



Criminal Justice Project



European Judicial Training Network

INTERNATIONAL JUDICIAL COOPERATION IN CRIMINAL MATTERS IN PRACTICE

“Simultaneous seminars sets, EAW and MLA simulations”

Lisbon 5-6-7 March 2012
Centro de Estudos Judiciários
Largo de Limoeiro P - 1149-048 LISBOA

DRAFT PROGRAM
CORE GROUP 1 Portugal/ CORE GROUP 2 Slovenia

Monday 5th March 2012

09:15 Arrival and registration of participants

09:30 Opening of the seminar

*Professeur António Pedro Barbas Homem, Director of the Centro de Estudos Judiciários
Luis S. Pereira, Secretary General of the European Judicial Training Network*

09:45 Legal sources in international judicial cooperation

Professor Wolfgang Schomburg (Durham University, UK). International Cooperation in Criminal Matters. Former judge of ICTY/ICTR and German Federal High Court

10:15 Introduction to the seminar

Luis S. Pereira, Secretary General of the European Judicial Training Network

10:30 Coffee break

10:45 Study of cases/ Drafting of requests *(in separate rooms)*

Joana Gomes Ferreira (PT EJM contact point)

Marjeta Švab Širok (SL EJM contact point)

Jose Eduardo Guerra, Seconded National Expert to the National Member for Portugal, Eurojust

13:00 Lunch

14:30 Drafting of request continued *(in separate rooms)*

Joana Gomes Ferreira (PT EJM contact point)

Marjeta Švab Širok (SL EJM contact point)

Jose Eduardo Guerra, Seconded National Expert to the National Member for Portugal, Eurojust

16:15 Coffee break

16.30 Drafting of request continued *(in separate rooms)*

Joana Gomes Ferreira (PT EJM contact point)

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17:30 End of first day

20:00 Dinner

Tuesday 6th March 2012

9.15 Arrival and registration of participants

CHAIR: *Francisco Jiménez-Villarejo, Prosecutor delegate at the Prosecutor’s Office against Corruption and Organized crime. EJN contact point, Málaga (Spain).*

9.30 International judicial cooperation in criminal matters: concurring jurisdictions, ne bis in idem and transfer of criminal proceedings

Professor Wolfgang Schomburg (Durham University, UK). International Cooperation in Criminal Matters. Former judge of ICTY/ICTR and German Federal High Court

10:00 Executing of an EAW and MLA request (separate rooms)

Joana Gomes Ferreira (PT EJA contact point)

Marjeta Švab Širok (SL EJA contact point)

Jose Eduardo Guerra, Seconded National Expert to the National Member for Portugal, Eurojust

10:45 Coffee break

11.00 Continuation with the Executing of an EAW and MLA request (separate rooms)

Joana Gomes Ferreira (PT EJA contact point)

Marjeta Švab Širok (SL EJA contact point)

Jose Eduardo Guerra, Seconded National Expert to the National Member for Portugal, Eurojust

13:00 Lunch

14.30 Continuation with the Executing of an EAW and MLA request (separate rooms)

Joana Gomes Ferreira (PT EJA contact point)

Marjeta Švab Širok (SL EJA contact point)

Jose Eduardo Guerra, Seconded National Expert to the National Member for Portugal, Eurojust

15:45 Coffee break



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CHAIR: *Jorge Costa, Senior Public Prosecutor and Trainer at the CEJ*

16:00: European actors and the effectiveness of the European arrest warrant

- **The role of Eurojust in judicial cooperation in criminal matters**
Jose Eduardo Guerra, Seconded National Expert to the National Member for Portugal, Eurojust
- **The implementation of the principle of proportionality in judicial cooperation in criminal matters**
Paul de Hert, Professor of European Criminal Law, Vrije Universiteit Brussel

16:45 Questions

17:00 End of second day

20:00 Dinner

Wednesday 7th March 2012

09:15 Arrival and registration of participants

9:30 Analyses of the answer to the case *(separate rooms)*

Joana Gomes Ferreira (PT EJM contact point)

Marjeta Švab Širok (SL EJM contact point)

Jose Eduardo Guerra, Seconded National Expert to the National Member for Portugal, Eurojust

11:00 Coffee break

CHAIR: *Jose Eduardo Guerra, Seconded National Expert to the National Member for Portugal, Eurojust*

11:15 Plenary: Reports of the EJM contact points of the Core Groups

Joana Gomes Ferreira (PT EJM contact point)

Marjeta Švab Širok (SL EJM contact point)

12:00 Final debriefing of the cases

Opinions of: Joana Gomes Ferreira (PT EJM contact point)

Marjeta Švab Širok (SL EJM contact point)

Observers' comments



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12:30 Frequent Questions and Answers

12:45 End of the seminar

This event is a part of simultaneous sets of seminars. Further events are being organized in 2012 in several EU Member States with different Core Groups and Observers participants from EU. Programme may be subject to amendment. For programme updates: www.ejtn.eu

CONTENTS

To promote judicial cooperation with the aim of contributing to the creation of a genuine European area of justice in criminal matters based on mutual confidence, EJTN has organised a series of simultaneous sets of seminars in different venues across Member States.

The new approach on methodology of the seminars, based upon a simulation on the existing EU judicial cooperation environment has been a success in the 2010 and 2011 seminars. The progress of a case inspired from actual facts written by experts commentators, involving both nationally and cross-border judicial cooperation and in applying EU mutual recognition instruments will be examined by the attending delegates. By means of the simulation, magistrates will learn about the practical questions that arise under their own legal system and moreover, under the systems of their colleagues in other Member States when executing a European Arrest Warrant or requesting Mutual Legal Assistance.

The seminars will require strong interactivity between the participants divided in 2 Core Groups having a national component in each seminar. The Core Group 1 composed of magistrates who are nationals from the Hosting country (PT) and the Core Group 2 composed of magistrates from the Sending country (SL). Participants from other EU countries will be distributed between the two Core Groups of an operative unit and will act as Observers who will produce comments on the practical cases according to their national systems to promote mutual trust.

Finally the seminar aims to providing delegates with an in-depth knowledge in some areas of European Criminal Law. A comprehensive overview of the work of EUROJUST and the EJM and their contribution to the process of international judicial co-operation in matters related to European Criminal Law will be examined. The seminars will be assisted by international and national experts, EJM contact points comprising in the Core Groups as well as Eurojust representatives.

The working language will be English.

BENEFICIARIES

The seminar will address judges and prosecutors as follows: **15** magistrates selected by the CEJ-Portugal will act as CG1 and **14** magistrates selected by CJT-Slovenia will act as CG2. 6 magistrates from the



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following EU countries will be the Observers to interact with the Core Groups: **4** Magistrates selected by CSM-Italy, **1** magistrate selected by the Studiecentrum Rechtspleging-The Netherlands and **1** magistrate selected by the Ecole Nationale de la Magistrature-France. Also **1** member of the European Judicial Network from Portugal and **1** member from Slovenia will be the leaders/national experts to conduct the Core Groups.

Please contact your national EJTN Member (www.ejtn.eu) to apply for the selection procedure. For further information: Bénédicte Marquet, EJTN Secretariat, Tel. +32 2 2802242 Email: benedicte.marquet@ejtn.eu

SPEAKERS AND CHAIR PERSONS

Professeur António Pedro Barbas Homem, Director of the Centro de Estudos Judiciários

Luis S. Pereira, EJTN Secretary General

Professor Wolfgang Schomburg (Durham University, UK). International Cooperation in Criminal Matters. Former judge of ICTY/ICTR and German Federal High Court

Paul de Hert, Professor of European Criminal Law, Vrije Universiteit Brussel

Joana Gomes Ferreira, Prosecutor, General Prosecutor Office of the Republic, Lisbon. EJN contact point for Portugal

Marjeta Švab Širok, Higher Court judge, Higher Court of Ljubljana. EJN contact point for Slovenia

Jose Eduardo Guerra, Seconded National Expert to the National Member for Portugal, Eurojust

Jorge Costa, Senior Public Prosecutor and Trainer at the CEJ



Within the Framework Partnership Agreement with the EC