

# Editorial

Dear Readers,

The next two issues of *eu crim* will focus on the relationship between administrative and criminal law. Topics include, for instance, the information flow between authorities conducting administrative investigations and those conducting criminal investigations at the European and national levels. This is of particular pertinence in the new institutional setting for the protection of the EU's financial interests with the European Public Prosecutor's Office – the first supranational authority tasked with investigating and prosecuting crimes – because the Office's success heavily relies on cooperative support from administrative bodies, e.g. OLAF or authorities responsible for the financial management of EU funds. In addition to these issues of cooperation, the focus will be on the use of information gathered in administrative proceedings for criminal proceedings as well as the implications of rule-of-law standards for preventive measures.

These issues can be seen in the more general, dialectical context of preventive and repressive law, and belong to the overall question of how public security is or should be regulated. This is one of the reasons why the Department of Public Law was added to the Max Planck Institute for the Study of Crime, Security and Law. It aims to bring a specific public law perspective to the research field of public security law. Public security has often been perceived predominantly through the lens of criminal law, as it was the case during much of the time at the predecessor Institute, the MPI for Foreign and International Criminal Law. Almost every country has a criminal code and a research tradition focusing on criminal law as a discrete area of the law. But only a few countries have well-established codes and general doctrinal structures in place for the preventive aspects of the work of their authorities, such as police forces or secret services. Accordingly, public security law is much less developed as a specific area of legal research in most foreign legal systems.

This gap is addressed by the MPI's new department, which strives to structure developments in the field of public security law as part of its research programme – a programme that includes a three-dimensional matrix spanning the field from theoretical fundamentals to different trends, such as internationalization, digitalization, and fragmentation as well as specific challenges with respect to fundamental rights, the rule

of law, and democratic values. *eu crim* is a major information hub for the relevant developments in Europe, the project serving as an important contributor to and outlet for the department's programme, e.g. by providing a regular overview of threats to the EU's rule-of-law values (see news section "Fundamental Rights"). Another example of our diverse approach is the research we are carrying out on the use and limits of mass surveillance, which includes the surveillance of financial data in the field of money laundering (see also the article by *Lukas Landerer*, *eu crim* 1/2022, 67).

Against this background, one of the department's aspirations is to raise international awareness of public security law as a field of research. Its importance is reflected in *eu crim*'s trend over the past years of including questions of preventive administrative law in its regular reporting on essential developments in the protection of the EU's financial interests and related topics – both in its news section and in the scientific articles. The broadening of *eu crim*'s scope is also reflected in the composition of the *eu crim* editorial board, which recently welcomed new members with vast experience also in preventive administrative security measures. *eu crim* thus contributes to fostering a more comprehensive approach to public security law, which is very much in line with the research agenda of the new department at our Institute in Freiburg. I hope that the European Criminal Lawyers' Associations will increasingly address administrative and public security perspectives in their projects and recruit more lawyers with expertise in these fields for membership.

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