

## Observations File

### Debate Romania 1 – France 2

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#### **JIT : Joint Investigation Team**

From a formal point of view, both presentations were very convincing in very different ways. The choice of Romania not to use a Powerpoint was interesting and very spontaneous. The way they made their presentation was very living and educational. On the contrary, the Powerpoint of the French team was high quality, making it easier to understand a very rich presentation, with a useful agenda at the beginning.

#### **1) Position of Romania : the need of a letter rogatory**

##### a. Relevant arguments

With this dynamic presentation, the Romanian team had to sustain a tough position, but did it quite well, in a convincing way. They proved that they were mature and were in capacity to adapt.

With the background and historical view of the JIT and police international cooperation, we had the feeling that we understood correctly the whys and wherefores of the debate.

Moreover, at the moment of the debate with the French team, we appreciated how they questioned the very subject. They came back on the understanding of the practical case submitted and based their answers on the arguments raised by the French team. We also appreciated the constructive criticism of the Romanian team.

##### b. Debated argument

The Romanian team was challenged on the substantial legal issues on the link between letter rogatory and JITs, but they managed to respond well.

So even if we agree on the questions of the jury which were our debated arguments, we appreciated that they answered in a very convincing way and clearly.

#### **2) Position of France : the JIT is sufficient**

##### a. Relevant arguments

We appreciated the work on the legal instruments, fully presented also in the PowerPoint. It was a wide panel of legal basis and texts on the subject.

Even if the presentation was at some points technical and theoretical, they managed to point out the practical issue which was debated.

We also appreciated that they concluded with convincing practical proposals, as to a response to the subject.

b. Debated arguments

We noticed that on the development made by the French team about the existence of other legal instruments to obtain or transfer evidence, they sustained instruments made for the transfer of *information* and not evidence. But as they underlined correctly, this is a debated argument in Europe as to what they were asked to debate.

Contrary to the Romanian team, it was less obvious that they stood back facing the criticism of the Romanian team. They answered the questions regarding to what they sustained at first.

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Apart from the debated arguments raised for both teams, we really appreciated this high quality debate.