



# The Scope and Application of the EU Charter of Fundamental Rights

## Training for Defence Lawyers

Riga, 5-6 June 2025



EXCELLENCE IN  
EUROPEAN **LAW**

### Speakers

**Ciprian Băban**, Defence Lawyer, Bucharest

**Mielle Bulterman**, Head EU Law Division, Ministry of Foreign Affairs, The Hague

**Alba Hernandez Weiss**, Defence Lawyer, Associate, Oehmichen International, Berlin

**Ieva Milūna**, Lecturer in International Law, Riga Graduate School of Law, Riga

**Maarja Pild-Freiberg**, Attorney at Law, TRINITI Law Firm, visiting Lecturer, University of Tartu

**Marie Poirot**, Attorney-at-Law, BONIFASSI Avocats, Paris

### Key topics

- The system of fundamental rights protection in Europe
- Scope of application and interpretation of the EU Charter
- Relationship with the ECHR
- Rights to an effective remedy and fair trial
- Presumption of innocence and right of defence
- Principles of legality and proportionality of criminal offences and penalties
- *Ne bis in idem*
- Right to privacy: EncroChat and other cases

Language  
English

Event number  
325DT17

Organisers  
ERA (Cornelia Riehle) in cooperation with the Latvian Council of Sworn Advocates



Co-funded by  
the European Union



# The Scope and Application of the EU Charter of Fundamental Rights

Thursday, 5 June 2025

09:00 Arrival and registration of participants

09:15 **Welcome and introduction to the programme**  
Representative of Latvian Council of Sworn Advocates & Cornelia Riehle (ERA)

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## PART I: The Charter

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*Chair: Cornelia Riehle*

09:20 **Protecting fundamental rights in the EU: an overview**

- General principles of EU law
- The EU Charter and its legal value
- Rights and principles in the EU Charter
- The interpretation and application of the Charter
- Relation to the ECHR

*Ieva Mīļūna*

10:45 Coffee break

11:15 **The relevance of the EU Charter for criminal lawyers**

- Rights to an effective remedy and fair trial
- Presumption of innocence and right of defence
- Principles of legality and proportionality of criminal offences and penalties
- *Ne bis in idem*

*Alba Hernandez Weiss*

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## PART II: Recent cases of the CJEU in criminal matters

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*Chair: Cornelia Riehle*

11:45 **The right to an effective remedy and to a fair trial - Article 47 EU Charter**

- CJEU case law development
- Art. 47 practical application
- Relationship with Arts. 41 and 48
- Relation to ECHR

*Mielle Bulterman*

12:15 **Restrictions on Article 47 EU Charter**

- Evidence barriers, court fees, limitation periods

*Mielle Bulterman*

12:35 Discussion

12:45 Lunch

*Chair: Cornelia Riehle*

14:00 **The right not to be tried or punished twice in criminal proceedings for the same criminal offence - Article 50 EU Charter**

- Interpreting case law: From Åkerberg Fransson until today
- Relation to ECHR

*Ciprian Băban*

15:00 Discussion

15:15 Coffee break

15:45 **Presumption of innocence and the right to defence - Article 48 EU Charter**

- Right to be advised, defended and represented
- Right to remain silent and to avoid self-incrimination
- Right to access to court

## Objective

This seminar will provide an opportunity for defence lawyers to improve and update their knowledge of the EU Charter of Fundamental Rights. It will provide participants with a sound knowledge of the scope and interpretation of the EU Charter and its practical implications, in particular with regard to the right to an effective remedy and a fair trial, the presumption of innocence and the right of defence, the principles of legality and proportionality of criminal offences and penalties, and *ne bis in idem*. Participants will have the opportunity to meet and network with colleagues from across the EU.

## About the Project

Training defence lawyers with special regard to European criminal law have gained more and more importance in recent years. Hence, 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 courses. 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), Albania, Bosnia and Herzegovina, Kosovo\* and Ukraine.

\* 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.

## Venue

European Union Representative Office in Riga  
Aspazijas bulvaris 28  
1050 Riga  
Latvia

- Relation to ECHR  
*Alba Hernandez Weiss*

16:30 Discussion  
16:45 End of first day  
19:30 Dinner offered by the organisers

## Friday, 6 June 2025

### PART II – Continued: Recent cases of the CJEU in criminal matters

*Chair: Cornelia Riehle*

09:15 **Principles of legality and proportionality of criminal offences and penalties - Article 49 EU Charter**  
*Ciprian Băban*

10:00 **The right to privacy from the perspective of EncroChat, SkyECC and ANOM**  
*Marie Poirot*

10:30 Discussion

10:45 Coffee break

11:15 **Procedural aspects of bringing the case to the Court of Justice: Preliminary reference procedures**  
*Maarja Pild*

12:45 Discussion

13:00 Closing  
*Cornelia Riehle*

13:05 End of seminar

For programme updates: [www.era.int](http://www.era.int)  
Programme may be subject to amendment.



Times indicated are EEST  
(Eastern European Summer Time)

### 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 **8 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.

### Your contacts



Cornelia Riehle  
Deputy Head of Section  
European Criminal Law  
E-Mail: [criehle@era.int](mailto:criehle@era.int)



Christina Lax  
Assistant  
E-Mail: [claux@era.int](mailto:claux@era.int)  
Tel.: +49 651 937 37 324

### Save the date

**Annual Conference on White-Collar Crime in the EU 2025**  
Trier & online, 20-21 March 2025

**Annual Conference on EU Border Management 2025**  
Trier & online, 10-11 April 2025

**Summer Course on European Criminal Justice**  
Online, 23-27 June 2025

Apply online for “The Scope and Application of the EU Charter of Fundamental Rights”:  
[www.era.int/?133563&en](http://www.era.int/?133563&en)



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# Application

## The Scope and Application of the EU Charter of Fundamental Rights

Riga, 5-6 June 2025 / Event number: 325DT17



### 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, Bosnia and Herzegovina, Kosovo\* and Ukraine.

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 **28 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. €110 including documentation, coffee breaks, lunch and dinner.

is 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.

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1050 Riga  
Latvia

#### Language

English

#### Contact

Christina Laux  
Assistant  
E-Mail: [claux@era.int](mailto:claux@era.int)  
Tel.: +49 651 937 37 324