

JUDICIAL COOPERATION IN CRIMINAL MATTERS: FROM MAASTRICHT TO LISBON

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Abstract

The purpose of this paper is to present the historical path in respect of the judicial cooperation in criminal matters by the entry into force of the Maastricht Treaty until the entry into force of the Treaty of Lisbon. The Union's objective is to provide citizens with a high level of protection in an area of freedom, security and justice, taking a common action between Member States in the field of police and judicial cooperation in criminal matters, preventing and fighting racism and xenophobia. This objective is achieved by preventing organized crime or of any other kind, and the fight against this phenomenon, in particular terrorism, trafficking in human beings and crimes against children, drug trafficking, arms trafficking, corruption and fraud, through closer cooperation between judicial and other competent authorities of the Member States. Judicial cooperation in criminal matters did not figure on the establishing Treaties the European Community. But, on the other hand, it could not remain obscure, that since the 1970s, the increase, more and more, of the necessity of dealing jointly, at European level, as the phenomenon of terrorism, as well as the consequences that bring, in the criminal aspect, the process of borders demolition of the Schengen agreements. The Treaty of Maastricht is definitely a significant stage of European integration process. At the same time it also represents a significant stage in terms of judicial cooperation in criminal matters. For the first time judicial cooperation in criminal matters becomes part of a treaty. Decisive turnaround of judicial cooperation in criminal matters between the EU Member States was in 1997 with the signing of the Treaty of Amsterdam. This Treaty brought important changes and more innovative, ranging from clearly fixed targets in the role of institutions and adopted normative acts. The Treaty of Nice, which was signed in 2001, introduced the European Judicial Cooperation Unit (Eurojust) composed of prosecutors, magistrates, or police officers with the same competencies, designated by each state in accordance with their legal systems. Whereas the Lisbon Treaty brought about a fundamental and substantive reform in this area. For the first time, judicial cooperation in criminal matters communitarized. It further strengthened the role of parliament in this area. It also foresees the creation of the European Prosecutor, in order to combat offenses that affect the financial interests of the European Union.

Keywords: *judicial cooperation, treaties, criminal matters, member states, organized crime*