



REPUBLIC OF SLOVENIA
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IN COOPERATION WITH



FACULTY OF LAW,
ECONOMICS
AND FINANCE

The European Investigation Order

Luxembourg, 27-28 September 2023

Seminar Venue: Faculty of Law, Economics and Finance, University of Luxembourg, Weicker Building, 4 Rue Alphonse Weicker, 2721 Luxembourg – [Google Maps](#)

Organized by EIPA – European Institute of Public Administration

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

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.



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EIPA Luxembourg - European Centre for Judges and Lawyers

Dr. Claudio Matera, Senior Lecturer & Director of EIPA Luxembourg, c.matera@eipa.eu

Dr. Carlos Santaló Goris, Lecturer, c.santalogoris@eipa.eu

Blanka Opletalova, Project Organiser, b.opletalova@eipa.eu

External Expert

Dirk Merckx, Prosecutor, Kings Prosecution Office, Belgium



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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**
Claudio Matera

- 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

Carlos Santaló Goris

- 10.15 **Q&A**
- 10.30 Coffee break
- 11.00 **Case study 1: based on practical aspects as to how to issue an EIO**
Dirk Merckx
- 11.45 **Q&A**
- 12.00 **Case Study 2 based on practical aspects as to how to execute an EIO**
Dirk Merckx
- 12.45 **Q&A**
- 13.00 Lunch break
- 14.30 **Recognition and grounds of refusal**
Discussion based on **Case C-724/19**, HP and **Case C-505/19**, WS
Carlos Santaló Goris
- 15.15 **Q&A**
- 15.30 Coffee break
- 15.45 **The right to legal remedies and recourse to available remedies I**



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Discussion based on **Case C-324/17, Gavanozov I** and **Case C-852/19, Gavanozov II, Case C-584/19, A** and others
Claudio Matera

16.15 **Q&A**

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

17.15 **Q&A**

17.30 **Evaluation**

17.45 **End of Day 1**

THURSDAY 28 SEPTEMBER 2023

07.50 **Visit to the Court of Justice of the European Union**
Arrival - security check

13.00 **END OF SEMINAR**



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