

Translation of letter

From: Martin Šustr,  
Head of Unit, Justice and Home Affairs  
Permanent Representation of the Czech Republic to the European Union in  
Brussels

Date: Brussels, 15 August 2018

To: Tiina Astola, Director-General, DG JUST

Ref: 3097-2/2018 - SZEU/JAV

Subject: Implementation of Directive 2014/41/EU of the European Parliament and of  
the Council of 3 April 2014 regarding the European Investigation Order in  
criminal matters

In accordance with Article 33 of Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters (OJ L 130, 1.5.2014, p.1-36), I am writing to inform you that the Czech Republic has implemented the Directive in question into national law.

The Directive has been implemented at national level by the Act amending Act No 104/2013 on international judicial cooperation in criminal matters as amended. The Act of 19 July 2018 will be published on 16 August 2018 under [Act] No 178/2018 (volume 88). The act will also come into force on that day.

Please find enclosed the following annexes:

- the text of the relevant national implementing provisions;
- notifications in accordance with Article 33(1)(a) of the Directive (Annexes 1 and 2);
- notification in accordance with Article 33(1)(b) of the Directive (Annex 3);
- notification in accordance with Article 34(4) of the Directive (Annex 4).

A correlation table providing further details of the national legislation transposing the Directive will be sent to you at a later date.

I would also like to inform you that the International Department for Criminal Matters at the Ministry of Justice of the Czech Republic can be contacted for the purpose of consultation on technical questions:

Ministerstvo spravedlnosti České republiky [Czech Ministry of Justice]

mezinárodní odbor trestní [International Criminal Department] tel.: +420 221 997 435

email: [mot@msp.justice.cz](mailto:mot@msp.justice.cz)

*(Complimentary close)*

Encl - as stated

*[Translator's note: as requested, only certain pages of the rest of the document have been translated]*

## **Annex 1**

### **Notification by the Czech Republic pursuant to Article 33(1)(a) of Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters**

#### **A) Competent authorities**

##### **1. Where the Czech Republic is the issuing state:**

- district courts, local courts, regional courts, Prague and Brno Municipal Courts, high courts;
- district public prosecutor's offices, local public prosecutor's offices, regional public prosecutor's offices, Prague Municipal Public Prosecutor's Office, Brno Municipal Public Prosecutor's Office and the High Public Prosecutor's Office.

##### **2. Where the Czech Republic is the executing state:**

- the relevant regional public prosecutor's office, if preparatory investigations are ongoing in another Member State, or a regional court in whose jurisdiction at least one of the requested actions is due to be carried out, unless otherwise specified below;
- The High Prosecutor's Office in Prague, if a European Investigation Order has been issued for the purposes of a covert investigation;
- The Regional Prosecutor's Office in Prague, if a European Investigation Order has been issued for the purposes of cross-border surveillance or 'track and trace' operations;
- The Regional Court in Prague in cases where a European Investigation Order has been issued for the purpose of cross-border interception without technical assistance, and the Regional Prosecutor's Office in Prague, if preparatory investigations in relation to this act are underway in another Member State;
- if preparatory investigations related to criminal proceedings being held in the Czech Republic are underway in another Member State, involving the participation of the Prosecutor's Office of the High Prosecutor's Office, the European Investigation Order may, following the prior approval of the Supreme Prosecutor's Office, be dealt with by the High Prosecutor's Office;

The contact details for the bodies mentioned above are provided in Annex 2 to this notice.

B) The Ministry of Justice of the Czech Republic, which may be contacted at the address given in Annex 2 to this notice, is competent to make requests for transit through the territory

of another Member State and to rule on requests for transit through the territory of the Czech Republic.

C) The Ministry, at the request of a court, and the Supreme Prosecutor's Office, at the request of a prosecutor's office, will cooperate in establishing the information required in particular in establishing the competent authority of another Member State to which the European Investigation order is to be sent, or in verifying the conditions laid down by the law of that Member State for recognition and enforcement. The same cooperation will be provided by the Ministry or the Supreme Prosecutor's Office at the request of an authority from another Member State in order to establish the information required, if competent authorities of the Czech Republic are involved, or to verify the conditions laid down by Czech law.

The contact details for the Ministry of Justice and the Supreme Prosecutor's Office are provided in Annex 2 to this notice.

**Annex to the notification by the Czech Republic pursuant to Article 33(1)(a) of Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters**

A) Contact details of the regional courts:

**1. Prague Municipal Court**

Spálená 2

112 16 Praha 1

Tel.: +420 221 931 111

Fax: +420 224 947 490

E-mail: [slezska@msoud.pha.iustice.cz](mailto:slezska@msoud.pha.iustice.cz)

**2. Brno Regional Court**

Rooseveltova 16

601 95 Brno

IČ 215 724

Tel.: +420 542 101 111

Fax: +420 542 103 362

E-mail: [podatelnaa@ksoud.brn.iustice.cz](mailto:podatelnaa@ksoud.brn.iustice.cz)

**3. Prague Regional Court**

Nám. Kinských 5

150 75 Praha 5

Tel.: +420 257 005 111

Fax: +420 257 321 528

E-mail: [podatelna@ksoud.pha.justice.cz](mailto:podatelna@ksoud.pha.justice.cz)

**4. Ústí nad Labem Regional Court**

Národního odboje 1274

400 92 Ústí nad Labem

Tel.: +420 475 247 111

Fax: +420 475 247 369

E-mail: [podatelna@ksoud.unl.justice.cz](mailto:podatelna@ksoud.unl.justice.cz)

### **5. Ostrava Regional Court**

Havlíčkovo nábřeží 34

728 81 Ostrava

Tel.: +420 596 153 111

Fax: +420 569 120 981

E-mail: : [ksostrava@ksoud.ova.justice.cz](mailto:ksostrava@ksoud.ova.justice.cz)

### **6. České Budějovice Regional Court**

Zátkovo nábřeží 2

370 84 České Budějovice

Tel.: +420 386 018 111

Fax: +420 386 354 309

E-mail: [podatelna@ksoud.cbu.justice.cz](mailto:podatelna@ksoud.cbu.justice.cz)

### **7. Plzeň Regional Court**

Veleslavínova 40

306 17 Plzeň

Tel.: +420 377 868 888

Fax: +420 377 868 000

E-mail: [epodatelna@ksoud.plz.justice.cz](mailto:epodatelna@ksoud.plz.justice.cz)

### **8. Hradec Králové Regional Court**

Československé armády 218

502 08 Hradec Králové

Tel.: +420 498 016 111

Fax: +420 495 514 021

E-mail: [posta@ksoud.hrk.iustice.cz](mailto:posta@ksoud.hrk.iustice.cz)

B) Contact details of the regional public prosecutors' offices:

**1. Prague Municipal Prosecutor's Office**

Nám. 14. října 2188/9

150 00 Praha 5

Tel.:+420 257 111 611

Fax:+420 257 111 723

E-mail: [podatelna@msz.pha.justice.cz](mailto:podatelna@msz.pha.justice.cz)

**2. Brno Regional Prosecutor's Office**

Mozartova 3

601 52 Brno

Tel.:+420 542 427 427

Fax: +420 542 215 004

E-mail: [podatelna@ksz.brn.justice.cz](mailto:podatelna@ksz.brn.justice.cz)

**3. Prague Regional Prosecutor's Office**

Husova 11

110 01 Praha 1

Tel.: +420 222 111 700

Fax: +420 222 220 075

E-mail: [podatelna@ksz.pha.justice.cz](mailto:podatelna@ksz.pha.justice.cz)

**4. Ústí nad Labem Regional Prosecutor's Office**

Palác Zdar

Dlouhá 1/12

400 85 Ústí nad Labem

Tel.:+420 475 105 900

Fax: +420 475 105 999

E-mail: [podatelna@ksz.unl.justice.cz](mailto:podatelna@ksz.unl.justice.cz)

## **5. Ostrava Regional Prosecutor's Office**

Na Hradbách 21

729 01 Ostrava

Tel.:+420 595 131 511

Fax: +420 595 118 544

E-mail: : [podatelna@ksz.ova.justice.cz](mailto:podatelna@ksz.ova.justice.cz)

## **6. České Budějovice Regional Prosecutor's Office**

Goethova 2

370 70 České Budějovice

Tel.:+420 386 798 111

Fax: +420 386 798 140

E-mail: [podatelna@ksz.cbu.justice.cz](mailto:podatelna@ksz.cbu.justice.cz)

## **7. Plzeň Regional Prosecutor's Office**

Veleslavínova 38

306 36 Plzeň

Tel.:+420 377 868 511

Fax: +420 377 868 512

E-mail: [epodatelna@ksz.plz.justice.cz](mailto:epodatelna@ksz.plz.justice.cz)

## **8. Hradec Králové Regional Prosecutor's Office**

Zieglerova 189

500 39 Hradec Králové

Tel.:+420 495 054 211

Fax:+420 495 512 946

E-mail: [posta@ksz.hrk.justice.cz](mailto:posta@ksz.hrk.justice.cz)

C) Contact details of the High Public Prosecutor's Office:

**Vrchní státní zastupitelství Praha**

Nám. Hrdinů 1300

140 65 Praha 4

Tel: +420 261 196 111

Fax:

e-mail: [podatelna@vsz.pha.iustice.cz](mailto:podatelna@vsz.pha.iustice.cz)

D) The Ministry of Justice can be contacted at the following address:

Ministerstvo spravedlnosti České republiky [Czech Ministry of Justice]

mezinárodní odbor trestní [International Criminal Department]

Vyšehradská 16

128 10 Praha 2

Tel.: +420 221 997 435

Fax.: +420 221 997 560

E-mail: [mot@msp.justice.cz](mailto:mot@msp.justice.cz)

E) The Supreme Public Prosecutor's Office can be contacted at the following address:

Nejvyšší státní zastupitelství České republiky

Mezinárodní odbor

Jezuitská 4

660 55 Brno

Tel.: +420 542 512 330

Fax.: +420 542 512 350

E-mail: [mo@nsz.brn.justice.cz](mailto:mo@nsz.brn.justice.cz)



### **Annex 3**

#### **Notification by the Czech Republic pursuant to Article 33(1)(b) of Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters**

The Czech Republic hereby agrees, in accordance with Article 33(1)(b), to accept European Investigation Orders drawn up in Czech or Slovak or translated into those languages.

**Notification by the Czech Republic pursuant to Article 34(4) of Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters**

The Czech Republic hereby notifies, in accordance with Article 34(4), that it will continue to apply the multilateral agreements and arrangements with which it is bound with other Member States in those cases where the European Investigation Order is not applicable.

The Czech Republic furthermore provides notification that it will continue to apply the follow bilateral conventions:

A) With the Slovak Republic:

- Treaty between the Czech Republic and Slovak Republic on Legal Aid provided by Judicial Bodies and on Settlements of Certain Legal Relations in Civil and Criminal Matters, of 29 October 1992;
- Protocol of 29 October 2012 amending and supplementing the Treaty between the Czech Republic and Slovak Republic on Legal Aid provided by Judicial Bodies and on Settlements of Certain Legal Relations in Civil and Criminal Matters, of 29 October 1992, and the Final Protocol thereto.

B) With the Federal Republic of Germany

- Treaty between the Czech Republic and the Federal Republic of Germany of 2 February 2000 supplementing the European Convention on Mutual Assistance in Criminal Matters of 20 April 1959 and facilitating the use thereof;
- Treaty between the Czech Republic and the Federal Republic of Germany of 28 April 2015 on police cooperation and amending the Treaty between the Czech Republic and the Federal Republic of Germany of 2 February 2000 supplementing the European Convention on Mutual Assistance in Criminal Matters of 20 April 1959 and facilitating the use thereof;

C) With the Austrian Republic:

- Treaty between the Czech Republic and the Republic of Austria of 27 June 1994 supplementing the European Convention on Mutual Assistance in Criminal Matters of 20 April 1959 and facilitating the implementation thereof;
- Treaty between the Czech Republic and the Republic of Austria of 14 July 2005 on police cooperation and providing a second addendum to the European Convention on Mutual Assistance in Criminal Matters of 20 April 1959.
- Treaty between the Czech Republic and the Republic of Austria of 5 December 2014, amending the Treaty between the Czech Republic and the Republic of Austria on police cooperation and providing a second addendum to the European Convention on Mutual Assistance in Criminal Matters of 20 April 1959.