



## **EuroMed Justice Programme**

### **TOPIC 1: INITIATION TO AND TRAINING IN COOPERATION AND INTERNATIONAL JUDICIAL MUTUAL ASSISTANCE IN CRIMINAL MATTERS**

**Seminar 2: Forms of inter-state cooperation: judicial mutual assistance, extradition and enforcement of foreign decisions**

#### **PROGRAMME**

**Barcelona, 13-16 June 2005**

**With the financial support of the:**



European Commission (EC)  
MEDA Programme

**Programme Management Unit:**



**Institut Européen  
d'Administration Publique – Centre Européen des Régions (IEAP-CER)**

**European Institute  
of Public Administration – European Centre for the Regions (EIPA-ECR)**

## **INTRODUCTION and GENERAL INFORMATION**

### **Presentation of the Programme**

This Regional Cooperation Programme in the field of Justice and Home Affairs (EuroMed Justice Programme) for the Mediterranean Partners falls under Chapter 1 of the Barcelona Declaration of November 1995. This programme represents among other a significant step towards creating an area of peace and stability in the Euro-Mediterranean region. The EuroMed Justice Programme has an overall objective of the creation of an inter-professional community of magistrates, lawyers and clerks in the framework of an open and modern justice service, strengthening the rule of law and the effective implementation of the Human Rights standards.

The programme's main objectives are to encourage the exchange of experience, knowledge and good practices and to set up a Euro-Mediterranean network in the field of judicial cooperation.

### **Seminar**

The current seminar on 'forms of inter-state cooperation: judicial mutual assistance, extradition and enforcement of foreign decisions', is the second of four seminars falling under the first topic of the Euro-Med Justice Programme on 'Initiation to and training in cooperation and international judicial mutual assistance in criminal matters'. During the seminar, participants will work on the international mutual assistance in criminal matters at the European Union level as well as in the Mediterranean partners. Through practical cases, they will go through the extradition systems and enforcement of foreign decisions. They will discuss in open debates and working groups the ways to improve this cooperation among Mediterranean partners.

### **Participants**

The participants should be judges, magistrates, court registrars, lawyers, training officers and any other practitioners of the legal professions of the 10 Mediterranean partners and EU Member States.

### **Working Methods**

The seminar will combine plenary sessions and parallel working group sessions.

Due to the high profile of the participants, Mediterranean partners are invited to play an active role in the development of the seminar and will among others present the situation in their respective countries as well as the new developments in this field. We would welcome that, after attending the seminar, participants disseminate the outputs of the seminar through their professional network in order to increase the impact of the seminar.

It will also include case studies, where officials from the EU Member States and Mediterranean partners share and discuss their experiences in the areas covered by the seminar. During the last day, participants will make an evaluation of the seminar. Moreover, a final declaration will be read at the end of the seminar.

The chairperson in every session will introduce the speaker and conduct the debate.

The role of the “rapporteur” of the working group is to follow closely the discussion and report on the results of the working group at the plenary session on the fourth day.

### **Basic documentation provided to participants**

The following documents will be distributed to participants on a CD-ROM at the beginning of the seminar:

- Final Declaration of the Opening Regional Conference of the EuroMed Justice Programme from the 20<sup>th</sup> of December 2004 in Brussels + Minutes of the Conference
- Relevant United Nations' Conventions on the topic (EN-FR)
- Council of Europe relevant conventions (EN-FR)
- Euro-Med Association Agreements
- Relevant documentation produced by the European Union: conventions, White papers, recommendations, etc.
- Relevant web pages, etc.

### **Working languages**

The seminar will be held in English, French and Arabic, with simultaneous interpretation during the working sessions.

### **Venue of the Seminar:**

Escuela Judicial (Judicial School)  
Carretera de Vallvidrera, 43-45  
08017 – Barcelona  
Tel.: + 34 93 406 73 02  
Fax: + 34 93 406 91 64

### **Accommodation:**

Hotel Catalonia Berna  
C/Roger de Llúria, 60  
08009 Barcelone  
Telf: 93 272 00 50  
Fax: 93 272 00 58

### **Organisation of the Seminar:**

European Institute of Public  
Administration - European Centre for the  
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Girona 20  
08010 Barcelona  
Tel. +34.93.5672400  
Fax. +34.93.5672399

## PROGRAMME

**Monday 13 June 2005**

**09.00**      **Arrival at the seminar and registration**

**09.15**      **Opening session**

*Adela GÓMEZ*, Operations manager, DG EuropeAid Cooperation Office, European Commission, Brussels (BE)

**Presentation of the EuroMed Justice Programme and the topic:**  
International Judicial Cooperation in criminal matters.

*Eduardo SÁNCHEZ MONJO*, Director of the EuroMed Justice Programme; Director, European Institute of Public Administration - European Centre for the Regions, EIPA – ECR, Barcelona (ES)

**Welcome speech**

*Joan XIRAU*, Director of the Centre for judicial studies and training, Department of Justice, Generalitat de Catalunya, Barcelona (ES)

*José Francisco VALLS GOMBAU*, Magistrate, Director of the Judicial School, Barcelona (ES)

*José Antonio BORDALLO*, Director General of International Judicial Cooperation, Ministry of Justice, Madrid (ES)

*Juan Pablo GÓNZALEZ*, President of the Commission for International Relations, Judiciary General Council, Madrid (ES)

**09.50**      **Presentation of the seminar about the Forms of Interstate Cooperation:**  
Judicial Mutual Assistance, Extradition and Enforcement of foreign Decisions.

*Manuel de ALMEIDA PEREIRA*, Coordinator of the EuroMed Justice Programme; Senior Lecturer, European Institute of Public Administration - European Centre for the Regions, EIPA – ECR, Barcelona (ES)

**10.00**      **Progresses and contributions in the European Union in the field of cooperation and international judicial mutual assistance in criminal matters.**

Chair: *Humbert DE BIOLLEY* (BE), Council of Europe, Division of Criminal Justice – Department of Crime Problems – DG I-Legal Affairs, Strasbourg (FR)

Speaker: *Ana GALLEGO*, Deputy Director General, Department of Judicial Cooperation, Ministry of Justice, Madrid (ES)

- 11.00** Break
- 11.30** **Open Debate**
- 12.00** **Current situation and progresses in the Mediterranean area**
- 5 MEDA partners should present their general situation in this topic (alphabetical order)**
- Part I**
- Chair: *Ana GALLEGO*
- 13.00** **Lunch**
- 14.30** **5 MEDA partners should present their general situation in this topic**
- Part II**
- Chair: *Ana GALLEGO*
- 15.30** **Break**
- 16.00** **Open debate**
- 17.00** **End of the day**

**Tuesday 14 June 2005**

- 09.00** **Extradition and systems of deliveries**  
*(To illustrate with practical cases)*
- Chair: *Abdeljouad RAISSI*, Magistrate, *Institut Supérieur de la Magistrature*, Rabat (MA)
- Speaker: *Juan Carlos da SILVA OCHOA* (ES), Magistrate and Expert from the Council of Europe, Strasbourg (FR).
- 09.40** **European arrest warrant**  
*(To illustrate with practical cases)*
- Chair: *Carlos ALMELA VICH*, Magistrate, Judiciary General Council, Madrid (ES)
- Speakers:  
*Wouter VAN BALEGOOIJ*, T.M.C. Asser Institute, The Hague (NL)
- Carol PERALTA* (MT), Chief International Judge of the Supreme Court of Kosovo for the United Nations Mission in Kosovo (UNMIK), Department of Peacekeeping Operations, Pristina (FYR)

- 11.00** Break
- 11.45** **Open Debate**
- 13.00** Lunch
- 14.30** **Working Group:** Recognition and enforcement of judicial decisions (case studies)
- Chair: *Esther PIAS*, Deputy Director, European Union affairs and International Organisations, National Coordinator for Spain, Ministry of Justice, Madrid (ES)
- Mr Van Balegooij and Mr Peralta will present some practical cases to be discussed in each working group.
- This working group will be divided into 4 groups. A “rapporteur”, nominated by each working group, will present the conclusions at the plenary session. A chair will also be nominated by each working group.
- 17.00** **End of the day**

**Wednesday 15 June 2005**

- 09.00** **Specific and open multilateral agreements in the field of international mutual assistance**
- Chair: *Emilio Jesús SÁNCHEZ ULLED*, Magistrate from the Office of the Spanish Public Prosecutor, Barcelona (ES)
- Speaker: *Durmus TEZCAN*, Professor and Criminal Law Lecturer and Expert in Turkey, Ankara (TR)
- 09.45** **Open Debate**
- 10.15** **Organised visit to the Judicial School:** presentation on how the judicial school works in Spain and visit to the facilities at the judicial school.
- Speaker: *Andrés SALCEDO*, Head of Unit of External Relations of the Judicial School, Barcelona (ES)
- 11.00** **Break**
- 11.30** **Finding and usage of evidences: incorporation of new technologies**
- Chair: *Saad SHUHAIBAR*, Judge, High Court of Justice (PA)
- Speaker: *Emilio Jesús SÁNCHEZ ULLED*

**12.30 Open Debate**

**13.00 Lunch**

**14.30 Working Group: Presentation of the atlas and practical cases**

Chair: *Joana FERREIRA*, Head of the Bureau on Comparative Law and Human Rights, Prosecutor's General's Office; Coordinator of the International Cooperation Department, Lisbon, (PT)

In this working group, the Portuguese delegate will show to the participants, through a multimedia presentation, how the atlas works and its practical use.

**17.00 End of the day**

### **Thursday 16 June 2005**

**09.00 Eurojust: liaison magistrates and European judicial network**

Chair: *Durmus TEZCAN*

Speakers:

*Ruben JIMÉNEZ FERNÁNDEZ* (ES), Spanish Representative in Eurojust, The Hague (NL)  
*Joana FERREIRA*

**10.30 Open Debate**

**11.00 Break**

**11.30 Supports, training courses and international relations service: internal network**

Chair: *Nassib ELIA*, Judge, Ministry of Justice, Beyrouth (RL)

Speakers:

*Abdeljouad RAISSI*, Judge attached to the High Institute of Magistrature, Rabat (MA)  
*Enrique GRANDE BUSTOS*, Magistrate, Court of First Instance and Preliminary Investigations, El Prat de Llobregat, Barcelona (ES)

**12.30 Open Debate**

**13.00 Lunch**

**14.30**            **Presentation of the working groups' conclusions and general discussion.**

Chair: *Alejandra MARTÍNEZ BOLUDA*, Assistant to the Coordinator, EuroMed Justice Programme; European Institute of Public Administration - European Centre for the Regions, EIPA – ECR, Barcelona (ES)

**15.30**            Follow-up activities resulting from this seminar: Presentation of new developments in each MEDA country.

Chair:    *Ehad Maher ELSONBATY*, Judge, Member of the Technical Office for International and Cultural Cooperation, Ministry of Justice, Cairo (ET)

**16.30**            **Final Declaration**

*Eduardo SÁNCHEZ MONJO*

**17.00**            **Closing of the Seminar**

*Eduardo SÁNCHEZ MONJO*  
*José Francisco VALLS GOMBAU*

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## **LIST OF PARTICIPANTS / LISTE DES PARTICIPANTS**

### **ALGÉRIE/ ALGERIA**

Messouad BOUFERCHA  
Juge ; Président de la Cour d'Alger ;  
Président de la chambre du Conseil d'Etat

Ouardia NAIT KACI  
Magistrat  
Président de la Cour de Bouira

### **EGYPT/ ÉGYPTTE**

Ehab Maher ELSONBATY  
Judge; Member of the Technical Office for  
International and Cultural Cooperation

Mohamed El Taher SALEM  
Counselor of the International and Cultural  
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### **ISRAEL/ ISRAËL**

Liat LEV-ARI  
Head of the Legal Assistance Unit,  
Interpol and International Operations  
Division

Tal WERNER KLING  
Senior Deputy to the State Attorney  
Ministry of Justice

### **JORDAN/ JORDANIE**

Abdal Mhyi QARALLEH  
Judge

Mohamed AL BASSAL  
Judge

### **LEBANON/ LIBAN**

Nassib ELIA  
Judge of the District Court of Mont  
Liban Ministry of Justice

### **MAROC/ MOROCCO**

Abdel Jouad RAISSI  
Magistrat détaché à l'Institut Supérieur de  
la Magistrature

Aniss MOHAMMED  
Procureur du Roi auprès du Tribunal de  
1<sup>ère</sup> Instance de Mohammedia

### **PALESTINIAN AUTHORITY / AUTORITÉ PALESTINIENNE**

Saad SHUHAIBAR  
Judge; High Court of Justice

Nassar MANSOUR  
Judge; Court of 1<sup>st</sup> Instance of Jericho

### **SYRIA/ SYRIE**

Fuad DARWISH  
Judge  
Member of the Cassation's Court

Ali DIB  
Judge  
Counselor and Member of the Cassation's  
Court.

### **TUNISIE/TUNISIA**

Mohamed KAMMOUN  
Juge d'instruction

Heidi JETLAOUI  
Procureur de la République

### **TURKEY/ TURQUIE**

Alper TASKIRAN  
Public Prosecutor

Omer ATABEY  
Judge  
Coordinator of the EU Affairs

**COUNCIL OF EUROPE / CONSEIL DE L'EUROPE**

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Portuguese National Coordinator for the EuroMed Justice Programme

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Ankara

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Judiciary General Council  
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Andrés SALCEDO  
Magistrate and Head of Unit of External Relations of the Judicial School  
Barcelona

Emilio Jesús SÁNCHEZ ULLED  
Magistrate from the Office of the Spanish Public Prosecutor  
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**UNITED NATIONS OFFICE FOR DRUGS AND CRIME (UNODC)**

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Enrique GRANDE BUSTOS  
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