

EUROPEAN JUDICIAL NETWORK (EJN)

EuroPris Framework Decision 909
Expert Group

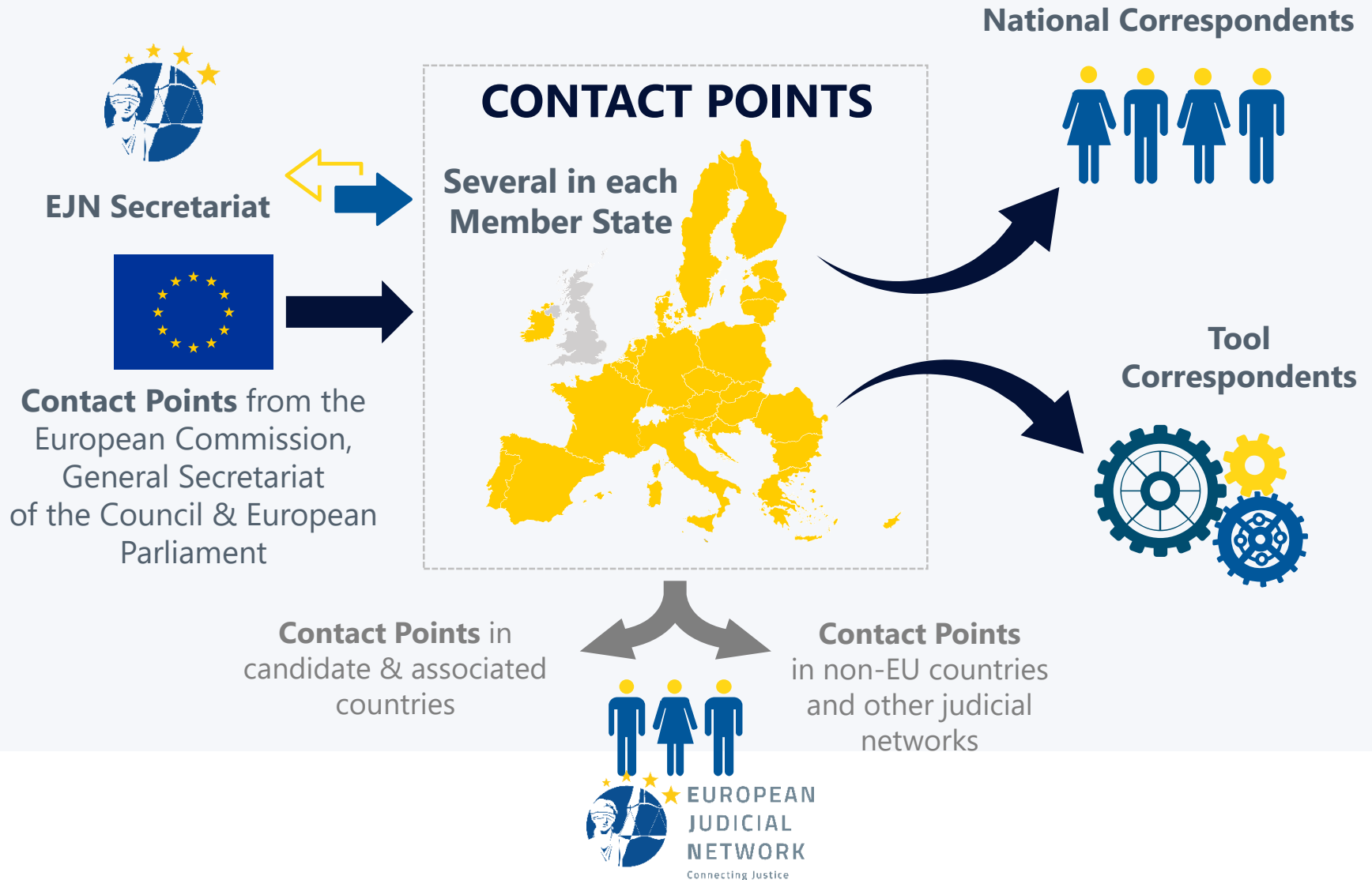
28 September 2021

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1. European Judicial Network (EJN) overview

EJN Structure



Main functions of EJM CPs

01.

As active intermediaries, **facilitating judicial cooperation** between Member States in actions to combat serious crime

02.

Providing the necessary legal and practical information to enable judicial authorities to prepare an effective request for judicial cooperation or to improve judicial cooperation in general

03.

Promoting and being involved in the organisation of training sessions on judicial cooperation for the benefit of the competent authorities.

In cooperation with the European Judicial Training Network, where appropriate

Purpose of the EJM meetings

- 01.** | To get to know each other and **exchange experience**, particularly concerning the operation of the Network
- 02.** | Forum for **discussion of practical and legal problems** encountered in the context of judicial cooperation

www.ejn-crimjust.europa.eu

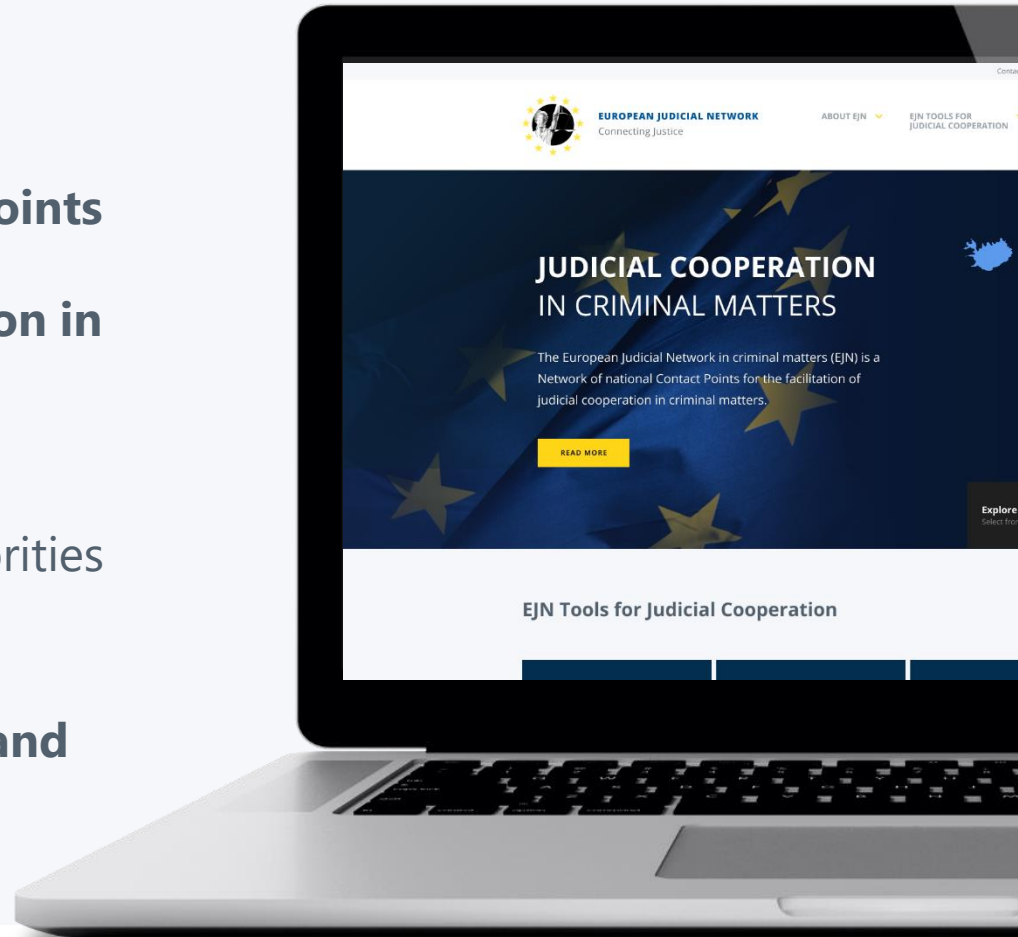
Created **in 2000**

Home base for the **EJN Contact Points**

Information on **judicial cooperation in criminal matters** to all judicial authorities

Practical e-tools for judicial authorities for judicial cooperation

Managed by the **EJN Secretariat and the EJN Tool** correspondents



2. EJM experience with FD 2008/909/JHA

EJN and MRIs in EU:

2018

Council Conclusions on Mutual Recognition in Criminal Matters adopted under the **AT PRES**: *EJN plays an active role in addressing obstacles for, and identifying best practice in, mutual recognition.*

2019

Report by the **RO PRES** on '**the way forward in the field of mutual recognition in criminal matters**' (endorsed by a large majority of MSs): a consensus among MSs on the *crucial role* of the EJN in fostering judicial cooperation in criminal matters. '*The EJN website has been emphasised as the best place for EU practitioners to find relevant information about mutual recognition instruments.*'

2019

Council Conclusions on alternative measures to detention: The use of non-custodial sanctions and measures in the field of criminal justice were adopted under the **FI PRES**: mandate to the EJN to continue working on this issue and to provide relevant practical information on the application of the instruments to the EJN CPs and the practitioners in the MSs.

EJN case-work Statistics



7000-8000

cases per year



2000

about the European
Arrest Warrant

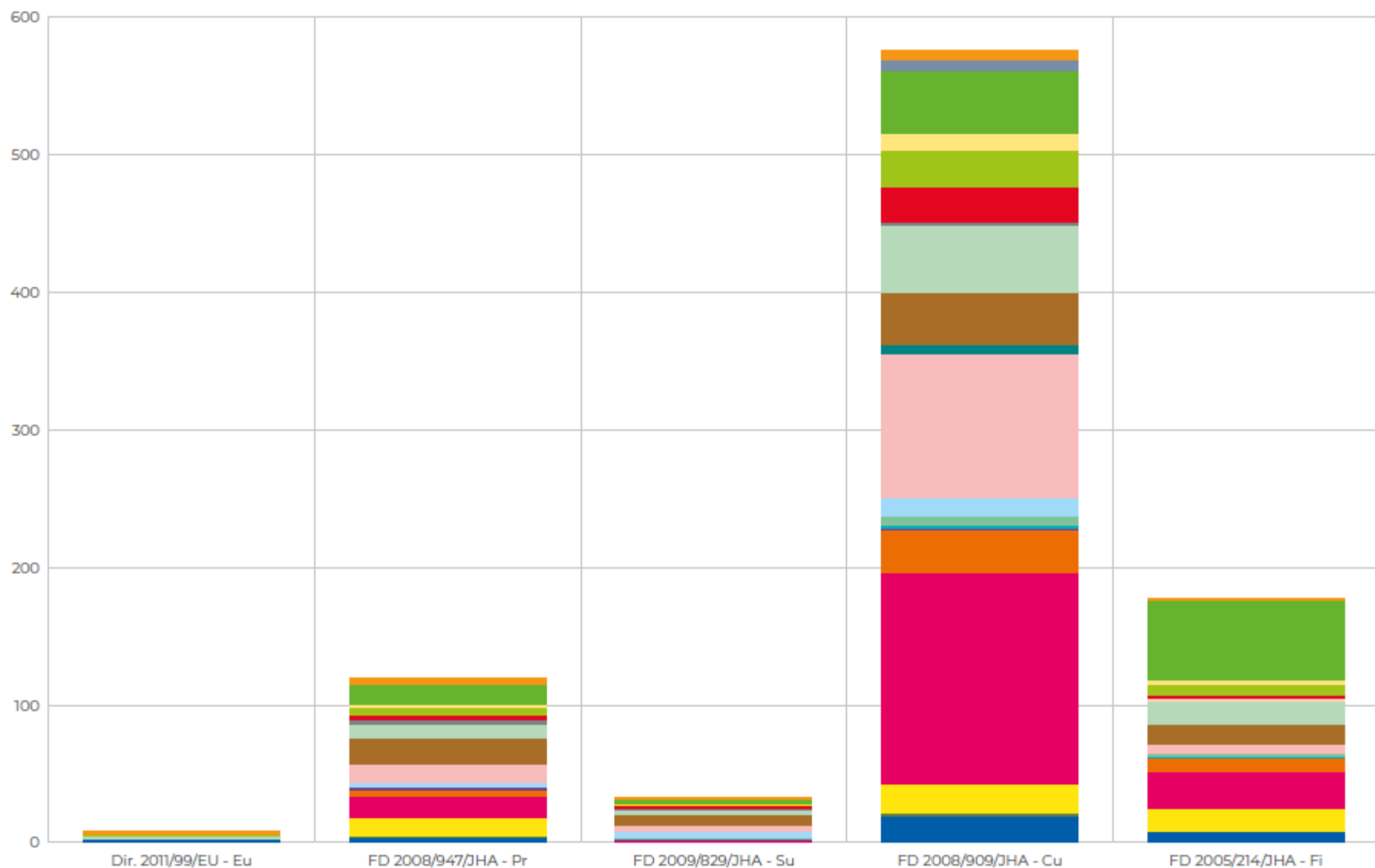


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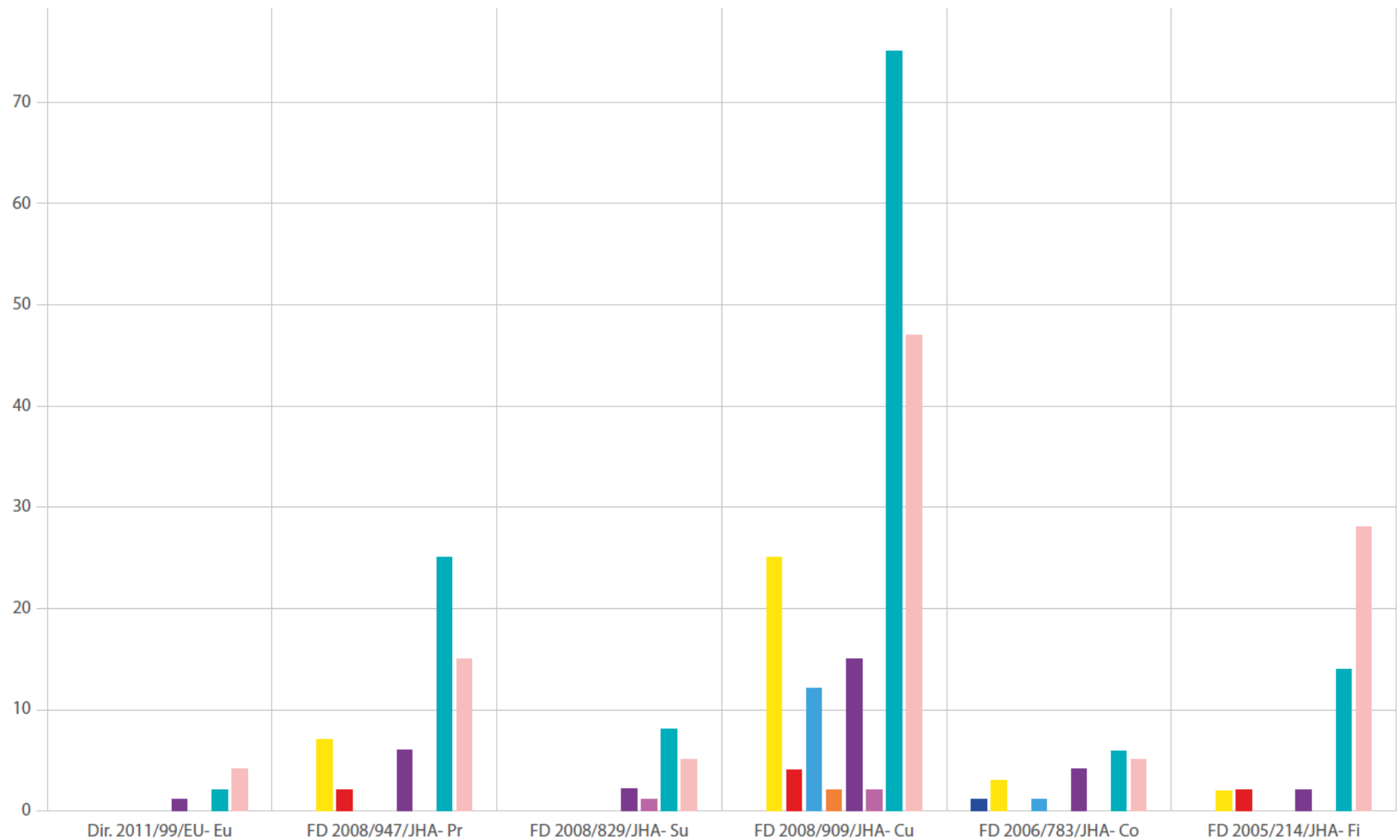
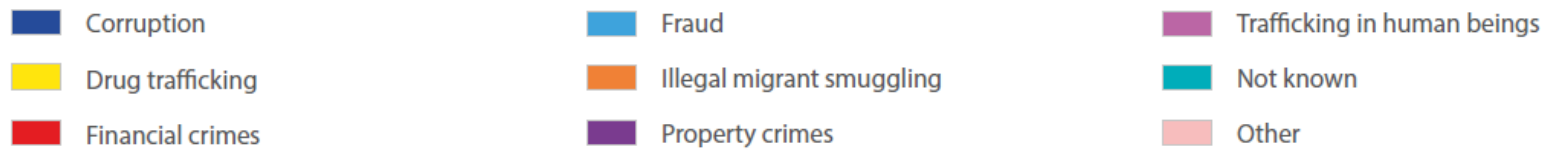
about Mutual Legal
Assistance/European
Investigation Order
(EIO)

As of 2017 **EJN web-based online reporting tool** for EJN Contact Points
EJN case-work statistics / EJN biennial report

Legends



Legends



EJN conclusions on 2008/909/JHA (2018) (1)

- Topic to be raised **in different fora for discussion**
- **Training** at the **national and at the EU level** with the involvement of the EJN and EJTN
- Difficulties to **identify the right authority to address the orders/certificates** => continuous update of the EJN Atlas tool
- **National intranet pages:** share EU or national guidelines, best practices and handbooks to facilitate the issuing and execution of the orders/certificates
- Involvement of the EJN (practitioners) **during the EU legislative process**

EJN conclusions on 2008/909/JHA (2018) (2)

- **Adaption of the sentence (Art 8):** “Calculation” of the sentence on the crime in question (*in concreto*) or on the whole category of crimes e.g. drug crimes (*in abstracto*).
- **Imprisonment in Lieu of a Fine not able to reinforce by some MS:** application of Art 10 FD 2005/214/JHA on Financial Penalties; or national law limiting the length of imprisonment in lieu of a fine prevents enforcement.
- **Minor custodial sentences summing up to a custodial sentence of at least 6 months:** in Some MSs 6 months minimum period is calculated for each sentence separately (thus enforcement of a sum of minor sentences would be refused under Art 9.1(h))

Thank you for your attention!

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