

Mutual Evaluations

- The instrument *Mutual Evaluations* was introduced through the Joint Action 97/827/JHA of 5 December 1997, establishing a mechanism for evaluating the application and implementation at national level of international undertakings in the fight against organised crime
- Mutual evaluations are peer evaluations, i.e. they are organised on a basis of equality and mutual confidence. When this instrument is used, the evaluators do thus not have any formal authority of supervision or similar. However, the Member States have undertaken to ensure that its national authorities cooperate fully with the evaluation teams.

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- The mutual evaluations make it possible to evaluate the implementation of EU instruments, in particular with a view to combating organised crime, even though the implementation of such instruments is primarily the responsibility of the individual Member States.
- The evaluation teams are made up by experts from three Member States, which are assisted by the General Secretariat of the Council. The Commission and other bodies such as Europol may participate in the exercise as observers.
- The evaluation is basically done on the basis of a questionnaire and a visit in the Member State being evaluated.

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- An evaluation report is established on each evaluated state. The report is in principle confidential, but the evaluated Member State may choose to publish it.
- The third round of mutual evaluation, regarding the “Exchange of information and intelligence between Europol and the Member States and between the Member States respectively”, is on-going and will be finished around September this year. A summary report of the whole round will then be established. So far, almost 20 Member States have been evaluated in this round. The present round was preceded by a round of mutual evaluation on “Law enforcement and its role in the fight against drug trafficking” and will be followed by a round on the “Practical application of the provisions in the Framework Decision on the European Arrest Warrant”.
- It is presently considered whether there is a need to modify and improve the instrument of Mutual evaluation.