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NOTE

From:	General Secretariat of the Council
To:	Delegations
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Subject:	Compilation of replies to the written consultation on the continued follow-up to the Council Conclusions of December 2018 on mutual recognition in criminal matters

Delegations will find in the Annex a compilation of replies by Member States to questions by the Presidency on the follow-up to the Council Conclusions of December 2018 on mutual recognition in criminal matters (see WK 5286/2020).

The compilation was distributed earlier as WK 6309/20, but has been distributed again in this public format, following a request by the European Judicial Network (EJN) and after a consultation of delegations. A contribution by RO has also been included.

Further, like WK 5286/2020, this compilation contains an overview of recent activities by the EJN.

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AUSTRIA

a) Designation of national specialists

Point 7 in the Conclusions state that "[t]he Member States are encouraged to designate practitioners — which can be national contact points for the European Judicial Network (EJN) — in their jurisdiction as specialists in judicial cooperation in criminal matters so that they can assist other practitioners in the application of all relevant instruments, including EU instruments based on the principle of mutual recognition".

Question: Member States are invited to indicate whether national practitioners have been designed as specialists in accordance with the Council conclusions, and on the basis of which criteria the selection of these specialists have been done.

In questions regarding judicial cooperation in criminal matters practitioners are predominantly supported by the EJN Contact Points in Austria – these Contact Points were selected following the criteria set out by the EJN-Guidelines for the selection of Contact Points of the EJN (PLEN2 2007/2). An additional role as pole for information in the field plays the Central authority at the Federal Ministry of Justice where practitioners work and are regularly consulted in practical and legal questions regarding the mutual recognition instruments. Some prosecution services in Austria have specialised prosecutors dealing with international cooperation – at the prosecution service Vienna the so-called “international group” of prosecutors is dealing with international assistance cases and advising other practitioners when needed.

b) The use of practical tools

Point 12 in the Conclusions state that "[t]he Member States are in particular invited to encourage practitioners to use the practical tools for judicial cooperation and the (electronic) forms and certificates of mutual recognition instruments that are available on the website of the EJM, as this may facilitate the application of these instruments".

Question: Member States are invited to report on what actions they have taken to encourage practitioners to use the practical tools, forms and certificates referred to in the Conclusions.

At each time of implementation of a mutual recognition instrument a circular letter accompanies the new legislation. In these circular letters the practical details and available tools are presented to the practitioners referring also to the EJM website as a valuable source of information. The intranet open to judges and prosecutors throughout Austria provides the forms and certificates in the same manner as the EJM website. A list of countries information gives links to the declarations and information contained in the EJM library.

Additionally, the topic on mutual recognition in criminal matters is dealt with in several seminars for practitioners which take place on a regular basis within the Austrian judiciary.

c) Dialogue and direct consultation

Point 13 in the Conclusions indicate that "[t]he Member States are invited to encourage practitioners that act as executing authorities in mutual recognition procedures to enter into dialogue and direct consultations with the issuing authorities in other Member States whenever this may be appropriate, in particular before considering not to recognise or execute a decision or judgment that is sent in the context of such procedures".

Question: Member States are invited to present what they have done to encourage relevant practitioners to enter into dialogue and direct consultation with the issuing authorities in other Member States.

The laws in Austria implementing the mutual recognition instruments clearly point out the obligation for direct communication and interaction when applying the instruments. In cases where direct communication is difficult to establish the help of EJM Contact Points and EUROJUST is offered to practitioners. Several training initiatives pointed out the importance of the direct communication and legal language training is offered to practitioners on a voluntary basis also aiming at the improvement of communication skills when directly contacting foreign authorities.

d) The capacity of EJM contact points

In point 14 in the Conclusions, it is said that "[t]he Member States are invited to ensure that the EJM Contact Points have the capacity to perform their tasks as EJM Contact Points along with their regular duties and tasks, as was highlighted in the Final Report of the of the Sixth Round of mutual evaluations (Recommendation No 7), so that the EJM can continue exercising its task effectively, including in the field of mutual recognition".

Question: Member States are invited to indicate what actions they have taken to ensure that the EJM contact points have the capacity to perform their tasks in accordance with the Conclusions.

EJM Contact Points in Austria are either local prosecutors or prosecutors working in the Federal Ministry of Justice. In the overall distribution of work at the prosecution services the function of an EJM Contact Point is assessed and valued taking into account the number of cases and the size of the region which the Contact Point is responsible for.

BELGIUM

a) Designation of national specialists

Point 7 in the Conclusions states that "[t]he Member States are encouraged to designate practitioners — which can be national contact points for the European Judicial Network (EJN) — in their jurisdiction as specialists in judicial cooperation in criminal matters so that they can assist other practitioners in the application of all relevant instruments, including EU instruments based on the principle of mutual recognition".

Question: Member States are invited to indicate whether national practitioners have been designed as specialists in accordance with the Council conclusions, and on the basis of which criteria the selection of these specialists have been done.

Reply BE:

Even before the adoption of the Council Conclusions in December 2018, Belgium had already in place a network of contact points for international cooperation within the public prosecution offices throughout the country. These “referential magistrates” are the ones mainly dealing with international cooperation files within their office and may be contacted by or assist other members of their offices.

Beside this network, the Federal Prosecutor’s Office is as such a specialized body in international cooperation, including the application of EU instruments based on the principle of mutual recognition. A special unit within the Federal Prosecutor’s Office is specifically dedicated to provide assistance to national judicial authorities when handling crossborder cases and is often contacted by local prosecutors as well as investigating judges.

Both the coordinator of the network of referential magistrates in international cooperation as well as the members of the specialized unit of the Federal Public Prosecutor’s Office are also EJN contact points.

b) The use of practical tools

Point 12 in the Conclusions states that "[t]he Member States are in particular invited to encourage practitioners to use the practical tools for judicial cooperation and the (electronic) forms and certificates of mutual recognition instruments that are available on the website of the EJN, as this may facilitate the application of these instruments".

Question: Member States are invited to report on what actions they have taken to encourage practitioners to use the practical tools, forms and certificates referred to in the Conclusions.

Reply BE:

A specific training is annually provided to national judicial authorities by the Belgian Judicial Training Institute where both legal instruments as well as practical tools for international cooperation are presented.

Regional trainings and workshops have also been organized with neighboring countries (e.g. The Netherlands) focusing in particular on the way to complete electronic forms of specific mutual recognition instruments.

Some national EJN contact points also contribute in the EJTN trainings as trainers where both legal instruments as well a practical tools are presented that are also used afterwards in the national trainings.

c) Dialogue and direct consultation

Point 13 in the Conclusions indicate that "[t]he Member States are invited to encourage practitioners that act as executing authorities in mutual recognition procedures to enter into dialogue and direct consultations with the issuing authorities in other Member States whenever this may be appropriate, in particular before considering not to recognise or execute a decision or judgment that is sent in the context of such procedures".

Question: Member States are invited to present what they have done to encourage relevant practitioners to enter into dialogue and direct consultation with the issuing authorities in other Member States.

Reply BE:

Dialogue and direct consultation are an inherent part of the implementing legislation (e. g. Art. 34 of Law of 13 June 2020 on the European Arrest Warrant, Art. 7 of Law of April 2017 regarding the European Investigation Order).

The importance of direct contacts is also emphasized during training sessions and seminars of the Belgian judicial authorities.

Experiences and good practices have also been exchanged between practitioners during national meetings of EJM contact points (the last one being organized in September 2019).

d) The capacity of EJM contact points

In point 14 in the Conclusions, it is said that "[t]he Member States are invited to ensure that the EJM Contact Points have the capacity to perform their tasks as EJM Contact Points along with their regular duties and tasks, as was highlighted in the Final Report of the of the Sixth Round of mutual evaluations (Recommendation No 7), so that the EJM can continue exercising its task effectively, including in the field of mutual recognition".

Question: Member States are invited to indicate what actions they have taken to ensure that the EJM contact points have the capacity to perform their tasks in accordance with the Conclusions.

Reply BE:

Belgian EJM contact points are designated within the bodies primarily concerned with international cooperation (members of the Federal Prosecutor's Office, coordinator of the national network of referential prosecutors, members of the central authority of the Ministry of justice, members of the European Criminal Unit of the Ministry of justice), considering their expertise and specialization but also considering their availability to provide appropriate assistance.

CROATIA

a) Designation of national specialists

Point 7 in the Conclusions state that "[t]he Member States are encouraged to designate practitioners — which can be national contact points for the European Judicial Network (EJN) — in their jurisdiction as specialists in judicial cooperation in criminal matters so that they can assist other practitioners in the application of all relevant instruments, including EU instruments based on the principle of mutual recognition".

Question: Member States are invited to indicate whether national practitioners have been designed as specialists in accordance with the Council conclusions, and on the basis of which criteria the selection of these specialists have been done.

According to the Article 11 of the Act on Judicial Co-Operation in Criminal Matters with Member States of the European Union, contact persons for the European Judicial Network in Criminal Matters in the Ministry of justice are designated by the Minister, those in the courts competent for judicial co-operation by the president of the court in question, and those in the competent State Attorney's Offices by the State Attorney General of the Republic of Croatia. Subsequently, we have 27 EJN contact points (16 at the courts, 2 at the ministry of justice, 9 at the state attorney's offices).

Contact persons for the EJN undertake measures for the purpose of facilitating direct contacts between competent domestic judicial authorities and the competent judicial authorities of other Member States in the execution of the decisions of judicial authorities. They provide assistance to domestic and foreign judicial authorities, upon their request, in determining the competent judicial authorities for the execution of the decisions of judicial authorities.

b) The use of practical tools

Point 12 in the Conclusions state that "[t]he Member States are in particular invited to encourage practitioners to use the practical tools for judicial cooperation and the (electronic) forms and certificates of mutual recognition instruments that are available on the website of the EJN, as this may facilitate the application of these instruments".

Question: Member States are invited to report on what actions they have taken to encourage practitioners to use the practical tools, forms and certificates referred to in the Conclusions.

The meetings of EJM contact points on the national level have been organized (the last one on 28/02/2020) for the purpose of sharing best practices and information, further explaining their roles as EJM contact points, and especially encouraging the use of the EJM website. We also organized two EJM Regional meeting in 2015 and 2018 as well as participated at the Regional EJM meetings organized in the neighbourhood countries. Judicial academy has also organized several workshops on the judicial cooperation in criminal matters (at these workshops EJM website and tools were also presented and used).

As already mentioned in the answer to question a), EJM contact points provide assistance to domestic judicial authorities, which includes encouraging other practitioners to use the EJM website and its' content.

c) Dialogue and direct consultation

Point 13 in the Conclusions indicate that "[t]he Member States are invited to encourage practitioners that act as executing authorities in mutual recognition procedures to enter into dialogue and direct consultations with the issuing authorities in other Member States whenever this may be appropriate, in particular before considering not to recognise or execute a decision or judgment that is sent in the context of such procedures".

Question: Member States are invited to present what they have done to encourage relevant practitioners to enter into dialogue and direct consultation with the issuing authorities in other Member States.

The Act on Judicial Co-Operation in Criminal Matters with Member States of the European Union, implementing, among others, European legal acts dealing with mutual recognition in the legal system of the Republic of Croatia, prescribes direct cooperation and consultation between competent judicial authorities within EU Member States.

Practitioners are encouraged to use direct communication with their counterparts in other Member States, with EJM contact points serving as a facilitator / intermediary when needed.

d) The capacity of EJM contact points

In point 14 in the Conclusions, it is said that "[t]he Member States are invited to ensure that the EJM Contact Points have the capacity to perform their tasks as EJM Contact Points along with their regular duties and tasks, as was highlighted in the Final Report of the of the Sixth Round of mutual evaluations (Recommendation No 7), so that the EJM can continue exercising its task effectively, including in the field of mutual recognition".

Question: Member States are invited to indicate what actions they have taken to ensure that the EJM contact points have the capacity to perform their tasks in accordance with the Conclusions.

EJM contact points in the Republic of Croatia (27 in total) are all experienced practitioners coming from Courts, Public Prosecutor Offices and Ministry of Justice. All of them are dealing with cases of judicial cooperation on daily basis.

Various Croatian EJM Contact points have attended EJM Plenary meetings, which are organized twice a year, allowing them to meet and share experience experiences and gain further knowledge on judicial cooperation in criminal matters. National meetings have also been organized in Croatia, with the aim of further strengthening capacities of EJM contact points.

CZECH REPUBLIC

Question: Member States are invited to indicate whether national practitioners have been designed as specialists in accordance with the Council conclusions, and on the basis of which criteria the selection of these specialists have been done.

Answer: Persons, who serve as contact points of the European Judicial Network, are appointed with their consent and dismissed by the Minister of Justice out of the ranks of judges, public prosecutors or officials of the Ministry of Justice, whereas he will take into account their professional and language skills and experience. In case of public prosecutors upon a proposition of the Supreme Public Prosecutor. In CZ, 14 contact points were appointed. At present, the contact points include judges, prosecutors and officials from the Ministry of Justice. They all have knowledge and experience in the field of international judicial cooperation in criminal matters and have knowledge at least of one other official language of the EU.

Question: Member States are invited to report on what actions they have taken to encourage practitioners to use the practical tools, forms and certificates referred to in the Conclusions.

Answer: Practitioners (judges and public prosecutors) should be aware of the existence of the EJN website thanks to the undertaken trainings (including the trainings abroad organized by EJTN). According to the experience of MoJ and the Supreme Public Prosecutor's Office (SPPO), the awareness of the public prosecutors and judges concerning the EJN tools is on relatively high level. There is Extranet of MoJ accessible for MoJ official, judges and prosecutors and Extranet of Public prosecution accessible for prosecutors. Both of the Extranets provide information about the EJN and its tools. The EJN is being promoted also during seminars organised by the Czech Judicial Academy. As a standard, the "Atlas" database is used most frequently to find a competent authority in another Member State. The Atlas is valued as a very useful tool, the judicial authorities have mostly a good experience therewith. The Judicial Library is also rated very positively. The availability of the information regarding the international judicial cooperation in criminal matters speeds up the proceedings. Fiches Belges, providing practical information for individual measures in the individual States are used rather rarely. Compendium is not used in practice. Practitioners can therefore use the tools they consider appropriate and effective.

Question: Member States are invited to present what they have done to encourage relevant practitioners to enter into dialogue and direct consultation with the issuing authorities in other Member States.

Answer: The implementation of all framework decisions and directives based on the principle of mutual recognition in national CZ law is based exclusively on direct contacts between judicial authorities. Therefore, the judicial authorities of CZ act in direct contact with other Member States' competent judicial authorities when applying instruments based on the principle of mutual recognition. CZ has not determined any central authority as an authority designated to send/receive certificates. The role of the central authorities is limited only to practical, methodological and administrative assistance. If a difficulty in communication with a judicial authority of another Member State occurs in practice, the judge or the public prosecutor have always the option to contact the EJM contact point for CZ who in such case provides him/her assistance.

Question: Member States are invited to indicate what actions they have taken to ensure that the EJM contact points have the capacity to perform their tasks in accordance with the Conclusions.

Answer: Because all Czech contact points of the EJM are practitioners in the field of international judicial cooperation in criminal matters, they perform their work as contact points without any restrictions or problems. In CZ, no problems have been reported so far that the contact point would not be able to perform its tasks properly and on time.

DENMARK

a) Designation of national specialists

Question: Member States are invited to indicate whether national practitioners have been designed as specialists in accordance with the Council conclusions, and on the basis of which criteria the selection of these specialists have been done.

Taking into consideration the Principles for appointing the EJM Contact Points, set out on 23 November 2018 by the EJM, the Office of the Director of Public Prosecutions (DPP) has - when designating contact points - especially focused on skills such as practical experience in criminal proceedings and practical experience in international judicial cooperation.

Denmark has at the moment designated 5 senior prosecutors as national contact points with the EJM – one also designated as National Correspondent and one also designated as Tool Correspondent. Regarding three of the designated national contact points, the main criteria for their selection is their capacity as specialists in international cooperation and Mutual Legal Assistance (MLA), as they work with the Unit for International affairs with the DPP and the State Prosecutor for Serious Economic and International Crimes respectively.

Regarding the two other designated national contact points, they have been selected on the basis of their experience in the field of processing MLAs. Also, they have been selected among the District Prosecution Services, as most of the MLAs are processed by the District Prosecution Services. Finally, they have been geographically selected, as they work in the Western and Eastern part of Denmark respectively.

b) The use of practical tools

Question: Member States are invited to report on what actions they have taken to encourage practitioners to use the practical tools, forms and certificates referred to in the Conclusions.

The DPP provides guidance for the Danish prosecution service on international cooperation and mutual legal assistance on the DPPs website, including national guidelines on for instance mutual legal assistance and the European Arrest Warrant. On the website and in the national guidelines there are references to the EJM website and to the EJM Atlas and descriptions of the use of the relevant certificates.

c) Dialogue and direct consultation

Question: Member States are invited to present what they have done to encourage relevant practitioners to enter into dialogue and direct consultation with the issuing authorities in other Member States.

For the DPP it is the usual practice to clarify any kinds of questions by reaching out to the requesting authority, prior to the making of a decision or the processing of a request.

d) The capacity of EJM contact points

Question: Member States are invited to indicate what actions they have taken to ensure that the EJM contact points have the capacity to perform their tasks in accordance with the Conclusions.

When designated as a contact point the tasks are considered part of the job portfolio. No special time is allocated for the tasks as such. However, as mentioned under section a) three out of the five EJM contact points have been selected from the central authorities, who are already designated to handle matters on international cooperation as part of their regular duties. This ensures that their tasks as EJM contact point are considered to be a part of their daily work.

Also, the majority of tasks as well as the most comprehensive tasks coming from the EJM cooperation is directed to these three contact points.

FINLAND

A)

7. The Member States are encouraged to designate practitioners — which can be national contact points for the European Judicial Network (EJN) — in their jurisdiction as specialists in judicial cooperation in criminal matters so that they can assist other practitioners in the application of all relevant instruments, including EU instruments based on the principle of mutual recognition;

In Finland, we have a wide-ranging selection of Contact Points. For instance, we have three judges appointed as Contact Points of the EJN – they also assist other judges in Finland. In relation to this, it would be preferable for all Member States to have judges as Contact Points because it would facilitate even more cross-border dialogue. Furthermore, two specialized practitioners have been appointed as Contact Points; one is in the Legal Register Centre (re enforcement of financial penalties and confiscation orders) and one is in the Criminal Sanctions Agency (re FD 909 and 947).

In addition, we have prosecutors as Contact points that are specialized in different EU-instruments (such as EIO and EAW), JIT's as well as to different areas of crime e.g. economic crimes, war crimes, environmental crimes, organized and drug crimes and sexual and violent crimes.

The designation of Contact Points takes place according to our “national action plan”: Contact Points should work in the national authorities that are responsible for mutual legal assistance in criminal matters with concrete tasks in the field. Contact Points should also have an interest in these tasks and have qualities and skills needed.

B)

12. The Member States are in particular invited to encourage practitioners to use the practical tools for judicial cooperation and the (electronic) forms and certificates of mutual recognition instruments that are available on the website of the EJN, as this may facilitate the application of these instruments;

In the intranet of the Finnish courts there are guidance including how to use the Compendium in the EJM website. However, the use of the Compendium has a short time slot, which hinders the use of it. For instance, EIO cannot be filled in such a short time and the data is not saved. Furthermore, in order for practitioners to fully benefit from these electronic forms, we should have a common secured electronic channel between Member States.

C)

13. The Member States are invited to encourage practitioners that act as executing authorities in mutual recognition procedures to enter into dialogue and direct consultations with the issuing authorities in other Member States whenever this may be appropriate, in particular before considering not to recognise or execute a decision or judgment that is sent in the context of such procedures;

Direct contacts are the main rule. EJM can also be helpful in facilitating these direct contacts. In relation to this, it would be useful to know if other Member States have EJM Contact Points specialized in certain EU instruments? If there are a large number of Contact Points in a Member States, the specialization of a Contact Point helps to select whom to contact.

D)

14. The Member States are invited to ensure that the EJM Contact Points have the capacity to perform their tasks as EJM Contact Points along with their regular duties and tasks, as was highlighted in the Final Report of the of the Sixth Round of mutual evaluations (Recommendation No.7), so that the EJM can continue exercising its task effectively, including in the field of mutual recognition;

In the work of our Contact Points, EJM enquiries are usually given priority in the work situation because EJM is working efficiently. Answer is often given even in the same day. This requires reciprocity.

FRANCE

(translation provided by the General Secretariat of the Council)

Question 1 – *Member States are invited to indicate whether national practitioners have been designated as specialists in accordance with the Council conclusions, and on the basis of which criteria the selection of these specialists has been made.*

Reply: France has designated specialists who are ordinarily involved in matters of mutual assistance in criminal matters in their capacity as European Judicial Network contact points, with the task of assisting other practitioners who deal with mutual assistance in criminal matters, in particular regarding the implementation of mutual recognition instruments. Designation of these specialists is based on the duties performed by the practitioners in question, taking into account their strong involvement in the practical application of mutual assistance (public prosecutors responsible for international mutual assistance in criminal matters, French liaison magistrates working in another EU Member State), and is also based on their willingness to take on this role.

Question 2 – *Member States are invited to report on what actions they have taken to encourage practitioners to use the practical tools, forms and certificates referred to in the conclusions.*

Reply: Various measures have been put in place to encourage those involved in dealing with mutual assistance to use the practical tools as well as the forms and certificates available on the website of the European Judicial Network, and to facilitate the application of these instruments:

- As regards training of judicial practitioners (further training, initial training), these tools are among those that future prosecutors/judges learn to use during an initial training programme on mutual assistance in criminal matters, which takes the form of practical workshops on mutual assistance. They are also covered in further training programmes for practising prosecutors/judges, which specifically focus on international mutual assistance in criminal matters or on the fight against specific forms of crime, placing particular emphasis on the subject of mutual assistance in criminal matters (combating organised crime, economic and financial crime, human trafficking, international drug trafficking, etc.).

- As regards dissemination, these tools are made widely available on the intranet site of the Office for International Mutual Assistance in Criminal Matters (and on that of the Office for the Execution of Sentences and Pardons) of the Ministry of Justice's Directorate for Criminal Matters and Pardons, which can be accessed by all judicial staff. It contains specific guidance on particular aspects of mutual assistance (mutual assistance for the purpose of investigations, mutual assistance for the purposes of seizure and confiscation, mutual assistance for the purposes of surrender of persons, mutual assistance for the purpose of mutual recognition of criminal judgments, etc.), with links to the relevant forms, and explanations and notes to facilitate use. All prosecutors/judges who may need to use these tools are informed about major developments and updates either via their hierarchy or via the contact points of the European Judicial Network.
- As regards support, under its responsibility for providing operational assistance to courts, the Directorate for Criminal Matters and Pardons is called upon daily to provide operational support to users of mutual assistance. Accordingly, the Office for International Mutual Assistance in Criminal Matters replies to the requests sent to it, mainly by email, that relate to operational difficulties that can arise in understanding the forms and certificates used in the various mutual recognition mechanisms. The liaison magistrates and contact points of the European Judicial Network based at courts also provide help and expertise in this connection. Lastly, and specifically in relation to European arrest warrants, it should be noted that the Justice Task Force (*mission-justice*), which falls under the Office for International Mutual Assistance in Criminal Matters, takes responsibility for having EAWs circulated via police cooperation channels, systematically checks EAWs before they are circulated, and provides advice to the prosecutors/judges issuing EAWs to preclude any difficulties in execution.

Question 3 – *Member States are invited to present what they have done to encourage relevant practitioners to enter into dialogue and direct consultation with the issuing authorities in other Member States.*

Reply: Where this manner of dialogue is required by the EU instrument in question, the relevant legislation or regulations draw attention to this need for consultation.

One example of this is Article 693-31 of the Code of Criminal Procedure, on recognition by the competent French courts of European Investigation Orders. The Article sets out the situations in which, before deciding not to recognise or execute, either wholly or in part, a European Investigation Order, the prosecutor/judge to whom it has been referred has to consult the issuing authority by any appropriate means and, where relevant, ask that authority to provide any necessary information without delay. It specifies that the prosecutor/judge to whom the matter has been referred is to inform the issuing authority, without delay and by any means that creates a written record, of any decision taken under the Article.

The Circular of 15 May 2017 of the Minister of Justice setting out implementing provisions for Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters reiterated this requirement, as laid down in Article 694-31 of the Code of Criminal Procedure.

As regards the mutual recognition of judgments imposing sentences or detention orders involving deprivation of liberty under Council Framework Decision 2008/909/JHA of 27 November 2008, several of the transposing texts refer to the requirement for direct consultation between the issuing and executing authorities.

- Accordingly, when it comes to the enforcement of a French sentence on the territory of another Member State, Article 728-16 of the Code of Criminal Procedure provides that before sending the judgment imposing the sentence and the certificate, the representative of the public prosecutor's office may consult the executing State's competent authority to determine, in particular, whether enforcement of the sentence on that State's territory would facilitate the sentenced person's social rehabilitation. The situations in which such consultation is mandatory are also stipulated.

- Where a French sentence is to be executed in France, several texts refer to this process of prior consultation, particularly:
 - Article 728-36 of the Code of Criminal Procedure: If the public prosecutor is consulted by the competent authority of the sentencing state before the judgment imposing the sentence and the certificate are forwarded and considers that enforcing the sentence in France would facilitate the sentenced person's social rehabilitation, he or she may send the competent authority of the sentencing state a written reasoned opinion to that effect. If the public prosecutor has not been consulted and, having received the judgment imposing the sentence and the certificate, considers that enforcement of the sentence in France would not facilitate the sentenced person's social rehabilitation, he or she shall, ex officio, send the competent authority a written reasoned opinion to that effect;
 - Article 728-38 of the Code of Criminal Procedure: If the public prosecutor considers that the content of the certificate is not sufficient to make a decision on the request for recognition and execution, he or she may request that the judgment imposing the sentence or the core parts of it, identified by the public prosecutor in consultation with the competent authority of the sentencing state, be translated into French. If it appears that the certificate is incomplete or inaccurate, the public prosecutor may also ask the competent authority of the sentencing state to have it completed or corrected;
 - Article 728-40: Where the public prosecutor intends to raise one of the grounds for refusal provided for in paragraphs 1 to 4, 7, 10 and 11 of Article 728-32 or in paragraph 1 of Article 728-33, he or she shall inform the competent authority of the sentencing state so that it can provide additional information as appropriate.

The need for consultation is set out in the implementing Circular of 28 October 2014 on the cross-border enforcement of custodial sentences.

The Ministry of Justice also reiterates the importance of such exchanges in the operational advice provided to the courts on a daily basis.

This direct contact between executing authorities is facilitated by the fact that the contact details of the European Judicial Network contact points are made available in the European Judicial Atlas. The French liaison magistrates abroad and foreign liaison magistrates in France also contribute to establishing this dialogue.

Question 4 – *Member States are invited to indicate what actions they have taken to ensure that the EJM contact points have the capacity to perform their tasks in accordance with the conclusions.*

Reply: In order to ensure that the European Judicial Network contact points have the capacity to carry out the tasks assigned to them, the Ministry of Justice's Directorate for Criminal Matters and Pardons takes the following steps in particular:

- It ensures that relevant tools, communications, studies and information intended to facilitate their operational tasks are made available to them. In the specific context of the impact of the health measures linked to the COVID-19 pandemic on cooperation in criminal matters, the European Judicial Network contact points have been sent:
 - legal analyses of the possibilities provided for in Council Framework Decision [2002/584/JHA](#) on the European arrest warrant and the surrender procedures between Member States for postponing the surrender of persons in respect of whom execution of a European arrest warrant has been authorised;
 - information on the health situation in the other Member States and on the obstacles to mutual assistance which may have arisen as a result, and in particular the regularly updated compilation, produced by Eurojust and the European Judicial Network, which provides a complete and up-to-date overview of the situation in all states concerned;
- It contributes to the engagement of members of the European Judicial Network:
 - by inviting them to take part in thematic surveys on mutual recognition, in which they are asked to describe their practices;
 - by involving them in the process of the ninth round of mutual evaluations on the European Union's instruments for cooperation in criminal matters, covering four framework decisions on mutual recognition (European arrest warrant, custodial sentences, probation and alternative measures to provisional detention);
 - by holding an annual meeting in Paris of the members of the European Judicial Network, in which the Network members have had the opportunity to discuss their tasks, problems encountered and best practices as part of thematic workshops. The first meeting was held in 2019. The second, which was scheduled to take place in 2020, has for the time being been postponed indefinitely owing to the constraints of the health situation.

GERMANY

Question a) Designation of national specialists

Member States are invited to indicate whether national practitioners have been designed as specialists in accordance with the Council conclusions, and on the basis of which criteria the selection of these specialists have been done.

In each of the 16 German *Länder* a practitioner has been designated as EJM-Contact Point. Depending on the size of the *Länder* these Contact Points have deputies and assistants to support them in performing their tasks. All are experienced practitioners in the field of international cooperation in criminal matters, including matters of mutual recognition. The EJM-Contact Points are based at the prosecutors' or Prosecutor General's Offices. Additionally, there are two EJM-Contact Points at federal level (one at the Federal Office of Justice and one at the Federal Attorney General's office).

All 18 EJM Contact points can be contacted by prosecutors, judges and other players in the field of international cooperation on criminal matters like ministerial staff, police, tax investigators, customs etc.

The specialists are selected on the basis of practical experience in the field of international cooperation in criminal matters and - to a lesser extent – based on language skills.

Question b) The use of practical tools

Member States are invited to report on what actions they have taken to encourage practitioners to use the practical tools, forms and certificates referred to in the Conclusions.

The national Judicial Academy as well as the ministries of justice of the *Länder* and other institutions offer training sessions in which the EJM-website and the relevant tools are presented to judges, prosecutors and ministerial staff.

Manuals for practitioners have been issued on the use of the tools offered by the EJM-website. Furthermore, the EJM-website is mentioned as a resource in numerous other manuals on specific judicial areas such as skimming of illegal proceeds, money laundering and organised crime.

Several authorities have been incorporating the forms offered on the EJM-Homepage into their IT systems for technical reasons to further simplify the use of the forms.

Question c) Dialogue and direct consultation

Member States are invited to present what they have done to encourage relevant practitioners to enter into dialogue and direct consultation with the issuing authorities in other Member States.

Practitioners are informed via manuals and training seminars (see above question b) in which cases and how to contact issuing authorities.

Also, it remains one of the main tasks of the EJM-Contact Points to advise prosecutors and judges in specific cases on the necessity of direct consultation and to facilitate such direct contacts with the issuing authorities. In most cases prosecutors and judges are already aware of the necessity of a consultation- as it is explicitly foreseen in the German domestic law transposing the various framework decisions - and seek assistance via the EJM Contact Points on how to proceed.

Question d) The capacity of EJM contact points

Member States are invited to indicate what actions they have taken to ensure that the EJM contact points have the capacity to perform their tasks in accordance with the Conclusions.

EJM-Contact Points are chosen based on their knowledge and experience in the field of international cooperation in criminal matters and their knowledge of foreign languages. Usually they are expected to master at least English and one other language of the EU, in practice often French, Spanish or Italian, but also Polish or other languages.

Depending on the situation in each *Land* the EJM-Contact Points have specific amounts of work hours designated for their tasks.

GREECE

a) Designation of national specialists

Question: Member States are invited to indicate whether national practitioners have been designed as specialists in accordance with the Council conclusions, and on the basis of which criteria the selection of these specialists have been done.

REPLY: National practitioners have been designated in general as specialists in the field of mutual legal assistance in criminal matters. The criteria used for the selection of the national specialists are as follows: work-experience in international judicial cooperation, very good knowledge of, at least, the English language, deep knowledge of the institutions, the processes (formal and informal), and the guiding principles of the EU and ability to utilize computers and technology efficiently.

b) The use of practical tools

Question: Member States are invited to report on what actions they have taken to encourage practitioners to use the practical tools, forms and certificates referred to in the Conclusions.

REPLY: The C-A and Public Prosecutors – Members of the EJM-Criminal are always willing, when needed, to provide information and their expertise on issues of judicial cooperation in penal cases. Our Department has proceeded to the update of the Ministry's website as regards international judicial cooperation in criminal cases, providing more detailed and complete information on the relevant European and international legal instruments (that we operate as C-A), on the EJM identity at European and national level and its role in providing assistance to judicial or other authorities when dealing with cross border cases. However, there is still room for improvements in providing clear reference to the information available on the EJM criminal section and the Judicial Library of EJM. From time to time, our Department provides with information and explanations all judicial authorities in Greece (first Instance and Appeal Courts, Supreme Court and the respective Public Prosecutor's Offices at first, second and Supreme level) as well as to the national associations of the legal professions underlining the significance of the EJM at European/national level and its role in assisting in cross border cases.

c) Dialogue and direct consultation

Question: Member States are invited to present what they have done to encourage relevant practitioners to enter into dialogue and direct consultation with the issuing authorities in other Member States.

REPLY: Almost daily we encourage executing authorities, i.e. Public Prosecutor's Offices, to contact directly the issuing authorities in other Member States, when it comes to problems, questions or final decisions in certain criminal matters. Most frequently, this is the case, when our executing authorities are working on European Investigation Orders (EIO), MLA Requests or European Arrest Warrants (EAW) submitted by the judicial authorities of other member states.

d) The capacity of EJM contact points

Question: Member States are invited to indicate what actions they have taken to ensure that the EJM contact points have the capacity to perform their tasks in accordance with the Conclusions.

REPLY: Periodic meetings or contacts of the Network are organised where we exchange views, experiences and valuable information. The agenda of these meetings/contacts is mainly focused on the matters discussed at the EJM meetings at european level, any problems arising from the application of European Union instruments (regulations, directives) at national level and EJM obligations (factsheets, validation of notifications of instruments). The latter as well as EJM requests of information forwarded to our C-A from other contact points or competent requesting authorities are mainly distributed among the public prosecutors-national members of the network in order to be processed and answered. Also, following the EJM meetings at european level, a report is drafted from the national contact points who attended the meeting which is forwarded to all national members of the Network, the relevant General Directorate/Directorate and Departments of the Ministry, as well as the Minister's and General Secretary's Office.

HUNGARY

II. Continuation of the follow-up to implementation of the Conclusions

As announced in the informal **CATS** meeting on 18 May 2020, the Presidency will continue the follow-up to the Conclusions by moving the focus to the following additional aspects:

a) Designation of national specialists

Point 7 in the Conclusions state that "[t]he Member States are encouraged to designate practitioners — which can be national contact points for the European Judicial Network (EJN) — in their jurisdiction as specialists in judicial cooperation in criminal matters so that they can assist other practitioners in the application of all relevant instruments, including EU instruments based on the principle of mutual recognition".

Question: Member States are invited to indicate whether national practitioners have been designed as specialists in accordance with the Council conclusions, and on the basis of which criteria the selection of these specialists have been done.

Prosecutors with special experience in international cases are sitting at the county chief prosecutor's offices assisting the daily work of their colleagues sitting at the district prosecutor's offices (these prosecutors with special experience are not EJN contact points). A specialised network of prosecutors dealing with cybercrime-related issues was also established within the frame of the prosecution service.

The members of the European Law Advisors' Network are designed national specialists. Judges with practical experience in international criminal matters, proper knowledge of EU law and at least one foreign language can be selected as members of this network.

b) The use of practical tools

Point 12 in the Conclusions state that "[t]he Member States are in particular invited to encourage practitioners to use the practical tools for judicial cooperation and the (electronic) forms and certificates of mutual recognition instruments that are available on the website of the EJM, as this may facilitate the application of these instruments".

Question: Member States are invited to report on what actions they have taken to encourage practitioners to use the practical tools, forms and certificates referred to in the Conclusions.

The training of prosecutors has incorporated lectures on different aspects of international legal cooperation in criminal matters (both within and outside the European Union) for years now. Members of Eurojust and the European Judicial Network have been involved in these trainings. Prosecutors have received training on the use of website of the European Judicial Network, including the use of its tools, the library and the downloadable forms, that can be found on the website. A link to the EJM website has been shared on the intranet of the prosecution service, as well.

Every judge dealing with criminal cases has to take part in an obligatory online course on dealing with international legal cooperation in criminal matters. Members of the European Law Advisors' Network have to take part in special trainings biannually. The website of the European Law Advisors' Network also contain practical information in the field of international legal cooperation in criminal matters.

c) Dialogue and direct consultation

Point 13 in the Conclusions indicate that "[t]he Member States are invited to encourage practitioners that act as executing authorities in mutual recognition procedures to enter into dialogue and direct consultations with the issuing authorities in other Member States whenever this may be appropriate, in particular before considering not to recognise or execute a decision or judgment that is sent in the context of such procedures".

Question: Member States are invited to present what they have done to encourage relevant practitioners to enter into dialogue and direct consultation with the issuing authorities in other Member States.

During the trainings held for prosecutors and judges, practitioners are continuously encouraged to enter into direct consultation with the competent authorities of other Member States and – if needed – ask for the assistance of Eurojust or the European Judicial Network.

d) The capacity of EJM contact points

In point 14 in the Conclusions, it is said that "[t]he Member States are invited to ensure that the EJM Contact Points have the capacity to perform their tasks as EJM Contact Points along with their regular duties and tasks, as was highlighted in the Final Report of the of the Sixth Round of mutual evaluations (Recommendation No 7), so that the EJM can continue exercising its task effectively, including in the field of mutual recognition".

Question: Member States are invited to indicate what actions they have taken to ensure that the EJM contact points have the capacity to perform their tasks in accordance with the Conclusions.

The EJM contact point for the prosecution service has been provided with the sufficient time and equipment and also personal assistance to perform his/her tasks. In case of urgent cases he/she can be contacted outside of office hours, too.

The EJM contact point for the judiciary has access to the national registry of court cases and contact information for every court. He or she is also partially exonerated from his or her duties of judging cases in order to have enough time for his or her tasks as an EJM contact point.

LATVIA

1. Question: Member States are invited to indicate whether national practitioners have been designed as specialists in accordance with the Council conclusions, and on the basis of which criteria the selection of these specialists have been done.

In Latvia national practitioners have been designed as specialists in frames of international cooperation in criminal matters. All EJM contact points for Latvia have been chosen from Central authorities that realise judicial cooperation in accordance to specific judicial instruments. Contact points provide assistance to other practitioners in the application of all relevant instruments, including EU instruments based on the principle of mutual recognition.

2. Question: Member States are invited to report on what actions they have taken to encourage practitioners to use the practical tools, forms and certificates referred to in the Conclusions.

Experts from Central authorities on daily basis provide consultations and assistance to practitioners about the judicial instruments in criminal matters, ensure training in mentioned field. Specialists encourage practitioners to use the practical tools for judicial cooperation and the (electronic) forms and certificates of mutual recognition instruments that are available on the website of the EJM.

3. Question: Member States are invited to present what they have done to encourage relevant practitioners to enter into dialogue and direct consultation with the issuing authorities in other Member States.

Experts from Central authorities provide consultation and describe the possibility (where it is possible in accordance with specific judicial instruments) to contact directly or enter into dialogue with the issuing authorities.

4. Question: Member States are invited to indicate what actions they have taken to ensure that the EJM contact points have the capacity to perform their tasks in accordance with the Conclusions.

Central authorities in accordance with the internal developed orders ensure for nominated contact points the possibility to perform their EJM tasks along with their regular duties.

MALTA

a. Designation of national specialists

Member States are invited to indicate whether national practitioners have been designed as specialists in accordance with the Council conclusions, and on the basis of which criteria the selection of these specialists have been done.

The Office of the Attorney General, as the competent authority dealing with requests for international cooperation in criminal matters, has recruited a number of lawyers in recent years in order to satisfy the need for specialists in the field of international cooperation in criminal matters. An International Criminal Affairs Unit was set up and is now made up of four lawyers that have been trained to be able to deal with any issues which they might face when dealing with requests for international cooperation and also to be able to assist and advise on issues which prosecutors working in the criminal field might face in cases which involve an international law dimension. The current EJM contact point is also in constant communication with these lawyers in order to be able to respond to requests for information from foreign authorities in the most effective manner.

b. The use of practical tools

Member States are invited to report on what actions they have taken to encourage practitioners to use the practical tools, forms and certificates referred to in the Conclusions.

All lawyers that deal with international cooperation within the Office of the Attorney General make constant use of the resources available on the EJM website, especially the forms and certificates which are recognised in all other Member States. The forms in relation to EAWs have also been included into the legal framework which transposed the Council Framework Decision into Maltese law. European Investigation Orders are issued by using only the forms in Annex A and Annex B of Directive 2014/41. The same applies in relation to Freezing Order Certificates. These forms are therefore an integral part of the process of issuing a request for judicial cooperation or executing it.

c. Dialogue and direct consultation

Member States are invited to present what they have done to encourage relevant practitioners to enter into dialogue and direct consultation with the issuing authorities in other Member States.

Practitioners working within the field of international cooperation always consider dialogue and consultation with the issuing authority as the first port of call whenever concerns arise or there are uncertainties with regards to the request. In cases of European Investigation Orders and Freezing Orders, where Malta is the executing authority, direct communication is made with the issuing or validating authority, whichever is the case. As much as possible, consultation is done via email as this has proved most effective and the least time-consuming, especially in more urgent cases. In the case of European Arrest Warrants, any issues are raised with Sirene Malta and referred immediately to Sirene in the requesting state.

d. Capacity of EJM contact points

Member States are invited to indicate what actions they have taken to ensure that the EJM contact points have the capacity to perform their tasks in accordance with the Conclusions.

In Malta, the EJM contact point is a lawyer employed with the Office of the Attorney General and who also fulfills the duty of prosecutor. However, the Office is in the process of electing another lawyer to act as EJM contact point who also handles work in relation to international cooperation in order to better ensure that the EJM contact point is equipped to handle the work which the role entails and whose daily work merges well with the responsibilities of a Contact Point.

THE NETHERLANDS

a) Designation of national specialists

Question: Member States are invited to indicate whether national practitioners have been designed as specialists in accordance with the Council conclusions, and on the basis of which criteria the selection of these specialists have been done.

Reply: the Netherlands has designated specialists in accordance with the Council conclusions of December 2018 on mutual recognition in criminal matters. Specialists designated by the Netherlands are public prosecutors specialized in international and European judicial cooperation in criminal matters. There are approximately sixteen public prosecutors who are designated as such specialists. The judiciary has also designated a specialized contact point. Discussions between the national contact points of the European Judicial Network ('EJN') and Eurojust concerning cases take place on a structural basis, by taking into account the specific case at hand and the practical experience of specialists.

b) The use of practical tools

Question: Member States are invited to report on what actions they have taken to encourage practitioners to use the practical tools, forms and certificates referred to in the Conclusions.

Reply: the Netherlands has taken actions to encourage practitioners to use practical tools, forms and certificates, including by way of training courses and studies. The Dutch Training and Study Centre for the Judiciary (SSR) is providing various relevant courses and cooperates with the European Judicial Training Network (EJTN). The public prosecutors that are designated specialists, meet on a frequent basis and exchange information among each other. Every public prosecutor that is handling mutual recognition requests is provided with relevant information by the public prosecutors specialized in international and European judicial cooperation in criminal matters.

c) Dialogue and direct consultation

Question: Member States are invited to present what they have done to encourage relevant practitioners to enter into dialogue and direct consultation with the issuing authorities in other Member States.

Reply: the public prosecutors that are designated specialists receive language courses. This allows them to efficiently cooperate and consult with the issuing authorities in other Member States. The internal website of the Dutch Public Prosecution Office makes specific reference to the website of the EJM and the available forms. The EJM contact points play an important role in discussing complex cross-border cases and in finding practical solutions. Moreover, practitioners are encouraged to follow courses organized by the EJM. In this context, information is provided regarding the respective roles of the EJM and Eurojust.

d) The capacity of EJM contact points

Question: Member States are invited to indicate what actions they have taken to ensure that the EJM contact points have the capacity to perform their tasks in accordance with the Conclusions.

Reply: the public prosecutors that are designated specialists have significant experience in the area of judicial cooperation in criminal matters. They are trained to cooperate with colleagues at an international level and to apply a pragmatic approach. Structural dialogues between the Eurojust National Desk and the national EJM correspondents remain essential. The variety of administrative and operational tasks of the EJM correspondents implies a constant monitoring of workload.

POLAND

Q1:

Since the establishment of the network of national contact points of EJM in Poland, one of their tasks is to encourage prosecutors of public prosecutors' offices to benefit from EU instruments of mutual recognition in criminal matters and to assist prosecutors in the context of criminal proceedings.

Prosecutors appointed to act as EJM contact points have both knowledge of international legal cooperation in criminal matters, including the application of mutual recognition instruments of EU law, as well as many years of experience in conducting such cooperation, as well as the knowledge of foreign languages.

In 2018, each district court appointed a judge – coordinator for international cooperation and human rights matters, whose tasks include advising other judges on the procedure for applications concerning decisions subject to mutual recognition. The criteria for selection of coordinators are the same as for the prosecutors.

Prosecutors acting as EJM contact points and judges coordinators for cooperation in criminal matters work together in their daily work. In October 2019, a national meeting of judges and prosecutors of both networks took place in the National Public Prosecutor's Office. The meeting was devoted to current problems in cooperation in criminal matters at national level and in relations with courts and prosecutors from other EU countries. Examples of solutions to the problems and best practices were provided.

Q 2 and 3:

Ongoing training for prosecutors and judges provided by the National School of Judiciary and Public Prosecutor's Office promotes knowledge on available technical tools for conducting legal cooperation, including in the area of mutual recognition. In particular, prosecutors and judges are encouraged to use information and electronic forms available on the EJM website.

During this training, prosecutors and judges are also encouraged to establish direct contacts with their counterparts in other Member States when applying for or implementing legal assistance, in particular when there are doubts and problems with the implementation of decisions in the area of mutual recognition.

The National Contact Points of the EJM promote the Network website among prosecutors and judges and encourage the use of the tools and forms available on it. They also assist in establishing direct contacts with authorities of other EU countries on specific issues relating to international cooperation.

Q 4:

In order to reflect the work done by the EJM contact points, an electronic case register (Contact Point Reporting Tool) has been created. This register shows the scale of assistance provided by individual judges and prosecutors acting as EJM contact points. In the Polish Public Prosecutor's Offices, cases conducted by prosecutors acting as EJM contact points are covered by statistical tools so that the work performed by these prosecutors within the Network is visible in comparison with other obligations.

PORTUGAL

a) Designation of national specialists

Point 7 in the Conclusions state that "[t]he Member States are encouraged to designate practitioners — which can be national contact points for the European Judicial Network (EJN) — in their jurisdiction as specialists in judicial cooperation in criminal matters so that they can assist other practitioners in the application of all relevant instruments, including EU instruments based on the principle of mutual recognition".

Question: Member States are invited to indicate whether national practitioners have been designed as specialists in accordance with the Council conclusions, and on the basis of which criteria the selection of these specialists have been done.

The Public Prosecution Service in Portugal identified 23 specialised Prosecutors, one for each local jurisdiction. They have been nominated on basis of an appointment by the local responsible Prosecutor and there has been a combination of two criteria for their choice: motivation and foreign language skills. These 23 Prosecutors, together with the EJN contact points, have been involved in, at least, a once a year training session on international cooperation tools and instruments with both a theoretical approach as well as practical discussions on concrete cases. Also these 23 Prosecutors have been selected for the trainings activities provided by EUROJUST.

The Portuguese Judicial High Council has appointed a judge as a specialist to act as contact point (hereinafter CP) of the European Judicial Network, with extensive experience in criminal matters, who keeps holding his duties as a judge in a criminal court.

b) The use of practical tools

Point 12 in the Conclusions state that "[t]he Member States are in particular invited to encourage practitioners to use the practical tools for judicial cooperation and the (electronic) forms and certificates of mutual recognition instruments that are available on the website of the EJN, as this may facilitate the application of these instruments".

Question: Member States are invited to report on what actions they have taken to encourage practitioners to use the practical tools, forms and certificates referred to in the Conclusions.

For a long time, Portuguese judicial authorities have been provided with training, both at an initial level, at the Training School for Prosecutors and Judges as well as on a permanent regular basis, in training activities, both at national as well as local level, that addresses the EJM tools (mainly the Atlas and the Library) as well as on the use of certificates or forms provided by the EU instruments. The Prosecutor General's Office acts as a permanent help desk, bringing local authorities information and training on a case by case basis. The Prosecutor General's website as well as the INTRANET for Prosecutors have direct links to the EJM website and information on facilitation tools such as the list of contact points.

The Judge CP of the EJM-Criminal and the Portuguese Judicial High Council have worked together to create a website - <https://redepenal.csm.org.pt/> - with the aim of acting as a tool at the service of colleagues in the work involving judicial cooperation in criminal matters, namely by providing national and international legislative and jurisprudential information, as well as providing the main links to the most relevant institutions in this area, with direct access to platforms of the European Judicial Network where forms are available to facilitate the performance of acts of judicial cooperation in criminal matters, of which the Judicial Atlas, the "Fiches Belges", the Compendium and the Judicial Library stand out.

Portugal recognizes the importance of using certificates or forms which, being translated into all languages, simplify and consequently improve communications between the judicial authorities of Member States because this is also a way of moving towards building mutual trust.

c) Dialogue and direct consultation

Point 13 in the Conclusions indicate that "[t]he Member States are invited to encourage practitioners that act as executing authorities in mutual recognition procedures to enter into dialogue and direct consultations with the issuing authorities in other Member States whenever this may be appropriate, in particular before considering not to recognise or execute a decision or judgment that is sent in the context of such procedures".

Question: Member States are invited to present what they have done to encourage relevant practitioners to enter into dialogue and direct consultation with the issuing authorities in other Member States.

In Portugal, the CPs are designated in order to ensure effective coverage of the entire territory. Taking into account the functions they perform are specifically concerned with active intermediation in the context of judicial cooperation, they are at the disposal of the judicial authorities or other competent authorities of their own State, as well as the contact points of the other Member States, in particular through direct contacts with those authorities, for the sending and receipt of requests for legal assistance in criminal matters, in order to facilitate and enhance the success of cooperation

Usually the encouragement is done on a case by case basis, following general advises and encouragements provided at more general training activities. However, it's within the concrete case that this encouragement can be more fruitful and successful. Some difficulties arise, though, for instance in the application of FWD 2008/909/JHA where bilateral consultations are advised and it's not always clear which authority is in the position to answer doubts or questions.

Regarding the Judge CP provides, through his website and from disclosures made through the Portuguese Judicial High Council, access to a set of tools and ongoing support to all judges that wish to promote dialogue and direct consultation with the issuing authorities in other Member States.

d) The capacity of EJM contact points

In point 14 in the Conclusions, it is said that "[t]he Member States are invited to ensure that the EJM Contact Points have the capacity to perform their tasks as EJM Contact Points along with their regular duties and tasks, as was highlighted in the Final Report of the of the Sixth Round of mutual evaluations (Recommendation No 7), so that the EJM can continue exercising its task effectively, including in the field of mutual recognition".

Question: Member States are invited to indicate what actions they have taken to ensure that the EJM contact points have the capacity to perform their tasks in accordance with the Conclusions.

In the Portuguese system two types of contact points can be found. There is one/two contact points at the central authority; these ones are completely devoted to international cooperation and, therefore, the EJM activities are part of their daily lives. The other six contact points, though, have other competences since they are the directors of the regional criminal Departments as well as of the Central National Department and a local regional Judge. In such case the solution, at least for the Public Prosecution CPs, has been to appoint substitutes, prosecutors that have, among their competences in the departments, the special one of managing international cooperation requests, both incoming as outgoing, to assure some quality control, to obtain translations and to liaise with other CPs.

The appointment of a Judge as CP, following the recommendations of the Sixth round of evaluations allowed for a better and easier support of Judges and Judicial sections on international cooperation issues, however the Portuguese Judicial High Council is still waiting for the signature of the Protocol established with the Ministry of Justice of Portugal, which will allow the Judge CP to fully perform the functions of the Judge Contact Point of the European Judicial Network in Criminal Matters.

ROMANIA

a) Designation of national specialists

Point 7 in the Conclusions state that "[t]he Member States are encouraged to designate practitioners — which can be national contact points for the European Judicial Network (EJN) — in their jurisdiction as specialists in judicial cooperation in criminal matters so that they can assist other practitioners in the application of all relevant instruments, including EU instruments based on the principle of mutual recognition".

Question: Member States are invited to indicate whether national practitioners have been designed as specialists in accordance with the Council conclusions, and on the basis of which criteria the selection of these specialists have been done.

The national contact points to EJN are experts with a high expertise and many years of practical experience in the field of judicial cooperation in criminal matters within the central authorities (Ministry of Justice and Prosecutor's office of the High Court of Cassation and Justice) and from the judiciary (courts of appeal and prosecution offices attached thereof). Those experts are also involved in representing Romania in COPEN and other working groups organized at EU level.

At national level, they are involved in drafting/amending the national legislation on judicial cooperation in criminal matters, in drafting guidelines, establishing best practices and offering assistance to judicial authorities, both national and foreign.

b) The use of practical tools

Point 12 in the Conclusions state that "[t]he Member States are in particular invited to encourage practitioners to use the practical tools for judicial cooperation and the (electronic) forms and certificates of mutual recognition instruments that are available on the website of the EJN, as this may facilitate the application of these instruments".

Question: Member States are invited to report on what actions they have taken to encourage practitioners to use the practical tools, forms and certificates referred to in the Conclusions.

Annually, seminars and trainings for judges / prosecutors / clerks include an application of practical tools available on the EJN website and other on-line instruments in this field. Periodically, the Ministry of Justice issued guidelines for the use of the judges and clerks, underling the use of on-line practical tools.

Any important guidelines, reports, studies in this field are posted on the intranet accessible to the judiciary.

Also, the Romanian Judicial Network plays an important role in this respect, disseminating any important information including practice following the relevant jurisprudence of the European Court of Justice, providing assistance in drafting the requests or identifying the most proper legal instrument.

c) Dialogue and direct consultation

Point 13 in the Conclusions indicate that "[t]he Member States are invited to encourage practitioners that act as executing authorities in mutual recognition procedures to enter into dialogue and direct consultations with the issuing authorities in other Member States whenever this may be appropriate, in particular before considering not to recognize or execute a decision or judgment that is sent in the context of such procedures".

Question: Member States are invited to present what they have done to encourage relevant practitioners to enter into dialogue and direct consultation with the issuing authorities in other Member States.

All instruments on judicial cooperation in criminal matters are providing the direct contact between the issuing and the executing authority, implemented accordingly into Romanian relevant law. Direct consultation is encouraged.

Also, in case if the direct contact fails or other difficulties occur, the assistance of the national contact points to EJM or EUROJUST is used successfully.

d) The capacity of EJM contact points

In point 14 in the Conclusions, it is said that "[t]he Member States are invited to ensure that the EJM Contact Points have the capacity to perform their tasks as EJM Contact Points along with their regular duties and tasks, as was highlighted in the Final Report of the of the Sixth Round of mutual evaluations (Recommendation No 7), so that the EJM can continue exercising its task effectively, including in the field of mutual recognition".

Question: Member States are invited to indicate what actions they have taken to ensure that the EJM contact points have the capacity to perform their tasks in accordance with the Conclusions.

As already mentioned, the national contact points to EJM are experts with high expertise in the field of judicial cooperation designated within the central authorities and the judiciary. On a daily bases, as regular duty, they are assisting the national authorities in identifying the competent partners, drafting requests or certificates, choosing the most appropriate legal instrument applicable, facilitating the direct contact between issuing and executing authorities or speeding up the execution of requests.

SLOVAKIA

Designation of national specialists

Point 7 in the Conclusions state that "[t]he Member States are encouraged to designate practitioners — which can be national contact points for the European Judicial Network (EJN) — in their jurisdiction as specialists in judicial cooperation in criminal matters so that they can assist other practitioners in the application of all relevant instruments, including EU instruments based on the principle of mutual recognition".

Question: Member States are invited to indicate whether national practitioners have been designed as specialists in accordance with the Council conclusions, and on the basis of which criteria the selection of these specialists have been done.

The Slovak Republic has designed the Judicial network for the criminal matters which is a national network consists of the practitioners from the courts, which aim is to support the function of the Slovak Republic within the EJN by providing the information regarding concrete proceedings, exchange the information between practitioners and the Central Authority, identifying problems which occurred relating to the implementation of the European legislation etc. Every court has one single contact point that is a judge or a judicial clerk who works in the field of judicial cooperation, has an interest in this field and has a sufficient working experience. This person should also be able to work in English.

The use of practical tools

Point 12 in the Conclusions state that "[t]he Member States are in particular invited to encourage practitioners to use the practical tools for judicial cooperation and the (electronic) forms and certificates of mutual recognition instruments that are available on the website of the EJN, as this may facilitate the application of these instruments".

Question: Member States are invited to report on what actions they have taken to encourage practitioners to use the practical tools, forms and certificates referred to in the Conclusions.

Again, through the national Judicial network for the criminal matters. The Ministry of Justice as a Central Authority organises regular meetings with this network where it spreads the useful information also regarding the tools of the EJM website, information from another countries or relevant case law.

Dialogue and direct consultation

Point 13 in the Conclusions indicate that "[t]he Member States are invited to encourage practitioners that act as executing authorities in mutual recognition procedures to enter into dialogue and direct consultations with the issuing authorities in other Member States whenever this may be appropriate, in particular before considering not to recognise or execute a decision or judgment that is sent in the context of such procedures".

Question: Member States are invited to present what they have done to encourage relevant practitioners to enter into dialogue and direct consultation with the issuing authorities in other Member States.

When the Ministry of Justice as a central authority is contacted, we always try to inform the practitioners that direct contact is possible and it could be much faster way. We promote this also during the regular meetings of the Judicial network for the criminal matters (see above).

The capacity of EJM contact points

In point 14 in the Conclusions, it is said that "[t]he Member States are invited to ensure that the EJM Contact Points have the capacity to perform their tasks as EJM Contact Points along with their regular duties and tasks, as was highlighted in the Final Report of the of the Sixth Round of mutual evaluations (Recommendation No 7), so that the EJM can continue exercising its task effectively, including in the field of mutual recognition".

Question: Member States are invited to indicate what actions they have taken to ensure that the EJM contact points have the capacity to perform their tasks in accordance with the Conclusions.

By creating the national Judicial network for the criminal matters which ensures the direct contact between the EJM contact points and all the courts, so exchange of the information regarding the specific case /proceedings.

SLOVENIA

II. a)

In the Republic of Slovenia national practitioners were not designated as specialists in accordance with the point 7 of the Council conclusion, as the practice of judicial cooperation in criminal matters had shown that EJM contact points can provide efficient assistance to practitioners when using European legal acts in the field of mutual recognition. Such decision was taken based on the geographical characteristics of Slovenia, its size and the organization of EJM in Slovenia.

In the Republic of Slovenia activities of EJM contact points are regulated by Cooperation in Criminal Matters with the Member States of the European Union Act, with which the Republic of Slovenia implemented Framework Decision on EJM. With reference to Article 94 of Cooperation in Criminal Matters with the Member States of the European Union Act, at least one contact point shall be established in the territory of each higher court, comprising judges and state prosecutors, in addition to establishing a contact point at the Specialised Office of the State Prosecutor of the Republic of Slovenia and at the ministry responsible for justice. In the Republic of Slovenia there are 4 Higher Courts, 11 District Courts and 44 Local Courts. Therefore, in practice Slovenia has designated as contact points 5 judges working at District Courts, 4 prosecutors working at District Prosecutor's Office, one prosecutor working at the Specialized Prosecutor's Office of the Republic of Slovenia and one official working at the Ministry of Justice. National coordinator of the EJM is a supreme court judge, competent for all courts in the territory of the Republic of Slovenia. The EJM contact point designated at the Specialized Prosecutor's Office of the Republic of Slovenia gives advice and helps practitioners at their Office and the EJM contact point at the Ministry of Justice provides assistance to all practitioners who contact her.

All contact points are well trained and have necessary knowledge of EU instruments and national practices in order to provide the requested assistance to foreign authorities as well as to advise national practitioners in cases when they need assistance from other Member States. As the contact points work as judges and prosecutors at courts and prosecutor's offices at the first instance, practitioners address them when questions regarding EU law arise. Furthermore, contact points of the EJM organise trainings and lectures for legal practitioners. Therefore, legal practitioners are well familiar with information which judge or prosecutor they can contact when using the European legal acts in the field of mutual recognition.

However, the Republic of Slovenia will consider designating a specialist in accordance with the Council conclusion in case the practice shows such specialist would be needed.

II. b)

In the Republic of Slovenia EJM contact points meet on the national level two to three times a year. In these meetings best practices and information from all EJM meetings are shared. Trainings for practitioners are organized, where the importance of the EJM web page including the use of the practical tools, forms and certificates referred to in the Conclusion is highlighted. Last year EJM contact points organized trainings at all District Courts and Prosecutor's Offices in the Republic of Slovenia. Trainings were held by a contact point from the competence of the District Court/Prosecutor's Office, the contact point from the Ministry of Justice and the Slovenian national member of Eurojust. Significant time of the presentation was dedicated to the introduction of the EJM web page. In 2018 Slovenian contact points organized a Workshop for all legal practitioners regarding the use of the EIO. On the training the possibility of using the forms from the EJM web page was presented.

Please note that the Ministry of Justice regularly sends circularly letters to the judicial authorities notifying them about relevant EU instruments, case law of the CEU, documents adopted by the EJM and Eurojust and about the use of EJM Atlas. Similarly judicial authorities are notified by the Ministry of Justice about EJM web page, use of Atlas, how to find the competent authorities on the Atlas, how to find notifications of Member States to the Framework Decisions, how to use the forms, where to find the forms in Word format and similar.

II. c)

The Cooperation in Criminal Matters with the Member States of the European Union Act, with which the Republic of Slovenia has implemented the European legal acts, prescribes the direct cooperation and procedure of consultation between competent judicial authorities within EU Member States. Therefore, the Republic of Slovenia did not adopt any specific measures in order to further encourage practitioners to enter dialogue and direct consultation with the issuing authorities in other Member States. Nevertheless, practitioners are encouraged to consult with judicial authorities of other Member States at the EJM meetings, where best practices are shared and with letters from the Ministry of Justice in concrete cases.

Practitioners are also encouraged to turn to the contact points, who have knowledge on foreign legal systems and possibilities to meet with contact points of other Member States and can therefore help in cases where consultations are needed. In order to find a proper solution, it is convenient for both parties to be familiar with the domestic legal system and to be able to communicate in foreign language. The contact points first encourage the practitioners to communicate directly. When direct communication is hindered or not efficient, the role of the intermediary is overtaken by the contact points.

We would like to add that educational events in the field of mutual recognition and consultations, where practitioners from different Member States could meet, would be most useful.

II. d)

In the Republic of Slovenia, the Cooperation in Criminal Matters with the Member States of the European Union Act regulates activities of the EJM. Article 94 of the named Act stipulates that the Republic of Slovenia provides for effective cooperation with the European Judicial Network in order to improve judicial cooperation in criminal matters.

The European Judicial Network contact points are established in the Republic of Slovenia for the purpose of facilitating direct contact and cooperation between judicial authorities of Member States.

As we have mentioned at point a) of the Questionnaire the EJM contact points are designated at Courts, Prosecutor's Offices, at Specialized Prosecutor's Office of the Republic of Slovenia, at the Ministry of Justice and a national coordinator at the Supreme Court. With reference to above mentioned the Courts, the Prosecutor's Offices and the Ministry of Justice do enable EJM contact points to perform their tasks, along with their regular duties and tasks. Therefore, EJM contact points are able and encouraged to attend the European, regional and domestic meetings of the EJM and they have all necessary tools and equipment to perform their tasks.

Employers differently consider the obligations and tasks of the EJM contact points at their workplace. For instance, at the Courts the EJM work tasks are taken into account when assigning the regular workload to judges.

SPAIN

1. Member States are invited to indicate whether national practitioners have been designed as specialists in accordance with the Council conclusions, and on the basis of which criteria the selection of these specialists have been done.

The Spanish Prosecution Service has EJM contact points since 1998 and a national network of specialized prosecutors was set up in 2002. In addition, a Unit specialized in International Judicial Cooperation was created in 2011 within the Prosecutor General's Office, which is in charge of the execution and coordination of all aspects related to mutual legal assistance within the competence of the prosecutors, included mutual recognition decisions. The Unit is coordinated by a high level Prosecutor and counts with other specialized prosecutors; all of them are EJM contact points. Five administrative assistants and liaisons officers from National Police and Guardia Civil work in this unit.

The Chief Prosecutor of this Unit coordinates the aforementioned national network of specialized prosecutors in judicial cooperation (around 70 prosecutors) distributed in all provincial offices. Thus, the organigram of each Prosecutor's Office in Spain includes a specialized unit that is composed by one, two or three specialized prosecutors, depending on the number of cases they have to deal with. Some of these specialized prosecutors, particularly in the main cities, and in the Specialized Prosecutor's Offices in drugs, corruption, organized crime and terrorism have been designated as EJM contact points as well.

The selection process involves a call where interested candidates need to apply. The selection of the suitable candidates is carried out jointly by the Chief prosecutor of the office where the selected candidate works and the Chief of the International Cooperation Unit upon assessment of their capacities, such as previous experience in the field, MLA-related training courses and skills in foreign languages, being English a must. The candidate needs to be formally confirmed by appointment of the General Prosecutor.

The General Council of the Judiciary of Spain takes part in the various criminal judicial cooperation networks of the European Union, such as the European Judicial Network, the European Judicial Cybercrime Network, the Network of National expert on Joint Investigation Teams, etc., with judges specializing in judicial cooperation in criminal matters.

Apart from taking part in European networks for criminal judicial cooperation, the General Council of the Judiciary has created its own Spanish Judicial Network for International Judicial Cooperation (REJUE or “Red Judicial Española de Cooperación Judicial Internacional”), and the Expert Network of Judges on European Union Law (REDUE or “Red de Especialistas de Derecho de la Unión Europea”).

The Spanish Judicial Network for International Judicial Cooperation is composed of 30 judges and is coordinated by the International Relations Service of the General Council of the Judiciary.

The selection and appointment of its members and their functions are regulated in articles 8 to 12 of Regulation 1/2018 on mutual legal assistance and networks of international judicial cooperation. The selection of the members of the network is carried out through open and objective competition between judges with more than three years of service who attest to the proficiency of foreign languages as well as theoretical knowledge, by conducting specific courses, and practical experience in international criminal judicial cooperation.

Among other functions, judges’ members of the network have to assist technically their colleagues for the proper issuing and execution of mutual recognition instruments, reporting and expediting judicial assistance, which is an important support of the International Relations Service of the General Council of the Judiciary.

The European Union Network of Law Experts is composed of 18 judges divided into 6 sections. Section 3 is made up of three judges whose task is to study and disseminate judgments and decisions of the Court of Justice of the European Union concerning the area of freedom of security and justice in the field of criminal cooperation.

2. Question: Member States are invited to report on what actions they have taken to encourage practitioners to use the practical tools, forms and certificates referred to in the Conclusions.

Article 3 of Regulation 1/2018 on international judicial assistance regulates the vademecum of mutual legal assistance (“Prontuario de Auxilio Judicial Internacional”). It is a computer tool that facilitates international judicial assistance activities and is available to all members of the judiciary, prosecutors and judicial counselors (“Letrados de la Administración de Justicia”). It is maintained and updated by the International Relations Service of the General Council of the Judiciary in collaboration with the Prosecutor General’s Office and the Spanish Ministry of Justice.

The tool includes practical guides on the various instruments of mutual recognition where it is recommended to use the electronic forms and certificates available on the EJM website (Compendium), and has links to the European website with instructions in Spanish on how to complete these forms and certificates.

The International Relations Service of the General Council of the Judiciary disseminates information to members of the judiciary, encouraging them to use the instruments of judicial cooperation of the EJM website and training in their use.

The General Council of the Judiciary has developed initial and continuing training programmes providing judges with specific training on mutual recognition instruments.

The Spanish Prosecutor’s Office has also adopted a number of guidelines aimed at promoting and guiding on the use of mutual legal assistance and mutual recognition tools.

A new case management system for the registration and management of international requests has been set up in the Prosecutor’s Office; it also provides mutual recognition forms and certificates needed for practitioners. The system is being prepared to be connected to E-Codex. The International Cooperation Unit is frequently adopting guidelines and recommendations in order to guarantee a correct use of the e-tools among the network of specialized prosecutors and staff members.

Annual meetings for specialized prosecutors are organized in order to discuss cases where practical difficulties are tackled and knowledge about the latest developments in the field of international cooperation is shared. After each annual meeting, conclusions to guide the future practice in the matter are drafted.

Virtual and attendance-based courses for non-specialized prosecutors to spread knowledge and the good use of mutual recognition tools are regularly organized. Since specialized prosecutors are deployed across the country in all provincial offices, they are available for non-specialized colleagues who might need assistance or guidance whenever a cross-border investigation or MLA/EIO request is needed or underway; guidance on how to properly use MLA tools and forms is facilitated.

3. Question: Member States are invited to present what they have done to encourage relevant practitioners to enter into dialogue and direct consultation with the issuing authorities in other Member States

In most of the practical guides to mutual recognition instruments, which are contained in the already mentioned vademecum of mutual legal assistance, judges are encouraged to establish direct contact with the issuing authorities of other Member States, as this is the basis of the mutual recognition system.

In the case of the European arrest warrant, the executing authority in Spain is centralized in the 6 Central investigative judges of the National High Court in Madrid, and therefore due to their specialization, direct contacts are more frequent than with regards to other instruments. Direct contact with the issuing authorities is usually more common in Member States where there are Spanish liaison magistrates.

In the context of the specialized units within each Prosecutor's Office and the Unit of the General Prosecutor's Office, most of the specialized prosecutors have direct contact with their colleagues in other Member States. They also have the possibility to contact the competent authority through the EJM or Eurojust when the merits of the case so advise.

4. Question: Member States are invited to indicate what actions they have taken to ensure that the EJN contact points have the capacity to perform their tasks in accordance with the Conclusions.

The contact points of the European Judicial Network belonging to the judiciary reconcile their functions with the performance of their judicial work at the head of the courts and tribunals. Selection is regulated in article 15 of the Mutual legal Assistance Regulation 1/2018 in relation to article 33 of Law 16/2015.

Members of the EJN are selected by the Standing Committee of the General Council of the Judiciary through a public procedure based on equality, merit and capacity. EJN contact points have to be senior judges with at least 10 years in the category of judge, accredited knowledge of foreign languages, theoretical knowledge and practical experience in international criminal judicial cooperation.

To encourage the activity of judges as EJN contact points, a productivity salary supplement is established.

All prosecutors that are EJN contact points work in specialized units some of which have been reinforced with additional prosecutors after the entry into force of the EIO to guarantee an appropriate application to this new tool. Offices with a heavier workload have been strengthened with additional clerical support.

EJN contact points are encouraged to participate in EJN training courses and regional and national meetings targeted at improving their capacities and knowledge in judicial cooperation issues; different courses have been organized with this purpose.

SWEDEN

- a) Sweden had an existing network of EJM contact points in place when the Council conclusions were adopted. The practitioners designated, including public prosecutors and experts at the Ministry for Justice and the Swedish Prison and Probation Service, have been chosen for their experience in criminal law and the various instruments within the field of mutual recognition.
- b) When the various instruments have been implemented into national law there has been a dialogue with the concerned relevant competent authorities making regarding the practical use of the various instruments. The Ministry for Justice has gathered information regarding some of the instruments on its webpage, including links to EJM., and the various competent authorities in most cases have internal guidelines and information regarding how to use the instruments and where to go to find further information regarding them.
- c) The various instruments have been implemented in such a way that the practitioners have a legal basis for requesting further information or entering into direct dialogue with the competent authority in the issuing state. As stated above information regarding practical use the instruments are provided partly via information on the web page of the Ministry of Justice, partly via the competent authorities themselves.
- d) As stated above the persons selected as contact points are experienced practitioners, chosen in order to be able to provide fast and correct information to requests from competent authorities in other Member States. By selecting experienced practitioners it is also expected that they can carry out their role as contact points while also carrying out their ordinary duties.

EJN

RECENT ACTIVITIES OF THE EUROPEAN JUDICIAL NETWORK ON CRIMINAL MATTERS (EJN)

In parallel with the Council Conclusions on Mutual Recognition in Criminal Matters (Council doc 15272/1818), the EJN adopted under the Austrian Presidency “*Guidelines for the role, tasks and for appointing the Contact Points of the European Judicial Network (EJN)*”. The document describes the role and tasks of the EJN Contact Points, which forms the basis for the principles for appointing the Contact Points and as such, gives guidance for the Member States to designate EJN Contact Points.

The role of the EJN Contact Points with regard to the practical application of different mutual recognition instruments (focusing on Custodial sentences, Supervision of probation measures and alternative sanctions, Supervision measures as an alternative to provisional detention, Financial penalties, Confiscation Order and European Protection Order) was discussed under the Austrian Presidency in the 51st Plenary of the EJN Contact Points in Vienna in June November 2018 (Council doc 14754/18). The discussion were continued under the Romanian Presidency in the 52nd Plenary meeting in June 2019 in Bucharest (Council 14501/19) with the focus on the European Arrest Warrant (FD 2002/584/JHA), Custodial sentences (FD 2008/909/JHA); Supervision of probation measures (FD 2008/947/JHA) and Supervision measures as an alternative to provisional detention (FD 2009/829/JHA). In both conclusions various areas were identified where the EJN could be of assistance when it comes to the practical application of the existing mutual recognition Instruments as well as to development of new instruments. Finally, *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 Finnish Presidency in December 2019 giving a clear mandate to the EJN to continue to work on this issue and to provide relevant practical information to the EJN Contact Points.

The importance of the **EJN website**, too, has been emphasized in the above-mentioned conclusions. Over the last one and half year the EJM Contact Points have welcomed further developments of the EJM Website and its tools in order to encourage practitioners to use the tools available and to facilitate the application of the mutual recognition instruments. For example, dedicated sections have been created on the EJM Website on the **European Arrest Warrant, European Investigation Order**, and very recently on **judicial cooperation in criminal matters during COVID-19 outbreak**. A dedicated section for specific documents and legislation related to **electronic evidence**, too, is publicly available. The latter is also in line with the conclusions of the 53rd Plenary meeting of the EJM under the Finnish Presidency in November 2019.

Furthermore, the redesign of the EJM website has been launched in the second half of 2019; by the end of the 2020 the EJM website would have a new, modern and user-friendly interface to respond even better to the needs of the practitioners.