

FINAL DESCRIPTIVE REPORT

- Please draw up a report using a computer (this form can be requested by e-mail. See the e-mail addresses on our Internet website: http://europa.eu.int/comm/justice_home/index_en.htm).
- The information provided in the form must correspond to the financial information that appears in the final expenses claim.
- If possible, please also provide the Commission with a computer format copy of this report (by e-mail or on a floppy disk).
- If possible, you are also kindly asked to provide the Commission with a computer format copy of all the pertinent documents (speeches, studies, etc.).

A) PROJECT

1. **Reference Number** for the project **JLS/2005/FPC/007**

2. **Title** of the Project:
“Recognition and execution of judicial rulings: provisions promulgated in the EU area and those from Countries outside Europe: harmonisation problems”

3. **Promoter** for the Project: **Higher Council of the Judiciary**

4. **Start date and End date** for the project (if these differ from those provided in the application form, please explain the discrepancies).

The study meeting was held in Rome from 3 to 5th April, as per the enclosed programme (Encl. 1).

4. **Country or Countries** involved in the project (if these differ from those provided in the application form, please explain the discrepancies).

**Austria, Denmark, France, Spain, Germany, Finland, Portugal, Belgium, and Britain.
Although invited, Finland and Belgium did not attend (Encl. 2-3).**

6. **Partners** while the project was in progress (if these differ from those provided in the application form, please explain the discrepancies).

**Higher Council of the Judiciary, IT
Federal Ministry of Justice, DE
Judiciary School, ES
Centre of Juridical Studies, ES
High Council of Justice, BE
Centro de Estudos Judicarios, PT**

7. Indicate the number **of participants** in each of the project's activities, as well as their names, positions, the body they represent, and their country of origin. Did the participants make any comments on the project activities? If so, please summarise these comments.

For the names and qualifications of those taking part, see the enclosures (4-5).

8. What **target group** drew benefit from the project, directly or indirectly?

Italian and foreign judges (indicate the number of foreign participants, breaking them down in terms of nationality) that attended the meeting, gathering information on the various ways of applying the Regulation in the EU Countries, and that actively implemented the debate, favouring knowledge of the practices actually used in the individual countries, and the level of acceptance of the recognition and implementation system provided for in the Regulation. Also the Italian and foreign judges that did not attend by reports by participants and reading materials and reports, as strongly recommended during the course.

9. If the European Commission has established **certain conditions** in the selection letter, please indicate how these were applied by the promoter.

10. Of the **activities planned** in the project financed by the European Commission, please indicate which **were carried out**.

There was a notable increase in knowledge about the EU model for recognition and automatic implementation of judicial orders and various domestic models for receiving judicial orders from outside Europe were compared for the first time. This made it possible to actually check what the difference were when it comes to handling the circulation of European judicial orders and those from outside Europe. Various recognition and implementation models were looked at in depth, for the various types of provisions (sentences, urgent rulings, etc.), with particular reference to the provisions relating to matters involving family and minors.

11. Of the **activities planned** in the project financed by the European Commission, please indicate which **were not carried out** and why.

It was difficult to put together a concrete network of contacts that could comprise a list and a type of database of the more significant European rulings due to linguistic difficulties that occur outside the area covered by interpreters at the study meeting.

12. Were any **activities not planned carried out** in the project financed by the European Commission?

Contacts and commitments to reciprocal collaboration between professors and judges of various countries and disciplines were achieved, in order to facilitate future intensification of meetings based on concrete comparison of implementation of EU Regulations.

13. What **results** were obtained for each of the activities described above? Please include a detailed description that explains how the final results made it possible to achieve the initial objectives of the project and whether objectives that were not originally set were attained. How was this factor evaluated (what **evaluation criteria / methods** were used)? _ How would you describe **the impact** of the project?

By using an immediate debate method, based on breaking down the report into a number of parts in order to allow those involved to work on the individual questions tackled, it was possible to attain the objective of increasing knowledge and uniform in-depth understanding on the part of all the participants including the foreigners, which was also due to the willingness of all those taking part, even when this meant not speaking their own mother tongue. The establishing of a grid indicating foreign language skills was particularly useful, and facilitated attaining the objective of a high degree of knowledge that was generally equal for the various nationalities present. Evaluation cards were distributed with grids relating to expository skills, the degree of in-depth knowledge of the individual topics, involvement in the project, and the individual topics included in the individual activities. The impact was positive based on the level of the debate.

14. What were the main **problems or difficulties** encountered during the activities included in the project? What solution was adopted?

Not all the participants had the same basic knowledge and a few had actually applied the regulation or had experience with recognising and implementing judicial orders from outside Europe. Despite the request made to the partner Schools months before the course that participants be civil judges, if possible experts in the family sector, the choice was not made in strict compliance with the criteria sent out. This meant that some participants followed closely and increased their technical judicial knowledge, but did not take an active part in the debate, which was impossible for a topic as technical as this, without adequate professional experience.

15. How was **the visibility** of the financial contribution of the European Union in the Project ensured?

The course programme distributed to all bore the European Commission logo and above the title for each report there was an indication that the course was co-financed by the European Commission. The coordinators responsible for the course repeatedly pointed out this facet of the project, referring back to the courses already completed and continuity with the objective of Judicial Cooperation, as well as to future events.

16. Will the project **continue** once the financial contribution of the European Commission comes to an end? If so, how?

By distributing all the scientific documentation acquired during the course via the European training networks, and making the same available to all the participants in a CD-ROM format.

17. What are the concrete **working instruments and results** created thanks to the project (for example: CD-ROM, videos, manuals, websites, etc.)?

Concrete contact between judges that deal with the same problems and professors that are experts in the sector. Distribution of CD-ROM (Encl. 6) and reports, and publication on the website of the Higher Council of the Judiciary.

18. How do you intend **to distribute** the results of this project via new and/or existing networks? How transferable is the project to other sectors and other users? What agreements were reached within the partnership as to **intellectual property**? Is there any intention to market some or all of the results? If so, please provide details.

In addition to distributing all the contributions during the course and the research contained on the CD-ROM via the European network, a hard copy volume could be created or a single container that can be consulted using a computer, containing all the documentation related to the course, and to have it distributed as on-going training material to all European judges via the institutional training structures.

B) OBSERVATIONS

1. Do the final results (described in point A 13 above) correspond to the initial objectives? Please comment.

The objectives of imparting in-depth knowledge were largely reached. A lack of implementation of the regulation, especially in various family sectors made it possible to only partly attain the objective and comparing concrete practices in order to look at differences between the best models and effective cooperation by sharing the models that work best.

Also the objectives related to the problems (of public order and acceptance of rulings coming from different cultural and religious systems) posed by the need to circulate orders from outside Europe, were achieved fully on a cognitive level, but few concrete examples were given.

What was fully satisfactory, was the high quality of the speakers dealing with procedural techniques and identifying the minimum requirements for guarantees for effective circulation of judicial orders.

2. In light of the experience gained, please describe the aspects you see as positive in preparing and running the project, for example, analysis of problems to be solved, organisation, methodology, and administrative, technical, and financial management.

The knowledge of many colleagues from different countries and finding out about how they work, and the sharing of concrete experiences. The selection of participants by professional sectors of competence (e.g. civil judges, possibly from family courts) and linguistic knowledge (knowledge of at least one of the three languages used for the course, English, French, and Italian), The organisation of timetables to provide informal times for meeting and discussion, which are equally useful for attaining the course's objectives.

3. In light of the experience gained, please describe the aspects you see as being negative in preparing and running the project (as for point 2).

Incomplete cooperation between the partner schools in selecting the participants and in identifying spokespersons capable of illustrating the degree of acceptance of the regulation studied in the individual countries, and the situation relating to the circulation of foreign orders in general.

4. Please provide any other information that may help the European Commission to arrive at a balanced assessment of the project and/or to improve how the programme functions and is managed.

For technical-legal seminars like this, preparing a glossary in the languages used at the seminar of the most common legal terms. Preparing a protocol of the reports and the work done by workgroups (e.g. choice of terms, including those that are technical and legal that are easy for interpreters to translate or that can be translated directly and explained by the speaker. Slow speech with clear diction. Selection of topics that are useful for leading up to the goal of cooperation and effective European interest, also in presenting their own domestic judicial system. Choice of cases by the workgroup coordinators that can be "exported" for the problems dealt with). Also asking partner countries for a report on their commitment and sharing in the project. Preparing a calendar for preparing the course that includes a phase of effective contact and timely and adequate responses from the other partner schools, in choosing representatives and foreign correspondents as well. Inducing the partner schools to identify a contact person with whom the person responsible for the project and the course coordinator can

dialogue directly. Maintaining this contact after the seminar for distributing the results of the course to facilitate the possibility of editing them again in the individual countries.

5. Name, telephone and fax numbers, and (if possible) e-mail address for the person to be contacted should the Commission receive requests for further information from others involved in the project presented:

6. The information supplied in points A2, A3, A4, A5, A6, A8, A9, A10, A12, A13, A16, A17 and A18, and all the other pertinent documents sent with this report can be used by the Commission in relation to its information and dissemination Strategy. Please indicate your consent or express your comments in this regard.

Date: Place:

Name of person responsible for the project: Eugenio ALBAMONTE.....

Signature:

Name of contracting party's legal representative: Donatella FERRANTI.....

Signature: