



## **D1.2. MINUTES OF THE Kick off Meeting**

**9/02/2017**



**Best practices for EUROpean COORDination on  
investigative measures and evidence gathering**



**EUROCOORD**

**Version FINAL**

**Preparation date 08/03/2017**

**Deliverable D1.2**

**Work Package WP1**

**Authors:** Sandra Vilaplana on behalf of University of Burgos

**Approved by Coordinator on:** 09/03/2017

**Dissemination level:** CO



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## Abbreviations and Acronyms

UBU	University of Burgos
UCM	Complutense University of Madrid
UNIPA	University of degli Studi di Palermo
UJ	University Jagiellonski
WS	Work Stream
DoA	Description of Action ( <i>Referred to Annex I Grant Agreement</i> )



## 1. Meeting information

<b>Date</b>	8 February 2017
<b>Time</b>	9:00 – 16:00
<b>Location</b>	University of Burgos. Faculty of Law

### Participants

<b>Name</b>	<b>Institution</b>
Mar Jimeno	University of Burgos
Miriam Manrique	University of Burgos
Félix Valbuena	University of Burgos
Julio Pérez Gil	University of Burgos
Annalisa Mangiaracina	University of degli Studi di Palermo
Lorena Bachmaier	Complutense University of Madrid
Adam Gorski	University Jagiellonski
Maite Ferrando	K-veloce I+D+i
Sandra Vilaplana	K-veloce I+D+i



## 2. Agenda

<b>Time</b>	<b>Item</b>	<b>Speaker</b>
09.00 - 09:15	Welcome and introduction to the EUROCOORD KoM	Mar Jimeno, UBU
09:15 - 10:15	Roundtable presentation of the partners: <ul style="list-style-type: none"> <li>- Expertise</li> <li>- Roles and responsibilities in the work plan</li> <li>- Expected benefits</li> </ul> <i>15 min per partner</i>	Lorena Bachmaier, UCM Annalisa Mangiaracina, UNIPA Adam Gorsky, UJ Mar Jimeno, UBU
10.15 - 10.30	Objectives, impact and results of the project	Mar Jimeno, UBU
<b>10.30 -10:40</b>	<b>Coffee break</b>	
10:40-11:30	<ul style="list-style-type: none"> <li>- WS1 <i>“Comparative analysis of specific national and European jurisprudence and legislation”</i></li> <li>- WS1 discussion</li> </ul>	Annalisa Mangiaracina, UNIPA
11:30-12:00	WS2 <i>“Comprehensive research on legal protection in the EU Member States under the EIO provision”</i>	Mar Jimeno, UBU
12:00-12:30	WS3 <i>“Proposal for a Code of Best Practice: enactment, debate and training”</i>	Lorena Bachmaier, UCM
12:30 – 13:00	WS4 <i>“Training and Dissemination”</i>	Adam Gorsky, Jagiellonian University
<b>13:00 -14:00</b>	<b>Lunch break</b>	
14:00 – 14:30	WS0 <i>“Management and Coordination of the Project”</i> Reporting and Financial issues	UBU
15:00 – 16:00	<ul style="list-style-type: none"> <li>- Steering committee establishment</li> <li>- C.A discussion</li> <li>- Next project meetings</li> </ul>	All participants
15:45 – 16:00	General questions and doubts:	All participants

### 3. Welcome and introduction to the EUROCOORD KoM

Mar Jimeno, Project Coordinator of EUROCOORD project, welcomed Burgos to all partners.

### 4. Roundtable presentation of the partners

Project partners presented themselves with a brief description of their expertise, entity where they work, roles and responsibilities in the work plan and expected benefits within the project.

### 5. Objectives, impact and results of the project

Mar Jimeno outlined the objectives, impact and results of the project submitted under Justice programme.

### 6. WS1 “Comparative analysis of specific national and European jurisprudence and legislation”

Annalisa introduced the objective, activities and outputs of WS1 which she is the leader. Therefore, she outlined the activities carried out from December 2016 until now.

Some discussion within project partners was held to agree and establish a common structure to state the methodology to ensure all information is provided in a clear and homogenous way.

Then Annalisa will share a template to the partners to compile the current regulations and jurisprudence related with EIO at European and national level.

### 7. WS2 “Comprehensive research on legal protection in the EU Member States under the EIO provision”

Mar presented the objective, activities and outputs of WS2 which she is the leader.

This WS2 starts on February 2017 then no activities discussion were shown.

### 8. WS3 “Proposal for a Code of Best Practice: enactment, debate and training”

Lorena, leader of WS3, presented the objective, activities and outputs of WS3 shortly. This WS3 will start on December 2017, no activities carried out where presented.

### 9. WS4 “Training and Dissemination”

Adam from UJ showed the objective, activities and outputs of WS4 which he is the leader. Short presentation about project dissemination was outlined by Adam to give some instructions and ideas to spread the project and its results.

## 10. WSO “Management and Coordination of the Project”

Sandra with the support of Miriam outlined the project management and coordination to all partners. Procedures and project governances were explained to clarify any doubt might appear.

Relevant to mention was the activity described in DoA (number 1 in WSO), this activity correspond to KoM of Brussels meeting with the Comission and addressed to coordinators. As it was announced by Project Officer (Ms. Barbara BEDNARZ ) it hasn't still fixed by European Comission, but Project Officer is open to clarify any legal or administrative issues we may have.

## 11. Steering committee establishment

Steerring Committee, governance body within EUROCOORD project, were stablish as follows:

Name	Institution
Mar Jimeno	University of Burgos
Annalisa Mangiaracina	University of degli Studi di Palermo
Lorena Bachmaier	Complutense University of Madrid
Adam Gorski	University Jagiellonski

## 12. C.A discussion

Consortium Agreement were discussed among the partners to solve any doubts that partners may have.

Miriam asked each partner to read carefully and share it with legal or related departments.

## 13. Next project meetings

### 1<sup>st</sup> Steering Committee

1<sup>st</sup> Steering Committee is scheduled in May 2017 by Teleconference.

### 2<sup>nd</sup> project meeting

2<sup>nd</sup> Project meeting is scheduled in May, but is was agree by all partners the first week of June. Date is still pending to announce by Annalisa.

## 14. General questions and doubts

Mar and Miriam concluded the meeting and to thank all partners their participation.





**EUROCOORD**

## Annex I: KoM presentations



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# “Best practices for EUROpean COORDination on investigative measures and evidence gathering”

## Kick-off Meeting

February 9th 2017  
UNIVERSITY OF BURGOS

Objectives, impact and results of the project  
*Mar Jimeno Bulnes - UBU*

Partners:





# General information

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- **Call for proposals for actions grants:** JUST – 2015- JCOO – AG – 1
- Action grant to support judicial cooperation in criminal matters
- JUSTICE PROGRAMME(2014-2020) promoted by European Commission - Directorate General for Justice and Consumers
- **Aims of the call:** “to promote judicial cooperation in criminal matters and to contribute to the effective and coherent application of EU mutual recognition in criminal matters” (p.3, 3.1.)
- **Priorities of the call:** Directive 2014/41/EU on the European Investigation Order in criminal matters was in first place (p.3, 3.1.)
- **Project duration:** 24 months. From 01/12/2016 to 30/11/2018
- **Countries:** SPAIN, ITALY and POLAND
- **EC funding:** 394,701 €.



# EUROCOORD main objective

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EUROCOORD main objective is

- ✓ **To promote judicial cooperation** by developing systematic research and generating specific knowledge and tools addressed to the different stakeholders to contribute to the **efficient and coherent application** of the Directive 2014/41/EU on the *European Investigation Order* (EIO) in criminal matters and other relevant regulation
- ✓ **to raise the awareness** and cooperation between judicial authorities (prosecutors and judges) of different Member States
- ✓ **to create a common standard of observance and respect** for procedural rights of persons suffering investigative measures at the European Union level.



# Specific objectives (SO)

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The **specific objectives** of the project are:

- ❖ **Scientific research of EU legal instruments:** especially *Directive 2014/41/EU on the European Investigation Order in criminal matter* as well as the *Directive 2014/42/EU on the freezing and confiscation of instrumentalities and proceeds of crime in the European Union*, among others.
- ❖ **Analysis of national legislation on implementation**, as well as judicial cooperation history, of aforementioned EU legal instruments or specific national legislation on the topic: concretely, Spain, Italy and Poland.
- ❖ **Review of judicial practice** on the matter of legal protection and evidence gathering in criminal proceedings between Member States as well as civil proceedings according national legal provisions.
- ❖ **Analysis of the intervention of the main relevant institutions** (investigative judges, prosecutors, police officers, legal aid services...)
- ❖ **Training and transfer of knowledge** on the topic of judicial and other measures to improve European Investigation Order and transfer of evidence in European criminal matters.
- ❖ **Open the debate on the EIO**, involving the entire community and stakeholders, providing to all European Society as a whole with a comprehensive framework of collaborative, scientific driven approach with the widest possible participation through the constitution of the European Observatory for the EOI.



# Activities

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Activities proposed are:

- a) desk and qualitative research on the EOI judicial framework (WS1 and WS2); national regulation, case-law, judicial practices ...
- b) development of a Code of Best Practices (WS3),
- c) training courses and seminars addressed to different target groups and (WS4)
- d) launch of the European Observatory on EOI and beyond on criminal matters (WS4)



# Expected results

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- a) Research reports on national and cross-border criminal proceedings;
- b) Code of Best Practices for the EIO in criminal matters;
- c) Open debate for assessment and implementation of the EIO and beyond through the European Observatory;
- d) Syllabus, training resources and training seminars addressed to target groups (prosecutors, judges, police officers, lawyers ...)
- e) Websites, Communication campaigns (2) -Press releases (4) -Newsletters (2) -Peer-reviewed articles (4) -Conference (1)
- f) Participation in international and national conferences with highest impact on this field, including big conference organised by the consortium
- g) Publication in high ranked periodical journals as well as participation in collective works edited in prestigious publishers



# Target audiences

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The Prosecutors, Courts, security forces and officers, State and Justice Administration and other associations focused on the human rights, as well as the accused parts, will be directly benefited:

- Scientific researchers in the field of Criminal Law, Procedural Law or European Judicial area (300 people)
- Judicial staff, including prosecutors and judges (300 people)
- National Authorities (28, as EU Member States)
- Law enforcements authorities and professionals with practical knowledge and expertise authorized to carry on coercive measures or enforcement actions, such as police officers and security officials (approx. 800 people); 100 individuals involved directly in the training courses. 700 people will be reached through the Dissemination actions and communication campaigns.
- Legal aid lawyers and defence lawyers (400 lawyers)
- NGOs and, as it expected via indirect impact, Social Services workers (100 people directly involved with training courses specifically focused on these requirements and 1000 people reached indirectly by communication campaigns)
- Accused individuals in foreign countries (approx. 200 individuals)





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# “Best practices for European Coordination on investigative measures and evidence gathering”

## Kick-off Meeting

February 9th 2017  
UNIVERSITY OF BURGOS

WSO “Management and Coordination of the Project”  
*Sandra Vilaplana (K-veloce I+D+i)*

Partners:





# WSO. TABLE OF CONTENTS

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- *Summary*
- *Objectives of this workstream*
- *Task List & Gantt Diagram*
- *Description of the work (activities)*
- *Outputs of WS*



# SUMMARY

<b>Work stream Number: 0</b>	<b>Workstream name:</b> Management and Coordination of the Project				
<b>WS Leader</b>	UBU	<b>Start date</b>	1 (dec 16)	<b>End date</b>	24 (nov 18)
Person-months per participant	UBU	UCM	UOP	UJ	
	9	3	3	3	



# *Objectives of this workstream*

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**Workstream 0** is intended for all activities related to the general management and coordination of the project (kick-off meetings, coordination, project monitoring and evaluation, financial management) and all the activities which are cross cutting and therefore difficult to assign just to one specific workstream.



# Task List & Gantt Diagram

GANTT																									
		Year 1												Year 2											
		dic-16	ene-17	feb-17	mar-17	abr-17	may-17	jun-17	jul-17	ago-17	sep-17	oct-17	nov-17	dic-17	ene-18	feb-18	mar-18	abr-18	may-18	jun-18	jul-18	ago-18	sep-18	oct-18	nov-18
Lead Organisation		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
<b>Workstream 0 (Management and Coord.)</b>																									
1 Brussels Kick-off meeting	UBU	x																							
2 Project kick-off meeting	UBU	x	→	x																					
3 2nd Project meeting	UOP						x																		
4 3rd Project meeting	UCM											x													
5 4th Project meeting	JU																		x						
6 Final Project Meeting	UBU																								x
7 Project monitoring and steering committee	UBU		D		x				x				D				x				x				D
8 Administrative and financial management	UBU																								
9 Ethics management	UBU																								
10 Preliminary and final evaluation	UBU					x						x						x						x	



# Description of the work

Nº	Name and description of the activity	Partner	Month
1	<b>Brussels Kick-off meeting with the Commission (M0).</b> Project coordinator and financial coordinator will attend one-day kick of meeting in Brussels with the Commission. <b>STAND-by, waiting for PO news.</b>	UBU	1
2	<b>Project kick- off meeting in Burgos (M1).</b> 2 people of each partner will meet in Burgos to discuss project outcomes and implementation.	UBU	1 (3)
3	<b>2<sup>nd</sup> project meeting in Palermo (M6).</b> 2 people of each partner will meet in Palermo to discuss project outcomes and implementation. Associated partners will be invited.	UOP	6
4	<b>3<sup>rd</sup> project meeting in Madrid (M12).</b> 2 people of each partner will meet in Madrid to discuss project outcomes and implementation.	UCM	12



# Description of the work

Nº	Name and description of the activity	Partner	Month
5	<b>4<sup>th</sup> project meeting in Poland (M18).</b> 2 people of each partner will meet in Poland to discuss project outcomes and implementation. Associated partners will be invited.	JU	18
6	<b>Final project meeting in Burgos (M24).</b> 2 people of each partner will meet in Burgos to discuss project final results.	UBU	24
7	<b>Project monitoring and steering committee.</b> A monitoring strategy and steering committee will be established for a continued and informed steering of project implementation. This activity will be supported by an external evaluator.	UBU	
8	<b>Administrative and financial management</b> (payments, financial statements and reporting)	UBU	
9	<b>Ethics management</b> The Ethical management will supports the Project Coordinator in ensuring the ethical procedures or the project.	UBU	
10	<b>Preliminary and final evaluation</b> (formative evaluation in order to assess adherence to objectives and results)	UBU	



# Outputs

Nº	Output	Characteristics	Target group
1	Project Handbook Manual (M2)	A manual (electronic) will be done to provide the information and processes of the project. Ethical issue process will be included. Language: English.	Partners - Internal documentation (CO)
2	Project Meetings reports	As a result of each project meeting an electronic report will be done. 5 status reports each 6 months,1 final report. Language: English	Partners - Internal documentation (CO) – Associated partners Partners - Internal documentation (CO)
3	First Annual Periodic Activities report (M12)	UBU will provide a consolidated progress report to the European Commission. (M12). Ethical issues will be included. Language: English.	Partners - Internal documentation (CO)





# Outputs

Nº	Output	Characteristics	Target group
4	Second Annual Periodic Activities report (m24)	UBU will provide a consolidated progress report to the European Commission. (M12). Ethical issues will be included. Language: English.	Partners - Internal documentation (CO) – Associated partners
5	Monitoring meetings with external evaluation	UBU will meet every 6 months with external evaluator to ensure that the project is implemented as planned. A monitoring report will be done each meeting (Months: 5,11,17,23). The evaluation will be presented in project meetings.	Partners - Internal documentation (CO) – Associated partners
6	PSC meetings.	A steering committee will meet every four months in order to follow up on the progress of the project and discuss the preliminary results	Stakeholders (accused's rights) and Society (PU)



# Future actions

Nº	Name and description of the activity	Partner
1	<b>Project Handbook. M2</b>	UBU
2	Monitoring meeting with external evaluation. M6	UBU
3	PSC meetings M4 - To discuss and settle agreement with the research and analysis: topics	UBU



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Doc file management → ¿Dropbox?

- Users: [mjimeno@ubu.es](mailto:mjimeno@ubu.es); [lorenab@der.ucm.es](mailto:lorenab@der.ucm.es);  
[annalisamangiaracina@libero.it](mailto:annalisamangiaracina@libero.it); [adam.gorski@uj.edu.pl](mailto:adam.gorski@uj.edu.pl); [miriamm@ubu.es](mailto:miriamm@ubu.es)
- Any other user?

Dissemination → logo EU

Project logo → already done



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¿Questions?



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# “Best practices for European Coordination on investigative measures and evidence gathering”

## Kick-off Meeting

February 9th 2017  
UNIVERSITY OF BURGOS

GENERAL INFO MANAGEMENT

Partners:





# General information

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- **Call:** JUST – 2016- JCOO – AG – 1 Action grants to support judicial cooperation in criminal matters. **Justice programme**
- **Project duration:** 24 months. From 01/12/2016 to 30/11/2018
- Countries: SPAIN, ITALY and POLAND
- EC funding: 394,701 €.



### GANTT

		Year 1												Year 2											
		dic-16	ene-17	feb-17	mar-17	abr-17	may-17	jun-17	jul-17	ago-17	sep-17	oct-17	nov-17	dic-17	ene-18	feb-18	mar-18	abr-18	may-18	jun-18	jul-18	ago-18	sep-18	oct-18	nov-18
Lead Organisation		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
<b>Workstream 0 (Management and Coord.)</b>		<b>UBU</b>																							
1 Brussels Kick-off meeting	UBU	x																							
2 Project kick-off meeting	UBU	x	→ x																						
3 2nd Project meeting	UOP						x																		
4 3rd Project meeting	UCM											x													
5 4th Project meeting	JU												x						x						
6 Final Project Meeting	UBU																							x	
7 Project monitoring and steering committee	UBU		D		x				x				D				x			x					D
8 Administrative and financial management	UBU																								
9 Ethics management	UBU																								
10 Preliminary and final evaluation	UBU					x						x					x						x		
<b>Workstream 1 (National and European legislation)</b>		<b>UOP</b>																							
1 Comparative research methodology	UOP		→																						
2 Jurisprudence analysis	UOP. All partners																								
3 Interviews	UOP. All partners					D																			
4 Analysis and assessment of the results	UOP							D																	
<b>Workstream 2 (legal protection)</b>		<b>UBU</b>																							
1 Qualitative research methodology	UBU																								
2 Interviews and focus groups	UBU, UCM, UOP, UJ																								
3 Comprehensive and qualitative analysis	UBU, UOP, UJ												D												
<b>Workstream 3 (Code of Best Practises)</b>		<b>UCM</b>																							
1 First draft	UCM																x								
2 Discussion groups	UCM. All partners																			D					
3 Final version	UCM																				x				
4 Training courses planning and syllabus	UBU																								
<b>Workstream 4 (Dissemination and training)</b>		<b>JU</b>																							
1 Main website and updates	UBU		D																						
2 Online debate and communication	UJ							D																	
3 Offline communication campaigns	UJ																								
4 Training courses and resources	UBU																				D				
5 European Observatory for the EIO	UJ, UBU, UOP																								
6 Dissemination to policy makers	UJ, UBU, UOP																								
7 Scientific dissemination	UJ, UBU, UOP																								D
8 Events and conferences	UCM																						x		D



## WORK STREAMS

WP Number	WS Title	Lead Beneficiary	Person-months	Start months	End Month
WS0	Management and Coordination of the Project	1- UBU	18	1	24
WS1	Comparative analysis of specific national and European jurisprudence and legislation	3 - UNIPA	21	1	8
WS2	Comprehensive research on legal protection in the EU Member States under the EIO provision	1 - UBU	14	3	12
WS3	Proposal of a Code of Best Practice: enactment, debate and training	2 - UCM	17	13	24
WS4	Training and Dissemination	4 - UJ	19	1	24





EUROCOORD

**DELIVERABLES**

Deliverable Number	Deliverable Title	WS number	Lead Beneficiary	Type	Dissemination Level	Due Date	Date
D0.1	Project Handbook Manual	WSO	1-UBU	Report	Confidential, only for members of the consortium (Including the Commission Services)	2	ene-17
D0.2	Project Meetings reports	WSO	1-UBU	Other	Confidential, only for members of the consortium (Including the Commission Services)	1	dic-16
D0.3	2nd Project Meeting report	WSO	1-UBU	Report	Confidential, only for members of the consortium (Including the Commission Services)	7	jun-17
D0.4	3rd Project Meeting report	WSO	1-UBU	Report	Confidential, only for members of the consortium (Including the Commission Services)	13	dic-17
D0.5	4th Project Meeting report	WSO	1-UBU	Report	Confidential, only for members of the consortium (Including the Commission Services)	19	jun-17
D0.6	Final report meeting report	WSO	1-UBU	Report	Confidential, only for members of the consortium (Including the Commission Services)	24	nov-18
D0.7	First Annual Periodic Activities	WSO	1-UBU	Report	Confidential, only for members of the consortium (Including the Commission Services)	12	nov-17
D0.8	Second Annual Periodic Activities report (M24)	WSO	1-UBU	Report	Confidential, only for members of the consortium (Including the Commission Services)	24	nov-18
D0.9	1st monitoring report by external evaluator	WSO	1-UBU	Report	Confidential, only for members of the consortium (Including the Commission Services)	6	may-17
D0.10	2nd monitoring report by external evaluator	WSO	1-UBU	Report	Confidential, only for members of the consortium (Including the Commission Services)	12	nov-17
D0.11	3rd monitoring report by external evaluator	WSO	1-UBU	Report	Confidential, only for members of the consortium (Including the Commission Services)	18	may-18



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Deliverable Number	Deliverable Title	WS number	Lead Beneficiary	Type	Dissemination Level	Due Date	Date
D0.12	4th monitoring report by external evaluator	WS0	1-UBU	Report	Confidential, only for members of the consortium (Including the Commission Services)	24	nov-18
D0.13	1st Steering committee meeting report	WS0	1-UBU	Report	Confidential, only for members of the consortium (Including the Commission Services)	6	may-17
D0.14	2nd Steering committee meeting report	WS0	1-UBU	Report	Confidential, only for members of the consortium (Including the Commission Services)	12	nov-17
D0.15	3rd Steering committee meeting report	WS0	1-UBU	Report	Confidential, only for members of the consortium (Including the Commission Services)	18	may-18
D0.16	4th Steering committee meeting report	WS0	1-UBU	Report	Confidential, only for members of the consortium (Including the Commission Services)	24	nov-18



## DELIVERABLES

Deliverable Number	Deliverable Title	WS number	Lead Beneficiary	Type	Dissemination Level	Due Date	Date
D1.1	Compilation framework	WS1	3- UNIPA	Other	Confidential, only for members of the consortium (Including the Commission Services)	2	ene-17
D1.2	Relevant experience of professionals working on the field, a framework with specific items to be filled it will be elaborated	WS1	3- UNIPA	Other	Confidential, only for members of the consortium (Including the Commission Services)	7	jun-17
D1.3	Diagnosis of the current situation through desk research and unstructured interviews in the countries of the Consortium (Spain, Italy, Poland), including associate partners	WS1	3- UNIPA	Report	Public	7	jun-17
D1.4	National reports on EOI and common practices	WS1	3- UNIPA	Report	Public	8	jul-18
D2.1	Current situation	WS2	1-UBU	Other	Confidential, only for members of the consortium (Including the Commission Services)	4	mar-17
D2.2	Common practices related with EIO and evidence transfer in Spain, Italy and Poland	WS2	1-UBU	Other	Confidential, only for members of the consortium (Including the Commission Services)	11	oct-17
D2.3	National reports on EOI and common practices	WS2	1-UBU	Report	Public	12	nov-17
D3.1	First version of the Code of Best Practice	WS3	2- UCM	Report	Confidential, only for members of the consortium (Including the Commission Services)	17	abr-18
D3.2	Open debate and training	WS3	2- UCM	Other	Public	20	jul-18
D3.3	Final version of the Code of Best Practice	WS3	2- UCM	Report	Public	21	ago-18
D3.4	Code of Best Practice for European investigation order in criminal proceedings	WS3	2- UCM	Other	Public	24	nov-18



## DELIVERABLES

Deliverable Number	Deliverable Title	WS number	Lead Beneficiary	Type	Dissemination Level	Due Date	Date
D4.1	Social media: presence, communication and debate	WS4	4-UJ	Other	Public	24	nov-18
D4.2	Consolidation of European Observatory on EIO	WS4	4-UJ	Other	Public	24	nov-18
D4.3	Scientific dissemination	WS4	4-UJ	Other	Public	24	nov-18
D4.4	Project Main website	WS4	1-UBU	Website, patents filling, etc	Public	3	feb-17
D4.5	Training courses materials	WS4	1-UBU	Website, patents filling, etc	Public	24	nov-18
D4.6	Dissemination and Exploitation plan	WS4	4-UJ	Report	Confidential, only for members of the consortium (Including the Commission Services)	6	may-17
D4.7	Report on dissemination activities, participation in events, articles published, etc.	WS4	4-UJ	Report	Public	24	nov-18



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PM EFFORT						
Participant no./short name	WS0	WS1	WS2	WS3	WS4	Total person months
UBU	9	5	8	5	5	32
UCM	3	5	2	6	4	20
UOP	3	6	2	3	4	18
UJ	3	5	2	3	6	19
<b>TOTAL</b>						
	<b>18</b>	<b>21</b>	<b>14</b>	<b>17</b>	<b>19</b>	<b>89</b>



## TRAVELS / EVENTS

Event / Meeting	Month	date	Partner Responsible	Location	Comments
Kick Off Meeting	0		UBU	Brussels	Not yet established
Project Kick-off meeting	1 --> 3	feb-17	UBU	Burgos (Spain)	Delayed. 9 February 2017
PM 6 – Month Meeting / Seminar	6	may-17	UOP	Palermo	Should be moved to July? WS1 will be in finished
PM 12 – Month Meeting - Interim review	12	nov-17	UCM	Madrid	
PM 18 –Month Meeting / Seminar	18	may-18	UJ	Jagellonian (Poland)	
PM 24 – Month Meeting	24	nov-18	UBU	Burgos (Spain)	
Final project conference	23	oct-18	UBU	Madrid	



# OVERALL BUDGET

## BUDGET FOR THE PROPOSAL

PARTICIPANT	[A] Direct Personnel Costs (€)	[B.1] Direct travel costs (€)	[B.2] Direct subsistence costs (€)	[C] Direct costs of subcontracting (€)	[D] Direct costs of providing financial support (€)	[E] Other direct costs	[F] Indirect costs (€) Max 7% of direct costs (sum of budget categories A-E)	[G] Total costs (€) (A)+(B)+©+(D)+€+(F)	[H] Receipts	[I] Other Income (G- H-J)	[J] Requested grant
1 UBU	128.000 €	4.300 €	3.400 €	16.000 €	0 €	22.500 €	12.194 €	186.394 €	0 €	37.279 €	149.115 €
2 UCM	100.000 €	2.400 €	1.800 €	0 €	0 €	500 €	7.329 €	<b>112.029 €</b>	- €	22.406 €	<b>89.623 €</b>
3 UOP	86.400 €	4.800 €	3.000 €	0 €	0 €	1.500 €	6.699 €	<b>102.399 €</b>	- €	20.480 €	<b>81.919 €</b>
4 UJ	76.000 €	6.000 €	3.000 €	0 €	0 €	1.500 €	6.055 €	<b>92.555 €</b>	- €	18.511 €	<b>74.044 €</b>
	<b>390.400 €</b>	<b>17.500 €</b>	<b>11.200 €</b>	<b>16.000 €</b>	<b>0 €</b>	<b>26.000 €</b>	<b>32.277 €</b>	<b>493.377 €</b>	<b>0 €</b>	<b>98.675 €</b>	<b>394.702 €</b>



# UBU BUDGET

A Direct personnel Costs	n° WS	0	1	2	3	4	TOTAL PM effort	Monthly cost (€)	TOTAL
	Project coordinator	6,0	0,0	1,0	0,0	0,0	7	4.000,00 €	28.000,00 €
Researchers	3,0	5,0	7,0	5,0	5,0	25	4.000,00 €	100.000,00 €	
						0	4.000,00 €	- €	
						0	4.000,00 €	- €	
<b>Total</b>	<b>9,0</b>	<b>5,0</b>	<b>8,0</b>	<b>5,0</b>	<b>5,0</b>	<b>32</b>	-	<b>128.000,00 €</b>	
								<b>A.</b>	<b>128.000,00 €</b>





# UBU BUDGET

B. TRAVEL AND SUBSISTENCE	Event	Month	Partner Responsible	Location	Direct travel costs (B.1)	Direct subsistence costs (B.2)	Description
	Kick Off Meeting	0	UBU	Brussels	600 €	800	2 person (project coordinator + main researcher) one day meeting
	Project Kick-off meeting	1	UBU	Burgos (Spain)	- €	0	
	PM 6 – Month Meeting / Semminar	6	UOP	Palermo	900 €	800	3 persons ( project coordinator, 2 researchers) 3 day meeting
	PM 12 – Month Meeting - Interim	12	UCM	Madrid	500 €	100	4 persons (project coordinator, 3 researchers) 2 day meeting
	PM 18 –Month Meeting / Seminar	18	UJ	Jagellonian (Poland)	1.800 €	900	3 persons ( project coordinator, 2 researchers) 3 day meeting
	PM 24 – Month Meeting	24	UBU	Burgos (Spain)	- €	0	
	Final project conference	23	UBU	Madrid	500 €	800	
				B.1, B.2	<b>4.300,00 €</b>	<b>3.400,00 €</b>	



# UBU BUDGET

	Concept	Cost (€)	Justification
C. DIRECT COST OF SUB-CONTRACTING	External evaluation - Quality control	12.000,00 €	As call advice: project should provide for an evaluation, ideally by somebody who is not implementing de project Monitoring strategy Quality control: <i>revisión el cumplimiento de las tareas de acuerdo a la calidad esperada, evaluar la calidad técnica de los deliverables y posibles problemas. Evaluar los plazos de entrega y los costes (revisión económico financiera). 75 hours per year (150 hours total)</i>
	Externa evaluation - communication consultancy	4.000,00 €	Elaboración plan de comunicación, <i>revisión y evaluación. 2,500 1st year, 1,500 2nd year.</i>
	<b>Total C</b>	<b>16.000,00 €</b>	



# UBU BUDGET

	Concept	Cost (€)	Justification
E. OTHER DIRECT COSTS	Project Sites	1.500,00 €	Main website and Establishment of national webpages translated from main website (English)
	Material project translation	3.000,00 €	Project material translation
	Project kick-off meeting organization	500,00 €	Catering, room,
	Associated partners collaboration	8.000,00 €	Associate partners invitation to join project meetings: Final conference meeting, 6 M project meeting/seminar, 18 M project meeting/seminar and final project meeting. 1 person per Associated partner, 3 project meetings/seminars/final conference
	<b>Total E</b>	<b>22.500,00 €</b>	



# UCM BUDGET

A Direct personnel Costs	n° WS	0	1	2	3	4	TOTAL PM effort	Monthly cost (€)	TOTAL
	Researchers	3	5	2	6	4	20	5.000,00 €	100.000,00 €
<b>Total</b>	<b>3</b>	<b>5</b>	<b>2</b>	<b>6</b>	<b>4</b>	<b>20</b>	-	<b>100.000,00 €</b>	
								<b>A.</b>	<b>100.000,00 €</b>



# UCM BUDGET

B. TRAVEL AND SUBSISTENCE	Event	Month	Partner Responsible	Location	Direct travel costs (B.1)	Direct subsistence costs (B.2)	Description
	Kick Off Meeting	0	UBU	Brussels	- €	0	
	Project Kick-off meeting	1	UBU	Burgos (Spain)	300 €	600	2 persons (project coordinator, 3 researchers) 2 day meeting
	PM 6 – Month Meeting / Semminar	6	UOP	Palermo	900 €	600	2 persons ( project coordinator, 2 researchers) 2 day meeting
	12 – Month Meeting - Interim	12	UCM	Madrid	- €	0	2 persons (project coordinator, 3 researchers) 2 day meeting
	PM 18 –Month Meeting / Seminar	18	UJ	Jagellonian (Poland)	1.200 €	600	2 persons ( project coordinator, 2 researchers) 2 day meeting
	PM 24 – Month Meeting	24	UBU	Burgos (Spain)	- €	0	
					B.1, B.2	<b>2.400,00 €</b>	<b>1.800,00 €</b>



# UCM BUDGET

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	Concept	Cost (€)	Justification
E. OTHER DIRECT COSTS	Project meeting organization	500,00 €	Catering, room
	<b>Total E</b>	<b>500,00 €</b>	



# UOP BUDGET

A Direct personnel Costs	n° WS	0	1	2	3	4	TOTAL PM effort	Monthly cost (€)	TOTAL
	Researchers	3	6	2	3	4	18	4.800,00 €	86.400,00 €
<b>Total</b>	<b>3</b>	<b>6</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>18</b>	-	<b>86.400,00 €</b>	
								<b>A.</b>	<b>172.800,00 €</b>



# UOP BUDGET

B. TRAVEL AND SUBSISTENCE	Event	Month	Partner Responsible	Location	Direct travel costs (B.1)	Direct subsistence costs (B.2)	Description
	Kick Off Meeting	0	UBU	Brussels	- €	0	
	Project Kick-off meeting	1	UBU	Burgos (Spain)	900 €	600	2 persons 2 day meeting
	PM 6 – Month Meeting / Semminar	6	UOP	Palermo	- €	0	
	12 – Month Meeting - Interim	12	UCM	Madrid	900 €	600	2 persons 2 day meeting
	PM 18 –Month Meeting / Seminar	18	UJ	Jagellonian (Poland)	1.200 €	600	2 persons 2 day meeting
	PM 24 – Month Meeting	24	UBU	Burgos (Spain)	900 €	600	2 persons 2 day meeting
	Final project conferen	23	UBU	Madrid	900 €	600	2 persons 2 day meeting
					B.1, B.2	<b>4.800,00 €</b>	<b>3.000,00 €</b>





# UOP BUDGET

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	Concept	Cost (€)	Justification
E. OTHER DIRECT COSTS	Project meeting organization	1.500,00 €	Catering, room, seminar logistics
	<b>Total E</b>	<b>1.500,00 €</b>	



# UJ BUDGET

A Direct personnel Costs	n° WS	0	1	2	3	4	TOTAL PM effort	Monthly cost (€)	TOTAL
	Researchers	3	5	2	3	6	19	4.000,00 €	76.000,00 €
						0		- €	
						0		- €	
						0		- €	
<b>Total</b>	<b>3</b>	<b>5</b>	<b>2</b>	<b>3</b>	<b>6</b>	<b>19</b>	<b>-</b>	<b>76.000,00 €</b>	
							<b>A.</b>	<b>76.000,00 €</b>	



# UJ BUDGET

B. TRAVEL AND SUBSISTENCE	Event	Month	Partner Responsible	Location	Direct travel costs (B.1)	Direct subsistence costs (B.2)	Description
	Kick Off Meeting	0	UBU	Brussels	- €	0	
	Project Kick-off meeting	1	UBU	Burgos (Spain)	1.200 €	600	2 persons 2 day meeting
	PM 6 – Month Meeting / Semminar	6	UOP	Palermo	1.200 €	600	2 persons 2 day meeting
	12 – Month Meeting - Interim	12	UCM	Madrid	1.200 €	600	2 persons 2 day meeting
	PM 18 –Month Meeting / Seminar	18	UJ	Jagellonian (Poland)	- €	0	
	PM 24 – Month Meeting	24	UBU	Burgos (Spain)	1.200 €	600	2 persons 2 day meeting
	Final project conferen	23	UBU	Madrid	1.200 €	600	2 persons 2 day meeting
					<b>B.1, B.2</b>	<b>6.000,00 €</b>	<b>3.000,00 €</b>



# UJ BUDGET

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E. OTHER DIRECT COSTS	Concept	Cost (€)	Justification
	Project meeting organization	1.500,00 €	Catering, room, seminar logistics
<b>Total E</b>	<b>1.500,00 €</b>		



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# “Best practices for European Coordination on investigative measures and evidence gathering”

## Kick-off Meeting

February 9th 2017  
UNIVERSITY OF BURGOS

*WS1 “Comparative analysis of specific National and European jurisprudence and legislation”*

ANNALISA MANGIARACINA (UNIPA)

Partners:





# WS1. TABLE OF CONTENTS

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- *Summary*
- *Objectives of this workstream*
- *Description of the work*
- *Activity 1, 2, 3 and 4*
- *Outputs of WS*



# SUMMARY

<b>Work stream Number: 1</b>	<b>Workstream name: <i>Comparative analysis of specific National and European jurisprudence and legislation</i></b>				
<b>WS Leader</b>	UOP	<b>Start date</b>	February	<b>End date</b>	July
Person-months per participant	UBU	UCM	UOP	UJ	
			21		



# *Objectives of this workstream*

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Directive 2014/41/EU regarding the EIO in criminal matters, to be implemented by 22 May 2017.

## **Objective of WS1:**

TO COMPILE, IN A UNIFORM MANNER, CURRENT LEGISLATION AND JURISPRUDENCE RELATED TO THE EIO AT EUROPEAN AND NATIONAL LEVEL: Italy, Spain and Poland.

Current situation in Italy regarding the EIO: Proposal for a Legislative Decree elaborated by a Commission appointed by the Ministry of Justice...still in progress; other instruments strictly related to the EIO that we have recently implemented.

**-Legislative Decree no. 35 of 15 February 2016: implementation of FD 2003/577/JHA on orders freezing property or evidence (FD will be replaced by the EIO only as regarding freezing of evidence;**





# *Objectives of this workstream*

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- **Legislative Decree no. 34 of 15 February 2016: implementation of FD, 2002/465/JHA on JIT;**
- **Legislative Decree no. 202 of 29 October 2016: implementation of D 2014/42/EU on confiscation;**
- **Lastly, Law no. 149 of 21 July 2016: ratification and execution of 2000 EUCMA.**

**NEVER IMPLEMENTED FD 2008/978/JHA ON EEW.**



# Description of the work

Nº	Name and description of the activity	Partner	Month
1	<b>Comparative research methodology</b> The coordinator will state a common methodology to ensure all information is provided in a clear and homogeneous way	UOP	1 Feb 17
2	<b>Jurisprudence analysis:</b> Phase 1) National jurisprudence: Spain, Italy and Poland; Phase 2) European jurisprudence	UOP All partners	4 Feb-May 17
3	Interviews addressed to judicial authorities and involved juridical practitioners (such as Prosecutors' Office, magistrates...)	UOP All partners	3 March - May 17
4	Comparative analysis and assessment of the results	UOP	4 April- July 17



# Activity 1: Comparative research methodology

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## **COMMON METHODOLOGY: European legislation to consider.**

- EUROPEAN LEGISLATION ON JUDICIAL COOPERATION (such as FD on EAW, FD on EEW, FD on orders freezing property or evidence; FD on JIT, Directive on freezing and confiscation of instrumentalities and proceeds of crime in the European Union).

- EUROPEAN LEGISLATION ON PROCEDURAL GUARANTEES (such as Directives on right to interpretation; right to information; right to a lawyer; legal aid, rights of victims);

**CONVENTIONS ON JUDICIAL ASSISTANCE:** 1959 ECMA and Protocols; 2000 EUCMACM; Schengen Convention.



# Activity 1: Comparative research methodology

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## ITALIAN REFERENCES

For journal articles: Author name (s), title of publication, year, source, page number;

R. BELFIORE, 'Il mandato europeo di ricerca delle prove e l'assistenza giudiziaria nell'Unione europea', 2008 *Cass. pen.*, p. 3894 ff.;

For book chapters: Author name (s), title of publication, source, publisher, year, page number;

G.DARAIIO, 'La circolazione della prova nello spazio giudiziario europeo', in L.Kalb (ed.), *Spazio europeo di giustizia e procedimento penale italiano*, Giappichelli, 2012, p. 580 ff.;



# Activity 1: Comparative research methodology

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For electronic journal: Author name (s), title of publication, source, year

G. DE AMICIS, 'Limiti e prospettive del mandato europeo di ricerca della prova', [www.penalecontemporaneo.it](http://www.penalecontemporaneo.it), 5 April 2011.

For books: Author name (s), title of publication, publisher, year;

T.BENE, L. LUPARIA, L.MARAFIOTI (ed.), *L'ordine europeo di indagine. Criticità e prospettive*, Giappichelli, 2016.



# Activity 2: Jurisprudence analysis (Phase 1)

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## **NATIONAL JURISPRUDENCE (Spain, Italy and Poland):**

- Italy: Constitutional Court and Supreme Courts (no Tribunals).

### **1) What jurisprudence?**

- **on instruments of judicial cooperation:** letters rogatory; on EAW; on EEW, if implemented; on orders freezing property or evidence; on freezing and confiscation of instrumentalities and proceeds of crime.

- **on procedural guarantees:** right to interpretation; right to information; right to a lawyer; legal aid; rights of victims



# Jurisprudence analysis (Phase 2)

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## EUROPEAN JURISPRUDENCE: DISTINCTION BETWEEN ECtHR and ECJ.

### Concerning the ECtHR:

#### judgments regarding procedural rights

- ECtHR, GC, 11 July 2006, *Jalloh v. Germany*, appl. no. 54810/00
- ECtHR, 17 October 2015, *Horvatić v. Croatia*, appl. no. 36044/09
- ECtHR, GC, 20 October 2015, *Dvorski v. Croatia*, appl. no. 25703/11

#### Judgments regarding the *ne bis in idem* principle

- ECtHR, 10 February 2009, *Zolotoukhine v. Russia* (on the same fact)
- ECtHR, 4 March 2014, *Grande Stevens and others* (on criminal matters)



# Jurisprudence Analysis (Phase 2)

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## Concerning the ECJ:

- Case law on the EAW, such as ECJ, 26 February 2013, *Melloni*, C-399/11;
- Case law on the *ne bis in idem* principle, such as ECJ, 28 September 2006, *van Straaten*, C-150/05 (on same fact); ECJ, 29 June 2016, *Kossowski*, C-486/14 (on final judgment); ECJ, GC, 15 November 2016, GC, A E B C. Norway, C24130/11 and 29758/11 ((on criminal matters)
- Case law on procedural guarantees, such as ECJ, 15 October 2015, *Covaci*, C-216/14; ECJ, 09 June 2016, *Balogh*, C-25/15





# Activity 3: interviews

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## **SUBJECTS:**

- 1) Public Prosecutors;
- 2) Judges (in Italy judges of the Court of Appeal: competent for letters rogatory);
- 3) Members of Judiciary police;
- 4) Lawyers.



# Activity 4: comparative analysis and assessment of the results

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## **Spain, Italy and Poland:**

- 1) Level of implementation of European law sources related to gathering of evidence;
- 2) Definition of criminal proceedings;
- 3) Grounds for refusal assistance (immunities, human rights clause, ne bis in idem);
- 4) Compatibility with European case law: rights of defendants and rights of victims.



# Outputs

Nº	Output	Characteristics	Target group
1	Compilation framework	In order to ensure the correctness of information related to jurisprudence and relevant experience of professionals working on this field, a framework with specific items to be fill in will be elaborated.	Partners (CO)
2	Research at EU level with specific analysis of 3 countries	Diagnosis of the current situation through desk research and unstructured interview in the countries of the Consortium , including associate partners.	Partners (CO)
3	<b><u>DELIVERABLE</u></b> Current legal and related situation of EIO, evidence gathering and accused protection	Electronic deliverable , English	Juridical Authorities law enforcement authorities and accused rights social players



# Outputs

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Nº	Output	Characteristics	Target group
4	<b><u>DELIVERABLE</u></b> National reports on EIO and common practices	Electronic deliverable (English, Spanish, Italian and Polish)	Juridical Authorities law enforcement authorities and accused rights social players



# Doubts

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QUESTIONS???



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# “Best practices for EUROpean COORDination on investigative measures and evidence gathering”

## Kick-off Meeting

February 9th 2017  
UNIVERSITY OF BURGOS

WP2 “COMPREHENSIVE RESEARCH ON LEGAL PROTECTION IN THE EU MEMBER STATES UNDER EIO PROVISION”

*Mar Jimeno Bulnes - UBU*

Partners:





# WS2. TABLE OF CONTENTS

---

- *Summary*
- *Objectives of this workstream*
- *Task List & Gantt Diagram*
- *Description of the work (activities)*
- *Outputs of WS*
- *Future actions*
- *Discussion*



# SUMMARY

<b>Work stream Number: 2</b>	<b>Workstream name:</b> COMPREHENSIVE RESEARCH ON LEGAL PROTECTION IN THE EU MEMBER STATES UNDER EIO PROVISION				
<b>WS Leader</b>	UBU	<b>Start date</b>	3 (Feb -17)	<b>End date</b>	12 (nov 17)
Person-months per participant	UBU	UCM	UOP	UJ	
	8	2	2	2	





# *Objectives of this workstream*

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To analyse the current practices on juridical protection for accused individuals, evidence gathering and investigative measures in Spain, Italy and Poland. It should be considered the qualitative assessment of the unstructured data, collected through interviews and focus groups.



# Task List & Gantt Diagram

		Year 1											
		dic-16	ene-17	feb-17	mar-17	abr-17	may-17	jun-17	jul-17	ago-17	sep-17	oct-17	nov-17
Workstream 2 (legal protection)	UBU												
1 Qualitative research methodology	UBU												
2 Interviews and focus groups	UBU, UCM, UOP, UJ												
3 Comprehensive and qualitative analysis	UBU, UOP, UJ												D



# Description of the work

N o	Name and description of the activity	Partner	Month
1	<b>Qualitative research methodology</b> The coordinator will state a common methodology to ensure all information is provided in a scientifically adequate approach	UBU	3 Feb 17
2	<b>Interviews and focus groups:</b> Phase 1) Professionals of the legal system, judicial institutions, experts, lawyers... Phase 2) Police officers, NGOs members and volunteers and anti-discrimination experts	UBU, UCM, UOP, UJ	4 – 10 From Mar to Sept 17)
3	<b>Comprehensive qualitative analysis of the data collected</b>	UBU, UOP, UJ	8 – 12 From July to Nov 17



# Outputs

Nº	Output	Characteristics	Target group
1	Current situation	In order to ensure the information about national practices, a framework with specific items interview protocols will be stated.	Partners (CO)
2	Common practices related with EIO and evidence transfer in Spain, Italy and Poland	Analysis of practices in the countries of the Consortium (desk research and unstructured).	Partners (CO)
3	<b><u>DELIVERABLE</u></b> National reports on EIO application and practices	Electronic deliverable (English, Spanish, Italian and Polish) It will compile the common practices in these countries	Academia, Juridical Authorities defence lawyers and legal aid lawyers, law enforcement officers and NGOs (PU)



# Future actions

Nº	Name and description of the activity	Partner
1	Qualitative research methodology	UBU



# Discussion

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- Research methodology: which topics to be included in order to identify relevant practices on the topic (EIO)
- Content of questionnaires to be addressed to focus groups and methodology (face-toface, email)
- Delays in order to answer by addresses and compile whole materials, eg, need to tape the oral interviews
- BIG PROBLEM: HOW TO PROCEED WITH QUALITATIVE RESEARCH ANALYSIS? NEED OF SPECIFIC EXPERTISE ON SOCIOLOGIE IN ORDER TO INTERPRET AND MANAGE DATE
- Proposal of employment of legal interpretation instead, ie, description of practices and rules pointing the difference between the ones are observed and those ones they are not
- Extension and titles in order to ellaborate coherent reports in all countries

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# “Best practices for European Coordination on investigative measures and evidence gathering”

## Kick-off Meeting

February 9th 2017  
UNIVERSITY OF BURGOS

WS4 “Training and Dissemination”

*Adam Górski*

Partners:





# WS 4. TABLE OF CONTENTS

---

- *Summary*
- *Objectives of this workstream*
- *Task List & Gantt Diagram*
- *Description of the work (activities)*
- *Outputs of WS*





# SUMMARY

<b>Work stream Number: 4</b>	<b>Workstream name: Training and Dissemination</b>				
<b>WS Leader</b>	<b>JU</b>	<b>Start date</b>	<b>March 2017</b>	<b>End date</b>	<b>December 2018</b>
<b>Person-months per participant</b>	<b>UBU</b>	<b>UCM</b>	<b>UOP</b>	<b>UJ</b>	
	<b>4</b>	<b>4</b>	<b>2</b>	<b>14</b>	



# *Objectives of this workstream*



- 
- to support the emergence of an open and vibrant knowledge & collaborative community of experts and stakeholders, including all EU citizens as target group
  - to manage the internal social-network side of the European Observatory of the EOI
  - to be in charge of the information-point during the whole project.
  - to provide support for the use of the networks, online and offline communication tools used during the project
  - to contribute to the spread and the establishment of more homogenous procedures on EOI, to be carried on through high-level dissemination actions, focused on scientific communication



# *Task List & Gantt Diagram*

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- WEB Site : UBU and UJ responsible of the coordination on this task (contents managing, translations, etc.) - March 2017- November 2018
- MOODLE (learning platform) module of the WEB Site for training courses and materials;
- Establishment of presence, communication and debate on social media channels –
- UJ is responsible for their update and communication campaigns and activities – March 2017 – June 2017
- Offline communication campaigns :newspapers, professional publications and, in general, non-specific and specific press. – April 2017 on



# Task list and diagram

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Training courses 3 specific targeted online courses and 4 webinars – June 2018 on (mostly UBU)

Establishment of European Observatory on EIO A European Observatory – April 2018 on

(UJ, UBU, IOP)

Exploitation and dissemination focused on policy makers and non-judicial authorities

Scientific Dissemination in peer-reviewed Journals (mainly UCM) – October 2017 on



# Task List – issues of importance

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- + EIO and procedural models at each stage of the proceedings
- adversarial versus inquisitorial model
- procedural safeguards versus models: equality of arms, EO and ECHR (CHFR EU)
- legality versus opportunity principle in preparatory proceedings: EIO as a means of pursuing legality principle (obligation to use EIO?)
- + understating and role of dual criminality
- in abstracto/in concreto
- protective role of dual criminality in transnational evidence gathering?



# Task list – issues of importance

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- + „big issue” of proportionality
- proportionality and legality principles
- what may the abuse of EIO look like in specific countries?
- how to protect against excessive use of EIO (how to define duties of executing states?)
- + effective defence – how to reach consensus?
- + lex fori/lex loci issue: approaches of domestic jurisdictions towards „foreign evidence”: evaluation of such evidence (especially interception) and defence rights
- + EIO and data protection on European and`domestic levels



# Dissemination (examples)

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***[proper structuring and scope of the material (see above)]***

- papers aimed (at least some) at target groups: periodicals and websides of bar associations, associations of judges and prosecutors,

(please provide a list for a country)

- collaboration with legally focused non scientific papers, such as Rzeczpospolita (please provide a list for a country)

- „personal” contact with leading legal journalists

- use of European dissemination channels

- collaboration with Europe – wide and puerly domestic NGO’s: European Commission of Jurists, HFHR, FTA, FTI

- strict contact with domestic ombudsman for the sake of dissemination process



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¿Questions?



## **I. Objectives Ws 4:**

**is:**

- to support the emergence of an open and vibrant knowledge & collaborative community of experts and stakeholders, including all EU citizens as target group
- to manage the internal social-network side of the European Observatory of the EOI
- to be in charge of the information-point during the whole project.
- to provide support for the use of the networks, online and offline communication tools used during the project
- to contribute to the spread and the establishment of more homogenous procedures on EOI, to be carried on through high-level dissemination actions, focused on scientific communication

## **II. Tasks WS 4:**

### **II.1. Dossier for main aims, tools, responsible person, aims achievements and other:**

- WEB Site : UBU and UJ responsible of the coordination on this task (contents managing, translations, etc.) – March 2017- November 2018;
- Mgr Michalak shall be directly responsible for the content of website, under my supervision (among UJ as participant);
- „MOODLE” (learning platform) module of the WEB Site for training courses and materials;
- Mgr Michalak and myself, with Mar participation will be responsible for the content of moodle;
- Establishment of presence, communication and debate on social media channels as follows:

- Dissemination of research achievements will take place in common social medias such as: Facebook, Twitter and other;
- Launching a dedicated blog concerning outcomes of EUROCOORD, which will be broadcasted (linked to) on several websites of Universities in Poland, Spain and Italy;
- Achievement of specific objectives, such as: generation of the required knowledge to optimise the implementation of the EIO in criminal matters, specifically, the transmission of evidence;
  - Involvement of relevant stakeholders with the competencies and protocols needed in order to make easier the cooperation and admissibility of evidence across different countries;
  - Aim is also to rise awareness, disseminate knowledge generated and train professionals with a multiplying potential;
  - Above mentioned will be achieved by tools such as: Main website and updates, Online debate and communication, Offline communication campaigns, Training courses and resources, European Observatory for the EIO, Dissemination to policy makers, Scientific dissemination, and dedicated events and conferences
  - Offline communication campaigns :newspapers, professional publications and, in general, non-specific and specific press. – from April 2017;
  - Workstream will also **establish own quality criteria** and indicators of aforementioned achievements and aims, such as: external review of papers, measures of data and information dissemination (web page Visitors counter app);
- UJ is responsible for the update of communication campaigns and activities – from March 2017 till June 2017

## **II.2. Summary**

dissemination and exploitation aim	measures of fulfillment
scientific knowledge dedicated to experts and stakeholders, including all EU citizens as target group	papers aimed at target groups: periodicals and websides of bar associations, associaions of judges and prosecutors,
Legal awareness, dissemination of basic knowledge generated by project	basic forms of communication, lectures, social medias, web pages, internal mailing listsa
training courses dedicated to professionals (multiplying potential)	lectures, both Online and direct. Educative materials. Question - Answer technique
other required dissemination methods, Responses for questions and required expertises	providing written memoranda, other measures

### II.3. Dossier for detailed content of WS4, specific issues:

- application of EIO to “special” types of proceedings (petty crimes, disciplinary proceedings, administrative proceedings, legal persons)
- particular grounds for non – execution:
- immunity or a privilege under the law of the executing State (art. 11 par. 1 letter a); particularities in the understanding of immunity in a given country;
- ne bis in idem;
- „legality versus oportunity principles” in preparatory proceedings: EIO as a means of pursuing legality principle (obligation to use EIO?)

- incompatibility with the executing State's obligations in accordance with Article 6 TEU and the Charter;
- restricted use of the investigative measure indicated in the EIO, non comprising the offence covered by EIO;
- criminal offence which is alleged to have been committed outside the territory of the issuing State and wholly or partially on the territory of the executing State, and the conduct in connection with which the EIO is issued is not an offence in the executing State;
- understating and role of dual criminality
- in abstracto/in concreto
- protective role of dual criminality in transnational evidence gathering?
- „big issue” of proportionality
- what may the abuse of EIO look like in specific countries?
- effective defence – how to reach consensus?
- interception of communications
- EIO and data protection on European and`domestic levels
- issue of costs of EIO execution and issuing

### **III. Other means of media campaign, other measures:**

- papers aimed (at least some) at target groups: periodicals and websides of bar associations, associations of judges and prosecutors,
- collaboration with legally focused non scientific papers
- „personal” contact with leading legal journalists
- use of European dissemination channels

– collaboration with Europe – wide and puerly domestic NGO's: European Commission of Jurists, HFHR, FTA, FTI

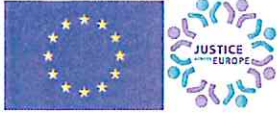
– strict contact with domestic ombudsman for the sake of dissemination process

– Training courses 3 specific targeted online courses and 4 webinars – June 2018 on (mostly UBU)

Establishment of European Observatory on EIO A European Observatory – April 2018 on

(UJ, UBU, IOP)

Scientific Dissemination in peer-reviewed Journals (mainly UCM) – October 2017 on



# EUROCOORD

Best practices for EUROpean COORDination on investigative measures and evidence gathering

## Kick-off Meeting

February 9<sup>th</sup> 2017

University of Burgos. Faculty of Law. Room Fuero Viejo  
C/ Hospital del Rey, s/n, 09001 Burgos.

Click here: <https://goo.gl/maps/tbNHbzUAxys>

## ATTENDANCE LIST

ATTENDEE	PARTNER	SIGNATURE
Miriam Parrisue	UBU	
Itar Jimeno Bales	UBU	
Jules Pevet Gil	UBU	
Lorena Bachmann	UCM	
ANNA-LISA MANGIARDINO	UOP	
Adam Górski	UJ	
Felix Vothmann	UBU	

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