

## EUROJUST

- ➔ EU Agency
- ➔ EU's hub for judicial cooperation in criminal matters
- ➔ Mission: Support judicial authorities in investigating and prosecuting cross-border crime through coordination and tailor-made operational support
- ➔ Who: Eurojust National Desks and Liaison Prosecutors, supported by Eurojust staff (Casework Unit)



**EUROJUST**

## EUROJUST SUPPORT IN THE CONTEXT OF E-EVIDENCE GATHERING:

### Operational support

- Advise on the applicable legal framework and the feasibility of requests
- Coordinate simultaneous judicial cooperation requests to different Members States, avoiding conflicts of jurisdiction, including by organising coordination meetings and coordination centres
- Facilitate the issuance/transmission/execution/enforcement of EPOCs/EPOC-PRs, including through:
  - Assisting with the drafting and wording of EPOCs/EPOC-PRs
  - Facilitating discussions between issuing and enforcing authorities on:
    - Withdrawing, adapting or maintaining EPOCs/EPOC-PRs
    - Grounds for refusal
    - Challenges related to recognition or enforcement
    - Conflicts of laws with third countries
  - Advising on matters pertaining to privileges and immunities / freedom of the press or freedom of expression

### Strategic support

- Organise expert meetings with practitioners, service providers and policymakers to exchange views, raise awareness and share experiences
- Capture lessons learned, best practices and recurring issues from casework through strategic products
- Cooperate with stakeholders, including Europol, the EJC, the EJP, the Council of Europe and the private sector

## SIRIUS PROJECT

- ➔ EU-funded project, co-implemented by Eurojust and Europol
- ➔ Central reference point in the EU on cross-border access to e-evidence
- ➔ Mission: Improve judicial and law enforcement authorities' cross-border access to e-evidence held by service providers by providing knowledge products and practical tools
- ➔ Who: Project consisting of Eurojust and Europol teams



## SIRIUS SUPPORT IN THE CONTEXT OF E-EVIDENCE GATHERING:

- Develop knowledge products and practical tools, including:
  - Service Provider Specific Guidelines and best practice guidelines on cross-border access to e-evidence, legal/policy reviews and annual reports on the status of e evidence
  - EPOC/EPOC-PR Guidelines and compilation of case studies on their application
  - Repository of competent authorities under existing legal frameworks on e-evidence and a database on conflict of laws on e-evidence
  - Restricted platform giving practitioners access to a comprehensive repository of knowledge and resources
- Awareness-raising and capacity building (e.g. SIRIUS Annual Conference, in-person/online training sessions, webinars and e-learning modules)
- Engage in dialogue with service providers on cross-border access to electronic evidence

- ➔ Network
- ➔ Forum for sharing legal expertise and information on judicial cooperation in criminal matters
- ➔ Mission: Strengthen and facilitate judicial cooperation by promoting direct contact between practitioners, exchanging expertise, case law and best practices, and fostering coordination with non-EU partners and specialised networks
- ➔ Who: Representatives from the judiciary and the administration in EU Member States, with specific responsibilities in international judicial cooperation, supported by the EJN Secretariat

## EJN SUPPORT IN THE CONTEXT OF E-EVIDENCE GATHERING:

- Share legal expertise and case law via the EJN platform, including:
  - Case law and expert opinions on third-country laws
  - Information on conflict-of-law procedures in Member States
- Facilitate pre-issuance consultations between issuing and enforcing authorities, in particular when:
  - Immunities or privileges may apply
  - Media freedom or press rules are at stake
- Publish on the EJN website information notified by Member States to the Commission, including:
  - Authorities competent to issue, validate or transmit EPOCs/EPOC-PRs
  - Authorities competent to receive notifications and enforce such orders on behalf of another Member State
  - Authorities competent to handle reasoned objections by service providers
  - Languages accepted for the notification and transmission of EPOCs/EPOC-PRs and related orders in the case of enforcement
- Publish and maintain on the dedicated EJN webpage notifications from service providers and related updates, including:
  - Contact details of designated establishments or legal representatives
  - Languages in which the service provider can be addressed
  - Precise territorial scope of multiple designations or appointments
- Encourage interaction and collaboration between authorities and provide insights and guidance in view of handling cross-border cases
- Identify obstacles and promote effective approaches through coordinated efforts

## EJCN

- ➔ Network
- ➔ Centre of expertise in cybercrime, cyber-enabled crime and investigations in cyberspace
- ➔ Mission: Improve judicial authorities' ability to investigate and prosecute cybercrime and cyber-enabled crime, including investigations in cyberspace, by exchanging expertise and fostering dialogue
- ➔ Who: Judicial authorities from EU Member States and observer states, supported by Eurojust staff



## EJCN SUPPORT IN THE CONTEXT OF E-EVIDENCE GATHERING:

- Facilitate the exchange of expertise, best practices and knowledge on investigating and prosecuting cybercrime and cyber-enabled crime, including securing and obtaining e-evidence
- Map and analyse judicial practices and challenges relating to e-evidence gathering (e.g. procedures for cross-border access to e-evidence, interaction between different legal instruments), promoting awareness among practitioners
- Foster dialogue among key actors and stakeholders (Europol/EC3, Eurojust, Council of Europe, private sector)
- Provide access to and disseminate information on legal and practical challenges in cybercrime investigations through masterclasses and strategic products (e.g. best practice guidelines, reports)
- Provide practitioner-based input to policymakers, including the European Commission, on e-evidence matters
- Promote, where applicable, the use of Eurojust among practitioners