



Applying the European Arrest Warrant in Practice

- Pre-Trial Detention
- Mutual Trust and Legal Assistance

Online, 28-29 September 2023



EXCELLENCE IN
EUROPEAN LAW¹

Speakers

Jesca Beneder, Team Leader for Detention and European Arrest Warrant, Criminal Procedural Law Unit, DG Justice and Consumers, European Commission, Brussels

Dr Manuella Brillat, Lawyer, *4T8 avocats*, Strasbourg

Vânia Costa Ramos, Partner, Carlos Pinto de Abreu & Associates, Lisbon; Vice-Chair of the European Criminal Bar Association (ECBA)

Katarzyna Dąbrowska, Lawyer, Pietrzak Sidor & Partners, Warsaw

Ramin Farinpour, Senior Lawyer, European Criminal Law Section, ERA, Trier

Dr Matylda Pogorzelska, Legal Research Project Manager, Research & Data Unit, European Union Agency for Fundamental Rights (FRA), Vienna

Dr Florentino-Gregorio Ruiz Yamuza, Senior Judge, Appeal Court of Huelva; Member of the Spanish Judicial Network for International Cooperation in Criminal Matters

Juan Ignacio Signes de Mesa, Legal Secretary, Court of Justice of the European Union, Luxembourg

Kasper van der Schaft, Senior Prosecutor, Head of the International Legal Assistance Centre, Amsterdam

Key topics

- Best practice, mutual trust and recognition of judicial decisions
- Pre-trial detention within the context of EAW proceedings and its impact on prisoners
- Case law of the CJEU and ECtHR in relation to the EAW and the application of mutual legal assistance
- The EU Fundamental Rights Agency's online tools to assist judges and other legal practitioners in EAW decisions: the European Fundamental Rights Information System (EFRIS)

Language
English

Event number
323D124

Organiser
Ramin Farinpour (ERA)

Applying the European Arrest Warrant in Practice

Thursday, 28 September 2023

08:40 Connecting to the videoconference platform and getting familiar with it

09:00 **Welcome and introduction**
Ramin Farinpour

I. THE ECtHR's AND CJEU's RELEVANT JURISPRUDENCE

Chair: Ramin Farinpour

09:05 **Detention conditions, pre-trial detention and the EU mechanisms of mutual recognition (EAW and ESO): case-law of the European Court of Human Rights**
Manuella Brillat

09:45 Discussion

10:00 **Detention conditions, pre-trial detention and the EAW: effect of the Court of Justice of the European Union's judgments on mutual trust and mutual recognition**
Juan Ignacio Signes de Mesa

10:45 Discussion

11:00 Break

II. PRE-TRIAL DETENTION AND APPLYING THE EAW IN PRACTICE

Chair: Ramin Farinpour

11:30 **Is the EAW being implemented and used correctly? The European Commission's latest reports and findings**

- EAW implementation reports
- Recommendation on the procedural rights of suspects and accused persons subject to pre-trial detention and on material detention conditions
- Guidelines on extradition to third states within the context of EAWs
- Alternatives to the (over)use of EAWs

Jesca Beneder

12:15 Discussion

12:30 **Applying the EAW in practice: insights from a prosecutor**

- Issuing and executing EAWs
- Support offered by Eurojust and the EJN

Kasper van der Schaft

13:15 Discussion

13:30 End of first day

Objective

This online seminar will focus on the European Arrest Warrant (EAW) and practical proceedings in its application. It will look at best practice, mutual trust and recognition of judicial decisions, the instrument's impact on prisoners, as well as relevant CJEU and ECtHR case law.

Who should attend?

Judges, prosecutors, lawyers in private practice, government officials.

You will learn...

- about the ECtHR's and CJEU's relevant jurisprudence
- about how the EAW is applied in practice and how it affects pre-trial detention, with insights shared by the European Commission, a prosecutor, a judge and a lawyer
- how procedural rights framed in EU legislation are applied within the context of EAWs
- about possible alternatives to the use of the EAW

Interactive online seminar

The online seminar will be hosted on the Zoom videoconference platform. You will be able to interact immediately and directly with our top-level speakers and other participants. We will make the most of the technical tools available to deliver an intensive, interactive experience. The highest security settings will be applied to ensure that you can participate safely in this high-quality online conference.

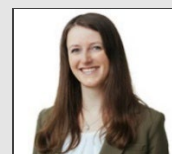
More information on:

www.era.int/?132161&en

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Friday, 29 September 2023

- 08:40 Connecting to the videoconference platform
- 09:00 **Applying the EAW in practice: insights from a judge**
- Issuing and executing EAWs
 - Double criminality
- Florentino-Gregorio Ruiz Yamuza*
- 09:45 Discussion
- 10:00 **FRA's online tools to assist judges and other legal practitioners in EAW and other mutual legal assistance instrument decisions**
- European Fundamental Rights Information System (EFRIS)
 - Criminal Detention Database 2015-2019
- Matylda Pogorzelska*
- 10:45 Discussion
- 11:00 Break
- 11:30 **A lawyer's perspective on issues and challenges faced with the EAW and defence rights**
- Vânia Costa Ramos*
- 12:00 Discussion
- 12:15 **Insights into the application of procedural rights framed in EU legislation within the context of EAWs**
- Katarzyna Dąbrowska*
- 12:45 Discussion
- 13:00 End of the seminar

For programme updates: www.era.int
 Programme may be subject to amendment.



**Times indicated are CEST
 (Central European Summer Time)**

CPD

ERA's programmes meet the standard requirements for recognition as Continuing Professional Development (CPD). Participation in the full programme of this event corresponds to 7 CPD hours. To obtain a certificate of participation for CPD purposes with indication of the number of training hours completed, participants must allow for their participation to be tracked. CPD certificates must be requested at the latest 14 days after the event, after which the participation records will be deleted for data protection purposes.

Save the date

EU Criminal Law: Recent CJEU Case Law for Defence Counsel

Proceedings before the Court of Justice of the European Union (CJEU)
 Trier & Online, 12-13 October 2023

Annual Conference on EU Criminal Justice 2023

Lisbon, 9-10 November 2023

Criminal Law and Human Rights: Recent ECtHR Case Law

Online, 7-8 December 2023

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Introduction to EU Criminal Law

This 3-hour e-learning course on EU criminal law is a guide through the fundamental characteristics of EU criminal law and aims to provide insight into what EU criminal law entails and what it does not entail.

Further information: www.era.int/?131631&en