



Mutual recognition in evidence gathering and confiscation

Luxembourg, 10-11 March 2015

Grant Agreement JUST/2013/JPEN/AG/4519
Mutual Recognition Instruments in the European Judicial Area

Seminar Venue

European Centre for Judges and Lawyers, EIPA Luxembourg
Building of the Chambre des Métiers, 2 Circuit de la Foire internationale, 1347 Luxembourg

Introduction

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

Description: Collecting evidence in cross-border cases can be a difficult task for competent authorities in the different Member States of the European Union. Composed of different legal and judicial systems, the European Union until now had not have a unique set of rules yet enabling Member States to deal efficiently and uniformly with collection, and recognition of evidence. This seminar will present the different common investigation tools recognised at the EU level (Joint Investigation Teams, Mutual legal assistance requests, freezing orders etc.) as well as the recently adopted new legislative instrument the European Investigation Order. The analysis of those instruments and practical case studies will generate exchanges amongst participants and experts and sharing of best practices

Method: A mixture of presentations, case studies, discussions and workshops.

Objectives: The objective of this seminar is twofold: firstly, helping practitioners to understand and to use the possibilities existing at European level to collect evidence and identifying good practices; secondly, to enhance communication and cooperation in this field between national judicial authorities.

Experts (to be confirmed)

Stéphanie Bosly, Head of the European Criminal Law Unit, Directorate-General for Legislation, Freedom and Fundamental Rights, Federal Ministry of Justice (Stephanie.Bosly@just.fgov.be)

Pascal Gastineau, Vice-President in charge of investigation, District Court Lille (Pascal.Gastineau@justice.fr)

Amelie Leclerq, Visiting Expert at EIPA Luxembourg – European Centre for Judges and Lawyers, Head of Department at the Court of First Instance in Lille

EIPA – European Centre for Judges and Lawyers

Petra Jeney, Senior Lecturer, p.jeney@eipa.eu

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Christiane Lamesch, Programme Organiser, c.lamesch@eipa.eu

Programme

TUESDAY 10 MARCH 2014

- 09.00 **Welcome and mutual introduction**
- 09.15 **Overview of the EU Criminal Justice area, pre-trial measures and collecting evidence - 2000 EU Convention on Mutual Assistance in criminal matters between EU Member states**
Petra Jeney
- 10.15 Discussion
- 10.30 Coffee break
- 11.00 **The European Investigation Order: Main ideas of the directive**
Stéphanie Bosly
- 12.15 Discussion
- 12.30 Lunch
- 13.30 **Practical implications of the European Investigation Order**
Stéphanie Bosly
- 14.45 Discussion
- 15.00 Coffee break
- 15.30 **Request for certain specific forms of assistance: Controlled deliveries and Covert investigations**
Virgil Ivan-Cucu
- 16.15 Discussion
- 16.30 **Request for certain specific forms of assistance: Hearing by videoconference**
Amélie Leclercq
- 17.30 Discussion
- 17.45 End of Day

WEDNESDAY 11 MARCH 2014

- 09.00 **New directions in EU legislation - Proposal for a Directive of the European Parliament and of the Council on the freezing and confiscation of proceeds of crime in the European Union**
Pascal Gastineau
- 10.00 Discussion
- 10.15 Coffee break
- 10.45 **The Camden Asset Recovery Inter-Agency Network (CARIN), EU National Asset Recovery Offices (AROs) and Europol's Role in Asset Recovery**
Pascal Gastineau
- 11.45 Discussion
- 12.00 **Workshop based on a case study**
Petra Jeney
- 12.45 Lunch
- 13.45 **Criminal records and the ECRIS**
Amélie Leclercq
- 14.45 Discussion
- 15.00 Coffee break
- 15.30 **Request for certain specific forms of assistance: Hearing by videoconference**
- 16.30 Discussion
- 16.45 **Future perspectives in evidence gathering**
Petra Jeney
- 17.30 **Evaluation**
- 17.45 **END OF SEMINAR**