

International Legal Mechanism for Establishing Joint Investigation Teams among States in the European Region

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Abstract: This article provides an in-depth analysis of an important legal mechanism aimed at strengthening interstate cooperation in the European region - the creation and functioning of joint investigation teams. This mechanism is gaining increasing importance as an effective tool in combating transnational crime. The author details the procedure for establishing joint investigation teams, their composition, and operational principles. The article highlights the specific aspects of cooperation between law enforcement representatives from various states, as well as potential difficulties that may arise in this process and ways to overcome them. Based on the experience of European countries, the article develops a series of recommendations to enhance the effectiveness of joint investigation teams. In particular, concrete proposals are put forward to improve the legal framework, enhance information exchange systems, and boost personnel capacity. This scientific article contains interesting and useful information for specialists in international law, criminal law, and criminology, law enforcement officers, as well as researchers dealing with issues of international cooperation.

Keywords: investigation, joint, team, directive, decision, framework decision, convention, transnational, crime.



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In the process of integration, European countries opened their mutual borders and granted broad freedoms to their citizens. As a result, "threats related to organized crime, illegal migration and terrorism began to emerge in the territories of states"[1]. Cooperation between European states was expanded in many areas of policy, sometimes unifying certain areas between states. Nevertheless, security policy remained a sensitive area between states, and as a result, it was regulated by bilateral and multilateral agreements. The need for a new security strategy aimed at strengthening cooperation between states' police and judicial authorities began to emerge. The issue of combating transnational crime, preventing organized crime, and international cooperation in legal assistance in criminal matters in Europe and the European Union is multifaceted in its own way. Over the past period, a number of documents, institutions, agreements and various forms of cooperation have been created in this field. For example, joint institutions such as Europol[2], common databases such as the Schengen[3] information system, traditional cooperation through requests based on the principle of mutual assistance, cooperation based on

mutual recognition between states, and active joint cooperation between states, namely "the establishment of joint investigation teams". This is one of the various tools of cooperation that can be used between law enforcement officers in the fight against crime.

The "*initial period*" of the formation of international legal documents regulating the activities of joint investigation teams in the European Union can be considered to have started when the term joint investigation teams first appeared in the activities of the working group on revising and updating the 1967 "Naples Convention on Mutual Assistance between Customs Authorities". This proposal was put forward by the German delegation.[4] The German delegation proposed organizing these groups based on the experience of "Gemeinsame Ermittlungsgruppen", which established cooperation between federal police agencies of the German police.[5] Thus, the idea of creating joint investigation teams was widely discussed in the draft of the Naples II Convention in 1994 and two years later in 1996 in the process of developing the draft Convention on Mutual Legal Assistance between the Member States of the European Union. The German delegation presented a manual on modern methods of cross-border investigation in the process of developing the "Convention on Mutual Legal Assistance in the European Union".

The proposal to include the procedure for establishing joint investigation teams in the Convention was clearly analyzed based on political and legal arguments. However, there was no theoretical analysis of the actual practice of investigation or obstacles to police in cross-border cooperation.[6] In fact, professionalism was not of great importance in cooperation. Because the proposal developed by Germany was important mainly because it came from cooperation between police systems of states within the country. At this point, it should be emphasized that when cooperation was carried out on the basis of a bilateral agreement between states, it was clear that states would directly propose a group of experts in the agreement. Regarding this issue, according to Didier Bigo, "over the years, the police gradually fell from the background of debates and were increasingly replaced by 'European experts'"[7]. With his opinion, the author emphasized that in the early years of establishing joint investigation teams, the majority of involved specialists were directly from the police system. And he continued his thought that as years passed, the involvement of other specialists and experts in such groups developed. This, in turn, gave impetus to the further development of joint investigation teams, which would not be an exaggeration to say. Moreover, the idea reflected in the proposal put forward by Germany is important because this idea initiated a new stage of cooperation in the fight against crime between the European Union countries.

The term "joint team" was introduced in the 1997 Amsterdam Treaty as a concept of cooperation between police forces of European Union member states in criminal investigations.[8] The concept of joint investigation teams was envisioned as a promising strategy because it envisages law enforcement officials from different jurisdictions working together as a team in investigating organized crime, effectively exchanging information and evidence.

The establishment of joint investigation teams was also included in the European Union's strategic policy documents. After the Action Plan on Combating Organized Crime was developed in 1997, "the general rule on Europol's participation in 'joint teams' was officially included in the Amsterdam Treaty"[9]. Later, this rule was specified in Article 43, Part 1, Paragraph b of the 1998 Vienna Action Plan[10] as "the need to develop an appropriate legal instrument expanding Europol's powers within the framework of activities specified in Article 30, Part 2 of the Amsterdam Treaty and directing Europol's work towards operational cooperation". With this established norm, an important issue in the document to be developed was, of course, the cooperation between the judicial systems of states and Europol.

A year later, in 1999, at the European Council conference on establishing an Area of Freedom, Security and Justice in Tampere, Finland, the European Council adopted a decision to adopt the "Tampere Program". This is the first legal document on the use of joint investigation teams.

According to the program, it was concluded that member states should be given the obligation to immediately establish joint investigation teams as envisaged in the Amsterdam Treaty.[11]

After this conference, the "*modern period*" of establishing joint investigation teams in the European Union began. In the modern period, the legal basis for joint investigation teams was established by the European Convention on Mutual Legal Assistance in Criminal Matters between Member States of the European Union, adopted in 2000.

The conditions for establishing joint investigation teams, their tasks and the procedure for performing these tasks are defined in Article 13 of the 2000 European Convention[12]. According to it, the establishment of an investigation team and the possibility of extending criminal investigation periods, the composition of the team are reflected.

An investigation team is given a specific purpose to investigate crimes committed in one or more participating states in accordance with an agreement concluded between the competent authorities of the member states. In addition, the team operates for a specific period that can be extended by mutual agreement. At the same time, the agreement clearly defines the members of the team, and although most of these persons may be law enforcement officers, in many cases prosecutors and judges can also be observed among them. If an agreement is reached between the member states, the team is usually formed in the member state where the main part of the investigation is expected to take place. In the agreement, member states should take into account expenses, including the daily wages of team members.[13]

Article 13, Part 10 of the 2000 European Convention on Mutual Assistance in Criminal Matters specifies the conditions for using information legally obtained by a member of a joint investigation team, according to which this information can be used for the following purposes: a) for the purposes for which the team was established; b) subject to the prior consent of the State where the information became available, for detecting, investigating and prosecuting other criminal offenses. In this case, such consent may be withheld only in cases where such use would endanger criminal investigations in the relevant Member State or in respect of which that Member State could refuse mutual assistance; c) for preventing an immediate and serious threat to public safety, and without prejudice to subparagraph (b) if subsequently a criminal investigation is opened; d) for other purposes to the extent that this is agreed between Contracting States setting up the team. In our opinion, the above purposes are mainly related to protecting the interests of states in legal assistance between states, but we can also include purposes such as ensuring the procedural rights and safety of authorized persons directly conducting the investigation, witnesses participating in the investigation, as well as ensuring human rights related to suspects. These purposes serve to ensure the safety of process participants, maintain the confidentiality of the investigation, and further strengthen mutual trust between states, in addition to the interests of states.

Also, Article 13, Part 12 of the 2000 Convention emphasized that a group of persons who are not representatives of the competent authorities of the states may also participate in the activities of joint investigation teams. Such persons may include officials of bodies established in accordance with the Treaty on European Union. "The rights conferred upon the members or seconded members of the team by virtue of this Article shall not apply to these persons unless the agreement provides otherwise."

With this provision, the drafters of the convention envisaged the participation of relevant persons from other states or international organizations to provide additional assistance and expertise to the joint investigation team.[14] Officials of bodies established in accordance with the Treaty on European Union, such as Europol or Eurojust, European Union commissions such as the European Anti-Fraud Office (OLAF) have the right to participate in investigation teams as "persons who are not representatives of the competent authorities of the member states forming the team".

Europol is the European Union's most rapid organization to support member states in combating terrorism. Its task is to increase the efficiency of the activities of the competent authorities of the member states, to cooperate in mutual legal assistance, in the fight against crime and in several similar areas.[15] From its initial establishment, Europol was expected to play a major role in European Union police cooperation. According to the Amsterdam Treaty, "Europol should facilitate the preparation of joint teams in an auxiliary role, support and, in particular, assist in the implementation of specific investigative actions by the competent authorities of the member states, including the coordination of operations of joint teams involving representatives." [16]

Schalken and Pronk emphasize that Europol plays an important role in the creation and operation of joint investigation teams [17]. That is, together with Europol, it provides great financial assistance to countries wishing to establish joint investigation teams. In addition, a comprehensive police body like Europol can offer many additional privileges, in particular through the centralization of human resource use. That is, Europol envisages cooperation between European Union countries through a single system of competent authorities of states.

Eurojust, established in 2002, is Europol's counterpart in the field of criminal justice cooperation, designed to coordinate judicial proceedings. S. Bukow notes that since 2003, Eurojust has been striving to provide more active assistance in the fight against crime in accordance with conclusion No. 46 of the Tampere Action Plan, and has been coordinating the activities of prosecution authorities in the European Union [18]. In our opinion, this type of institution was necessary in implementing legal assistance related to criminal investigations, because in many countries, the supervision of criminal investigations is carried out directly by the prosecution authorities. Of course, like Europol, Eurojust's role in the European Union is to increase the effectiveness of the activities of the competent authorities of member states dealing with the investigation of cross-border and organized crimes, as well as criminal prosecution. For this purpose, in the 2002 decision on the establishment of Eurojust, Eurojust was given the authority to send an official request to the competent authorities of the European Union member states to establish joint investigation teams, which is one of the tools of legal cooperation in criminal cases. [19] The revised decision on the establishment of Eurojust in June 2009 is an important step forward in this area. [20]

According to B. Birzu, M. Luchtman and J. Vervaele, both of these organizations perform the task of supporting the activities of the competent law enforcement authorities of states (for example, police and prosecution) and at the same time increasing their effectiveness in situations related to offenses committed in the territory of at least two states. [21] István Sziártó recommends dividing the activities of these organizations established in the European Union, aimed at developing coordination between law enforcement agencies of member states, into strategic and operational cooperation. The strategic aspects of cooperation include the development of crime prevention and law enforcement methods, the implementation of strategic cooperation with the competent authorities of member states, and the storage of evidence, including information related to cooperation. The operational cooperation aspects of Europol and Eurojust include supporting criminal cooperation on specific crimes between two or more countries that fall within the competence of the organizations.

Cooperation in criminal law between the competent authorities of states within the framework of the above-mentioned organizations also includes cooperation on the establishment of joint investigation teams. The participation of Europol and Eurojust in the activities of joint investigation teams was directly authorized by the convention. However, the participation of the two organizations in the established joint investigation teams may differ due to their roles and organizational structures.

Europol participates in joint investigation teams in a direct service role. This covers a very important part of the organization's activities. In this case, it carries out activities such as

analyzing the situation, evaluating, inspecting objects related to crime, assisting at the crime scene, and sending agency staff to the crime scene to carry out necessary investigative actions.

Eurojust's participation in the activities of joint investigation teams differs greatly from Europol due to its role and structure. Eurojust does not have professional staff capable of conducting investigative actions. On the contrary, such a task is carried out by national members and national experts assisting them in Eurojust, as well as specialists directly implementing national legislation and cooperation in criminal cases. Eurojust has very broad powers in implementing cooperation on the establishment of joint investigation teams. In particular, the national members of Eurojust participate in its discussions as "associated participants" from the establishment of joint investigation teams, as defined in the 2000 Convention on Mutual Assistance in Criminal Matters between Member States of the European Union. In addition, the organization can directly make proposals to the European Union member states on the establishment of joint investigation teams, and can assist in preparing bilateral agreements and arrangements on the establishment of an investigation team. One of the important features of Eurojust is that it provides a communication platform for the establishment of joint investigation teams, which can be provided even after joint investigation teams have been established between states.

In addition, Eurojust's funding of the establishment of joint investigation teams plays an important role for such legal cooperation.[22] The important aspect of this is that it not only finances the investigation team at the "local" level, but also covers expenses related to actions carried out both before and after the establishment of the joint investigation team. As a result, it significantly increases the effectiveness of the team's activities in joint investigation teams. As a result of the analysis, we should note that in the activities of joint investigation teams, Europol provides investigative technologies, while Eurojust carries out the establishment of joint investigation teams, their financing, communication with the competent authorities of states, and coordination of judicial documents.

On March 23, 2021, Eurojust published its 2020 annual report[23]. According to it, in 2020, Eurojust provided legal and financial assistance to 262 joint investigation teams. Of these, 74 were established in 2020 and 188 were groups that had been established in previous years and were ongoing. Among the 74 newly established groups, the crimes under investigation were fraud - 20, drug trafficking - 16, money laundering - 14, human trafficking - 11, cybercrime - 9, illegal smuggling of migrants - 3, environmental crimes - 3, terrorism - 2, and corruption - 1. It should be noted here that Article 13 of the 2000 Convention on Mutual Legal Assistance in Criminal Matters in the European Union did not address the issue of financing groups, but the explanatory commentary to this Convention (analyzed above) stipulated that financial relations would be included in the agreement between states. However, in the statistical data above, we noted that the financing of joint investigation teams established in 2020 was carried out by Eurojust, so Eurojust can finance groups in order to comprehensively develop the activities of joint investigation teams.[24]

In addition, according to Article 14 of the Convention on Mutual Legal Assistance in Criminal Matters between Member States of the European Union, "the requesting State and the requested State may agree to assist each other in conducting covert investigations". According to Part 2 of this Article, "the decision on the request shall be taken in each individual case by the competent authorities of the requested Member State with due regard to its national law and procedures. The duration of the covert investigation, the detailed conditions, and the legal status of the agents concerned during covert investigations shall be agreed between the Member States with due regard to their national law". It is clear from this provision that the convention directly preserves jurisdictional immunity in the states themselves. This article regulates the cooperation of member states in the preparation of covert investigations, control of their activities and ensuring the safety of investigation members.

Michael Plachta points out two situations in which joint investigation teams can be established according to the 2000 European Convention: firstly, if member states require the participation of other member states due to the complexity of investigating criminal offenses, and secondly, if the investigation of crimes committed in the territories of several member states requires coordinated and agreed actions. He continues his thought by saying that according to the agreement between the competent authorities of the member states that should be part of the joint investigation team, the joint investigation team should have a specific purpose and duration. The duration can be extended by mutual agreement of the parties. The members of the joint team are also determined by agreement and may include law enforcement officers - prosecutors, judges or others.

The activities of joint investigation teams in the European Union are regulated not only by the 2000 Convention, but also by the Second Additional Protocol to the 1959 European Convention on Mutual Assistance in Criminal Matters, which was approved at the 765th meeting of the Committee of Ministers of Europe on September 19, 2001, and adopted for signature at the 109th session of the Council on November 8, 2001 in Strasbourg.[25]

In the official commentary to the Second Additional Protocol, the authors explain that the purpose of this legal document can be achieved by modernizing existing rules governing mutual legal assistance, expanding the scope of cases where mutual assistance can be requested, facilitating assistance and increasing its efficiency and flexibility.[26] Looking at the commentary to the Second Protocol, it is clearly explained that the purpose of this protocol is to strengthen the ability of member states, as well as partner countries, to combat crime.

Many provisions of the Second Additional Protocol are closely related to the European Convention on Mutual Assistance in Criminal Matters adopted on May 29, 2000, while other provisions correspond to the Convention of June 14, 1990 on the Implementation of the Schengen Agreement of June 14, 1985. For example, the text of Article 20 of the Second Additional Protocol fully repeats the text of Article 13 of the 2000 European Union Convention. In addition, Articles 21 and 22 of the protocol almost completely repeat Articles 15 and 16 of the European Union Convention. At the same time, it should be noted that according to Part 2 of Article 33 of the protocol, the parties to the Second Additional Protocol may make a reservation to all or part of the text of Article 20.

Nevertheless, this protocol serves as a legal basis for establishing joint investigation teams for the relevant countries in cases where criminal offenses involve complex investigations related to other countries. Although some countries in the European region have not adopted the protocol, countries outside the region, such as Chile and Israel, have ratified the protocol.

The establishment of investigation teams in the Convention of May 29, 2000 raised questions about their activities and led to a very slow process of ratification of the Convention by states. The reason for this was the existence of problems related to the implementation of the norms of the Convention into national legislation by the European Union countries and the jurisdictional immunity of states. In addition, due to the terrorist threats related to September 11, 2001, the European Commission proposed adopting a Framework Decision of the European Council related to joint investigation teams in order to avoid the ratification processes necessary for the 2000 Convention on Mutual Assistance in Criminal Matters between Member States of the European Union to enter into force. At an extraordinary meeting of the Council in September 2001, member states were invited to "urgently establish one or more joint investigation teams".[27] Subsequently, the text of the Framework Decision on joint investigation teams was submitted to the European Council on the joint initiative of Belgium, France, Spain and the United Kingdom.[28] According to Verena Murschetz, this Framework Decision on joint investigation teams should have allowed member states to "base the establishment of investigation teams directly on this decision" instead of waiting for the ratification of the Convention on Mutual Assistance in Criminal Matters.[29]

Almost no political discussions were held on this issue, and soon on June 13, 2002, the Council Framework Decision 2002/465/JHA on joint investigation teams was adopted. The preamble to this Framework Decision states that "one of the Union's objectives is to provide citizens with a high level of safety within an area of freedom, security and justice and this objective is to be achieved by preventing and combating crime through closer cooperation between police forces, customs authorities and other competent authorities in the Member States, while respecting the principles of human rights and fundamental freedoms and the rule of law on which the Union is founded"[30]. In addition, the preamble emphasized that "the Council considers it appropriate to adopt a legally binding instrument on joint investigation teams which should apply to joint investigations into trafficking in drugs and human beings as well as terrorism".

The text of Article 13 of the 2000 Convention is repeated word for word in Article 1 of the Council Framework Decision. Articles 2 and 3 are repetitions of Articles 15 and 16 of the Convention. Although representatives of member states made some comments on the 2000 Convention, all countries agreed that they should comply with the Framework Decision, even though the provisions on joint investigation teams in both legal documents are the same. In the preamble to the Framework Decision, the Council emphasized to all member states that the Framework Decision should not prejudice any other existing provisions or arrangements on the establishment and operation of joint investigation teams.

According to Article 34(2)(b) of the Treaty on European Union, the Framework Decision is similar in nature to the directive referred to in Article 249(1) of the Treaty establishing the European Community.[31] Because according to Article 249(3), the directive is binding on the member states as to the result to be achieved, but member states are free to choose the form and means to achieve the result. This freedom is formulated in the same way for directives and Framework Decisions, and the opportunity given for directives is applied equally to Framework Decisions. This freedom means that member states have discretionary power to decide what measures they should take to achieve the result, but their measures do not authorize them to change the content of the Framework Decision.

The main difference between Framework Decisions and directives is that Article 34(2)(b) of the Treaty on European Union directly prohibits the direct effect of Framework Decisions. This means that individuals cannot directly appeal to national courts regarding the rules established in Framework Decisions. However, in the Pupino case No. C-105/03 of 2005[32], the European Court ruled that the doctrine of direct interpretation also applies to Framework Decisions. From the doctrine, it can be understood that national courts should interpret the situation in accordance with the Framework Decision. Of course, this should be applied if national legislation leaves sufficient opportunity for such interpretation and if it does not contradict legal certainty (*contra legem*). In addition, the position of the Framework Decision should be clear and not allow for multiple interpretations.

Furthermore, as a result of today's achievements in technology and telecommunications, the scope of crimes being committed is expanding. As a result, the Budapest Convention on Cybercrime[33] adopted by the Council of Europe in 2001 plays an important role in combating such crimes and implementing legal assistance between states when such crimes are committed. The Convention aims to facilitate international cooperation in criminal matters by creating a unified basis for practitioners in different jurisdictions, taking into account substantive and procedural rules on cybercrime and digital evidence. However, the basic rules for implementing legal assistance for these crimes were defined in the "Second Additional Protocol to the Convention on Cybercrime on enhanced cooperation and disclosure of electronic evidence"[34] adopted on May 12, 2022 in Strasbourg.

Article 12 of the above-mentioned Additional Protocol outlines the procedure for joint investigation teams and joint investigations. According to it, by mutual agreement, the competent

authorities of two or more parties may establish and operate joint investigation teams in their territories to assist in investigations or judicial proceedings. The procedural basis for the activities of joint investigation teams established by agreement within the framework of the Second Additional Protocol, their specific objectives, composition, functions, duration and extension procedure, territorial issues, conditions for collecting and using information or evidence, confidentiality conditions, investigative actions to be carried out in the territory of another state must be included in a bilateral or multilateral agreement by agreement between the competent authorities of the states.

Subsequent actions in the European Union regarding the establishment of joint investigation teams were developed in the 2003 Agreement between the European Union and the United States on mutual assistance in establishing joint investigation teams, the 2005 "Hague Program for strengthening freedom, security and justice in the European Union"[35], the 2010 "Stockholm Program for an open and secure Europe serving and protecting citizens"[36], and in the activities of Europol and Eurojust.

The activities of European Union countries related to the establishment of joint investigation teams were not limited to the documents mentioned above. The development of issues of combating crime and mutual assistance in criminal matters was also pursued in the countries of South-Eastern Europe. In 2006, in order to address the problems of organized and cross-border crime affecting the South-Eastern European region more broadly and effectively, the "Convention on Police Cooperation for South-Eastern Europe" was adopted for the countries of the region.

This Convention was signed by the Ministers of Internal Affairs of the Republic of Albania, Bosnia and Herzegovina, the Republic of North Macedonia, the Republic of Moldova, Montenegro, Romania, and the Republic of Serbia in Vienna on May 5, 2006, during Austria's presidency of the Council of Europe, and entered into force on October 10, 2007. In the years following the adoption of the Convention by the South-Eastern European countries, the number of states ratifying the convention increased, namely the Republic of Bulgaria in 2008, Austria in 2011, Hungary in 2012, the Republic of Slovenia in 2012, and the Republic of Croatia in 2019 ratified the convention. The Convention has been ratified by the parliaments of 6 European Union member states and 6 non-European Union member states.[37]

The Convention serves as a legal basis for cross-border cooperation of law enforcement agencies in a number of areas regulating witness protection, evidence collection, pursuit of traces, investigation of crimes, exchange of investigative information, comparison of DNA data and other identification data, implementation of operational-search activities, participation in various working groups and the establishment of joint investigation teams.

In addition, norms related to the activities of joint investigation teams were reflected in the national legislation of several countries in the European region. However, the implementation of the provisions of the 2000 Convention on Mutual Assistance in Criminal Matters between Member States of the European Union and the Framework Decision on joint investigation teams was carried out differently among states. That is, states did not directly implement the two documents into national legislation. Some member states, for example Sweden, only incorporated the general idea of joint investigation teams into national legislation and left the implementation of the convention and Framework Decision provisions to the executive.[38] The Netherlands, on the other hand, through its law of March 18, 2004, which came into force on July 1, 2004, created extensive and detailed rules on the establishment and participation in joint investigation teams that the prosecution and police must follow, incorporating them into its criminal procedure legislation.[39] In Belgium, a special law on implementation came into force on January 23, 2005, and on August 8, 2005, a special regulation on joint investigation teams came into force in Germany. The United Kingdom adopted some rules and principles in 2002 indicating that joint investigation teams could be established based on the 2002 Framework Decision. Bulgaria, which

is not a member of the European Union, ratified the convention and the second additional protocol, and in September 2002, rules related to joint investigation teams were implemented in national legislation. Later, other members of the European Union also implemented norms related to investigation teams or took the Framework Decision as a basis.

Today, the use of joint investigation teams as mutual legal assistance in combating transnational crimes and organized crimes and punishing those who committed them has developed and progressed considerably in the European Union countries. One of the first investigation teams established in the Union was formed between France and Spain in September 2004 to combat ETA (ETA, Euskadi Ta Askatasuna -- Freedom for the Basque Country) terrorism.[40] A few months later, in January 2005, the Netherlands and the United Kingdom announced the establishment of their first joint investigation team.[41]

In addition, the first joint investigation team established with non-European Union countries, i.e., third countries, was formed in 2012 with the assistance of Eurojust between Norway on one side and North Macedonia on the other. Since then, over the past period, the number of countries interested in and participating in joint investigation teams with third countries has grown. Norway and Switzerland are the countries that participate most in investigation teams. In addition, countries such as Moldova, Ukraine, Serbia and Albania have participated in investigation teams several times. Apart from these countries, several joint teams have been formed with the participation of Bosnia and Herzegovina, Argentina, Australia, Malaysia and the United States. For example, on July 17, 2014, Malaysia Airlines flight MH17, a Boeing 777-200ER airliner operating the Amsterdam-Kuala Lumpur route, was shot down in eastern Donetsk region of Ukraine. A joint investigation team was formed between countries to investigate this incident, and the Netherlands, Malaysia, Australia, Belgium and Ukraine participated in this team.[42]

In conclusion, it should be noted that joint investigation teams are a new tool that is very suitable for traditional tools existing in the field of international mutual legal assistance in criminal matters in the European Union. Also, the activities of joint investigation teams were fully covered as a result of grouping the regional documents adopted in the European Union. As a result of studying the activities of joint investigation teams in the Union, a number of achievements were identified.

Firstly, investigations conducted within the framework of joint investigation teams provide the opportunity to carry out investigative actions synchronously in the territories of member countries, saving time while significantly reducing the risk of existing criminal traces disappearing.

Secondly, the direct and indirect participation of non-member countries in joint investigation teams as mutual legal assistance in criminal cases. This, firstly, leads to strengthening the personal participation of the investigation team member and increasing personal responsibility for the final success of the investigation, and secondly, enables the rapid exchange of information.

Thirdly, working in joint investigation teams encourages team spirit among team members and builds mutual trust.

As a result, all the above advantages lead to the optimal result of a particular criminal investigation. This is the main goal and advantage of each investigation team. And investigation teams established between states have proven their effectiveness several times in successfully combating cross-border crime.

We have witnessed that an important aspect of the integration processes formed in the European Union is precisely the rich experience of mutual legal assistance between states in criminal matters. We believe that in implementing international cooperation in establishing joint investigation teams, it is necessary to develop integration processes with regional and even universal organizations. For example, although the Republic of Uzbekistan is currently a participant in several universal and regional international legal documents that have established

the activities of joint investigation teams, this international cooperation is not sufficiently carried out in our country. This is because the integration process in the international organizations to which the Republic of Uzbekistan is a member has not developed like the European Union countries and sufficient skills have not been formed.

Also, another important aspect is, of course, the financing system. As a result of the above analysis, we became convinced that in the European Union, the financing of joint investigation teams is not only on the shoulders of states, but also financing by organizations established within the Union contributes to further developing the effectiveness of investigation teams.

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