# European evidence warrant for the purpose of obtaining objects, documents and data for use in proceedings in criminal matters. Framework Decision

2003/0270(CNS) - 12/06/2007

At its meeting on 1 and 2 June 2006, the Justice and Home Affairs Council agreed on a general approach to the proposal for a Framework Decision on the European evidence warrant and instructed its preparatory bodies to give further consideration to the broader issue of the categories of offence, with a view to the adoption by the Council of a horizontal approach by the end of 2007 in relation to terrorism, computer-related crime, racism and xenophobia, sabotage, racketeering and extortion, and swindling.

The horizontal approach stems from the wish of a Member State which argued that those categories of offence might differ greatly in substance and in coverage from one legal system to another. In its view, a common understanding by Member States of the substance of the six categories in question could eliminate that scope for differing interpretations.

The Council believes that legal instruments based on the principle of mutual recognition, such as the European arrest warrant, have not yet been in application for long enough to identify any problems in putting them into practice. In order to discover any such problems, the European evidence warrant would also need to be assessed. This will have to wait until the evidence warrant has been implemented in all Member States. Only then will it be possible to ascertain whether and, if so, on what basis any specific steps can be taken towards a horizontal instrument.