



EUROPEAN
COMMISSION

Brussels, 23.6.2026
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ANNEXES 1 to 12

ANNEXES

to the

Proposal for a Directive of the European Parliament and of the Council

**regarding the European Investigation Order in criminal matters and the European
Remote Participation Order (recast)**

ANNEX AI

EUROPEAN INVESTIGATION ORDER (EIO)

This EIO has been issued by a competent authority. The issuing authority certifies that the issuing of this EIO is necessary and proportionate for the purpose of the proceedings specified within it taking into account the rights of the suspect or accused person and that the investigative measures requested could have been ordered under the same conditions in a similar domestic case. I request that the investigative measure or measures specified below be carried out taking due account of the confidentiality of the investigation and that the evidence obtained as a result of the execution of the EIO be transferred.

SECTION A

Issuing State:.....

Executing State:

SECTION B: Urgency

Please indicate if there is any urgency due to

☐ Evidence being concealed or destroyed

☐ Imminent trial date

⇒ ☐ Risk of compromising the gathering of evidence ⇐

☐ Any other reason

Please specify below:

Time limits for execution of the EIO are laid down in Directive ~~2014/41/EU~~ *recast Directive* YEAR/NUMBER. However, if a shorter or specific time limit is necessary, please provide the date and explain the reason for this:

.....
.....
.....

SECTION C: Investigative measure(s) to be carried out

Describe the assistance/investigative measure(s) required AND indicate, if applicable, if it is one of the following investigative measures:

.....

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- ☐ Obtaining information or evidence which is already in the possession of the executing authority
- ☐ Obtaining information contained in databases held by police or judicial authorities
- ☐ Hearing ⇨ (if a hearing is requested, include in the description of the measure the list of questions to be asked to the person concerned) ⇨

- ☐ witness
- ☐ expert
- ☐ suspected
- ☐ ~~or~~ accused person
- ☐ victim
- ☐ third party

- ☐ Identification of persons holding a subscription of a specified phone number or IP address

⇨ ☐ Search and seizure ⇨

- ☐ Temporary transfer of a person held in custody to the issuing State
- ☐ Temporary transfer of a person held in custody to the executing State
- ☐ Hearing by videoconference or other ~~audiovisual transmission~~ ☒ distance communication technology ☒

- ☐ witness
- ☐ expert
- ☐ suspected
- ☐ ~~or~~ accused person

- ☐ Hearing by telephone conference
 - ☐ witness
 - ☐ expert
- ☐ Information on bank and other financial accounts
- ☐ Information on banking and other financial operations
- ☐ Investigative measure implying the gathering of evidence in real time, continuously and over a certain period of time
 - ☐ monitoring of banking or other financial operations
 - ☐ controlled deliveries
 - ⇒ ☐ surveillance on the territory of the executing State ⇐
 - ⇒ ☐ the installation and use of a technical device enabling the collection of location, audio or visual data on the territory of the executing State ⇐
 - ☐ other
- ☐ Covert investigation
 - ⇒ ☐ Cross-border surveillance ⇐
- ☐ Interception of telecommunications
- ☐ Provisional measure(s) to prevent the destruction, transformation, moving, transfer or disposal of an item that may be used as evidence
- ⇒ ☐ Service of procedural documents necessary for the execution of an investigative measure requested in the EIO ⇐

SECTION ~~ED~~ D: Grounds for issuing the EIO

1. Summary of the facts

Set out the reasons why the EIO is issued, including a summary of the underlying facts, a description of offences charged or under investigation, ~~the stage the investigation has reached~~, the reasons for any risk factors and any other relevant information.

.....
.....
.....

⇒ Stage of investigation/proceedings:

☐ investigation

☐ prosecution

☐ trial

☐ other, specify:

Please indicate reasons why the requested measure(s)* are relevant for the purposes of the criminal proceedings:

.....

* Applicable where one or more of the following investigative measures are requested: information on bank and other financial accounts or on banking and other financial operations; monitoring of banking or other financial operations carried out through one or more specified accounts; controlled deliveries; surveillance on the territory of the executing State; the installation and use of a technical device enabling the collection of location, audio or visual data on the territory of the executing State; other investigative measures implying the gathering of evidence in real time, continuously and over a certain period of time; covert investigations; cross-border surveillance; or the interception of telecommunications. ⇐

2. Nature and legal classification of the offence(s) for which the EIO is issued and the applicable statutory provision/code:

.....
.....
.....

3. Is the offence for which the EIO is issued punishable in the issuing State by a custodial sentence or detention order of a maximum of at least three years as defined by the law of the issuing State and included in the list of offences set out below? (please tick the relevant box)

☐ participation in a criminal organisation

☐ terrorism

☐ trafficking in human beings

☐ sexual exploitation of children and child pornography

☐ illicit trafficking in narcotic drugs and psychotropic substances

☐ illicit trafficking in weapons, munitions and explosives

☐ corruption

☐ fraud, including that affecting the financial interests of the European Union within the meaning of the Convention of 26 July 1995 on the protection of the European Communities' financial interests

☐ laundering of the proceeds of crime

☐ counterfeiting currency, including of the euro

☐ computer-related crime

- ☐ environmental crime, including illicit trafficking in endangered animal species and in endangered plant species and varieties
- ☐ facilitation of unauthorised entry and residence
- ☐ murder, grievous bodily injury
- ☐ illicit trade in human organs and tissue
- ☐ kidnapping, illegal restraint and hostage-taking
- ☐ racism and xenophobia
- ☐ organised or armed robbery
- ☐ illicit trafficking in cultural goods, including antiques and works of art
- ☐ swindling
- ☐ racketeering and extortion
- ☐ counterfeiting and piracy of products
- ☐ forgery of administrative documents and trafficking therein
- ☐ forgery of means of payment
- ☐ illicit trafficking in hormonal substances and other growth promoters
- ☐ illicit trafficking in nuclear or radioactive materials
- ☐ trafficking in stolen vehicles
- ☐ rape
- ☐ arson
- ☐ crimes within the jurisdiction of the International Criminal Court
- ☐ unlawful seizure of aircraft/ships
- ☐ sabotage
- ⇒ ☐ violation of Union restrictive measures ⇐

SECTION ~~DE~~: Relation to an earlier EIO ⇨ or to other requests, orders or notifications ⇨

(i) Indicate whether this EIO supplements an earlier EIO. If applicable, provide information relevant to identify the previous EIO (the date of issue of the EIO, the authority to which it was transmitted and, if available, the date of transmission of the EIO, and reference numbers given by the issuing and executing authorities):

.....
.....

⇨ (ii) If relevant, indicate whether this EIO relates to another EIO, a other judicial cooperation request, a notification or an order based on the principle of mutual recognition transmitted to the issuing State in the same case. If applicable, provide information relevant to identify the related communication (the date of issue and transmission, the authority to which it was transmitted, and reference numbers given by the respective authorities): ⇨

.....

(iii) If relevant please indicate if an EIO ⇨, a judicial cooperation request, a notification or an order based on the principle of mutual recognition ⇨ has already been addressed to another Member State in the same case. ⇨ If applicable, indicate the date of issue and transmission and the authority to which it was transmitted ⇨ :

.....
.....

SECTION ~~FF~~FF: Identity of the person concerned

1. State all information, as far as known, regarding the identity of the (i) natural or (ii) legal person(s) concerned by the investigative measure (if more than one person is concerned, please provide the information for each person):

(i) In the case of natural person(s)

Name:

First name(s):.....

Other relevant name(s), if applicable:

Aliases, if applicable:

Sex:.....

Nationality:.....

Identity number or social security number:.....

Type and number of the identity document(s) (ID card, passport), if available:
.....

Date of birth:

Place of birth:

Residence and/or known address; if address not known, state the last known address:
.....

⇒ Other contact details (email, phone No): ⇐

Language(s) which the person understands:
.....

⇒ Please describe the position the concerned person currently holds in the proceedings: ⇐

⇒ ☐ suspect ⇐

⇒ ☐ accused person ⇐

⇒ ☐ victim ⇐

⇒ ☐ witness ⇐

⇒ ☐ expert ⇐

⇒ ☐ third party ⇐

⇒ ☐ other (please specify) ⇐

(ii) In the case of legal person(s)

Name:

Form of legal person:

Shortened name, commonly used name or trading name, if applicable:

.....

Registered seat:

Registration number:

Address of the legal person:

⇒ Other contact details (email, phone No): ⇐

Name of the legal person's representative:

Please describe the position the concerned person currently holds in the proceedings:

- ☐ suspected ~~ed~~
- ☐ ~~or~~ accused person
- ☐ victim
- ☐ witness
- ☐ expert
- ☐ third party
- ☐ other (please specify)

2. If different from the address above, please give the location where investigative measure is to be carried out:

.....

.....

3. Provide any other information that will assist with the execution of the EIO:

.....

.....

SECTION ~~EG~~ FG: Type of proceedings for which the EIO is issued:

- ☐ (a) with respect to criminal proceedings brought by, or that may be brought before, a judicial authority in respect of a criminal offence under the national law of the issuing State; or
- ☐ (b) proceedings brought by administrative authorities in respect of acts which are punishable under the national law of the issuing State by virtue of being infringements of the rules of law, and where the decision may give rise to proceedings before a court having jurisdiction in particular in criminal matters; or
- ☐ (c) proceedings brought by judicial authorities in respect of acts which are punishable under the national law of the issuing State by virtue of being infringements of the rules of law, and where the decision may give rise to proceedings before a court having jurisdiction in particular in criminal matters;
- ☐ (d) in connection with proceedings referred to in points (a), (b), and (c) which relate to offences or infringements for which a legal person may be held liable or punished in the issuing State.

~~SECTION C: Grounds for issuing the EIO~~

~~1. Summary of the facts~~

~~Set out the reasons why the EIO is issued, including a summary of the underlying facts, a description of offences charged or under investigation, the stage the investigation has reached, the reasons for any risk factors and any other relevant information.~~

~~2. Nature and legal classification of the offence(s) for which the EIO is issued and the applicable statutory provision/code:~~

~~3. Is the offence for which the EIO is issued punishable in the issuing State by a custodial sentence or detention order of a maximum of at least three years as defined by the law of the issuing State and included in the list of offences set out below? (please tick the relevant box)~~

- ☐ ~~participation in a criminal organisation~~
- ☐ ~~terrorism~~
- ☐ ~~trafficking in human beings~~
- ☐ ~~sexual exploitation of children and child pornography~~
- ☐ ~~illicit trafficking in narcotic drugs and psychotropic substances~~
- ☐ ~~illicit trafficking in weapons, munitions and explosives~~
- ☐ ~~corruption~~
- ☐ ~~fraud, including that affecting the financial interests of the European Union within the meaning of the Convention of 26 July 1995 on the protection of the European Communities' financial interests~~
- ☐ ~~laundering of the proceeds of crime~~
- ☐ ~~counterfeiting currency, including of the euro~~
- ☐ ~~computer-related crime~~

- ~~environmental crime, including illicit trafficking in endangered animal species and in endangered plant species and varieties~~
- ~~facilitation of unauthorised entry and residence~~
- ~~murder, grievous bodily injury~~
- ~~illicit trade in human organs and tissue~~
- ~~kidnapping, illegal restraint and hostage-taking~~
- ~~racism and xenophobia~~
- ~~organised or armed robbery~~
- ~~illicit trafficking in cultural goods, including antiques and works of art~~
- ~~swindling~~
- ~~racketeering and extortion~~
- ~~counterfeiting and piracy of products~~
- ~~forgery of administrative documents and trafficking therein~~
- ~~forgery of means of payment~~
- ~~illicit trafficking in hormonal substances and other growth promoters~~
- ~~illicit trafficking in nuclear or radioactive materials~~
- ~~trafficking in stolen vehicles~~
- ~~rape~~
- ~~arson~~
- ~~crimes within the jurisdiction of the International Criminal Court~~
- ~~unlawful seizure of aircraft/ships~~
- ~~sabotage~~

SECTION H: Additional requirements for certain measures

Fill out the sections relevant to the investigative measure(s) requested:

SECTION H1: Transfer of a person held in custody

(1) If a temporary transfer to the issuing State of a person held in custody for the purpose of the investigation is requested, please indicate whether the person consented to this measure:

☐ Yes ☐ No ☐ I request that the person's consent is sought

(2) If a temporary transfer to the executing State of a person held in custody for the purpose of investigation is requested, please indicate whether the person consented to this measure:

☐ Yes ☐ No

SECTION H2: Video or telephone conference or other ~~audiovisual transmission~~ ☒ distance communication technology ☒

If hearing by videoconference or telephone conference or other ~~audiovisual transmission~~ ☒ distance communication technology ☒ is requested:

Please indicate the name of the authority that will conduct the hearing (contact details/language):

.....

⇒ Proposed date(s) (DD/MM/YYYY):

Start time of conference (hh:mm:ss):

Time Zone:

Approximate length of hearing:

Technical details:

Site name:

Communication system:

Contacts of technician and language spoken:

Pre-test date and time:

Contact details for pre-test operator if known:

Language and interpretation arrangements:

Any other requirements (If so please specify):

.....

.....

Please specify if the suspect or accused person concerned has given their consent:

☐ Yes

☐ No

☐ I request that the person's consent is sought before this request proceeds ⇐

~~Please indicate reasons for requesting this measure:~~

.....

.....

~~☐ (a) hearing by videoconference or other audiovisual transmission~~

☐ the suspected or accused person has given his/her consent ☐ (b) hearing by telephone conference
SECTION H3: Provisional measures If a provisional measure to prevent the destruction, transformation, moving, transfer or disposal of an item that may be used as evidence, is requested, please indicate whether: ☐ the item is to be transferred to the issuing State ☐ the item is to remain in the executing State; please indicate an estimated date: for lifting of provisional measure: for the submission of a subsequent request concerning the item:.....

SECTION H4: Information on bank and other financial accounts

~~(1) If information on bank accounts or other financial accounts that the person holds or controls is requested, please indicate, for each of them, the reasons why you consider the measure relevant for the purpose of the criminal proceedings and on what grounds you presume that banks in the executing State hold the account~~

⇒ Please specify which information is being sought: ⇐

- ☐ information on bank accounts that the person holds or in respect of which he or she has the power of attorney
- ☐ information on other financial accounts that the person holds or in respect of which he or she has the power of attorney

⇒ ☐ Information on banking operations:

- ☐ Bank Statements
- ☐ Account opening documentation
- ☐ Power of Attorney or additional name on account
- ☐ Other (If so please specify):

☐ Information on other financial operations:

- ☐ Account Statements
- ☐ Account opening documentation
- ☐ Power of Attorney or additional name on account
- ☐ Other (If so please specify):

If available, please provide:

Name of Account Holder:

Name of bank/financial institution:

IBAN or Account Number and Sort Code:

Time Scale for transactions:

☐ Other (If so, please specify): ⇐

~~(2) If information on banking operations or other financial operations is requested, please indicate, for each of them, the reasons why you consider the measure relevant for the purpose of the criminal proceedings:~~

~~☐ information on banking operations~~

~~☐ information on other financial operations~~

.....

.....

.....

.....

.....

~~Indicate the relevant period of time and the related accounts:~~

.....

.....

.....

~~SECTION H5: Investigative measures implying the gathering of evidence in real time, continuously and over a certain period of time~~

~~If such investigative measure is requested please indicate the reasons why you consider the requested information relevant for the purpose of the criminal proceedings:~~

.....
.....
.....

SECTION H6: Covert investigations

~~If covert investigation is requested please indicate the reasons why you consider the investigative measure likely to be relevant for the purpose of the criminal proceedings:~~

.....
.....
.....

SECTION H75: Interception of telecommunications

~~(1) If interception of telecommunications is requested please indicate the reasons why you consider the investigative measure relevant for the purpose of the criminal proceedings:~~

~~(12)~~ Please provide following information:

(a) information for the purpose of identifying the subject of the interception:

.....

(b) the desired duration of the interception:

.....

(c) technical data (in particular the target identifier — such as mobile telephone ☒ number, ☒ landline ☒ fixed-line ☒ telephone ☒ number ☒ , email address, internet connection ☒ access identifier or other identifier relating to an electronic communications service or electronic communications network ☒), to ensure that the EIO can be executed:

.....

~~(23)~~ Please indicate your preference concerning the method of execution:

- ☐ immediate transmission
☐ recording and subsequent transmission

Please indicate if you also require transcription, decoding or decrypting of the intercepted material*:

.....
.....

* Please be aware that the costs of any transcription, decoding or decrypting must be met by the issuing State.

SECTION I: Formalities and procedures requested for the execution, ☐ other important information and list of enclosures ☐

1. ~~Tick and complete, if applicable~~ It is requested that the executing authority comply with the following formalities and procedures ☒ (fill in if applicable): ☒

.....

2. ~~Tick and complete, if applicable~~ It is requested that one or several officials of the issuing State assist in the execution of the EIO in support of the competent authorities of the executing State ☒ (fill in if applicable): ☒

Contact details of the officials:

.....

.....

Languages that may be used for communication:

.....

☐ 3. Any other information which the issuing authority considers important: ☐

.....

☐ 4. List of enclosures: ☐

.....

SECTION J: Legal remedies

1. Please indicate if a legal remedy has already been sought against the issuing of an EIO, and if so please provide further details (description of the legal remedy, including necessary steps to take and deadlines):

.....
.....

⇒ 2. . Where a legal remedy has not been sought against the issuing of an EIO, please indicate whether and what legal remedies are available against the issuing of an EIO:

..... ↩

23. Authority in the issuing State which can supply further information on procedures for seeking legal remedies in the issuing State and on whether legal assistance and interpretation and translation is available:

Name:

Contact person (if applicable):

Address:

Tel. No: (country code) (area/city code)

E-mail:

SECTION K: Details of the authority which issued the EIO

Tick the type of authority which issued the EIO:

☒ ~~judicial authority~~

☐ (a) judge or court

☐ (b) investigating judge

☐ *(c) public prosecutor

☐ *(d) any other competent authority as defined by the law of the issuing State

* ☒ Where applicable, ☒ ~~p~~ Please also complete section (L)

☐ * Please indicate whether:

☐ the requested investigative measure(s) has been authorised by a judge, a court or an investigating judge; specify the date and reference number of the authorising decision:

☐ authorisation by a judge, a court or an investigating judge for the requested investigative measure is not required under the national law of the issuing State

Name of authority:

Name of representative/contact point:

File No:

Address:

Tel. No: (country code) (area/city code)

~~Fax No: (country code) (area/city code)~~

E-mail:

Languages in which it is possible to communicate with the issuing authority:

If different from above, the contact details of the person(s) to contact for additional information or to make practical arrangements for the transfer of evidence:

Name/Title/Organisation:

Address:

E-mail/Contact Phone No:

☒ Electronic ☒ ~~s~~ Signature of the issuing authority and/or its representative certifying the content of the EIO as accurate and correct:

Name:

Post held (title/grade):

Date:

Official stamp (if available):

SECTION L Details of the judicial authority which validated the EIO

Please indicate the type of judicial authority which has validated this EIO:

- ☐ (a) judge or court
- ☐ (b) investigating judge
- ☐ (c) public prosecutor

Official name of the validating authority:

.....

Name of its representative:

.....

Post held (title/grade):

.....

File no:.....

Address:.....

.....

Tel. No: (country code) (area/city code)

~~Fax No: (country code) (area/city code).....~~

E-mail:

Languages in which it is possible to communicate with the validating authority:

.....

Please indicate if the main contact point for the executing authority should be the:

- ☐ issuing authority
- ☐ validating authority

☒ Electronic ☒ SSignature and details of the validating authority

Name:

Post held (title/grade):

Date:

Official stamp (if available):

ANNEX IIB

CONFIRMATION OF THE RECEIPT OF AN EIO

This form has to be completed by the authority of the executing State which received the EIO referred to below.

(A) THE EIO CONCERNED

Authority which issued the EIO:

.....

File reference:.....

Date of issuing:.....

Date of receipt:

(B) THE AUTHORITY WHICH RECEIVED THE EIO⁽¹⁾

Official name of the ~~competent~~ authority:

.....

Name of its representative:

.....

Post held (title/grade):

.....

Address:

.....

.....

.....

Tel. No: (country code) (area/city code)

~~Fax No: (country code) (area/city code).....~~

E-mail:

File reference:.....

Languages in which it is possible to communicate with the authority:

.....

¹ This section is to be completed by each authority which received the EIO. This obligation falls upon the authority competent to recognise and execute the EIO and, where applicable, upon the central authority or the authority which transmitted the EIO to the competent authority.

(C) (WHERE APPLICABLE) THE COMPETENT AUTHORITY TO WHOM THE EIO IS TRANSMITTED BY THE AUTHORITY UNDER (B)

Official name of the authority:

.....

Name of its representative:

.....

Post held (title/grade):

.....

Address:

.....

.....

Tel. No: (country code) (area/city code)

~~Fax No: (country code) (area/city code)~~

E-mail:

Date of transmission:

File reference:

Language(s) that may be used for communication:

.....

(D) ANY OTHER INFORMATION WHICH MAY BE RELEVANT FOR THE ISSUING AUTHORITY:

.....

.....

.....

(E) ☒ ELECTRONIC ☒ SIGNATURE AND DATE

☒ Electronic ☒ ~~s~~Signature:

Date:

Official stamp (if available):

ANNEX III
NOTIFICATION

This form is used in order to notify a Member State about the interception of telecommunication that will be, is or has been carried out on its territory without its technical assistance. I hereby inform ... (notified Member State) of the interception.

(A)² THE COMPETENT AUTHORITY

Official name of the competent authority of ⇒ investigating ⇐ ~~intercepting~~ Member State:

.....

Name of its representative:

.....

Post held (title/grade):

.....

Address:

.....

.....

.....

Tel. No: (country code) (area/city code)

~~Fax No: (country code) (area/city code)~~

E-mail:

File reference:

Date of issuing:

Languages in which it is possible to communicate with the authority:

.....

² The authority which is referred to here is the one which should be contacted in further correspondence with the investigating Member State.

(B) INFORMATION CONCERNING THE INTERCEPTION

(I) Information about state of play: This notification takes place (please tick):

- ☐ prior to the interception
- ☐ during the interception
- ☐ after the interception

(II) The (anticipated) duration of the interception (as known to the ~~issuing~~ ☒ competent ☒ authority):

....., starting from.....

(III) Target of the interception: (telephone number, IP number or e-mail)

.....

(IV) Identity of the persons concerned

State all information, as far as they are known, regarding the identity of the (i) natural or (ii) legal person(s) against whom the proceedings are/may be/is taking place:

(i) In the case of natural person(s)

Name:

First name(s):.....

Other relevant name(s), if applicable:

Aliases, if applicable:

Sex:

Nationality:.....

Identity number or social security number:.....

Date of birth:

Place of birth:

Residence and/or known address; if address not known, state the last known address:

.....

Language(s) which the person understands:

.....

(ii) In the case of legal person(s)

Name:

Form of legal person:

Shortened name, commonly used name or trading name, if applicable:

.....

Registered seat.....

Registration number:

Address of the legal person:

Name and contact details of the representative of the legal person:

(V) Information regarding the purpose of this interception:

State all information necessary, including a description of the case, legal classification of the offence(s) and the applicable statutory provision/code, in order to enable the notified authority to assess the following:

- ☐ whether the interception would be authorised in a similar domestic case; and whether the material obtained can be used in legal proceedings
- ☐ where the interception has already occurred, whether that material can be used in legal proceedings

.....
.....
.....
.....
.....
.....

Please note that any objection to the interception or the use of already intercepted material, $\Rightarrow$ as well as the indication of any conditions limiting the use of that material $\Leftarrow$ must be made no later than **96 hours** after the reception of this notification.

(C) ☒ ELECTRONIC ☒ SIGNATURE AND DATE

☒ Electronic ☒ Signature:

Date:

Official stamp (if available):

ANNEX IV

REQUEST FOR CONSENT FOR SUBSEQUENT USE OR ONWARD TRANSFER OF INFORMATION OR EVIDENCE

This request has been issued by a competent authority. This request seeks the consent of the requested authority for the use of information or evidence which has been obtained as a result of execution of an EIO or in accordance with Articles 33 and 34 of the Directive [*recast Directive YEAR/NUMBER*] for purposes other than those for which it was gathered or its onward transfer to another Member State, a third country or an international organisation.

The requesting authority confirms that the processing of personal data, which this request concerns, complies with the applicable data protection rules as set out in the Directive (EU) 2016/680 of the European Parliament and of the Council³ or, where applicable, the Regulation (EU) 2016/679 of the European Parliament and of the Council⁴, including, where applicable, the conditions on transfers of personal data to a third country or international organisation.

(A) Requesting State and requested State

Requesting State:

Requested State:

Name of requested authority:

(B) Identification of the EIO or notification concerned

(I) This request concerns the information or evidence obtained through the execution of:

- ☐ an European Investigation Order (EIO);
- ☐ interception carried out without the technical assistance of the requested State and in respect of which a notification in accordance with Article 33 of the Directive [*recast Directive YEAR/NUMBER*] was issued; or
- ☐ an investigative measure entailing the use of a technical recording device carried out without the technical assistance of the requested State and in respect of which a notification in accordance with Article 34 of the Directive [*recast Directive YEAR/NUMBER*] was issued.

(II) Details about the EIO/notification concerned

Authority which issued the EIO/notification:

File number:

³ Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA ([OJ L 119, 4.5.2016, p. 89](#)).

⁴ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) ([OJ L 119, 4.5.2016, p. 1](#)).

Date of issue:

Date of transmission:

Authority which executed the EIO or to which the notification was transmitted:

File number:

(III) Original purpose limitation

Purpose for which the information or evidence was originally collected under the EIO or a notification:

Any conditions attached by executing or notified authority:

(C) Description of information or evidence which this request concerns

Description of information or evidence:

Summary description of content:

Date range covered (if applicable):

Method of collection (if relevant):

(D) Requested subsequent use (if applicable)

(I) Subsequent use of information and evidence is requested for the purpose of:

- ☐ Other criminal proceedings;
- ☐ Preventing an immediate and serious threat to public security;
- ☐ Administrative proceedings;
- ☐ Other.

(II) Detailed description of intended use, including, where applicable, the relevant factual circumstances, the offence or act concerned:

(III) Applicable provisions of national law:

(IV) Reasons justifying subsequent use:

(E) Requested onward transfer of information or evidence (if applicable)

(I) Intended recipient:

- ☐ Member State:
- ☐ Third country:
- ☐ International organisation:

(II) Detailed description of intended use by recipient, including, where applicable, the relevant factual circumstances, the offence or act concerned:

(III) Information concerning the identity of the suspect or accused person:

(IV) Applicable provisions of national law of the recipient:

(V) Reasons justifying onward transfer:

(F) Urgency (if applicable)

There is any urgency due to:

- ☐ Immediate and serious threat to public security;
- ☐ Imminent trial date;
- ☐ Other reason.

Detailed reasons justifying urgency:

(G) Additional information

Where applicable, state other information regarding this request:

(H) Requesting authority

Name of authority:

Name of its representative:

Post held:

Phone number (country code)(area/city code):

Email:

Address:

File number:

Language(s) in which it is possible to communicate with the authority:

Electronic signature:

Date:

(I) Validating authority (if applicable)

Name of authority:

Name of its representative:

Post held:

Phone number (country code)(area/city code):

Email:

Address:

File number:

Language(s) in which it is possible to communicate with the authority:

Please indicate if the main contact point for the executing authority should be the:

- ☐ requesting authority;
- ☐ validating authority.

Electronic signature:

Date:

ANNEX V

NOTIFICATION OF URGENT CROSS-BORDER SURVEILLANCE

This form is used in order to notify a Member State about the urgent cross-border surveillance carried out by law enforcement officers of the (investigating Member State). I hereby inform (notified Member State) of the continuation of surveillance in its territory. I hereby confirm that the law enforcement officers conducting the surveillance are under instructions to act solely for the purpose of observation and documentation of the cross-border surveillance and shall not exercise any coercive powers in the territory of the notified Member State.

The competent authorities of the investigating State will issue and transmit a European Investigation Order without delay and no later than 48 hours after the crossing of the state border.

(A)⁵ The competent authority of the investigating Member State

Competent authority:

Name of its representative:

Post held:

Phone number (country code)(area/city code):

Email:

Address:

File number:

Language(s) in which it is possible to communicate with the authority:

(B) Urgency justification

Reasons justifying urgency:

(C) Information about state of play and duration

(II) The date/time of entry into the territory of the notified Member State:

(III) The (estimated) duration of the cross-border surveillance in the notified Member State:

(IV) The location of the crossing of the State border and the (estimated) area of operation:

(D) Information about the criminal proceedings

(I) Legal classification of the offence(s) for which the notification is issued:

(II) Description of the criminal act:

(III) Authority which authorised the surveillance:

⁵ The authority which is referred to here is the one which should be contacted in further correspondence with the investigating Member State.

(E) Identification of the person(s) and/or object under surveillance

(i) Identity of the person(s)

Name(s):

First name(s):

Other relevant name(s), if applicable:

Aliase(s), if applicable:

Sex:

Nationality(ies):

Identity number or social security number:

Date of birth:

Place of birth:

Residence and/or known address; if address not known, state the last known address:

Other relevant information:

(ii) Identification of object(s)

Description:

Licence plate number of a vehicle / manufacturer / model / colour:

Other relevant information:

(F) Relation to an EIO or a notification on the use of a technical recording device without the need for technical assistance

If relevant, please indicate if a related EIO or a notification on the use of a technical recording device without the need for technical assistance has already been addressed or will be addressed to the notified Member State in the same case.

(i) Related EIO

The (estimated) date of issue:

The authority which issued or is expected to issue the EIO:

The authority to which it was or will be transmitted:

Reference number of the issuing authority:

Reference number of the executing authority:

(ii) Related notification on the use of a technical recording device without the need for technical assistance

The (estimated) date of issue:

The authority which issued or is expected to issue the notification:

The authority to which it was or will be transmitted:

Reference number of the competent authority of the investigating Member State:

Reference number of the competent authority of the notified Member State:

(G) Contact details of the law enforcement officers on the ground

Name of the law enforcement officer(s):

Phone number(s):

(H) Additional information

Where applicable, state other information regarding this notification:

(I) Signature and date

Signature:

Date of issuing:

ANNEX VI

NOTIFICATION OF THE USE OF A TECHNICAL RECORDING DEVICE WITHOUT THE NEED FOR TECHNICAL ASSISTANCE

This form is used in order to notify a Member State about the technical recording device that will be, is or has been used on its territory without its technical assistance. I hereby inform (*competent authority*) of the(*notified Member State*) of such use.

(A)⁶ The competent authority of the investigating Member State

Investigating Member State:

Competent authority:

Name of its representative:

Post held:

Phone number (country code)(area/city code):

Email:

Address:

File number:

Language(s) in which it is possible to communicate with the authority:

(B) Information about state of play and duration

(I) This notification takes place:

- ☐ prior to the use of the technical recording device
- ☐ during the use of the technical recording device
- ☐ after the use of the technical recording device

(II) The (estimated) date/time of entry into the territory of the notified Member State:

(III) The (estimated) duration of the use of the technical recording device (as known to the competent authority) in the notified Member State:

(IV) The (estimated) location of the crossing of the State border and area of operation:

(C) Information about the criminal proceedings

(I) Legal classification of the offence(s) for which the notification is issued and the applicable statutory provision/code:

(II) Summary of the criminal act:

(III) Reasons why the measure is relevant for the purpose of criminal proceedings:

⁶ The authority which is referred to here is the one which should be contacted in further correspondence with the investigating Member State.

(IV) Authority which authorised the use of the technical recording device:

(D) Target of the measure

(I) Information on the object on/in which the technical recording device is installed:

(II) Type of technical recording device:

- ☐ Device enabling the collection of location data;
- ☐ Device enabling the collection of audio data;
- ☐ Device enabling the collection of visual data.

(III) Technical description of the device:

(E) Identity of the person(s) concerned

State all information, as far as they are known, regarding the identity of the (i) natural or (ii) legal person(s) against whom the proceedings are taking place.

(i) In the case of natural person(s)

Name(s):

First name(s):

Other relevant name(s), if applicable:

Alias(es), if applicable:

Sex:

Nationality(ies):

Identity number or social security number:

Date of birth:

Place of birth:

Residence and/or known address; if address not known, state the last known address:

(ii) In the case of legal person(s)

Name:

Form of legal person:

Shortened name, commonly used name or trading name, if applicable:

Registered seat:

Registration number:

Address of the legal person:

Name and contact details of the representative of the legal person:

(F) Relation to an EIO, a notification of urgent cross-border surveillance or other request or order

If relevant, please indicate if a related EIO or a notification of urgent cross-border

surveillance has already been addressed or will be addressed to the notified Member State in the same case.

(i) Related EIO

The (estimated) date of issue:

The authority which issued or is expected to issue the EIO:

The authority to which it was or will be transmitted:

Reference number of the issuing authority:

Reference number of the executing authority:

(ii) Related notification of urgent cross-border surveillance

The (estimated) date of issue:

The authority which issued or is expected to issue the notification:

The authority to which it was or will be transmitted:

Reference number of the competent authority of the investigating Member State:

Reference number of the competent authority of the notified Member State:

(ii) Other related judicial cooperation request, notification or order based on the principle of mutual recognition

The (estimated) date of issue:

The authority which issued or is expected to issue the request or order:

The authority to which it was or will be transmitted:

Reference number of the authority of the investigating Member State:

Reference number of the authority of the notified Member State:

Type and subject of a request, order or a notification:

(G) Additional information

Where applicable, state other information regarding this notification:

(H) Electronic signature and date

Electronic signature:

Date of issuing:

Please note that any objection to the use of the technical recording device or to the use of material obtained, as well as the indication of any conditions limiting the use of that material, must be made no later than **96 hours** after the receipt of this notification.

ANNEX VII

REQUEST FOR CONSENT TO USE PREVIOUSLY EXCHANGED INFORMATION AS EVIDENCE

This request has been issued by a competent authority. This request seeks the consent of the requested authority to use previously exchanged information as evidence. The requesting authority certifies that the issuing of this request is necessary and proportionate for the purpose of the criminal proceedings concerned and would be permissible under the same conditions in a similar domestic case in the requesting State.

(A) Requesting State and requested State

Requesting State:

Requested State:

Name of requested authority:

(B) Details of the previous transmission of information

Date of prior transmission:

Authority that transmitted the information:

File number:

Authority that received the information:

File number:

Legal basis of prior transmission of information:

- ☐ Directive (EU) 2023/977⁷;
- ☐ Convention established by the Council in accordance with Article 34 of the Treaty on European Union, on Mutual Assistance in Criminal Matters between the Member States of the European Union⁸ (Article 7).

Purpose for which the information was originally exchanged:

Any conditions attached by the transmitting authority for the use of information (if applicable):

(C) Purpose of use as evidence

Detailed description of intended use, including, where applicable, the relevant factual

⁷ Directive (EU) 2023/977 of the European Parliament and of the Council of 10 May 2023 on the exchange of information between the law enforcement authorities of Member States and repealing Council Framework Decision 2006/960/JHA (OJ L 134, 22.5.2023, pp. 1, ELI: <http://data.europa.eu/eli/dir/2023/977/oj>).

⁸ Convention established by the Council in accordance with Article 34 of the Treaty on European Union, on Mutual Assistance in Criminal Matters between the Member States of the European Union, OJ C 197, 12.7.2000, pp. 3.

circumstances, the offence or act concerned:

Applicable provisions of national law:

Reasons for requesting use as evidence:

Information concerning the identity of the suspect or accused person:

(D) Description of information which this request concerns

Description of information:

Summary description of content:

Date range covered (if applicable):

Method of collection (if relevant):

(E) Urgency (if applicable)

There is any urgency due to:

- ☐ Immediate and serious threat to public security;
- ☐ Imminent trial date;
- ☐ Other reason.

Detailed reasons justifying urgency:

(F) Legal remedies and additional information

Please indicate whether and what legal remedies are available under the national law of the requesting State against the issuing of the request for consent to use previously exchanged information as evidence:

Where applicable, state other information regarding this request:

(G) Requesting authority

Name of authority:

Name of its representative:

Post held:

Phone number (country code)(area/city code):

Email:

Address:

File number:

Language(s) in which it is possible to communicate with the authority:

Electronic signature:

Date:

(H) Validating authority (if applicable)

Name of authority:

Name of its representative:

Post held:

Phone number (country code)(area/city code):

Email:

Address:

File number:

Language(s) in which it is possible to communicate with the authority:

Please indicate if the main contact point for the executing authority should be the:

- ☐ requesting authority;
- ☐ validating authority.

Electronic signature:

Date:

ANNEX VIII

EUROPEAN REMOTE PARTICIPATION ORDER (ERPO)

The ERPO has been issued by a competent authority. The issuing authority certifies that the issuing of this ERPO is proportionate and appropriate to facilitate the participation of the suspect, accused person, or victim of crime in one or more court hearing(s) in criminal proceedings in the issuing State, taking into account the rights of the person concerned, and that it complies with the conditions of Title III, Article 37 of the Directive.

Section A:

Issuing State:

Issuing authority (name, address, contact details):

Executing State:

Executing authority:

Section B: Identity of the person concerned by the request for remote participation

1.The ERPO is issued to ensure remote participation of:

- ☐ a suspect/accused person
- ☐ a convicted person
- ☐ a victim of crime, who has the status of party to the proceedings

2.State all information, as far as known, regarding the identity of the person(s) concerned by the ERPO (if more than one person is concerned please provide the information on each person):

Last name:

First name:

Other relevant names if applicable:

Aliases, if applicable:

Sex:

Nationality:

Identity number or social security number, if available:

Type and number of the identity document(s) (ID card, passport), if available:

Date of birth:

Place of birth:

Residence and/or known address:

Location in the executing Member State, if available and different from residence/known address:

Language which the person understands:

Any relevant information known to the issuing authority concerning possible vulnerabilities of that person:

Section C: Identity and contact details of the lawyer of the person concerned by the ERPO

1. Clarify if the lawyer of the person concerned is:

- ☐ mandated by the concerned person
- ☐ appointed by the issuing State

2. Contact details:

Last name:

First name:

Type and number of the identity document(s) (ID card, passport), if available:

Date of birth:

Place of birth:

Email:

Telephone number:

Registered office name:

Registered office address:

Section D: Description of the criminal act subject to the proceedings

1. Nature and legal classification of the offence(s) under investigation/prosecution in the proceedings for which the ERPO is issued and the applicable statutory provision/code:

2. Is the offence for which the ERPO is issued punishable in the issuing State by a custodial sentence or detention order of a maximum of at least three years as defined by the law of the issuing State and included in the list of offences set out below? (please tick the relevant box)

- ☐ participation in a criminal organisation
- ☐ terrorism
- ☐ trafficking in human beings
- ☐ sexual exploitation of children and child pornography
- ☐ illicit trafficking in narcotic drugs and psychotropic substances
- ☐ illicit trafficking in weapons, munitions and explosives
- ☐ corruption
- ☐ fraud, including that affecting the financial interests of the European Union within the
 - ☐ meaning of the Convention of 26 July 1995 on the protection of the European Communities' financial interests
- ☐ laundering of the proceeds of crime
- ☐ counterfeiting currency, including of the euro
- ☐ computer-related crime
- ☐ environmental crime, including illicit trafficking in endangered animal species and in endangered plant species and varieties
- ☐ facilitation of unauthorised entry and residence
- ☐ murder, grievous bodily injury
- ☐ illicit trade in human organs and tissue
- ☐ kidnapping, illegal restraint and hostage-taking
- ☐ racism and xenophobia
- ☐ organised or armed robbery
- ☐ illicit trafficking in cultural goods, including antiques and works of art
- ☐ swindling
- ☐ racketeering and extortion
- ☐ counterfeiting and piracy of products
- ☐ forgery of administrative documents and trafficking therein
- ☐ forgery of means of payment
- ☐ illicit trafficking in hormonal substances and other growth promoters
- ☐ illicit trafficking in nuclear or radioactive materials
- ☐ trafficking in stolen vehicles
- ☐ rape
- ☐ arson
- ☐ crimes within the jurisdiction of the International Criminal Court

- ☐ unlawful seizure of aircraft/ships
- ☐ sabotage
- ☐ violation of union restrictive measures

Section E: Stage of the proceedings and court hearing or hearings to which the ERPO relates

Current stage of the proceedings:

Hearing or hearings concerned by the ERPO:

- ☐ pre-trial hearing(s), please specify
- ☐ one or more trial hearing(s), please specify
- ☐ all trial hearing(s)

Specific information on the type, number and nature of hearing(s) concerned:

Section F: Reasons for issuing the ERPO

1. Information on the residence of the person concerned in the executing State or on the justified reasons for remote participation
2. Reasons why the ERPO is considered proportionate and appropriate in the specific case:

Section G: Consent or request of the concerned person

1. Did the concerned person request to have an ERPO issued?
 - ☐ yes, records of the request are attached
 - ☐ no
2. Did the concerned person consent to their remote participation?
 - ☐ yes, records of the consent are attached
 - ☐ no, the exception under Title III, Article 37(2) applies – see Section H
 - ☐ no, the exception of Title III Article 37(3) applies for the following reasons:

Section H: Requesting assistance of the executing State to seek the consent of the concerned person (if applicable)

☐ with this ERPO, the issuing authority also seeks assistance of the executing State to obtain the consent of the person to remotely participate in the concerned hearing(s), and to provide to that person all the relevant information, in accordance with Title III, Article 38 of the Directive, before taking a decision on recognition and execution of the ERPO.

Indicate any formalities or procedures to be complied with by the executing authority while seeking the consent and providing information to the person concerned:

List of documents attached for this purpose:

Section I: Proposed practical arrangements for the execution of the ERPO:

Possible date(s) (dd/mm/yyyy) and time(s) (hh:mm:ss with specification of the applicable time zone) of the hearing(s), and approximate duration:

Name and contact details of the authority conducting the hearing(s):

Any formalities and procedures to be complied with required by the law of the issuing State:

Need for an interpreter in the executing state:

☐ Yes

☐ No

Language(s) arrangements:

Special needs to be taken into account and measures/arrangements necessary to accommodate those needs:

Information on the technical means/videoconferencing system to be used:

If applicable, information on a possible pre-test of technical means and contact person (e.g. IT specialist/relevant operator):

Other relevant information:

Section J: Legal remedies

1. Please indicate if a legal remedy has already been sought against the issuing of the ERPO and, if so, please provide further details Please indicate if a legal remedy has already been sought against the issuing of an EIO, and if so please provide further details (description of the legal remedy, including necessary steps to take and deadlines):

2. Where a legal remedy has not been sought against the issuing of an ERPO, please indicate whether and what legal remedies are available against the issuing of an ERPO:

3. Authority in the issuing State which can supply further information on procedures for seeking legal remedies in the issuing State:

Name:

Contact person (if applicable):

Address:

Tel. No: (country code) (area/city code)

E-mail:

Section K: Details of the judicial authority which validated the ERPO (if applicable)

Please indicate the type of judicial authority which has validated this ERPO:

☐ judge or court

☐ investigating judge

Official name of the validating authority:

Name of its representative:

Post held (title/grade):

File no:

Address:

Tel. No: (country code) (area/city code)

E-mail:

Languages in which it is possible to communicate with the validating authority:

Please indicate if the main contact point for the executing authority should be the:

☐ issuing authority

☐ validating authority

Electronic signature and details of the validating authority

Name:

Post held (title/grade):

Date:

Official stamp (if available):

ANNEX IX~~D~~

THE CATEGORIES OF OFFENCES REFERRED TO IN ARTICLE 11

- participation in a criminal organisation,
- terrorism,
- trafficking in human beings,
- sexual exploitation of children and child pornography,
- illicit trafficking in narcotic drugs and psychotropic substances,
- illicit trafficking in weapons, munitions and explosives,
- corruption,
- fraud, including that affecting the financial interests of the European Union within the meaning of the Convention of 26 July 1995 on the protection of the European Communities' financial interests,
- laundering of the proceeds of crime,
- counterfeiting currency, including of the euro,
- computer-related crime,
- environmental crime, including illicit trafficking in endangered animal species and in endangered plant species and varieties,
- facilitation of unauthorised entry and residence,
- murder, grievous bodily injury,
- illicit trade in human organs and tissue,
- kidnapping, illegal restraint and hostage-taking,
- racism and xenophobia,
- organised or armed robbery,
- illicit trafficking in cultural goods, including antiques and works of art,
- swindling,
- racketeering and extortion,
- counterfeiting and piracy of products,
- forgery of administrative documents and trafficking therein,
- forgery of means of payment,
- illicit trafficking in hormonal substances and other growth promoters,
- illicit trafficking in nuclear or radioactive materials,
- trafficking in stolen vehicles,
- rape,
- arson,

- crimes within the jurisdiction of the International Criminal Court,
- unlawful seizure of aircraft/ships,
- sabotage,
- ⇒ violation of Union restrictive measures. ⇐

ANNEX X

Part A

Repealed Directive with list of the successive amendments thereto
(referred to in Article 63)

Directive 2014/41/EU of the European Parliament and of the Council (OJ L 130, 1.5.2014, pp. 1, ELI: <http://data.europa.eu/eli/dir/2014/41/oj>)

Directive (EU) 2022/228 of the European Parliament and of the Council (OJ L 39, 21.2.2022, pp. 1, ELI: <http://data.europa.eu/eli/dir/2022/228/oj>)

Directive (EU) 2023/2843 of the European Parliament and of the Council – only Article 11 (OJ L, 2023/2843, 27.12.2023, ELI: <http://data.europa.eu/eli/dir/2023/2843/oj>)

Part B

Time-limit for transposition into national law and date of application (referred to in Article 63)

Directive	Time-limit for transposition	Date of application
2014/41/EU	22 May 2017	
2022/228	14 March 2023	
2023/2843	2 years from the entry into force of the corresponding implementing act referred to in Article 10(3)(a) of Regulation (EU) 2023/2844	From the first day of the month following the period of two years after the entry into force of the corresponding implementing act referred to in Article 10(3)(a) of Regulation (EU) 2023/2844

ANNEX XI

CORRELATION TABLE

Directive 2014/41/EU	This Directive
-	Article 1(1)
-	Article 1(3)
Article 1(1)	Article 3(1)
Article 1(2)	Article 3(2)
Article 1(3)	Article 3(3)
Article 1(4)	Article 1(2)
Article 2, introductory wording	Article 2(1), introductory wording
Article 2, point (a)	Article 2(1), point (a)
Article 2, point (b)	Article 2(1), point (b)
Article 2, point (c), introductory wording	Article 2(1), point (c), introductory wording
Article 2, point (c)(i)	Article 2(1), points (c)(i) and (c)(ii)
Article 2, point (c)(ii)	Article 2(1), point (c)(iii) and Article 2(2)
Article 2, point (d)	Article 2(1), point (d)
-	Article 2(1), points (e), (f), (g), (h)
Article 3	Article 4
Article 4	Article 5
Article 5(1), introductory wording	Article 6(1), introductory wording
Article 5(1), point (a)	Article 6(1), point (a)
Article 5(1), point (b)	Article 6(1), point (b)
Article 5(1), point (c)	Article 6(1), point (c)
Article 5(1), point (d)	Article 6(1), point (d)
Article 5(1), point (e)	Article 6(1), point (e)
-	Article 6(1), point (f)

-	Article 6(1), point (g)
Article 5(2)	Article 6(2)
Article 5(3)	Article 6(3)
-	Article 6(4)
Article 5a(1)	Article 51(1)
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Article 5a(2)	Article 51(3)
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Article 7(1)	Article 8(1)
Article 7(2)	Article 8(2)
Article 7(3)	Article 52
Article 7(4)	-
Article 7(5)	Article 8(3)
Article 7(6)	Article 8(4)
Article 7(7)	Article 8(5)
Article 8(1)	Article 9(1)
Article 8(2)	Article 9(2)
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Article 9	Article 10
Article 10	Article 11
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Article 12(1)	Article 13(1)
Article 12(2)	Article 13(3)
Article 12(3)	Article 13(2), point (a)
Article 12(4)	Article 13(2), point (b)
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Article 13(4)	Article 14(4)
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Article 14(1)	Article 17(1)
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Article 14(5)	Article 17(5)
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Article 19(2)	Article 20(2)
Article 19(3)	Article 20(3)
Article 19(4)	Article 20(4)
-	Article 20(5)
Article 21	Article 54

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Article 24(2), introductory wording	Article 24(2)
Article 24(2), point (a)	Article 24(2)
Article 24(2), point (b)	-
Article 24(3)	Article 24(3)
Article 24(4)	Article 24(4)
Article 24(5), introductory wording	Article 24(5), introductory wording
Article 24(5), point (a), first subparagraph	Article 24(5), point (a), first subparagraph
Article 24(5), point (a), second subparagraph	-
Article 24(5), point (b)	Article 24(5), point (b)
Article 24(5), point (c)	Article 24(5), point (c)
Article 24(5), point (d)	Article 24(5), point (d)
Article 24(5), point (e)	Article 24(5), point (e)
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Article 28(1), introductory wording	Article 28(1), introductory wording
Article 28(1), point (a)	Article 28(1), point (a)
Article 28(1), point (b)	Article 28(1), point (b)
-	Article 28(1), point (c)
-	Article 28(1), point (d)

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Article 28(3)	Article 28(3)
Article 28(4)	Article 28(4)
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Article 30(3)	Article 31(3)
Article 30(4)	Article 31(4)
Article 30(5)	Article 31(5)
Article 30(6)	Article 31(6)
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Article 30(7)	Article 31(8)
Article 30(8)	Article 31(9)
Article 31(1)	Article 33(1)
Article 31(2)	Article 33(2)
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Article 31(4)	Article 33(2)
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Article 33(1), point (a)	Article 58(1), point (a)
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-	Article 58(1), point (c)
Article 33(1), point (b)	Article 58(1), point (d)
Article 33(1), point (c)	Article 58(1), point (e)
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Article 33(3)	Article 58(3)
Article 33(4)	Article 58(4)

-	Article 58(5)
Article 34(1), introductory wording	Article 59(1), introductory wording
Article 34(1), point (a)	Article 59(1), point (a)
Article 34(1), point (b)	Article 59(1), point (b)
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-	Article 59(3)
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Article 34(4)	Article 59(5)
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-	Article 59(7)
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Article 36(1)	Article 61(1)
Article 36(2)	Article 61(2)
Article 36(3)	-
-	Article 61(3)
Article 37	Article 62
-	Article 63
Article 38	Article 64

Article 39	Article 65
Annex A	Annex I
Annex B	Annex II
Annex C	Annex III
Annex D	Annex IX
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ANNEX XII
LEGISLATIVE FINANCIAL AND DIGITAL STATEMENT

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1. FRAMEWORK OF THE PROPOSAL/INITIATIVE

1.1. Title of the proposal/initiative

Proposal for a Directive of the European Parliament and of the Council regarding the European Investigation Order in criminal matters and the European Remote Participation Order (recast)

1.2. Policy area(s) concerned

Judicial cooperation in criminal matters

1.3. Objective(s)

1.3.1. General objective(s)

The general objective of the initiative is to contribute to the further development of the area of freedom, security and justice by strengthening effective, secure and fundamental rights-compliant judicial cooperation in criminal matters between Member States. The proposal is time-bound with respect to the transposition period and sets out a timetable for the digital implementation of the instrument.

This objective will be pursued by improving the functioning of the European Investigation Order (EIO) for the cross-border gathering of evidence in criminal matters and establishing a Union framework facilitating the remote participation of suspects, accused persons and victims of crime in criminal court hearings where they are located in another Member State, via the issuance of European Remote Participation Orders (ERPOs), as well as further enhancing the secure electronic exchange of the relevant forms and official communications through the decentralised IT system.

Progress towards this objective will be monitored on the basis of the statistical data to be collected and transmitted annually by Member States, including data on EIOs and ERPOs transmitted, recognised, executed or refused, legal remedies sought, and the time needed to recognise and/or execute requests.

1.3.2. Specific objective(s)

Specific objective No 1

To improve, by the end of the transposition period, the effectiveness, legal clarity and consistency of the European Investigation Order framework for the cross-border gathering of evidence in criminal matters, including through clearer rules on the issuing, recognition and execution of EIOs, notifications and related requests, while ensuring full respect for fundamental rights and procedural safeguards.

Progress towards this objective will be measured, in particular, through annual statistics on the number of EIOs and notifications transmitted, executed or refused, the grounds for non-recognition or non-execution, legal remedies sought, and the time needed to transmit evidence or decisions on non-recognition or non-execution.

Specific objective No 2

To establish, by the end of the transposition period, a Union framework for the issuing, recognition and execution of ERPOs, enabling suspects, accused persons and victims of crime, who have the status of parties to the concerned proceedings, when located in another Member State, to participate effectively and securely in criminal

court hearings by videoconferencing or other distance communication technology, while preserving the fairness of the proceedings and the effective exercise of their procedural rights.

Progress towards this objective will be measured, in particular, through annual statistics on the number of ERPOs transmitted, recognised, executed or refused, the stage of the proceedings concerned, the categories of persons concerned, the grounds for non-recognition or non-execution, legal remedies sought, and the time needed to execute ERPOs or transmit decisions on non-recognition or non-execution.

Specific objective No 3

To support, within the relevant digital implementation timeline, the secure, reliable and interoperable electronic exchange of EIOs, ERPOs, notifications, requests and related official communications between competent authorities through the decentralised IT system, and to facilitate the programmatic collection and annual transmission of statistical data necessary for monitoring and evaluation.

Progress towards this objective will be measured, in particular, through the availability and use of the relevant digital forms and communication flows, and the annual transmission of statistical data by Member States.

1.3.3. *Expected result(s) and impact*

Specify the effects which the proposal/initiative should have on the beneficiaries/groups targeted.

The proposal is expected to benefit competent national authorities by providing clearer and more effective rules for cross-border judicial cooperation in criminal matters, in particular for the issuing, recognition and execution of EIOs and ERPOs.

It is expected to benefit suspects, accused persons and victims of crime by reducing practical and legal barriers to participation in criminal proceedings from another Member State, while ensuring respect for fundamental rights and procedural safeguards.

It is expected to benefit Member States by enabling secure and efficient electronic exchanges through the decentralised IT system and by improving the availability of reliable statistical data for monitoring and evaluation purposes.

1.3.4. *Indicators of performance*

Specify the indicators for monitoring progress and achievements.

Specific objective 1: Improve the functioning of the EIO

Indicator: average time needed to transmit decisions on recognition / execution or non-recognition / non-execution.

Baseline: no reliable comprehensive EU-wide published baseline available. A baseline could be established as of March 2028, in view of the ongoing implementation work on the digitalisation of the current EIO Directive.

Target: progressive improvement in execution times, in line with the time limits laid down in the Directive.

Specific objective 2: Establish the ERPO framework

Indicator: number and share of ERPOs recognised and executed or refused.

Baseline: Zero, as the ERPO is a new instrument.

Target: effective use of the ERPO from the first full year of application, with annual data available for all Member States bound by the Directive.

Specific objective 3: Support secure digital exchange and monitoring

Indicator: share of Member States transmitting complete annual statistical data to the Commission.

Baseline: no reliable comprehensive EU-wide published baseline available.

Target: annual transmission of complete aggregated statistical data by all Member States bound by the Directive, covering the categories set out in the Directive.

1.4. The proposal/initiative relates to:

- ☒ a new action
- ☐ a new action following a pilot project / preparatory action⁹
- ☐ the extension of an existing action
- ☐ a merger or redirection of one or more actions towards another/a new action

1.5. Grounds for the proposal/initiative

1.5.1. Requirement(s) to be met in the short or long term including a detailed timeline for roll-out of the implementation of the initiative

In the short term, the initiative requires the adoption of the recast of the Directive, followed by the necessary transposition measures by Member States. Member States will have to adapt their national legal frameworks and procedural and practical rules to apply the revised framework on the EIO and the new rules on the ERPO.

In parallel, the Commission will have to prepare the necessary implementing act under the Digitalisation Regulation (Regulation (EU) 2023/2844), in order to ensure that the decentralised IT system supports the procedures introduced or amended by this Directive, including in relation to the exchange of EIOs, ERPOs, notifications, requests and related official communications. The Commission will also continue the development and adaptation of the reference implementation software.

The roll-out is expected to follow this timeline:

1. Once the proposal has been agreed by the co-legislators, and within 20 days after publication in the Official Journal, the Directive will enter into force.
2. Within two years after entry into force, Member States will have to adopt and notify the national measures necessary to comply with the Directive. During the same period, the Commission will adopt an implementing act on the decentralised IT system established under the Digitalisation Regulation.
3. From the date of application of the Directive, the revised rules on EIOs and the new ERPO framework will apply to procedures transmitted from that date.
4. For procedures requiring adaptation of the decentralised IT system, the relevant communication rules will apply from the first day of the month following the period of two years from the entry into force of the implementing act (cf. point 2 above).
5. In the longer term, the Commission will monitor the application of the Directive on the basis of information and annual statistical data supplied by Member States. A

⁹ As referred to in Article 58(2), point (a) or (b) of the Financial Regulation.

report on the application of the Directive will be submitted within five years from the entry into force of the relevant implementing acts.

- 1.5.2. *Added value of EU involvement (it may result from different factors, e.g. coordination gains, legal certainty, greater effectiveness or complementarities). For the purposes of this section 'added value of EU involvement' is the value resulting from EU action, that is additional to the value that would have been otherwise created by Member States alone.*

Reasons for action at EU level (ex-ante)

Action at Union level is necessary because the initiative concerns cross-border judicial cooperation in criminal matters, which cannot be sufficiently achieved by Member States acting alone. Divergent national rules and practices regarding the gathering of evidence, remote participation in criminal court hearings from another Member State and communication between competent authorities create legal uncertainty, delays and uneven protection of procedural rights.

Union action is therefore required to ensure a coherent framework based on mutual recognition, common procedural safeguards and secure electronic communication between competent authorities across the Member States.

Expected generated EU added value (ex-post)

The initiative is expected to generate EU added value by improving the effectiveness, speed and consistency of cross-border judicial cooperation in criminal matters. It will provide greater legal certainty for competent authorities and persons concerned, reduce fragmentation and improve access to justice in relation to remote participation in criminal court hearings, and facilitate secure and interoperable electronic exchanges through the decentralised IT system.

It will also improve the availability of comparable statistical data, thereby supporting better monitoring, evaluation and future policy development at Union level.

- 1.5.3. *Lessons learned from similar experiences in the past*

The initiative builds on the Commission's experience in implementing comparable Union instruments in the field of judicial cooperation and digitalisation, in particular the Service of Documents Regulation (Regulation (EU) 2020/1784), the Taking of Evidence Regulation (Regulation (EU) 2020/1783), the Digitalisation Regulation (Regulation (EU) 2023/2844), the e-evidence Regulation (Regulation (EU) 2023/1543) and, more recently, the Transfer of Proceedings Regulation (Regulation (EU) 2024/3011).

Experience with the digitalisation of those instruments has shown that two aspects are often underestimated in terms of the time, resources and coordination required: (1) reaching a legally compliant and operationally workable common understanding on interpretative questions and practical implementation arrangements; (2) agreeing on the underlying technical standards, specifications and business processes required for effective cross-border digital exchanges.

Those considerations have been taken into account in the resource planning set out in this document, in particular as regards the legal, policy, coordination and technical work required for the preparation of implementing measures, the development or adaptation of the reference implementation software and the support to Member States during implementation.

1.5.4. *Compatibility with the multiannual financial framework and possible synergies with other appropriate instruments*

The proposal is compatible with the Commission's proposal for the next Multiannual Financial Framework for 2028 to 2034 and with the proposed Justice Programme for the same period. The proposed Justice Programme is intended to continue supporting judicial cooperation in civil and criminal matters, judicial training and access to justice, and places an increased focus on the digitalisation of justice.

The initiative is expected to create synergies with the proposed Justice Programme, in particular as regards support for cross-border judicial cooperation, the development and use of digital tools, and the effective implementation of Union instruments in the area of justice. It is also coherent with the Digitalisation Regulation (Regulation (EU) 2023/2844), which establishes a broad framework for secure electronic communication in cross-border judicial cooperation.

Negotiations on the next MFF package and on the proposed 2028 to 2034 Justice Programme remain ongoing. The financial planning for this initiative is therefore without prejudice to the final outcome of the relevant budgetary and legislative procedures.

1.5.5. *Assessment of the different available financing options, including scope for redeployment*

The implementation of the Directive will require both internal resources and external expertise, in particular for the digitalisation components of the initiative. This includes legal, policy and coordination work within the Commission, as well as technical work relating to the development, adaptation, testing, maintenance and support of the decentralised IT system and its components.

Financing options therefore include the use of in-house resources and the procurement of external services, in particular for software development and technical support at the Commission.

The scope for redeployment is limited, given the number of ongoing and planned digitalisation initiatives in the area of justice and the need to ensure the timely implementation of existing legal obligations. Any redeployment would therefore need to be carefully assessed against its impact on other priority files and statutory implementation deadlines.

1.6. Duration of the proposal/initiative and of its financial impact

☐ **limited duration**

- ☐ in effect from [DD/MM]YYYY to [DD/MM]YYYY
- ☐ financial impact from YYYY to YYYY for commitment appropriations and from YYYY to YYYY for payment appropriations.

☒ **unlimited duration**

- Implementation with a start-up period from 2028 to 2030,
- followed by full-scale operation.

1.7. Method(s) of budget implementation planned¹⁰

☒ **Direct management** by the Commission

- ☒ by its departments, including by its staff in the Union delegations;
- ☐ by the executive agencies

☐ **Shared management** with the Member States

☐ **Indirect management** by entrusting budget implementation tasks to:

- ☐ third countries or the bodies they have designated
- ☐ international organisations and their agencies (to be specified)
- ☐ the European Investment Bank and the European Investment Fund
- ☐ bodies referred to in Articles 70 and 71 of the Financial Regulation
- ☐ public law bodies
- ☐ bodies governed by private law with a public service mission to the extent that they are provided with adequate financial guarantees
- ☐ bodies governed by the private law of a Member State that are entrusted with the implementation of a public-private partnership and that are provided with adequate financial guarantees
- ☐ bodies or persons entrusted with the implementation of specific actions in the common foreign and security policy pursuant to Title V of the Treaty on European Union, and identified in the relevant basic act
- ☐ bodies established in a Member State, governed by the private law of a Member State or Union law and eligible to be entrusted, in accordance with sector-specific rules, with the implementation of Union funds or budgetary guarantees, to the extent that such bodies are controlled by public law bodies or by bodies governed by private law with a public service mission, and are provided with adequate financial guarantees in the form of joint and several liability by the controlling bodies or equivalent financial guarantees and which may be, for each action, limited to the maximum amount of the Union support.

Comments

Not applicable.

¹⁰ Details of budget implementation methods and references to the Financial Regulation may be found on the BUDGpedia site: <https://myintracomm.ec.europa.eu/corp/budget/financial-rules/budget-implementation/Pages/implementation-methods.aspx>.

2. MANAGEMENT MEASURES

2.1. Monitoring and reporting rules

Within five years from the date of entry into force of the implementing acts referred to in this Directive, the Commission is required to submit a report to the European Parliament, the Council and the European Economic and Social Committee on the application of the Directive. In addition, the Directive provides for continuous and comprehensive annual statistical reporting.

2.2. Management and control system(s)

2.2.1. *Justification of the budget implementation method(s), the funding implementation mechanism(s), the payment modalities and the control strategy proposed*

This Directive does not affect the existing management mode(s), payment modalities or control systems employed by the Commission.

The Directive establishes, inter alia, a digital channel for electronic communication between competent national authorities and, where appropriate, the relevant Union justice and home affairs agencies and bodies. This channel will be used for the electronic communication of European Investigation Orders, notifications and European Remote Participation Orders, as well as related official communication.

Its implementation will require the development of technical specifications and standards, software development work, and coordination between national authorities and all other actors involved. In view of the current low level of digitalisation of communication in cross-border cases in the Member States, the Directive provides for the development by the Commission of a software product, the “reference implementation”.

The budget implementation method will therefore rely on the existing arrangements applicable to the Commission. Implementation will be carried out through the use of IT resources and procurement under the relevant operational budget lines, in particular for work related to the implementing act and the development of the reference implementation software.

The proposed implementation approach will be subject to the standard control strategy applicable to the relevant Commission activities, including the applicable procurement, financial management, project management, audit and internal control procedures.

2.2.2. *Information concerning the risks identified and the internal control system(s) set up to mitigate them*

The main identified risks are the following:

(a) **Difficulties in reaching agreement on the technical specifications** for the decentralised IT system to be set out in the implementing act.

(b) **Time and cost overruns due to unforeseen IT implementation issues** in the development of the decentralised IT system. This risk is mitigated by the fact that the main building blocks necessary for the development of the decentralised IT system already exist and are mature, namely the e-CODEX system, which itself is based on the eDelivery building block, and the reference implementation software developed by the Commission.

This risk will be addressed through the standard internal control systems applicable to IT systems developed by the Commission, in particular governance oversight, project management and risk management controls.

(c) **Implementation and rollout delays at Member State level**, in particular by the respective national authorities responsible for connecting to and using the decentralised IT system. This risk will be mitigated by ensuring that the implementation timeline is feasible and agreed with Member States, and by providing regular follow-up and technical support to the actors responsible for implementation.

- 2.2.3. *Estimation and justification of the cost-effectiveness of the controls (ratio between the control costs and the value of the related funds managed), and assessment of the expected levels of risk of error (at payment & at closure)*

This Directive does not affect the cost-effectiveness of the existing Commission controls.

2.3. **Measures to prevent fraud and irregularities**

The appropriations necessary for this Directive will be covered by the existing fraud prevention, control and audit measures applicable to the Commission.

3. ESTIMATED FINANCIAL IMPACT OF THE PROPOSAL/INITIATIVE

The estimated impact on expenditure and staffing for 2028 and beyond is added for illustrative purposes only and does not pre-judge the next Multiannual Financial Framework. The source of financing and scope of Union financial commitment in the post-2027 period remain subject to the outcome of interinstitutional negotiations on the MFF 2028-2034 and thereafter shall be determined through the annual budgetary procedure. In particular, the allocation foreseen under the Justice Programme remains subject to the outcome of the interinstitutional negotiations on the MFF 2028-2034 and should be financed, as applicable, through redeployment within the relevant programme envelope. All appropriations and staffing allocations as of 2028 are indicative.

3.1. Heading(s) of the multiannual financial framework and expenditure budget line(s) affected

- Existing budget lines

In order of multiannual financial framework headings and budget lines.

Heading of multiannual financial framework	Budget line	Type of expenditure	Contribution			
	Number	Diff./Non-diff. ¹¹	from EFTA countries ¹²	from candidate countries and potential candidates ¹³	From other third countries	other assigned revenue
2	07 07 01, Promoting judicial cooperation	Non-diff.	NO	NO	NO	NO

- New budget lines requested

In order of multiannual financial framework headings and budget lines.

Heading of multiannual financial framework	Budget line	Type of expenditure	Contribution			
	Number	Diff./Non-diff.	from EFTA countries	from candidate countries and potential candidates	from other third countries	other assigned revenue

¹¹ Diff. = Differentiated appropriations / Non-diff. = Non-differentiated appropriations.

¹² EFTA: European Free Trade Association.

¹³ Candidate countries and, where applicable, potential candidates from the Western Balkans.

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3.2. Estimated financial impact of the proposal on appropriations

3.2.1. Summary of estimated impact on operational appropriations

- ☐ The proposal/initiative does not require the use of operational appropriations
- ☒ The proposal/initiative requires the use of operational appropriations, as explained below

3.2.1.1. Appropriations from voted budget

EUR million (to three decimal places)

Heading of multiannual financial framework			Number	2						
DG JUST			Year	Year	Year	Year	Year	Year	Year	TOTAL MFF 2028-2034
			2028	2029	2030	2031	2032	2033	2034	
Operational appropriations										
Budget line 07 07 01, Promoting judicial cooperation	Commitments	(1a)	0.300	0.300	2.300	2.300	2.300	2.300	2.300	12.100
	Payments	(2a)	0.300	0.300	2.300	2.300	2.300	2.300	2.300	12.100
Budget line	Commitments	(1b)								0
	Payments	(2b)								0
Appropriations of an administrative nature financed from the envelope of specific programmes ¹⁴										
Budget line		(3)								0
TOTAL appropriations for DG JUST	Commitments	=1a+1b+3	0.300	0.300	2.300	2.300	2.300	2.300	2.300	12.100
	Payments	=2a+2b+3	0.300	0.300	2.300	2.300	2.300	2.300	2.300	12.100

¹⁴ Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former 'BA' lines), indirect research, direct research.

The estimated impact on expenditure on the Justice programme for 2028 and beyond is added for illustrative purposes only and does not pre-judge the next Multiannual Financial Framework. The source of financing and scope of Union financial commitment in the post-2027 period remain subject to the outcome of interinstitutional negotiations on the MFF 2028-2034 and thereafter shall be determined through the annual budgetary procedure. All appropriations as of 2028 are indicative.

			Year	Year	Year	Year	Year	Year	Year	TOTAL MFF 2028- 2034
			2028	2029	2030	2031	2032	2033	2034	
TOTAL operational appropriations	Commitments	(4)	0.300	0.300	2.300	2.300	2.300	2.300	2.300	12.100
	Payments	(5)	0.300	0.300	2.300	2.300	2.300	2.300	2.300	12.100
TOTAL appropriations of an administrative nature financed from the envelope for specific programmes		(6)	0	0	0	0	0	0	0	0
TOTAL appropriations under HEADING 2 of the multiannual financial framework	Commitments	=4+6	0.300	0.300	2.300	2.300	2.300	2.300	2.300	12.100
	Payments	=5+6	0.300	0.300	2.300	2.300	2.300	2.300	2.300	12.100

EUR million (to three decimal places)

			Year	Year	Year	Year	Year	Year	Year	TOTAL MFF 2028- 2034
			2028	2029	2030	2031	2032	2033	2034	
• TOTAL operational appropriations (all operational headings)	Commitments	(4)	0.300	0.300	2.300	2.300	2.300	2.300	2.300	12.100
	Payments	(5)	0.300	0.300	2.300	2.300	2.300	2.300	2.300	12.100

• TOTAL appropriations of an administrative nature financed from the envelope for specific programmes (all operational headings)		(6)	0	0	0	0	0	0	0	0
TOTAL appropriations Under Heading 1 to 3 of the multiannual financial framework (Reference amount)	Commitments	=4+6	0.300	0.300	2.300	2.300	2.300	2.300	2.300	12.100
	Payments	=5+6	0.300	0.300	2.300	2.300	2.300	2.300	2.300	12.100

Heading of multiannual financial framework	4	‘Administrative expenditure’ ¹⁵
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DG: JUST		Year 2028	Year 2029	Year 2030	Year 2031	Year 2032	Year 2033	Year 2034	TOTAL MFF 2028-2034
• Human resources		0.582	0.582	0.582	0.582	0.582	0.582	0.582	4.074
• Other administrative expenditure		0.140	0.140	0	0	0	0	0	0.280
TOTAL DG <JUST>	Appropriations	0.722	0.722	0.582	0.582	0.582	0.582	0.582	4.354

¹⁵ The necessary appropriations should be determined using the annual average cost figures available on the appropriate BUDGpedia webpage.

TOTAL appropriations under HEADING 4 of the multiannual financial framework	(Total commitments = Total payments)	0.722	0.722	0.582	0.582	0.582	0.582	0.582	4.354
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EUR million (to three decimal places)

		Year 2028	Year 2029	Year 2030	Year 2031	Year 2032	Year 2033	Year 2034	TOTAL MFF 2028- 2034
TOTAL appropriations under HEADINGS 1 to 4	Commitments	1.022	1.022	2.882	2.882	2.882	2.882	2.882	16.454
of the multiannual financial framework	Payments	1.022	1.022	2.882	2.882	2.882	2.882	2.882	16.454

3.2.2. *Estimated output funded from operational appropriations (not to be completed for decentralised agencies)*

N.B. Specific Objective 1 pertains to improving the overall legal framework, not limited to aspects related to digitalisation as set out under Specific Objectives 2 and 3. It is therefore not included in the table below as a self-standing objective.

Commitment appropriations in EUR million (to three decimal places)

Indicate objectives and outputs ↓			Year 2028		Year 2029		Year 2030		Year 2031		Enter as many years as necessary to show the duration of the impact (see Section 1.6)								TOTAL	
	OUTPUTS																			
	Type ¹⁶	Average cost	No	Cost	No	Cost	No	Cost	No	Cost	No	Cost	No	Cost	No	Cost	Total No	Total cost		
SPECIFIC OBJECTIVE No 2 ¹⁷																				

¹⁶ Outputs are products and services to be supplied (e.g. number of student exchanges financed, number of km of roads built, etc.).

¹⁷ As described in Section 1.3.2. 'Specific objective(s)'

- Output	Elaboration and design of the statistics gathering functionalities	0.050	1	0.050	1	0.050	0	0	0	0	0	0	0	0	0	0	0	0.100
Subtotal for specific objective No 2			1	0.050	1	0.050	0	0	0	0	0	0	0	0	0	0	2	0.100
SPECIFIC OBJECTIVE No 3																		
- Output	Technical specifications for the implementing acts, including business processes models	0.250	1	0.250	1	0.250	0	0	0	0	0	0	0	0	0	0	2	0.500

- Output	Analysis, design, implementation and support of the decentralised IT system	2.300	0	0	0	0	1	2.300	1	2.300	1	2.300	1	2.300	1	2.300	5	11.500
Subtotal for specific objective No 3			1	0.250	1	0.250	1	2.300	1	2.300	1	2.300	1	2.300	1	2.300	7	12.000
TOTALS			2	0.300	2	0.300	1	2.300	1	2.300	1	2.300	1	2.300	1	2.300	9	12.100

3.2.3. Summary of estimated impact on administrative appropriations

- ☐ The proposal/initiative does not require the use of appropriations of an administrative nature
- ☒ The proposal/initiative requires the use of appropriations of an administrative nature, as explained below

3.2.3.1. Appropriations from voted budget

VOTED APPROPRIATION S	Year	Year	Year	Year	Year	Year	Year	TOTAL 2028 - 2034
	2028	2029	2030	2031	2032	2033	2034	
HEADING 4								
Human resources	0.582	0.582	0.582	0.582	0.582	0.582	0.582	4.074
Other administrative expenditure	0.140	0.140	0.000	0.000	0.000	0.000	0.000	0.280
Subtotal HEADING 4	0.722	0.722	0.582	0.582	0.582	0.582	0.582	4.354
Outside HEADING 4								
Human resources	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Other expenditure of an administrative nature	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Subtotal outside HEADING 4	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
TOTAL	0.722	0.722	0.582	0.582	0.582	0.582	0.582	4.354

The appropriations required for human resources and other expenditure of an administrative nature will be met by appropriations from the DG that are already assigned to management of the action and/or have been redeployed within the DG, together, if necessary, with any additional allocation which may be granted to the managing DG under the annual allocation procedure and in the light of budgetary constraints.

The estimated impact on expenditure and staffing for 2028 and beyond is added for illustrative purposes only and does not pre-judge the next Multiannual Financial Framework. The source of financing and scope of Union financial commitment in the post-2027 period remain subject to the outcome of interinstitutional negotiations on the MFF 2028-2034 and thereafter shall be determined through the annual budgetary procedure. All appropriations and staffing allocations as of 2028 are indicative.

3.2.4. Estimated requirements of human resources

- ☐ The proposal/initiative does not require the use of human resources
- ☒ The proposal/initiative requires the use of human resources, as explained below

3.2.4.1. Financed from voted budget

Estimate to be expressed in full-time equivalent units (FTEs)¹⁸

VOTED APPROPRIATIONS	Year	Year	Year	Year	Year	Year	Year
	2028	2029	2030	2031	2032	2033	2034
• Establishment plan posts (officials and temporary staff)							

¹⁸ Please specify below the table how many FTEs within the number indicated are already assigned to the management of the action and/or can be redeployed within your DG and what are your net needs.

20 01 02 01 (Headquarters and Commission's Representation Offices)	3	3	3	3	3	3	3
20 01 02 03 (EU Delegations)	0	0	0	0	0	0	0
(Indirect research)	0	0	0	0	0	0	0
(Direct research)	0	0	0	0	0	0	0
Other budget lines (specify)	0	0	0	0	0	0	0
• External staff (in FTEs)							
20 02 01 (AC, END from the 'global envelope')	0	0	0	0	0	0	0
20 02 03 (AC, AL, END and JPD in the EU Delegations)	0	0	0	0	0	0	0
Admin. Support line [XX.01.YY.YY]	• at Headquarters	0	0	0	0	0	0
	• in EU Delegations	0	0	0	0	0	0
(AC, END - Indirect research)	0	0	0	0	0	0	0
(AC, END - Direct research)	0	0	0	0	0	0	0
Other budget lines (specify) - Heading 4	0	0	0	0	0	0	0
Other budget lines (specify) - Outside Heading 4	0	0	0	0	0	0	0
TOTAL	3	3	3	3	3	3	3

The staff required to implement the proposal (in FTEs):

Commission:

	To be covered by current staff available in the Commission services	Exceptional additional staff*		
		To be financed under Heading 4	To be financed from BA line	To be financed from fees
Establishment plan posts	1 FTE (AD posts) – internally redeployed. 2 FTE (AD posts) - from the Commission's redeployment pool.	N/A	N/A	N/A
External staff (CA, SNEs, INT)	N/A	N/A	N/A	N/A

Description of tasks to be carried out by:

Officials and temporary staff	Commission The implementation of the proposal requires 3 FTEs in DG JUST, covering distinct and complementary functions: 1 FTE Legal/Policy Officer to chair the relevant committee work, manage stakeholder coordination, and liaise with the IT development team on the definition of business processes and system requirements. 1 FTE IT Project Manager to act as Product Owner, define and manage the implementation of the IT system, coordinate technical delivery, and ensure that the product is delivered in line with the applicable legal and operational requirements. 1 FTE Financial Officer to manage the financial aspects of the action, including procurement, external contracts, budget execution, payments, and related reporting. At present, DG JUST can only cover 1 FTE Legal/Policy Officer from existing resources. The remaining needs cannot be fully absorbed through internal redeployment within DG JUST, given the existing workload linked to the digitalisation of judicial cooperation, the implementation of several related legal acts, and the need to comply with binding statutory deadlines. Further redeployments would therefore risk affecting the timely and legally compliant implementation of both the present proposal and other ongoing digitalisation files.
External staff	N/A

The estimated impact on expenditure and staffing for 2028 and beyond is added for illustrative purposes only and does not pre-judge the next Multiannual Financial Framework. The source of financing and scope of Union financial commitment in the post-2027 period remain subject to the outcome of interinstitutional negotiations on the MFF 2028-2034 and thereafter shall be determined through the annual budgetary procedure. All appropriations and staffing allocations as of 2028 are indicative.

3.2.5. Overview of estimated impact on digital technology-related investments

Compulsory: the best estimate of the digital technology-related investments entailed by the proposal/initiative should be included in the table below.

Exceptionally, when required for the implementation of the proposal/initiative, the appropriations under Heading 4 should be presented in the designated line.

The appropriations under Headings 1-3 should be reflected as “Policy IT expenditure on operational programmes”. This expenditure refers to the operational budget to be used to re-use/ buy/ develop IT platforms/ tools directly linked to the implementation of the initiative and their associated investments (e.g. licences, studies, data storage etc). The information provided in this table should be consistent with details presented under Section 4 “Digital dimensions”.

TOTAL Digital and IT appropriations	Year 2028	Year 2029	Year 2030	Year 2031	Year 2032	Year 2033	Year 2034	TOTAL MFF 2028 - 2034
HEADING 4								

IT expenditure (corporate)	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Subtotal HEADING 4	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Outside HEADING 4									
Policy IT expenditure on operational programmes	0.300	0.300	2.300	2.300	2.300	2.300	2.300	2.300	12.100
Subtotal outside HEADING 4	0.300	0.300	2.300	2.300	2.300	2.300	2.300	2.300	12.100
TOTAL	0.300	0.300	2.300	2.300	2.300	2.300	2.300	2.300	12.100

3.2.6. Compatibility with the current multiannual financial framework

The proposal/initiative:

- ☒ can be fully financed through redeployment within the relevant heading of the multiannual financial framework (MFF)
- ☐ requires use of the unallocated margin under the relevant heading of the MFF and/or use of the special instruments as defined in the MFF Regulation
- ☐ requires a revision of the MFF

3.2.7. Third-party contributions

The proposal/initiative:

- ☒ does not provide for co-financing by third parties
- ☐ provides for the co-financing by third parties estimated below:

Appropriations in EUR million (to three decimal places)

	Year 2028	Year 2029	Year 2030	Year 2031	Year 2032	Year 2033	Year 2034	Total
Specify the co-financing body								
TOTAL appropriations co-financed								

3.3. Estimated impact on revenue

- ☒ The proposal/initiative has no financial impact on revenue.
- ☐ The proposal/initiative has the following financial impact:
 - ☐ on own resources

- ☐ on other revenue
- ☐ please indicate, if the revenue is assigned to expenditure lines

EUR million (to three decimal places)

Budget revenue line:	Appropriations available for the current financial year	Impact of the proposal/initiative ¹⁹						
		Year 2028	Year 2029	Year 2030	Year 2031	Year 2032	Year 2033	Year 2034
Article								

For assigned revenue, specify the budget expenditure line(s) affected.

[...]

Other remarks (e.g. method/formula used for calculating the impact on revenue or any other information).

[...]

4. DIGITAL DIMENSIONS

4.1. Requirements of digital relevance

Requirement 1 (R1): Mandatory use of a decentralised IT system (based on e-CODEX) for electronic communication between competent authorities in accordance with Article 3 of Regulation (EU) 2023/2844. Legal provision: Articles 2(1)(b), 51, 52. Stakeholders affected: Member States (competent judicial/central authorities), Eurojust and European Public Prosecutor's Office, Commission. High-level processes: Cross-border judicial communication, exchange of standard forms.

Requirement 2 (R2): Member States to provide statistical data to the Commission. Legal provision: Article 57. Stakeholders affected: Member States, Commission. High-level processes: Data collection on the application of the Directive.

Requirement 3 (R3): Commission to submit a report to the European Parliament, to the Council and to the European Economic and Social Committee on the application of this Directive, supported by information supplied by the Member States. Legal provision: Article 64. Stakeholders affected: Commission, European Parliament, Council, European Economic and Social Committee. High-level processes: Reporting.

4.2. Data

Type of data	Reference(s) to the requirement(s)	Actor who provides the data	Actor who receives the data	Trigger for the data exchange	Frequency (if applicable)
Standard	Article 51	Member	Member	Manual or	As needed

¹⁹ In the case of traditional own resources (customs duties, sugar levies), the amounts indicated must be net amounts, i.e. gross amounts after deduction of 10 % for collection costs, as proposed in COM(2025)574.

judicial cooperation forms (as listed in Annexes) and other communication between Member State authorities, as well as between Member State authorities with Eurojust and the European Public Prosecutor's Office, transmitted in electronic format.		States' authorities, Eurojust, European Public Prosecutor's Office	States' authorities, Eurojust, European Public Prosecutor's Office	Automatic	
Statistical data	Article 57	Member States	Commission	Automatic	Automatic: Annually, starting from the date falling three years after the date of entry into force of the relevant implementing act.
A report on the application of this Directive	Article 64	Commission	European Parliament; Council		Within five years from the date of entry into force of the relevant implementing act.

The three data types align with the European Data Strategy's goals of enhancing the use of data for the public good and increasing transparency and trust in the use of data, by facilitating the efficient exchange of information between Member States and promoting transparency and accountability in the application of the Directive, ultimately supporting the development of a more integrated, effective, and transparent judicial cooperation framework.

The once-only principle is not directly relevant, as the decentralised IT system involves

data exchanges between Member State competent authorities and with the EU JHA agencies and bodies. At the same time, the once-only principle is respected by ensuring that, following the decentralised IT model for the system under Regulation (EU) 2023/2844, information, documents and procedural communications are transmitted through the decentralised IT system in a secure, structured and interoperable manner, so that competent authorities can rely on the electronic transmission made through that system without requiring parallel or repeated submission of the same material through paper-based or other channels.

4.3. Digital solutions

Decentralised IT System established under Regulation (EU) 2023/2844 (Articles 2(1)(b), 51, 52): secure, encrypted, reliable, e-CODEX-based cross-border exchange of judicial cooperation forms and related communication between competent authorities. In itself, e-CODEX ensures secure EU cross-border interoperability by virtue of leveraging the eDelivery building block.

Includes the extension of a reference implementation software developed by the Commission for other cross-border judicial cooperation instruments, including the EIO, which optionally can be used by the Member States without a suitable national system. No use of AI technologies is envisaged; the system is a secure messaging and forms-exchange platform.

The digital solution is designed to provide a secure environment for the exchange of judicial cooperation forms and other communication between Member State authorities, which is in line with the EU cybersecurity framework's and other applicable digital policies and legislative enactments with the objective of ensuring the security and integrity of critical infrastructure and personal data.

4.4. Interoperability assessment

R1: Mandatory use of the decentralised IT system

The decentralised IT system is itself an EU cross-border digital public service linking competent authorities across all participating Member States, as well as Eurojust and the European Public Prosecutor's Office. It requires interaction across Member State borders and has an effect on cross-border interoperability, as it facilitates the sharing of data and information between competent authorities in different Member States, as well as with EU entities.

The requirement therefore has a direct and significant interoperability impact, as it establishes the digital channel for the secure electronic exchange of procedural communications, documents and standard forms. The Interoperable Europe solution identified for reuse is e-CODEX, a secure and interoperable framework for the exchange of legal documents and information across borders. E-CODEX itself is based on eDelivery. Other components include the Digital Procedural Standards, the reference implementation and relevant eIDAS trust services. Remaining barriers may concern national system integration, onboarding of competent authorities, semantic alignment of forms and data fields, and differing levels of technical readiness across Member States.

R2: Provision of statistical data to the Commission

This requirement entails interaction between Member States and the Commission through information systems, where statistical data are collected and transmitted electronically. It

affects cross-border interoperability to the extent that comparable and reusable data must be supplied by Member States for monitoring the application of the Directive.

The affected digital public service is the electronic collection and transmission of statistical data. Relevant solutions for reuse include machine-readable formats and, where applicable, leveraging the existing statistical functionalities developed under Regulation (EU) 2023/2844. Remaining barriers may concern differences in national data availability, statistical methodologies, automation levels and definitions of indicators.

R3: Commission report on the application of the Directive

This requirement involves interaction between the Commission and Member States. Its direct effect on cross-border interoperability is limited, as it concerns a narrative report rather than the operational exchange of procedural communications. However, it will leverage, to a large extent, the data and functionalities developed in the context of R2.

The affected digital public service is the reporting and evaluation process based on information supplied by Member States. Relevant solutions for reuse include common, reusable indicators and machine-readable statistical outputs. Remaining barriers may include incomplete or non-comparable national data, divergent reporting practices and limited automation.

4.5. Measures to support digital implementation

1. Implementing act

Within two years after the entry into force of this Directive, the Commission will, as necessary, adopt an implementing act. This measure supports Requirements 1 and 2.

The implementing act will set out the technical specifications and standards for the decentralised IT system, including the relevant Digital Procedural Standards, the common Business Process Model and XML data schemas necessary for interoperable cross-border data exchange. The Commission will prepare and adopt the implementing act, with Member States involved through the relevant committee. Eurojust, the EPPO and eu-LISA will be involved as impacted actors.

Expected timeline: within two years after the entry into force of the Directive.

2. Development or adaptation of the reference implementation

Following adoption of the implementing act, the Commission will develop / adapt the reference implementation software. This measure supports Requirements 1 and 2.

The Commission will leverage external service providers for its development activities, with the exception of IT project management activities, which will remain with the services. The development activities will be overseen by the IT Steering Committee in DG JUST under the control of the System Owner. Standard Commission software development methodologies will be used.

The reference implementation will be made available to Member States in sufficient time to allow them to meet their legal obligations and enable the system to go live two years after the entry into force of the implementing act. Member States, Eurojust, the EPPO and eu-LISA will be involved in training, testing, validation and deployment planning. The Commission services will also assist stakeholders in planning their onboarding.

Expected timeline: after adoption of the implementing act and before the go-live date.

3. Support, maintenance and further development

After go-live, continuous support, maintenance and further development will be required. This measure supports Requirements 1 and 2, and indirectly Requirement 3.

The Commission will maintain and further develop the reference implementation, including corrective maintenance, security updates and necessary new functionalities. eu-LISA, Member States, Eurojust and the EPPO will be involved through their respective roles, feedback and operational coordination.

Expected timeline: from go-live and on a continuous basis thereafter.