manner. In this way, e-CODEX allows the establishment of interoperable and secure decentralised communication networks between national IT systems supporting cross-border civil and criminal proceedings. E-CODEX is for instance already underpinning the e-Evidence Digital Exchange System supporting the exchanges in relation to European Investigation Orders and Mutual Legal Assistance in the area of judicial cooperation in criminal matters.

At the [informal videoconference of the justice ministers of 11 March 2021](#), data retention was on top of the agenda. The ministers shared the view that a common approach is to be followed which complies with the rulings of the CJEU and fundamental rights. Nonetheless, the CJEU case law has a considerable impact on criminal investigations.

Ministers discussed the strengthening of the application of the Charter of Fundamental Rights. They referred to the Commission Strategy of December 2020 (→ <https://euCRIM.eu/news/new-commission-strategy-application-charter/>) and the [Council conclusions on this topic of 5 March 2021](#). Both, the Commission and the Council, focus on targeted, practical actions, such as training, awareness raising for the public, proper funding and monitoring of the relevant acts, through which the implementation of the Charter can be concretely enhanced.

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The justice ministers also dealt with judicial training following the Commission's new training strategy presented in December 2020 (→ <https://eucrim.eu/news/new-strategy-european-judicial-training-2021-2024/>). Referring to [Council conclusions on boosting the training of justice professionals of 8 March 2021](#), the Council calls on Member States to encourage the use of training possibilities, invest in the digitalisation of judicial training, enhance training in EU law, emphasise the multidisciplinary approach of judicial training and provide support to the judiciaries beyond the EU, in particular those in the Western Balkans.

Ultimately, the Commission updated the justice ministers on the state of play with regard to the implementation of the EPPO regulation. Work is ongoing in several areas in order to get the EPPO up and running as soon as possible.

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