

What is the EJN?

The EJN is a network of national contact points – prosecutors, judges, representatives of ministries of justice, and law enforcement authorities – whose main task is to facilitate international judicial cooperation in criminal matters. Operational since 1998, the EJN Contact Points are recognised as an essential hub to enable judicial cooperation in their respective countries, as the number of recorded cases during the period between 2010 and 2020 has exceeded 90 000.

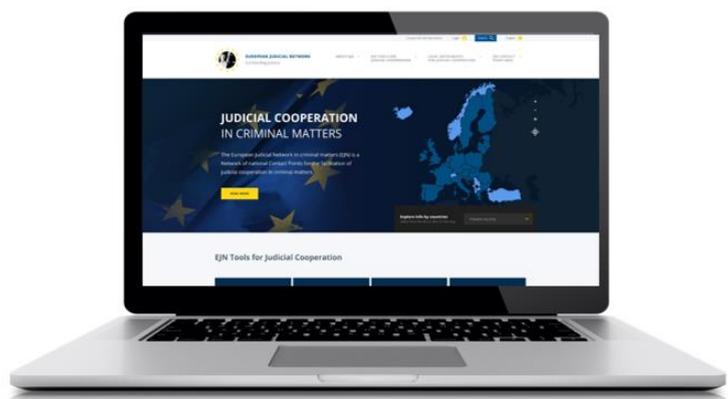
The legal basis of the EJN is Council Decision 2008/976/JHA of 16 December 2008 on the European Judicial Network (the “EJN Decision”).

The EJN and facilitating cooperation

EJN Contact Points identify and establish direct contacts between authorities throughout the EU and provide legal and practical information on judicial cooperation to their colleagues in their Member States and in other countries. They are also promoting and being involved in the organisation of training sessions on judicial cooperation for the benefit of the competent authorities.

In addition, the EJN website is a **comprehensive online platform with practical electronic tools and relevant information for facilitating cooperation between authorities that deal with international judicial cooperation in criminal matters.**

- The EJN website at <https://www.ejn-crimjust.europa.eu> includes practical e-tools to find a competent authority for executing requests for judicial cooperation together with contact details (**Atlas**); to draft and send requests (**Compendium** – available in all official EU languages), and to check whether a judicial measure is applicable in another country, as well as information about which language to use and information to be included (**Fiches Belges**).
- The EJN website provides public access to an exhaustive catalogue of EU legal instruments, relevant case law and supporting information.
- The EJN maintains secure telecommunication connections to support the operational work of the Contact Points.



- The EJM website has a dedicated section providing information regarding non-EU countries and judicial networks.

EJM meetings

The EJM holds five EU-level meetings per year, allowing practitioners to get to know each other, establish professional relationships and deal with requests for judicial cooperation on the spot. The meetings also provide for a forum for discussion of practical and legal problems encountered in the context of judicial cooperation.

The EJM experience with Framework Decision 947 and 829

In the end of 2018, *Council Conclusions on Mutual Recognition in Criminal Matters* (Council doc 15272/1818) had been adopted under the Austrian Presidency. The Council acknowledged that the **EJM plays an active role in addressing obstacles for, and identifying best practice in, mutual recognition**. Therefore, by the end of 2018, the EJM had already started to discuss the **role of the EJM Contact Points with regard to the practical application of different mutual recognition instruments**.

In 2019, the discussions on the challenges and obstacles in the implementation of these instruments, as well as the best practice identified by the EJM Contact Points, were continued under the Romanian Presidency in the 52nd Plenary meeting in June 2019 in Bucharest. The importance of the EJM website, too, has been emphasised in the above-mentioned conclusions.

Under the Finnish Presidency in December 2019, *Council Conclusions on alternative measures to detention: The use of non-custodial sanctions and measures in the field of criminal justice* were adopted. The Council gave mandate to the EJM to continue working on this issue and to provide relevant practical information on the application of the instruments to the EJM CPs and the practitioners in the Member States:

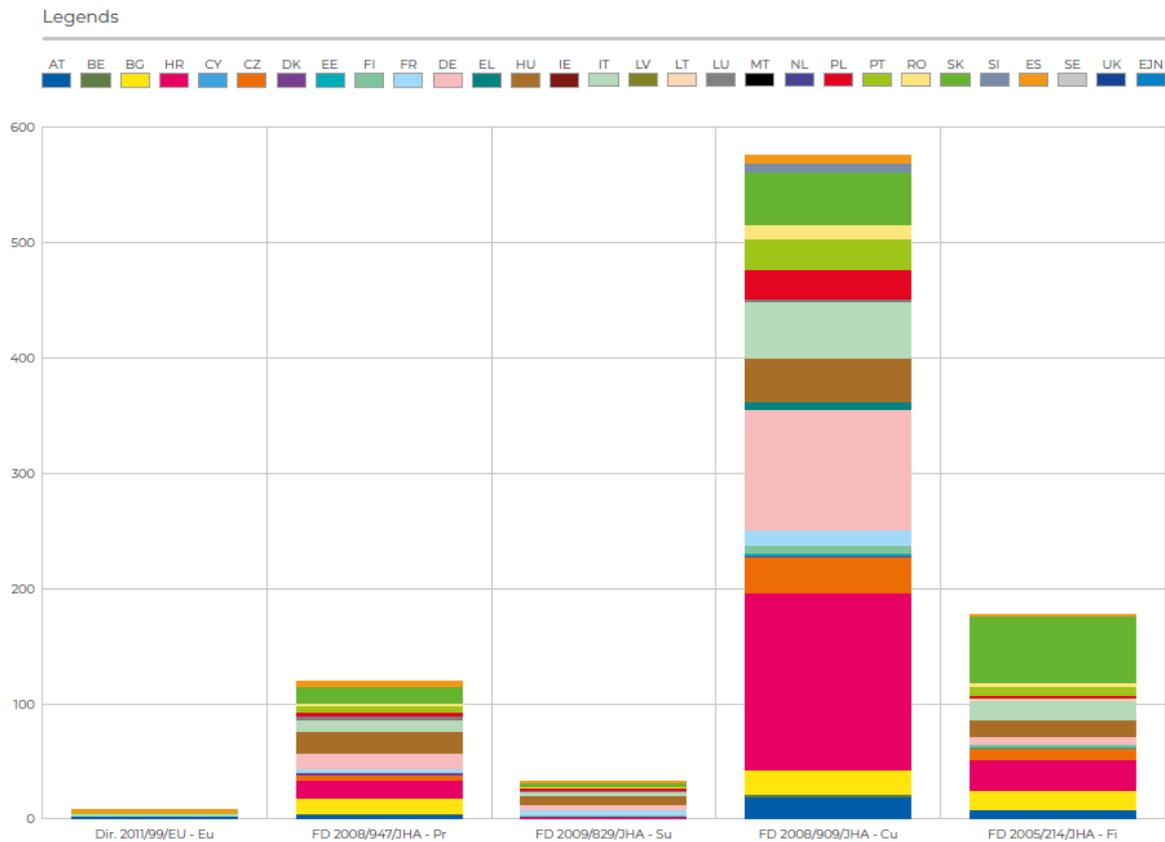
*'EJM is invited to consider gathering information on its website on the different non-custodial sanctions and measures in each Member State. For this aim, cooperation with any relevant organisation, including **Confederation of European Probation (CEP)**, may be considered.'*

In recent EJM meetings, it has been concluded by the EJM Contact Points that mutual recognition instruments is a topic to be raised in different fora for discussion. There is a continuous need for training at the national and at the EU level with the involvement of the EJM and EJTN on different instruments. National intranet pages, too, could be a useful source for sharing EU or national guidelines, best practices and handbooks to facilitate the issuing and execution of the orders/certificates. Finally, involvement of the EJM (practitioners) during the EU legislative process has been considered highly beneficial in recent years in relation to creating and improvement of the EU legal instruments.

With regard to FD 2008/947/JHA in particular, different interpretation of measures/ sanctions in national law has been admitted by the EJM Contact Points, which continues to be a challenge when it comes to practical application of this instrument. With regard to FD 2008/829/JHA different rules on maximum penalty and on pre-trial detention has posed problems in execution as well as adapting/ leaving out

measures without consultation by the executing Member State. The EJM Contact Points concluded that therefore always beneficial to contact and EJM Contact Point in the executing Member State in advance. In addition, the EJM website could potentially be a source for information about practical application and legal information on the respective measures in all EU Member States.

For more information, the latest conclusions by the EJM Contact Points on these instruments are available in the Library on the EJM Website and can be directly accessed [here](#).



EJM CASES WITH MUTUAL RECOGNITION INSTRUMENTS, 2019-2020

In accordance with the provisions of Article 2 (8) of the EJM Decision, the administration, functioning and continuity of the EJM is ensured by the EJM Secretariat. Its task, inter alia, is setting up, maintenance and improvement of the EJM information system/website.

EJM Secretariat

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