



Brussels, 27 March 2015
(OR. en)

5881/2/15
REV 2

COPEN 27
EUROJUST 23
EJN 10

NOTE

From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	5881/1/15 REV 1 COPEN 27 EUROJUST 23 EJN 10
Subject:	Implementation of the Council Framework Decision 2009/948/JHA of 30 November 2009 on prevention and settlement of conflicts of exercise of jurisdiction in criminal proceedings - Information provided to the General Secretariat

Delegations will find attached information about the state of play concerning the implementation of Council Framework Decision 2009/948/JHA of 30 November 2009 on prevention and settlement of conflicts of exercise of jurisdiction in criminal proceedings. This information is based on notifications by Member States, to which reference is made in the last column.

According to the information received, up to now 16 Member States (BE, CZ, DE, CY, HR, LV, LV, HU, NL, AT, PL, RO, SI, SK, FI, SE) have implemented the Framework Decision in their national legal order.

The information in the table is a summary of the notified information: delegations are invited to consult the documents referred to in the last column in order to obtain more detailed information.

The information provided in the table is up-to-date as at 27 March 2015. Any comments or suggestions for improvement should be sent to secretariat.criminal-law@consilium.europa.eu.

Council Framework Decision 2009/948/JHA of 30 November 2009 on prevention and settlement of conflicts of exercise of jurisdiction in criminal proceedings					
Member State	State/date of implementation of Framework Decision	Notification re Article 4(2) (Competent Authorities)	(Poss.) Notification re Article 4(3) (Central Authority)	Notification re Article 14 (1) (Languages)	Notification re Article 16 (Implementation)
BELGIUM	Implemented. Entry into force of legislation: 27 March 2013	The Public Prosecutor's Office		Any language understood and spoken by the authorities may be used.	12743/13
BULGARIA					
CZECH REPUBLIC	Implemented. Entry into force of legislation: 1 January 2014	In case of pre-indictment proceedings: prosecutors offices as set out in 7042/14 (page 3) In case of post-indictment proceedings: courts as set out in 7042/14 (page 3) (addresses provided)		Czech For the Slovak Republic CZ accepts also Slovak, and for the Republic of Austria CZ accepts also German.	7042/14
DENMARK					

Council Framework Decision 2009/948/JHA of 30 November 2009 on prevention and settlement of conflicts of exercise of jurisdiction in criminal proceedings					
Member State	State/date of implementation of Framework Decision	Notification re Article 4(2) (Competent Authorities)	(Poss.) Notification re Article 4(3) (Central Authority)	Notification re Article 14 (1) (Languages)	Notification re Article 16 (Implementation)
DEUTSCHLAND / GERMANY	Implemented.	Public Prosecutor's Offices			8437/12

Council Framework Decision 2009/948/JHA of 30 November 2009 on prevention and settlement of conflicts of exercise of jurisdiction in criminal proceedings

Member State	State/date of implementation of Framework Decision	Notification re Article 4(2) (Competent Authorities)	(Poss.) Notification re Article 4(3) (Central Authority)	Notification re Article 14 (1) (Languages)	Notification re Article 16 (Implementation)
ELLAS / GREECE					
ESPANA/ SPAIN					
ESTONIA					
FRANCE					
HRVATSKA / CROATIA	Implemented			English; Croatian only as an alternative	6157/15

Council Framework Decision 2009/948/JHA of 30 November 2009 on prevention and settlement of conflicts of exercise of jurisdiction in criminal proceedings					
Member State	State/date of implementation of Framework Decision	Notification re Article 4(2) (Competent Authorities)	(Poss.) Notification re Article 4(3) (Central Authority)	Notification re Article 14 (1) (Languages)	Notification re Article 16 (Implementation)
IRELAND					
ITALY					
KYPROS/ CYPRUS	Implemented. Entry into force of legislation: 10 August 2012	Police.		Greek English	7053/13 7328/13
LATVIA	Implemented. Entry into force of legislation: 1 July 2012	1) The Office of the Prosecutor General 2) The State Police 3) The Ministry of Justice (see 18157/13)			18157/13
LITHUANIA	Implemented. Entry into force of legislation: 1 December 2014	Prosecutors.	Prosecutor General's Office and a prosecutor of that Office (the national member of Eurojust for L.T. or the deputy national member)	Lithuanian English	5887/15 5889/15

Council Framework Decision 2009/948/JHA of 30 November 2009 on prevention and settlement of conflicts of exercise of jurisdiction in criminal proceedings

Member State	State/date of implementation of Framework Decision	Notification re Article 4(2) (Competent Authorities)	(Poss.) Notification re Article 4(3) (Central Authority)	Notification re Article 14 (1) (Languages)	Notification re Article 16 (Implementation)
LUXEMBOURG					
MAGYARORSZÁG / HUNGARY	Implemented.	The Supreme Prosecutor's Office	The Supreme Prosecutor's Office	Hungarian English German French	14288/13 18149/13
MALTA					
NETHERLANDS	Implemented. Entry into force: 15 June 2012	All public prosecutors	(No central authority)	Dutch English German (in oral communication any mutually understood and spoken language may be used)	14031/12

Council Framework Decision 2009/948/JHA of 30 November 2009 on prevention and settlement of conflicts of exercise of jurisdiction in criminal proceedings

Member State	State/date of implementation of Framework Decision	Notification re Article 4(2) (Competent Authorities)	(Poss.) Notification re Article 4(3) (Central Authority)	Notification re Article 14 (1) (Languages)	Notification re Article 16 (Implementation)
ÖSTERREICH/ AUSTRIA	Implemented. Entry into force: 1 August 2013	The public prosecutor's offices		German. Other languages can be used on a reciprocal basis.	15118/13
POLAND	Implemented. Entry into force: 17 October 2012			Polish	14252/12
PORTUGAL					
ROMANIA	Implemented.	Prosecutors in charge with the case. During the trial phase: court dealing with the case	Prosecution Office of the High Court of Cassation and Justice (address provided)	Romanian. Other languages also accepted if no obstacle to their use exist.	5677/14
SLOVENIA	Implemented. Entry into force: 20 September 2013	1) The public prosecutors 2) The investigating judges 3) The trial judges (see 5350/14)		Slovenian English. The competent authorities may also mutually agree to use any other language.	5350/14

Council Framework Decision 2009/948/JHA of 30 November 2009 on prevention and settlement of conflicts of exercise of jurisdiction in criminal proceedings						
Member State	State/date of implementation of Framework Decision	Notification re Article 4(2) (Competent Authorities)	(Poss.) Notification re Articles 4(3) (Central Authority)	Notification re Article 14 (Languages)	Notification re Article 16 (Implementation)	
SLOVAKIA	Implemented. Entry into force: 1 August 2013	The competent prosecutor who is conducting or who conducted parallel criminal proceedings in Slovakia		Slovak	5314/14 7554/15	
SUOMI / FINLAND	Implemented. Entry into force: 19 June 2012	1) The prosecutor assigned to the case; 2) The senior investigator. In default: - The office of the prosecutor general; or - The national bureau of investigation (see 11986/12)	1) The office of the prosecutor general. 2) The national bureau of investigation.	Finnish Swedish English Another language can be accepted if there is no obstacle to its use.	11986/12	

Council Framework Decision 2009/948/JHA of 30 November 2009 on prevention and settlement of conflicts of exercise of jurisdiction in criminal proceedings

Member State	State/date of implementation of Framework Decision	Notification re Article 4(2) (Competent Authorities)	(Poss.) Notification re Articles 4(3) (Central Authority)	Notification re Article 14 (Languages)	Notification re Article 16 (Implementation)
SWEDEN	Implemented (but no new legislation was necessary)	- The Swedish Prosecution Authority; - the Swedish Economic Crime Authority		Swedish Danish Norwegian English	6687/15
UNITED KINGDOM					