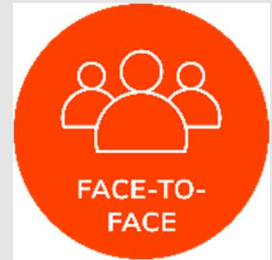




Milestones of EU Criminal Law for Defence Lawyers

Barcelona, 6-7 May 2024



EXCELLENCE IN
EUROPEAN LAW

Speakers

María Barbancho, Criminal Lawyer, Member of the Committee of International Relations, ICAB, Barcelona

Vânia Costa Ramos, Defence Lawyer, Vice-Chair of the European Criminal Bar Association (ECBA), Lisbon

Giedrius Danėlius, Partner, NOOR, Lithuanian Bar Association, Vilnius

Balázs Gyalog, Defence Lawyer, Gyalog Law Firm, Budapest

André Klip, Professor of Criminal Law, Criminal Procedure and the Transnational Aspects of Criminal Law, University of Maastricht

Ignacio de Lucas Martín, European Prosecutor, Luxembourg

Holger Matt, Defence Lawyer, Honorary Professor, Johann Wolfgang Goethe University, Frankfurt

Key topics

- The development of European criminal law
- Legal remedies and procedural safeguards in the EU
- Applying the principle of ne bis in idem
- Gathering evidence through the European Investigation Order and its implications for the defence
- Double defence: Representing a client in European Arrest Warrant and other cross-border proceedings
- Equality of arms through a strong network of defence lawyers in Europe

Language
English

Event number
324DT106

Organisers
ERA (Cornelia Riehle) in cooperation with the Barcelona Bar Association (ICAB)



Monday, 6 May 2024

09:15 Arrival and registration of participants

09:30 **Welcome words**
Joaquim de Miquel (Secretary of ICAB) & Viktor Vádasz (Director of Programmes, ERA)

PART I: MILESTONES OF EUROPEAN CRIMINAL JUSTICE

Chair: Cornelia Riehle

09:35 **Setting the scene:**
From mutual legal assistance to the European Public Prosecutor's office: 25 years of European criminal justice

- Instruments of mutual recognition
- Other law enforcement measures

André Klip

10:30 Discussion

10:45 **25 years of European criminal justice from the perspective of the defence**

- The roadmap for strengthening procedural rights
- Equality of arms through a strong network of defence lawyers in Europe
- Support offered by the CCBE, ECBA, and other networks
- Available websites, tools, and handbooks
- Challenges ahead

Holger Matt

11:30 Coffee break

Chair: Cornelia Riehle

12:00 **A case example: legal remedies and procedural safeguards in the EU**

- The jurisdiction and role of the Court of Justice of the European Union (CJEU) in dealing with criminal matters
- The preliminary reference procedure
- Violation of Directives

Vânia Costa Ramos

13:00 Lunch

PART II: EUROPEAN CRIMINAL JUSTICE IN DAILY PRACTICE

Chair: Giedrius Danėlius

14:00 **Applying the principle of ne bis in idem**
The principle defined under the latest case law of the CJEU and ECtHR
Balázs Gyalog

14:30 **Workshop: practical cases on ne bis in idem**
In two groups, participants will work on practical cases looking at different issues infringing the principle of ne bis in idem
Balázs Gyalog and Vânia Costa Ramos

15:30 Coffee break

16:00 **Gathering of evidence thorough the European Investigation Order (EIO): implications for the defence**
Vânia Costa Ramos

Objective

Training of defence lawyers with special regard to European criminal law has gained more and more importance over the years. This is not only due to the rising number of measures regarding European instruments of mutual recognition and cooperation in criminal matters like the EAW and the EIO, but also to those instruments being applied in a common manner, which, in turn, is resulting in rising numbers of cases in which such instruments are part of the proceedings.

Hence, this seminar seeks the momentum to offer a first insight into the main issues of European criminal justice exclusively targeted at defence lawyers. Participants will have the possibility to get to know each other and make contact with colleagues from all over the EU to further their professional networks.

About the Project

This seminar is part of a large-scale project co-financed by the European Commission entitled "European Criminal Law for Defence Lawyers". Fifteen interactive, practice-oriented activities will be implemented within this project ranging from face-to-face seminars and conferences to webinars and eLearning tools. For more information, see: <https://training-for-defence.era.int/>

Who should attend?

Defence lawyers, who are citizens of eligible EU Member States participating in the EU Justice Programme (Denmark does not participate) and Albania and Kosovo*.

Venue

ICAB Training Centre
Carrer de Mallorca 283
08037 Barcelona
Spain

CPD

ERA's programmes meet the standard requirements for recognition as Continuing Professional Development (CPD). Participation in the full programme of this event corresponds to **9 CPD hours**. A certificate of participation for CPD purposes with indication of the number of training hours completed will be issued on request. CPD certificates must be requested at the latest 14 days after the event.

- 16:30 **Workshop: practical cases on the EIO**
In two groups, participants will work on practical cases illustrating the active involvement of defence lawyers in the EIO process.
Vânia Costa Ramos and María Barbancho
- 17:30 End of first day
- 20:00 Dinner offered by the organisers

Tuesday, 7 May 2024

- 09:15 Visit of ICAB old library
- 09:45 Registration of participants

Part III: A new player: Working with the EPPO

Chair: María Barbancho

- 10:00 **The establishment of the European Public Prosecutor's Office (EPPO) and the role of defence lawyers in EPPO proceedings**
Ignacio de Lucas Martín (online)
Holger Matt
- 11:00 Coffee break

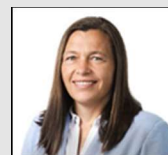
PART IV: Most used: The European Arrest Warrant

Chair: Vânia Costa Ramos

- 11:30 **Understanding the Framework Decision on the European Arrest Warrant (EAW)**
- Scope and content of the Framework Decision
 - Appointment of the lawyer
 - Refusal grounds
 - Guarantees
 - Procedural stages in the executing state
 - The role of the lawyer in the issuing state
- María Barbancho*
- 12:00 **Workshop: how is a defence lawyer involved in an EAW case?**
In two groups, participants will work on two different cases. The cases will illustrate the cross-border cooperation between two defence lawyers retained or appointed in an EAW case.
María Barbancho and Giedrius Danėlius
Vânia Costa Ramos and Holger Matt
- 12:45 **Debriefing on the EAW case studies**
María Barbancho, Vânia Costa Ramos, Holger Matt
- 13:30 End of seminar

For programme updates: www.era.int
Programme may be subject to amendment.

Your contacts



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Save the date

Annual Conference on White-Collar Crime in the EU 2024
Trier & Online, 12-13 March 2024

Summer Course on European Criminal Justice
Online, 17-21 June 2024

Apply online for
“Milestones of European Criminal Justice” online:
www.era.int/?132820&en



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The content of this programme reflects only ERA's view and the Commission is not responsible for any use that may be made of the information it contains.

Application

MILESTONES OF EU CRIMINAL LAW FOR DEFENCE LAWYERS

Barcelona, 6-7 May 2024 / Event number: 324DT106/jr



Terms and conditions of participation

Selection

1. Participation is only open to lawyers in private practice from eligible EU Member States (Denmark does not participate in this EU Justice Programme), Albania and Kosovo*.

The number of open places available is limited (10 places). Participation will be subject to a selection procedure. Selection will be according to professional eligibility, nationality and then "first come, first served".

Interested defence lawyers from Croatia should apply via the Croatian Bar Association.
Interested defence lawyers from Hungary should apply via the Budapest Bar Association.
Interested defence lawyers from Latvia should apply via the Latvian Council of Sworn Advocates.
Interested defence lawyers from Lithuania should apply via the Lithuanian Bar Association.
Interested defence lawyers from Portugal should apply via the Portuguese Bar Association.
Interested defence lawyers from Spain should apply via ICAB.

2. Applications should be submitted before **10 March 2024**.
3. A response will be sent to every applicant after this deadline. **We advise you not to book any travel or hotel before you receive our confirmation.**

Registration Fee

4. €120 including documentation, coffee breaks, lunch and dinner.

Travel and Accommodation Expenses

5. Participants will receive a fixed contribution towards their travel and accommodation expenses and are asked to book their own travel and accommodation. **The condition for payment of this contribution is to sign all attendance sheets at the event.** The amount of the contribution will be determined by the EU unit cost calculation guidelines, which are based on the distance from the participant's place of work to the seminar location and will not take account of the participant's actual travel and accommodation costs.
6. Travel costs from outside Spain: participants can calculate the contribution to which they will be entitled on the European Commission website (<https://era-comm.eu/go/calculator>, table 2). The distance should be calculated from their place of work to the seminar location.
7. For those travelling within Spain, the contribution for travel is fixed at €52 (for a distance between 50km and 399 km). Please note that no contribution will be paid for travel under 50km one-way. For more information, please consult p.10 on <https://era-comm.eu/go/unit-cost-decision-travel>
8. International participants will receive a fixed contribution of €117 per night for up to two nights' accommodation. National participants travelling more than 50km one-way will receive a fixed contribution of €117 for one night accommodation. For more information, please consult p.14 on <https://era-comm.eu/go/unit-cost-decision-travel>. These rules do not apply to representatives of EU Institutions and Agencies who are required to cover their own travel and accommodation.
9. Successful applicants will be sent the relevant claim form and information on how to obtain payment of the contribution to their expenses. Please note that no payment is possible if the registered participant cancels their participation for any reason.

Participation

10. Participation at the whole seminar is required and participants will be asked to sign attendance sheets daily.
11. A list of participants including each participant's address will be made available to all participants unless ERA receives written objection from the participant no later than one week prior to the beginning of the event.
12. The participant will be asked to give permission for their address and other relevant information to be stored in ERA's database in order to provide information about future ERA events, publications and/or other developments in the participant's area of interest.
13. A certificate of attendance will be sent electronically after the seminar.

* This designation is without prejudice to positions on status and is in line with UNSCR 1244/1999 and the ICJ opinion on the Kosovo declaration of independence.

Apply online for
"Milestones of EU
Criminal Law for Defence
Lawyers" online:
www.era.int/?132820&en

Venue

ICAB Training Centre,
C/Mallorca 283,
08037 Barcelona, Spain

Language

English

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