Basic information

2000/0816(CNS) CNS - Consultation procedure Decision	Procedure completed
Judicial cooperation: creation of a provisional Unit. Initiative Portugal, France, Sweden and Belgium **Subject** 7.40 Judicial cooperation	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Citizens' Freedoms and Rights, Justice and Home Affairs	GEBHARDT Evelyne (PSE)	29/08/2000

Committee for opinion	Rapporteur for opinion	Appointed
JURI Legal Affairs and Internal Market	WALLIS Diana (ELDR)	17/10/2000

Council of the European Union

Council configuration	Meetings	Date
Justice and Home Affairs (JHA)	2288	2000-09-28
Health	2319	2000-12-14

Key events

Date	Event	Reference	Summary
20/07/2000	Legislative proposal published	10356/2000	Summary
04/09/2000	Committee referral announced in Parliament		
28/09/2000	Debate in Council		Summary
23/10/2000	Vote in committee		Summary
23/10/2000	Committee report tabled for plenary, 1st reading/single reading	A5-0317/2000	
13/11/2000	Debate in Parliament		
14/11/2000	Decision by Parliament	T5-0499/2000	Summary
14/12/2000	Act adopted by Council after consultation of Parliament		
14/12/2000	End of procedure in Parliament		
21/12/2000	Final act published in Official Journal		

Technical information	
Procedure reference	2000/0816(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Decision
Legal basis	Treaty on European Union (after Amsterdam) M 034-p2c Treaty on European Union (after Amsterdam) M 031
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/5/13535

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0317/2000 OJ C 223 08.08.2001, p. 0006	23/10/2000	
Text adopted by Parliament, 1st reading/single reading		T5-0499/2000 OJ C 223 08.08.2001, p. 0021-0094	14/11/2000	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	10354/2000	14/07/2000	Summary
Legislative proposal	10356/2000 OJ C 243 24.08.2000, p. 0021	20/07/2000	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Decision 2000/0799
OJ L 324 21.12.2000, p. 0002 Summary

Judicial cooperation: creation of a provisional Unit. Initiative Portugal, France, Sweden and Belgium

2000/0816(CNS) - 14/07/2000 - Document attached to the procedure

This is an explanatory note on the initiative of Portugal, France, Sweden and Belgium setting up a Provisional Judicial Cooperation Unit. This Unit will contribute, in the short term, to improved coordination between national prosecuting authorities, in particular by supporting criminal investigations in organised crime cases, and by helping to simplify the execution of letters rogatory. Furthermore, on the basis of experience gained in this area, the members of the Provisional Judicial Cooperation Unit will be able to assist the Council and the Member States in the negotiations on setting up the Eurojust Unit by providing them with information acquired through the experience of practitioners.

Judicial cooperation: creation of a provisional Unit. Initiative Portugal, France, Sweden and Belgium

2000/0816(CNS) - 20/07/2000 - Legislative proposal

PURPOSE : to present an initiative of Portugal, France, Sweden and Belgium, on setting up a Provision Judicial Cooperation Unit. CONTENT : the Tampere European Council in October 1999 discussed the setting up of a unit (Eurojust) composed of prosecutors, magistrates or police officers of equivalent competence, to reinforce the fight against serious organised crime. Structural measures to facilitate the coordination of investigations and prosecutions covering the territory of several Member States need to be adopted at Union level without delay. This Decision sets up a "Provisional Judicial Cooperation Unit", which will stand until Eurojust is operating. Each Member State will assign to its Permanent Representation to the Union a prosecutor, magistrate, or police officer of equivalent competence to perform the liaison duties necessary to accomplish the aims of the Unit. These are: -to help ensure proper coordination between the competent national authorities with regard to investigations and prosecutions involving two or more Member States requiring coordinated action; -to facilitate judicial cooperation in criminal matters; -assist the Member States and Council with the negotiation and adoption of the act establishing Eurojust. The Decision will cease to apply when the instrument establishing Eurojust takes effect.

Judicial cooperation: creation of a provisional Unit. Initiative Portugal, France, Sweden and Belgium

2000/0816(CNS) - 14/12/2000 - Final act

PURPOSE : to set up a Provisional Judicial Cooperation Unit. COMMUNITY MEASURE : Council Decision 2000/799/JHA setting up a Provisional Cooperation Unit. CONTENT : the objectives of the Provisional Unit are as follows: - to improve cooperation between the competent national authorities with regard to investigations and prosecutions in relation to serious crime, particularly when it is organised, involving two or more Member States; - in the same framework, to stimulate and improve the coordination of investigations and prosecutions in the Member States, taking into account any request emanating from a competent national authority and any information provided by any body competent by virtue of provisions adopted withn the framework of the Treaties. The Provisional Unit shall provide its expertise to the Member States and to the Council, where necessary, with a view to the negotiation and adoption by the Council of the instrument establishing Eurojust. Each Member State shall assign to the formation a prosecutor, judge or police officer of equivalent competence, to perform the liaison duties. Furthermore, the Commission shall be fully associated with the work of the Provisional Unit. ENTRY INTO FORCE : 14/12/2000. This Decision shall cease to apply on the date on which the instrument establishing Eurojust takes effect. That instrument is to be adopted before the end of 2001.

Judicial cooperation: creation of a provisional Unit. Initiative Portugal, France, Sweden and Belgium

2000/0816(CNS) - 28/09/2000

The Council noted political agreement between delegations regarding a draft decision setting up a provisional unit (EUROJUST). The solution adopted by the Council would fully associate the Commission with the work of the provisional unit in line with Article 36(2) of the EU Treaty, with particular reference to the negotiation and adoption by the Council of the act setting up a permanent EUROJUST Unit. The Commission would also be enabled to provide expertise in its fields of competence. With regard to the provisional unit's objectives, these are to improve cooperation between the competent national authorities with regard to investigations and prosecutions in relation to serious crime, particulary when it is organised, involving two or more Member States. The Council instructed the Permanent Representatives Committee to settle some unresolved questions concerning the practical organisation of the provisional unit's work so that it could set up the provisional EUROJUST unit once the European Parliament's Opinion had been examined.

Judicial cooperation: creation of a provisional Unit. Initiative Portugal, France, Sweden and Belgium

2000/0816(CNS) - 14/11/2000 - Text adopted by Parliament, 1st reading/single reading

The European Parliament voted 425 to 73 with 54 abstentions in favour of the resolution, drafted by Mrs Evelyne GEBHARDT (PES, D), to set up a provisional judicial cooperation unit as a forerunner to Eurojust - a European unit of public prosecutors and magistrates to reinforce the fight against serious organised crime. (Refer to the decisions of the committee responsible). It was also highlighted by the Parliament that this unit should consist of

a prosecutor or magistrate - or a police officer of equivalent competence - from each Member State assigned to its Permanent Representation for liaison purposes. Non-binding amendments adopted seek to strengthen legal cooperation. The provisional unit may ascertain how to establish effective cooperation with Europol with a particular view to avoiding duplication of effort and conflicts over their respective powers. Parliament also stresses that the unit should not automatically be transformed into Eurojust, but that use should be made of the unit's experience in order to make adaptations if necessary.