



# Freedom, Security and Justice within the European Union

- with special emphasis on criminal justice issues

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## MODULE 2

### Shaping Factors for the Area of Freedom, Security and Justice

1

#### Reading Lecture 1

#### Approaching the Dynamic Development of AFSJ

##### 1. In this lecture you will learn about...

- the dynamic of the evolution within the AFSJ (justice and home affairs) and
- the criteria of the development (from the traditional point of view of being criminal justice a closed national system).

#### Learning time – approximately 1 hour



##### 2. Criteria – “Badges for development”

Read the following text!

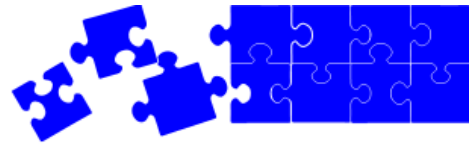
The integration of criminal justice systems in the EU can be seen in the dynamic Europeanisation of traditional justice and home affairs, the milestones of which are clearly set out in European political discourses and legal developments over the last 30 years. In this module, we learn about the concepts whose political adoption and legal transposition have defined the framework of today's AFSJ. These concepts are still valid to this day, thus ensuring the justification or legitimacy of the current and planned developments in principle. Of course, the current MS policies and



the EU policy as well can have a great influence on the details of legislation and so the intensity of Europeanisation in connection with a given new legal institution, but this does not erase the correctness of the theoretical model.

The criteria (factors) identified here fundamentally influence the closed, internal criminal justice frameworks of the Member States due to the legal interactions of the EU integration, in some cases they are defined, thus creating non-internal regulatory solutions in all Member State.

In this Module, the criteria of Europeanization are symbolized by badges of different colours, see the collection below.



2

## Criteria of Europeanization



union law

unfolding the legal relationship between EU law and national criminal law



functional integration

protecting EU supranational interests through criminal law



ius puniendi

development of supranational ius puniendi



competence gaining at supranational level

extension of justice and home affairs competencies in the supranational framework



cooperation in criminal matters

facilitation and juridification of cooperation between MS



procedural law & fundamental rights

approximation of criminal procedure; fundamental rights context; European standards



3. Watch the video lecture No 4!

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