

Seminar

The European Investigation Order

Luxembourg, 27-28 September 2023

Grant Agreement 101089772 — UpJudCoop - Update on EU judicial cooperation instruments

Seminar Venue: To be determined

Programme

Objectives: The European Investigation Order (EIO) is the leading instrument for evidence gathering in the field of EU judicial cooperation in criminal matters. It is now widely used and has proved to be an efficient tool in accelerating the collection of evidence in cross border criminal proceedings by ensuring the mutual recognition of investigative measures.

The objective of the seminar is to provide an update on the case law of the CJEU in relation to the EIO, and make legal practitioners aware of the latest jurisprudence of the Court, relevant in their professional work.

Target group: The seminar is especially interesting for legal practitioners working in the field of criminal law, dealing with cross-border criminal cases, but is also of relevance to those having a particular interest in the EU Area of Freedom Security and Justice, based on the principles of mutual recognition and mutual trust.

Participants will have a nuanced understanding of the practical application of the EIO, fundamental rights issues directly affecting the execution of an EIO, and the recent case law of the CJEU related to the EIO. By attending the seminar, participants will have a clear understanding of the complex environment that surrounds the application of the EIO today.

Seminar Methodology: The seminar is based on short presentations complemented with practice-oriented panel discussions led by experts who have an in-depth understanding of the EIO. Departing from the evolving case law of the Court of Justice of the European Union, the seminar will focus on practical issues arising in the daily administration of the EIO.

The seminar also involves a visit to the CJUE and a background explanation on how national courts can refer interpretative requests to the CJEU in the context of the preliminary reference procedure.

EXT EXP: to be determined

EIPA Luxembourg - European Centre for Judges and Lawyers

Senior Lecturer Petra Jeney is Director of EIPA Luxembourg in charge of training and consultancy for the judiciary and other legal professionals as well as officials from the national administrations and EU institutions in relation to European Union's Area of Freedom Security and Justice, mostly judicial cooperation in the European Union, p.jeney@eipa.eu

Lecturer Catherine Warin is managing training, technical assistance programmes and consultancy for the judiciary and other legal professionals on judicial cooperation and EU AFSJ matters. C.warin@eipa.eu

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WEDNESDAY 27 SEPTEMBER 2023

08.30 Registration of participants

09.00 **Welcome of participants and overview of the case law of the Court of Justice of the European Union regarding the European Investigation Order**

09.30 **Issuing judicial authority, definition of court or tribunal**
Discussion based on

Case C-66/20 , Finanzamt für Steuerstrafsachen und Steuerfahndung Münster	Case C-16/22 , Staatsanwaltschaft Graz
Case C-105/21 , Spetsializirana prokuratura (Informations sur la décision nationale d'arrestation),	Case C-724/19 , HP
Case C-670/22 , Staatsanwaltschaft Berlin	Case C-584/19 , A and others

10.15 **Q&A**

10.30 Coffee break

11.00 **The right to legal remedies and recourse to available remedies**
Discussion based on **Case C-324/17**, Gavanozov I and **Case C-852/19**, Gavanozov II, **Case C-584/19**, A and others

11.45 **Q&A**

12.00 **Case study 1: EIO – videoconference/audiovisual transmission**
Case C-314/18, SF (European arrest warrant — Guarantee of return to the executing State), **Case C-324/17**, Gavanozov I and **Case C-852/19**, Gavanozov II,

13.00 Lunch break

14.30 **Case study 2: EIO – scope**

15.30 **Recognition and grounds of refusal**
Discussion based on **Case C-724/19**, HP and **Case C-505/19**, WS

16.15 **Q&A**

16.30 Evaluation

16.45 End of Day 1

THURSDAY 28 SEPTEMBER 2023

- 08.00 **Visit to the Court of Justice of the European Union**
Arrival - security check
- 13.00 **END OF SEMINAR**