

Matrix identifying legal considerations and practical aspects relating to joint investigations, Article 19 United Nations Convention against Transnational Organized Crime

Stage 1 Planning	legal considerations	practical aspects
1.1 Need and background		
Suitable cases	Connected investigations requiring coordination	Demanding cross border investigation
	Complexity of the investigative measures needed	Complexity of the case and elements/networks involved
Stage of investigation		Prior national investigations
		Prior parallel investigations
Suitable offences	Severity Dual criminality Statutory penalty	
1.2. Purpose and goals		
1.3. Parties		
States		Level of relevance of the case to the States
Agencies		Required level of involvement Create a local contact point
Officials		Level of seniority
Request		
1.4. Legal basis		
	International frameworks	
	National laws	
1.5. Resources		
		Costs
		Personnel (incl. language, training, knowledge and skills)
		Equipment
1.6. Agreement		
Key content	Parties Background, facts, offences Purpose Period, location of operation JIT staff (leaders, members, ...) Information and evidence	

	Liability Consultation, evaluation Other specific arrangements Organisational arrangements	
Amendments, additions, extensions	Amendments to the agreement Ability of other parties to join at a later stage	
Model agreements	EU Model JIT Agreement Asociación Ibero Americana de Ministerios Públicos Model Agreement	

Stage 2: Setting up	legal considerations	practical aspects
2.1 Location		
2.2 Duration		
2.3 Structure		
JIT leaders		
JIT members		
2.4 Other participants		
2.5 Preparation and training		
		Preparatory training
		Team-building
2.4 Liability		
	Criminal liability of officials	
	Civil liability of officials	
	Compensation for damages	

Stage 3: Operation	legal considerations	practical aspects
3.1 Planning and coordination		
3.2 Powers		
Presence during investigation		
Taking investigative measures		
Power to arrest		
Carrying and use of weapons		
Financial investigations		

3.3 Special investigative techniques		
3.4 Victims and witnesses		
3.5 Information exchange and sharing of data		
3.6 Evidence		
Gathering		
Use	Differentiation in rules of evidence	
Admissibility		
Disclosure rules	Different disclosure regimes	
3.6 Cooperation w other States		

Stage 4 Closure and evaluation	legal considerations	practical aspects
4.1 Closing		
4.2 Evaluation		