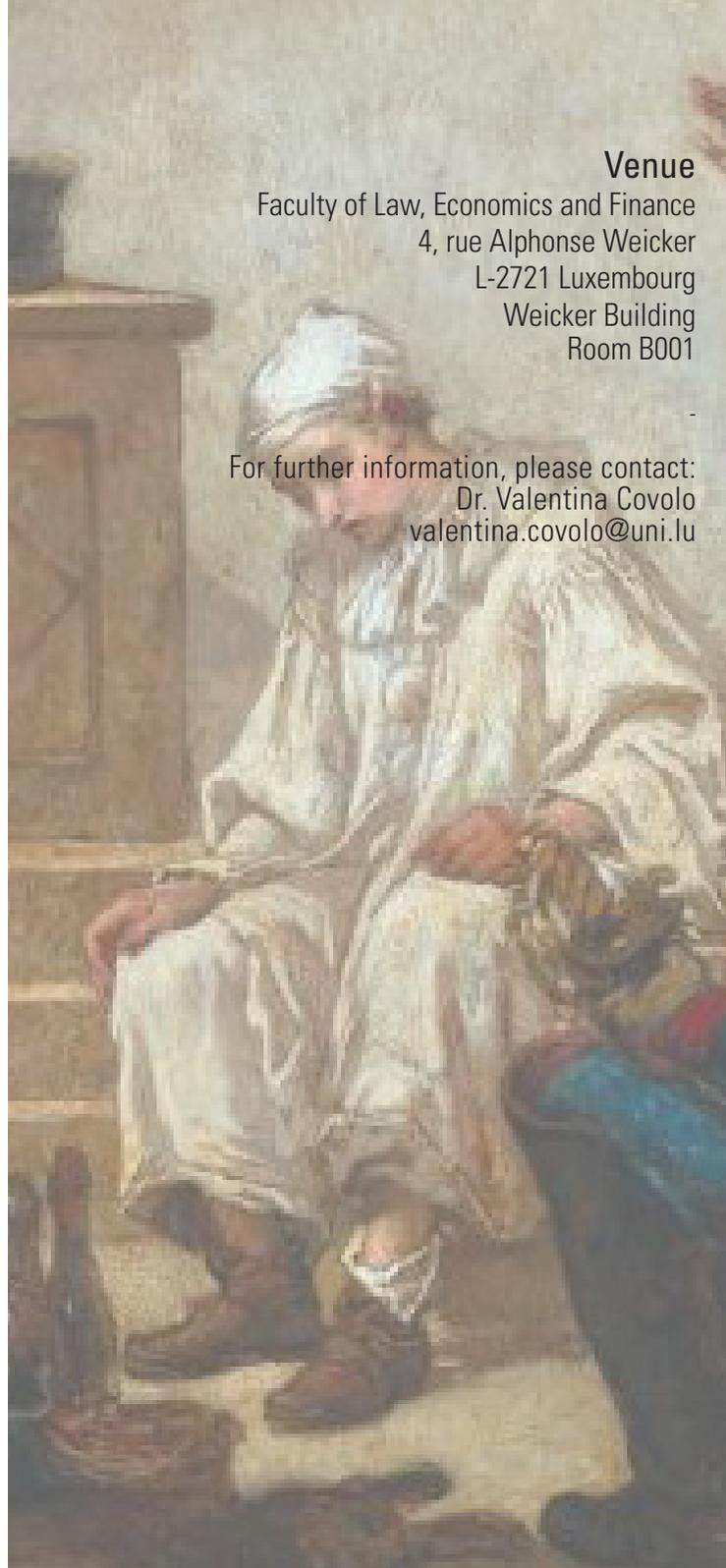


Abstract

The effectiveness of defence rights granted by EU legal instruments requires more than their correct implementation under national law. It also depends on the existence of enforcement and control mechanisms. The recently adopted directives harmonizing the rights of the suspects and accused persons in criminal proceedings impose remedial obligations to the Member States. However, the different structure and scope of judicial review under national law might undermine the justiciability of procedural safeguards granted by EU law. Divergences among national criminal justice systems also raise challenges in the field of cross-border cooperation. Moreover, even at the supranational level, the scope of the right to judicial review has not been fully clarified, despite the recent and meaningful case law of the European Courts.

By adopting a comparative approach, the conference will bring together international experts with the aim to achieve a better understanding of the structures and the functioning of judicial remedies across Europe. The ultimate goal of the discussion is to identify standards for effective judicial review within the EU criminal justice area.



Venue

Faculty of Law, Economics and Finance
4, rue Alphonse Weicker
L-2721 Luxembourg
Weicker Building
Room B001

For further information, please contact:
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UNIVERSITÉ DU LUXEMBOURG
FACULTY OF LAW, ECONOMICS AND FINANCE



CONFERENCE

EU Defence Rights in Criminal Proceedings: What Remedies?

28-29 September 2017
First day

Programme

Thursday, 28 September

12:30 - 13:30

Welcome lunch

13:30 - 14:00

Welcome address

Katalin Ligeti (Dean, FDEF, University of Luxembourg)

Elsa García-Maltrás (European Commission, DG Justice)

The JURECRIPRO research project:

Legal framework, methodology and goals

Silvia Allegrezza (University of Luxembourg)

14:00 - 15:15

SESSION I

Effective judicial protection: toward a globalized dialogue

Chair: Katalin Ligeti (Dean, FDEF, University of Luxembourg)

On both sides of the Atlantic ocean:

Judicial dialogue between US and European courts

Charles D. Weisselberg (University of California, Berkeley)

Remedies against breaches of defense rights:

What standards of review under the ECHR?

Georges Ravarani (Judge at the ECtHR)

EU constitutional framework for the effective judicial

protection of defense rights:

What role for the CJEU?

Herwig Hofmann (University of Luxembourg)

Discussion



15:15 - 16:30

Session II

Protecting defense rights in EU enforcement systems:
A European landscape for remedies and judicial scrutiny

Chair: Joana Mendes (University of Luxembourg)

Protecting defense rights in EU anti-trust proceedings

Luca Prete (Référéndaire, CJEU)

Proceedings for the imposition of financial penalties in the
European Banking Union: What available remedies?

Daniel Sarmiento (University Complutense of Madrid)

Effective judicial protection of procedural safeguards
in OLAF investigations

Jan Inghelram (Director, Legal Adviser, CJEU)

Discussion

16:30 - 16:50

Coffee break

16:50 - 18:30

Session III

Effective remedies for procedural safeguards:
Challenges for EU integration in criminal matters

Chair: Michele Panzavolta (University KU Leuven)

Effectiveness of defence rights and judicial control over the
European Public Prosecutor Office

Katalin Ligeti (University of Luxembourg)

Protecting the rights of defendants in the procedures
executing a European Arrest Warrant

Angelo Marletta (University of Luxembourg)

Judicial authorities in criminal proceedings:
A multifaceted concept

Valentina Covolo (University of Luxembourg)

Discussion

Abstract

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CONFERENCE

EU Defence Rights in Criminal Proceedings: What Remedies?

28-29 September 2017
Second day


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Commission

09:00 - 10:00

Session IV

Right to translation and interpretation

Chair: *Martine Solovieff (Procureur général d'Etat, Parquet général, Luxembourg)*

The right to oral interpretation

Richard Vogler (University of Sussex)

The right to translation of written documents

Lawrence Siry (University College Cork)

Implementing remedial obligations:

A comparative analysis of national remedies

Christian Schmitt (University of Saarbrücken)

Discussion

10:00 - 11:00

Session V

Right to information

Chair: *Ernest Nilles (Juge d'instruction directeur, Tribunal d'arrondissement du Luxembourg)*

Information about rights and accusation

Raphaële Parizot (University of Paris-Nanterre)

Content and restrictions on the right of access to the case file

Serena Quattrococo (University of Piemonte Orientale)

Implementing remedial obligations:

A comparative analysis of national remedies

Slawomir Steinborn (University of Gdańsk)

Discussion

11:00 - 11:20

Coffee break

11:20 - 12:30

Session VI

Access to a lawyer

Chair: *François Prüm (President of the Luxembourg Bar Association)*

Scope and substance of the right to access a lawyer under Directive 2013/48/EU

Teresa Armenta Deu (University of Gerona)

Temporary derogations of the right to legal assistance:

Permitted restriction under European law

Zlata Đurđević (University of Zagreb, Yale University)

Sanctions against breaches of the right to access a lawyer:

A comparative overview of national remedies and evidential rules

Michele Panzavolta (University KU Leuven)

Discussion

12:30 - 14:00

Lunch



14:00 - 16:00

Session VII

Completing the shield:

Forthcoming implementation of EU procedural safeguards

Chair: *Council of the European Union, speaker to be confirmed*

Presumption of innocence:

From philosophical foundations to an EU legal framework

Ferry de Jong (University of Utrecht)

Right to remain silent and not incriminate oneself

Michele Caianiello (University of Bologna)

Strengthening further legal assistance:

Evidentiary rules and legal aid under the 2016 Directives

Anze Erbeznik (Committee on Civil Liberties, Justice and Home Affairs, European Parliament)

European procedural safeguards and *in absentia* proceedings

Martin Böse (University of Bonn)

Procedural safeguards for minor defendants

under Directive 2016/800/EU

Dorris de Vocht (University of Maastricht)

Discussion

16:00 - 16:15

Coffee break

16:15 - 17:00

Session VIII

Effectiveness of procedural safeguards in the EU: What remedies?

Roundtable of National Experts

Chair: *Silvia Allegrezza (University of Luxembourg)*

Belgium, *Michele Panzavolta*

France, *Raphaële Parizot*

Germany, *Christian Schmitt*

Italy, *Michele Caianiello*

Luxembourg, *Valentina Covolo*

Poland, *Krzysztof Wozniowski*

Spain, *Teresa Armenta Deu*

Conclusions

Silvia Allegrezza