Criminal Justice Evaluation in Europe
An additional evaluation mechanism on judicial cooperation in criminal matters

27-29 May 2013
The Hague, the Netherlands
Dear sir/madam,

Please find attached the invitation to “Criminal Justice Evaluation in Europe”, a two-day conference on the results of the project “An additional evaluation mechanism on judicial cooperation in criminal matters”. The conference will take place on 27-29 May 2013 in The Hague. The conference is hosted by the Ministry of Security and Justice of the Netherlands, in close cooperation with the French Ministry of Justice and the Federal Ministry of Justice of Germany, with the financial support of the Criminal Justice Programme of the European Commission.

Background
In 2010, in the aftermath of the drafting of the Stockholm Programme and the Action Plan, France, Germany and the Netherlands started a pilot project to develop an additional evaluation mechanism on judicial cooperation in criminal matters. The objective of the project is to improve the knowledge of member states of each others national legal orders by making use of various evaluation mechanisms, to identify problems in cross-border cooperation in criminal matters and to find solutions by exchanging best practises for the judicial cooperation between EU Member States.

This conference will focus on the two main results of the project, consisting of (1) a methodological part on the possibilities and impossibilities concerning the development of a broad/general criminal justice evaluation mechanism within the European Union and (2) a part on the effectiveness of the European Arrest warrant instrument in relation to the application of the principle of proportionality.

The conference aims to bring together experts and justice practitioners on the following subjects:
- The European Arrest Warrant / Criminal law;
- Evaluation mechanisms and mutual trust aspects.

We would like to welcome two experts from the Ministries of Justice (e.g. policy advisors or practitioners in the field of evaluation methodology or the European Arrest Warrant) of each EU Member State for attending the conference. Accessing countries will be able to send two representatives as well. With respect to the practical arrangements it is good to know that the costs of the flights or international train tickets and accommodation for 27 and 28 May of these two experts will be covered by the organisers of the conference. The European Commission, The Council of Europe, EU Agencies, the European Judicial Network and the interviewed persons that participated in the peer review visits will also be invited.

Programme
We would like to express our gratitude to the European Commission, the scientific experts and others who have sent us suggestions for subjects to be discussed during the conference in reply to our call for input. Based on the ideas received, we have tried to put together a programme that is relevant to both the experts on Criminal law and the European Arrest Warrant and experts on evaluation mechanisms and mutual trust aspects. During the conference there will be speeches, presentations and panel discussions to exchange ideas and experiences. Also the final report of the project will be presented to the European Commission and the participants.

Practicalities
The conference will take place at the Bel Air Hotel, Johan de Wittlaan 30, The Hague, the Netherlands.

Participants are kindly requested fill out the online registration form no later than 12 May.

Enclosed you will find:
- Background information;
- Practical information and
- A draft programme

We look forward to welcoming your delegation to the conference.
Also on behalf of France and Germany,
Yours sincerely,

J.M. Schoenmakers
Acting Chairman of the Steering group
Background information

In January 2009 at an informal JHA-Council in Prague, the Dutch Minister of Security and Justice intervened on the principle of mutual recognition. He stated that the basis for judicial cooperation in the EU is mutual trust, namely mutual trust in the functioning of each other Member State’s legal system and mutual trust between Member States and practitioners. Moreover, mutual trust builds upon the confidence of citizens in effective judicial cooperation, crime fighting and the protection of human rights is important. As a matter of principle, this trust is presumed. In practice, however, there are doubts about the functioning of some parts of national criminal justice systems. When those doubts keep lingering, it threatens the fundament of judicial cooperation in criminal matters in the EU. Moreover, also the quality of every criminal justice system in the EU is dependant on the quality of the justice systems of the other Member States. Therefore, the Dutch minister proposed that next to training and exchange missions and procedural guarantees, an evaluation mechanism should be developed in order to strengthen mutual trust in the EU.

Besides its positive effects on mutual trust, an additional evaluation mechanism can help to improve practical cooperation. Evaluating criminal justice systems will contribute to a better understanding of the Member States’ legal order. By comparing the similarities and differences in the implementation of EU measures, it will provide insight on how the criminal law systems work in practice. Next to this, evaluation can help to pin point problems in cross-border cooperation and to find solutions when best practises are exchanged. Reciprocal advice and encouragement by positive peer pressure can, when follow-up is guaranteed, contribute to build mutual trust and smoothen practical cooperation.

In the aftermath of the Minister’s intervention, a conference in Maastricht was organized to discuss how such an additional evaluation mechanism should be developed. The conference was organized around three questions:
1. ‘What’ should the mechanism focus on;
2. ‘How’ should it be organised, and;
3. ‘Who’ should be involved?

During the conference, the Dutch initiative was supported by France and Germany. The three countries decided to take further action to elaborate an additional evaluation mechanism and put forward the idea to introduce an additional evaluation mechanism into the Stockholm Programme. It took some effort from the three countries, but the evaluation mechanism has finally been incorporated in the Stockholm Programme and the Action plan. After the idea of an additional evaluation mechanism had been anchored in the Stockholm programme and the Action Plan, the concept still had to be further developed. In order to support the European Commission, France, Germany and the Netherlands had suggested to envisage a pilot project for the new evaluation mechanism in the Action Plan. The European Commission was interested in this idea and asked for a project proposal. The pilot project should aim at developing a solid methodology to evaluate various aspects that are related to judicial cooperation in criminal matters and the enhancement of mutual trust between the Member States. After much consultation, the European Arrest Warrant (EAW) was chosen as the subject matter of the evaluation in order to test the methodology. In particular, the pilot should focus on the conditions for issuing an EAW and the principle of proportionality. Based upon this concept, the three Member States submitted their project proposal for a grant under the Criminal Justice Programme in September 2010, and the Commission awarded the grant in May 2011.

Methodology

The project contained two main elements. The first element concerned the evaluation of the principle of proportionality and the European Arrest Warrant. By making use of a so-called ‘peer review evaluation method’ three national experts have evaluated the practice of judicial cooperation in criminal matters (i.e. the European Arrest Warrant) in the three participating EU Member States (France, Germany and the Netherlands). To extend the outcomes of the peer-review methods to other EU Member States a survey has been conducted to the national contact points of the European Judicial Network in Criminal Matters as well.

The second element of the project was related to the development of additional evaluation mechanisms on judicial cooperation in criminal matters. On the basis of research and analysis of relevant comparative evaluation methods (i.e. the CEPEJ studies on European Judicial systems, the World Bank studies on Doing Business, Governance Matters and Justice at a Glance, the World Justice Project, the World Economic Forum, Euro barometer studies, etc) various recommendations were developed with a view of introducing a comprehensive evaluation mechanism for judicial cooperation in criminal matters. As a part of these recommendations the experiences with the peer-review method on the application of the principle of proportionality and the European Arrest Warrant are included in the analysis.


Practical information

**Location/Venue**

Bel Air Hotel The Hague  
Johan de Wittlaan 30  
2517 JR, The Hague  
Phone no. +31 70 352 53 53

The Bel Air Hotel is located in the middle of the Statenkwartier area across the Catshuis, next to OPCW and Europol and within walking distance of the Gemeente Museum and the Peace Palace. The hotel is 45 minutes from Amsterdam Schiphol airport. There are 4 direct trains from Schiphol airport to The Hague Central Station and 2 direct trains to The Hague HS per hour. You can check the timetable at www.ns.nl. The journey takes around 30 minutes.

The hotel can easily be reached by taxi or public transport from railway stations Den Haag Central station and Den Haag HS with tram 17 to Statenkwartier, stop World Forum and bus 24 to Kijkduin, stop Gemeente Museum.

**Conference schedule**

The registration desk for the conference will be open on 27 May from 18.00 – 20.00 hrs. and on 28 May from 8.30 – 12.00 hrs. A welcome reception with drinks and small bites will be held on 27 May from 18.00 – 20.00 hrs. The conference will start at 9.00 hrs. on 28 May and end at 14.00 hrs. on 29 May.

**Language**

The working language of the conference is English. Translation will not be available.

**Registration**

Registration for this conference will take place through a web form which can be found on:

http://formulieren.justitie.nl/criminaljusticeevaluationineurope

Registration is possible until 12 May.

**Meals**

Breakfast is included in the room reservation/room rate. On 27 May, a reception will be held for participants at the Bel Air Hotel from 18.00 – 20.00 hrs. During this reception, drinks and small bites will be served. On 28 May, an informal dinner for participants will be offered and held in the Hague. On 28 and 29 May, lunch will be provided to participants at the Bel Air Hotel.

Participants are kindly requested to indicate in the web form whether they intend to attend the reception, lunches and dinner.

**Dietary requirements**

Please include any dietary requirements you may have in the web form.
Travel and accommodation for participants

Accommodation has been reserved in the Bel Air Hotel in The Hague.

Representatives from Ministries of Justice of EU Member States and acceding countries

We are able to cover travel arrangements for two experts/justice practitioners from the Ministries of Justice from each member state and acceding countries.

Our contracting travel agent will contact these experts who have registered to make the travel arrangements. We are able to carry the costs for flights/international train tickets and two nights (27 and 28 May, including breakfast) in the Bel Air Hotel (single room). We will not be able to reimburse the costs of travel arrangements which were made directly by the participants. We cannot guarantee payment of travel and accommodation arrangements for registrations received after 12 May.

Representatives from the European Commission, Council of Europe, EJN, EU agencies and the interviewed persons that participated in the peer review visits

Representatives of the European Commission, Council of Europe, EJN, EU agencies and the interviewed persons that participated in the peer review visits are invited to attend the conference. Due to budgetary limitations, we will not be able to cover the costs for travel and accommodation. We have pre-reserved rooms at the Bel Air Hotel at the same room rate. Participants can reserve a pre-reserved room through the registration form.

Extra nights

We have pre-reserved rooms for participants who want to arrive earlier than 27 May or leave later than 29 May. These extra nights have to be paid by the participant. You can reserve extra nights through the registration form.

Room rate

The room rate is € 135,00 per (single) room per night including breakfast (excluding city tax at € 3.81 per person per night).

Cancellation policy

Guests who have reserved a room may cancel it without any charges up to three days before the day of arrival. In case the reservation is cancelled later, the organisation has the right to charge the guest for the total cost of the first night as compensation (taxes included).

Other interested participants

We would also like to welcome scientific experts, practitioners and other participants to the conference. Due to budgetary limitations, we will not be able to cover the costs for travel and accommodation. We have pre-reserved rooms at the Bel Air Hotel at the same room rate. Participants can reserve a pre-reserved room through the registration form.

Extra nights

We have pre-reserved rooms for participants who want to arrive earlier than 27 May or leave later than 29 May. These extra nights have to be paid by the participant. You can reserve extra nights through the registration form.

Room rate

The room rate is € 135,00 per (single) room per night including breakfast (excluding city tax at € 3.81 per person per night).

Cancellation policy

Guests who have reserved a room may cancel it without any charges up to three days before the day of arrival. In case the reservation is cancelled later, the organisation has the right to charge the guest for the total cost of the first night as compensation (taxes included).

Other

Travel documents will be send as soon as possible after the travel arrangements have been agreed between the participant and the travel agency. The final programme will be distributed in the second half of May. Other documents will be distributed during the conference.
Contact
Should you have any further questions regarding the logistics (such as flights or accommodation) of the conference please contact:
Mr. Menno Ouwerkerk
Ministry of Security and Justice, The Netherlands
evenementen@minvenj.nl quoting
“Criminal Justice Evaluation in Europe”

Should you have any questions regarding the content of the conference, please contact:
Mr. Pim Albers
Ministry of Security and Justice, The Netherlands
p.albers@minvenj.nl quoting
“Criminal Justice Evaluation in Europe”