



New EU initiatives

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Peter Csonka, European Commission

Achievements in current legislature (2020-24)

- **Criminal law:** many pre-Lisbon EU legislative acts revised and « lisbonised » (e.g. THB, ML, VaW, Smuggling of migrants, Environmental crimes, soon Corruption) and new offences added (sanctions violation)
- **Procedural law:** amendment of the Victims' Rights Directive and soft law (COM Recommendation on Detention, revised Handbook on the European arrest warrant (EAW), COM Guidelines on extradition to third States, Victims Rights' Strategy (2020-2025))
- **Judicial cooperation:** new rules on E-evidence (Regulation and Directive) and soon on transfer of proceedings in criminal matters (negotiations concluded); JIT Collaboration Platform
- **International cooperation:** updates in EU-Japan MLA agreement and new EU-3rd country agreements for Eurojust (ARM, LEB, BiH, soon ALG)

Caveats for new mandate (2024-2029)

- New COM likely to establish new priorities – COM right of initiative (services cannot bind future COM)
- **Enforcement** will continue to be crucial (dialogue, guidance, infringements)
- **Security Union priorities** (migration, cybercrime, drugs, OC and HVTs)
- **Balancing** security needs and fundamental rights (Encrochat = data retention, data protection, professional secrecy)
- **International cooperation** with priority jurisdictions

Criminal law

1. New Euro-crimes?

- Illicit arm trafficking (83(1) TFEU) + EU Action Plan against Firearms Trafficking 2020-2025
- Counterfeiting (83(2) TFEU) – notably for medicines and IP products
- Revision of PIF Directive to align with Corruption Directive
- Extension of 83(1) – hate crime/hate speech + AI, disinformation, election

Criminal law

2. More consistency in EU instruments

- General part of EU criminal law
- Model rules
- Criminal liability of legal persons
- Jurisdiction rules

Procedural law

- Explore role of AI (use in JHA area)
- Admissibility of evidence
- Pre-trial detention
- Codification of defence rights
- Law enforcement access to (encrypted) data and rules on cross-border surveillance

Judicial cooperation

- Lisbonisation of JIT FD (following JIT CP)
- Digitalisation, including videoconferencing
- Rules on investigations/prosecutions when crypto-assets are involved
- General part of mutual recognition instruments (e.g. grounds for refusal)

EU JHA bodies/agencies

- EPPO
 - Evaluation by 2026 + possible proposals, incl. extension of competence
 - Laboratory for the development of EU criminal law
- Eurojust
 - Evaluation by 2025 + possible proposals, including deploying full potential of Article 85 TFEU
 - Network of prosecutors against organised crime
- EJM (review)
- Reflections on the EU agencies and bodies architecture

International dimension

1. Agreements for cooperation of EU bodies/agencies (EPPO, Eurojust), as also highlighted in the EU Roadmap to combat drug trafficking and organised crime 2020-2025
2. Criminal law dimension in the process of enlargement
3. EU's role under international agreements (e.g. forthcoming negotiation of protocol to Warsaw Convention)
4. Restoring justice in Ukraine
 - a. Use of confiscated assets for Ukraine
 - b. EU's participation in discussions on international tribunal

Thank you



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