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1st LEGAL AID SEMINAR

SEMINARS ON GOOD PRACTICES AND MODELS IN
IMPLEMENTING THE LEGAL AID

LUXEMBOURG (LU), 2nd – 5th October 2017

PROGRAMME

Lead Firm / Chef de file





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PROGRAMME

SEMINAR ON LEGAL AID MEETING N° 1

LUXEMBOURG (LU), 2nd – 5th October 2017

Hotel Melia, 1 Park Dräi Eechelen (10 Rue Fort Thuengen)

- General presentation of Legal Aid component in the context of the EuroMed Justice
- LEGAL AID SEMINARS tasks and methodology.
- Elaboration of a Regional Study or Research updating the chapters addressing the LEGAL AID from the *“Handbook which identifies and describes possible approaches and best practices to improve access to justice and legal aid”* developed during the EuroMed Justice III Project.
- Preparation of the list of standards and good practices which can be adopted at national level

Participants:

- South Partner Countries representatives
- Representative of the European Commission
- EuroMed Justice Senior Short Term Experts
- EuroMed Justice Key Experts

Objectives:

The seminars' objective is to develop capacity building for the relevant stakeholders involved in the implementation of legal aid, as well as on law drafting, in line with international standards and on harmonisation of national legislation with international norms.

The seminar will build on the main findings regarding legal aid of the *“Handbook which identifies and describes possible approaches and best practices to improve access to justice and legal aid”* developed during the EuroMed Justice III Project.

The participants to the seminar and the Regional Research shall take into consideration and update the Handbook produced under the third phase of EuroMed Justice, which have been distributed to the participants.

The participants in the seminars will be involved in the updating of the **Regional Study or Research** on the new legal aid developments in the South Partner Countries together with a **list of standards and good practices** which can be adopted at national level.

Main objectives of the 1st Seminar are:

1. To define the scope of the regional study on the legal aid
2. To agree on the methodology, the expected inputs-outputs and the possible questionnaire for the SPCs.
3. To give the feedback on the content of the experts opinions.
4. To clarify the questions from experts or other participants to the seminar.
5. To identify the model of jurisdiction applicable in each country over the legal aid
6. To clarify how the legal aid systems function.
7. To exchange experiences with regional and European partners.

RESULTS: Possible approaches and best practices in the implementation of legal aid frameworks are identified and adapted to the region.

Methodology:

Two seminars will take place:

- *First one on 2-5 October 2017 in Luxembourg*
- *Second one in July 2018.*

In the first seminar, among other issues, the updating of the EMJ III regional study on legal aid will be addressed (scope, methodology, etc.). The final version of the study will be approved during the second seminar.

The role of Seminars participants the drafting of the Regional Study or Research

One of the main objectives of the *Seminars* is to support the drafting of the **Regional Study or Research**. The *Seminars participants* will be closely involved in the elaboration of the **Regional Study or Research** especially as to:

- Define the scope and agree on the methodology, the expected inputs-outputs and the possible questionnaires for the SPCs.
- Give feedback on the content.
- Review the progress and clarify questions from experts or SPCs.

Starting from the previous *Handbook which identifies and describes possible approaches and best practices to improve access to justice and legal aid* developed during the EuroMed Justice III Project, sent in advance to the Seminar participants, the SPCs national presentations, the introductory intervention of the EuroMed Justice Key experts and the presentations made by EU and international experts, the 1st LEGAL AID Seminar will discuss and decide on the above-mentioned topics from 1 to 7.

Experts:

- South Partner Countries Experts
 - *Mr. Akram Daoud*, Legal Consultant, Nablus, Palestine,
 - *Mr. Tarik Zouhair*, Docteur en Droit, Avocat au Barreau de Casablanca, Morocco
- European Experts
 - *Ms. Marta Isern Busquets*, Barcelona Bar Association, Spain, Deputy Director and Head of the Training and Legal Education Department and Data Centre. Member of the European Lawyers Foundation Board of Directors since January 2017
 - *Mr. Andrea Sabbatini*, Lawyer, Luxembourg Bar Association.
 - *Mr. Alessandro Simoni*, Professor of Comparative Law, Law & Development, Islamic law, University of Florence, School of Law & Department of Legal Sciences, Italy
- EuroMed Justice Key Experts:
 - *Victoria Palau - Team Leader*
 - *Virgil Ivan-Cucu - Capacity Building*

PROGRAMME

Monday 2 October 2017

09.30 Opening & Welcome

09.40 **General presentation and introduction of the Legal Aid Seminar organisation, methodology and tasks. EuroMed Justice web page public space and restricted area - EuroMed Justice Key Experts**

- Presentation - EuroMed Justice Key experts will explain in detail the objectives and the outputs, the broad lines of the Legal Aid methodology and the commitment needed from the Seminar participants. (See the PMT introductory paper sent in advance).

10.00 **EU acquis developed on Legal Aid - Directive (EU) 2016/1919 on legal aid for suspects and accused persons in criminal proceedings and for requested persons in European arrest warrant proceedings – Mr. Virgil Ivan-Cucu, EuroMed Justice Capacity Building Expert**

11.15 *Coffee Break*

11.30 **General introduction of the EU and international legal and institutional framework that governs Legal Aid - European Expert -Mr. Andrea Sabbatini (Luxembourg)**

- Presentation of European and international standards, norms, good practices, experiences, innovative approaches

12.45 *Lunch Break*

14.00 **General introduction of the South Partner countries legal and institutional framework that governs Legal Aid – SPCs Expert - Mr. Tarik Zouhair**

- Presentation of general SPCs frameworks, standards, good practices, experiences, priority areas and innovative approaches

15.15 *Coffee Break*

15.45 **Experts' presentation of the preliminary approach, outlines and proposals for the updating of the 2013 EuroMed Justice III Handbook and the drafting of the Regional Study on the legal aid. - Ms. Marta Isern Busquets (Spain) and SPCs Expert - Mr. Akram Daoud,**

16.45 **Questions and comments from the participants** - preliminary findings

17.15 *End of the first day*

Tuesday 3 October 2017

09.00 **EU perspective regarding the standards, good practices and models in implementing the legal aid which can be adopted at national level by the SPCs - European Expert - Mr. Alessandro Simoni (Italy)**

10.15 *Coffee Break*

10.45 **Mediterranean region perspective regarding the good practices and models in implementing the legal aid – SPCs Expert - Mr. Tarik Zouhair**

12.00 *Lunch Break*

13.30 **National Presentation of the current situation, legislation, stakeholders, case law, related to legal aid**

1. Algeria
2. Egypt
3. Israel
4. Jordan

14.45 *Coffee Break*

15.15 **National Presentations (continued):**

5. Lebanon
6. Morocco
7. Palestine
8. Tunisia

16.30 **Remarks from the Experts Ms. Marta Isern Busquets (Spain) and SPCs Expert - TBC**
Questions and comments from the participants

17.00 *End of the second day*

Wednesday 4 October 2017

09.00 **(1) Legal Aid Laboratory – Moderators:** *Ms. Marta Isern Busquets* (Spain) and *Mr. Akram Daoud*, supported by EuroMed Justice PMT- **Seminar participants** and **Experts** debate and discuss:

- a. The right to legal aid
- b. Legal frameworks
- c. Public awareness of the right to legal aid
- d. Services included as part of legal aid:
 - Legal aid services provided in criminal, civil & administrative cases
 - Specialized legal aid services for vulnerable persons: foreigners, children, victims, women, disabled persons

10.30 *Coffee Break*

11.00 **(2) Legal Aid Laboratory - Moderators:** *Ms. Marta Isern Busquets* (Spain) and *Mr. Akram Daoud*, supported by EuroMed Justice PMT - **Seminar participants** and **Experts** debate and discuss:

- e. Organisation and administration of legal aid
 - Legal aid authorities
 - Appointment mechanisms
 - Budgetary allocations for legal aid
 - Qualification requirements for legal aid providers
 - Physical and financial accessibility of legal aid
 - Mechanisms to ensure independence of legal aid providers
 - Mechanisms to ensure the quality of legal aid services

12.30 *Lunch Break*

14.00 **(3) Legal Aid Laboratory - Moderators:** *Ms. Marta Isern Busquets* (Spain) and *Mr. Akram Daoud*, supported by EuroMed Justice PMT - **Seminar participants** and **Experts** debate and discuss:

- f. Legal aid in criminal proceedings
 - Eligibility to legal aid in criminal cases
 - Effectiveness and quality of legal aid services provided in criminal cases
 - Specialized legal aid for children in criminal cases

15.30 **(4) Legal Aid Laboratory - Moderators:** *Ms. Marta Isern Busquets* (Spain) and *Mr. Akram Daoud*, supported by EuroMed Justice PMT - **Seminar participants** and **Experts** debate and discuss:

- g. Legal aid in civil and administrative proceedings
 - Eligibility for legal aid in civil and administrative cases
 - Types of cases for which legal aid is provided in civil and administrative cases
 - Legal aid and informal justice systems

17.00 *End of the third day*

Thursday 5 October 2017

09.00 **Laboratory Results - finalisation of the debates and discussions**

Moderators: *Ms. Marta Isern Busquets* (Spain) and *Mr. Akram Daoud*, supported by EuroMed Justice PMT

Seminar participants and **Experts** debate and discuss:

- h. Legal aid delivery models
- g. Priority areas for support

11.00 *Coffee Break*

11.30 **Drafting the recommendations and proposals** for the Regional Study on the legal aid – EuroMed Justice PMT

- Seminar participants and the experts

12.15 **PMT discussions** to encourage the identification of possible regional needs to be covered by the Technical Assistance Facility (TAF).

13.00 *Lunch Break*

14.30 **Adoption of the 1st LEGAL AID Seminar recommendations and proposals.**

15.30 **Preparations for the 2nd LEGAL AID Seminar – intersessional calendar.**

16.30 *End of the 1st LEGAL AID Seminar*
