

WORKSHOP

European Investigation Order (EIO) and the acquisition of “communications”

Analysis of European and Italian caselaw

21 March 2023, h. 2:30 PM – Hall 1 “A.A. Dalia”, DSG UNISA

Overview of the event

The workshop aims to address the current contentious issue of digital communications data acquisition in the context of an EIO. The methodology will include an examination of some recent judgements by the Italian Court of Cassation that, in the face of discordant setbacks on the subject, have resulted in a referral to the United Sections (judgement of the Supreme Court, SS. UU., c.c. of 29 February 2024, provisional information nos. 3-4/2024), as well as a comparison with case law from the European Court of Justice and the European Court of Human Rights.

The event will take the form of a debate simulation in an adversarial process, with the goal of striking a balance between the guarantees of defence rights on the one hand and the need for crime detection and prosecution on the other.

PANEL DISCUSSION

Antonino Santoro
Judge for preliminary investigations at the Court of Naples

Teresa Russo
Associate Professor of EU Law, DSG UNISA, Jean Monnet Chair Holder of “EUVALWEB”

Donatello Cimadomo
Associate Professor of Criminal Procedure, DSG UNISA

with Dr. Stefano Busillo and Dr. Emanuele Vannata, EUVALWEB Tutors, as well as the students of the course of Criminal Procedure and of the Law Clinic “EU Cooperation on Justice and Home Affairs: Insights”, DSG UNISA

The event is being accredited by the Salerno Bar Association Council for the recognition of 2 (two) professional training credits.

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