

Opening speech

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Thierry Hoscheit, President of the Superior Court of Justice and the Constitutional Court,
Luxembourg

Madam Minister

Distinguished Prosecutors-General

As President of the Superior Court of Justice of Luxembourg, I would like to welcome you to the 15th meeting of your NADAL network.

I must confess that I feel a bit like a stranger in your circle, since throughout my professional life I have been primarily a judge in the field of civil law. And I have done so out of passion.

However, I have to admit that criminal law is also going through some exciting times. Just think of the decisions taken in recent weeks in The Hague as part of the implementation of international criminal law.

Your field of action is obviously quite different; you do not have universal jurisdiction to prosecute ordinary crime. I'm still pushing open doors by saying that crimes, criminality and criminals know no borders, while your powers are in principle limited by the national sovereignties that delimit your powers.

National sovereignties come to your aid through international conventions that organise international cooperation, or in a more elaborate form by creating international prosecution authorities like the European Public Prosecutor for the Protection of the European Union's Financial Interests, which you will have the opportunity to discuss during your work and whose admission as an observer to your network is on the agenda of your General Assembly.

But let's come back to you, to what you do on a daily basis and what the Network can offer you.

In the course of my professional life, in the specific fields of competition law and media regulation, I have had the opportunity to experience institutionalised networks and their usefulness for understanding the subject, for exchanging experience and for international cooperation. What is special about these networks, however, is that they operate within the framework of a body of law harmonised at European level.

Such harmonisation has not (yet) taken place in criminal law, which is still very much a national law, and each of you masters your own law to perfection. However, your network enables you to enrich your experience in many other areas, such as the implementation of international cooperation instruments, the detection and understanding of new criminal strategies or simply personal exchanges.

I don't know what future you envisage for your network, which is currently based on your personal initiative. I note, however, that the institutionalised networks I mentioned also originally took the form of informal meetings between the competent national authorities, and were later enshrined in European Union regulations to give them an institutional basis. Perhaps in the not too distant future, criminal law will also take the form of more advanced and institutionalised cooperation, with the aim of combating criminal activities more effectively and efficiently.

In this respect, it is important to note that the European Union, notably through the CJEU, the Commission and the European Judicial Training Network, is already taking a close interest in the work of your network.

For now, I wish you a pleasant stay in Luxembourg. I am convinced that your discussions over the next 2 days will be fruitful and constructive with a view to robust criminal prosecution. In my view, effective criminal prosecution is one of the foundations of public confidence in the public justice service and ultimately contributes to the consolidation and maintenance of democracy.

Thank you for your attention.