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EUROMED JUSTICE III PROJECT

COMPONENT III: CRIMINAL AND PENITENTIARY LAW

TS 3.3

Third Training Seminar: “Problems of international judicial cooperation in criminal matters: effective exchange of information, mechanisms in order to recover assets from abroad and extradition.”

Maastricht (NL), 25-27 March 2014

FINAL CONCLUSIONS

The 3rd training seminar under component III “Criminal and Penitentiary Law” of the EuroMed Justice III Project of the European Commission, funded by the European Union, was held on 25-27 March 2014 in Maastricht (NL).

The participants were members of the delegations of the following Mediterranean Partners: Egypt, Israel, Jordan, Lebanon, Morocco, Palestine and Tunisia. The speakers came from Morocco and Romania (EIPA Luxembourg).

The training seminar was opened by Prof. Dr Marga Pröhl, Director-General of the European Institute of Public Administration (EIPA), and by Mr Andrés Salcedo Velasco, Team Leader of the EuroMed Justice III Project, who welcomed the participants. The seminar was closed by Andrés Salcedo.

The background, the context and the structure of the training seminar, including the overall approach and the main topics suggested for discussion, were introduced by the Team Leader and by Mr José María Fernández Villalobos, Course Manager of the Project Team implementing the EuroMed Justice III Project.

Then the participants took the floor to introduce themselves and to present the current situation in the ENPI South Partner countries concerning extradition, effective exchange of information and mechanisms in order to recover assets from abroad.

Furthermore, four presentations were made during the seminar: “The work developed during the first phase of the project: the Euromed Fiches”; “Effective methods for the exchange of information between national authorities in the context of judicial cooperation in criminal matters”; “Obtaining criminal evidences and criminal procedures. Evidence obtained in a foreign country, in particular in terrorism cases”; “Extradition between the EU and the ENPI SPC and vice versa: an update on the situation. Information about the facts and their qualification and importance”.

During these presentations, the speakers analysed the different approaches related to the topics being considered, especially from a practical point of view, as well as the legal international framework.

Moreover, one workshop was also organised in the framework of this seminar on “Recovering assets from abroad. International approach and the context of the Euro-Mediterranean area. The most recent EU legal framework”.

Considering the objectives of this training seminar and taking into account the debate and discussions held during the seminar, the participants had the opportunity:

- To examine over a period of three days, and from an international angle, the different topics on the agenda.
- To keep abreast of the current situation and future developments in each Mediterranean Partner regarding the topics covered by this seminar and to have a fruitful debate on the state of play in this field in the ENPI South area, whilst presenting their respective experience and legal framework.
- To explore the means to further promote an exchange of knowledge, experience and best practices.
- To be informed of the TAEX instrument and of the possibility that they, the participants, could suggest/propose to their NFP the gaps to be filled or the needs for further Technical Assistance requests, as a follow-up of this Euromed Justice III Project training session, should they consider them useful and linked to the work developed during the seminar.
- To get a better insight into effective methods for the exchange of information between national authorities in the context of judicial cooperation in criminal matters.
- To analyse how criminal evidences can be obtained and what the criminal procedures are, with a special focus on evidence obtained in a foreign country, in particular in terrorism cases.
- To be updated on the situation with regards extradition between the EU and the ENPI SPC, and vice versa.
- To discuss the main problems faced and future perspectives in this field.
- To be informed of the work carried out during the 1st phase of the EMJ III project, i.e. the EUROMED Fiches, related to the international criminal cooperation legal framework regarding the countries that took part in the activities of the 1st phase.
- To discuss from a practical point of view, through a workshop, the main problems in recovering assets from abroad according to the international approach and in the context of the Euro-Mediterranean area.
- To receive the suggested reading documentation list related to the topics examined as support to facilitate the discussion and debate during the training seminar.

Participants are grateful to the Dutch Ministry of Justice, to the Directorate-General Development and Cooperation – EuropeAid, European Commission, and to the Project Team for organising this training seminar.

The participants present during the reading of this document approve the conclusions of this seminar.

Maastricht, 27 March 2014