

MEETING OF EU PROSECUTORS GENERAL
Ljubljana, April 8th, 2008

1. In the Eurojustice meeting in Portorož it was decided to increase the role of the prosecutors general – to bring their role close to the EU structures in order to discuss the matters, related to the decision making process in the EU. The first such meeting was held in Ljubljana and hosted by Slovenia under the Slovenian presidency.

On 8 April 2008, the EU Prosecutors General or their representatives, persons responsible in Ministries of Justice for taking public action ("action publique") together with representatives of the Presidency of the Council of the EU, the President and national members of Eurojust and the General Secretariat of the Council, met to discuss some issues of common interest, namely the ongoing discussions on draft Decisions on strengthening of Eurojust and the European Judicial Network and how to bring the EU Prosecutors General closer to decision making structures of the EU.

There were two presentations, by Hans Nilsson and Solveig Wollstad.

Hans Nilsson discussed about the new role of the Eurojust in view of the new legislation and presented current objectives of the role of Eurojust, namely: 1. to further facilitate and strenghted the collaboration between national authorities and the Eurojust, 2. to increase the exchange of information, 3. increase the capacity to deal with urgent cases, 4. to create equivalent level of powers for national members, 5. administrative, IT and budgetary enforcement.

Solveig Wollstad presented practical aspects of the new legislation on Eurojust and talked about the role and the efficiency of the Eurojust. In her presentation she introduced the competences of the Swedish national member and some cases where the help of Eurojust was involved. In detail, a case of controlled delivery was presented where the coopertion was very efficient. The role of the Eurojust is therefore especially important in cases of serious organized crime. A more powerful Eurojust would be useful and the vision of the Eurojust should be to be the key player adn a centre of excellence at a judicial level for effective action against organized cross border crime in the EU.

2. They were informed of the current state of play of negotiations on the draft Decisions concerning Eurojust and EJM, the practical consequences of a more approximated approach to equivalent powers of national members of Eurojust and discussed its implications for the future. In general, they considered that the time was now ripe to take a further step towards strengthening the practical operation of Eurojust and EJM and to ensure that these bodies could enhance and facilitate operational cooperation between national competent authorities and assist in coordination.

3. They agreed that it was primordial to strengthen further the cooperation with national competent authorities and that already taken decisions, such as Decision 2005/671/JHA, needed to be implemented properly at national level. It was agreed that further examination should be undertaken with a view to strengthening Eurojust's operational support to national

competent authorities as regards exchange of information and dealing with urgent cases. In order to improve the capacity to deal with urgent cases, the idea to form a crisis number within the Eurojust which will be available to all member states all the time arose.

4. They agreed also that the notion of equivalent powers needed to be carefully examined in the future discussions and that the idea of equivalent powers had some merit, as the situation in the member states differed considerably. They noted that the idea of use of powers of national members, acting in their capacity as national judicial authorities, would be in relation to their own member state; it would be complementary, subsidiary and only carried out in most instances in urgent cases. They considered that under such circumstances, the issue needed to be studied in detail but they expressed support for the general lines of such a system.

5. As regards the item Bringing the EU Prosecutor Generals closer to the EU, they expressed support for the idea of seeking a closer involvement of the Prosecutor Generals in the EU decision making process. They considered that they in a majority of member states were responsible for taking of public action ("action publique") and that as such they needed to become more closely involved in European decision making. For instance, the Prosecutors General should be more closely involved in the setting of priorities following the Organised Crime Threat Assessment Report (OCTA) by Europol. They welcomed the announcement of the incoming French Presidency that it would convene a meeting of decision makers in this field in Paris in the autumn, inter alia to further discuss the future of this initiative.

6. They asked the Presidency of the Council to bring these conclusions to the attention of the relevant bodies of the European Union, and in particular the Article 36 Committee, the European Commission and the Secretary General of the Council.