

European Investigation Order in criminal matters. Initiative Belgium, Bulgaria, Estonia, Spain, Austria, Slovenia and Sweden

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The Council agreed on the main principles governing the proposed European Investigation Order (EIO) in criminal matters. This directive would allow one EU Member State to carry out investigative measures following the decision of another EU Member State, based on the principle of mutual recognition of judicial decisions.

The investigative measures would, for example, include the hearing of witnesses, searches and seizures as well as, with additional safeguards, interceptions of telecommunications, observation, infiltration and monitoring of bank accounts.

The agreement covers the following general issues:

- **scope:** the EIO can be used in criminal proceedings, but also in those brought by administrative authorities when there is a criminal dimension;
- **grounds for non-recognition or non-execution:** a number of safeguards ensure that an EIO will not be executed if it could harm national security interests or immunities established in the executing state, for instance rules limiting criminal liability relating to freedom of the press.