



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 5 March 2013**

**6532/13**

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2010/0817 (COD)**

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**COPEN 18  
CODEC 349**

**NOTE**

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From : General Secretariat  
To : delegations  
Subject : Initiative of the Kingdom of Belgium, the Republic of Bulgaria, the Republic of Estonia, the Kingdom of Spain, the Republic of Austria, the Republic of Slovenia and the Kingdom of Sweden for a Directive of the European Parliament and of the Council regarding the European Investigation Order in criminal matters  
- Letters

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Delegations will find enclosed for their information letters that have been sent to the Presidency on behalf of BE, BG, EE, IT, PL, SI, ES, AT and SE delegations regarding the negotiations on the European Investigation Order.

Dublin, 18<sup>th</sup> of January 2013

Mr Alan Shatter  
Minister of Justice, Equality and Defence  
of the Republic of Ireland

Dear Colleague, Alan,

Almost three years ago seven Member States tabled an initiative for a Directive aiming to establish a common regime for evidence gathering and sharing – the European Investigation Order (EIO). Based on mutual recognition principle, the cornerstone of European cooperation, this initiative sought to consolidate and simplify a rather complex legal patchwork. The proposal found a broad support, resulting in adoption of the Council general approach in December 2011.

Today, midway through the Stockholm Programme, facing new challenges in respect of protection of Union's financial interests, this initiative seems even more purposeful. Reaching the ambitious goals formulated in the Treaty and specified in our political program is hard to imagine without practical tools such as the EIO. It would not only facilitate investigations of crime with cross-border dimension, but could also help to solve some problems in application of other instruments. For instance, the operation of the European Arrest Warrant could be improved by making less intrusive measures, like videoconferencing, available to judicial authorities across the EU.

We believe the time has come to finish the work on this instrument which completes the present set of tools for mutual legal assistance. Especially as all its crucial aspects have been already discussed in detail by the Council - from fundamental and constitutional rights to deadlines and costs. Those discussions, taking advantage of the practical experiences, have led to improvements and consolidation of the current MLA acquis.

We call upon the Irish Presidency to strive, in collaboration with the Commission, to successfully conclude negotiations with European Parliament on this important file. We shall back the Presidency in the endeavour to capitalize on the time and efforts put so far by the three European institutions. Let us try to make another step towards the common area of

freedom, security and justice. Only by giving our authorities modern tools to carry out their tasks, we can render our cooperation more efficient.

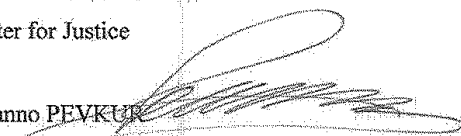
We are sending a copy of this letter to Vice President Viviane Reding, being convinced that the European Commission shares our joint objective to finalize the negotiations.

Yours sincerely,



Ms Diana KOVATCHEVA

Minister for Justice



Mr Hanno PEVKUR

Minister for Justice

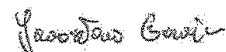
Mr Alberto Ruiz Gallardón

Minister for Justice



Ms Beatrix KARL

Federal Minister for Justice



Mr Jaroslaw Gowin

Minister for Justice



Ms Beatrice ASK

Minister for Justice



Minister van Justitie  
Annemie TURTELBOOM

Dublin, 16 January 2013

Mr Allan Shatter  
Minister of Justice, Equality and Defence  
of the Republic of Ireland

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annemie.turtelboom@just.fgov.be  
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.be



Minister van Justitie  
Annemie TURTELBOOM

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Yours sincerely,

Annemie Turtelboom

Minister of Justice

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Tel: 02 542 80 11 · Fax: 02 542 80 00  
annemie.turtelboom@just.fgov.be  
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.be

Madrid, 17<sup>th</sup> January 2013

Mr Allan Shatter  
Minister of Justice, Equality and  
Defence of the Republic of Ireland

Dear Colleague,

Almost three years ago seven Member States tabled an initiative for a Directive aiming to establish a common regime for evidence gathering and sharing – the European Investigation Order (EIO). Based on mutual recognition principle, the cornerstone of European cooperation, this initiative sought to consolidate and simplify a rather complex legal patchwork. The proposal found a broad support, resulting in adoption of the Council general approach in December 2011.

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MINISTERIO  
DE JUSTICIA

El Ministro

We call upon the Irish Presidency to strive, in collaboration with the Commission, to successfully conclude negotiations with European Parliament on this important file. We shall back the Presidency in the endeavour to capitalize on the time and efforts put so far by the three European institutions. Let us try to make another step towards the common area of freedom, security and justice. Only by giving our authorities modern tools to carry out their tasks, we can render our cooperation more efficient.

We are sending a copy of this letter to Vice President Viviane Reding, being convinced that the European Commission shares our joint objective to finalize the negotiations.



Alberto Ruiz-Gallardón



*Il Ministro della Giustizia*

Roma, 29 gennaio 2013

*Dear Colleague, Aare*

*almost three years ago seven Member States tabled an initiative for a Directive aiming to establish a common regime for evidence gathering and sharing – the European Investigation Order (EIO). Based on the mutual recognition principle, the cornerstone of European cooperation, this initiative sought to consolidate and simplify a rather complex legal patchwork. The proposal found broad support, resulting in the adoption of the Council's general approach in December 2011.*

*Today, midway through the Stockholm Programme, as we are faced with new challenges in respect of the protection of the financial interests of the Union, this initiative seems even more purposeful. Reaching the ambitious goals formulated in the Treaty and specified in our political program is hard to imagine without practical tools such as the EIO. It would not only facilitate investigations of crimes with cross-border dimensions, but could also help to solve some problems in the application of other instruments. For instance, the operation of the European Arrest Warrant could be improved by making less intrusive measures, like videoconferencing, available to judicial authorities across the EU.*

*Therefore I have eagerly joined, along with other colleagues, the initiative taken by the Polish Presidency of writing this letter to you. We believe the time has come to finish the work on this instrument which completes the present set of tools*

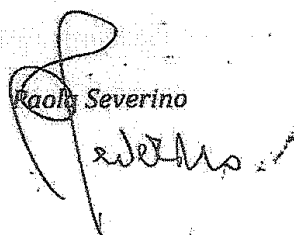


for mutual legal assistance. Especially as all its crucial aspects have already been discussed in detail by the Council - from fundamental and constitutional rights to deadlines and costs. Those discussions, taking advantage of practical experience, have led to improvements and consolidation of the current MLA acquis.

We call upon the Irish Presidency to strive, in collaboration with the Commission, to successfully conclude negotiations with the European Parliament on this important file. We shall back the Presidency in the endeavor to capitalize on the time and efforts contributed so far by the three European institutions. Let us try to take another step towards the common area of freedom, security and justice. Only by giving our authorities modern tools to carry out their tasks, can we render our cooperation more efficient.

We are sending a copy of this letter to Vice President Viviane Reding, convinced as we are that the European Commission shares our joint objective of finalizing the negotiations.

Sincerely yours

Raoul Severino  


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Mr Alan Shatter  
Minister of Justice, Equality and Defence  
of the Republic of Ireland  
94 St Stephen's Green  
Dublin  
IRELAND

*Il Ministro della Giustizia*

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Ljubljana, 25 February 2013

Mr Alan Shatter  
Minister of Justice, Equality and Defence  
of the Republic of Ireland

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*Acting Minister of Justice and  
Public Administration of the Republic of Slovenia*

Zvone Černač  
Minister

