



JUSTICE

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a JUSTICE conference

EUROWARRANT

European extradition in the 21st century

THE CONFERENCE CENTRE
OF GREAT BRITAIN

5-6 July 2003

The Conference Centre at Church House, Westminster,
London, UK

Organised in
association with



The European Arrest Warrant will replace existing extradition procedures within the EU by 2004.

Within this new framework, national judges in EU countries will directly enforce arrest warrants issued in other member states, without reference to the executive. The warrant marks a major advance in mutual recognition between criminal justice systems within the European Union and will provide the model for further developments.

- Is this a welcome move towards a genuine European judicial space?
- How well will mutual recognition work in practice?
- Will individual rights and freedoms be adequately protected?
- Does the European Arrest Warrant create a need for EU minimum standards in criminal procedures?

JUSTICE's conference will gather extradition experts from across Europe to consider issues ranging from the constitutional to the procedural, focusing on the protection of individual and defence rights.

This is a unique opportunity for legal practitioners, academics and policy makers to keep abreast of crucial developments in extradition law.

Keynote speakers will include:

Lord Justice Sedley, Court of Appeal of England and Wales

Florence Schmidt-Pariset, National Expert, European Commission DG JHA

Professor Elspeth Guild, International lawyer, University of Nijmegen & Kingsley Napley Solicitors, London

Judge Baltasar Garzón, Spanish investigating magistrate involved in extradition cases including General Pinochet

Paul Garlick QC, Senior barrister and extradition specialist,
35 Essex Street, London

Caroline Morgan, External Expert, European Commission DG JHA

Cost
£120/€200

The Nuffield Foundation
www.nuffieldfoundation.org

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35 ESSEX STREET

Saturday 5 July 2003

DAY 1 CONFERENCE PROGRAMME

Chaired by Roger Smith, Director of JUSTICE

09.30 Registration and coffee

10.00 Keynote Speech: Mutual recognition – mutual trust?

Lord Justice Sedley, Court of Appeal of England and Wales

Mutual recognition is the cornerstone of judicial co-operation in the EU on criminal matters. As decisions on human rights in extradition are moved from the executive to the judiciary, how far will the degree of mutual trust between the judiciaries of member states affect the functioning of the European Arrest Warrant (EAW)?

10.30 The European Arrest Warrant: flagship of mutual recognition

Florence Schmidt-Pariset, DG JHA, European Commission

What effect will the Framework Decision on the European Arrest Warrant have on extradition practice in Europe? This session will analyse expected changes and consider the developing principle of mutual recognition in justice and home affairs.

11.10 Questions

11.30 Coffee

Chaired by Matti Wuori MEP

11.50 The EU's constitutional future

Prof Elspeth Guild, University of Nijmegen, Kingsley Napley Solicitors, JUSTICE Council Member

The EAW is part of a wider extension of EU criminal law. As this area develops, who should decide what that law should be and who should enforce it at European level? This session will consider some of the options arising out of the Convention on the Future of Europe.

12.20 Overcoming constitutional barriers

Panel members will outline how different countries have had to adapt their constitutions when introducing the EAW and will discuss the public law challenges for the EAW in national constitutional courts.

Prof Dr Helmut Epp, former Judge, Legal Adviser to the Austrian Parliament

Prof Michael Plachta, Dean of the Faculty of Law, University of Gdansk, Poland

13.00 Lunch

Chaired by Susie Alegre, Senior Legal Officer, JUSTICE

14.00 Keynote speech: Taking the politics out of extradition?

Judge Baltasar Garzón, Magistrate, Spain

Is the eurowarrant a positive step towards separating law from politics or does it risk politicising the judiciary?

14.40 Questions

15.00 Coffee

Chaired by Stellan Garde, ICJ, Sweden

15.20 Extradition and the ECHR

Paul Garlick QC, 35 Essex Street

What issues have arisen in extradition cases in ECHR jurisprudence? What difference is the EAW likely to make in solving problems or creating new challenges?

15.50 Protecting individual rights in different member states

Panel members will discuss the approaches taken by different countries to ensure protection of individual and defence rights in implementing the EAW.

Wolfgang Kaleck, German defence lawyer, RAV

Angelo Mambriani, Judge, Milan

Andre Klip, Professor of Criminal Law, Criminal Procedure and International Criminal Law at Maastricht University

16.50 Closing Remarks: European defence rights

Susie Alegre, Senior Legal Officer, JUSTICE

17.00 Close and wine reception sponsored by 35 Essex Street



EU MINIMUM STANDARDS The way forward

Sunday 6 July 2003 Venue: Museum of London, London Wall, London UK

DAY 2 CONFERENCE PROGRAMME

*Chaired by Professor Elspeth Guild,
Joint Chair European Standing Committee, ICJ*

09.30 Coffee

10.00 Introduction from Chair

10.10 The proposed Framework Decision on minimum standards in procedural safeguards for suspects and defendants

Caroline Morgan, Expert, DG JHA, European Commission

10.40 JUSTICE proposal on minimum standards in cross-border criminal cases

Roger Smith, Director, JUSTICE

11.00 Other ICJ Initiatives for defence rights in the EU

Presentations from ICJ sections

11.30 Coffee break

11.50 The way forward for defence rights in Europe

Discussion

12.30 Lunch and Close

The European Commission is working on a proposal for a Framework Decision on minimum standards in procedural safeguards for suspects and defendants. This will meet the rapid advancement in prosecution-led judicial co-operation in the EU signalled by the EAW. The second day of the conference will be dedicated to discussing the issues around EU minimum standards in criminal procedure, weighing up the ideals against the realities and feeding in to the development of this new area of EU law.

FURTHER INFORMATION

ICJ Sections Meeting and Reception

(Friday 4 July, offices of Clifford Chance LLP, London)

Representatives of the European sections of the International Commission of Jurists are invited to a meeting on the afternoon of Friday 4 July. Please indicate overleaf if you would like to attend. Details will have been sent to your section. We are grateful to Clifford Chance LLP for their sponsorship of this event.



What is the International Commission of Jurists?

The International Commission of Jurists (ICJ) is dedicated to the primacy, coherence and implementation of international law and principles that advance human rights. Further details are available from www.icj.org



What is JUSTICE?

JUSTICE is an all-party law reform and human rights organisation based in the UK which is the British section of the International Commission of Jurists. It works to advance justice, human rights and the rule of law. For further details and how you can become a member see www.justice.org.uk

Sponsors

JUSTICE is grateful for the financial assistance which has allowed us to hold the conference and to fund a limited number of bursaries:

Grant aid has primarily come through the Grotius II programme of the European Commission.

www.europa.eu.int/comm/dgs/justice_home/index_en.htm

The Nuffield Foundation, an endowed trust in Britain, funds JUSTICE's project on EU justice and home affairs. www.nuffieldfoundation.org

Clifford Chance LLP is one of the world's foremost international law firms. www.cliffordchance.com

35 Essex Street is a leading London-based barristers' chambers, with specialist teams in corporate crime, extradition and public law. www.35essexstreet.com



The Nuffield Foundation
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Useful documents and website links

Council Framework Decision of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States (2002/584/JHA) OJ L 190/1 of 18.7.2002 (available from the JUSTICE website - see below)

JUSTICE briefings, documents and links on EU justice and home affairs issues
www.justice.org.uk/ourwork/eu/index.html

UK Home Office website – includes documents relating to Extradition Bill and the EAW
www.homeoffice.gov.uk/extraditionbill/documents.htm

UK Parliament website – includes debates and reports on the Extradition Bill.
www.parliament.uk

EU justice and home affairs website
www.europa.eu.int/pol/justice/index_en.htm

French National Assembly website – includes a report on the EAW
www.assemblee-nationale.fr/

Spanish Extradition Bill (available from the JUSTICE website - see above)

BOOKING INFORMATION

Conference fees

£120 UK Sterling / €200 (bursary places available)

10% discount for JUSTICE members

Language

The languages of the conference will be English and Spanish.

How to book

To reserve your place on this conference, please complete and return the form below. Bursary applicants should complete the booking form and the bursary application form which is available online at www.justice.org.uk or from the JUSTICE office.

Your booking form should be returned to:

Conference Organiser, JUSTICE, 59 Carter Lane, London, UK EC4V 5AQ.
DX 323 Chancery Lane. Tel. +44 (0)20 7762 6437 Fax. +44 (0)20 7329 5055
conferences@justice.org.uk

Payment of conference fees

Please note that payment **must** be received by 1 July 2003.

Payment should be made to 'JUSTICE' and can be via cheque, postal order, banker's draft or electronic bank transfer. UK sterling is preferred but Euros will also be accepted. If you wish to pay by electronic bank transfer, please tick the appropriate box below to request an additional form.

In the event of a cancellation, JUSTICE will be unable to reimburse conference fees but will accept a substitute delegate.

Unable to attend?

The conference papers will be incorporated within a JUSTICE publication on the Eurowarrant. To be kept informed of availability of this publication, please email a request with your contact details to admin@justice.org.uk

Bursary places

A small number of bursary places have been funded for those, primarily from EU and candidate countries, who would otherwise be unable to attend the conference.

Application may be made for funding to cover any or all of the following elements:

- Conference fee only
- Travel expenses
- Accommodation

The deadline for applications is **16 May 2003**. Applicants will be notified within two weeks of this date.

Full details of the bursary scheme and how to apply are available from our website

www.justice.org.uk or by contacting the conference organiser on +44 (0)20 7762 6437 or conferences@justice.org.uk

BOOKING FORM

EUROWARRANT European extradition in the 21st century 5-6 July 2003

Please book _____ places at £120/200 Euro
(state number)

Sub total _____

I am a JUSTICE member - please deduct 10% (£12)

Minus _____

Total fee enclosed _____

- I enclose a cheque/postal order/banker's draft (*delete as appropriate*)
- Please send me the form to pay by electronic bank transfer
- I am applying for a fees bursary and attach the application form
- Please send me a receipt

To help us monitor numbers, please indicate which conference sessions you plan to attend:

- I plan to attend on 5 July only
- I plan to attend on 5 & 6 July
- I plan to attend the ICJ sections meeting on 4 July (I am a member of the _____ ICJ section)

Contact details

Name (Delegate 1) _____ Name (Delegate 2) _____

Organisation _____

Full address with postcode _____

Country _____ DX address (UK) _____

Tel _____ Fax _____

Email _____ Please tick if email correspondence is preferred

Please tick if you do not want to receive marketing information from JUSTICE

Special needs Dietary Access Audio/visual Other

Please specify requirements _____