



EuroMed Justice Programme

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

**Seminar 3: Enforcement: implementing rules of constraint measures,
enforcement authorities and enforcement of judgements**

PROGRAMME

Rabat, 18 - 21 July 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 others 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 creating 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 'Enforcement: implementing rules of constraint measures, enforcement authorities and enforcement of judgements', is the third 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 relevant documents about enforcement of judgements and judicial acts in the Meda partners and on the modalities of enforcement of judgements at the international level's context. They will analyse the role of the enforcement authorities and they will discuss in open debates and working groups mechanisms of unification in the enforcement of judgements among Euro-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 of the 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 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 complete an evaluation form about 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 20th 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:

Institut Supérieur de la Magistrature
Avenue Sarou
2170 RYAD
Rabat
Morocco
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Programme organisation:

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Accommodation:

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10000 Rabat – Morocco
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PROGRAMME

Monday 18 July 2005

08.15 **Arrival at the seminar and registration**

08.30 **Opening session and welcome speech**

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)

08.45 **Political speeches**

Moulay Paiïb CHERKAoui, Director of Criminal Affairs and Pardon Directorate, Ministry of Justice (MA), on behalf of the Minister of Justice.

Mohamed SAID BENAMI, Director General of the *Institut Supérieur de la Magistrature* (MA)

Rosa María GILI, Representative of the EC Delegation in Rabat (MA)

09.05 **Self Presentation of participants**

09.10 **Presentation of the seminar about enforcement: implementing rules of constraint measures, enforcement authorities and enforcement of judgements.**

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)

09.15 **General introduction about the topic of the seminar**

Chair: *Lahbibe BIHI*, Professor at the Law Faculty in Rabat (MA)

Speaker: *Evert STAMHUIS* from EULEC (European Institute for Freedom, Security and Justice - vzw), Brussels (BE)

09.45 **Open debate**

10.15 **Presentation of the Mutual Legal Assistance Tool**

Chair: *Khaled ABOUALI*, Detached to the President Services – International Relations Department – Department of Public Federal Justice of the Belgium Ministry of Justice, Brussels (BE)

Speaker: *Ingeborg DAAMEN* from the United Nations Office on Drugs and Crime (UNODC), Vienna (AT)

10.45 Open debate

11.00 Break

11.30 Relevant documents about enforcement of judgements and judicial acts in Morocco

1. Penal Procedure Code
2. Penal code
3. Special legal documents on this topic
4. Bilateral and multilateral conventions

Chair: *Kamal RIMAWAL*, Magistrate at the Court of 1st Instance in Amman (HKJ)

Speaker: *Abdeljaouad RAISSI*, Advocate General at the Supreme Court and seconded to the High Institute of Magistrature, Rabat (MA)

12.15 Open debate

12.45 Lunch

14.15 The remaining 9 MEDA delegations will make a brief presentation of 10 minutes each, about the general situation of the sub-topic in their own countries.

Chair: *Kamal RIMAWAL*

15.30 End of the day

Tuesday 19 July 2005

08.45 Enforcement of judgements and judicial acts (I): modalities of execution in the international level's context (European Union and others).

Chair: *Doğan SOYASLAN*, Professor Expert on Criminal Law, University of Ankara (TR)

Speakers: *Rachid MECHKAKA*, President of the Court of 1st Instance of Rommani (MA)

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)

10.15 **Open debate**

10.45 **Break**

11.15 **Role of the enforcement authorities: Implementing measures**

Chair: *Erdogan ISHAKOGLU*, National Coordinator of the EuroMed Justice Programme for Turkey, Head of Unit – Directorate of the EU Affairs, Ankara (TR)

Speaker: *Fabrizio GANDINI*, Italian Magistrate assigned to Office II of the General Directorate for Criminal Affairs, Italian Ministry of Justice, Rome (IT)

12.00 **Open debate**

12.30 **Lunch**

14.00 **Working Group: 2 Case studies on enforcement of judgements.**

This working group will be divided into 4 groups. A “rapporteur”, nominated by each working group, will present the conclusions at the plenary session.

Chair: *Mohamed Idrissi AMRAOUI*, National Focal Point of the EuroMed Justice Programme for Morocco, *Institut Supérieur de la Magistrature*, Rabat (MA)

16.00 **End of the day**

Wednesday 20 July 2005

09.00 **Enforcement of judgements and judicial acts (II)**

Chair: *Khairy EL KABASH*, Justice Head of Appellate Court and Member of the Judicial staff of the International and Cultural Cooperation of the Ministry of Justice, Cairo (ET)

Speaker: *Doğan SOYASLAN*

09.45 **Open debate**

10.15 **Break**

10.45 **Implementing rules of constraint measures**

Chair: *Abdellah ALAOUI BELGHITI*, King’s Public Prosecutor at the Appeals Court of Casablanca (MA)

Speaker: *Luis Carlos PELLUZ ROBLES*, Magistrate of the Instruction Court number 17, Madrid (ES)

11.30 Open debate

12.00 Lunch

13.30 Mechanisms of unification in the enforcement of judgements among Euro-Mediterranean partners

Chair: *Carol PERALTA*

Speaker: *Mohamed EDDAHBI*, Advocate General at the Supreme Court and seconded to the Ministry of Justice, Criminal Matters and Pardon Directorate, Rabat (MA)

14.30 Open debate

15.00 End of the day

20.00 Dinner offered by the Ministry of Justice

Thursday 21 July 2005

08.15 Working group on the Mechanisms of unification in the enforcement of judgements among Euro-Mediterranean partners

This working group will be divided into 4 groups. A “rapporteur”, nominated by each working group, will present the conclusions at the plenary session.

Chair: *Mohamed EL AYOUBI*, Director of initial training and magistrates at the *Institut Supérieur de la Magistrature* (MA)

10.15 Break

10.45 The problematic related to the enforcement of judgements and judicial acts in criminal matters

Chair: *Luis Carlos PELLUZ ROBLES*

Speaker: *Orlando AFONSO*, Magistrate from the High Court of Évora (2nd Instance Appeal’s Court), Lisbon (PT)

11.30 Open debate

12.00 Lunch

13.30 Presentation of the working groups’ conclusions and general discussion.

Chair: *Bahri SAADALLAH*, Magistrate, Public Prosecutor at the Court of Mascara, Alger (DZ)

14.00 Presentation of the new developments in each Mediterranean partner: follow up activities.

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

14.30 Final Declaration

Eduardo SÁNCHEZ MONJO

14.50 Final remarks about the forthcoming seminars

Manuel ALMEIDA PEREIRA

15.00 Closing of the Seminar

Adela GÓMEZ
Eduardo SÁNCHEZ MONJO