

New Eurojust Regulation



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News

On 6 November 2018, [after 5 years of discussion](#), Eurojust's new Regulation was adopted with the aim of strengthening its capabilities to support the national authorities in their fight against serious, cross-border crime. The Regulation ((EU) 2018/1727) was published in the [Official Journal L 295 of 21 November 2018, p. 138](#).

In the Regulation, Eurojust's competences are now clearly set out without referring to the Europol Convention (as the previous Eurojust Decision did). The forms of serious crime for which Eurojust is competent are now listed in an Annex 1 to the Regulation. The Regulation also defines the categories of related offences for which Eurojust is competent. It also outlines that, in general, Eurojust shall not exercise its competence with regard to crimes for which the EPPO exercises its competence. The practical details of Eurojust's exercise of competence, however, shall be governed by an additional working arrangement. Ultimately, when requested by a competent authority of a Member State, Eurojust may also assist with investigations and prosecutions for forms of crime other than those listed in Annex I.

While the distinction is still made as to whether Eurojust exercises its function as a college or through its National Members, Eurojust's operational functions are now clearly set out under Art. 4.

Regarding the National Members, the Regulation now requests the Member States to grant them at least the powers referred to in this Regulation in order for them to be able to fulfil their tasks. Contrary to the former Eurojust Decision, the Regulation now limits the length of the term of office of the National Members to 5 years, renewable once. The Regulation now describes the powers of the National Members in detail as well as the types of national registers they shall have access to.

The College's voting rules for taking decisions changed from a two-thirds majority to a majority of its members. Furthermore, under the Regulation, the College has now been asked to adopt annual and multi-annual work programmes setting out objectives and strategic aims for their work. In addition, the new Regulation introduces an Executive Board to deal with administrative matters in order to allow Eurojust's College to focus on operational issues. A representative of the European Commission will be part of the Executive Board.

Contrary to the former Eurojust Decision, roles and tasks of Eurojust's National Coordination System and national correspondents are laid out in the Regulation. The exchange of information with the Member States and between national members is also set out in more detail, requiring the competent national authorities to inform their national members without undue delay under certain conditions.

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More democratic oversight is foreseen by means of regular reporting to the European Parliament and national parliaments.

Finally, Eurojust's data protection rules have been aligned with the latest EU data protection rules, including supervision by the EDPS.

Eurojust's reform through the new Regulation is the last in a series of reforms, with new Regulations for Frontex entering into force in 2016 and Europol entering into force in 2017, and the creation of the EPPO.

The Regulation replaces and repeals Council Decision 2002/187/JHA. It will be applicable by the end of 2019.

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