



Project funded by the  
European Union

## EUROMED JUSTICE II PROJECT



### COMPONENT III CRIMINAL AND PRISON LAW

#### 5<sup>th</sup> Training Seminar

**“THE PRISONER’S STATUS AND THE EUROPEAN CASE-LAW”**

—  
Stockholm (SE), 13-15 July 2010

Lead firm: EIPA-ECR, C/ Girona 20, ES-08010 Barcelona  
Tel. +34 93 567 24 00, Fax: +34 93 567 23 99, [www.euromed-justice.eu](http://www.euromed-justice.eu)



## AGENDA

### Monday 12 July 2010

20.00 - 22.00 Dinner for the representatives of the Mediterranean Partner countries.

### Tuesday 13 July 2010

08:45 - 09:00 **Registration of participants**

09:00 - 09:30 **Welcome speeches**

*Andrés SALCEDO VELASCO*, Judge, Team Leader of the EuroMed Justice II Project, Barcelona (ES)

09:30 - 09:45 Presentation of the EuroMed Justice II Project. Main topics suggested for discussion, the working programme and the methodology to be followed during the meeting.

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

09:45 - 10.30 **Tour de table. Self-Presentation of participants and presentation of the situation in the Mediterranean partner countries.**

*Andrés SALCEDO VELASCO*

Each delegation will have **some 10 minutes** to present itself and to give a presentation on the current situation about the topics covered by this seminar in its own country.

10.30 - 11.00 Coffee break

11.00 - 13.00 **1<sup>st</sup> Presentation on “The legal nature of the penitentiary relation and its control”**

Speaker: *Gonzalo QUINTERO OLIVARES*, PhD, Associated professor in Criminal Law, University of Tarragona, Spain (ES)

13.00 - 14.30 Lunch

- 14.30 - 16.00 **2<sup>nd</sup> Presentation on “The case-law of the ECHR: main criteria”**
- Speaker: *Eric SVANIDZE*, Long-term consultant of the European Union / Council of Europe, Georgia (GE)
- Debate
- 16.00 - 16.30 Coffee break
- 16.30 - 18.00 **“The case-law of the ECHR: main criteria” (cont)**
- Discussion on a practical case
- End of the day

### **Wednesday 14 July 2010**

- 09.30-11.0 **3<sup>rd</sup> Presentation on “Right to life, integrity, respect of privacy and jurisprudential affairs”**
- Speaker: *Eric SVANIDZE*
- Debate
- 11.00 - 11.30 Coffee Break
- 11.30 - 13.00 **“Right to life, integrity, respect of privacy and jurisprudential affairs” (cont)**
- Discussion on a practical case
- 13.00 - 14.30 Lunch
- 14.30 - 17.00 **Practical activity**
- End of the day

## **Thursday 15 July 2010**

- 9.30 - 11.00 **4<sup>th</sup> Presentation on “Other instances of case-law. Disciplinary measures, confinement and short prison sentences”**
- Speaker: *Ramón GARCIA ALBERO*, PhD, Professor of Criminal Law, University of Lleida, Spain (ES)
- Debate
- 11.00 - 11.30 Coffee break
- 11.30 - 13.00 **“Other instances of case-law. Disciplinary measures, confinement and short prison sentences” (cont)**
- Discussion on a practical case
- 13.00 - 14.30 Lunch
- 14.30 - 15.30 **“Tour de table”. Presentation of new developments in each country**
- Each delegation will have **some 10 minutes** to present future developments planned in its country in the field addressed.
- José María FERNÁNDEZ VILLALOBOS*
- 15.30 - 16.00 Coffee Break
- 16.00 - 16.45 **Plenary session, debate, conclusions**
- José María FERNÁNDEZ VILLALOBOS*
- 16.45 - 17.00 Closure of the seminar
- Andrés SALCEDO VELASCO*
- End of the training seminar

## **GENERAL INTROUCTION**

### **The project**

The European Commission launched a regional project in the field of justice in the Euro-Mediterranean area, EuroMed Justice II (January 2008 – January 2011). This project is implemented by a consortium led by the European Institute of Public Administration (EIPA) and composed of the International and Ibero-American Foundation of Administration and Public Policies (FIIAPP) and of the Spanish General Council of the Judiciary (CGPJ).

The European Centre for the Regions (ECR), the Antenna of the European Institute of Public Administration (EIPA) in Barcelona, is the Programme Management Unit for the EuroMed Justice II Project.

The beneficiaries of this project are: the People's Democratic Republic of Algeria, the Arab Republic of Egypt, Israel, the Hashemite Kingdom of Jordan, the Republic of Lebanon, the Kingdom of Morocco, the Palestinian Authority, the Syrian Arab Republic and the Republic of Tunisia.

This project has a total duration of 36 months, between January 2008 and January 2011, with 12 Working groups meetings (already done in 2008-2009), 18 training sessions and 10 study visits to be developed during this period. The project is structured around three different components: Access to justice and legal aid; Resolution of cross-border family conflicts; and Criminal and prison law.

### **The training seminar**

This seminar takes place under the third main component of the project "Criminal and prison law". Most experts consider that training is the core issue in any process of change affecting well functioning institutions and good governance. A complete training, balanced and plural, is a prerequisite if the Judiciary wants to be respected and worthy of respect. For this reason, this second phase of the EUROMED JUSTICE II project will play a relevant role through the training activities in order to contribute to the strengthening of the Euro-Mediterranean justice area. The title of this seminar "The prisoners' status and the European case-law" was agreed during the Working Group meetings held on this component. In particular, this session is focused on the current situation and evolution on these topics as a continuous challenger to be adapted according the news necessities. The different subtopics will enable us to carry out an in-depth analysis of several relevant aspects which are directly linked with the topic to be discussed from a theoretical and practical point of view. We are going to share the international experts' opinion and the participants' approach on these topics from their own perspective, experience 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 legal nature of the penitentiary relation and its control”, “The case-law of the ECHR: main criteria”, “Right to life, integrity, respect of privacy and jurisprudential affairs” and “Other instances of case-law. Disciplinary measures, confinement and short prison sentences”, all of them being main subtopics to be discussed. Thanks to this seminar, we will get to know the different features prevailing in the region and we will learn from each other through the different experiences and views of the participants.

### **Working Method**

Participants should be aware that they are the main players in the training seminar as they will be able to share their respective experience and views related to the topics under review. We expect the experts participating in this seminar 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 date of the seminar, with the agenda, the documents and a list of the relevant documents on the topics addressed. These documents will also be made available on the EuroMed Justice II project website for the participants to download them and will be handed over to the participants in a folder on the occasion of the training seminar.

Moreover we would like to stress that the methodology of the training sessions does not rely on a traditional methodology based on *ex cathedra* classes; rather, the idea is to put a strong emphasis on interactive presentations allowing for a transfer of knowledge and experience. We should not forget that although it is the expert who will determine the framework of the presentation, the objective of the training seminars is not just a transfer of knowledge, but rather to give the participants the possibility of sharing their experience and viewpoints on the issues being addressed. This methodology will then enable them to take advantage from the experience of the other colleagues and, in our opinion, the working atmosphere should facilitate relationships between the participants. In this respect and in order to trigger the debate, practical cases or workshops will be introduced in the different training seminars depending of the topics being discussed.

The quality of the various sessions will be assessed by means of evaluation forms distributed to the participants at the end of the seminar. After each training seminar, its results will be evaluated by the participants, including the knowledge and skills gained and the subjective perception participants have both about the contents and the trainers. It is very important from the very beginning to know the opinion of the

participants because we are aware that although we are doing our best to guarantee the quality of each activity, the participants' viewpoints will help us to perceive some details that can be improved for the next sessions.

### **Experts**

Four (4) experts from each Mediterranean partner country are expected to attend each training seminar.

The experts should have the appropriate profile, a comprehensive knowledge and vision, and a sound experience in this field. They should also be willing to make an effective contribution to the training seminar. Bearing in mind that a "Tour de table" is scheduled both on the first and last day of the seminar, a short presentation prepared ahead of the seminar by each delegation will be required. The quality of the experts proposed is the main guarantee that our joint efforts during the seminars will result in a good analysis and diagnosis of the situation in the fields addressed, and in an exchange of useful, reliable and accurate information.

### **Documentation**

A list of the basic documentation will be provided by the Project Team at least two weeks ahead of the seminar:

- Relevant international documentation on the topic produced by the European Union, the Council of Europe, the United Nations, etc.
- Other documents, possibly those provided by the participants of the Mediterranean partner countries.
- Reading documents.

These documents will be sent to the participants ahead of the meeting together with the list of basic documentation; they will also be handed over to the participants at the training seminar.

### **Working languages**

English, French and Arabic, with simultaneous interpretation during the whole seminar.

## Venue and accomodation



The seminar will take place at the:

**CLARION HOTEL  
STOCKHOLM**

Ringvägen 98

104 60 Stockholm

Tel : +46 8 462 10 00

Fax : +46 8 462 10 99