

Data Protection in Criminal Proceedings II Edition

1st Workshop - Strasbourg – 7 to 9 October 2009

Specialised training for European judges and prosecutors

In the framework of the Criminal Justice Programme of the European Commission and in close cooperation with the Council of Europe, the University of Castilla-La Mancha is launching the II Edition of Judicial Training on Data Protection in Criminal Proceedings – DPiCP Project - JLS/2008/JPEN/020. The 1st Workshop is hosted by the Council of Europe and will take place from 7 to 9 October 2009 in Strasbourg.

Judges and Prosecutors of EU Member States and candidate countries are invited to attend the Workshop.

Activities of the DPiCP Project are in line with the European Commission's Communication of 29 June 2006 on judicial training in the European Union and the Resolution of the Council and of the Representatives of the Governments of the Member States on the training of judges, prosecutors and judicial staff in the European Union.



9.00 – 9.30	Accreditations	
9.30 – 10.00	Inauguration – General remarks Representative of the CoE Representative of the EU BAYO DELGADO, Joaquin	
10.00 – 11.00	CoE Conventions and ECHR cases-law GAYEVSKA, Kateryna	
11.00 – 11.30	<i>Coffee - break</i>	
11.30 – 13.00	EU Instruments and TJCE cases-law European systems of information and criminal data basis Data basis in the fight against terrorism SCHAAR, Peter GUTIERREZ-ZARZA, Angeles	
13.00 – 14.30	<i>Lunch break</i>	
14.30 – 16.00	Availability principle. Convergence of data basis Prüm Convention MICHAEL ALEXANDER, Peter	
16.00 – 16.30	<i>Coffee - break</i>	
16.30 – 18.00	National data basis in criminal matters Representative of WG – Germany MAC GILLAVRY, E.C. – Netherlands Representative of WG – Spain Representative of WG – United Kingdom	



Thursday 8th October

9.30 – 11.00	The fundamental right of data protection Data protection in domestic criminal investigations Representative of WG – Germany MAC GILLAVRY, E.C. – Netherlands Representative of WG – Spain SMITH, David – United Kingdom	
11.00 – 11.30	<i>Coffee - break</i>	
11.30 – 13.00	Data protection and judicial cooperation in criminal matters MOHLIG, Angelika STESSENS, Guy	
13.00 – 14.30	<i>Lunch break</i>	
14.30 – 16.00	Data protection in European institutions and bodies ALONSO BLAS, Diana DREWER, Daniel	
16.00 – 16.30	<i>Coffee - break</i>	
16.30 – 18.00	Gathering and admissibility of evidence in court BAYO DELGADO, Joaquin FERNANDEZ PALMA, Maria Rosa	



European Data Protection Supervisor



Friday 9th October

9.30 – 11.00	Transfer of criminal data from EU Member States to third countries DOMINGUEZ, Elena Representative of WG – Germany E.C. Mac GILLAVRY – Netherlands Representative of WG – Spain SMITH, David – United Kingdom	
11.00 – 11.30	<i>Coffee - break</i>	
11.30 – 12.30	Agreements of cooperation between Eurojust and Europol and third countries ALONSO BLAS, Diana MICHAEL ALEXANDER, Peter	
12.30 – 13.00	Perspectives for the future HUSTINX, Peter	
13.00 – 13.30	<i>Closure - certificates of attendance</i>	

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Pool of experts

ALONSO BLAS, D – Eurojust DPO

BAYO DELGADO, J – former Deputy EDPS

DOMINGUEZ, Elena – Prosecutor and Expert AEPD

DREWER, Daniel – Europol DPO

MAC GILLAVRY – Prosecutor Office in Netherlands

G. ZARZA, Ángeles – Eurojust Legal Service

GAYEVSKA, Kateryna – DP expert, Council of Europe

HUSTINX, Peter – EDPS

LESMES, Carlos – Spanish Senior judge

MICHAEL, Peter – General Secret. Council EU

MOHLIG, Angelika – Prosecutor O. In Germany

SCHAAR, Peter – Commissioner DP in Germany

SMITH, David – UK Deputy Commissioner DP

STESSENS, Guy – General Secret. Council EU

Spanish Working Group

DE JORGE MESAS, Luis Francisco – CGPJ

DELGADO MARTIN, Joaquin – CGPJ

DEL CERRO, Antonio – FGE

FRIAS, Emilio – Prosecutor. Albacete District Court

MARCOS AYJON, Miguel – GD Justice, CLM Regional Gov.

MARTIN, Fernando – Investigating Judge, Sevilla

MORENO, Francisco – FGE

RODRIGUEZ, Maria Teresa – Judicial Secretary, Toledo



In the 80's the Council of Europe was a pioneer institution in the protection of personal data, with the adoption of the 108 Convention for the protection of individuals with regard to automatic processing of personal data, and in the particular area of criminal investigations, with the approval of the Recommendation R(87)15 on regulating the use of personal data in the police sector.

Data protection in criminal matters has also received the attention of the European Union. The Schengen Convention and later Europol and Eurojust have established their own systems for processing and exchanging criminal information and introduced appropriate rules on data protection. The FD 2008/977/JAI on data protection in criminal matters and the FD 2009/315/JAI on criminal

records will be applicable for the exchange of information between the EU Member States when investigating transnational criminal offences. In addition, domestic legislation includes certain particularities regarding the processing and exchanging of information in criminal matters.

Most of the jurists don't have neither a general view of the existing criminal data basis at European, transnational and domestic level nor the necessary knowledge of the principles, guarantees and rights on data protection in criminal matters.

The DPiCP Project aims to provide judges and prosecutors with the necessary training in this specific field. It includes also the elaboration of adequate training materials for judicial schools and judicial training centres on this issue.