



European Institute of Public Administration
European Centre for Judges and Lawyers



Seminar 3: Collecting Evidence throughout the European Union I: Joint Investigation Teams

Tallinn (EE), 28-29 March 2012

Specific Grant Agreement JUST/2010/JPEN/AG/FPA/001
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Improving Judicial Cooperation in Criminal Matters in the area of Freedom, Security and Justice, Institutional Processes and Topical Areas

Seminar Venue

My City Hotel, Vana-Posti 11/13, 10141 Tallinn

Trainers' Note

Objectives: In order to attain a better understanding of the issues raised in the course of the Seminar, the following training materials are provided for the participants. With the help of these materials participants will not only find it easier to follow the presentations but will be able to reconstruct the topics and ideas that have been put forward by the speakers.

In order to fully realize the benefits of setting up a Joint Investigation Team (JITs), as a tool for evidence gathering in cross border criminal cases participants are distributed with copies of the legal basis of the instrument as well as supporting materials to facilitate the understanding the practical issues behind JITs.

To have a general landscape on evidence gathering in cross border criminal cases, participants are directed to consult:

- Overview of the EU Criminal Justice area, pre-trial measures and collecting evidence (slides).

For the double legal bases of JITs, participants are invited to have a closer look at

- The Joint Investigation Teams – legal framework and main features (slides);
- Convention established by the Council in accordance with Article 34 of the Treaty on European Union, on Mutual Assistance in Criminal Matters between the Member States of the European Union;
- Council Framework Decision of 13 June 2002 on joint investigation teams (2002/465/JHA).

For the legal and practical issues arising when setting up a JIT, participants are referred to consult the following materials:

- Joint Investigation Teams Participation and Support of Eurojust and Europol Model Agreement, Organisation and Funding (slides);
- COUNCIL RESOLUTION of 26 February 2010 on a Model Agreement for setting up a Joint Investigation Team (JIT) (2010/C 70/01);
- Joint Investigation Teams Manual;
- Conclusions of the 6th Annual meeting of the National Experts on Joint Investigation Teams (2-3 December 2010, the Hague);
- Conclusions of the fifth meeting of National Experts on Joint Investigation Teams (30 November - 1 December 2009, The Hague);

In order to facilitate the application for a financial support for setting up a JIT participants may wish to familiarize with the following documents:

- Eurojust and JITs - JIT Funding Project
- Guide - How to apply for financial assistance to a Joint Investigation Team?
- Application for Financial Assistance to a Joint Investigation Team
- The Eurojust's JIT Funding Project – Overview of time slots for 2012.
- Joint Investigation Teams Participation and Support of Eurojust and Europol Model Agreement, Organisation and Funding (slides);

For an overview and a discussion on the national implementation of JITs participants are directed to read the following documents:

- Joint investigation teams – French implementation (slides)
- Article 695-2 and 695-3 - Joint Investigation Teams (extract of the French Code of Criminal Procedure).

In order to prepare for the case study aimed to make a better understanding of the practical issues and difficulties when a JIT is set up participants may want to have recourse to the following document:

- Joint investigation team – Drug trafficking case.