



Cross-border Digitalisation in Criminal Law - A Practical Approach by EXEC II

21/22 November 2022 - Vienna, Austria

Summary

How can we communicate electronically and in a secure way within the procedure of a European Investigation Order (EIO)? How do we deal with the need to translate to and from 23 European languages? What happens at the executing side? What are practitioner's needs in this process? And what can be expected in the near future in terms of cross-border digitalisation in criminal law?

The EXEC II project has worked for more than two years on such topics. Towards the end of the project at the end of 2022 it was time to recap and sum up the works done, look beyond the topics of the project and look ahead after the end of the project. The best way to do so was by holding a conference and invite the e-Justice community to present and discuss the “**Cross Border Digitalisation in Criminal Law**”. The conference was held on 21 and 22 November 2022 at the EXEC II project Coordinator's premises in the Austrian Federal Ministry of Justice in Vienna. Approximately 100 participants attended the conference on location or online. Around 30 speakers formed the core of the conference by presenting their work, approach and solutions for the topics mentioned.

The **first day** started with a **welcome note**, held by the Director-General Alexander Pirker on behalf of the Austrian Minister of Justice Alma Zadić. In the **keynote**, the Czech Presidency of the Council of the European Union gave an overview of the upcoming digitalisation initiative in the judicial area which will bring cross-border electronic communication and increased use of cross-border videoconferencing to the judiciary. In the following series of segments, the conference provided insights into:

- **Creating an EIO:** in a first step the competent executing authority needs to be identified. This is currently done with the help of the **EJN Atlas**. The recent **CCDB** (Criminal Court Database) project aims at improving the data quality and accuracy for this process step while reducing the costs for the maintenance of such data. The European Commission then presented their “**e-Evidence Digital Exchange System**” (**eEDES**) as the solution for creating and managing the forms and workflow established by the EIO Directive 2014/41/EU and demonstrated recent developments of eEDES. The two final talks of this segment covered aspects of translation from a **human** and **machine translation's** point of view and presented strengths and weaknesses of each approach.
- **Transmitting an EIO: e-CODEX** – as the upcoming “gold-standard” for judicial cross-border communication – was presented by the e-CODEX Consortium with a focus on the different usages of e-CODEX and the technical architecture and recent technical developments.
- **Executing an EIO:** The workflow at the executing's side was the focus in the next talk along approaches for the structured communication with telecommunication service providers.



- **Processing the Results of an EIO:** The first talk was dedicated to an integral part of the EXEC II project with the evolvement of the **EESP platform** and its recent developments. The second talk gave another insight into the work of the executing side at the **Portuguese Judicial Police** with a selection of case studies.

The **second day** of the conference was introduced by a summary of day 1. Afterwards the floor was given to **national experiences** by selected Member States. **Latvia, Spain, Slovenia** and **Germany** presented various technical and organizational aspects of the conference topics. They were complemented by a presentation of the **European Judicial Network in criminal matters** and its support to Member States. Final talk of this segment was a presentation by the **TREIO project** and the training services it offers to Member States for the topic of the EIO. The last segment of the conference was dedicated to an **outlook**, what can be expected in the neat future in the area of cross-border digitalization in criminal law. **Eurojust** emphasized its need to be integrated also in electronic communication and presented an approach to achieve this aim. The next speakers of **eu-LISA** gave an insight into the work of the agency, the systems it is responsible for and the takeover of the e-CODEX system and its sustainability in the future. Also, the **European Public Prosecutors Office** gave an insight into its organization and work and emphasized its aim to be a new player in the area of e-CODEX. The current Czech Presidency of the Council of the European Union gave then an update of the current developments regarding the **e-Evidence** regulation and the next steps in this regard. The incoming Swedish Presidency outlined the expected activity for the e-Justice during the first half of 2023. The conference ended with a summary of the second day by the conference moderator Sandra Taal.