EU Criminal Law for Defence Counsel

Rome, 21-22 Jun 2013

Organiser: Academy of European Law (ERA) in cooperation with the European Criminal Bar Association (ECBA) and the Studio Legale Cirese

Procedural Rights in Criminal Proceedings: The EU's Roadmap

by

Ilias Anagnostopoulos, Anagnostopoulos, Athens CCBE Criminal Law Committee, Chair National University of Athens, School of Law, Assoc. Professor

• The European area of freedom, security and justice (Treaty of Amsterdam, 1999)

- Mutual recognition of criminal judgments (Tampere Conclusions, 1999)
- •The European Arrest Warrant and other prosecutorial instruments (2002 on)

• The Commission's Green Paper on procedural rights in criminal proceedings (2003)

•The Commission's Proposal for a Framework Decision on Certain Procedural Rights in Criminal Proceedings (2004)

• Political Opposition and Failure of the Proposal (2004-2007)

•The Roadmap for strengthening procedural rights of suspected or accused persons in criminal proceedings presented by the Swedish Presidency on July 1, 2009 as part of the Stockholm Programme for an open and secure Europe serving and protecting the citizens (2009-2014)

- Measures A to E of the Roadmap and beyond
- The new EU-Directives on procedural rights under the Lisbon Treaty

Directive 2010/54/EU on the right to interpretation and translation
Directive 2012/13/EU on the right to information

•Proposed Directive on the right of legal access to lawyer

•The Commission's Proposal (2011)

•The Council's position

•The European Parliament's position

•The ECtHR case-law

•The CCBE's position

•The compromise

•Expected initiatives

∘Legal aid

•Protection of vulnerable persons

Pre-trial detention and presumption of innocence

• What perspectives for procedural rights in Europe?