


Procedure file

Basic information		
CNS - Consultation procedure	1997/0911(CNS)	Procedure completed
Judicial cooperation: creation of a European judicial network		
Subject 7.40 Judicial cooperation		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	LIBE Civil Liberties and Internal Affairs		15/09/1997
		PSE BONTEMPI Rinaldo	
	Committee for opinion	Rapporteur for opinion	Appointed
	JURI Legal Affairs, Citizens' Rights		23/09/1997
		PPE NASSAUER Hartmut	
Council of the European Union	Council configuration	Meeting	Date
	General Affairs	2111	29/06/1998
	Justice and Home Affairs (JHA)	2099	28/05/1998
	Justice and Home Affairs (JHA)	2075	19/03/1998
	Justice and Home Affairs (JHA)	2055	04/12/1997

Key events			
09/07/1997	Legislative proposal published	09804/1997	Summary
15/09/1997	Committee referral announced in Parliament		
04/11/1997	Vote in committee		Summary
04/11/1997	Committee report tabled for plenary, 1st reading/single reading	A4-0351/1997	
20/11/1997	Debate in Parliament		
20/11/1997	Decision by Parliament	T4-0572/1997	Summary
19/03/1998	Debate in Council	2075	
29/06/1998	Act adopted by Council after consultation of Parliament		
29/06/1998	End of procedure in Parliament		
07/07/1998	Final act published in Official Journal		

Technical information	
Procedure reference	1997/0911(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legal basis	Treaty on the European Union (after Amsterdam) M K.3-p2b
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/4/09236

Documentation gateway					
Legislative proposal		09804/1997	09/07/1997	CSL	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0351/1997 OJ C 371 08.12.1997, p. 0003	04/11/1997	EP	
Text adopted by Parliament, 1st reading/single reading		T4-0572/1997 OJ C 371 08.12.1997, p. 0165-0201	20/11/1997	EP	Summary

Final act
Justice and Home Affairs act 1998/428 OJ L 191 07.07.1998, p. 0004-0007

Judicial cooperation: creation of a European judicial network

OBJECTIVE: presentation of a joint action programme to create a European Judicial Network with the aim of establishing direct contact between judicial authorities and other authorities responsible for judicial cooperation in the Member States, to help combat forms of serious crime within the Union. SUBSTANCE: the European Judicial Network comprises judicial contact points between the Member States and is made up of the central authorities responsible for international judicial cooperation and the judicial authorities with responsibilities in this field, with the aim of combating certain forms of serious crime, such as organized crime, corruption and drug trafficking. To establish the network, each Member State designates one or more contact points and notifies the Council and the other Member States of its decision. Liaison magistrates could be linked to the judicial network by each Member State, where they would have similar duties to those allocated to the contact points. To ensure that the network works efficiently, bilateral contacts between the contact points in the Member States have been established, as have periodic meetings. The network supplies a certain amount of permanently updated background information, by means of an appropriate telecommunications network. It will provide the following information: - full details of the contact points in each Member State, - a simplified list of the judicial authorities and a directory of the local authorities in each Member State, - legal information concerning the judicial and procedural systems in the 15 Member States, - the texts of relevant legal instruments. Technical arrangements are defined in the draft joint action determining the objectives and purpose of bilateral contact and periodic meetings. The primary objective is to strengthen cooperation and encourage the exchanges between the relevant bodies. In its initial phase, the network will meet every three months in Brussels (seat of the Council) or in the capitals of the Member States, and then on an ad hoc basis as its members felt the need and at the invitation of the Presidency. The European Judicial Network will be evaluated one year after its implementation, and then once every three years. ?

Judicial cooperation: creation of a European judicial network

The Committee has unanimously adopted the report by Rinaldo BONTEMPI (PES, I), thereby endorsing the Council's proposal for a Joint Action to set up a European judicial network (Article K.6 of the Treaty - third pillar - consultation procedure). The aim of the proposal is to make the fight against all forms of serious crime more effective. The creation of such a network would lead to better judicial cooperation between Member States, improved understanding of each other's legal traditions and greater sharing of information received by the judicial authorities. A computerised list would be drawn up of cases already concluded or pending, to which access would be allowed wherever there was evidence of a link. The network would also ensure greater transparency, thereby allowing more effective parliamentary scrutiny. MEPs also believe that the "contact points" of which the network is to consist should have the best possible qualifications and experience. Lastly, the report calls on the Council to define clearly the relationship between these new judicial cooperation measures and the role to be played by Europol. ?

Judicial cooperation: creation of a European judicial network

In adopting the report by Mr Rinaldo BONTEMPI (PSE, I), the European Parliament has approved the proposal for a joint action, subject to amendments designed to strengthen the proposed judicial network. It calls for: - the network to combat all forms of serious crime: organized crime, corruption, drug trafficking; - network contact points to have extensive practical experience in combating organized crime and to be fully conversant with the constitutional provisions, legal traditions and legal procedures of the Member States; - Parliament to be informed of the composition of the judicial network (including alternates); - the network to respect the rights and fundamental freedoms of the individual; - multilateral links between the contact points and the circulation of information to be facilitated. Parliament has also amended the timetable and venues for network meetings and added the list of cases concluded or pending, wherever there is evidence of a link, to the types of information which must be permanently accessible through the network. Finally, it asks to be kept informed, through an annual assessment report, about the operation of the network and calls on the Council to ensure there is no overlapping between the responsibilities allocated under joint actions and those assigned to Europol. ?