



J-CAP

D5.6 | Final International Conference report

Umit Oral (IGO-IFJ)

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Acronyms and abbreviations

- D – Deliverable;
- EU – European Union;
- ES – Executing State;
- FD – Framework Decision;
- IS – Issuing State;
- JHA – Justice and Home Affairs;
- MS – Member State;
- T – Task;
- WP – Work Package.

Executive summary

The J-CAP “Judicial cooperation for the enhancement of mutual recognition regarding probation measures and alternative sanctions” project aims to improve the execution of Council Framework Decision 2008/947/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments and probation decisions with a view to the supervision of probation measures and alternative sanctions (hereon after FD 2008/947). This objective will be pursued via an awareness-raising approach and the development of practical materials to facilitate the execution of the instrument among judges, prosecutors, lawyers and probation officers.

The present Deliverable (D) (D5.6 Final International Conference report) is integrated within Work Package (WP) 5 (Strategical dissemination and exploitation programme) and specifically Task (T) 5.5 (Final International Conference). The following document provides an overview to J-CAP’s Final International Conference, held in Brussels, on the 12th of March 2024.

The Final Conference officially closed J-CAP’s action, and gathered practitioners (judges, prosecutors, lawyers and probation officers for this event which, in total, was attended by 32 participants.

Final international conference

Preliminary remarks

The J-CAP project initiated in April 2022 and spanned 24 months. The project was implemented with the objective of promoting the use of FD 2008/947, via an awareness-raising approach and the development of practical materials to facilitate the execution of the instrument among judges, prosecutors, lawyers and probation officers. The project was implemented by 7 partners and was supported by 8 associated partners, reaching in total 11 EU member states:

Consortium members:

- **Judicial Training Institute (IGO-IFJ)**, Belgium;
- **IPS_Innovative Prison Systems (IPS)**, Portugal;
- **Department of Applied Sociology of Law and Criminology at the University of Innsbruck (IRKS)**, Austria;
- **European Strategies Consulting (ESC)**, Romania;
- **Netherlands Helsinki Committee (NHC)**, The Netherlands;
- **Agenfor International Foundation (AGF)**, Italy;
- **National School for the Judiciary (ENM)**, France.

Associated partners:

- Association of Austrian Judges, Austria;
- Centre for Legal Studies and Specialised Training of Catalonia, Spain;
- National Institute of Magistracy, Romania;
- National School of Judiciary and Public Prosecution, Poland;
- Training Institute for the Judiciary, The Netherlands;
- Slovenian Probation Administration, Slovenia;
- Bremen Senate of Justice and Constitution, Germany;
- European Association of Judges;
- Belgium Federal Public Service Justice, Belgium.

The final conference

J-CAP's Final International Conference was held in Brussels, on the 12th of March 2024. It was attended (both online and *in situ*) by 32 participants. Due to an unexpected public transportation strike taking place in Brussels, several Belgian participants were unable to attend.

This event officially closed J-CAP's 24-month intervention and presented the perfect opportunity for partners to highlight the project's main activities and outputs, in way of further raising awareness to and promoting the use of FD 2008/947. Participants, including judges, prosecutors, lawyers and probation officers, as well as mediators and Ministry of Justice-level professionals, some of which had been thoroughly involved throughout J-CAP's activities, attended the event.

Emmanuelle Laudic-Baron, prosecutor and project manager at the National School for the Judiciary, moderated the event.

Introduction

The event began at 9h00 CET, and was introduced by Jos de Vos, senior training advisor at the Judicial Training School. Jos de Vos introduced the main issues that the project aimed to address. FD 2008/947 remains a largely underused instrument, and often times elusive for professionals. This is especially true when compared to other, more widely used instruments, such as the European Arrest Warrant and the European Investigation Order. Accordingly, Mr de Vos emphasizing the strength of J-CAP in its collaboration with the partners and associate partners, highlighting the project's activities and outputs.



Conference opening, led by Jos de Vos, senior training advisor at IGO-IFJ

Panel 1: The J-CAP Project: Insights by the Project Partners

Following Jos de Vos' introductory remarks, the floor was given to the Consortium partner to share their insights from the work throughout the last 2 years.

Rebecca Walter, Researcher from the Department of Applied Law and Criminology at the University of Innsbruck, delved into the partnership's research in their countries' national legal systems, probation measures and alternatives sanctions, as well as to each countries' implementation of FD 2008/947, which resulted in the project's first major output – the **Informative Materials**.

Ms Walter further underlined how this research laid out the differences between EUMS at the procedural level, a topic which often times hinders the execution of the instrument. Materials such as this are especially important for professionals, in order for a better and mutual understanding to be fostered and subsequently upscaled.

Rebecca Walter then addressed the first main awareness-raising activity carried out by the Consortium – the organization of the Thematic Workshops, which took place in each of the partner countries. These events showcased, on the one hand, the most common issues professionals face when working with FD 2008/947. On the other hand, a genuine and proactive engagement of participants resulted in several recommendations that can contribute to the implementation of the instrument.

The floor was then given to Ioan Durnescu, professor at the University of Bucharest and General Manager at European Strategies Consulting. Mr Durnescu expanded upon the project's awareness-raising activities, as well as J-CAP's development of guidance materials to assist professionals in a more streamlined use of FD 2008/947. Firstly, Mr Durnescu highlighted the **Guidance Booklet**. Accordingly, he underscored the value of this booklet, which includes guidelines for the evaluation of rehabilitation prospects, the identification of competent authorities in the executing State and a step-by-step tutorial on the filling of the transfer certificate.

Additionally, Ioan Durnescu highlighted the Consortium's efforts in to update the **European Probation Project software**, a database created by the Belgian Ministry of Justice to assist professionals, displaying and comparing existing probation measures and alternative sanctions in EUMS. He underscored how these efforts resulted in the update of the Consortium countries' information, and further recommended this tool to be further promoted at European levels.

Finally, Mr Durnescu recalled J-CAP first international level events – the organization of the Transnational Awareness-Raising Symposia (TARS), which took place in Brussels and Paris



Final International Conference

Institut de Formation Judiciaire
Avenue Louise 54, 1050 Bruxelles, Belgium
1st Floor, Room: Bonnie & Clyde
Brussels, Belgium | 12th March 2024
Moderator: Emmanuelle Laudic-Baron

09h30 - 09h00
Reception

09h00 - 09h15
Opening
Jos de Vos, Senior Training Advisor, IGO-IFJ (BE)

The J-CAP Project: Insights by the Project Partners

09h15 - 09h30
National characteristics and cross-border similarities
Rebecca Walter, Researcher, JKU University of Innsbruck (AT)

09h30 - 09h45
Raising awareness at the European level on FD 2008/947
Ioan Durnescu, ESC, Professor University of Bucharest (RO)

09h45 - 10h00
Consolidating knowledge via increased exchanges
João Gomes, Researcher and Consultant, IPS (PT)

10h00 - 10h15
The Digitalisation of Cross-border Judicial Cooperation and Framework Decision 2008/947
Alexander Ivanchev, Policy Officer, European Commission

10h15 - 10h30
Coffee-break

10h30 - 12h00
Increasing Targeted Knowledge

10h30 - 12h00
Live exercise
Emmanuelle Laudic-Baron, Prosecutor, Project Manager, ENM (FR)

12h00 - 13h00
Lunch-break

13h00 - 14h45
Interactive Session World Cafe
Barclay Wohlstetter, Programme Officer, NHC (NL)

14h45 - 15h00
Coffee-break

Final Thoughts

15h00 - 15h15
Conclusion
Emmanuelle Laudic-Baron, Prosecutor, Project Manager, ENM (FR)

15h15 - 15h30
Event Closing
Karin Carliers, Magistrate, IGO-IFJ (BE)




J-CAP's Final International Conference's agenda

in June and September of 2023, respectively. These events brought together practitioners for 2 days of activities, including roundtable, presentations, case studies and study visits. He further highlighted how the TARS showcased EUMS varying approaches to the use of FD 2008/947 and to their different legal cultures. The main conclusions deriving from the 2 TARS were that a more streamlined cooperation between national authorities is essential in FD 2008/947 procedures, and that it is fundamental for authorities to have the time for an appropriate knowledge of EUMS' legal systems.

João Gomes, researcher and consultant at IPS_Innovative Prison Systems, presented to the audience J-CAP's following activities. He continued by first presenting the organization of national roundtables, which took place in each of the partner countries. These events focused on providing the main conclusions from the 2 TARS, while providing a space for practitioners to discuss some of the promising practices which had been identified by the Consortium.

Afterwards, he recalled the organisation of J-CAP's International Virtual Conference, led by Agenfor International Foundation, which gathered practitioners from throughout the EU. He especially highlighted how the conference allowed for presentations from EUMS not included in the Consortium, and that allowed for a greater understanding of the often times common issues all countries face in relation to FD 2008/947.

Finally, Mr Gomes officially presented to audience J-CAP's final piece of guidance materials – the J-CAP **JUDICIAL TALKs**. These comprise a series of videos, including interviews and tutorials, addressing key questions related to the use of the FD.

The interviews, recorded during the 2nd TARS, in Paris, include, *inter alia*, introductory remarks on the FD, the advantages of using the instrument, promising practices, the role of international cooperation and real-life examples of cases. Additional videos consist of tutorials on the Guidance Booklet for practitioners, the use of the **Fiche Belges**, available in the European Judicial Network website and the filling of the transfer certificate.

Mr Gomes thanked the practitioners who contributed to the interviews – Julia Kolda (Austria), Tecla Cesaro (Italy), Marina Beun (The Netherlands), Kris van Opdenbosh (Belgium) and Emmanuelle Laudic-Baron (France) for their valuable contributions to these videos.

The 1st Panel was concluded with a presentation by Mr Alexander Ivantchev, Policy Officer at the Directorate-General for Justice and Consumers of the European Commission (EC), who informed participants of the EC's work towards further digitalisation of justice. Mr Ivantchev addressed the digitalisation of cross-border cooperation, highlighting the E-justice portal and interactive tools. He emphasized the benefits of electronic communication and the E-CODEX system to facilitate the collection of statistics and the provision of certified automatic translations. However, he mentioned challenges to overcome, including identifying competent authorities and ensuring a successful transition to electronic signatures and to a 'paperless' culture.

Panel 2: Increasing targeted knowledge

After a short coffee-break, a live exercise was carried out, led by moderator Emmanuelle Laudic-Baron. Practitioners were divided into 3 groups, and each group discussed the case brought forward. Specifically, the exercise asked for a live filling in of the transfer certificate.

Each group faced different hurdles. While, in some cases, challenges were faced with sections pertaining to the identification of the authority to contact in case additional

information about the probationer was necessary, others related to the execution of the probation measure and the assessment of the person's reintegration prospects.

Furthermore, the case highlighted the importance of occasionally combining European instruments by, for example, resorting to the transfer of financial penalties under FD 2008/214. The live exercise with a real concrete case enriched the discussion and facilitated the exchange of views and learning from each other's experiences.

Practitioners pointed to the added value of these types of exercises, which highlight how, besides the necessary discussions on the benefits of mutual exchange of experiences and knowledge, simulating the actual work brings forth the concrete issues that an adequate implementation of the FD faces.

Panel 3: Interactive session: World Café

The third and final panel of the Conference took the form of a World Café. Led by Barclay Wohlstetter, programme officer at the Netherlands Helsinki Committee. Practitioners were divided into 3 groups, which would be under the supervision of 2 Consortium members in each group. Each of the supervisors were attributed with a specific question related to the implementation of FD 2008/947:

- How can we develop more mutual trust among EU Member States?
- What more can be done to promote Framework Decision 947 in your jurisdiction?
- How can we use digital means to promote the use of Framework Decision 947?

Supervisors then travelled across groups to obtain their thoughts regarding each of the questions. Their replies and suggestions were transposed by the supervisors into large sheets, which were subsequently added by each of the groups.



Group 2, led by João Gomes and Karin Carlens

The responses and ideas from each group were presented by the partners during the final plenary session. In response to the first question, practitioners emphasized the importance of prioritizing knowledge and communication. They suggested organizing annual European meetings regarding FD 947, to facilitate collaboration, encourage exchanges of contacts among participants from different countries, establish communication channels with implementing states for valuable feedback, and to create national-level contact points or task forces for streamlined communication and coordination.

As far as the promotion of the Framework Decision is concerned, participants underlined the need to collaborate with legal associations to host webinars or workshops on the framework decision, engage in outreach to law schools to integrate FD 947 into relevant curricula, foster partnerships with software developers to ensure seamless integration into case management systems, facilitate regular training sessions for professionals emphasizing practical application of the framework decision, and to establish communication channels between prosecutors and probation services for efficient information exchange.

Lastly, regarding the utilization of digital means to promote the instrument, practitioners promptly advocated for the usefulness of newsletters aimed at judges, magistrates, prosecutors, lawyers, probation officers, and key judicial experts. At a broader level, an interesting idea concerns the use of AI tools to update the intranet of judicial offices, but also to create a platform or forum where experts in the field can ask and answer to questions, directly contact foreign colleague and share best practices.



Group 3, led by Ioan Durnescu and Vivianna Gullo

Final remarks

Emmanuelle Laudic-Baron took the floor to summarise the event's activities. She highlighted the work carried out by the project and its added value for practitioners. Furthermore, she thanked participants for their engagement in the conference.

The conclusions of the Final Conference underlined that, despite progress in consolidating knowledge and digitalisation, challenges still persist. The need to promote, train, and disseminate information remains crucial to ensure the success of cross-border judicial cooperation.

The event was officially closed by Karin Carlens, project manager at IGO-IFJ, who provided a summary of the key issues addressed during the last two years of work and the implementation, as well as J-CAP's value for professionals.



J-CAP

Judicial cooperation for the enhancement of mutual recognition regarding probation measures and alternative sanctions

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