



Project Funded by the  
European Union

## EUROMED JUSTICE II PROJECT



### WORKING GROUP 3 CRIMINAL AND PRISON LAW

### 2<sup>nd</sup> MEETING: REGIONAL COOPERATION: SYSTEMS CONCERNING CRIMINAL MATTERS

Madrid (ES), 11-12 May 2009

#### AGENDA

#### Sunday 10 May 2009

20.00 Welcome dinner for the representatives of the MEDA countries

#### Monday 11 May 2009

08.30–09.00 Registration of participants

09.00–09.30 Welcome speech.

*Aurora MEJIA*, Director General of International Judicial Cooperation,  
Spanish Ministry of Justice, Madrid (ES)

Representative of the Consortium EIPA-ECR – CGPJ – FIIAPP: *Andrés SALCEDO VELASCO*, Judge, Team Leader of the EuroMed Justice II Project,  
EIPA-ECR, Barcelona (ES)

09.30-09.45 Self-presentation by the participants

09.45-10.00 Presentation of the general framework of this component, the main topics suggested for discussion, the working programme and the methodology to be followed during the meeting.

*Andrés SALCEDO VELASCO*

10.00-10.45 1<sup>st</sup> Presentation on "The EU evolution in the field of international judicial cooperation: from mutual assistance to mutual recognition of judicial decisions. Special reference to the fight against terrorism"

*Fernando IRURZUN MONTORO*, Head of the State Advocates' Office, *Audiencia Nacional*, Spain.

10.45-11.00 Coffee break

11.00-11.45 2<sup>nd</sup> Presentation on "International judicial cooperation: the Council of Europe" (I)

*Carlo CHIAROMONTE*, Head of the Criminal Law Division, Law Reform Department, Directorate General of Human Rights and Legal Affairs, Council of Europe, Strasbourg (FR)

"The international judicial cooperation: the Council of Europe. Special mention of cooperation in the fight against terrorism" (II)

*Alexandre GUESSEL*, Anti-Terrorism Coordinator, Head of the Division of Public International Law and Fight against terrorism, Council of Europe, Strasbourg (FR)

11.45-13.00 Open debate

Chair: *Andrés SALCEDO VELASCO*

13.00-14.00 Lunch

14.00-15.30 Presentation of the current situation in this field in each country by the respective participants of the MEDA countries and debate on the replies to the questionnaire on this topic.

Chair: *Andrés SALCEDO VELASCO*

15.30–16.30 The current situation in the MEDA countries concerning this field. Special reference to the fight against terrorism. Ratification process, implementation and effectiveness of international conventions. (I)

Chair: *Andrés SALCEDO VELASCO*

16.30-16.45 Coffee break

16.45- 17.30 The current situation in the MEDA countries concerning this field. Special reference to the fight against terrorism. Main shortcomings identified in this area that need to be improved in the MEDA region. (II)

Chair: *Andrés SALCEDO VELASCO*

End of the 1<sup>st</sup> day

20.15-22.30 Official dinner offered to the participants by the Spanish Ministry of Justice, restaurant Al Paseo (Paseo de la Habana, 65), Madrid.

## **Tuesday 12 May 2009**

08.45–10.30 Debate. The role of the executive and of the judiciary in international cooperation in criminal matters in the MEDA countries.

Chair: *Andrés SALCEDO VELASCO*

10.30–10.45 Coffee break

10.45–12.00 Debate. Specific proposals to improve the regional structure in this field.

*Andrés SALCEDO VELASCO*

12.00–13.00 Debate. Training as a key issue. Experience of EU countries. Recommendations and training activities to be adopted.

*José María FERNÁNDEZ VILLALOBOS*, Judge, Course Manager of the EuroMed Justice II Project, Barcelona (ES)

*Andrés SALCEDO VELASCO*

13.00-14.00 Lunch

14.00–15.30 Presentation to the participants of the conclusions, recommendations and contributions related to the activities.

15.30–16.00 Coffee break

16.00-17.30 Adoption of the conclusions, recommendations and contributions related to the activities.

17.30-17.45 Closure.

End of the meeting.

## **GENERAL INTRODUCTION**

### **Presentation**

This meeting takes place under the third main component of the project: “Criminal and Prison Law, and Criminal Cooperation.”

During this second meeting devoted to “Regional cooperation systems concerning criminal matters”, we are going to share the international experts’ opinion and the participants’ approach on this topic from their own perspective and respective competences. Through an in-depth and detailed discussion, we will know the current situation related to the topics under discussion, among others the practical problems and the role of the executive and the judiciary in international judicial cooperation in criminal matters in the MEDA countries. In this way, we will know what are the priorities and needs to be addressed through training activities and study visits. We will also define how to better focus the seminars on this component and what are the major issues and elements to be taken into account in order to reach the objectives of this project. In addition, some recommendations on this topic will be adopted and we will start a debate on the final document to be delivered by the working group: the text of the Conclusions.

The recommendations formulated during the 4 meetings of this Working Group will be presented during the regional Conference in 2009.

### **Working Method**

The starting point is that all the participants should be aware that they are the main players of the Working Group in order to provide the information required and to cooperate in defining the strategy and objectives to be achieved through this project.

We expect the experts participating in this working group to have an in-depth knowledge of the topics under discussion and to be able to provide us with a detailed vision of the current situation in their respective countries. We also expect them to have previously prepared themselves for the discussion in order to achieve the most fruitful results. In this context and to ensure a good preparation, the Project Team will provide the participants, at least two weeks before the meeting, with a Summary Note and the topics to be addressed. Nevertheless, the participants should feel free to propose any other topics of their interest.

As the Working Group meeting will only last 2 days, the preliminary preparation of the experts is more than welcome to reach the objectives at such short notice.

## **Experts**

The experts should have the appropriate profile, a comprehensive knowledge and vision, and a sound experience in this field and willing to make an effective contribution to the working group. This will require not only that their country of origin allows them to have enough time available to attend the four meetings planned per component, but more specifically, that between each meeting they have enough time to continue to work together and with the Project Team, virtually through the Project website and/or other means (email, etc.) so as to allow for the continuity of the work and an exchange of information, documentation and ideas with each other.

The quality of the experts proposed is the main guarantee that our joint effort during the Working Groups meetings will result in a good analysis and diagnosis of the situation in each component, and in an exchange of useful, reliable and accurate information. This in turn will lead to a number of proposals for action being made by each Working Group.

## **Expected Results of Working Group 3**

1. To define the overall approach of the topics to be discussed by the international and MEDA experts.
2. To keep abreast of the current situation of transposition and application of international conventions on criminal and prison law in each MEDA country and in the field of cooperation in criminal matters.
3. To discuss more specifically how the work of the Working Group could contribute to reach the main goals of the project with regard to transposition and application of international conventions on criminal and prison law, and international cooperation in criminal matters. Indeed, in this component there is a great concern for the less protected and less privileged groups (minors in prison, alternatives to imprisonment, reintegration of former prisoners, etc., represent some of the major concerns of this project). Transposition is an important stage in a process of reform aiming at covering the need for prison staff training, development of training and activities in prisons and support for vulnerable categories of prisoners like minors. At the same time, the project will take account of the need for alignment on international conventions in the light of the requirements of international judicial cooperation concerning the fight against terrorism and other forms of transnational organised crime. The project's priorities will also include: (1) the identification of initiatives aimed at promoting the use of alternative measures to imprisonment, such as social work or services of general interest; (2) identification of measures that will help the reintegration of former prisoners.
4. To define how to better focus the future activities to be developed under this component (and the major issues and elements to be taken into account in order to achieve the objectives of this project).

5. To draw up a provisional list of possible recommendations that could be developed in the Euro-Mediterranean region related to this component.

### **Specific results expected of the 2nd Meeting of this Working Group**

1. To get a clear picture of the evolution of judicial cooperation in criminal matters in the EU, especially the value and importance of the principle of mutual recognition, their foundations, the political and institutional conditions for their existence and the difficulty and benefits of their implementation .
2. To know the regulatory and legal translation of this principle and the foreseeable future evolution.
3. To be informed of the evolution model in this area at the Council of Europe.
4. In particular, to reflect on the organization of fight against terrorism in the EU and at the Council of Europe: instruments, legal policy, regulatory techniques.
5. To know the current situation in the MEDA countries on the fight against terrorism. Ratification process, implementation and effectiveness of international conventions.
6. To identify the role of the executive and the judiciary in the field of international cooperation in criminal matters in the MEDA countries.
7. Main shortcomings identified in this area that need to be improved in the MEDA region.
8. Training: a key issue. Experience in EU countries. Recommendations and training activities to be adopted.

### **Documentation**

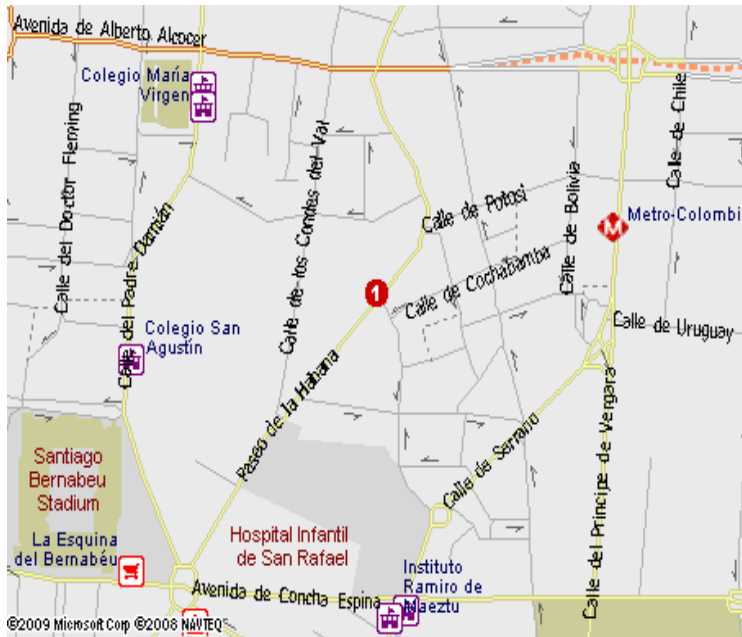
A list of the basic documentation will be provided by the Project Team at least two weeks before the Working Group meeting:

1. Timetable of the Working Groups meetings.
2. Relevant international documentation on the topic produced by the European Union, Council of Europe, United Nations, etc.
3. Other documents, possibly those provided by the participants of the MEDA countries.
4. Bibliography

## Working languages

English and French and Arabic. Simultaneous interpretation will be provided.

## Venue and accommodation



The meeting will take place at :

**1** - Hotel

**NH La Habana**

Paseo de la Habana,73

28036 Madrid

Tel. : +34 91 4430720

Fax : +34 914577579

[www.nh-hoteles.com](http://www.nh-hoteles.com)

**where the MEDA participants will  
also be staying during the meeting**