TREIO
TRaining on European Investigation Order

TREIO INFORMATION DAY #2

29 JANUARY 2024

The TREIO Project Team is represented by
Georgina Humphries, European Cybercrime Training and Education Group (ECTEG)
Alexandra Tsvetkova, LIBRe Foundation (Bulgaria)

This project was funded by the European Union's Justice Programme (2014-2020) under Grant Agreement No. 882068

AGENDA

Introduction

Background of eEDES and Introduction to the Ongoing Digitalisation of Judicial Cross-border Information Exchange and Procedures. Where Does the TREIO Project Stand?

TREIO e-Learning Course

TREIO e-Learning Course on EIO Exchanges and the Use of the e-Evidence Digital Exchange System (eEDES) in This Regard

TREIO eEDES Simulator

TREIO eEDES Simulator of the EIO Business Workflow

After the webinar

Q&A Session with the Audience

How to Sign up for Using these Tools?

INTRODUCTION

Background of eEDES and Introduction to the Ongoing Digitalisation of Judicial Cross-border Information Exchange and Procedures

Where Does the TREIO Project Stand?

ONGOING DIGITALISATION (1)

- In recent years, EU has promoted the possibilities for electronic exchange of information in cross-border transactions and exchange of evidence
  - European Commission has supported the e-CODEX Project, developed the e-Justice Communication via Online Data Exchange (e-CODEX) System
  - Regulation (EU) 2022/850 has been adopted defining the roles, responsibilities and legal framework for operating the e-CODEX System
  - Back in 2016, based on e-CODEX, Commission decided to initiate the development of e-Evidence Digital Exchange System (eEDES), also known as Reference Implementation Software, to pilot the support of digital exchange of European Investigation Orders (EIOs), Mutual Legal Assistance (MLA) forms and Interception of Telecommunication Notifications (ITNs)
  - So far 11 member states has joined the digital exchange of EIOs in a piloting mode (AT, BE, DE, ES, FR, HU, LU, LV, PT, PL, SI)

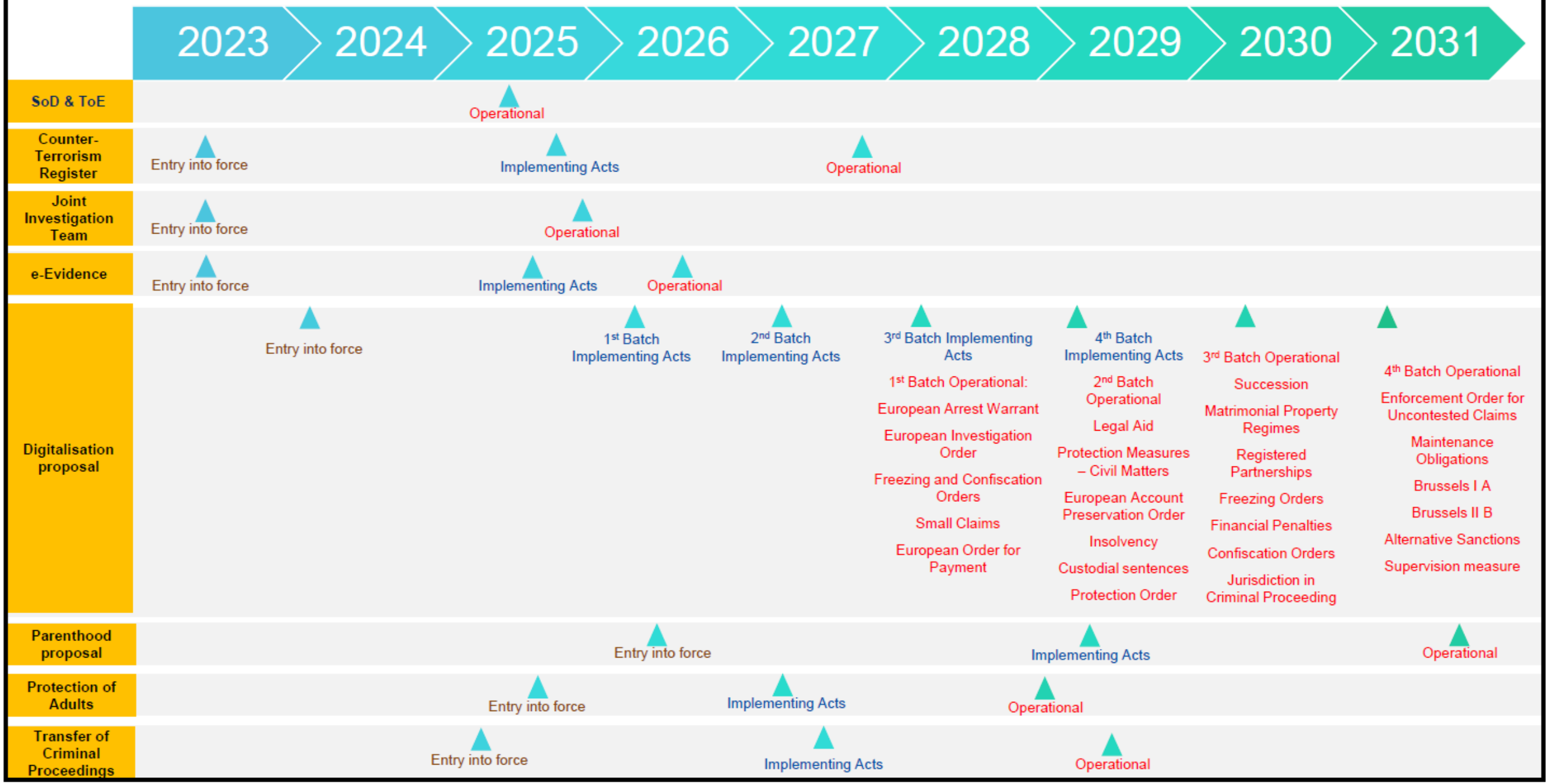
ONGOING DIGITALISATION (2)

- In December 2021, a legislative proposal package on the digitalisation of judicial cooperation was adopted resulting in – among others – **Regulation (EU) 2023/2844 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** (in force from Jan 2024, apply from 1 May 2025) amending 8 legislative acts in judicial cooperation
- Regulation (EU) 2023/2844 delivers on new rules allowing:
  - the participation by parties and other relevant persons in oral hearings in civil, commercial and criminal proceedings by means of videoconferencing or other distance communication technologies
  - electronic communication between natural or legal persons or their representatives and competent authorities
  - the recognition of documents with electronic signatures or seals
  - the payment of fees through electronic means.

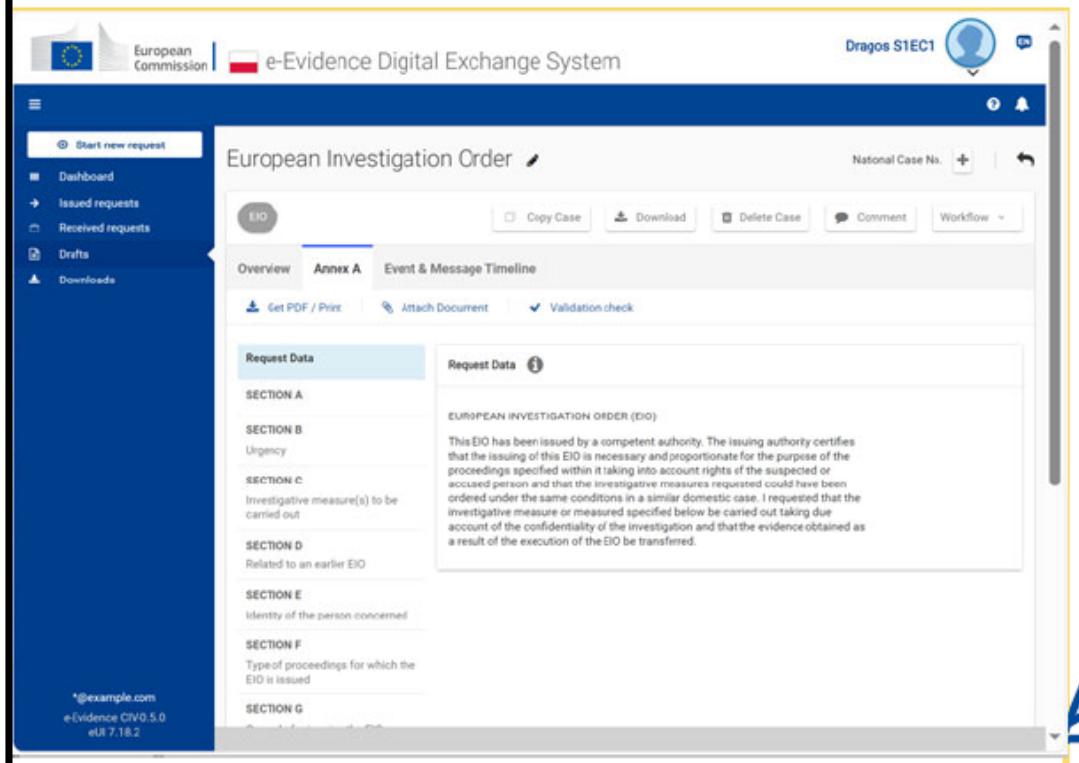
ONGOING DIGITALISATION (3)

- According to Regulation (EU) 2023/2844, the communication pursuant to a total of 24 legislative instruments in the field of judicial cross-border cooperation and access to justice in civil, commercial and criminal matters, including the exchange of forms established by those acts, shall be carried out through a secure, efficient and reliable decentralised IT system (ref. the e-CODEX System).
- Member States should be able to use the software developed by EC (Reference Implementation Software) instead of a national IT system.

Roadmap for eEDES



The eEvidence Digital Exchange System **2024**



MS A
National Domain

Internet / AS4

European Commission
(Secure Hosting Service)

Competent Authorities
Criminal Courts

e-Codex

Gateway

Connector

Reference Implementation

EIO
MLA
ITN

National Network

Competent Authority

MS B
National Domain

WHERE DOES THE TREIO PROJECT STAND?

- TREIO developed and piloted an all-round cross-border training on EIO implementation to foster the use and successful exchange of EIO forms and evidences across EU via eEDES
  - Designing Person-to-Person Training Framework
    - Tailoring the content to cross-border specifics
    - Allowing for further national adaptations
    - Full set is available in 16 languages
  - Providing Train-the-Trainer activities and online training across piloting MSs
  - Producing adaptive eLearning Course and dedicated TREIO eEDES Simulator
  - Delivering TREIO Toolkit and Action Plan extending the training to all MSs

TREIO eLearning Course on EIO Exchanges and the Use of the e-Evidence Digital Exchange System (eEDES) in This Regard

The TREIO Online Training Packages

AIMS AND ACTIVITIES

TREIO Online Training

TREIO eEDES Simulator

An e-Learning Platform

TREIO Online Self-paced training

Language Versions

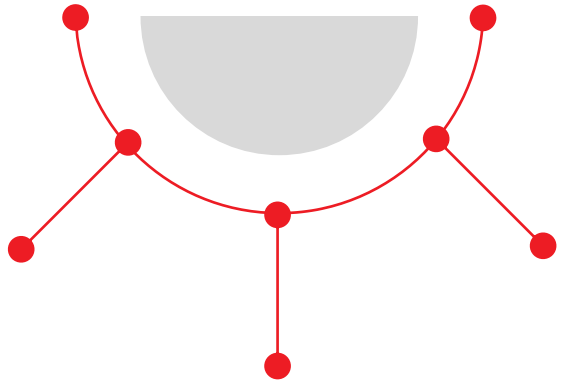
Real-time Training Experience

TREIO Online Training & Tool Package

USE OF THE TREIO TRAINING PACKAGE

EIO & eEDES Training

eEDES specific-content is supported by theoretical content on the EIO Directive and EIO Forms and the actors involved in the process.



eEDES Training

Using the TREIO Online Training to learn about the eEDES Platform: for those who know all there is to know about the EIO Directive and EIO Forms and want to learn more about how to use eEDES and how it works.

Refresher Training

Practitioners can be instructed on which parts to follow when they require a refresher on the content and form of the EIO, the eEDES, and/or specifics of the EIO Directive.

Helps practitioners refresh their memory and knowledge about a particular subject.

BENEFITS OF THE TREIO ONLINE TRAINING

- Increased awareness of the EIO Directive, EIO form and eEDES including use and benefits for transferring digital evidences
- User-centered learning and active learning approaches – each professional has their own way of learning
- No instructor required; all content is self-paced meaning participants control their study time
- Helps increase the professionals' confidence in using the eEDES platform beyond the simulated use
- Helps professionals retain important information related to the issuing and execution of digital EIO and evidences and the eEDES platform
- Helps learners to identify any knowledge gaps or training needs beneficial to their role and tasks
- Allows for greater flexibility and accessibility, and is suited for all professionals on an ad-hoc basis
- Transferable methodology for future uses of eEDES

AIMS & OBJECTIVES

More precisely, the online training aims at the following generic competence learning outcomes:

- Having a structured knowledge of the EIO Directive and EIO procedures
- Identify investigative measures and overcome typical difficulties in the application of the EIO
- Identify the procedures for transmission and receipt of an EIO
- Learn how to use the e-Evidence Digital Exchange System effectively using the TREIO eEDES System.

At the end of the training, the participant should have gained a

- knowledge of European legal assistance and cooperation in the judicial process and the contribution of the EIO in this context
- high level of familiarity with the eEDES system.

E-Learning Content

Format:

- Online
- Self-Paced
- Duration: Up to one week for the Full Training Package **or** 2-3 days for eEDES Package

- Master Copy in English
- Targets multiple stakeholders

- Translation of course materials into multiple languages

TRAINING OVERVIEW

1. BASICS	2. ISSUING AN EIO	3. TRANSMITTING AN EIO	4. RECEIVING AND EXECUTING AN EIO	5. NOTIFICATION OF INTERCEPTION OF TELECOMMUNICATIONS AND MLAS
0.0 Course Introduction	2.1. Basis for the EIO	3.1. Grounds for Issuing an EIO in eEDES Workflow	4.1. Recognition and Execution of an EIO	5.1. Notification of Interception of Telecommunication and MLAs
1.1. Legal Instruments for EU Cooperation	2.2. Access to eEDES and Content of an EIO Form	3.2. Transmission of an EIO	4.2. Receiving an EIO	5.2. Information about ITN Requests
1.2. What is an EIO?	2.3. Investigative Measures in eEDES Workflow	3.3. Transmission of an EIO in eEDES Workflow	4.3. Execution of an EIO: Grounds and Obligations	5.4. Information about MLA Requests
	2.4. Using eEDES when issuing an EIO	3.4. Validation and Signing fo an EIO in eEDES	4.4. Using eEDES when receiving and executing an EIO	5.3 / 5.5 Simulation of an ITN and MLA Request

TAKE HOME TASKS	• Preparing an EIO in eEDES • Reviewing the EIO • Sending the EIO	Using TREIO eEDES Simulator

CONTENT

- Collection of theory and practice
- Demonstrations/tutorials designed to stimulate application and reflection
- Exercises through simulations and own practice in a safe working environment
- Simulations designed using TREIO tools

Legal requirements

Procedures and best practices

Case law and case studies

Visual aids

Video tutorials

Tools for simulation

Exercises/ activities

Self-assessment

TEXTUAL-BASED CONTENT

TRaining on European Investigation Order

Use of an EIO: Language of the Form >

In the **Annexes** of the EIO Directive, the European Investigation Order Form is included.

Annex A indicates all the required information from parties for the issuing and executing of an EIO. In particular, the form includes, under Article 5 (1) of the Directive:

a) "data about the issuing authority and, where applicable, the validating authority;

b) the object of and reasons for the EIO;

c) the necessary information available on the person(s) concerned;

d) a description of the criminal act, which is the subject of the investigation or proceedings, and the applicable provisions of the criminal law of the issuing State;

e) a description of the investigative measures(s) requested and the evidence to be obtained."

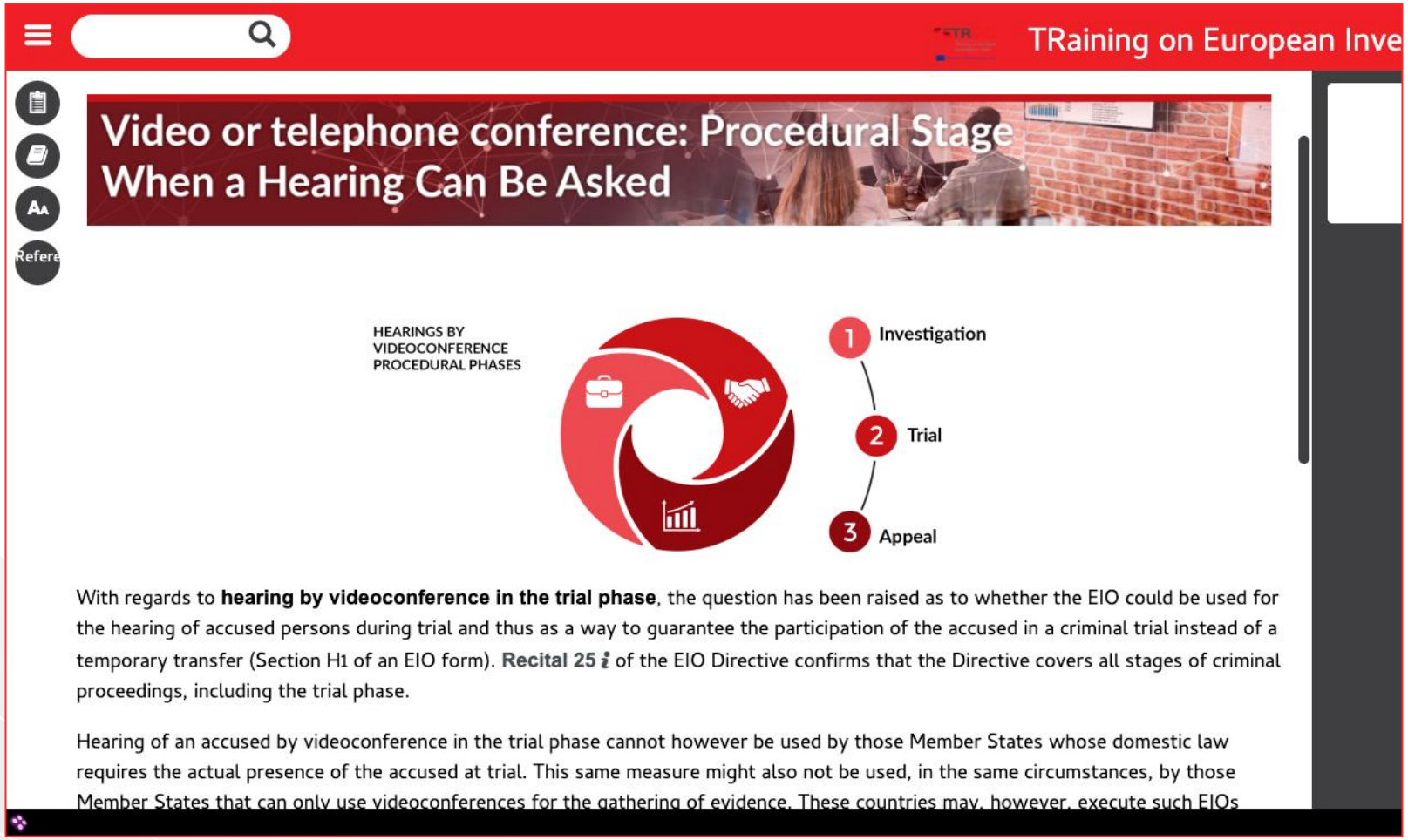
See right section A-C of Annex A of the EIO Directive.

Member States can indicate the languages that they wish to receive the form in, according to Article 5 (2) of the EIO Directive, and, if necessary, the languages used for translation purposes.

As noted in the *Joint Note of Eurojust and the European Judicial Network on the practical application of the* ***European Investigation Order***,(Eurojust, European Judicial Network, 2019) the EIO form (Annex A), available in all languages, was introduced to encourage simplicity and efficiency, underlining the spirit of the EIO Directive and the concept of mutual recognition. The objective of the form is to simplify formalities, improve quality and reduce translation costs.

© 2022 - TREIO project

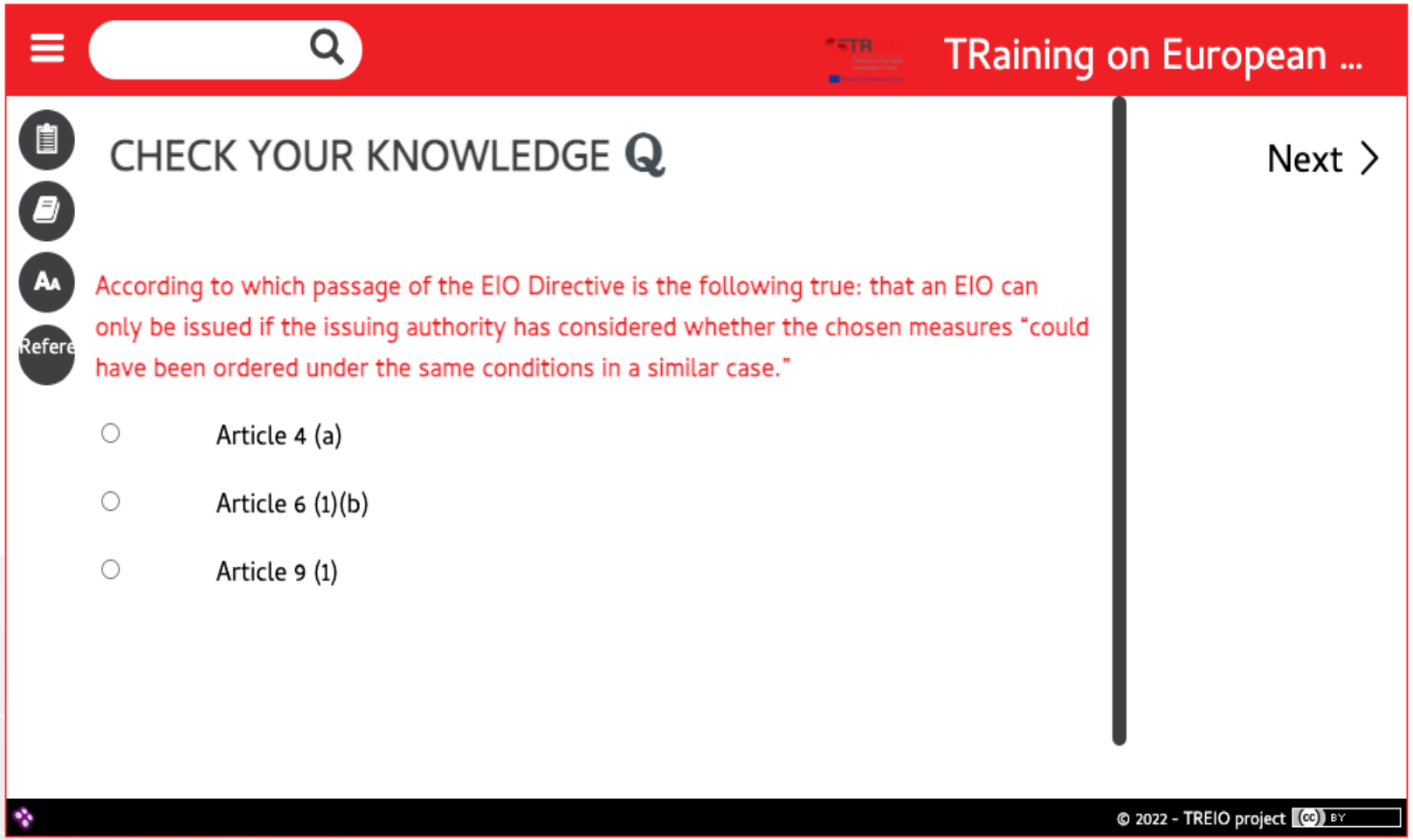
GRAPHICS/ANIMATIONS



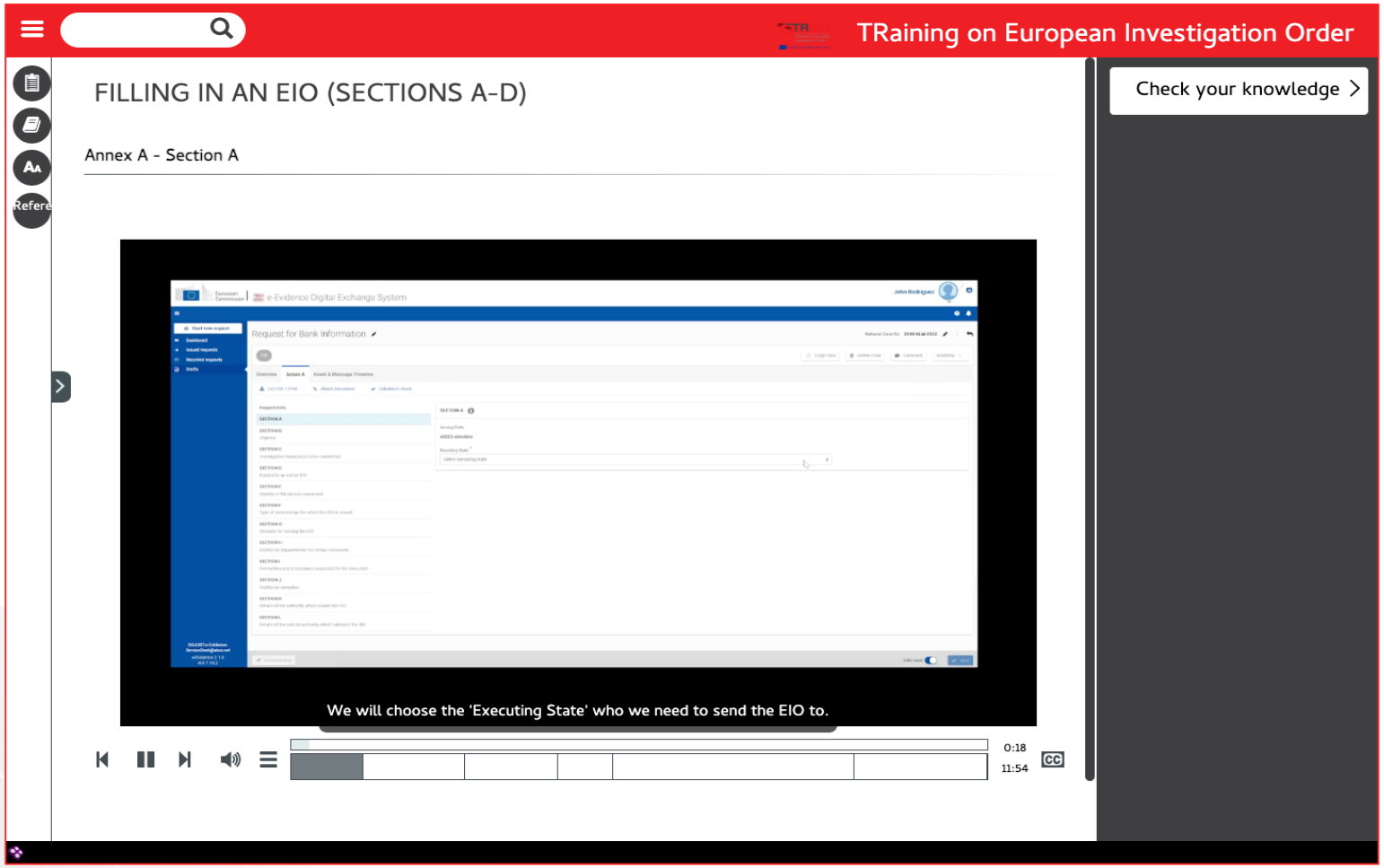
VIDEOS

TRaining on European Investigation Order
WHAT IS AN EIO?
Scope of the EIO
Issuing State
to have specific investigative measures carried out
0:36
1:28

KNOWLEDGE CHECKS/EXAM



DEMONSTRATIONS



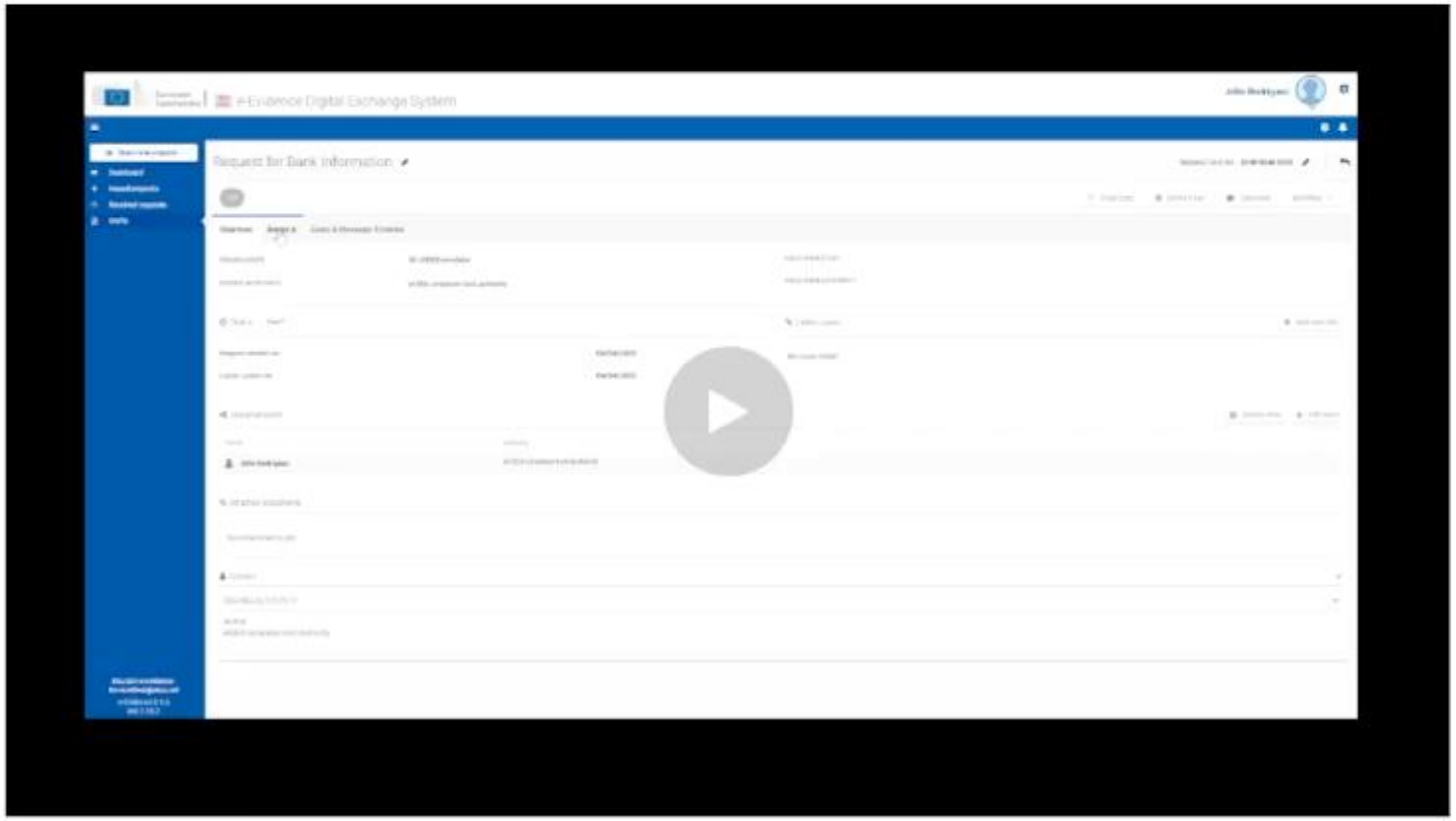
Demonstrations' Format

- Video with subtitles
- Playback slowed down and available for pausing
- Professionals can follow along in the TREIO eEDES Simulator

- Professionals are provided with additional information about key points in filling in these sections and the workings of the eEDES platform.

FILLING IN AN EIO (SECTIONS A-D)

Annex A - Section A



0:00
11:54

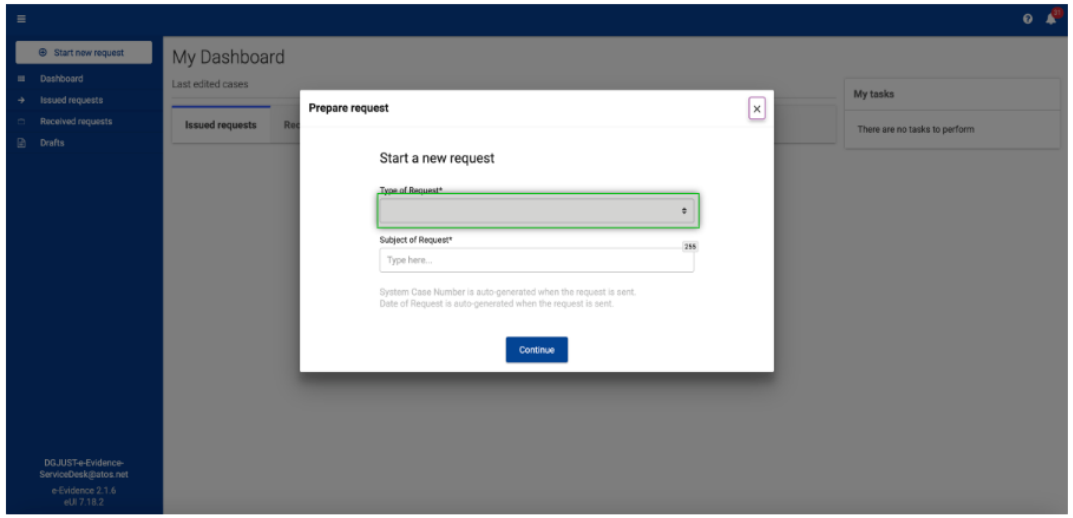
Check your knowledge

SIMULATIONS

TRaining on European Investigation Order

CHOOSING THE TYPE OF REQUEST

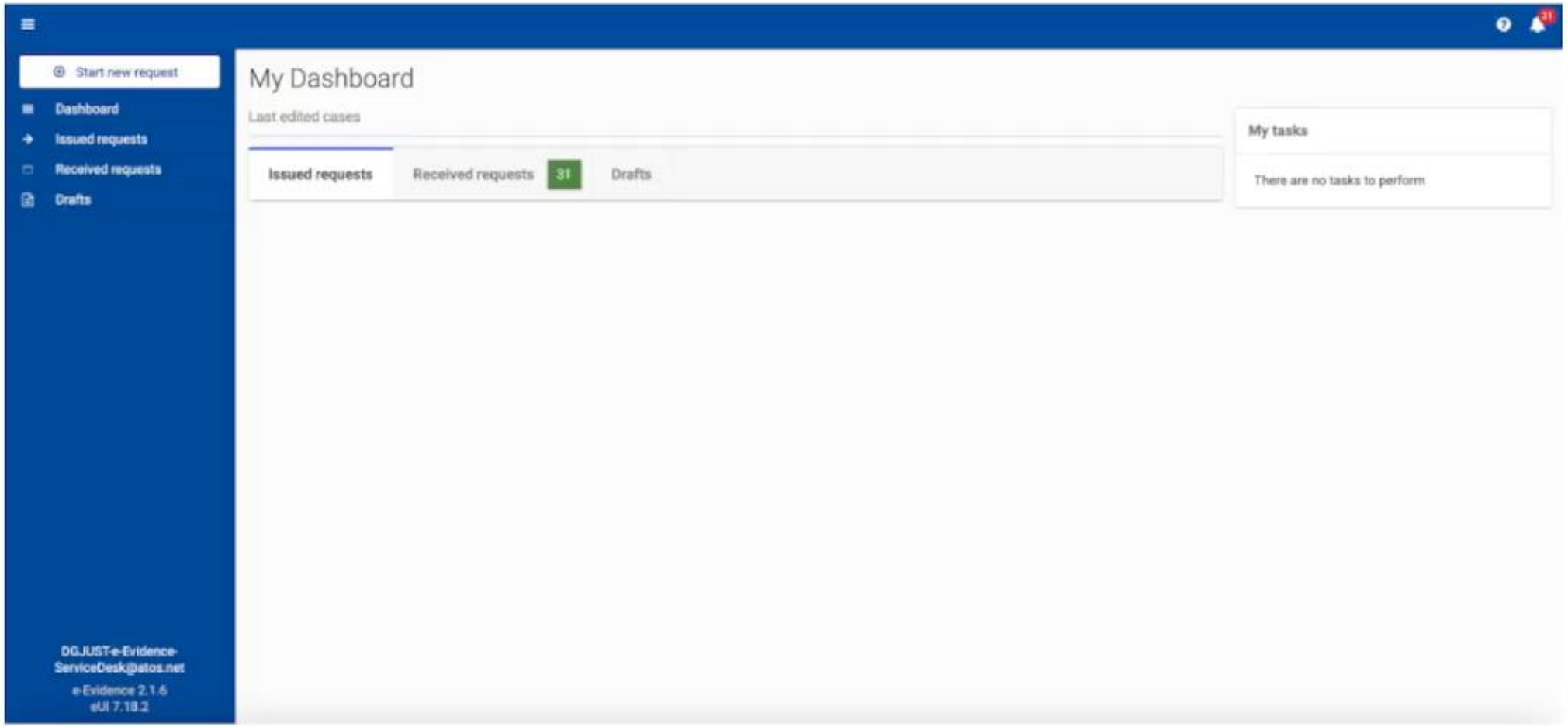
Click on the drop-down list for '**Type of Request**'.



Includes clickable elements to simulate the task

CREATING A NEW ITN REQUEST

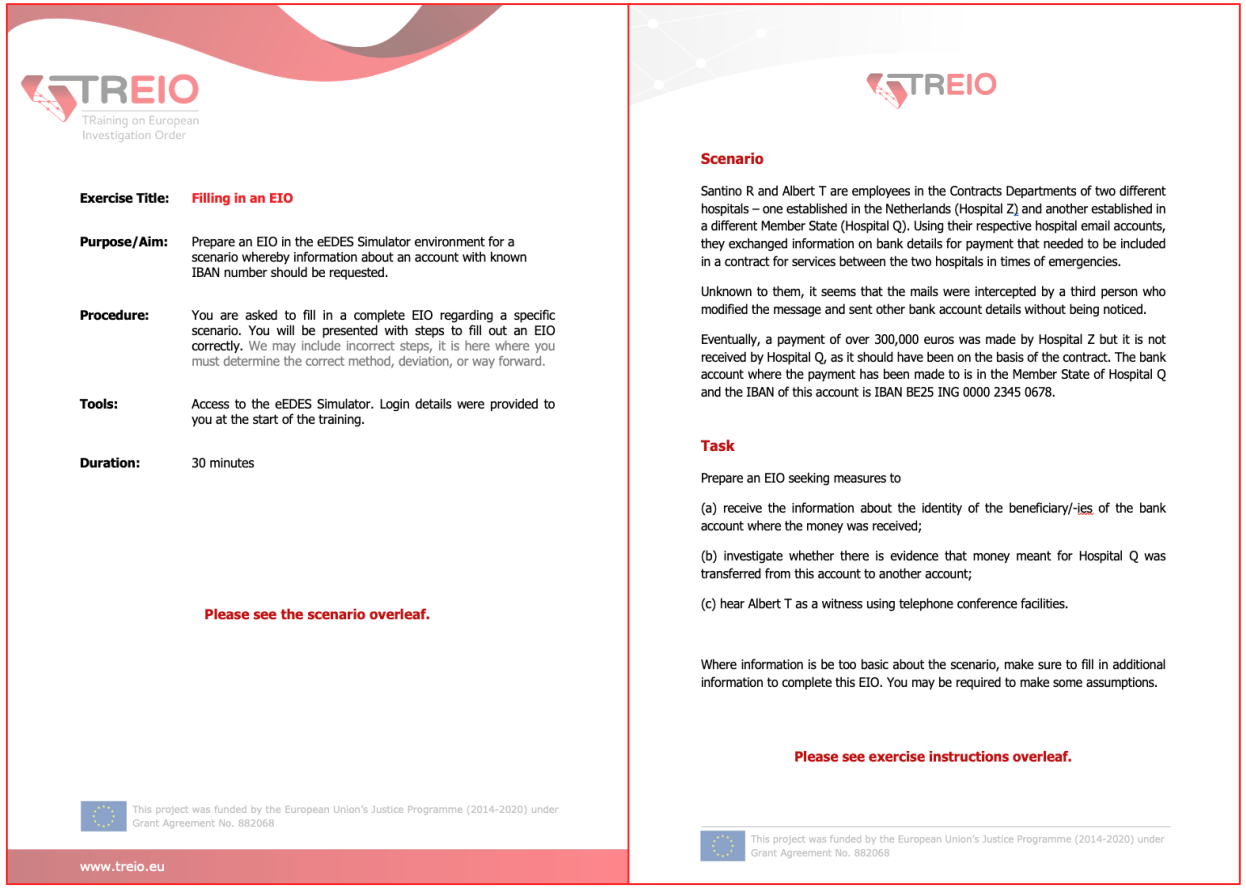
Click '**Start New Request**'.



PRACTICAL EXERCISES

TREIO eEDES simulator

- A minimum set of tasks on preparing/reviewing/sending an EIO
- Professionals will use the TREIO eEDES Simulator to perform the tasks
- A short quiz to check their completion of the task



TREIO
TRaining on European Investigation Order

Exercise Title: **Filling in an EIO**

Purpose/Aim: Prepare an EIO in the eEDES Simulator environment for a scenario whereby information about an account with known IBAN number should be requested.

Procedure: You are asked to fill in a complete EIO regarding a specific scenario. You will be presented with steps to fill out an EIO correctly. We may include incorrect steps, it is here where you must determine the correct method, deviation, or way forward.

Tools: Access to the eEDES Simulator. Login details were provided to you at the start of the training.

Duration: 30 minutes

Please see the scenario overleaf.

This project was funded by the European Union's Justice Programme (2014-2020) under Grant Agreement No. 882068

TREIO

Scenario

Santino R and Albert T are employees in the Contracts Departments of two different hospitals – one established in the Netherlands (Hospital Z) and another established in a different Member State (Hospital Q). Using their respective hospital email accounts, they exchanged information on bank details for payment that needed to be included in a contract for services between the two hospitals in times of emergencies.

Unknown to them, it seems that the mails were intercepted by a third person who modified the message and sent other bank account details without being noticed.

Eventually, a payment of over 300,000 euros was made by Hospital Z but it is not received by Hospital Q, as it should have been on the basis of the contract. The bank account where the payment has been made to is in the Member State of Hospital Q and the IBAN of this account is IBAN BE25 ING 0000 2345 0678.

Task

Prepare an EIO seeking measures to

(a) receive the information about the identity of the beneficiary/-ies of the bank account where the money was received;

(b) investigate whether there is evidence that money meant for Hospital Q was transferred from this account to another account;

(c) hear Albert T as a witness using telephone conference facilities.

Where information is be too basic about the scenario, make sure to fill in additional information to complete this EIO. You may be required to make some assumptions.

Please see exercise instructions overleaf.

This project was funded by the European Union's Justice Programme (2014-2020) under Grant Agreement No. 882068

IMPLEMENTATION OF PRACTICAL EXERCISES

TREIO
TRaining on European Investigation Order

Exercise Title: Filling in an EIO

Purpose/Aim: Prepare an EIO in the eEDES Simulator environment for a scenario whereby information about an account with known IBAN number should be requested.

Procedure: You are asked to fill in a complete EIO regarding a specific scenario. You will be presented with steps to fill out an EIO correctly. We may include incorrect steps, it is here where you must determine the correct method, deviation, or way forward.

Tools: Access to the eEDES Simulator. Login details were provided to you at the start of the training.

Duration: 30 minutes

Please see the scenario overleaf.

This project was funded by the European Union's Justice Programme Grant Agreement No. 882068

www.treio.eu

TREIO

Scenario

Santino R and Albert T are employees in the Contracts Departments of two different hospitals – one established in the Netherlands (Hospital Z) and another established in a different Member State (Hospital Q). Using their respective hospital email accounts, they exchanged information on bank details for payment that needed to be included in a contract for services between the two hospitals in times of emergencies.

Unknown to them, it seems that the mails were intercepted by a third person who modified the message and sent other bank account details without being noticed.

Eventually, a payment of over 300,000 euros was made by Hospital Z but it is not received by Hospital Q, as it should have been on the basis of the contract. The bank account where the payment has been made to is in the Member State of Hospital Q and the IBAN of this account is IBAN BE25 ING 0000 2345 0678.

Task

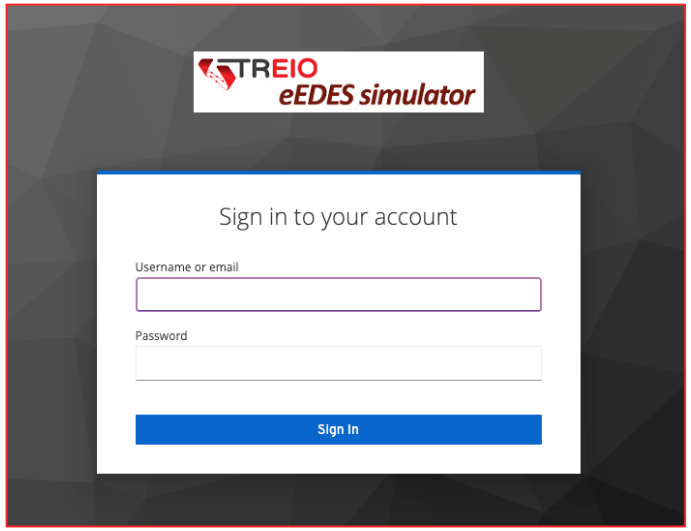
Prepare an EIO seeking measures to

(a) receive the information about the identity of the beneficiary/-ies of the bank account where the money was received;

(b) investigate whether there is evidence that money meant for Hospital Q was transferred from this account to another account;

(c) hear Albert T as a witness using telephone conference facilities.

Where information is be too basic about the scenario, make sure to fill in additional information to complete this EIO. You may be required to make some assumptions.



Discussed in the next presentation

DESIGNED FOR ALL STAKEHOLDERS [1]

- End-Users - For all judiciary professionals who require training on the EIO and eEDES
  - Access to:
    - Either/or both online training packages via a suitable LMS
    - Quizzes and final examination to test knowledge gained
    - Exercises in using eEDES utilising the TREIO eEDES Simulator (safe environment)

DESIGNED FOR ALL STAKEHOLDERS [2]

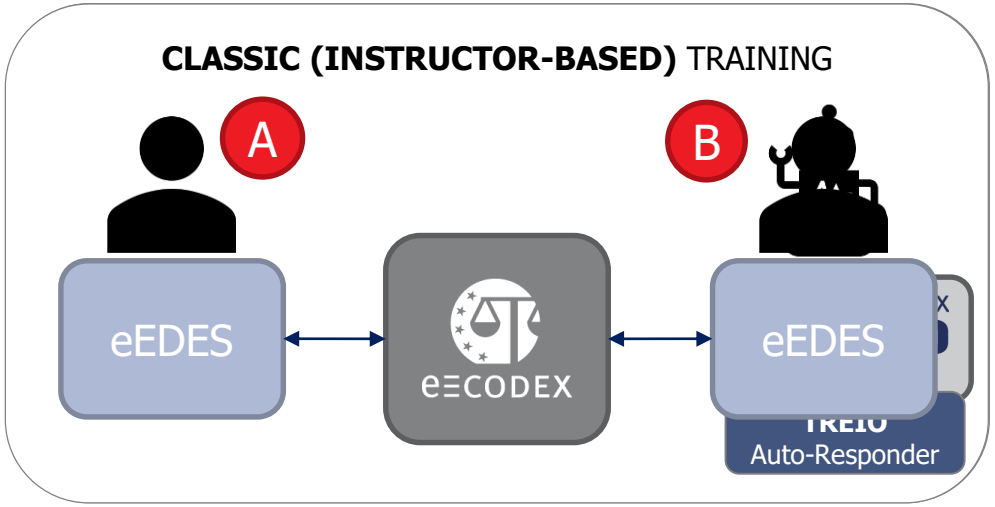
- Trainers - Professionals with training responsibilities in their organisation/ Member State
  - Access to:
    - Both online training packages (Moodle/SCORM)
    - Storyboard files (Mapping of Content)
    - Solutions to Quizzes and Examinations

Designed for All Stakeholders [3]

- Competent Authorities
  - Access to:
    - All materials provided to the trainers
    - Developer files including all images, graphics, text content, videos files
    - The developer manual/information and mapping of the content – (only available in English to ensure continuity with master files)
    - The Scenari files used to develop the training materials

The TREIO eEDES Simulator of the EIO Business Workflow

AIMING FOR A REAL-TIME TRAINING EXPERIENCE

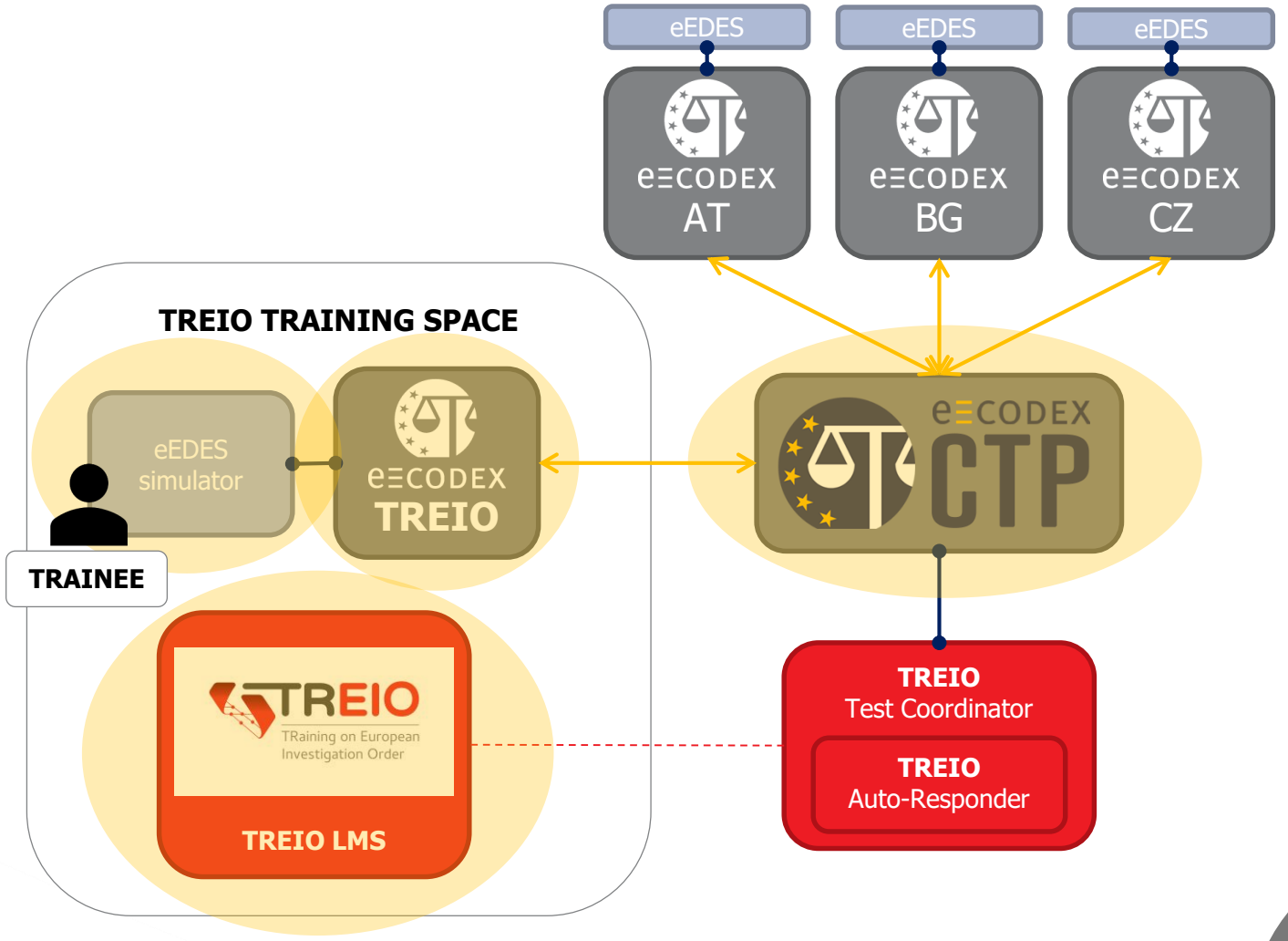


A & B are real users (trainee/trainer)
B is replaced by the TREIO auto-responder
Suitable for live face-to-face training
Suitable for self-paced learning

TREIO ENVIRONMENT

Set-up

- A full e-CODEX gateway is setup for TREIO
- The TREIO eEDES Simulator sends messages through this gateway and is available for training – **no national implementation required / access is provided by TREIO**
- This TREIO eEDES Simulator is able to communicate with another e-CODEX gateway (the e-CODEX CTP) for real-time training
- Coordination via the TREIO LMS + the TREIO Auto-Responder



SUPPORTED USE CASE TRAINING SCENARIOS

1. Filling an EIO (with/without instructions)
2. Reviewing an EIO (with/without instructions)
3. Amending an EIO (with/without instructions)
4. Signing and sending an EIO (with/without instructions)
5. Checking whether Annex B has been received (with/without instructions)
6. Checking whether additional information is being requested (with/without instructions)
7. Checking whether an EIO is rejected (with/without instructions)
8. Issuing an Annex B
9. Request for additional information
10. Rejecting an EIO

Sender

Receiver

TREIO Auto-Responder IF-THEN Behaviour

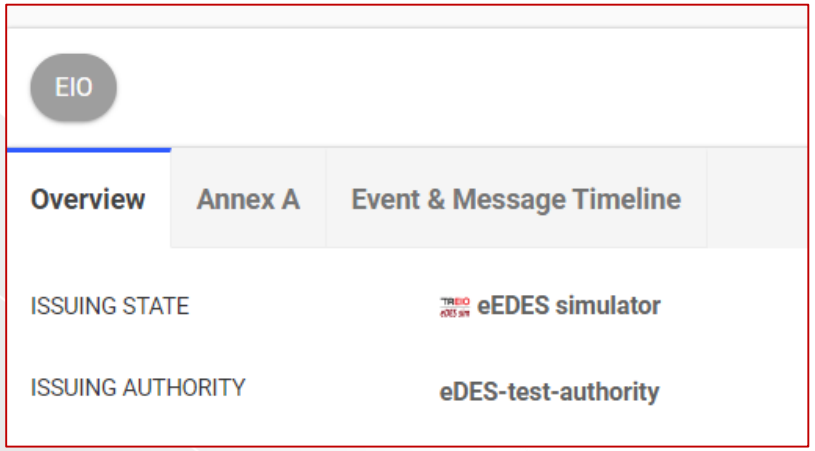
Annex A from Issuing State	1st Response from the Executing State (TREIO Auto-Responder)	2nd Response from the Executing State (TREIO Auto-Responder)
IF Annex A is issued	THEN issue Annex B	
IF Annex A/Section C contains exact text (case sensitive) 'search in private residence'	THEN issue Annex B	AND issue request for Additional Information
IF Annex A/Section C contains exact text (case sensitive) 'all his physical properties'	THEN reject EIO but only after having issued Annex B and additional information (if applies)	
IF Annex A/Section C contains exact text (case sensitive) 'subscriber information'	THEN issue Annex B	AND issue request for Additional Information
IF Annex A/Section C contains exact text (case sensitive) 'IBAN IT60X0542811101000000123456'	THEN reject EIO but only after having issued Annex B and additional information (if applies)	

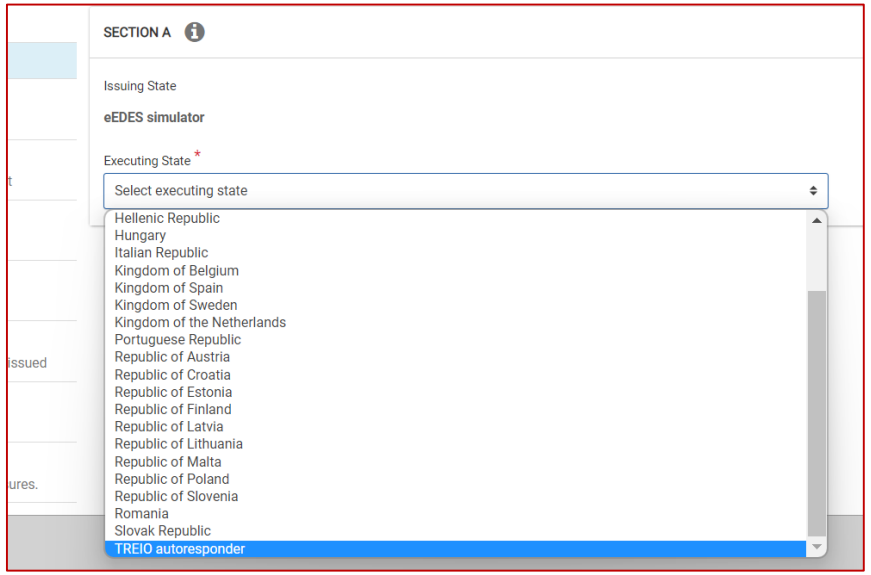
How To…? (1)

USE CASE 1: OUTGOING EIO

Users interact with the TREIO eEDES Simulator (https://treio2.ee.auth.gr) assuming the role of the *Issuing State*, in our case the "eEDES Simulator".

The role of the *Executing State* is taken by the "TREIO Auto-Responder" which responds to incoming requests.



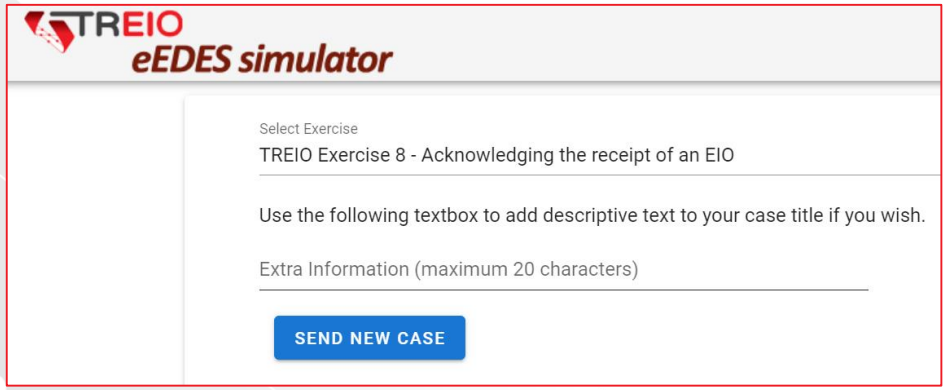


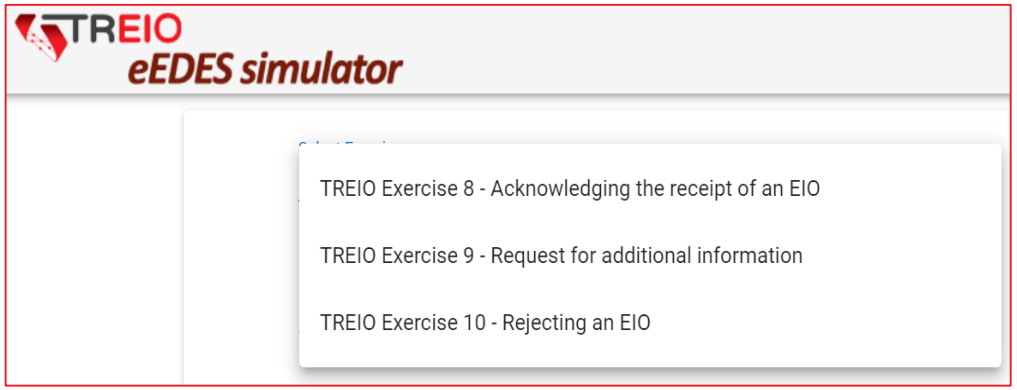
How To…? (2)

USE CASE 2: INCOMING EIO

Users interact with the TREIO eEDES Simulator assuming the role of the *Executing State*.

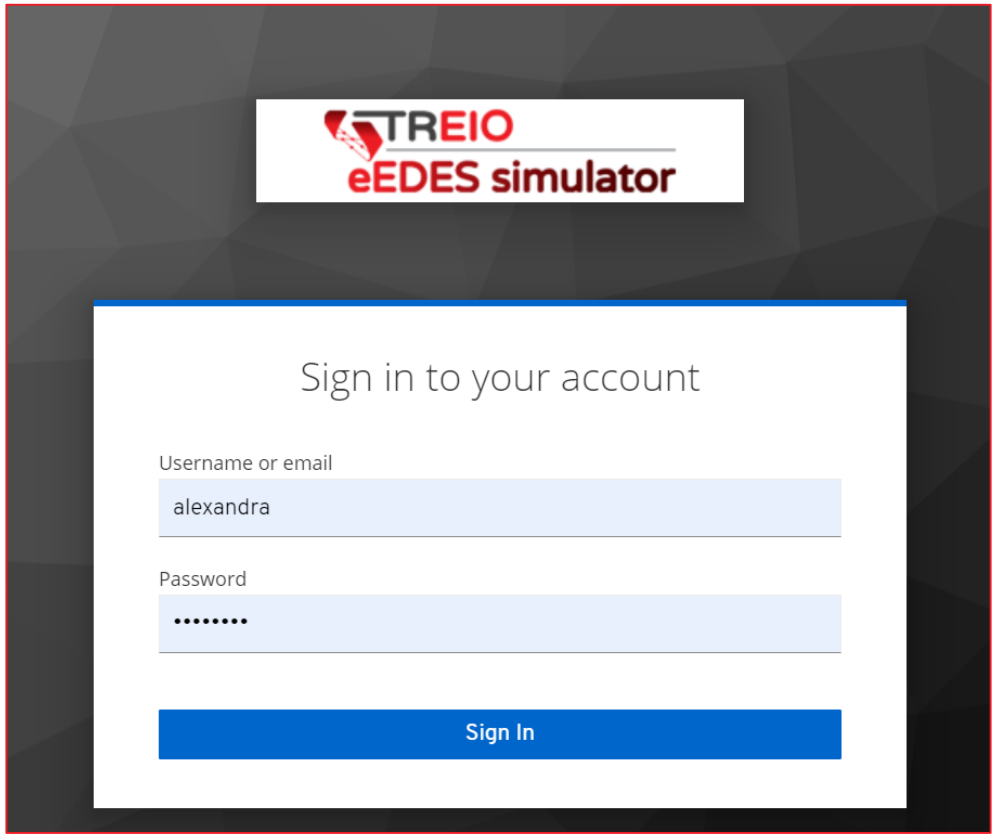
Different incoming Annex A cases can be "ordered" through the TREIO Auto-Responder's environment (the *Issuing State*) to the Executing State, at the request of the user (via https://eiotest2.ee.auth.gr).





DEMO EXERCISE

https://treio2.ee.auth.gr



How to Sign-up for These Tools?

Q&A Session with the Audience

Where to Find the Training Materials and Tool?

Go to https://treio.eu
and check the Toolkit Section

to find information and documents on the

- Training Framework
- Training of Trainers Methology
- e-Learning
- eEDES Simulator

How to Sign Up for the e-Tools?

To gain access, you must fill in the following form

https://treio.eu/a/treio-online-training

Information and access details to all registered will following in up to 3 days after the registration of their interest.

If you do not receive an email from us, first check the Spam Box and then – if the problem persists, get in contact with office@treio.eu

IMPORTANT NOTE!

- TREIO e-Learning Course, TREIO eEDES Simulator and TREIO Auto-Responder authentications are linked:
  - 1 common account (username/password) for ALL interfaces
- To access to the TREIO e-Learning Course, go to https://moodle.ecteg.eu/
  - For security reasons the LMS will require you to change the original password given to you at first entry.
  - From then on, use only the NEW password
- To access to the TREIO eEDES Simulator, go to https://treio2.ee.auth.gr
  - Use only the ORIGINAL password given to you
- To access to the TREIO Auto-Responder, go to https://eiotest2.ee.auth.gr
  - Use only the ORIGINAL password given to you

THANK YOU!

Any questions?