

Seminar 6: Procedural Rights of Suspected and Accused Persons

Berlin (DE), 12-13 December 2012

Specific Grant Agreement JUST/2010/JPEN/AG/FPA/001
Framework Partnership Agreement JLS/2007/JPEN-FPA/017

Improving Judicial Cooperation in Criminal Matters in the area of Freedom, Security and Justice, Institutional Processes and Topical Areas

Seminar Venue
To be determined

Introduction

Target group: Judges, Prosecutors and Defense Lawyers from France, Denmark, Germany and other Member States.

Description: EU legislation related to rights of suspected and accused persons in criminal proceedings has been a long standing debt of the EU criminal area. Following the lines set by the Roadmap of Strengthening procedural rights adopted by the Ministers of Justice in 2009, the EU has systematically proposed and adopted legislation in this area bringing EU legislation fully in line with the standards set by the European Court of Human Rights.

Method: Presentations complimented by discussions

Objectives: The seminar aims to examine the adopted measures with special attention to paid to their effect in the context of the national criminal proceedings and analyze the proposals currently in the pipe-line.

Experts

To be determined

National Centre for Judicial Studies

Marie-José Delambily

Vice-Prosecutor

High Court Paris

Marie-Jose.delambily@justice.fr

European Institute of Public Administration

Virgil Ivan-Cucu

Senior Lecturer,

European Centre for Judges and Lawyers, EIPA Luxembourg

V.Ivan-Cucu@eipa.eu

Christiane Lamesch

Programme Organiser,

European Centre for Judges and Lawyers,

EIPA Luxembourg

c.lamesch@eipa.eu

Programme

WEDNESDAY 12 DECEMBER 2012

- 09.00 **Welcome and mutual introduction**
- 09.15 **Rights of Suspects and Accused Persons: EU Roadmap on Procedural Rights**
Virgil Ivan-Cucu
- 09.45 **The right to interpretation and translation**
Standards set by the case law of the European Court of Human Rights, Member States' legislation, scope and content of the Directive 2010/64/EU
To be determined
- 10.45 Coffee break
- 11.15 **Directive 2010/64/EU of the European Parliament and of the Council of 20 October 2010 on the right to interpretation and translation in criminal proceedings**
Issues of Implementation: quality of interpretation and translation, the right to interpretation and translation in proceedings related to the European Arrest Warrant
To be determined
- 12.15 **Discussion**
- 12.30 Lunch
- 14.00 **The right to information**
Standards set by the case law of the European Court of Human Rights, Member States' legislation and practice, scope and content of the Directive 2012/13/EU
Marie-José Delambily
- 15.15 **Discussion**
- 15.30 Coffee break

- 15.45 **Directive 2012/13/EU of the European Parliament and of the Council of 22 May 2012 on the right to information in criminal proceedings**
Issues of Implementation: the right to information in proceedings related to the European Arrest Warrant, a European Letter of Rights
Marie-José Delambily
- 17.00 **Discussion**
- 17.15 **End of Day 1**

THURSDAY 13 DECEMBER 2012

- 09.00 **Right to access to a lawyer**
Proposal for a Directive of the European Parliament and of the Council on the right of access to a lawyer in criminal proceedings and on the right to communicate upon arrest – main issues
Virgil Ivan-Cucu
- 10.15 **Discussion**
- 10.30 Coffee break
- 10.45 **Pre-trial Detention**
Strengthening mutual trust in the European judicial area – A Green Paper on the application of EU criminal justice legislation in the field of detention
Virgil Ivan-Cucu
- 11.45 **Discussion**
- 12.00 **Evaluation**
- 12.15 Lunch
- END OF SEMINAR**