

## Joint Investigation Teams: principles, practice, and problems Lessons learnt from the first efforts to establish a JIT

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### Abstract

Joint Investigation Teams (JITs) are a new instrument in the fight against serious transnational crime. The European legal framework and the national implementation of this instrument give rise to several (legal) questions. An analysis of the (European) legal framework on JITs uncovers the particularities regarding the dual legal basis for establishing a JIT and the consequences of deficient and unclear national implementing laws. The implications of the *Pupino* case with regard to the Framework Decision on JITs cannot be denied, as was confirmed by the Dutch courts in the first JIT case ever brought before them. However, practice shows that a legal framework is not enough to ensure the successful application of the JIT instrument. Based on two case studies, insight is provided into the obstacles to establishing a JIT and into available remedies.

### Keywords

Joint Investigation Team; JIT; European Criminal Law; Framework Decision; consistent interpretation

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