

ERASMUS+ Capacity Building for
Legal and Social Advancement in
the Philippines (CALESA)



Overview of the Program, Statement of Objectives and Orientation: **CONFERENCE FORMAT**

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KNOWLEDGE SHARING ON THE MODERNIZATION OF CRIMINAL LAW (*Seminar-Workshop*)

June 6 to 9, 2022, The Judicial Academy Philippines, Tagaytay City



CONFERENCE FORMAT

BASIC PRINCIPLES

DAY 1

- Recent Developments in Criminal Law in the Philippines
- **Session 1:** Evolution of the Spanish Criminal Law from the 1848 Penal Code to the 1995 Penal Code and its Later Reforms
- **Session 2:** Basic Principles of Criminal Law: Current Structure of Criminal Liability in Spanish Criminal Law, its Categories and Contents
- **Session 3:** Perpetration and Complicity: Attempt and Inchoate Offenses; Mitigating and Aggravating Circumstances
- **Session 4:** Spanish System of Criminal Penalties

Panel Discussion and Open Forum

THEMATIC SESSIONS

DAY 2

- **Session 5:** Parallel Lectures
- **Session 6:** Parallel Panel Discussion and Open Forum
- **Session 7:** Parallel Thematic Workshops

DAY 3

PLENARY PRESENTATION with Open Forum

TOPICS:

YOUTH JUSTICE
GENDER
DRUGS
TERRORISM

POLICY ISSUES

DAY 3

- **Session 8:** Crimes Against Property and Crimes Against the Socioeconomic Order
- **Session 9:** Crimes Against Public Administration: Specific Consideration of Corruption

Panel Discussion and Open Forum

DAY 4

- **Session 10:** Corporate Liability Ex Crimine: EU Standards, National Solutions
- **Session 11:** Criminology: An Overview
- **Session 12:** Criminal Justice Policy and Criminal Law-Making Policy

Panel Discussion and Open Forum

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THEMATIC SESSIONS

DAY 2

➤ **Session 5:** Parallel Lectures

- YOUTH JUSTICE
- GENDER
- DRUGS
- TERRORISM

➤ **Session 6:** Parallel Panel Discussion and Open Forum

➤ **Session 7:** Parallel Thematic Workshops

DAY 3

PLENARY PRESENTATION with Open Forum

Fundamental Concepts (Visiting Professors)

Reaction (A Filipino Perspective)

Apply both the Spanish Penal Laws and the PH Penal Laws to Case Study (How does each system appreciate the same set of facts?)

Any differences or similarities in the understanding of fundamental legal concepts?

Communication on the basis of legal concepts must be avoided. Focus on a factual framing of issues.



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THEMATIC SESSIONS

Apply both the Spanish Penal Laws and the PH Penal Laws to Case Study (How does each system appreciate the same set of facts?)



Any differences or similarities in the understanding of fundamental legal concepts?

Points to Ponder:

- compare the solutions and identify possible common principles
- where the national solutions diverge, weigh up respective advantages and disadvantages and suggest a solution that seems most appropriate



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In no other field of intellectual endeavour - be it science, medicine, philosophy, literature, architecture, art, music, engineering or sociology - would ideas or insights be rejected simply because they were of foreign origin ... **[I]t would be strange if [in the field of law] alone practitioners and academies were obliged to ignore developments elsewhere, or at least to regard them as of no practical consequence. Such an approach can only impoverish our law; it cannot enrich it.**

- Thomas Bingham, Widening Horizons
cited in Thomas Kadner Graziano, Is it Legitimate and Beneficial for Judges to Compare? (2015)



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a **conversation** between persons from different legal traditions to understand each other's perspectives with respect to neutral set of facts

to **open all our minds** to possible changes in each of our systems

