



## **THE EUROPEAN JUDICIAL TRAINING NETWORK (EJTN)**

### **Charter adopted in Copenhagen by the General Assembly on 6 December 2002**

*(Final version –text as of 9.12.2002)*

#### **Preamble**

Considering that:

- in the light of the conclusions of the European Council meeting at Tampere 1999, the creation of an area of Freedom, Security and Justice is a priority of the European Union;
- the conclusions of the European Council meeting at Laeken 2001 called for the setting up of a European judicial training network to develop trust between those involved in judicial cooperation;
- the effectiveness of the European Area of Justice requires a good understanding –by members of the judiciary of legal and judicial systems in other Member States, as well as national, European and international instruments concerning co-operation;
- the training of members of the judiciary is an essential measure for promoting such an understanding;
- such training has to cover all fields of law concerned, be they matters of civil law, criminal law or other;
- it is through the organisation of regular training for members of the judiciary that the basis of a common European judicial culture and identity can progressively emerge;
- because of their experience in delivering judicial training at national and European level, the signatories can contribute to the construction of the European Area of Justice;

- to uphold judicial independence also with regard to training, the Network wishes to decide itself on its activities and administration;
- for the benefit of third-party countries, and in particular candidate countries, training is an essential means of improving the efficiency of judicial systems and the reinforcing of the rule of law;
- a provisional organisation is necessary, until the enactment of a European legal instrument recognising the European Judicial Training Network;
- after the experience of working under the Charter adopted in Bordeaux, the establishment of a Network with legal personality is envisaged at least for the time being, the continuation of which will be reconsidered three years after the entry into force of the present Charter;

those responsible for judicial training in the Member States of the European Union have amended the Charter adopted in Bordeaux and constitute themselves under the present Charter

to establish an association called the “European Judicial Training Network (EJTN)”.

### Article 1: Name and Seat

The name of the association shall be “European Judicial Training Network” (EJTN). The association shall have its seat in Brussels.

### Article 2: Aim

- (1) The aim of the EJTN is to promote a training programme with a genuine European dimension for members of the European judiciary.
- (2) The EJTN shall exclusively and directly pursue objectives of a non-profit making character.

### Article 3: Objectives

Within the framework of the creation of the European Area of Justice, the objectives of the EJTN are cooperation on:

- Analysis and identification of training needs;
- Exchange and dissemination of experience in the field of judicial training;
- Design of programmes and methods for collaborative training, in particular using new technology;
- Co-ordination of the members’ programmes and activities; in particular those which concern initiatives of the European Union;

- Provision of expertise and know-how to European, and other national and international institutions, and where appropriate in close co-ordination with the Council of Europe's Lisbon Network, in particular to promote the accession of candidate countries.

#### Article 4: Activities

- (1) The EJTN will establish an annual programme of activities which will be carried out by one or more of its members.
- (2) In particular, this programme will contain activities which will promote:
  - comparison and exchange of judicial practice;
  - understanding of the judicial systems of Member States;
  - understanding of the means of judicial cooperation within the European Union;
  - language skills;
  - support to candidate countries with the design and execution of their training programmes, and to promote familiarisation with means of judicial cooperation;
  - development of common instruments of training, particularly in judicial cooperation;
  - development of judicial skills.
- (3) Furthermore, the EJTN will disseminate among its members their training experience in order to achieve common benefit from the results. It will ensure that its activities are widely communicated among members of the judiciary in Member States in order to obtain a wide understanding of its programmes.
- (4) The participation of members of the judiciary in the activities of the EJTN will be regulated according to the relevant national rules.
- (5) No training activities of the Network shall be carried out in a member state without the approval of the member organisation of the state where such activity shall take place.

#### Article 5: Membership

- (1) The Founding Members of the EJTN are listed in the annex to this Charter.
- (2) Membership is available to all national institutions of the Member States specifically responsible for the training of the professional judiciary and for the training of Prosecutors where they form part of the "Corps Judiciaire". Those institutions in Member States which are involved in judicial training at the level of the European Union – particularly in Community Law – may also be members.

- (3) Applications for membership will be submitted to the General Assembly. If there is an objection by any member, the General Assembly will refer the issue to the Steering Committee which will make a recommendation. Admission of a new member will require a unanimous decision by the General Assembly.
- (4) Members are free to resign from membership at any moment. Membership terminates on notification in writing to the Secretariat .

## Article 6: Bodies of the Network

The EJTN will consist of a General Assembly, a Steering Committee, a Secretary General and a Secretariat.

## Article 7: General Assembly

- (1) The General Assembly will comprise representatives of each member of the Network. It will meet at least once in each calendar year and shall be convened by the President.
- (2) The presidency of the General Assembly will be held by a member from the state which at that time holds the presidency of the European Union. If the presidency of the Union is held by a State which is not represented in the EJTN, then the presidency of the General Assembly will be retained by the member from the State which previously held it.
- (3) The General Assembly has the power to amend the Charter. It will adopt Rules of Procedure for all bodies of the Network.
- (4) The General Assembly has the power to determine the policy and activities of the EJTN. It appoints the members of the Steering Committee and the Secretariat from the members of the EJTN. It also appoints the Secretary General in accordance with the provisions of this Charter.
- (5) The General Assembly may set up Committees and Working Groups charged with consideration of specific programmes or questions of organisation and will determine membership of these.
- (6) The Secretary General, the Secretariat, the Steering Committee, ad hoc Committees and Working Groups will report to the General Assembly.

## Article 8: Quorum and Voting in the General Assembly

- (1) The General Assembly is quorate if half of the members are present.
- (2) Each Member State represented in the EJTN will have six votes to be allocated as they see fit.

- (3) Institutions responsible for judicial training at European level will have three votes.
- (4) The General Assembly shall act on the basis of a simple majority of the votes cast, with the exception of changes to this Charter, adoption and amendment of the Rules of Procedure, and the dissolution of the EJTJN, which must be approved by at least three quarters of the votes cast.
- (5) Proceedings and decisions of the General Assembly will be communicated to all members by the Secretariat.

### Article 9: Steering Committee

The Steering Committee will consist of a minimum of five members. The term of office shall be two years. It will assist and advise the President and direct the Secretary General. It may make proposals and institute initiatives which may be necessary between meetings of the General Assembly and which will then be referred to it.

### Article 10: Secretary General

- (1) The Secretary General will be appointed by the General Assembly for a period of two years. At the conclusion of this term of office he will not be eligible for immediate reappointment and the General Assembly will then appoint a new Secretary General from a different Member State of the European Union and from a different member of the Network.
- (2) The Secretary General shall be a person with professional experience as a judge or prosecutor belonging to the judiciary of a Member State.
- (3) The Secretary General shall be in charge of the Secretariat and the general administration of the Network.
- (4) The Secretary General is authorised to sign documents and otherwise to represent the Network as and when required.
- (5) The Secretary General will facilitate relations between the Network and the European Institutions and will seek to ensure coherence between the programme of activities of the EJTJN and the priorities set by the European Union.
- (6) The Secretary General will take part in the design of projects, particularly those which involve the participation of several members, will ensure the dissemination of their conclusions and facilitate their evaluation.

## Article 11: Secretariat

- (1) The Secretariat will be appointed for a period of two years which can be renewable.
- (2) The Secretariat, under the direction of the Secretary General, will be responsible for the administration of the Network and its accounts. It will in particular be responsible for the coordination of the activities of the EJTN, for the dissemination of information to members, and for practical support relevant to its activities.

## Article 12: Contributions and Budget

- (1) Members are not required to pay annual membership fees.
- (2) Contributions in kind and money for concrete projects and activities will be fixed by individual agreement between participants in the project. All such agreements shall be circulated among all Members. Funding from the European Union, or given by the members for the purposes of financing the structure and administration of the EJTN, is to be used by the Secretariat, which will be accountable to the General Assembly. Any funding from the European Union for training activities must, immediately on receipt by the Secretariat, be sent to the members concerned with the project for which the monies have been advanced. The members will be accountable to the Secretariat for the use to which such monies have been put.
- (3) The Secretariat will draw up an annual budget plan for general running costs which is approved by the General Assembly for the following calendar year.

## Article 13: Termination

The EJTN can be dissolved by decision of the General Assembly which will also decide on the further use or allocation of the assets of the association.

## Article 14: Entry into Force

- (1) The present Charter, of which the English and French versions have equal validity, will enter into force on 1 March 2003.
- (2) Members whose representatives have consented to the amended Charter in the General Assembly held in Copenhagen on 5 and 6 December 2002 with an express reservation of ratification, or members which have not been represented, may notify ratification to the Secretariat by 1 March 2003.
- (3) The amended Charter will become effective if it has been adopted without reservation or ratified by a total of at least  $\frac{3}{4}$  of the members.

## European Judicial Training Network

### List of Founding Members

#### **BELGIQUE**

- Conseil Supérieur de la Justice / Hoge Raad van Justitie, Bruxelles / Brussel

#### **DANMARK**

- Domstolsstyrelsen, København

#### **DEUTSCHLAND**

- Bundesministerium der Justiz, Berlin, für die Bundesrepublik Deutschland

#### **ELLAS**

- National School of Judges, Holargos Athens

#### **ESPAÑA**

- Consejo General del Poder Judicial, representado por la Escuela Judicial, Barcelona
- Ministerio de Justicia, por el Centro de Estudios Jurídicos de la Administración de Justicia (CEJAJ), Madrid

#### **FRANCE**

- Ecole Nationale de la Magistrature, Paris / Bordeaux

#### **IRELAND**

- Judicial Studies Institute, Dublin, for the Chief Justice

#### **ITALIA**

- Consiglio Superiore della Magistratura, Roma

#### **LUXEMBOURG**

- Ministère de la Justice, Luxembourg, au nom du Grand-Duché de Luxembourg

#### **NEDERLAND**

- Stichting Studiecentrum Rechtspleging, Zutphen

#### **ÖSTERREICH**

- Bundesministerium für Justiz, Wien

#### **PORTUGAL**

- Centro de Estudos Judiciários, Lisboa

#### **SUOMI**

- Oikeusministeriö, Helsinki, on behalf of Finland

#### **SVERIGE**

- Domstolsverket, Jönköping

#### **UNITED KINGDOM**

- Judicial Studies Board JSB, London
- Judicial Studies Board for Northern Ireland, Belfast
- Judicial Studies Committee for Scotland, Edinburgh

#### **EUROPEAN TRAINING INSTITUTE**

- Academy of European Law Trier

