

Translation of a letter

From: Ms Gabriele Scherer, Permanent Representation of Germany to the European Union - Brussels

To: Mr Toma Milieskaite, DG JUST

Dated: 26 March 2018

Ref.: GZ Pol 350.82/2

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
Amendment to the notification of the Federal Republic of Germany

As part of the 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, Germany sent a letter dated 14 March 2017 to the Directorate-General for Justice and Consumer Protection of the European Commission via its Permanent Representation (ref. Pol 350.82/2), in which it provided various notifications.

These notifications continue to apply. However, in the meantime, it has come to light that the name ‘Central Office in Ludwigsburg’ (*Zentrale Stelle in Ludwigsburg*), as one of the competent German issuing and executing authorities pursuant to Article 33(1)(a) of the Directive, is an abbreviated form. The full name should read: ‘Central Office of the Land Judicial Administrations for the Investigation of National Socialist Crimes (*Zentrale Stelle der Landesjustizverwaltungen zur Aufklärung nationalsozialistischer Verbrechen*) (Administrative Agreement of 6 November 1958, as amended by the Agreement of 24 January 1967; accession of the new Länder by means of the Agreement of 13 June 1995 on 1 January 1995).

Correcting the name is pertinent as legal practice in the past months has shown that the abbreviated name can give rise to misunderstandings, especially when translated literally into other languages. Some of the other Member States understood the German notification to mean that Germany had designated a general central office within the meaning of Article 33(1)(c) in conjunction with Article 7(3) of the Directive. This is not the case, and should be made clearer in the future.

I would therefore ask you to replace, in Germany’s notification relating to the implementation of the Directive of 14 March 2017, the name ‘Central Office in Ludwigsburg’ (*Zentrale Stelle in Ludwigsburg*) under point 1 of Article 33(1)(a) with ‘Central Office of the Land Judicial Administrations for the Investigation of National Socialist Crimes (*Zentrale Stelle der Landesjustizverwaltungen zur Aufklärung nationalsozialistischer Verbrechen*).

[Complimentary close]

One annex