

European Criminal Law: What Levers for Lawyers?

The European Public Prosecutor's Office – A Promising Future?

Cooperation Between Criminal Lawyers in Europe

Perspectives, Networks, and Legal Challenges

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The Importance of International Work in Criminal Matters



Indispensable cooperation in cross-border cases



European culture, development of good practices



Guarantee fundamental rights within the framework of European arrest warrants, Eurojust, Europol and the EPPO



Public interest: harmonization of procedural standards and defense of the rights of the defense

The CCBE (Council of Bars and Law Societies of Europe)



Organization representing bars and lawyers in Europe

Defends the rule of law, the independence of the profession, and the rights of the defense

Key interlocutor with European institutions

Publishes position papers, recommendations and codes of conduct

Established 1960

 www.ccbe.eu



Bienvenue – CCBE

Le Conseil des barreaux européens est une association de barreaux de 31 pays d'Europe, représentant environ un million d'avocats

The ECBA (European Criminal Bar Association)

The ECBA is the key association for criminal lawyers in Europe, working to strengthen rights and cross-border collaboration.



Defense of rights

Improve procedural rights and defend European standards of criminal law.



Collaboration

Facilitate cooperation between lawyers for cross-border criminal cases.



European network

Bring together criminal law practitioners from all over Europe to exchange best practices.



Established 1998

 www.ecba.org

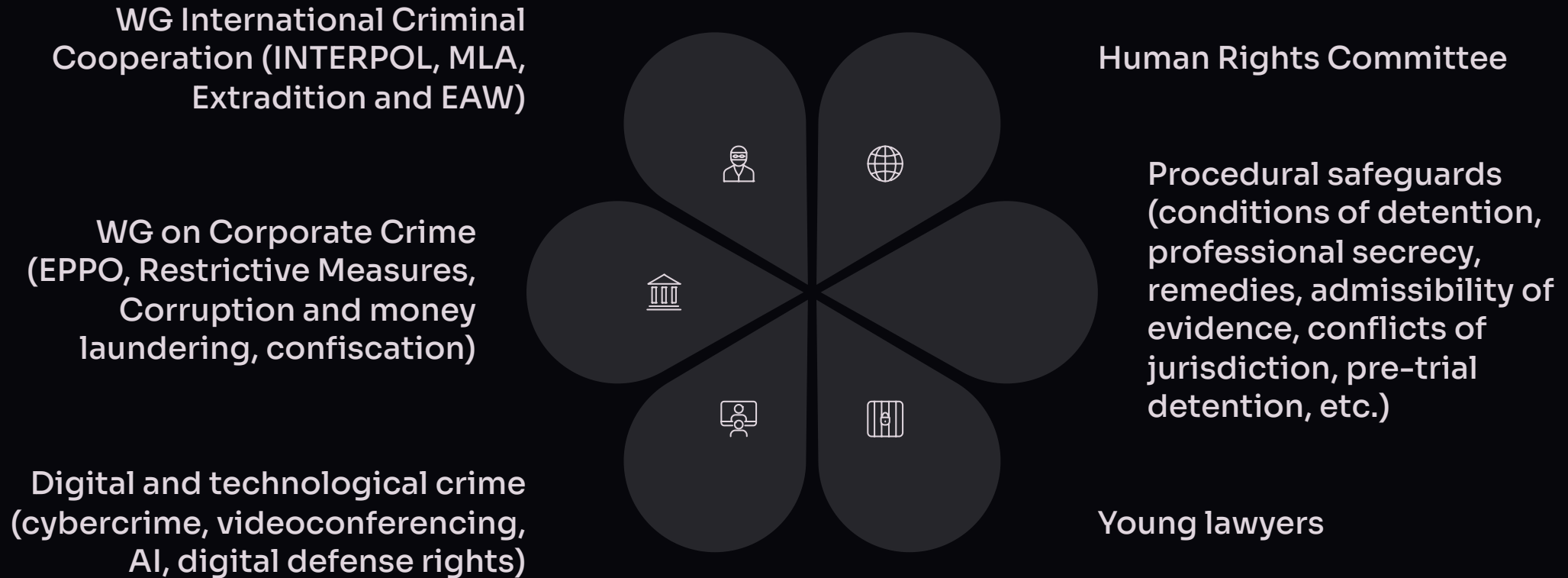


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ECBA – European Criminal Bar Association. An association of...



ECBA's areas and working groups



ECBA Find-a-Lawyer

<https://www.ecba.org/contactslist/contacts-search-country.php>



An online directory of experienced criminal lawyers.



Allows you to find a lawyer in another Member State for colleagues and clients.



A key tool for strengthening cooperation between lawyers.

A futuristic conference hall with blue and purple lighting. In the foreground, four people (two men and two women) in business attire are engaged in a conversation. In the background, there are large digital displays with text like 'LEGALTEC' and 'INNOVATION'.

ECBA CONFERENCE

Bruxelles, 2036

Networking within the ECBA



Biennial conferences in CoE countries (Belgrade, Barcelona, etc.)



Thematic workshops and specialized online seminars



Collaboration and mutual aid platform between colleagues



Direct access to an active community of European criminal law experts

ECBA Position on Article 31 of the EPPO Regulation – GK Case

① Article 31: Role of the courts of the assisting EDP Member State

ECBA Position: Need for enhanced procedural safeguards

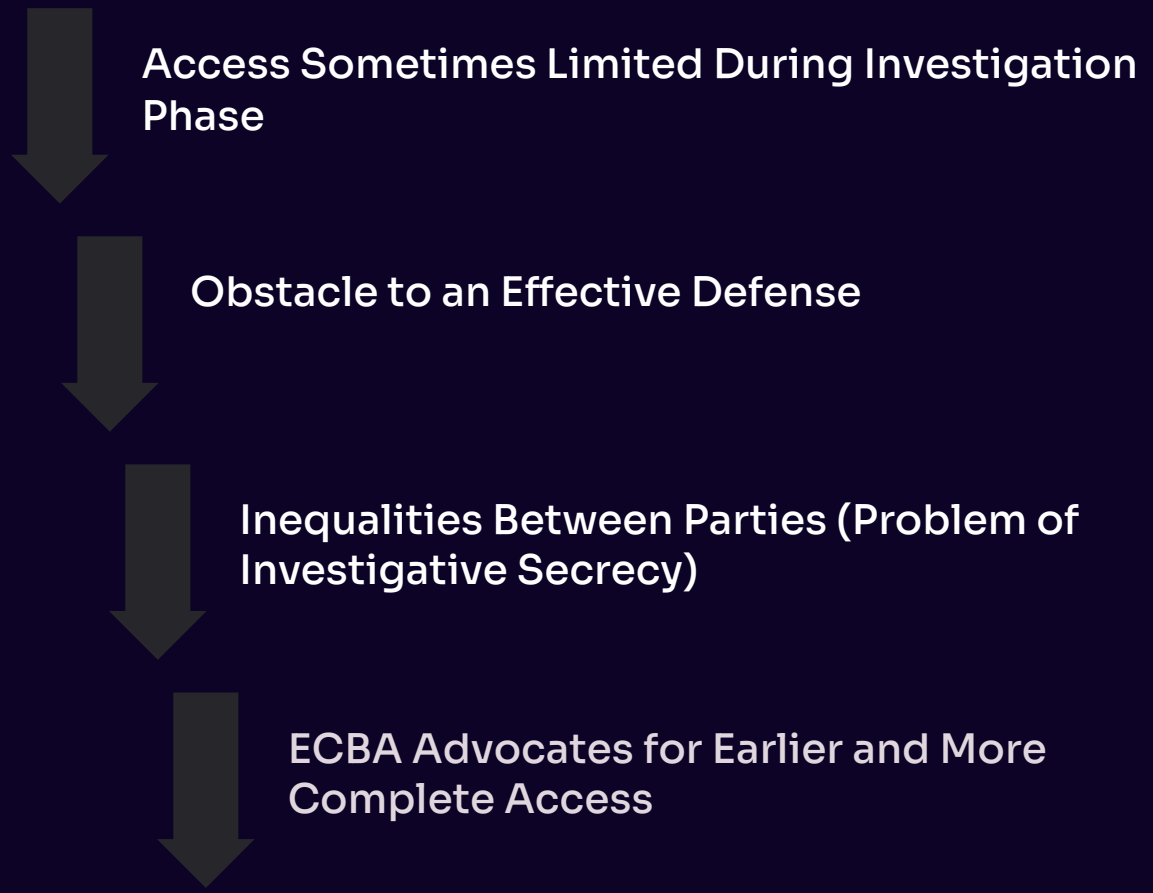
GK Case: No possibility for third parties to intervene in the proceedings

Problems of effective judicial review





Problems Accessing the File



Appeal Against Decisions of the European Delegated Prosecutor (EDP)

Question: Can an appeal be made to the Permanent Chamber?

Legal issue not clearly resolved

Lack of internal remedies within the EPPO

ECBA calls for legislative clarification or protective jurisprudence / practice



Want to learn more about the European Public Prosecutor's Office (EPPO) and the rights of the defense?

1. **Best practices for interpretation and translation rights**: This document delineates proposed best practices essential for maintaining the coherence, efficiency, and consistency of the prosecution policy of the EPPO. Highlighting the critical need for a prosecution system that is credible and instills public confidence, the guidelines aim to set new and higher standards for procedural fairness across EU Member States.
2. **Guidelines on access to the case file**: Addressing key disparities observed within and across Member States concerning access to the case file, this guideline emphasizes the necessity of a fair and transparent process that respects the procedural laws and practices specific to each Member State. It focuses on key aspects for defence involved in the EPPO's proceedings such as the timeline for access, the completeness of the case files, and the inclusion of communications relevant to decision-making processes in EPPO procedures.
3. **Proposal for cross-border evidence gathering**: Reflecting the work of our EPPO Working Group, which organizes monthly meetings to discuss the nuances of EPPO cases, this proposal brings to light the challenges and recommendations for improving cross-border evidence gathering. These insights are derived from real-world experiences and interactions with EPPO and other institutional stakeholders, aiming to bolster practices conforming to the highest standards of fair trial rights and individual protections.

ECBA www.ecba.org



European Public Prosecutor's Office

eppo; European Public prosecution office

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<https://doi.org/10.1177/20322844231157078> (Original work published 2023)

Sage Journals



 Sage Journals



The EPPO and the equality of arms between the prosecutor and the defence¹ – V...

This piece looks at the principle of equality of arms in EPPO proceedings, arguing that it should be looked at as a mandate for maximisation rather than only as...

Interactive Quiz

? Does the regulation establishing the European Public Prosecutor's Office (EPPO) contain rules on access to the file?

A – No

B – Yes

C – Yes, but it refers to:

- ♦ general principles (Charter of Fundamental Rights of the EU)
- ♦ European directives on the right to information and access to the file
- ♦ applicable national law

Thank you for your attention!



Are you a criminal lawyer or involved in European criminal law?



Would you like to contribute to the defense of fundamental rights at the European level?



Want to join an active, committed and influential network?

 **Join the ECBA! www.ecba.org**

 For any questions or exchanges, do not hesitate to contact us:

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