

# Mastering the European Investigation Order for cross-border investigations

Online, 17<sup>th</sup> June 2025

**Seminar Venue:** Zoom

Organized by European Centre for Judges and Lawyers, Luxembourg

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## Programme

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### Objectives:

The primary goal of this online group discussion is to enhance the participant's understanding and application of the European Investigation Order (EIO) in cross-border criminal investigations. The programme aims to achieve the following objectives:

1. Deepen knowledge of the EIO legal framework: Participants will be given an overview of Directive 2014/41/EU, exploring the scope, competent authorities and procedural aspects of the EIO.
2. Improve practical application: Participants of this online group discussion will be introduced to a case study and through peer discussions will be asked a series of questions aimed at developing the skills to effectively apply the EIO in practice.

**Target group:** The online group discussion targets judges, prosecutors, and defence lawyers.

**Methodology:** The online group discussion will be designed in an interactive online format, combining theoretical and practical elements through a quick lecture followed by peer discussions based on case studies. These components are designed to help participants apply their understanding of the digital learning modules to practical situations.

The slides and any additional learning materials will be provided to participants after the session for future reference.



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### **EIPA Luxembourg - European Centre for Judges and Lawyers**

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### **External Expert**

**Prof. Silvia Allegrezza**, Associate Professor of Criminal Law. Faculty of Law, Economics and Finance.  
University of Luxembourg

**Tuesday, 17 June 2025**

**09.20 Opening of online platform and participant attendance registration**  
*Claudio Matera, Sharon Okunrobo Perez, Silvia Allegrezza*

**09.30 Welcome and opening remarks**

**09.35 Introduction to Directive 2014/41/EU and Recent CJEU Case Law on Issuing Authorities**

The session provides an overview of Directive 2014/41/EU, which regulates the European Investigation Order (EIO), emphasising the recent decisions by the CJEU clarifying the notion of the “issuing authority” and “judicial control” within the context of the Directive. For that purpose, we will explore cases such as:

Case C-66/20 - XK

Case C-16/22 *Staatsanwaltschaft Graz*

Case C-724/19 *HP Spetsializirana prokuratura*

Case C-324/17 *Gavanozov I*

Case C- 852/19 *Gavanozov II*

*Silvia Allegrezza*

**10.05 Round table on the notion of issuing authority: reconciling national systems with EU instruments**

*Claudio Matera, Sharon Okunrobo Perez, Silvia Allegrezza*

**10.25 Unpacking CJEU Case C-670/22, *M.N.*: Encrochat and the admissibility of evidence and fundamental rights in the EIO**

The session will dive into an interactive case study exploring the real-life implications of the Encrochat judgment on the admissibility of evidence. After a short presentation of the case study and instructions, we will open the floor to a group discussion involving all participants.

*Silvia Allegrezza*

**11.10 Round table on the impact of the *MN* case on domestic justice systems**

*Claudio Matera, Sharon Okunrobo Perez, Silvia Allegrezza*

**11.30 Coffee break**

**11.50 Exploring the *Delda* case: The material scope of the EIO and the concept of ‘investigative measure’**



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Participants will be provided with an overview of the Case C-583/23 (Delda) which involves a request for a preliminary ruling on the interpretation of Articles 1 and 3 of Directive 2014/41 seeking clarification on whether the provisions allow a EIO to be issued for the purposes of serving an indictment including both an incarceration order and baily payment requirement, and to facilitate a hearing where the accused can response to the indictment in the presence of legal counsel.  
*Silvia Allegrezza*

**12.20 Round table on the impact of the *Delda case* on domestic justice systems**

*Claudio Matera, Sharon Okunrobo Perez, Silvia Allegrezza*

**12.50 Closing round table on the challenges of the EIO**

*Claudio Matera, Sharon Okunrobo Perez, Silvia Allegrezza*

**13.00 End of Day**

