

# Receiving and Executing an EIO –TREIO Practical Training

## Policy Brief #3

### 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>.

Module 2 of the TPEIO curricular focuses on receiving and executing EIOs, with a specific session dedicated to reflecting on using the eEDES. The training includes sharing participants' experiences in issuing an EIO and increasing their familiarity with the legal instrument and eEDES features.

### Reflections on Using eEDES

In the very beginning of the module, participants reflect on their experiences using eEDES. The session emphasizes that eEDES is user-friendly and offers several functions that improve upon traditional methods. Participants are encouraged to share

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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.



positive aspects of eEDES, such as its ease of use and enhanced efficiency, while also discussing any concerns or areas for improvement. Key messages include the simplicity of eEDES, its beneficial features, and ongoing development for further enhancements.

### **Receiving and Executing an EIO**

Three consecutive sessions delve into the practical aspects of receiving and executing EIOs, covering topics such as the role of the executing authority, deadlines, grounds for non-execution, and the use of eEDES in the process. Key messages from these sessions include:

- The executing authority plays a crucial role in recognizing and executing EIOs, with obligations to acknowledge receipt promptly.
- Annex B confirmation of receipt is vital for communication between issuing and executing authorities, and eEDES simplifies this process.
- Grounds for non-recognition and non-execution are exhaustive, and eEDES aids in executing EIOs efficiently.
- The use of eEDES streamlines communication and execution processes, benefiting both issuing and executing authorities.

### **Notification of Interception of Telecommunications and Mutual Legal Assistance Requests**

Another sessions addresses the notification of interception of telecommunications (ITNs) and Mutual Legal Assistance (MLA) requests, focusing on using eEDES for Annex C notifications and MLA requests. Key messages include:

- EIOs can be issued for interception of telecommunications with or without technical assistance from another Member State.
- Annex C notifications are crucial for informing Member States about interceptions, and eEDES facilitates this process.
- Understanding the legal framework of interception laws in Member States is essential for effective communication and cooperation.



- eEDES provides a platform for issuing Annex C notifications and MLA requests, promoting efficient cross-border collaboration.

## **Conclusion**

Module 2 of the TPEIO curricular equips participants with the knowledge and skills to receive, execute, and communicate EIOs using eEDES effectively. By reflecting on their experiences and understanding the practicalities of EIO processes, participants can contribute to enhanced judicial cooperation across the European Union. The use of eEDES not only streamlines administrative procedures but also fosters collaboration and efficiency in cross-border investigations, ultimately strengthening the European judicial framework.

