

# Preparing for the Swedish Presidency of the EU

1 July – 31 December 2009

Photos: Mark Earthy/Scanpix, Pawel Flato

Ministry of Justice, Sweden

## PRELIMINARY PROGRAMME • ANNEX 1

### Justice in the EU – from the Citizen's Perspective

22–23 July 2009 in Stockholm, Sweden

Place: City Conference Center Norra Latin, Stockholm

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#### Wednesday, 22 July 2009

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9.00	Registration and coffee
10.00	Opening of the conference (plenary session): <ul style="list-style-type: none"><li>- Welcome address by Swedish Minister for Justice Beatrice Ask</li><li>- Speech by Vice-President of the European Commission Jacques Barrot</li><li>- Speech by German Federal Minister for Justice Brigitte Zypries</li></ul>
11.00	Presentation of the workshop topics (plenary session)
12.30	Lunch at Norra Latin
14.00	Three parallel workshops (see workshop descriptions below): <ul style="list-style-type: none"><li>- <i>Effective access to civil justice in the EU – how do we make it a reality for the individual?</i></li><li>- <i>How can procedural rights for suspects and defendants in the EU be enhanced?</i></li><li>- <i>How can communication between victims of crime and the judicial system in criminal proceedings be improved?</i></li></ul>
15.30	Coffee
16.00	Workshop sessions continue
18.00	End of workshop sessions
19.00	Transport to the dinner venue from Norra Latin
20.15	Guided tour of the Vasa Museum
20.45	Dinner at the Vasa Museum

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## Justice in the EU – from the Citizen’s Perspective

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**Thursday, 23 July 2009**

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9.30	Summary of the workshops (plenary session)
11.00	Coffee
11.30	Concluding remarks by Swedish Minister for Justice Beatrice Ask
12.00	Lunch at Norra Latin

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## WORKSHOPS

### ***Workshop 1 - Effective access to civil justice in the EU – how do we make it a reality for the individual?***

For the establishment of an area of freedom, security and justice with free movement of individuals, the European Union has adopted a number of instruments relating to judicial cooperation in civil matters concerning cross border litigation, such as the Brussels I-Regulation, the European Enforcement Order for uncontested claims, the European Payment Order, the regulation establishing a Small Claims Procedure, the regulation on the Taking of Evidence in Civil and Commercial Matters and the regulation on the Service of Documents in Civil and Commercial Matters. It is of vital importance that these legal instruments work in practice and are applied in a manner that enhances access to civil justice for individuals.

Various means to achieve this objective must be explored and implemented. A significant way forward involves promoting knowledge among practitioners and citizens about community legislation and the different legal systems of Member States’. Modern technology, such as video conferencing and e-Justice, may certainly be an important tool. Effective access to justice also requires an efficient and effective functioning communication between courts and individuals. A prerequisite is citizens confidence in the courts of the Member States. Strengthening public trust in the judicial systems in general, and in the courts in particular, is therefore crucial.

The purpose of this workshop is to deepen the discussion on the objectives and methods mentioned. A specific aim is to identify obstacles encountered by individuals when they make use of community instruments in cross border matters and to examine how to overcome these obstacles. Representatives from the European Court of Justice, the European Commission, the court systems of the Member States, the universities and – not least – the national bars and law societies will participate in the panel.

Contact: Mr Claes Svenson, [claes.svenson@justice.ministry.se](mailto:claes.svenson@justice.ministry.se), + 46 8 405 28 89



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### ***Workshop 2 - How can procedural rights for suspects and defendants in the EU be enhanced?***

In a European Union characterised by free movement, an increasing number of people are involved in criminal proceedings in another Member State. These people often do not know the language used by the authorities in that state and are less likely to possess knowledge about their rights. It is essential that suspects and defendants have confidence in the fairness of the criminal proceedings regardless of where they are subject to criminal suspicion or indictment.

However, despite the fact that the vast majority of Member States subscribe to the importance of minimum standards of procedural rights for suspects and defendants, discussions on procedural rights have demonstrated that the issue is complex and sensitive. Although all EU Member States are party to the European Convention on Human Rights and Fundamental Freedoms, there are numerous reports of violations of procedural rights in many of the Member States. These reports clearly underscore the need to explore ways to move forward in this area. The purpose of this workshop is to discuss the present situation on procedural rights in the European Union and by what means procedural rights can be promoted in the Member States. In the discussions, representatives from e.g. the European Commission, the Council of Europe, NGOs and universities will participate.

Contact: Ms Signe Öhman, [signe.ohman@justice.ministry.se](mailto:signe.ohman@justice.ministry.se), +46 8 405 47 99

### ***Workshop 3 – How can communication between victims of crime and the judicial system in criminal proceedings be improved?***

Protecting the citizens is one of the key tasks of the EU. The Union needs to ensure that citizens who have been subjected to crime have access to justice as well as to adequate help and support. Being subjected to a crime is often experienced as difficult and it can be both traumatic and intimidating. This holds especially true if a person is subjected to crime in another Member State than the one of his/her residence.

The purpose of this workshop is to put focus on problems that victims of crime may face in criminal proceedings concerning communication (i.e. translation, interpretation and information). The topic will be highlighted and discussed from different perspectives, through presentations by the European Commission, NGOs, the European Court of Human Rights (tbc) and the Swedish Crime Victim Compensation and Support Authority. The Commission’s internal evaluation and a Community sponsored project on the implementation of the Council Framework Decision of 2001 on the standing of victims in criminal proceedings will both be presented and discussed as will good practices that could be used as models for developing better communication in this respect.

Contact: Mr Christian Olsson, [christian.olsson@justice.ministry.se](mailto:christian.olsson@justice.ministry.se), +46 8 405 47 24



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