



CALL FOR PAPERS

Operational Cooperation in European Union Criminal Law

**1 February 2019, Faculty of Law and Political Sciences,
University of Nantes**

The construction of European criminal law policy is currently taking place not only through the approximation of national law, notably through the introduction of minimum procedural standards in criminal law, but also through other instruments which allow operational cooperation between the relevant national authorities. This operational component appears to be a necessary addition to the introduction of common rules in order to facilitate their implementation, but can also sometimes be used as a preliminary step or to mitigate Member States' reticence towards new common substantive or procedural rules. Operational cooperation is therefore essential in order to increase trust and solidarity among Member States and to achieve the aim of a 'European criminal area'. European Union institutions increasingly insist on the need to reinforce the operational tier of EU criminal law. The aim of this conference will be to combine varying analyses so as to shed new light on the origins, improvements and obstacles lying ahead in the development of this specific field of European Union criminal law.

The conference will focus on two major aspects of this area of inquiry. First, it will assess of the implementation of those instruments and mechanisms which are already in force. Second, and most importantly, it will aim to examine recent developments and current reform proposals within Union institutions, bodies, offices and agencies.

1/ Operational Cooperation in European Union Criminal Law: Progress Report

The first aim will be to evaluate operational cooperation as it exists today. The effectiveness of existing instruments and mechanisms and the persisting deficiencies in their implementation must be examined. Several instruments have been in force for many years, such as liaison judges within the European Judicial Network for judicial cooperation, or liaison officers and joint investigation teams for police cooperation, but their roles have changed somewhat as European Union criminal law evolved. To what extent have the multiplication of secondary law instruments and judicial contributions concerning mutual recognition affected their implementation? Does the current priority given to the reinforcement of operational cooperation lead to transformations in practice? More generally, does the implementation of these instruments in national law face new or persisting



difficulties, notably in cases concerning several Member States? Besides the development of these long-established mechanisms, has the setting up of the Standing Committee on Operational Cooperation on Internal Security (COSI) provided for by the Lisbon Treaty in order to ‘ensure that operational cooperation on internal security is promoted and strengthened within the Union’, under Article 71 TFEU, led to significant improvements? What is this Committee’s specific role in relation to the many actors participating in operational cooperation within the Union’s institutional system?

2/ Operational Cooperation in European Union Criminal Law: A New Priority

The second topic focuses on current transformations in this field. The operational aspect appears to be at the heart of the priorities in the current reforms led by European Union institutions. The Union has thus undertaken the establishment of a European Public Prosecutor which should operating in 2021 at the latest. As the project takes shape, and it appears that this new organ will only be active in 20 Member States, its possible impact must be examined. Moreover, the establishment of a European Public Prosecutor goes along with a wide-ranging reform of EU agencies: OLAF, Europol and Eurojust. These reforms generally tend towards a reinforcement of the role played by these decentralised agencies, albeit by different methods in each specific case. Information systems facilitating police cooperation are also at the heart of European institutions’ priorities, particularly through projects that aim to increase the interoperability of existing systems or through the establishment of new systems such as the proposed ECRIS-TCN system. The Commission’s proposal for the replacement of the Customs 2020 programme also insists on supporting cooperation between national authorities. These recent developments seem to indicate a shift in European Union criminal law policy towards facilitating practical cooperation between European and national authorities (and in some cases third country authorities).

We invite papers exploring issues related to these two topics and more generally to operational cooperation in European Union criminal law. Abstracts, presentations and papers can be in either English or French. Young scholars are especially encouraged to submit.

Convenors:

Carole BILLET, Maître de Conférences, University of Nantes

Araceli TURMO, Maître de Conférences, University of Nantes

Abstracts of up to **800 words** should be submitted by **1 October 2018** to the convenors at codpue2019@gmail.com. Authors should also include a short biographical note.



Decisions on accepted papers will be made by 31 October 2018, authors whose contributions are accepted will be expected to submit a draft paper (8 000 to 12 000 words) by 20 January 2018.

The selected papers will be published.

Any queries about the conference may be addressed to the convenors at codpue2019@gmail.com.