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This conference will examine problems that have emerged in the functioning of legal remedies related to mutual recognition instruments in EU criminal justice and debate what legislative and policy steps need to be taken.

Since the entry into force of the Lisbon Treaty and the new legal status of the EU Charter of Fundamental Rights, the Court of Justice of the European Union has been called upon to answer more and more questions on the interplay between the different fundamental principles of EU law in the field of criminal justice.

The recent decisions of the Court of Justice in the *Radu* (C-396/11) and *Melloni* (C-399/11) cases provide a good occasion to examine how the tension between fundamental rights and mutual recognition can be further reconciled in practice and legislation.

Key topics

- Functioning of legal remedies under the European Arrest Warrant (EAW)
- The envisaged regime under the European Investigation Order (EIO)
- Recent CJEU case law in criminal matters

Who should attend?

EU and national civil servants, defence lawyers, judges and prosecutors.

For further information:

Ute Beissel
Tel. +49 (0)651 937 37 320
Fax. +49 (0)651 937 37 773
E-mail: ubeissel@era.int

Online registration:
www.era.int/?123470&en



Speakers and chairs

Suzan van der Aa, Assistant Professor, Tilburg University; International Victimology Institute (INTERVICT), Tilburg

Sir Richard Aikens, Lord Justice of Appeal, Court of Appeal of England and Wales, London

Corina Badea, Course Director, Academy of European Law, Trier

Jodie Blackstock, Director of Criminal and EU Justice Policy, JUSTICE, London

Marjorie Bonn, Senior Legal Advisor, Ministry of Security and Justice, the Hague

Anand Doobay, Consultant, Peters & Peters Solicitors LLP, Member of the UK Government Extradition Review Panel, London

Francisco Jiménez-Villarejo, National Member for Spain, Eurojust, the Hague

Nuno Melo MEP, Member of the Civil Liberties, Justice and Home Affairs Committee (LIBE), Rapporteur on the European Investigation Order, European Parliament, Brussels / Strasbourg

Pawel Nalewajko, Fundamental Rights and Criminal Justice, DG Justice and Home Affairs, General Secretariat of the Council of the European Union, Brussels

Vânia Costa Ramos, Lawyer, Carlos Pinto de Abreu e Associados; Member of the Advisory Board, European Criminal Bar Association (ECBA), Lisbon

Olivier Tell, Head of Unit, DG Justice, European Commission, Brussels

Gert Vermeulen, Professor, Ghent University; Director, Institute for International Research on Criminal Policy, Ghent



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MAKING LEGAL REMEDIES IN EU CRIMINAL JUSTICE MORE EFFICIENT

- The recent CJEU judgments on *Radu* and *Melloni*
- Policy options for achieving coherence in the EU criminal justice system

Brussels, 16-17 May 2013

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Corina Badea, ERA

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Thursday, 16 May 2013

- 13:00 Arrival and registration of participants
- 13:30 Welcome and introduction to the programme
Corina Badea
- 14:30 Mutual recognition as cornerstone of cooperation in criminal matters – reality or wishful thinking?
The EU criminal justice system 14 years after Tampere
Gert Vermeulen
- I. The functioning of the European Arrest Warrant after *Radu* and *Melloni* – are human rights the price to pay?**
- 15:00 Key problems in the functioning of the European Arrest Warrant
Jodie Blackstock
- 15:30 Dual representation in EAW proceedings – how does it and how should it work?
Vânia Costa Ramos
- 16:00 Discussion
- 16:30 Coffee break
- 17:00 Lessons from the *Radu* (C-396/11) and *Melloni* (C-399/11) judgments
Anand Doobay
- 17:30 Discussion
- 18:00 Networking reception
- End of first day

Friday, 17 May 2013

- II. Access to legal remedies for victims and third parties – a forgotten element?**
- 09:30 Protecting the right of property in EU confiscation cases – illusory or real remedies?
Francisco Jiménez-Villarejo
- 10:00 Mutual recognition of probation and custodial sentences from the victim's perspective
Suzan van der Aa
- 10:30 Discussion
- 11:00 Coffee break
- III. EU-wide admissibility of evidence – a step too far? A critical examination of the European Investigation Order**
- 11:30 The system of remedies envisaged by the EIO Directive – a step in the right direction? Policy options for better coherence in EU criminal justice
Gert Vermeulen
- 12:15 Effectiveness of remedies and validity of evidence – how to strike the right balance?
- Are dual remedies feasible / desirable?
 - Should remedies have suspensive effect?
 - The impact of remedies on cooperation and the validity of evidence
- Marjorie Bonn*
- 13:00 Discussion
- 13:30 Lunch

IV. Obstacles to and solutions for coherence in the EU criminal justice system

- 14:30 Overview of key problems in relation to remedies available under the mutual recognition instruments
Jodie Blackstock
- What should EU law- and policymakers do to achieve both a functional prosecution and a fair defence?
Gert Vermeulen
Richard Aikens
Olivier Tell
Nuno Melo
Pawel Nalewajko
- 16:00 Discussion
- 16:30 End of the conference

Programme may be subject to amendment.
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