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TACIS UKRAINE ACTION PROGRAMME 2004

Project on International Cooperation
in Criminal Matters in Ukraine (UPIC)

Activity 3.1.1.3

International Conference on Extradition Draft Programme

Objective:

The aim of this conference is to review and discuss problematic issues in relation to extradition under the Convention & Protocols, to propose solutions, exchange best practice and improve the cooperation in this field. The relevant jurisprudence of the European Court of Human Rights as regards extradition will also be examined. Presentations will focus on specific articles of the Convention and Protocols and case studies should be used to highlight operational issues encountered by practitioners.

The conference will also give an opportunity for participants from non-European Union Member States to gain an understanding of the European Arrest Warrant that has been in operation in the Member States of the European Union since 2004.

Finally, in keeping with one of the main project objectives, the conference will provide Ukrainian officials working in this area (from both the central and regional offices) an opportunity to establish, develop and enhance, institutional and personal contacts to assist in the improvement of the Convention and Protocols, by breaking down communication barriers and fostering closer international working relations.

Invited delegations:

Czech Republic	Portugal
Georgia	Russian Federation
Germany	Turkey
Israel	United Kingdom
Moldova	

Four representatives from the countries outlined above will be invited (their participation is to be funded through the UPIC project) from central authorities, judiciary and law enforcement authorities responsible for extradition:

- 1 contact point in the Ministry of Justice
- 1 contact point from Prosecution service
- 1 contact point from the Police or other relevant law enforcement body
- 1 contact point from the judiciary

The UPIC project gratefully requests that the invited states provide speakers for the identified topics within the agenda and these speakers are to form part of the delegation.

Ukrainian participants:

Up to 40 representatives from the Ukrainian Ministry of Justice, Prosecutor General's Office, Judiciary and the Ministry of Interior will be invited to participate in the conference.

5-6 November 2007

Day I – 5 November 2007:

09:00 Registration and Press Conference

09:30 Opening statements

TBC	-	Council of Europe
TBC	-	EC Delegation
TBC	-	Ministry of Justice
TBC	-	Prosecutor General's Office
Simon Regis	-	Team Leader - UPIC

Morning session: Chaired by Kateryna Shevchenko

General principles for extradition - Obligation to extradite and potential obstacles

10:00 Life sentences – Implementation or conversion upon return: Does life mean life?

Speaker from Portugal

10:30 UN Convention and Protocol relating to the State of Refugees – the interplay of this convention versus Extradition convention obligations

Speaker from the Office of the UNHCR, Ukraine

11:00 Break

11:30 Refugees & Asylum Seekers – does the granting of status frustrate the extradition process? A practitioner's point of view

Speakers from Turkey & United Kingdom (*35 mins each*)

12:45 Q&A

13:00 Lunch

Afternoon Session: Chaired by Olga Lytvynchuk

Protection of the rights of the extradited person

14:00 Non bis in idem – Are there differences in interpretation and application?

Speaker from Turkey

15:00 Rule of Specialty – an important protection?

Speaker from Portugal

15:45 Q & A

16:00 Break

16:30 Statutory lapse of time – a need for expeditious processing of requests?

Speaker from Czech Republic

17:00 Physical and Mental health of the person to be extradited – another potential frustration of the extradition process or a legitimate concern?
Speaker from the UK & Czech Republic (20 mins each)

17:45 Q&A

18:00 End of Day I

19:00 Official Dinner

Day II – 6 November 2007:

Morning session: Chaired by Oleksandr Kovalenko
Grounds for refusal – Substantive Issues

09:00 Political offences – is this still a relevant bar to extradition?
Speakers from Georgia, Israel & the Russian Federation (30 mins each)

10:30 Break

11:00 Own nationals and transfer of proceedings – the mechanism and relevant issues for transfer in the case of refusal of extradition
Speakers from Czech Republic, Moldova & Russian Federation (20 mins each)

12:00 Death penalty – Granting extradition to 3rd states where this is a possible punishment. Important considerations under the European Convention of Human Rights.
Speaker from the United Kingdom

12:30 Q & A

12:45 Lunch

Afternoon Session: Chaired by Tetyana Shortksa
Other extradition issues for consideration

13:45 Provisional Arrest and Time Limits – time spent in custody, delay in transmission of documentation and other relevant issues
Speaker from Ukraine & Israel (20 mins each)

14:30 Postponed or conditional surrender – operational considerations
Speaker from Portugal

15:00 Best practice for improving cooperation in the field of extradition.
Speakers from Ukraine, Moldova & Israel (15 mins each)

15:45 Break

The future of extradition - the European Arrest Warrant (EAW)?

- 16:15 Brief overview of the history and operation of the EAW – an objective review.
Speaker from Germany
- 16:45 Transposition into domestic law – obstacles and solutions.
Speaker from Portugal
- 17:15 Time limits – are these being met?
Speaker from United Kingdom
- 17:45 Conclusions and closing statements
- 18:00 End of Conference
- 19:00 Dinner