

Permanent Representation of the Czech Republic  
to the European Union in Brussels

15 rue Caroly, 1050 Brussels  
tel.: +32 (0) 221391111, fax: +32 (0) 22139185  
www.mzv.cz/eu

**Martin Šustr**

Head of Unit, Justice and Home Affairs

Brussels, 5 September 2019

Ref. No: 3097-5/2018- 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 - announcement of a change to the notification under Section 33 (1) (a)

Dear Director-General,

In my letter of 15 August 2018, ref. No. 3097-2/2018-SZEU/JAV, I wrote to inform you, 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), that the Czech Republic had transposed the Directive concerned into national law.

I would like to inform you of a change to the notification under Article 33(1)(a) of the above Directive (Annex 1). Please find the updated version attached.

Kind regards

/signature/

Encl. - as stated

Tiina Astola  
Director-General  
DG Justice and Consumers  
European Commission  
Brussels

**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 (*okresní soudy*), district courts in Prague (*obvodní soudy*), Brno Municipal Court, regional courts, Prague Municipal Court, high courts;
- district public prosecutor's offices (*okresní státní zastupitelství*), district public prosecutor's offices in Prague (*obvodní státní zastupitelství*), Brno Municipal Public Prosecutor's Office, regional public prosecutor's offices, Prague Municipal Public Prosecutor's Office and the High Public Prosecutor's Offices.

2/ Where the Czech Republic is the executing state:

- the relevant regional public prosecutor's office, if pre-trial proceedings are ongoing in another Member State, otherwise 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 Public Prosecutor's Office in Prague, if a European Investigation Order has been issued for the purposes of a covert investigation;
- The Regional Public Prosecutor's Office in Prague, if a European Investigation Order has been issued for the purposes of cross-border surveillance or controlled deliveries;
- 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 Public Prosecutor's Office in Prague, if pre-trial proceedings in relation to this act are underway in another Member State;
- if the European Investigation Order is issued for the purpose of the temporary transfer of a person from the Czech Republic to another Member State
  - o if the person whose temporary transfer is being requested is in pre-trial detention
    - the public prosecutor's office supervising the observance of legality in pre-trial proceedings in the case where the person whose temporary transfer has been requested has been taken into custody
  - o if the person is in custody in proceedings after an indictment - the court conducting the proceedings
  - o if the person is serving a custodial sentence or detention order

- the district court in whose district the person is serving the sentence or protective measure

The contact details for the authorities mentioned above are provided in Annex 2 to this notification.

B) The Ministry of Justice of the Czech Republic, which may be contacted at the address given in Annex 2 to this notification, 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 Public Prosecutor's Office, at the request of a public prosecutor, 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 its recognition and enforcement. The same cooperation will be provided by the Ministry or the Supreme Public Prosecutor's Office at the request of an authority from another Member State in order to establish the necessary information concerning the competent authorities of the Czech Republic, or to verify the conditions laid down by Czech law.

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