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COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
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To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

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Delegations will find attached document SEC(2026) 570 final.

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REGULATORY SCRUTINY BOARD OPINION

Impact assessment / Revision of the Eurojust Regulation

{COM(2026) 570}

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EUROPEAN COMMISSION
REGULATORY SCRUTINY BOARD

Brussels,
RSB

Opinion

Title: Impact assessment / Revision of the Eurojust Regulation

Overall opinion: POSITIVE WITH RESERVATIONS

(A) Policy context

The EU agency for criminal justice cooperation, Eurojust, was set up in 2002. Amidst growing sophistication of transnational criminal networks and accelerating digitalisation of illegal activities, an evaluation published in 2025 identified structural and organisational constraints affecting negatively the operational performance of the agency.

This impact assessment tries to address these issues and seeks to identify the way forward towards stronger coordination and cooperation between national investigating and prosecuting authorities to combat serious cross-border crime in the EU. The impact assessment comes in parallel with related initiatives on Europol, Data Retention and the Anti-Fraud Architecture (AFA) package (OLAF, EPPO and PIF).

(B) Key issues

The Board notes the additional information provided and commitments to make changes to the report.

However, the report still contains significant shortcomings. The Board gives a positive opinion with reservations because it expects the lead Service to rectify the following aspects:

- (1) The identification of the problems and their drivers is not sufficiently clear on issues arising from legal obstacles despite recent amendments, and from implementation problems.**
- (2) The specific and operational objectives, are not defined in a SMART manner to allow measuring success through a comprehensive set of key performance indicators.**
- (3) The impact of the initiative on fundamental rights (use of personal data) is not sufficiently analysed.**

This opinion concerns a draft impact assessment which may differ from the final version.

(C) What to improve

- (1) The report should better present the current situation of the agency and clarify elements such as the prioritisation of simple versus complex files, nationally led cases versus Eurojust 'own' cases and the involvement of external bodies and third countries, to the extent possible and illustrated by examples/evidence. Concepts such as what constitutes a 'complex' case should be explained in a clear way.
- (2) The report should make better use of the 2025 evaluation, by including concrete findings and examples in the analysis of the relevant problems and their drivers. The problem definition should clarify the extent to which the current legislation is at the origin of the problems and their drivers. It should better explain why the amendments of the Eurojust Regulation since 2022 have not been sufficient for Eurojust to address the challenges of a fast-evolving crime landscape. Issues related to governance and organisational culture and why addressing them requires legislative changes rather than management decisions should be better analysed.
- (3) Specific and operational objectives should be reviewed to make them SMARTer. The related key performance indicators should be adjusted accordingly, prioritising those that can track the progress on achieving the objectives in a sufficiently reliable, objective and proportionate manner, fully taking into account digital solutions.
- (4) Certain measures, such as the ones expanding Eurojust's competences to new or emerging crimes, should be more clearly explained. The assessment of the policy options should be enhanced, notably as regards the assessment on fundamental rights of the impact of the measures leading to enhanced sharing of personal data. In this respect, the report should provide a detailed analysis of the associated risks and clearly explain the safeguards envisaged to mitigate them.
- (5) The analysis of the coherence of the measures with recent or ongoing initiatives related to EU bodies in the field of Justice and Home affairs as well as the EU antifraud architecture, such as Europol, EPPO, OLAF, AMLA, etc. as well as in relation to the EU external policies should be strengthened.
- (6) Finally, efforts should be made to improve the accessibility of the report to non-experts, while keeping it to a reasonable size.

Some more technical comments have been sent directly to the author Service.

(D) Conclusion

The lead Service must revise the report and its executive summary in accordance with the Board's findings before launching the interservice consultation.

Full title	Revision of the Eurojust Regulation
Reference number	PLAN/2025/1408
Submitted to RSB on	1 April 2026
Date of RSB meeting	29 April 2026

