

CCBE Guide to Assist EU Defence Lawyers



Thomas Wahl

News

The CCBE published a [reference guide to assist EU defence practitioners](#). The guide aims at giving an overview of EU legislation, case law, and tools. It provides references to relevant legislation, case law and other relevant material. The publication, *inter alia*, includes information on:

- The Directives to strengthen the procedural rights of suspected or accused persons in criminal proceedings;
- The European Arrest Warrant and CJEU case law on the EAW;
- The rules on gathering evidence in criminal matters in the EU;
- ECtHR case law in the area of defence rights and links to “factsheets” summarising this case law on a variety of issues;
- The Charter of Fundamental Rights;
- The establishment and functioning of the European Public Prosecutor’s Office.

The guide also includes a link to [factsheets in the EU’s e-justice portal](#) that guide defence lawyers through the criminal process and the various steps involved in all EU Member States. The factsheets – available in all EU languages – follow the same structure and explain defence lawyers’ rights and obligations at each stage. They include information on national criminal procedure as prepared by national defence practitioners:

- Practical rights during the investigation of a crime (preliminary charge, including questioning);
- Arrest (including European Arrest Warrant cases);
- Preliminary statutory hearing and remand in custody;
- Intrusive measures;
- Decision on whether or not to bring charges against a suspect);
- Information on preparing for trial by the defence
- Practical information on rights during the trial and rights after the trial.

Ultimately, the factsheets provide information on how minor offences, such as road traffic offences, are to be dealt with.

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