



## **Deliverable D5.7**

**February 2019**

### **Report on dissemination activities, participation in events, articles published etc.**



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

"This report was funded by the European Union's Justice Programme (2014-2020)

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**EUROCOORD**

**Version FINAL**

**Preparation date:** January/February 2019

**Work Package** WS4/WP5

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**Approved by Coordinator on:**

**Approved by Quality Manager on:**

**Dissemination level:** PU



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### Abbreviations and Acronyms

UJ	Jagiellonian University in Kraków
UCM	University Complutense Madrid
UBU	University of Burgos
UNIPA	Univeristy in Palermo
GA	Grant Agreement
CA	Consotrium Agreeemnt
Partners	With no further clarification means all Partners of the Project
Project	Eurocoord Best practices for EUROpean COORDination on investigative measures and evidence gathering



## Executive summary

*NOTE: this document aims to provide necessary data for purposes of Project and shall not be used in any other way under any condition. Malusage is prohibited by the Intellectual Property Law.*

## Section 1: Introduction

### 1.1: Main objectives

WS4/WP5 is characterised by its perpetual duration during throughout of the Project. All activities in WS4 are not divided in phases (see: General Agreement, PART B - SUBMISSION TEMPLATE PROJECT DESCRIPTION AND IMPLEMENTATION, description of WS and Activities pp. 21 - 23, and compare also to pp. 18 – 19). In general, suggested means of dissemination were mainly: Web page of the Project, open access materials (published papers and other deliverables), Participation in international events such as conferences and meetings, social media presence, Workshops conducted with law professionals, Local events, which concerns the subject matter and other activities.

As far as scientific dissemination is considered, main task of the project Crew is to make Code of Best Practices public and commonly recognised among scholars.

All undertaken actions in order to disseminate project presence and outcomes were conducted in accordance with respectively Spanish, Italian and Polish Law, with regard on due diligence principles and under common agreed in Consortium means and manners of dissemination.

## Section 2: Specific actions, publications, conferences and other activities in EuroCoord Project;

### 2.1: Activities outline

Web pages and measures used:

- 1) <http://www.law.uj.edu.pl/kpk/strona/>
- 2) <https://www.ucm.es/>
- 3) <http://www.unipa.it/>
- 4) <https://www.ubu.es/english-version>
- 5) <http://www.rightsinternationalspain.org/es/blog/143/proyecto-eurocoord-sobre-la-orden-europea-de-investigacion-en-materia-penal->
- 6) In Poland agreement with the Criminal Law Department of the Office of the Human Rights Commissioner (agr. No: II.519.189/2018). Agreement foresee cooperation on EIO implementation in judiciary practice;
- 7) In Poland disseminating information on Eurocoord at conferences in Białystok: [http://www.prawo.uwb.edu.pl/prawo\\_new/wydzial.php?p=1701](http://www.prawo.uwb.edu.pl/prawo_new/wydzial.php?p=1701) and Kraków (<http://www.law.uj.edu.pl/kpk/strona/konferencje/>);
- 8) Also disseminating information on Eurocoord at legal clinics [https://www.prawo.uwb.edu.pl/prawo\\_new/wydzial.php?p=263](https://www.prawo.uwb.edu.pl/prawo_new/wydzial.php?p=263)
- 9) Letters informing about Eurocoord and main results thereof to main NGOs serving to protect human rights in criminal process in Poland
- 10) Sending training scripts to those subject as well as selected legal clinics;

### 2.2: Conferences:

**Conferences presented by each Authors participated in Project (chronological order)**

**SPAIN:**

**Prof. Mar Jimeno Bulnes, UBU**

**International Conferences, Seminars and Presentations related to EIO and evidence**

1. *La prueba transfronteriza y su incorporación al proceso penal español*, Congreso internacional “La orden europea de investigación y la prueba transfronteriza en la Unión Europea”, Universidad de Sevilla (Sevilla, 29-30 November, 2018).
2. *La Fiscalía Europea y la lucha contra el fraude desde el escenario español*, Interessi finanziari dell’UE e giustizia penale – Colloquio italo spagnolo, Università degli Studio di Milano (Milán, 4 May, 2018).
3. *La prueba procesa a examen*, IV Memorial Profesor Manuel Serra Domínguez “Jornadas internacionales de Derecho Procesal. El enjuiciamiento civil y penal, hoy”, Universidad Autónoma de Barcelona and Fundación Privada Manuel Serra Domínguez (Barcelona, 12-13 November, 2018).
4. *La prueba penal transnacional*, Confronto: diálogo hispano-italiano sobre proceso penal, Universidad de Cádiz (Jerez de la Frontera, 8-9 November, 2018).
5. *Un proceso europeo para el siglo XXI*, Comencement speech, Universidad de Burgos (Burgos, 28 September, 2018).
6. *El diálogo entre tribunales europeo y nacional: su incidencia en el Derecho Procesal español*, I Congreso Internacional de la Asociación de Profesores de Derecho Procesal de las Universidades Españolas (Murcia, 14-16 June, 2018).
7. *Hacia una aplicación eficiente y coherente de la OEI. El proyecto EUROCOORD*, El espacio de libertad, seguridad y justicia UE en 2017: Fiscalía europea, protección de datos, orden europea de investigación, oficinas de recuperación y gestión de activos, II reunion annual ReDPE (Madrid, 1 December, 2017).
8. *La responsabilidad penal de las personas jurídicas. Nuevas perspectivas sobre la prueba ilícita*, Congreso-Memorial Profesor Serra-Domínguez “El nuevo proceso penal sin Código Procesal penal”, Fundación Serra Domínguez - Universidad de Santiago de Compostela (Santiago de Compostela, 9-10 November, 2017).

**Prof. Félix Valbuena González**

**International conferences, seminars, and presentations related to EIO and evidence:**

- *La Directiva europea en materia de asistencia letrada*, en las Jornadas en el marco de la Red universitaria España-Italia. Espacio judicial europeo y proceso penal, organizadas por la Universidad de Burgos, celebrada el día 5 de mayo de 2017.
- *direito de assistência de advogado no espaço de liberdade, segurança e justiça*, en la Jornadas Luso-Espanholas Espaço Judicial Europeu e Processo Penal, organizada por la Universidad Autónoma de Lisboa, celebradas en Lisboa el 13 y 14 de octubre de 2017.
- *Protección internacional de los niños: aspectos legales*, en la Conferencia Internacional “Improving European Child Protection Systems”, organizada por la Universidad de Valencia, celebrada en Valencia el día 26 de noviembre de 2018.



## PhD Candidate Serena Sabrina Immacolata Cacciatore

### International Conferences, Course, Project, Seminars and Presentations related to EIO and evidence

- 1) 08/11/2018 - 09/11/2018: *“Intervención de telecomunicaciones en la OEI”* within the International Conference on *“Confronto: Diálogo Hispano-Italiano Sobre Proceso Penal”*, University of Cadíz (Spain).
- 2) 29/11/2018 - 30/11/2018: *“LA ADAPTACIÓN DE LA ORDEN EUROPEA DE INVESTIGACIÓN EN ITALIA Aspectos generales del Decreto legislativo del 21 de junio de 2017, núm. 108”* within the International Conference on *“La Orden Europea de investigación y la prueba transfronteriza en la unión europea”*, University of Sevilla (Spain).
- 3) 21/05/ 2018 assistance to the seminar *“No hay Libertad sin Seguridad y Justicia: la cooperación policial y judicial en materia penal en la Unión Europea al servicio de una Europa más libre y más segura”*, University of Burgos (Spain).
- 4) 05/06/2018 - 30/09/2020: Research of the Project Junta de Castilla y León *“Los protagonistas del futuro proceso penal en el marco de la Unión Europea”* University of Burgos (Spain).
- 5) 2/7/2018 – 7/7/2018: I attended at a 15th edition of the Summer School "The Eu Area of Criminal Justice", Université Libre De Bruxelles.
- 6) 2/7/2018 Conference "EAW and the Catalac case: a call for improvements?" in the framework of the 15th edition of the Summer School. Université Libre De Bruxelles.
- 7) 4/5/2017: assistance to the *Jornadas en el marco de la red Universitaria Espana-Italia. “Espacio Judicial Europeo y Proceso penal”*, University of Burgos (Spain).

## Prof. Marien Aguilera, UCM

### International Conferences, Seminars and Presentations related to EIO and evidence

1. Comunicación *“Dos problemas actuales y otro futuro en torno a la Orden Europea de Investigación”*, presentada al I Congreso Internacional de la APDPUE, sobre el tema

“Adaptación del Derecho Procesal Español a la Normativa Europea y su interpretación por los Tribunales”, celebrado en la Facultad de Derecho de Murcia, los días 14 y 15 de junio de 2018.

2. Conferencia «La implantación de la Orden Europea de Investigación en España: el dolor de la lucidez», impartida el día 29 de junio de 2018 en la V edición de *Processulus: La Cooperación procesal internacional en la sociedad del conocimiento*, celebrado en la Facultad de Derecho de la Universidad de Salamanca.

3. Conferencia “Orden Europea de investigación” impartida en la Real Academia de Jurisprudencia y Legislación de España el día 15 de noviembre de 2018.

4. Comunicación “La Orden Europea de Investigación: nuevas competencias para el Ministerio Fiscal”, presentada al Congreso Internacional *La Orden Europea de Investigación y la prueba transfronteriza en la Unión Europea*, dirigido por la Prof<sup>a</sup> M.I. González Cano y celebrado en la Facultad de Derecho de la Universidad de Sevilla los días 29 y 30 de noviembre de 2018.

5. Ponencia “EIO and Law on Mutual Recognition” en el marco de la International Conference European Investigation Order: A Code of Best Practices, celebrado en la Facultad de Derecho de la Universidad Complutense de Madrid el 15 de febrero de 2019.

### **Prof. Lorena Bachmaier, UCM**

#### **International Conferences, Seminars and Presentations related to EIO and evidence**

1. *Giusto processo e materia punitiva*, Congresso Nazionale “La materia penale tra diritto nazionale ed europeo”, organizado por la Universidad de Módena y la AIDP, 30 marzo de 2017, Módena, Italia.

2. *European Investigation Order and Joint Investigation Teams*, en International Workshop “Beyond Sovereignty. New Approaches to International and Transnational Law Enforcement”, Max Planck Institute for Foreign and International Criminal Law, Freiburg i. Br., Germany, 1-2 de diciembre de 2017.

3. *Terrorism investigation, surveillance and criminal evidence: from investigation without suspects to suspects under surveillance*, en International Conference on Alternative and Transitional Types of Criminal Justice and the Legitimacy of New Sanction Models in the Global Risk Society, Queen Mary University, The Honourable Society of the Middle Temple, London, 26-27 de enero de 2018.

4. *Mutual Legal Assistance and Overcoming Cooperation Models in Fighting Transnational Organised Crime*, ECLAN Annual Conference, Privacy and Surveillance in a Digital Era: Challenges for Transatlantic Cooperation and European Criminal Law Queen Mary, University of London, London, 17-18 May 2018.

5. *Guarantees for Non-Criminal Sanctions: Protection of Liberty, Protection of Property, Fair Trial*”, International Conference Prevention, Investigation, and Sanctioning<sup>[L]</sup> of Economic Crime (Section III of the<sup>[SEP]</sup> XXth AIDP International Congress of Penal Law “Criminal Justice and Corporate Business”) organised by the Max Planck Institute for foreign and international criminal law, Freiburg, Germany 19.6.2018.
6. *Confidentiality of correspondence with counsel as necessary requirement of the right to a fair trial*, International Academy of Comparative Law, Fukuoka, Japan 26.7.2018.
7. *Legislative requirements for regulating private criminal investigations?*, “Private Investigations in International Criminal Justice”, organised by the International Nüremberg Principles Academy, Nüremberg, Germany, 1-2.11.2018.
8. *European Investigation Order*, International Conference “Europe and Criminal Justice”, organised by the Università di Padova, Palazzo del Bo, Padua, Italy 7 December 2018.
9. *The Future Harmonisation of Criminal Sanctions in the EU – A new Approach*, en The Future Harmonisation of Criminal Sanctions in the EU on the occasion of the 10th anniversary of ECPI, Munich, Germany, 14.12.2018.
10. *The Code of Best Practices*, International Conference: European Investigation Order: A Code of Best Practices, Facultad de Derecho, Universidad Complutense, Madrid, 15.2.2019.
11. *Instruments of surveillance*, Jean Monnet Module “Mobility, Security and the New Media”, Università degli Studi di Palermo, Palermo, Italy, 28.4.2017.
12. *La orden europea de investigación*, Jornadas “Espacio Judicial Europeo y Proceso Penal”, Universidad de Burgos, España, 4 May 2017.
13. *OEI e interceptación de comunicaciones*, “Jornadas de Fiscales especialistas en cooperación internacional”, Centro de Estudios Jurídicos, Ministerio de Justicia, Madrid 9 May 2017.
14. *Fighting economic crime in a transnational setting: European procedure, judicial cooperation and cross-border evidence*, Summer School “Financial crime, corruption and money laundering: European and international perspectives” organised by the Research Institute for Transparency, Corruption and Financial Crime, Faculty of Law, Aristotle University of Thessaloniki, Thessaloniki, Greece, 12 July 2017.
15. *Seminar Fundamentos del Derecho Probatorio en Materia Penal*, Poder Judicial de la Provincia de Tierra del Fuego, Antártida e Islas del Atlántico Sur, Ushuaia, Argentina, 12 and 13.10. 2017.
16. *Discussion Resolutions, Special Colloquium* Prevention, Investigation, and Sanctioning<sup>[L]</sup> of Economic Crime, Max Planck Institute, Freiburg i. Br. 20-21 June 2018.
17. *Medidas de investigación tecnológica*, Encuentro Orden Europea de Investigación, UIMP, Santander, 22 August 2018, accessible under:

[http://www.uimptv.es/video-2541\\_orden-europea-de-investigacion-%C2%B7-xi.html#](http://www.uimptv.es/video-2541_orden-europea-de-investigacion-%C2%B7-xi.html#)

18. *Final reflections on the EIO*, Eurojust Meeting on the European Investigation Order, Eurojust, The Hague 19-20 September 2018.
19. *From Mutual Legal Assistance Agreements to the European Investigation Order*, Workshop “Judicial Cooperation in Criminal Matters and Electronic IT Data in the EU”, 5.11.2018, European University Institute Florence, Robert Schuman Research Centre, Florence, Italy.
20. *Automated driving, MLA and digital evidence. Why automated driving (or cross border Artificial Intelligence) needs a common supranational approach*, en Thematic Session on Artificial Intelligence and Criminal Law, Council of Europe CDPC, Strasbourg, France, 28 November 2018.

## ITALY:

### Prof. Annalisa Mangiaracina, UNIPA

#### International Conferences, Seminars and Presentations related to EIO and evidence

- 1) 15.2.2019: *“The EIO and the fight against the mafia”*, within the International Conference on *“European Investigation Order: a Code of Best Practices”*, University Complutense of Madrid (Spain).
- 2) 24.10.2018: *“Undercover investigative measures and the European Investigation Order”*, Brema (Germany)
- 3) 20.6.2018: *“Gli infiltrati nelle organizzazioni mafiose”*, within the IV Course for Federal Brazilian Judges on *“Il contrasto in Italia alle organizzazioni criminali mafiose e al riciclaggio dei capitali illeciti”*, University of Palermo (Italy).
- 4) 30.5.2018: *“Transnational crimes: drug crimes”*, within the XVIII Specialisation Course in International Criminal Law for Young Penalists”, on International and Transnational Crimes, ISISC, Siracusa (Italy).
- 5) 18.5.2018: *“The movement of electronic evidence”*, within the Module “Jean Monnet” on *“Mobility, security and the new media”*, University of Palermo.
- 6) 4.5.2017: *“La orden europea de investigaciòn”*, within the Jornadas en el marco de la red Universitaria Espana-Italia. Espacio Judicial Europeo y Proceso penal, University of Burgos (Spain).

## PhD Candidate PAOLA MAGGIO

### Conferences and seminars related to EIO and evidence

1. "From traditional interceptions of communications to the use of Trojan virus: jurisprudence and Italian legislation in progress" ( Brema, 25 ottobre 2018);
2. "La prova atipica" (Palermo, 6 aprile 2018- within the Jean Monnet Module - Mobility, security and the new media);

"La vittima del processo, i danni da Processo penale" (Palermo, 13 giugno 2017);

## Prof. VINCENZO MILITELLO

### Conferences, seminars related to EIO and evidence:

*Migrants Smuggling im Mittelmeer: Der Fall Italien*, al Max Planck Institut für ausländisches und internationales Strafrecht (Freiburg i. Br., RFT, 28.6.2018).

Relatore sul tema "*Las reforma de los delitos de corrupción en Italia*" e sul tema "*Lucha contra la criminalidad organizada de tipo mafioso y sistema penal italiano*" (due Workshop presso la *Escuela do Ministerio Público - Fiscalía de la Nación Perú*, rispettivamente 30.11 e 1.12.2017).

Relatore sul tema "*La tratta di esseri umani: la politica criminale multilivello e la problematica distinzione con il traffico di migranti*" alla "*Conferência Internacional 18 de Outubro - Dia Europeu contra o Tráfico de Seres Humanos*" (Universidade de Coimbra, 18-19.10.2017)

Relatore all'incontro "*Notion of organised crime in the EU, paths of harmonisation*" (European Parliament, Brussels, 30.3.2017)

*Rapporteur* italiano sul tema "*Individual Liability for Business Involvement in International Crimes*" al *Preparatory Colloquium - Argentinian National Group of the XX AIDP International Congress of Penal Law "Criminal Justice and Corporate Business"* (Universidad de Buenos Aires, 21-23.3.2017).

### 2.3. Other dissemination activities

- 1) <http://www.rightsinternationalspain.org/es/blog/143/proyecto-eurocoord-sobre-la-orden-europea-de-investigacion-en-materia-penal->
- 2) [https://cadenaser.com/emisora/2019/03/02/radio\\_valladolid/1551529973\\_88894\\_1.html](https://cadenaser.com/emisora/2019/03/02/radio_valladolid/1551529973_88894_1.html)



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