



EUROJUST
European Union Agency for Criminal Justice Cooperation
P.O. Box 16183 – 2500 BD The Hague • The Netherlands



PROGRAMME

REGULAR CRIMEX SESSION

Nº 11

23 – 25, MARCH 2021

The 11th CrimEx regular session is organised from The Hague, Netherlands, via videoconference on Zoom Pro online platform due to the ongoing restrictions related to Covid 19.



11TH CRIMEX CONCEPT NOTE

CrimEx 11th regular sessions will discuss the best practices on updating the tools for judicial cooperation from relevant partners, including Eurojust and EJM and the outline of the methodology for the design of the new CrimEx documents with the participation of Short Term Experts (STEs).

STEs will outline most important developments in the respective thematic areas, envisaged methodological approach, possible questions to be answered by the CrimEx and other aspects which they consider important.

ACTION 3.1. CONTINUOUS UPDATE OF THE CRIMEX DOCUMENTS AND TOOLS

Expected Result 3.1.1. (ER 3.1.1.): CrimEx documents and tools are updated and disseminated for operational purposes and training activities.

Work package 3.1.1 (WP 3.1.1): Update the CrimEx documents and tools

Following up to the conclusions of the 9th CrimEx session of the EMJ IV on updating the CrimEx Tools and documents, the 11th CrimEx will entrust selected experts to:

- Collect best practices on updating tools for judicial cooperation from relevant partners, including the EJM;
- Develop methodology for the updating of the CrimEx documents;
- CrimEx nominates a contact person in each SPC in charge of coordinating the update the CrimEx documents;
- The updated CrimEx documents are translated into English, French and Arabic;
- The CrimEx documents are disseminated;
- The possibility of interconnecting the EuroMed Fiches and the EJM fiches belges is explored.

Main deliverables WP 3.1.1:

- CrimEx documents and tools are regularly updated and translated into English, French and Arabic;
- The interconnection of the EuroMed Fiches with the Fiches Belges is sought;
- The CrimEx documents and tools are made available in digital version.

ACTION 3.2. PREPARATION OF NEW CRIMEX DOCUMENTS

Expected Result 3.2.1. (ER 3.2.1.): Identification of topics that are relevant to judicial cooperation in criminal matters and analyse the legislations in SPCs to identify gaps and best practices

Work package 3.2.1. (WP 3.2.1.): Drafting new legal and gap analysis

During the inception phase, through extensive consultations with stakeholders and the answers to the thematic questionnaires, four topics were identified as relevant for the drafting of new CrimEx Docs:

1. Drafting cross-Mediterranean legal and gap analysis on the transfer of e-evidence in criminal matters
2. Protection of personal data in judicial cooperation between SPCs and EUMSs
3. Joint investigations, parallel investigations and spontaneous exchange of information between SPCs and EU MSs criminal justice authorities
4. Procedural rights of defendants and victims

PMT launched a call for experts enabling the recruitment of experts on the identified subject matters among academics and practitioners from SPCs and/or MSs;



CrimEx 10th regular session, following the debates during the special session of the launching conference, introduced 2 new topics in the discussion:

5. Freezing and confiscation of proceeds of crime – agreed upon by the 10th CrimEx
6. Model Agreement for judicial cooperation/ mutual legal assistance between SPCs and EU MS – to be discussed in the 11th CrimEx

Therefore, the 11th CrimEx will:

- Discuss and define within STEs the scope of the legal and gaps analysis, the envisaged methodology; the expected inputs-outputs, actors involved, and the content of possible questionnaires for the SPCs;
- Selected experts are tasked to draft the legal and gap analysis following the directions stemming from CrimEx, under PMT coordination and in close cooperation with relevant stakeholders depending on the topic;
- Once finalised and validated, the Legal and gap analysis will be translated into English, French and Arabic, disseminated in digital format and incorporated where relevant to the trainings.

Main deliverables WP 3.2.1:

- A list of experts in different topics from SPCs and MSs is established;
- New legal and gaps analyses on relevant topics for judicial cooperation are drafted and validated;
- The legal and gaps analysis are made available in English, French and Arabic, in digital version and incorporated where relevant into the trainings.

OUTLINE OF STEs main TASKS in the elaboration of the new CrimEx Docs and Tools:

- Assess National information (legislation, agencies involved, challenges, gaps, priorities) existing in the area of the new topics, providing an overview of the state of play in the SPCs, and regional context
- Agree on the approach and the research methodology
- Prepare questionnaires (distribute them through CrimEx) and collect the relevant information.

Once STEs have gathered all required information, they will:

- Compare legal aspects and practices with international standards;
- Map out the relevant stakeholders and the relations between them at regional level, with EU agencies, in particular Eurojust and EJM and in each of the SPCs.
- Identify SPCs' good practices in the investigation and prosecution of complex judicial cases with a special focus on transnational crime.
- Analyse the support of existing regional networks and the involvement of EU agencies, and identify the EU countries and institutions that can best provide technical support for the capacity building of the SPCs.
- Compare the cross-border cooperation in the researched areas between SPCs, SPCs – EUMSs and SPCs – EU Agencies.

The above-mentioned work will require STEs participation to CrimEx sessions, possible missions to the SPCs and meetings with the PMT to review progress made.

STEs will elaborate the proposals for the new CrimEx Docs and Tools.

11TH CRIMEX OBJECTIVES

1. Agree on the Agenda
2. Agree on the conclusions of the 10th CrimEx
3. Initiate the process for the updating of CrimEx docs and tools (activity 3.1);
4. Initiate the drafting of the new CrimEx docs and tools (activity 3.2);
 - a. Discussion regarding the model bilateral agreement
5. Preparing the implementation of the training component (activity 2.2); presentation of the draft technical specifications
6. Discussion for the set up EMJNet (activity 1.2);
7. Initiate the debates regarding the organisation of the 3rd PG Forum (activity 1.3);
8. Technical Assistance Facilities activities TAF (activity 2.6).
9. Statistical data

METHODOLOGY:

Starting from the introductory documentation and concept note sent in advance and the presentations made by the EuroMed Justice Team, 10th CrimEx Session will discuss and identify key aspects of the topics from 1 to 9.

PARTICIPANTS:

Country	No of delegates	Position EMJ	Institution
South Partner Countries			
Algeria	2	National Focal Point	Ministry of Justice
	1	CrimEx member	Cour d'Annaba
	1	CrimEx member	Cour Suprême
Egypt	1	National Focal Point	
Israel	3	CrimEx member	Office of the State Attorney
	3	National Focal Point	Ministry of Justice
	1	CrimEx member	Tel Aviv District, State Attorney Office
	1	CrimEx member	Nazareth District Court
Jordan	1	CrimEx member	
	1	CrimEx member	
Lebanon	1	CrimEx member	Court of Appeal in Southern Lebanon
	2	National Focal Point	Ministry of Justice
	1	CrimEx member	Prosecution Office of Beirut
	1	CrimEx member	Court of Cassation
	1	CrimEx member	General Prosecution Office
	1	CrimEx member	Prosecution Office of Mont Lebanon
Libya	1	National Focal Point	Ministry of Justice
Morocco	4	National Focal Point	Ministry of Justice



	1	CrimEx member	Présidence du ministère publique du Maroc
	1	National Focal Point	
Palestine	2	CrimEx member	Ministry of Justice
	1	CrimEx member	High Judicial Council
	1	CrimEx member	Public Prosecution
Tunisia	2	National Focal Point	Ministry of Justice
	2	CrimEx member	DG des affaires pénales, Ministère de la Justice
EU Member States			
Belgium	1	NFP / CrimEx member	Federal Prosecutor's Office
	1	National Focal Point	Federal Public Service Justice
	1	CrimEx member	Ministry of Justice
Bulgaria	1	National Focal Point	International Department to the Supreme Cassation Prosecutor's Office
	1	National Focal Point	Ministry of Justice
Estonia	1	National Focal Point	Office of the Prosecutor General
France	1	CrimEx member	Cour d'appel de Paris
	3	National Focal Point	Ministry of Justice
Greece	1	NFP / CrimEx member	Eurojust
	1	CrimEx member	Eurojust
Italy	4	National Focal Point	Ministry of Justice
Luxembourg	1	National Focal Point	Parquet Général
Netherlands	1	National Focal Point	Public Prosecution Office
	2	National Focal Point	Ministry of Justice and Security
	1	NFP / CrimEx member	Public Prosecution Office
	1	CrimEx member	Ministry of Justice
	1	CrimEx member	Netherlands Judiciary
Portugal	1	NFP / CrimEx member	Prosecutor's General Office
Romania	1	National Focal Point	Prosecutor's Office attached to the High Court of Cassation and Justice
Slovenia	1	National Focal Point	Supreme State Prosecutor's Office
Spain	2	National Focal Point	General Prosecutor's Office
	2	CrimEx member	Ministry of Justice
Sweden	1	National Focal Point	Prosecutor's General Office
EuroMed Justice Programme Management Team (EMJ PMT)			
Virgil Ivan-Cucu			Team Leader, Senior Legal Officer
Alexandru Frunza-Nicolescu			Legal Officer
Morgane Thebault			Communications Officer
Olesea Becu			Programme Officer
Angeliki Dassiou			Finance and Budget Officer
Christina Tsiakmaki			Programme Officer
Eurojust representatives			
European Judicial Network (EJN) Secretariat			
Institutional Affairs Office			
SIRIUS			



European Judicial Cybercrime Network		
Judicial Cooperation Team		
Cybercrime Team		
Operations Department		
Data Protection Office		
JITs Network Secretariat		
Short-term EMJ experts		
Name of expert	Position	Name of the topic to be addressed
Mr Daniel Suter	Senior Fellow, International Institute for Justice and the Rule of Law	Electronic evidence
Mr Pierluigi Perri	Associate Research Professor of Advanced Computer Law, University of Milan	Data protection
Mr Romulus Nicolae Ungureanu	Law enforcement Advisor	Joint investigations
Mr Dirk Maarten Noordzij	Senior Public Prosecutor	
Mr Ahmed Bakry	Judge	Procedural rights for defendants and victims
Ms Krisztina Karsai	Director of Institute of Criminal Law and Criminal Justice, University of Szeged	
Mr David Mattan	Senior Asset Recovery Specialist	Freezing and confiscation
External stakeholders		
Europol		
CEPOL		
UNODC		
UN-CTED		
Council of Europe		
Interpol		
SELEC		
OSCE		
CARIN Network		
FIAPP		



Tuesday 23 March 2021 – First Day

09.00 Online connection, participants calling in

Moderators – EuroMed Justice Programme Team

09.30 Opening and Welcome,
Participants' introduction – tour de table

10.15 **Objectives 1 and 2:** Agree on the 11th CrimEx Agenda and on the conclusions of the 10th CrimEx
Objective 3: Initiate the process for **updating existing CrimEx Docs and Tools** (activity 3.1)

- EuroMed Justice Team will explain the objectives and the outputs, the general lines, tasks of the STEs and of the CrimEx members
- SIRIUS intervention on the update of Digital evidence manual

11.00 Coffee Break

11.15 **EJN Secretariat** experience in updating Fiches Belges

11.30 **CrimEx debates** – SPCs' and EU MSs' interventions, questions and proposals

12.30 Lunch Break

13.45 **Objective 4: Initiate the drafting of the new CrimEx docs and tools (activity 3.2);**
4.1. Joint investigations, parallel investigations and spontaneous exchange of information between SPCs and EU MSs criminal justice authorities

- Introduction of the topic by the EMJ Team
- Presentation by *Mr. Dirk Maarten Noordiz and Mr Romulus Nicolae Ungureanu* (STEs selected to coordinate the development of this practical tool)

14.30 **CrimEx debates** – SPCs' and EU MSs' interventions, questions and proposals

15.00 Coffee Break

15.15 **Objective 4:** Continuation

4.2. Protection of personal data in judicial cooperation between SPCs and EUMSs

- Introduction of the topic by the EMJ Team
- Presentation by *Mr. Pierluigi Perri* (STE expert selected to coordinate the development of this practical tool)

15.45 **CrimEx debates** – SPCs' and EU MSs' interventions, questions and proposals

16.15 End of the first day



Wednesday 24 March 2021 – Second Day

09.00 Online connection, participants calling in

Moderators – EuroMed Justice Team

09.30 **Objective 4:** Continuation

4.3. Drafting cross-Mediterranean legal and gap analysis on the transfer of e-evidence in criminal matters

- Introduction of the topic by the EMJ Team
- Presentation by *Mr. Daniel Suter (STE expert selected to coordinate the development of this practical tool)*
- EJCN

10.15 **CrimEx debates** – SPCs' and EU MSs' interventions, questions and proposals

11.00 Coffee Break

11.15 **Objective 4:** Continuation

4.4. Procedural rights of the parties in the criminal process

- Introduction of the topic by the EMJ Team
- Presentation by *Mrs. Krisztina Karsai and Mr. Ahmed Bakry (STEs selected to coordinate the development of this practical tool)*

11.45 **CrimEx debates** – SPCs' and EU MSs' interventions, questions and proposals

12.15 Lunch Break

13.30 **Objective 4:** Continuation

4.5. Freezing and confiscation of crime proceeds – agreed upon by the 10th CrimEx

- Introduction of the topic by the EMJ Team
- Presentation by *Mr. David Mattam (STE selected to coordinate the development of this practical tool)*
- CARIN Network;

14.45 Coffee Break

15.00 **Objective 4:** Continuation

4.6. Model Agreement for judicial cooperation/ mutual legal assistance between SPCs and EUMS proposed by Italy

15.10 **CrimEx debates** – SPCs' and EU MSs' interventions, questions and proposals



16.00 *End of the second Day*

Thursday 25 March 2021 – Third Day

09.00 Online connection, participants calling in

Moderators – EuroMed Justice Team

09.30 **Objective 5. Preparing the implementation of the training component (activity2.2) presentation of the draft technical specifications**

- Introduction of the topic by the EMJ Team

09.50 **CrimEx debates** - SPCs' interventions and proposals; EU MSs interventions and proposals

10.15 **Objective 6. Initiate the discussion to set up of the EMJNet (activity 1.2);**

- Introduction of the topic by the EMJ Team
- EJM Secretariat
- SELEC;
- JIJs Network Secretariat;
- MATF/ MENA

10.45 **CrimEx debates** - SPCs' interventions and proposals; EU MSs interventions and proposals

11.15 *Coffee Break*

11.30 **Objective 7 - Organisation of the 3rd PG Forum**

- Introduction of the topic by the EMJ Team - presentation on proposed topics for strategic approach, steps and deadlines

12.30 *Lunch Break*

13.15 **Objective 8 – Technical Assistance Facility**

- Introduction of the topic by the EMJ Team
- Introduction of a TAF proposal by France;

13.45 **CrimEx debates** - SPCs' interventions and proposals; EU MSs interventions and proposals

14.00 **Objective 9. – Statistical Data**

- Introduction of the topic by the EMJ Team - presentation on proposed topics for strategic approach, steps and deadlines



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14.15 **CrimEx debates** - SPCs' interventions and proposals; EU MSs interventions and proposals

14.30 Preparations for the 12th CrimEx session. Miscellaneous

15.00 *End of the 11th CrimEx session*
