



Judicial response to terrorism in the light of the Charter of fundamental rights of the EU

The balance between security and fundamental freedoms is a daily issue for the European authorities. This balance requires an increasing involvement of the judicial response to terrorism by putting the magistrates as the protectors of the individual liberties at the heart of this issue.

The Member States of the European Union accepted to be the guarantors of the fundamental rights by signing up a common Charter.

In front of the commotion caused by the terrorist attacks conducted with the aim of creating a climate of fear, magistrates have to conciliate securities issues and protection of fundamental rights for every European citizen.

With the financial support of the European Commission's DG Justice, the project "Judicial response to terrorism in the light of the Charter of fundamental rights of the EU" aims to provide practitioners with the legal and practical background required in fundamental rights law and raise their awareness in order to conciliate this and the handling of terrorist cases

Implementation dates : July, the 1st of 2016 – May, the 31st of 2018

Activities - The project will implement 4 seminars and 1 final conference addressing the following topics:

- Seminar 1 - Radicalization, freedom of speech and religion
- Seminar 2 - Investigation and prevention of terrorist attacks, privacy and defendant rights
- Seminar 3 - Freedom of the press, right of the citizens to be informed and terrorist cases
- Seminar 4 - Judgment and detention condition of convicted terrorists: right of fair trial, defendant rights and prohibition of inhuman or degrading treatment
- Closing conference - The protection of fundamental rights in judicial response to terrorism

The partnership - The ENM is the coordinator of the project.

The partnership is based upon :

- national judicial training institutions from 4 EU MS :
 - Ecole Nationale de la Magistrature – French National School for the Judiciary, France
 - Judicial Training Academy, Swedish National Court Administration, Sweden
 - National Institute of Justice, Bulgaria
 - Judicial Training Institute - IFJ/IGO, Belgium
- Associated with:
 - The Council of Europe (COE)
 - The European Judicial Training Network (EJTN)
 - The Academy for European Law (ERA)
 - Justice Cooperation International (JCI)



Type and number of persons benefiting from the project - Around 270 judges and prosecutors from 10 EU Member States will be trained through 5 training events. Additionally, around 40 participants mainly from the penitentiary administration (30 probation officers), but also policemen and journalists will be trained throughout the project implementation.

Type and number of outputs to be produced - 5 scientific reports available in French and English

Scientific committee - The project will be managed by a scientific committee for the detailed design of each event.

Scientific committee	
Members	Functions
<ul style="list-style-type: none"> • 1 scientific advisor 	<ul style="list-style-type: none"> • overall scientific design of the project • Validation of speakers to be involved • management of the seminars' directors and rapporteurs • participation to seminars • validate the reports of the seminars
<ul style="list-style-type: none"> • 1 Project Director - ENM magistrate 	<ul style="list-style-type: none"> • ensure the pedagogical consistency of activities • identify and valid the speakers involved • manage the scientific advisors and the seminars' directors and rapporteurs • validate the reports of the seminars
<ul style="list-style-type: none"> • 1 magistrate ENM - in-service training coordinator, in charge of terrorism issues 	<ul style="list-style-type: none"> • Ensure the pedagogical consistency of the project's activities with the national training sessions for judges and prosecutors
<ul style="list-style-type: none"> • 1 ENM coordinator 	<ul style="list-style-type: none"> • ensure the day-to-day management of the project, • liaise with partners (including cooperation agreement and follow up of funds delegated), • liaise with the European Commission (contact point), mobilise experts (contractualize, pay, etc.)
Per seminar, it will also encompass: <ul style="list-style-type: none"> • 1 seminar director • 1 seminar rapporteur 	<ul style="list-style-type: none"> • Prepare the detailed programme of the seminar • Identify the speakers to be involved • Lead and moderate the seminar • Draft the report of the seminar

Steering committee - The project will be managed by a steering committee for the overall implementation. 3 meetings will be organized. The steering committee will be chaired by the ENM.