



Taking Evidence in Cross-Border Procedures

TRAINING FOR DEFENCE LAWYERS
Online, 2 July 2024



EXCELLENCE IN
EUROPEAN LAW¹

Speakers

Nicola Canestrini, Lawyer, canestriniLex, Rovereto

Noémie Coutrot-Cieslinski, Lawyer, CC&C Lawyers, Paris

Ramin Farinpour, Senior Lawyer, European Criminal Law Section,
ERA, Trier

Adrian Sandru, Criminal Defence Lawyer, Lexure Hub, Bucharest

Key topics

- European Investigation Order (EIO)
- Evidence through videoconferencing
- E-evidence

Language
English

Event number
324DT111

Organiser
Ramin Farinpour (ERA)

Taking Evidence in Cross-Border Procedures

Tuesday, 2 July 2024

14:40 Connecting to the videoconference platform

15:00 **Opening of the webinar**
Ramin Farinpour

I. EUROPEAN INVESTIGATION ORDER (EIO)

Chair: Ramin Farinpour

15:05 **The EIO and how it functions as an instrument of mutual recognition and assistance**

- General principles and distinctive features
 - Grounds for non-recognition or non-execution
 - CJEU case law affecting its use
 - The role of a lawyer and issues regarding defence
- Noémie Coutrot-Cieslinski*

15:45 Discussion

II. EVIDENCE THROUGH VIDEOCONFERENCING

16:00 **Videoconferencing in cross-border criminal cases**

- Interview and participation in (pre-)trial of suspect or accused
- Legal and technical safeguards, transparency and privacy issues
- Regulation on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation

Dawid Marko

16:45 Discussion

III. E-EVIDENCE

17:00 **Cross-border access to electronic evidence**

- European Production Orders and European Preservation Orders for electronic evidence in criminal proceedings and for the execution of custodial sentences following criminal proceedings
- Directive laying down harmonised rules on the designation of designated establishments and the appointment of legal representatives for the purpose of gathering electronic evidence in criminal proceedings

Adrian Sandru

17:45 Discussion

18:00 End of the webinar

For programme updates: www.era.int
Programme may be subject to amendment.



Times indicated are CEST
(Central European Summer Time)

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Objective

This three-hour long webinar, which forms a part of a larger project on European Criminal Law for Defence Lawyers, focuses on the taking of evidence in cross-border procedures and practical proceedings in its application. It will explain and take a closer look at the European Investigation Order (EIO), evidence through videoconferencing and e-evidence has impacted its functioning, as well as the issues of mutual trust and recognition of judicial decisions within the context of the EAW's use. Insights from practitioners familiar with the instrument, who have been involved in EAW proceedings, will be shared.

Who should attend?

Criminal defence lawyers

Interactive online seminar

The online seminar will be hosted on the Zoom videoconference platform. You will be able to interact immediately and directly with our top-level speakers and other participants. We will make the most of the technical tools available to deliver an intensive, interactive experience. The highest security settings will be applied to ensure that you can participate safely in this high-quality online conference.

Your contacts



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CPD

ERA's programmes meet the standard requirements for recognition as Continuing Professional Development (CPD). Participation in the full programme of this event corresponds to **3 CPD hours**.

A certificate of participation for CPD purposes with indication of the number of training hours completed will be issued on request. CPD certificates must be requested at the latest 14 days after the event.

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Terms and conditions of participation

- No registration fee.
- Participation is only open to lawyers in private practice who are citizens of eligible EU Member States participating in the EU Justice Programme (Denmark does not participate), Albania and Kosovo*.
- A list of participants including each participant's working address will be made available to all participants unless ERA receives written objection from the participant no later than one week prior to the beginning of the event.
- The participant will be asked to give permission for their address and other relevant information to be stored in ERA's database in order to provide information about future ERA events, publications and/or other developments in the participant's area of interest.
- A certificate of attendance will be issued after the webinar to those who attended the entire event.

* This designation is without prejudice to positions on status and is in line with UNSCR 1244/1999 and the ICJ opinion on the Kosovo declaration of independence.

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Save the date

The role of lawyers in protecting and promoting the rule of law and mutual trust

Trier, 16-17 September 2024

Protection of legal privilege in criminal proceedings in the EU

Marbella, 3-4 October 2024

Procedural Rights in the EU

Riga, 7-8 November 2024

Instruments of mutual recognition: EAW, EIO

Budapest, March 2025

Current developments in digitalisation in criminal proceedings

Vilnius, June 2025

The scope and application of the EU Charter of Fundamental Rights

Trier, September 2025

The role of the CJEU for defence lawyers

Trier, October 2025

Further information about the European Criminal Law for Defence Lawyers project:

<https://training-for-defence.era.int/>

www.era.int/elearning

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