



CONSEJO GENERAL DEL PODER JUDICIAL  
ESCUELA JUDICIAL



Red Europea de Formación Judicial (REFJ)  
*European Judicial Training Network (EJTN)*  
Réseau Européen de Formation Judiciaire (REFJ)

# VIRTUAL COURSE ON JUDICIAL COOPERATION IN CRIMINAL MATTERS

## 1. Course description

Despite the fact that this is the fifth edition of this virtual course it continues to be an innovation in the European training scene, not just on account of its content (of unquestionable importance in enhanced cooperation projects in European integration), but also because of its European scope and the methodology it will use, which highlights its theoretical-practical aspects.

The course will be run by prominent lawyers and given by distinguished experts in the field, hailing from a variety of European countries, drawn not just from the ranks of judges but from the academic world too, in addition to the chief European institutions entrusted with judicial cooperation in criminal matters (EUROJUST and the European Judicial Network).

Among the teaching staff, it is the tutors who, alongside the creators of the course's subjects, stand out, as the cornerstone of the course's methodology and those who will provide participants with personalised attention. Tutors will organise practical cases together with points of discussion in each of the main areas making up the course.

The course uses a mixed structure that combines an initial *e-learning* phase (December 2012-June 2013) with a personally-attended closing session which will be given in October 2013 in Madrid or Barcelona for those students who have achieved all their academic aims.

Its content, along with its audio-visual presentations, will focus on the instruments of judicial cooperation in criminal matters within the framework of the Council of Europe and European Union; the principle of mutual recognition and its development; the bilateral and multilateral instruments of judicial cooperation in criminal matters; and studying cooperation support institutions and training in using technical tools (Atlas, Prontuario, Compendium and Fiches Belges).

It is hoped this course will enhance the mutual confidence of European judges within the Common Space on Freedom, Security and Justice, and familiarise them with the legal instruments for cooperation in criminal matters and the legal systems of other EU Member States. The ultimate aim is to promote both the mutual recognition of court judgments given in other countries and the use of multilateral instruments for cooperation in judicial cooperation in criminal matters.

As a final product, participants will be given both a hard-copy and a CD Rom-version of a manual containing the course's entire subject matter.

A fundamental characteristic of the course is that it will be simultaneously given in French, English and Spanish, so that all participants may have the course material in the three languages and a translation system will be in place so that all communications of the virtual community may be performed in these three languages.



## 2. Co-directors

**Professor Doctor Victor Moreno Catena.** Professor of Procedural Law and History at Carlos III University of Madrid

**Judge Ignacio Ubaldo González Vega.** Senior Judge of the Criminal Court no. 20 of Madrid

## 3. Programme

### MODULE 0: INTRODUCTION

*A Virtual Stroll. Technical tools: Atlas, Prontuario, Compendium, Fiches Belges*

Author: Excmo. Sr. D. Miguel Carmona Ruano  
Senior Judge and Member of the Board of the General Council of the Judiciary of Spain

Updating: Ilmo. Sr. D. José M<sup>a</sup> Sánchez Siscart  
Senior Judge. President of Section 2 of the Provincial Court Tarragona

### MODULE I: JUDICIAL COOPERATION IN CRIMINAL MATTERS IN EUROPE. FROM JUDICIAL ASSISTANCE TO THE PRINCIPLE OF MUTUAL RECOGNITION

**Tutor: Professor Doctor Marcos Loredo Colunga**  
Department of Basic Legal Sciences. Procedural Law. University of Oviedo

*Subject 1: Evolution of judicial cooperation in criminal matters In particular criminal judicial cooperation in Europe.*

Author: Professor Doctor Amaya Arnáiz Serrano  
Department of Criminal, Procedural Law and History at Carlos III University of Madrid

*Subject 2: : The change in paradigm and the principle of Mutual Recognition and its implications. Perspectives on the Lisbon Treaty. New competence of the Court of Justice of the European Union.*

Author: Professor Doctor Víctor Moreno Catena  
Department of Criminal, Procedural Law and History at Carlos III University of Madrid



Subject 3: Promotion of Mutual Trust: procedural guarantees, Victim's Statute and personal data protection

Author: His Excellency Jorge Albino Alves Costa  
Public Prosecutor of the Constitutional Court. Portugal

## MODULE II: JUDICIAL COOPERATION INSTRUMENTS IN CRIMINAL MATTERS WITHIN THE FRAMEWORK OF THE COUNCIL OF EUROPE

**Tutor: Ilmo. Sr. José Miguel García Moreno**  
**Senior Judge and member of the General Council of the Judiciary of Spain**

Subject 4: Convention of Judicial Assistance in Criminal Matters of 1959

Author Ilmo. Sr. José Miguel García Moreno  
Senior Judge and member of the General Council of the Judiciary of Spain

Subject 5: European Convention on Extradition

Author: Ilmo. Sr. D. Emilio Gatti  
Judge of the Court of Genoa

Subject 6: Other conventions

Author: Ilmo. Sr. D. Andrés Palomo del Arco  
President of the Provincial Court of Segovia

## MODULE III JUDICIAL COOPERATION IN CRIMINAL MATTERS WITHIN THE FRAMEWORK OF THE EU

**Tutor: Honourable Ms María del Carmen Poza Cisneros**  
**Senior Judge of the Criminal Court number 4 of Murcia**

Subject 7: Schengen Area

Author: Professor Doctor Raquel Castillejo Manzanares  
Department of Special Public Law. Procedural Law. Santiago de Compostela University.

Subject 8: 2000 Convention

Author: Ilma. Sra. D<sup>a</sup> María del Carmen Poza Cisneros  
Senior Judge of the Criminal Court number 4 of Murcia

Subject 9: Principle of availability: Criminal records and the Prüm Convention

Author: Ilmo. Sr. Fernando Martínez Pérez  
Senior Judge of the First Instance Criminal Court number 7 of Seville



## MODULE IV PRINCIPLE OF MUTUAL RECOGNITION AND ITS IMPLEMENTATION

**Tutor: Ilmo. Sr. Andrés Palomo del Arco**  
**President of the Provincial Court of Segovia**

Subject 10: European Arrest Warrant

Author:. Clara Penín Alegre

Senior Judge. Contentious-Administrative Chamber of the High Court of Justice of Cantabria

Subject 11: Execution in the European Union of European orders freezing property or evidence.

Author: Ilmo. Sr. D. Andrés Salcedo Velasco

Senior Judge. Director of the European EUROMED-JUSTICE II Project

Subject 12: Financial penalties

Author: Ilmo. Sr. D. Ignacio Pando Echavarría

Senior Judge of the Single Section of the Provincial Court of Segovia

Subject 13: Other instruments: personal injunctions, enforcement of prison sentences and probation

Author: : Ilmo. Sr. D. Fabio Licata

Senior Judge. Palermo Court (Italy)

## MODULE V: BILATERAL AND MULTILATERAL JUDICIAL COOPERATION INSTRUMENTS IN CRIMINAL MATTERS. INTERNATIONAL PENAL JURISDICTION

**Tutor: Ilmo. Sr. D. Ignacio U. González Vega**  
**Senior Judge. Criminal Court no. 20 Madrid**

Subject 14: Multilateral instruments within the scope of the United Nations. Criminal International jurisdiction

Author: Ilmo. Sr. Ignacio U. González Vega

Senior Judge and member of the General Council of the Judiciary of Spain

Subject 15: Narcotics, organised crime and corruption

Author: D. José Mouraz López

Senior Judge. Tribunal de Relação de Coimbra (Portugal)



Subject 16: Terrorism, Sectoral conventions. Financing and money laundering

Author: Ilmo. Sr. D. José Ricardo de Prada Solaesa  
Senior Judge of the Criminal Division of the National Court

Subject 17: Bilateral conventions and European Union conventions with third countries: Special reference to the EU-USA Convention

Author: Professor Doctor Raquel López Jiménez  
Department of Criminal, Procedural Law and History at Carlos III University of Madrid

**MODULE VI: INSTITUTIONAL TOOLS AND JUDICIAL COOPERATION  
TECHNIQUES IN CRIMINAL MATTERS**

**Tutor: Ilma. Sra. D<sup>a</sup> Julieta Carmona Bermejo**  
**Lawyer at the EUROJUST Legal Service**

Subject 18: Institutions that provide support to cooperation: EJM, Eurojust, Europol, Interpol, Liaison Magistrates, IberRed

Author: Ilma. Sra. D<sup>a</sup> Julieta Carmona Bermejo  
Lawyer at the EUROJUST Legal Service

Subject 19: Conflicts of jurisdiction, “ne bis in idem” and transfer procedures

Author: Ilma. Sra. D<sup>a</sup> . Rosa Ana Morán Martínez  
Public Prosecutor. Technical Secretariat of the State Prosecution Service

## 4. Calendar

The course comprises two differentiated phases: The first phase will be followed through a virtual campus, with no need to travel, and the second phase will consist of a final assessment meeting which all participants who completed the course satisfactorily will be entitled to attend.

The course will commence at the 20 December 2012 and some time will be given for the participants to become familiar with and try how the virtual area works. Upon the end of this trial phase, on 14 January 2013 the virtual phase of the course will commence, which will finish at the end of June 2013.

The final assessment meeting will take place in Barcelona o Madrid in October 2013 and all travel and hotel arrangements for the participants will be made by the Judicial School. The School will also pay for the accommodation and travel of the attendants thanks to a subsidy granted for this activity by the European Union.

Therefore, the plan is as follows:



- 23 November 2012: Deadline for registration.
- 30 November 2012: Admission will be notified
- 20 December 2012: passwords will be sent
- 8 January 2013: Commencement of Module 0 (preliminary practice module).
- 14 January 2013: Commencement of the course, Module 1.
- 30 June 2013: End of the virtual phase
- Early October 2013: Final meeting in Madrid or Barcelona for the people who have passed the e-learning phase.

## 5. Applications

- Applications must be submitted by sending the enclosed registration questionnaire to the permanent training centre (judicial school, Ministry of Justice, or any competent centre) in the member country of the EJTN. From this centre, the applications will be sent to the Judicial School with an additional document in which the order of priority of the applications will be specified. The Judicial School cannot reserve a certain number of places for any participant, as the distribution will not be carried out until all applications have been received. Nevertheless, each applying country will have a minimum of one place and the organisers will assign the remaining free places according to the possibilities but always following the order of preference given by the training centre.
- Without the submission of the registration questionnaire the application will not be considered as having been made.
- Upon selection a notice of admission will be sent.
- The contact person at the Judicial School, who will receive the applications (preferably by electronic mail), is:

Antonio Marchal Martos

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Escuela Judicial. Ctra. de Vallvidrera,  
43-45. 08017-BARCELONA*

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The **deadline** for receiving the applications at the Judicial School will be **23 November 2012**.

