



J-CAP

E-MAGAZINE

ISSUE 4 | MARCH 2024





TABLE OF CONTENT

pg. 3

FINAL INTERNATIONAL
CONFERENCE

pg. 8

INTERACTIVE SESSION WORLD
CAFE

pg. 4

THE J-CAP PROJECT:
INSIGHTS BY THE PROJECT
PARTNERS

pg. 9

FINAL THOUGHTS

pg. 7

INCREASING TARGETED
KNOWLEDGE



FINAL INTERNATIONAL CONFERENCE



The J-CAP project, STARTED in April 2022 and lasting 24 months, aimed to promote understanding and dissemination of the Framework Decision 947, adopted by the EU Council 15 years ago. After two years of work by the J-CAP partners and the insightful participation of external experts and practitioners, the Final International Conference marked the culmination of this ambitious project. The conference presented challenges, outcomes and anticipated future activities and recommendations to key stakeholders.

The participants sought to overcome obstacles associated with differences in probation penalties, lack of knowledge of decisions made in other EU-MS, and the prevalent preference for custodial sentences.

The Conference took place in Brussels on March 12, 2024 - the day after the final Transnational Project Meeting - allowing the J-CAP Consortium time to review the accomplishments of the past two years.

In the months leading up to the Conference, partners planned every aspect of the event: from selecting the most relevant topics to present, such as J-CAP outcomes like the Judicial Talks and the Informative Materials, to determining participants involvement.

The partners agreed to start the Final Conference with the presentation of conclusions on J-CAP. The presentations addressed national characteristics and cross-border similarities, with the aim of raising awareness on FD 2008/947 among EU-MS. The presentations furthermore focused on consolidating knowledge via increased exchanges, and on the digitalisation of cross-border judicial cooperation and Framework Decision 2008/947.

After these presentations, participants were divided into three groups, each guided and monitored by two partners. These groups were tasked with addressing specific issues related to the implementation of FD 947.

The Conference was deemed stimulating and insightful by the participants, who expressed the need for more opportunities to engage in direct discussions and debates with their foreign counterparts and colleagues to improve the overall framework of judicial cooperation within the EU.



THE J-CAP PROJECT: INSIGHTS BY THE PROJECT PARTNERS

The Final International Conference took place at the premises of IGO-IFJ in Brussels, Belgium, the day after the final Transnational Project Meeting. The Conference brought together 32 participants, including magistrates, judges, lawyers, probation officers and other judicial experts and practitioners from the partners countries: Austria, Belgium, France, Italy, the Netherlands, Portugal and Romania.

The Conference commenced with the opening remarks from Jos de Vos, Senior Training Advisor at IGO-IFJ. He emphasized the strength of J-CAP in its collaboration with seven partners and eight associate partners from eleven EU-MS. Furthermore, he highlighted the project's focus on a less-known European legislative instrument concerning the mutual recognition of probation measures and alternative sanctions, in contrast to widely practiced measures such as the European Arrest Warrant and the European Investigation Order.



J-CAP Consortium during the last Transnational Project Meeting, held on March 11, 2024.



Jos de Vos opening the Final International Conference.



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

08h30 - 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, IRKS 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 Ivantshev, Policy Officer, European Commission

10h15 - 10h30
Coffee-break

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 Carlens, Magistrate, IGO-IFJ (BE)



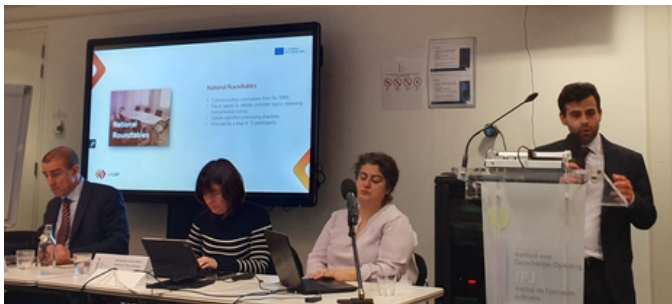
Mr De Vos also underscored how the project fostered transnational cooperation and coordination between practitioners from various EU-MS, thereby facilitating closer interaction to address structural challenges in implementing the instrument by enhancing knowledge of and trust in other judicial systems and authorities. This was achieved through workshops, meetings, documentation, electronic tools and other means.

Following the outline of the day's agenda, the floor was given to Rebecca Walter from the Department of applied Sociology of Law and Criminology at the University of Innsbruck to present the outcome of the deliverable Informative Materials.

Rebecca Walter emphasized the importance of having more projects like J-CAP to disseminate knowledge about the various national legal systems and their respective probation systems among EU-MS. She recommended using the seven national reports drafted within the J-CAP project as a template for other EU-MS in order to effectively share this vital knowledge. Furthermore, she stressed the need to create short and concise materials that are easily accessible online. Additionally, she underscored the necessity of creating living documents that are regularly updated to promptly respond to changes in national legislation.

Ioan Durnescu, Professor at the University of Bucharest and expert for European Strategies Consulting, presented the results of the Transnational Awareness-Raising Symposia, underlining challenges in adapting sentences between EU-MS and the utility of the EJM website, despite technical and financial difficulties. Mr Durnescu presented the J-CAP Guidance Booklet on FD 2008/947, emphasizing the importance of maintaining comprehensive and up-to-date data to ensure the effectiveness of tool.

João Gomes, the representative from IPS, presented roundtables and conferences aimed at fostering exchanges among professionals, emphasizing the importance of interviews to share practitioners' experience in implementing the FD 947.



*João Gomes, Ioan Dumescu
and Rebecca Walter
presenting J-CAP outcomes.*

Next, Alexander Ivantchev from the European Commission addressed the digitization of cross-border cooperation, highlighting the E-justice portal and interactive tools. He presented the benefits of electronic communication and the E-CODEX system in facilitating the collection of statistics and providing certified automatic translations. However, Mr Ivantchev mentioned challenges to overcome, including identifying competent authorities and ensuring a successful transition to electronic signatures and a paperless culture.

Challenges

- Need to elaborate workflows that cater for the procedural situation and needs in each Member State.
- Need to transition to the use of electronic signature and seals for electronic documents.
- Deployment considerations – a national decision which agency hosts and operates each national 'node' in the system, and who has access.
- The appropriate national infrastructure needs to be deployed, maintained and operated.
- Cultural acceptance and learning curve. Need for training.



*Alexander Ivantchev
presenting the challenges
in digitization of cross-
border cooperation.*





INCREASING TARGETED KNOWLEDGE

After the coffee break, participants were divided into three groups to discuss the case elaborated by Emmanuelle Laudic-Baron, Prosecutor and Project Manager at the *École Nationale de la Magistrature*, with the support of the other project partners. The case study emphasized the importance of training practitioners to promptly consider transfer, whenever possible, upon the issuing of a judicial decision. This approach aims to prevent the challenges linked to adapting to foreign legislation. Furthermore, it highlighted the importance of occasionally combining European instruments by, for example, resorting to the transfer of financial penalties under FD 2008/214.

The main topics discussed and extensively debated revolved around the prerequisites of an employment contract and methods to prove a lawful and regular residence for entry into the executing State.



Group 2 discussing the case, guided by João Gomes and Karin Carlens.

Each group was supervised by two partners who subsequently presented the outcomes of the groups in the plenary session.

It was interesting to observe the different perspectives and approaches applied in addressing the case. For instance, Group 2 pinpointed specific challenges in meeting the requirements of the initial sections of the certificate, whereas Group 3 claimed the most problematic issue did not concern the nature of the measures to be applied, but their time-frame, the duration.

This exercise highlighted the importance of communication and cooperation between EU-MSs and the need of clear and direct contacts between national authorities.



INTERACTIVE SESSION WORLD CAFE

Following the lunch break, Barclay Wohlstetter, Programme Officer at NHC, presented the guidelines for the World Cafe. Participants were once again divided into three groups - guided and monitored by two partners - to give their insights on the following questions:

- 🔥 *How do we develop more mutual trust amongst EU Member States?*
- 🔥 *What more can be done to promote FD 947 in your jurisdiction?*
- 🔥 *How can we use digital means to promote the use of FD 947?*



Group 1 guided by Rebecca Walter and Walter Hammerschick.



Group 3 guided by Ioan Dumescu and Viviana Gullo.

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 EU tool, 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.



Final plenary session.

FINAL THOUGHTS

To conclude the Final International Conference, Emmanuelle Laudic-Baron and Karin Carlens, magistrate at IGO-IFJ, provided a summary of the key issues addressed during these two years of work and the implementation of FD 947. Despite advancements in consolidating knowledge and digitization, challenges persist, as highlighted during national workshops and other J-CAP events aimed at exploring the implementation of the EU tool. The need of promoting, training, and disseminating information remains crucial to ensure the success of cross-border judicial cooperation.



Emmanuelle Laudic-Baron and Karin Carlens closing the J-CAP Final International Conference.





J-CAP

