

TREIO TOOLS ON EIO IMPLEMENTATION AND USE OF EEDES (TREIO E-LEARNING COURSE)

24 November 2023

Training for Trainers – Finland, Session 2



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AIMS AND ACTIVITIES

TREIO Online Training

TREIO eEDES Simulator



An e-Learning
Platform

TREIO Online Self-
paced training

Language
Versions

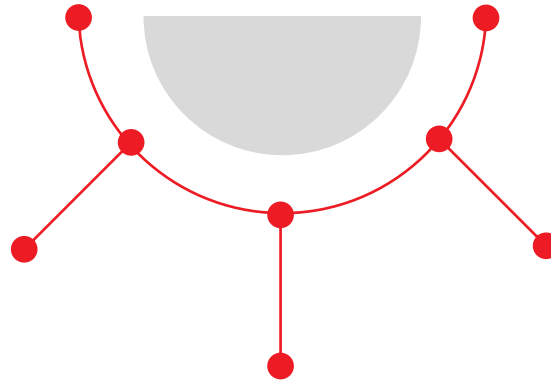
Real-time Training
Experience

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.

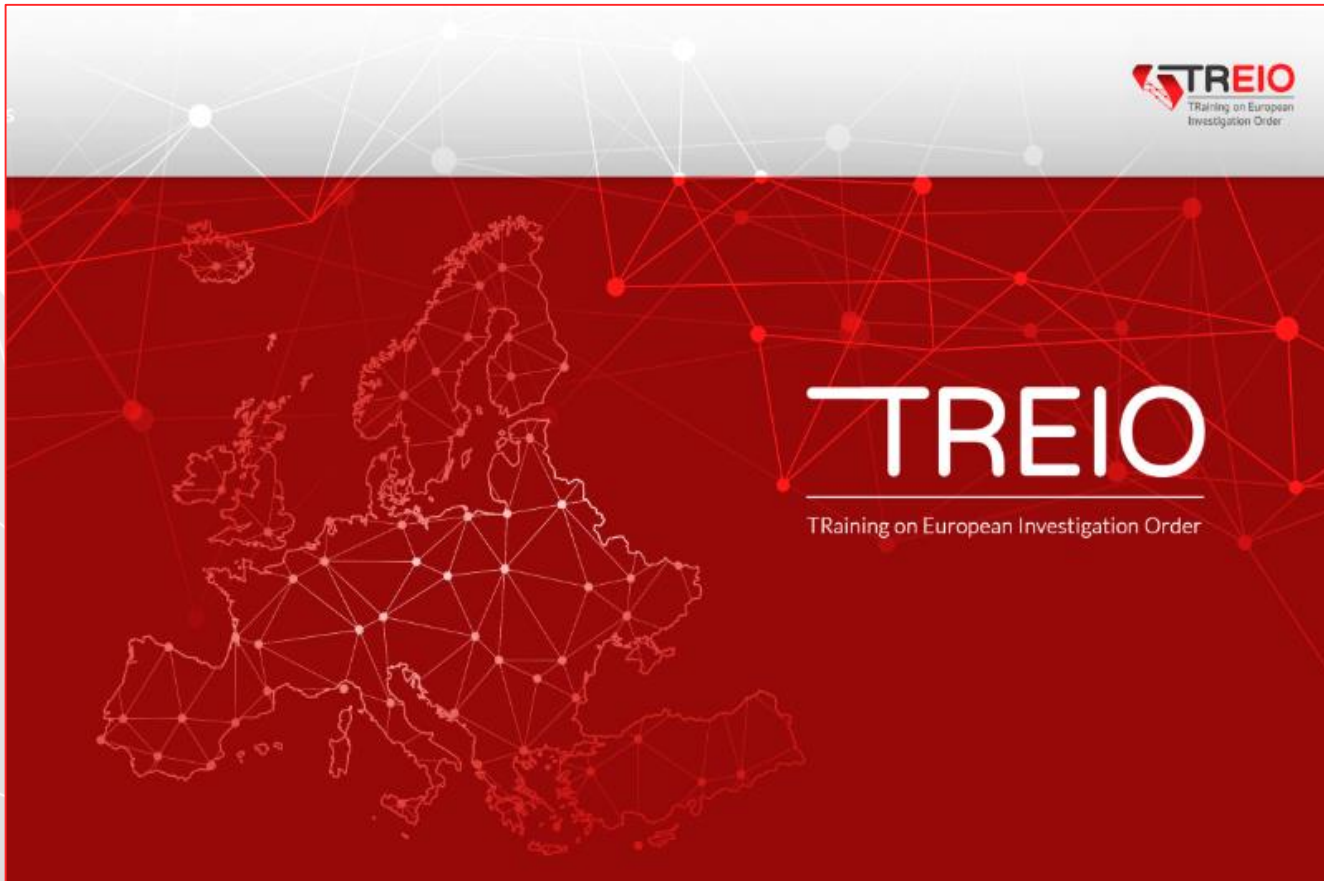
Helps practitioners refresh their memory and knowledge about a particular subject.



TREIO ONLINE TRAINING

The learning and teaching methods applied

E-LEARNING CONTENT



Format:

- Online
- Self-Paced
- Duration: One Week

- Master Copy in English

- Targets multiple stakeholders

TRAINING OVERVIEW

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TRaining on European Investigation Order

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- 📖

Training Overview



[List of Abbreviations >](#)

1. BASICS	2. ISSUING AN EIO	3. TRANSMITTING AN EIO	4. RECEIVING AND EXECUTING AN EIO	5. NOTIFICATION OF INTERCEPTION OF TELECOMMUNICATIONS AND MLAS
1.1. Legal Instruments for EU cooperation	2.1. Basis for the EIO	3.1. Transmission of an EIO	4.1. Receiving an EIO	5.1. Notification of interception of telecommunication and MLAs
1.2. What is an EIO	2.2. Grounds for issuing an EIO in eEDES workflow	3.2. Transmission of an EIO using eEDES	4.2. Recognition and Execution of an EIO	5.2. Using eDES for a NIT and a MLA request
1.3. eEDES	2.3. Investigative Measures in eEDES workflow 2.3. Investigative Measures in eEDES workflow		4.3. Using eEDES when receiving and executing an EIO	
TAKE HOME TASKS	<ul style="list-style-type: none"> Preparing a draft EIO in eEDES Reviewing the draft EIO Sending the EIO 			

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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

ABOUT THE E-LEARNING

The training takes into consideration that course participants learn through different styles. To cater for this, we have used various content and forms (see next slides).

The training rarely includes audio.*

- Some videos include text-to-speech, but these are short and also include subtitles.
- All embedded audio will remain in English (incl. in translated versions).

TEXTUAL-BASED CONTENT

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TREIO Training on European Investigation Order

Use of an EIO: Form

Use of an EIO: Language of the Form >

EVIDENCE

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.

SECTION A: Issuing State

SECTION B: Urgency

Please indicate if there is any urgency due to:

Evidence being concealed or destroyed

Imminent trial date

Any other reason

Please specify below:

Should the execution of the EIO are not done in Directive (2015/2243/EU) Member, if a member or specific third state is requested, please provide the date and explain the reason for this.

SECTION C: Investigative measures(s) to be carried out

Specify the investigative measures requested (AND indicate, if applicable, if it is one of the following investigative measures):

Obtaining information or evidence which is already in the possession of the issuing authority

Obtaining information contained in databases held by police or judicial authorities

Obtaining:

Interview

Search

Seizure of or access to records

Other

Identification of persons holding a subscription of a specified phone number or IP address

Temporary transfer of a person held in custody to the issuing State

Temporary transfer of a person held in custody to the executing State

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.

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GRAPHICS/ANIMATIONS

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 Training on European Inve

Video or telephone conference: Procedural Stage
When a Hearing Can Be Asked

HEARINGS BY
VIDEOCONFERENCE
PROCEDURAL PHASES

- 1 Investigation
- 2 Trial
- 3 Appeal

With regards to **hearing by videoconference in the trial phase**, the question has been raised as to whether the EIO could be used for the hearing of accused persons during trial and thus as a way to guarantee the participation of the accused in a criminal trial instead of a temporary transfer (Section H1 of an EIO form). **Recital 25** of the EIO Directive confirms that the Directive covers all stages of criminal proceedings, including the trial phase.

Hearing of an accused by videoconference in the trial phase cannot however be used by those Member States whose domestic law requires the actual presence of the accused at trial. This same measure might also not be used, in the same circumstances, by those Member States that can only use videoconferences for the gathering of evidence. These countries may, however, execute such EIOs


VIDEOS

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STR 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 CC

DEMONSTRATIONS

Training on European Investigation Order

FILLING IN AN EIO (SECTIONS A-D)

Annex A - Section A


Check your knowledge >

We will choose the 'Executing State' who we need to send the EIO to.

0:18 / 11:54

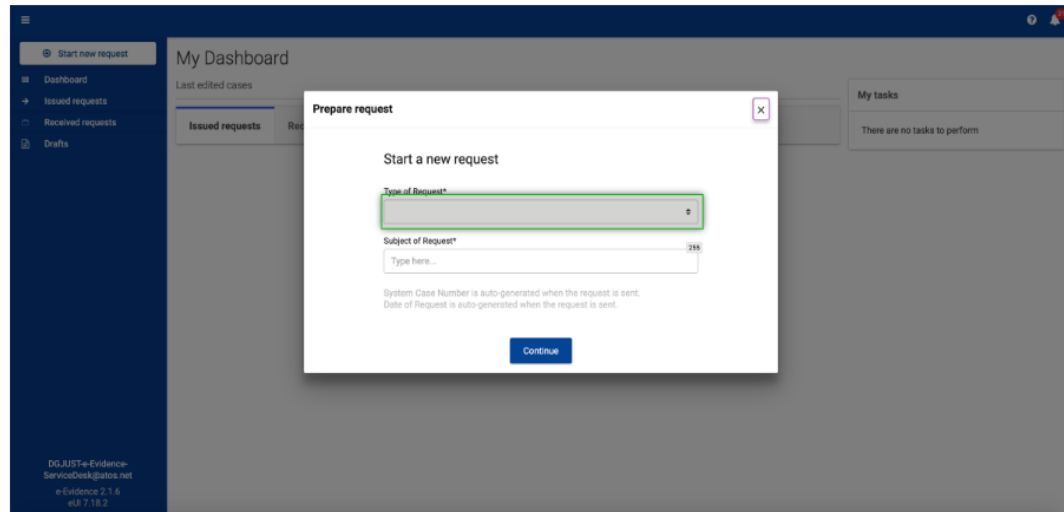
SIMULATIONS

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CHOOISING THE TYPE OF REQUEST

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

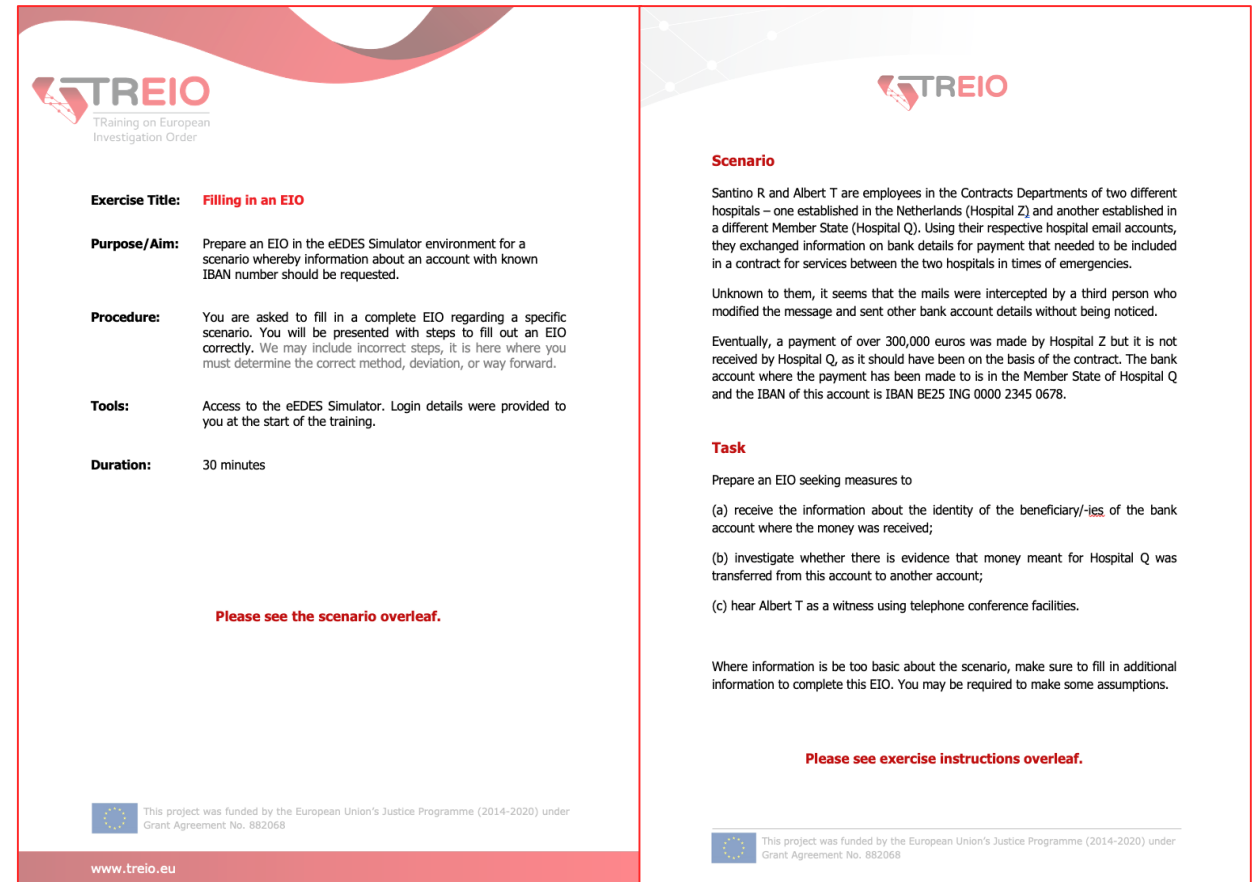


Includes clickable elements to simulate the task

PRACTICAL EXERCISES



- 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.

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


- receive the information about the identity of the beneficiary/ies of the bank account where the money was received;
- investigate whether there is evidence that money meant for Hospital Q was transferred from this account to another account;
- hear Albert T as a witness using telephone conference facilities.

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

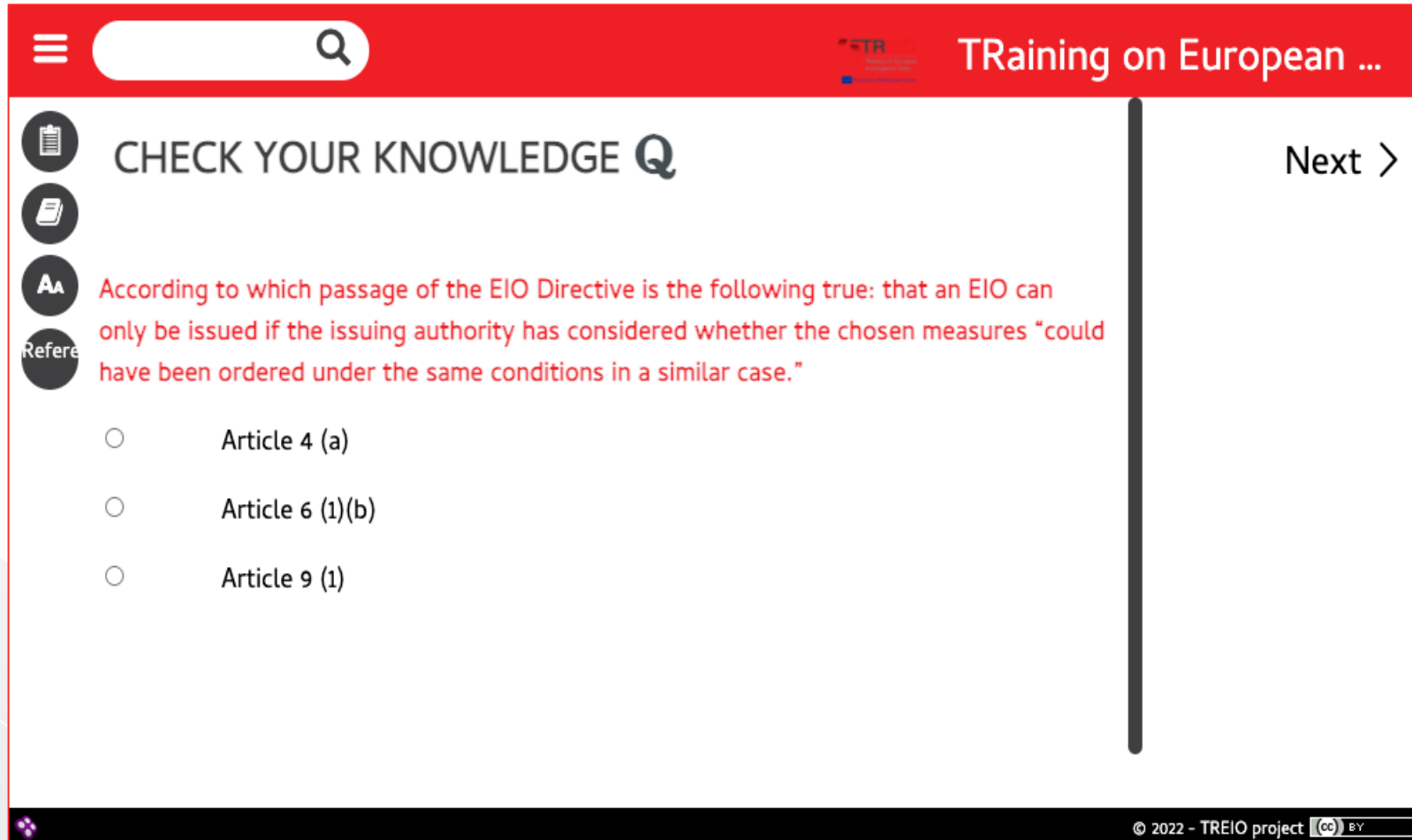
Please see exercise instructions overleaf.

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KNOWLEDGE CHECKS/EXAM



The screenshot shows a mobile application interface with a red header. On the left, there is a hamburger menu icon. In the center of the header is a search bar with a magnifying glass icon. On the right of the header, there is a logo for 'STR' and the text 'TRaining on European ...'. Below the header, there is a section titled 'CHECK YOUR KNOWLEDGE Q' with a question mark icon. To the right of this title is a 'Next >' button. Below the title, there are three circular icons: a clipboard, a document, and a text icon labeled 'AA'. Below these icons is a question text: 'According to which passage of the EIO Directive is the following true: that an EIO can only be issued if the issuing authority has considered whether the chosen measures "could have been ordered under the same conditions in a similar case."' Below the question text are three radio button options: 'Article 4 (a)', 'Article 6 (1)(b)', and 'Article 9 (1)'. At the bottom of the screen, there is a footer with a small logo on the left and the text '© 2022 - TREIO project [CC BY]' on the right.

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STR TRaining on European ...

📋 CHECK YOUR KNOWLEDGE Q

📄

AA

Refer

Next >

According to which passage of the EIO Directive is the following true: that an EIO can only be issued if the issuing authority has considered whether the chosen measures "could have been ordered under the same conditions in a similar case."

- Article 4 (a)
- Article 6 (1)(b)
- Article 9 (1)

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Any questions?