

# Training on Issuing an European Investigation Orders (EIOs) with TREIO

## Policy Brief #2

### Introduction

The European Investigation Order (EIO) is a vital instrument for judicial cooperation between Member States of the European Union, facilitating the execution of investigative measures across borders. Understanding the scope, procedures, and intricacies of issuing and executing EIOs is crucial for law enforcement authorities to effectively combat transnational crime.

The 'TRaining on the European Investigation Order' (TREIO) Project<sup>1</sup>, funded by the European Union, aims to enhance the effectiveness of the EIO by providing standardized training materials to the practitioners involved in the implementation of this legal instrument. The training methodology employs a cascading approach, empowering expert practitioners to become trainers, ensuring widespread adoption and proficiency in utilizing the EIO and e-Evidence Exchange Digital System (eEDES)<sup>2</sup>.

This policy brief outlines the key objectives and content of a training session on issuing an EIOs.<sup>3</sup>

### Session: Scope of the EIO as an Instrument

This session provides an overview of legal instruments for cooperation, defines what an EIO is, and outlines its scope. Participants will learn when to use an EIO and the legal framework surrounding its issuance and execution. Key messages include the

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<sup>1</sup> <https://treio.eu/>

<sup>2</sup> A system designed for exchanges of forms, documents and evidences under the EIO workflow, among other judicial cooperation instruments, under a project run by Directorate-General Justice and Consumers, Unit JUST.B.3, to the European Commission, also known as reference implementation software under Regulation (EU) 2023/2844 of the European Parliament and of the Council of 13 December 2023 on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation.

<sup>3</sup> Focusing in particular on Module 1, Sessions 1.1 to 1.4, of the TREIO curricula.



importance of understanding different legal instruments for cooperation and recognizing the scope and role of EIOs.

### **Session: Issuing an EIO**

Participants will become familiar with Annex A of the EIO Directive<sup>4</sup> and learn to issue an EIO using eEDES. Aspects of urgency, relation to earlier EIOs, and identifying persons concerned are covered. Key messages emphasize the use of eEDES to facilitate the issuance of EIOs and the importance of precision in completing Annex A.

### **Session: Investigative Measures**

This session discusses the types of investigative measures that can be ordered in an EIO, focusing on Section C of Annex A. Additional requirements for certain measures and obtaining information on bank and other financial accounts are explored. Participants learn that investigative measures are not limited to suspects and must be necessary and proportionate.

### **Session: Grounds for Issuing an EIO**

Participants examine the grounds for issuing an EIO, as outlined in Section G of Annex A. Topics include summarizing facts, describing the criminal act, and listing applicable statutory provisions. Key messages stress the importance of clarity and completeness in describing the grounds for issuing an EIO.

### **Conclusion**

Training sessions on issuing and executing EIOs are essential for enhancing cross-border cooperation and improving the effectiveness of law enforcement efforts within the EU. By understanding the scope, procedures, and legal requirements associated with EIOs, competent authorities can ensure efficient and lawful execution of investigative measures, contributing to the fight against transnational crime.

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<sup>4</sup> Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters, OJ L 130, 1.5.2014, p. 1–36, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32014L0041>



This policy brief provides an overview of the training content and highlights key messages to be conveyed during each session. It underscores the importance of EIOs as a valuable tool for judicial cooperation and encourages continued efforts to strengthen collaboration among EU Member States in combating crime.

