

The Judicial Cooperation In The European Union. Eurojust Or/And Eppo?

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Abstract—It is responsibility of all the institutions of the European Union (hereinafter EU) as well as governments for the benefit of their citizens, to undertake the obligation to take effective measures to combat crime and its causes, with full respect for the fundamental rights of individuals, including the protection of personal data. Recognizing the important role that effective information sharing and close cooperation between law enforcement agencies play in preventing and combating all forms of crime and serious crime, including terrorism, international police and judicial cooperation has been promoted with establishment of International and European organizations.

These organizations include Interpol (international organization), Europol, Frontex¹, Eurojust but also the recently established institution of the European Public Prosecutor Office (hereinafter EPPO).

Purpose according to Article 3 paragraph 2 of the Treaty on the European Union (hereinafter TEU): "The Union provides its citizens with an area of freedom, security and justice without internal borders, within which the free movement of persons in combined with appropriate measures regarding external border controls², immigration³ and predation and suppression of criminality»⁴.

Keywords—*Judicial Cooperation, Organized Crime, Eurojust, European Public Prosecutor Office (EPPO), Joint Investigation Teams (hereinafter JITs), European Union (hereinafter EU)*

INTRODUCTION

It is a common belief that organized crime⁵ has a huge social cost as it removes and wastes financial and human resources, causes distortions in the common free market, affects the legitimate economy and business activity, strengthens corruption⁶⁷ and violates human rights. Organized crime⁸ it now operates on an international basis⁹ and cross-border basis¹⁰, takes advantage of globalization, the abolition of borders in the EU and the legislative discrepancies between the Member States (hereinafter MS) in order to reap ever greater profits. For this reason it must be treated with the same approach by the Prosecuting Authorities of MS and on a uniform basis¹¹.

The consequences of this phenomenon greatly affect the obligations of the EU towards its citizens¹² and this is the reason why a coherent political action of the institutions is necessary to fight organized crime¹³ which has specific and significant implications. In this context, in this section, the basic parameters that make up the concept of judicial cooperation in the EU area will be examined.

In particular, the concept of organized crime, which is of great concern to European police and prosecuting authorities, will be analysed¹⁴ the organization of the EU will be analysed on cooperation in the field of criminal justice (Eurojust), the newly created institution of the EPPO, the role of Joint Investigations Teams (JITs),¹⁵ which were established in the EU and are aimed at more fully dealing with organized crime and serious forms of crime, through the cooperation of the competent prosecutors¹⁶ which were established in the EU and are aimed at more fully dealing with organized crime and serious forms of crime, through the cooperation of the competent prosecutors.

1.-THE CONCEPT OG ORGANIZED CRIME IN THE EU

Goal of the Hague programme¹⁷ was to improve the joint capacity of the Union and its MS to combat, inter alia, in particular cross-border organized crime. This objective had to be achieved in particular through the approximation of laws and cooperation between the MS of the EU had to be strengthened in order to tackle the risks and the spread of criminal organizations as well as to give an effective response to citizens' expectations and needs of the MS¹⁸.

Regarding this issue, in point 14 of the conclusions of the Brussels European Council of November 4 and 5, 2004, is noted that European citizens hope that while ensuring the observance of fundamental freedoms and rights¹⁹, the EU will adopt a more effective common response to cross-border problems²⁰, like organized crime²¹.

According to point 3.3.2 of the Hague programme, the approximation of substantive criminal law serves the purposes of facilitating the mutual recognition of judicial decisions and civil and judicial cooperation in criminal matters and concerns areas of particularly serious crimes with cross-border dimensions, and should to give priority to areas of crime specifically mentioned in the treaties. Therefore, there was a need for approximation of the definition of criminal acts

involving participation in a criminal organization in all MS.

With this purpose, the framework decision 2008/841/JHA of the Council of October 24, 2008 was issued on the fight against organized crime, which covers crimes that are usually committed within the framework of a criminal organization. Also in accordance with this decision, sanctions corresponding to the seriousness of these criminal acts should be provided against the natural and legal persons who committed them or who are responsible for them.

[«Each Member State shall take the necessary measures so that one or both of the behaviors related to a criminal organization are considered criminal acts:

a) the conduct of a person who intentionally and knowingly, either of the purpose and general activity of the criminal organization, or of its intention to commit the criminal acts in question, actively participates in its criminal activities, including the provision of information, or material means, the recruitment of new members, as well as any form of financing its activities, while knowing that his participation will contribute to the organization's criminal activities,

b) the conduct of a person which consists in an agreement with one or more persons that an activity will be developed which, if carried out, will consist of the commission of criminal acts referred to in Article 1, even if the person in question does not participate in the execution of the activity of this»].

Additionally, regarding the definition of an illegal action as a form of organized crime, document no. 6204/2/97 ENFOPOL 35 REV 2 of the EU council, with which and after many discussions it was agreed by the member countries that in order to include a criminal act in organized crime, at least six of the following characteristics must be present, among which the mentioned in points 1, 3, 5 & 11 must coexist, namely:

- 1.-Cooperation between more than two persons.
- 2.-Division of duties.
- 3.-Long or indefinite duration.
- 4.-Some form of discipline (the organization's activities are carried out according to a defined set of rules).
5. - Suspicions of committing serious criminal offences.
- 6.-International action (the activities of the organization cover more than one country).
- 7.-Use of violence or other forms of intimidation (the use of violence or intimidation are part of the organization's usual methods of action).

8.-Using commercial or business structures (to control its profits).

9.-Involvement in money laundering from illegal activities (money laundering).

10.--Exercising influence in the fields of politics, the media, the Public Administration, the judiciary or the economy.

11.-Pursuit of profit and/or power as the main goal.

2.-EUROJUST

Eurojust was established by the Council Decision of 28 February 2002 on the establishment of Eurojust in order to strengthen the fight against serious crime [2002/187/JHA, L 63/27]. This Decision was repealed by Reg. (EU) 2018/1727 of the European Parliament and of the Council of 14 November 2018 «on the European Union organization for cooperation in the field of criminal justice (Eurojust) and the replacement and repeal of Council Decision 2002/187/JHA»²².

The above-mentioned regulation aims to amend and extend the provisions of Decision 2002/187/JHA, given that the amendments that had to be made were substantial in terms of their number and nature and said Decision 2002/187/JHA should for reasons clarity to be replaced in its entirety in relation to the Member States bound by it.

Also, as the EPPO has been established through enhanced cooperation, Council Regulation (EU) 2017/1939 is binding in its entirety and directly applicable only to the Member States participating in enhanced cooperation. Therefore, for MS not participating in the EPPO, Eurojust remains fully competent for forms of serious crimes listed in Annex I of Regulation 2018/1727.

It is emphasized that according to Article 85 of the Treaty on the Functioning of the European Union (TFEU) is foreseen that Eurojust is governed by a regulation, which is issued in accordance with the ordinary legislative procedure. The same article also provides for the establishment of practical arrangements for the participation of the European Parliament and national parliaments in the evaluation of the activities of Eurojust²³.

Also in Article 85 TFEU it is provided that Eurojust's mission is to support and strengthen coordination and cooperation between the competent national authorities for the investigation and prosecution of serious crimes which have an impact on two or more Member States or require prosecution on a common basis, based on operations conducted and information provided by MSe authorities²⁴ and the European Union Organization for Law Enforcement Cooperation (Europol).

Another reason that led to the adoption of the Regulation is that, taking into account the creation of the EPPO through enhanced cooperation, the division of competences between the EPPO and Eurojust in relation to offenses affecting the financial interests of

the Union had to be clearly defined. From the day the EPPO would take up its duties, Eurojust should be able to exercise its competences in cases concerning crimes for which the EPPO is responsible when those crimes involve both MS that participate in the enhanced cooperation for the establishment of the EPPO as well as MS that do not participate in such cooperation. In these cases,

Eurojust should act at the request of the non-participating MS or at the request of the EPPO. Eurojust should in any case remain responsible for offenses affecting the financial interests of the Union, whenever the EPPO is not competent or when, while the EPPO is competent, it does not exercise its competence. MS that do not participate in the enhanced cooperation for the establishment of the EPPO can continue to request Eurojust's support in all cases involving offenses affecting the financial interests of the Union.

The EPPO and Eurojust should develop close operational cooperation in accordance with their respective competences. Its field of competence is defined in article 3, while its operational competencies are defined in article 4. When exercising its operational powers in specific criminal cases, at the request of the competent authorities of the MS or ex officio, Eurojust should act either through one or more national members or as a collective body. Acting ex officio, Eurojust can take on a more proactive role in coordinating cases, such as supporting national authorities in their investigations and prosecutions. This role may include involving MS that may not have been initially involved in the case, as well as discovering links between cases based on information received from Europol, the European Anti-Fraud Office (OLAF), the EPPO and national authorities. This also enables Eurojust to produce guidelines, policy documents and case analyzes as part of its strategic work.

It is emphasized that national Eurojust coordination systems should be established in the MS to coordinate the work carried out by the national correspondents for Eurojust, the national correspondent for terrorism matters, any national correspondent for Eurojust for matters related to its competences EPPO, the national correspondent for the European Judicial Network and up to three other contact points, as well as representatives in the network for the joint investigation teams and representatives in the networks established by Council Decisions 2002/494/JHA²⁵, 2007/845/JHA²⁶ and 2008/852/JHA²⁷.

MS may decide that one or more of these tasks shall be carried out by the same national correspondent.

It can also request the establishment of a JIT in accordance with article 4 par. 2 d of the new regulation, something that also applied with the repealed decision as well as its members to participate in it. Its role in the establishment and

successful operation of JITs is decisive. It is given the possibility, as it emerges from the institutional framework of its establishment and operation, to be able, through its National Members and also as a collective body, to call on the competent National Authorities to set up JIT where they deem necessary.

3.-EUROPEAN PUBLIC PROSECUTOR

According to Article 86 of the TFEU, the EPPO should be established from Eurojust. This means that the regulation under which the said Prosecutor's Office was established should create a close relationship between them based on mutual cooperation. The TFEU stipulates that the substantive competence of the EPPO is limited to criminal acts that affect the financial interests of the Union in accordance with this regulation.

The tasks of the EPPO are to investigate, prosecute and bring to justice perpetrators of criminal offenses against the financial interests of the Union, in accordance with Directive (EU) 2017/1371 of the European Parliament and of the Council²⁸, and criminal acts that are inextricably linked to these acts. Any extension of said competence to serious crimes with a cross-border dimension is possible only with a unanimous decision of the European Council. According to the draft report of the new regulation, using real-time information exchange and on-the-spot investigations, the new office will strengthen the protection of the EU's financial interests, fill the gaps in judicial cooperation that are not already covered by the existing EU institutions Union (Eurojust) or from administrative investigations into irregularities carried out by OLAF and will ensure effective and equivalent investigation and prosecution in all participating EU MS.

Coordinated and supervised by a central level, the investigations of the EPPO will be conducted on the territory of the EU MS and the cases will be brought before the national courts. Based on EU Regulation 2017/1939 of 12 October 2017, the EPPO will be the first supranational public office to deal with investigations and prosecutions²⁹. EPPO has already started its operational work since the end of 2020.

This regulation established a system of shared competence between the EPPO and the national authorities to combat crimes affecting the financial interests of the Union, based on the right of the EPPO to take a case, without prejudice to the national systems of MS on how to organize criminal investigations. EPPO investigations should normally be carried out by the European Public Prosecutor(s) in the MS.

This should be done in accordance with the new regulation and for matters not covered by the regulation, in accordance with national law. The European Delegated Prosecutor(s) should perform their duties under the supervision of the supervising European Prosecutor and under the guidance and orders of the competent permanent division. Where

the national law of a Member State provides for internal review of certain acts within the framework of the national prosecution structure, the review of such decisions by the European Delegated Prosecutor should be subject to the supervisory powers of a supervising European public prosecutor in accordance with the EPPO Rules of Procedure. In these cases MS should not be obliged to provide for review by national courts, without prejudice to Article 19 TEU and Article 47 of the Charter of Fundamental Rights of the European Union.

The European Delegated Prosecutor(s) are an integral part of the EPPO and in their capacity as such, when investigating and prosecuting criminal offenses within the EPPO competence, they act solely for and on behalf of the EPPO in the territory of their respective MS. This implies that they are granted under the Regulation a functionally and legally independent status which differs from any status provided for by national law. National authorities should inform the EPPO without delay of any conduct which may constitute a criminal offense within the competence of the EPPO. In cases that do not fall within its competence, the EPPO should inform the competent national authorities of any incidents that come to its attention and may constitute a criminal act, for example perjury.

The institutions and other institutions and organizations of the Union, as well as the national authorities, should immediately provide the EPPO with any information on criminal acts in respect of which it could exercise its competence. The EPPO may also receive or collect information from other sources, such as private individuals. A verification mechanism in the EPPO aims to verify whether, based on the information received, the conditions for the jurisdiction of the EPPO in terms of content, place and persons are met.

The concept of criminal acts relating to participation in a criminal organization should be subject to the definition provided for by national law pursuant to Council Framework Decision 2008/841/JHA³⁰ and may cover, for example, membership of the criminal organization or its organization and leadership.

Since the EPPO conducts prosecutions before national courts, its competence is determined by the criminal law of the MS, which criminalizes acts or omissions affecting the financial interests of the Union and determines the sanctions imposed by applying the relevant EU legislation to national legal systems, in particular Directive (EU) 2017/1371.

The EPPO relies on national authorities, including police authorities, in particular for the execution of coercive measures. In accordance with the principle of good faith cooperation, all national authorities and competent Union bodies, including Eurojust, Europol and OLAF, should actively support the investigations and prosecutions of the EPPO, as well as cooperate with it from the moment which is reported to the EPPO

as an alleged criminal act and until the latter decides whether to prosecute or otherwise close the case.

In the exercise of its activities, the EPPO respects the rights of defence enshrined in the relevant Union law, such as the directives of the European Parliament and of the Council 2010/64/EU³¹, 2012/13/EU³², 2013/48/EE³³, (EU) 2016/343³⁴, (EU) 2016/1919³⁵,

CONCLUSIONS

As can be seen from the said provisions that have been developed both at national and European level, the will of the EU was and is being expressed for a coordinated response to organized crime and serious forms of crime that have a cross-border and transnational character. This is because in today's era and in the context of globalization, only a part of the criminal activity is investigated or prosecuted in the country where the specific activity is located.

From the examination of the provisions related to both the institutional framework of Eurojust and the establishment of the EPPO, emerges that although there is a relevant provision in the Treaty of Lisbon for the establishment of the EPPO, there is also a provision for issuing a regulation regarding the operation of Eurojust, the powers exercised exclusively by the EPPO could be exercised with a corresponding modification of the institutional framework by Eurojust. It is noted that the Regulation on the EPPO as it follows from the preamble of the relevant regulation on Eurojust is directly applicable only to the MS participating in the enhanced cooperation.

For non-participating MS, Eurojust remains fully responsible for forms of serious crime listed in Annex I of Regulation 2018/2017. It is emphasized that not all the MS agreed on the establishment of the EPPO, which means that there is some doubt or, at best, hesitancy in its establishment. In point (10) of Regulation 2017/1939 which refers to the implementation of enhanced cooperation for the establishment of the EPPO it is noted that "According to Article 86 of the TFEU, the EPPO should be established from Eurojust. This means that this regulation should establish a close relationship between them based on mutual cooperation." Further in point (102) it is specified that "The European Public Prosecutor's Office and Eurojust should act as partners and cooperate in operational matters, in accordance with their respective mandates. Such cooperation may concern investigations carried out by the European Public Prosecutor's Office where the exchange of information or the coordination of investigative measures in relation to cases falling within the competence of Eurojust is deemed necessary or appropriate. When the European Public Prosecutor's Office requests Eurojust for such cooperation, the European Public Prosecutor's Office should contact the national member of the Member State of the appointed European Public Prosecutor. Third countries that have concluded a cooperation

agreement with Eurojust may also participate in the operational cooperation".

Also noteworthy is the fact that OLAF cannot initiate any administrative investigation in parallel with an investigation conducted by the EPPO on the same facts without this affecting the power of the said organization to initiate an administrative investigation on its own initiative in close consultation with the EPPO.

A combined comparative study shows that the competences of the EPPO could be exercised by Eurojust with corresponding if necessary further legal support in cooperation with OLAF which has competences for administrative investigations falling within the tasks of the EPPO. Consequently, it would be possible to avoid the operation of yet another European Agency with tasks already carried out by another European Agency successfully and with universal acceptance in the EU.

Moreover, Eurojust's cooperation with other European Agencies such as Europol and OLAF has been excellent and particularly constructive in that concerns the area of security, freedom and justice in the EU. It is emphasized as it is an important parameter in the comparative process between these two European Organizations that only 22 of the 27 MS of the EU are represented in the European Prosecutor. The remaining 5 Member States can join at any time they decide. In contrast, all EU MS are represented in Eurojust. In the same regulation it is determined that the tasks of the EPPO are to investigate, prosecute and bring to justice perpetrators of criminal offenses against the financial interests of the Union in accordance with Directive (EU) 2017/1371 and criminal offenses inextricably linked to them. For the offenses in question, until the period of establishment of the EPPO, they fell under the competence of Eurojust.

From the examination of the legal texts and also from the activity that Eurojust has demonstrated, it follows that its activity has been constantly increasing in all fields of its competences and especially in the area of JITs. However, in order to deal more fully with criminal activity, the need arises, of course, for the prosecuting and judicial authorities of the specific country to be aware of the investigations or prosecutions that have been carried out in other countries for the same crime and for there to be consequently coordinated action to deal with it effectively. This need is covered by the institution of JITs. As can be seen from the statistics of Eurojust's annual reports during the years 2006-2011, the formation of JITs is constantly increasing, while in recent years part of them has been financed by the said European Organization. The increase in the number of JITs also suggests that practitioners in the prosecution and judicial sector are using Eurojust as a point of reference for deciding when recourse to JITs is appropriate. This aspect was strengthened during

2011 with the establishment of the Secretariat of the JIT Networks at Eurojust.

Eurojust assists JIT justice professionals in a number of ways, including drafting, amending and extending JIT agreements. Due to its frequent contact with JITs, Eurojust has also developed expertise that allows it to advise on potential legal obstacles and help prevent other difficulties. In addition to providing advice to justice professionals, Eurojust has assessed and provided financial and logistical support to JITs. During 2011, Eurojust continued the JIT Funding Programme, under the title supporting the Greater Use of JITs, based on the grant it received from the European Commission under the Crime Prevention and Combating Program 2007-2013. The program had made a significant contribution to ensuring that financial constraints did not discourage the use of JITs in the fight against organized crime groups. In other words, the financing of JITs is an additional incentive for their establishment.

JITs cover significant activities that constitute the concept of organized crime and involve two or more states. Such activities include, among others, fraud, corruption, car theft, drug trafficking, human trafficking. A necessary condition, in order for the institution of JITs to become effective and at the same time for the European anti-crime policy to be effective, which is developed within the framework of which JITs are part of, it is necessary, in addition to the formation of the necessary legal framework, to create an atmosphere of trust. Trust between the cooperating judicial, prosecutorial and prosecuting authorities of the member states, which will allow the rapid exchange of information and close cooperation in order to effectively deal with organized crime.

It should also be understood by the competent Judicial, Prosecution and Prosecutorial Authorities, that with the establishment of the JITs national sovereignty is not removed, but cooperation between the member states is developed towards a single goal that concerns the citizens of the EU and that is the treatment of organized crime. An important role in this is played by the meetings of experts within the framework of the relevant network for JITs that has been developed. The exchange of experiences and best practices that takes place in the framework of these meetings (seven meetings have been held to date), undoubtedly leads to the acceptance by all of this legal tool developed at EU level.

A mechanism that leads to the formation of a single European culture in important area of dealing with organized crime, strengthening the single area of security and justice in the EU. At the same time, the mechanism of police cooperation is strengthened in the direction of European integration, alongside the respect of fundamental rights.

REFERENCES

Bibliography- Articles

The mentioning in the text

Legislation

The mentioning in the text

CITATIONS

¹See TZIRITIS D., Frontex, Its institutional role and its contribution to the "Single Security Area" of the EU - Its work in Greece, pp. 298-307, in "Developments and Challenges in the Area of Freedom, Security and Justice of the European Union, PROCEEDINGS OF THE INTERNATIONAL CONFERENCE IN MEMORY OF DIMITRIOS EVRYGENI", JEAN MONNET UNIVERSITY OF MACEDONIA PUBLICATIONS 1, Thessaloniki, 2015.

²See PAPAGEORGIU G., "The Common European Asylum System and the Dublin Mechanism", pp. 457-474, KOUTSOURAKI E., "Extraterritorial asylum procedures in the EU", 486-484 and DURADE – KONTOU MARIA "Directive 2008/115/EC on the common rules and procedures in the Member States for the return of illegally staying persons third country nationals and the jurisprudence of the Court of Justice of the European Union", p.p. 359-374 in "Developments and Challenges in the Area of Freedom, Security and Justice of the European Union, PROCEEDINGS OF THE INTERNATIONAL CONFERENCE IN MEMORY OF DIMITRIOS EVRYGENIS", JEAN MONNET UNIVERSITY OF MACEDONIA PUBLICATIONS 1, Thessaloniki, 2015.

³See PAPAPOPOULOU R-E., "The Schengen System and the policy of the European Union for issuing visas", pp. 341-358, in "Developments and Challenges in the Area of Freedom, Security and Justice of the European Union, PROCEEDINGS OF THE INTERNATIONAL CONFERENCE IN MEMORY OF DIMITRIOS EVRYGENIS", JEAN MONNET UNIVERSITY OF MACEDONIA PUBLICATIONS 1, Thessaloniki, 2015.

⁴See ANAGNOSTOPOULOU D., "The Area of Freedom, Security and Justice and the European Citizen", p.p. 59-89, in "Developments and Challenges in the Area of Freedom, Security and Justice of the European Union, PROCEEDINGS OF THE INTERNATIONAL CONFERENCE IN MEMORY OF DIMITRIOS EVRYGENIS", JEAN MONNET UNIVERSITY OF MACEDONIA PUBLICATIONS 1, Thessaloniki, 2015.

⁵ See James Sheptyczi, Hager Ben Jaffel, Didier Bigo, «International Organized Crime in the European Union», European Parliament's Directorate General for International Policies-Policy Department C: Citizen's Rights and Constitutional Affairs-Civil Liberties, Justice and Home Affairs, Brussels, November 2011, KORONTZIS T., «International Conference "Hellenic Open Business Administration International Conference (HOBA)" held in Athens on March 8-9, 2014 by the HELLENIC OPEN UNIVERSITY BUSINESS ADMINISTRATION UNDERGRADUATE PROGRAMME και το EAST-WEST JOURNAL of Economics and Business. Εισήγηση με θέμα: «The Hellenic internal security system in combating organized crime. The role of the Hellenic Coast Guard» Vol. 4 [ISBN 978-960-

538-937-6], KORONTZIS T., «The contribution of Patra's Port Police Authority (Hellenic Coast Guard) in combating of Organized Crime in the period 2010-2013», Management and Administrative Sciences Review, Vol. 3, Issue 6, September 2014, p.p. 891-899, του ίδιου «Hellenic Coast Guard and Illicit Tobacco Trade», "Europolitan", No 15, Dec 2013, p.p. 18-19.

⁶ See VIDALI S., KOULOURIS N., and PAPACHARALAMPOUS Ch., CRIMES OF THE POWERFUL, Corruption, financial and organized crime, EAP Publications, Athens, 2019.

⁷See KATSIOS S., "Money Laundering and Corruption", pp. 679-688, in "Developments and Challenges in the Area of Freedom, Security and Justice of the European Union, PROCEEDINGS OF THE INTERNATIONAL CONFERENCE IN MEMORY OF DIMITRIOS EVRYGENIS", JEAN MONNET UNIVERSITY OF MACEDONIA PUBLICATIONS 1, Thessaloniki, 2015.

⁸ See KORONTZIS Tr., "Organized crime and illegal immigration", p.386, published by BOOKSTARS, Athens, 2017, ISBN: 978-960-571-254-9 and the same 3rd International Open Conference on Business and Public Administration [3rd International Open Conference on BUSINESS & PUBLIC ADMINISTRATION (IOCBPA 2016)] held on April 16-17, 2016 by the Hellenic Open University and HEBEI UNIVERSITY OF ECONOMICS AND BUSINESS (of China). Presentation on the topic: "The provisions for the smuggling of immigrants in the UN Convention for dealing with International Organized Crime and in the Greek legal order. The management of the Greek maritime borders between Greece and Turkey during the period 2006-2012" [ISBN 978-960-538-990-1] (Proceedings, p.p. 149-166) and the same International Conference "1st MEDITERRANEAN INTERDISCIPLINARY FORUM ON SOCIAL AND HUMANITIES (MIFS 2014)" held in Lebanon on April 23-26, 2014 by: The European Scientific Institute, Arab Open University Lebanon, University of the Azores. Presentation on: "Legal aspects of migrants smuggling at the sea border between Hellas and Turkey" Vol. 1 [ISBN 978-608-4642-20-6] (Proceedings, p.p. 484-502) of the same "Security and ports. The contribution of the ISPS Code in dealing with illegal actions", Maritime Inspection, v. 578, June-July-August 2011, p.p. 65-81.

Also see COUNCIL RESOLUTION of 23 November 1995 on witness protection in the fight against international organized crime (C 327/5).

⁹ See KORONTZIS Tr., "State, Bureaucracy and National Security", Administrative Information (quarterly review of administrative science), vol. 53, January-February-March 2010, pp. 77-85.

¹⁰ See GEORTZI V., "Rule of Law and Area of Freedom, Security and Justice", pp. 218-239, in "Developments and Challenges in the Area of Freedom, Security and Justice of the European Union, PROCEEDINGS OF THE INTERNATIONAL CONFERENCE IN MEMORY OF DIMITRIOS EVRYGENIS", JEAN MONNET

UNIVERSITY OF MACEDONIA PUBLICATIONS 1, Thessaloniki, 2015.

¹¹ See BIGO D., Freedom, mobility and security in the European Union: a fifty-year trajectory for justice and home affairs, pp. 271-297, in "Developments and Challenges in the Area of Freedom, Security and Justice of the European Union, PROCEEDINGS OF THE INTERNATIONAL CONFERENCE IN MEMORY OF DIMITRIOS EVRYGENIS", JEAN MONNET UNIVERSITY OF MACEDONIA PUBLICATIONS 1, Thessaloniki, 2015.

Also see Gottschalk p. (2009), "Policing Organized Crime, Intelligence Strategy Implementation", ISBN 9780367864286, Published December 10, 2019 by Routledge.

Also see Gottschalk p. (2009), «Policing Organized Crime, Intelligence Strategy Implementation», ISBN 9780367864286, Published December 10, 2019 by Routledge.

¹² See CHRYSOMALLIS M., The institutional developments in the Area of Freedom, Security and Justice after the Treaty of Lisbon, pp. 90-101, in "Developments and Challenges in the Area of Freedom, Security and Justice of the European Union, PROCEEDINGS OF THE INTERNATIONAL CONFERENCE IN MEMORY OF DIMITRIOS EVRYGENIS", JEAN MONNET UNIVERSITY OF MACEDONIA PUBLICATIONS 1, Thessaloniki, 2015.

¹³ See KORONTZIS Tr., 3rd International Open Conference on BUSINESS & PUBLIC ADMINISTRATION (IOCBPA 2016) held on April 16-17, 2016 by the Hellenic Open University and the HEBEI UNIVERSITY OF ECONOMICS AND BUSINESS (of China). Presentation on the subject: "The provisions for dealing with corruption and international organized crime in the UN Convention for dealing with International Organized Crime and in the Greek legal order" [ISBN 978-960-538-990-1] (Proceedings, p.p. 177-200).

¹⁴ See James Sperling, «EU police and judicial cooperation before the Treaty of Lisbon: strengthening of the weakest link». European Security, 22:2, 2013.

¹⁵ See KORONTZIS Tr., "The institutional framework of Joint Research Groups in the National and European legal order. The assistance of the European Organizations EUROJUST and EUROPOL", "Limeniki Rota", issue 12, January-February-March 2013, p.p. 25-32.

¹⁶ See Nadia Gerspacher, «The history of international police cooperation: a 150-year evolution I trends and approaches», Global Crime, 9:1-2, 2008.

¹⁷ See PAPAGIANNIS D., From Schengen to Prum. In search of security, are we undermining freedom?", p.p. 243-256, in "Developments and Challenges in the Area of Freedom, Security and Justice of the European Union, PROCEEDINGS OF THE INTERNATIONAL CONFERENCE IN MEMORY OF DIMITRIOS EVRYGENIS", JEAN MONNET UNIVERSITY OF MACEDONIA PUBLICATIONS 1, Thessaloniki, 2015.

¹⁸ See PERRAKIS S., "Space" Policies and Human Rights after the Treaty of Lisbon: Frictions and Perspectives in the Light of the New Challenges", pp. 197-210, in

"Developments and Challenges in the Area of Freedom, Security and Justice of the European Union, PROCEEDINGS OF THE INTERNATIONAL CONFERENCE IN MEMORY OF DIMITRIOS EVRYGENIS", JEAN MONNET UNIVERSITY OF MACEDONIA PUBLICATIONS 1, Thessaloniki, 2015.

¹⁹ See ANAGNOU M., European borders, migration and security: Challenges for the EU and Greece, pp. 257-270, in "Developments and Challenges in the Area of Freedom, Security and Justice of the European Union, PROCEEDINGS OF THE INTERNATIONAL CONFERENCE IN MEMORY OF DIMITRIOS EVRYGENIS", JEAN MONNET UNIVERSITY OF MACEDONIA PUBLICATIONS 1, Thessaloniki, 2015.

²⁰ See KORONTZIS Tr., "Surveillance of maritime borders - New European practices". Summary of the aforementioned Individual Thesis prepared at the School of National Defense (SETHA) in the Academic Period 2009-2010, posted on the website of the School in question [https://setha.army.gr/el/news/surveillance of EU borders and new European practices on 28/04/2010](https://setha.army.gr/el/news/surveillance%20of%20EU%20borders%20and%20new%20European%20practices%20on%2028/04/2010), of the same "The contribution of EUROPOL and FRONTEX to the fight against the phenomenon of illegal immigration in Greece", "Limeniki Rota", issue 19, May-June - July-August 2015, p.p. 38-48, of the same "Surveillance of Greek maritime borders and illegal trafficking of immigrants. European policy, Frontex and the institutional role of the Coast Guard", Administrative Update (quarterly review of administrative science), vol. 63, October-November-December 2012, pp. 4-30, of the same "Smuggling of migrants by the sea. Predictions in the United Nations Convention against transnational organized crime and in the Hellenic legal order. The situation at the sea border between Hellas and Turkey in the period 2006-2012", International Journal of Asian Social Science, Vol. 3, issue 6, June 2013, p.p.1360-1380.

²¹ With regard to a form of crime that is characteristic and dominant to a large extent today as it often affects two or more states, specifically electronic crime, see K. KOUROUPIS, "Tackling electronic crime in Europe", p.p. 717-728 and NAZIRIS Y., "A Critique of the European Union's Approach to Cybercrime", pp. 729-757 in "Developments and Challenges in the Area of Freedom, Security and Justice of the European Union, PROCEEDINGS OF THE INTERNATIONAL CONFERENCE IN MEMORY OF DIMITRIOS EVRYGENIS", JEAN MONNET UNIVERSITY OF MACEDONIA PUBLICATIONS 1, Thessaloniki, 2015.

²² See KAIAFA-GBANDI M., "The safeguarding of fundamental principles of substantive criminal law in the EU: Basic institutional challenge in the Area of Freedom, Security and Justice", pp. 108-147, in "Developments and Challenges in the Area of Freedom, Security and Justice of the European Union, PROCEEDINGS OF THE INTERNATIONAL CONFERENCE IN MEMORY OF DIMITRIOS EVRYGENIS", JEAN MONNET UNIVERSITY OF MACEDONIA PUBLICATIONS 1, Thessaloniki, 2015.

²³ See PAPAPOPOULOU L., "The gradual constitutionalization of the area of Freedom, Security and

Justice of the EU'', p.p. 161-193, in "Developments and Challenges in the Area of Freedom, Security and Justice of the European Union, PROCEEDINGS OF THE INTERNATIONAL CONFERENCE IN MEMORY OF DIMITRIOS EVRYGENIS", JEAN MONNET UNIVERSITY OF MACEDONIA PUBLICATIONS 1, Thessaloniki, 2015.

²⁴See ZIMIANITIS D., Judicial Cooperation in Criminal Cases in the European Union in a new institutional environment. Valuation and prospects", p.p. 148-160, in "Developments and Challenges in the Area of Freedom, Security and Justice of the European Union, PROCEEDINGS OF THE INTERNATIONAL CONFERENCE IN MEMORY OF DIMITRIOS EVRYGENIS", JEAN MONNET UNIVERSITY OF MACEDONIA PUBLICATIONS 1, Thessaloniki, 2015.

²⁵See Council Decision 2002/494/JHA of 13 June 2002 establishing a European network of contact points on persons responsible for genocide, crimes against humanity and war crimes (OJ L 167, 26.6.2002, p. 1).

²⁶See Council Decision 2007/845/JHA of 6 December 2007 on the cooperation of asset recovery services in the Member States for the detection and tracing of proceeds of crime or other related assets (OJ L 332 of 18.12.2007, p. 103).

²⁷ See Council Decision 2008/852/JHA of 24 October 2008 on a network of anti-corruption contact points (OJ L 301, 12.11.2008, p. 38).

²⁸See Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on combating, through criminal law, fraud against the financial interests of the Union (OJ L 198 of 28.7.2017, p. 29).

²⁹ Regarding the Greek legal order, see L. 4786/2021 (A' 43), "Implementation of provisions of Regulation (EU) 2017/1939 of the Council of 12 October 2017 regarding the implementation of enhanced cooperation for the establishment of the European Public Prosecutor's Office, regulations for the operation of the courts and other provisions of the Ministry of Justice".

³⁰See FRAMEWORK DECISION 2008/841/JHA OF THE COUNCIL of 24 October 2008 "on the fight against organized crime", (OJ L 300 of 11.11.2008).

³¹ See Directive 2010/64/EU of the European Parliament and of the Council of 20 October 2010 on the right to interpretation and translation in criminal proceedings (OJ L 280 of 26.10.2010, p. 1).

³²See Directive 2012/13/EU of the European Parliament and of the Council of 22 May 2012 on the right to information in criminal proceedings (OJ L 142 of 1.6.2012, p. 1).

³³ See Directive 2013/48/EU of the European Parliament and of the Council, of 22 October 2013, regarding the right of access to a lawyer in the context of criminal proceedings and proceedings for the execution of the European arrest warrant, as well as regarding the right to inform a third party in the event of deprivation of his liberty and with the right to communicate with third parties and with consular authorities during the deprivation of liberty (OJ L 294 of 6.11.2013, p. 1).

³⁴ See Directive (EU) 2016/343 of the European Parliament and of the Council of 9 March 2016 on strengthening certain aspects of the presumption of innocence and the

right of representation of the accused at his trial in criminal proceedings (OJ L 65 of 11.3.2016, p. 1).

³⁵See Directive (EU) 2016/1919 of the European Parliament and of the Council of 26 October 2016 on legal aid for suspects and accused persons in criminal proceedings and for wanted persons in proceedings for the execution of the European Arrest Warrant (OJ L 297 of 4.11.2016, p. 1).