

EU Agencies in Transnational Criminal Enforcement

Tuesday, 14 June 2022 13:15 (1h 30m)

The papers in this panel consider the institutional foundations of the European Union's criminal policy – a highly topical and critical question for the future development of the EU's Area of Freedom, Security and Justice (AFSJ). The ratification of the Lisbon Treaty and the subsequent legal and political developments entailed an unprecedented reinforcement of the powers of the Union's criminal justice agencies; Europol, Eurojust and, recently, the establishment of a novel EU criminal justice body – the European Public Prosecutor's Office (EPPO). The transformation of the former third pillar to the AFSJ suggests that these agencies now partly operate inside the traditional 'supranational' decision-making structure. The expansion of qualified majority voting in the Council and enhanced powers for the Commission, the European Parliament and the Court of Justice as well as the extension of direct effect to EU acts in this area substantiate this proposition. The most important reform in the Lisbon Treaty is that EU criminal justice agencies were conferred with a clear mandate to engage in the fight against transnational crime. The Lisbon Treaty opened up new possibilities for strengthening the role of Eurojust, conferred wider powers to Europol to reinforce their institutional capacity, and a legal basis for establishing a European Public Prosecutor's Office (EPPO) with powers to directly prosecute crimes against the EU's financial interests. On the basis of the novel Treaty mandate and a strong political will the EU legislator has thereto adopted important reforms such as the EPPO Regulation, a new Europol Regulation and a new Eurojust Regulation. In the light of these developments, this panel explores the question - via a multi-disciplinary investigation - to what extent the increased competences of the EU and the stronger internal and external presence of EU criminal justice agencies has transformed EU criminal law from an 'intergovernmental' and 'cooperative' regime to a 'supranational' and 'integrated' framework.

Abstract time zone

Membership

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