

EN
E-002763/2026
Answer given by Mr McGrath
on behalf of the European Commission
(13.10.2026)

Through the proposed revision of the European Union Agency for Criminal Justice Cooperation (Eurojust), the Commission intends to fully implement Article 85 of the Treaty on the Functioning of the European Union and, in particular, the Agency's power to initiate criminal investigations or prosecutions conducted by competent national authorities.

The legislative proposal sets out the conditions and procedures under which national members composing the College of Eurojust would be able to ask competent national authorities to undertake or extend investigations, set up joint investigation teams, prioritise judicial cooperation requests or take other justified measures.

The Agency's role and functions would remain unchanged: Eurojust would continue to support and strengthen coordination and cooperation between national investigating and prosecuting authorities in the fight against serious, organised and cross-border crime within the procedural framework established by the Member States.

Competent national authorities retain full competence over the criminal file, including the formal opening of a criminal investigation. Eurojust would however be able to signal the need for judicial follow-up and cooperation at an early stage. This would enable Eurojust to better support the Member States' investigative and prosecuting authorities within a judicial framework and would therefore not affect the rules on commercial competition or economic life.

Similarly, the proposed revision of the European Union Agency for Law Enforcement Cooperation (Europol) Regulation¹ does not confer coercive powers to Europol. Any investigative or coercive measure remain the responsibility of the competent authorities of Member States.

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[https://www.europarl.europa.eu/RegData/docs_autres_institutions/commission_europeenne/com/2026/0580/COM_COM\(2026\)0580_EN.pdf](https://www.europarl.europa.eu/RegData/docs_autres_institutions/commission_europeenne/com/2026/0580/COM_COM(2026)0580_EN.pdf).