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

2003/0270(CNS) - 01/12/2005

The Council held an exchange of views on a Framework Decision on the European Evidence Warrant (EEW) for obtaining objects, documents and data for use in proceedings in criminal matters.

The debate focused on grounds for refusal based on the principle of territoriality, definitions of offences and legal remedies, and on the question of which authorities should be competent for issuing, postponing and refusing EEWs.

The Council asked the Permanent Representatives Committee to continue negotiations on this file.

The text adopts the same approach to mutual recognition as the European arrest warrant. The EEW would thus be a single document translated by the issuing authority into an official language of the executing State. No further translation would be necessary. This means that the EEW could be executed immediately in the same way as a domestic procedural measure. It would lay down the objective to be achieved, while leaving it to the executing State to decide the most appropriate manner for obtaining the evidence in accordance with its domestic law.