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Międzynarodowe seminarium "Intersections of the application of the European Arrest Warrant and the protection of fundamental rights", Warszawa, 29-30 listopada 2016 r.

Komisja do spraw Współpracy z Zagranicą OIRP informuje koleżanki i kolegów o możliwości udziału w międzynarodowym seminarium, które odbędzie się w Warszawie w dniach 29-30 listopada 2016 r.

Tematyką seminarium jest europejski nakaz aresztowania, dlatego może ono być interesujące dla radców prawnych, którzy zamierzają wykonywać zawód jako obrońcy w sprawach karnych. Językiem roboczym seminarium będzie angielski. Termin składania zgłoszeń upływa 14 października 2016 r. Pierwszych dziewięciu uczestników może skorzystać z promocyjnego, niższego kosztu szkolenia, które wyniesie 590 Euro i obejmuje wszystkie wydatki, łącznie z zakwaterowaniem, wyżywieniem, transportem i materiałami szkoleniowymi.

Poniżej przytaczamy treść ogłoszenia.

Zainteresowani powinni zgłaszać się bezpośrednio do Pani Christiane Lamesch, której dane kontaktowe znajdują się poniżej ogłoszenia:

Dear colleagues from the Bar associations,

The European Centre for Judges and Lawyers, EIPA Luxembourg, has been granted a project by DG Justice, "**Intersections of the application of the European Arrest Warrant and the protection of fundamental rights**".

Our partners are the **National School of Judiciary and Public Prosecution in Poland (KSSIP)** and the **European Criminal Bar Association (ECBA)**

The project consists of a series of 3 innovative seminars :

Proportionality and procedural guarantees in the context of the EAW

This seminar will cover issues on how to issue an EAW, how to refuse an EAW, how to ensure that the principle of proportionality is applied in considering whether to issue an EAW and what are the technicalities in processing an EAW. Furthermore, the seminar will discuss the procedural position of the suspected/accused person, who is subject to the EAW, and the specificities of EAW cases that defence attorneys should pay a particular attention to. Here the EU Charter of Fundamental Rights and the EU procedural guarantees legislation will be explained in detail.

Practical aspects of issuing and executing a European Arrest Warrant

The purpose of the seminar is two-fold: firstly, to provide participants with information on the use, domestic application and evaluation of the EAW. Emphasis will be made on how to issue an EAW, how the various grounds of refusals are understood by national judiciaries and what are the issues that defence lawyers may want to look at. The practical administration of EAWs will be complemented, with a discussion of constitutional and fundamental rights issues that posed difficulties in applying the instrument and gave rise to litigation before both the Court of Justice of the European Union and the national courts.

The role of the CJEU in interpreting the EAW and securing fundamental rights



The third seminar provides an overview of the role of the Court of Justice of the European Union (CJEU) in shaping and enforcing EU criminal law. The seminar will discuss in detail the preliminary reference procedure through which national judges can refer questions of interpretation and validity of EU law to the CJEU, where specific reference to criminal law issues will be made. The seminar will focus on the CJEU's role of interpretation in shaping EU criminal law. In this vein, both the CJEU's influence on doctrinal themes of criminal law, the *ne bis in idem* principle in particular, along with fundamental rights standards in criminal procedures as set by the CJEU will be examined. The relevance of the individual complaints procedure before the ECtHR will be discussed and its repercussions to parallel national and CJEU procedures. The discussions related to the CJEU will be complemented with a visit to the CJEU in Luxembourg.

One **important methodological aspect** of the seminars will be to discuss real national cases related to the application of the EAW and fundamental rights from the viewpoint of both the prosecution and the defence. This way, participants (whether judges or defence lawyers) will be able to better appreciate the arguments of the other party to the underlying criminal proceedings.

The target group will be judges, prosecutors and defence lawyers.

The project budget offers **9 seats** at each of the three seminars at a very reduced fee i.e. **590 Euro**. This fee includes **participation in the seminar, international travel, public transport, accommodation, meals, beverages and seminar materials**. Please note that seats will be distributed following the first-come first-served principle.

The first seminar on the **proportionality and procedural guarantees in the context of the EAW** will be held in **Warsaw, on 29-30 November 2016**.

Attached, please find the draft programme and the registration form for your information and dissemination

The working language of the seminar will be English and **registration will be open until 14 October 2016 included**.

If you need any further information, please do not hesitate to contact me.

I look forward to hearing from you.

Kind regards

Christiane Lamesch

Programme Organiser

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