



EUROJUST PAPER ON THE ENCS STRUCTURE AND PROFILE OF THE NATIONAL CORRESPONDENT FOR EUROJUST

1. Background information

This paper suggests possible scenarios for the Eurojust National Coordination System and a description of the profile and tasks of the National Correspondent for Eurojust.

Under Article 12 of the [revised Eurojust Decision](#) the ENCS shall:

- Ensure coordination of the work carried out by the various correspondents/contact points/experts listed under Article 12(2); and
- Facilitate within the Member State the carrying out of the tasks of Eurojust.

2. The ENCS

2.1. ENCS Structure

- **A national central “ENCS Office”** located at the Central Prosecution Office/Authority, in which the Eurojust National Correspondent is located along with a correspondent from the national authority. The office could convene regular meetings of representatives from the prosecution services dealing with organised crime and the crime areas indicated in Article 13, the Ministry of Justice, the Eurojust National Member, the EJM National Correspondent, police forces and the other ENCS members.
- **A “network” of key players in the ENCS**, the basic functioning of which is guaranteed by the Eurojust National Correspondent. This scenario foresees a more active coordination role of the Eurojust National Correspondent.
- **A scenario centred on the role and function of the National Correspondent for Eurojust**, which could contemplate at least two Eurojust National Correspondents to cover both tasks enshrined in Article 12. One Correspondent could be placed at the Ministry of Justice (dealing primarily with the coordination of the work carried out by the ENCS members), and one at the general prosecution office (who will mainly facilitate within the Member State the carrying out of the tasks of Eurojust as indicated in Article 12(5)).

2.2 ENCS Tasks (non-exhaustive list)

- Ensuring that the Eurojust Case Management System receives information in an efficient and reliable manner;
- Assisting in determining whether a case should be dealt with with the assistance of Eurojust or the EJM;
- Assisting the Eurojust National Member to identify the relevant authorities connected to the execution of requests for judicial cooperation;
- Maintaining close relations with the Europol National Unit;



- Ensuring that Eurojust provides feedback to the practitioners in the Member States as part of the information flow circuit created by the revised Eurojust Decision.

3. Profile of the National Correspondent for Eurojust

The relevant change introduced by the revised Eurojust Decision follows from the creation of the ENCS and from the fact that the Eurojust National Correspondent shall be responsible for the functioning of the ENCS. The Eurojust National Correspondent will be to serve as “the lighthouse” for the other ENCS members, and for the Eurojust National Member with respect to facilitation of the tasks of Eurojust in the Member States.

3.1. The tasks of the National Correspondent for Eurojust

- Ensure that the Member States abide by their obligation to send information to Eurojust as provided for in the revised Eurojust Decision;
- Ensure that the Eurojust Case Management System receives information as required under Article 12(5)(a);
- Facilitate feedback from Eurojust to the Member States, particularly when information under Article 13 (5 to 7) has been submitted to Eurojust;
- Ensure close and efficient cooperation with the EJM, for instance by assuming also the function of EJM National Correspondent or EJM Contact Point;
- Ensure the coordination of requests received by the National Correspondents for Eurojust and the EJM National Correspondent/Contact Points to establish the proper channels for assistance and avoid duplication of efforts;
- Assist the Eurojust National Member with the identification of the relevant authorities for the execution of requests for, and decisions on, judicial cooperation including instruments giving effect to the principle of mutual recognition;
- Maintain close relations with the Europol National Unit.

3.2 The profile of the National Correspondent for Eurojust

In order to be of concrete assistance to Eurojust, the National Correspondent for Eurojust should have:

- Thorough experience in operational cases with cross-border dimension;
- Good knowledge of international mutual legal assistance in criminal matters, and European instruments of judicial cooperation in criminal matters;
- An excellent knowledge of Eurojust;
- A clear link to the National Member of Eurojust, which could be ensured by designating a former National Member or former Deputy National Member as National Correspondent;
- Excellent language skills, excellent coordination and cooperation skills.

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