The first few months of 2007 were characterised by particularly favourable developments at the European level in the area of training for judges and prosecutors. In this regard, the Framework Programme on Fundamental Rights and Justice (2007-2013) entered into force from 1st January 2007 onwards and has replaced the instruments which existed previously (AGIS, civil frameworks...). Consisting of specific programmes (criminal justice, civil justice ...), it aims therefore to facilitate the organisation of judicial training activities with a real European dimension and increases the possibilities for Community financing in the years to come.

In this new context, which is clearly more ambitious, the European Judicial Training Network has recently received very significant support on behalf of the EU institutions. This is essential for the future. This development began last year when the European Commission recognised the central role of the EJTN (Communication on judicial training of 29th June 2006) and its monopoly for the implementation of the Exchange Programme for judicial authorities (Decision of 11th July 2006). But the pace of this development has accelerated even further.

Firstly, the Council of the European Union has notably observed the “real European dimension” of the EJTN’s activities in the specific programme for criminal justice published on 12th February 2007 and, consequently, has given our organisation a permanent line for its structural functioning in the framework of the EU budget, which satisfies one of our most long-standing demands.

In addition, on the occasion of the conference of the judicial schools of Central and Eastern Europe in Bucharest on 16th March 2007, the Vice-President of the European Commission, Franco Frattini, reaffirmed his clear support for the Network’s existence, have invested themselves in its creation and, subsequently, in its development. Their efforts have not been in vain. It has still to fulfill the expectations expressed not only by the EU institutions but also by the European judges and prosecutors whose training is guaranteed by our members.

These are undoubtedly very important moments for our organisation and, in these circumstances, I think about all of the colleagues who, over the past 7 years of the Network’s existence, have invested themselves in its creation and, subsequently, in its development. Their efforts have not been in vain. It has still to fulfill the expectations expressed not only by the EU institutions but also by the European judges and prosecutors whose training is guaranteed by our members.

This implies continuing and expanding the policy initiated by the Network over the past 2 years in the framework of the consensus obtained at the General Assembly in The Hague in December 2004 and which was only able to achieve such results due to the mobilisation of everyone. This policy enables each training institution to find a place in the Network’s bodies, to develop initiatives that are suitable for them, to become involved in activities that are already being implemented and interest them, to exchange different experiences in the area of judicial training. This also requires the reinforcement of the structure of the Network itself in order to be able to offer training institutions more support, more expertise when they need it and also more coordination at the European level.

At the time of celebrating 50 years of the Treaty of Rome, which the EJTN Newsletter takes account of in this issue, and despite the period of calm which European construction is going through at the moment, there are still areas where substantial progress can be made. The training of judges and prosecutors is obviously one of these.

Gilles Charbonnier

Official launch of the Exchange Programme at the European Parliament

The Exchange Programme for Judicial Authorities is being implemented by the EJTN in 2007 for the second consecutive year.

Its official launch was organised on 19th March 2007 at the European Parliament, in the presence of the Vice-President of the Parliament, Alejo Vidal-Quadras, the Vice-President of the LIBE Committee, Stavros Lambrinidis, the Deputy Director-General of justice and home affairs at the Council, Rafael Fernandez-Pita Gonzales and Directors of criminal justice and civil justice at the European Commission, Denise Sorasio and Francisco Fonseca Morillo. In the presence of over 60 guests – Exchange Programme partners, participants of the 2006 Programme, MEPs, representatives of the European institutions, judicial actors and press officials - the EJTN Secretary General thanked the European Parliament and the LIBE Committee for the support that they have given to the Programme over the years and invited them to mobilise for justice and for the training of judges and prosecutors.

On the following day, 20th March 2007, the EJTN was invited to present the Exchange Programme at the LIBE Committee presided over by Jean-Marie Cavada. An exchange of views between the EJTN Secretary General, two judges who benefited from the Programme in 2006 (Maria del Carmen Figueras Cuadra, a Spanish judge and Claudia Sprick, a German judge) and the MEPs present in the auditorium, provided an opportunity to highlight the importance of this Programme for the improvement of the quality of justice in Europe. Mr. Cavada invited the EJTN to present the results of the 2007 Programme at the LIBE Committee next year. A special issue of the EJTN Newsletter will soon be diffused in order to give more details about this event and the broad lines of the current Exchange Programme.
Europe at 50 years: history and perspectives on the building up of a common judicial area

25th March 2007 marked the 50th anniversary of the signature, by the six founding Member States of the European Union, of the Treaty of Rome establishing the European Economic Community (EEC). The Declaration of Berlin, which was adopted on the same day by the Heads of State and Government of the European Union, recalls the objectives, as well as the challenges for the future of the Union. After five decades of European construction and successive phases of enlargement, the Community has become a Union of 27 Member States equipped with common institutions and for some of its members, a common currency. As often throughout its history, Europe is today in search of a fresh breath of life. The area of justice and home affairs is obviously one of these areas where the margin for progress is one of the strongest.

The EJTN conducts its activities very clearly within the framework of the European project. They are organised to contribute to the building up of a common area of freedom, security and justice, as introduced in the Treaty of Amsterdam, which is one of the major fields of the European Union for the years to come.

Encompassing common initiatives in the area of police and judicial cooperation, asylum, immigration, fundamental rights and the prevention of cross-border crime, EU Member States have shown their commitment to achieving this objective, most notably, through the adoption of The Hague Programme in 2004. The tables below provide an insight into key dates in the building up of the European Union, a common judicial area and judicial training at the European level.

### Key dates in the building up of the European Union

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>2 October 1997</td>
<td>Treaty of Amsterdam (entered into force 1 May 1999).</td>
</tr>
<tr>
<td>7 December 2000</td>
<td>Proclamation of the EU Charter on Fundamental Rights.</td>
</tr>
<tr>
<td>28 February 2002</td>
<td>First meeting of the Convention on the Future of Europe.</td>
</tr>
<tr>
<td>25 March 2007</td>
<td>Declaration of Berlin on the occasion of the 50th anniversary of the Treaties of Rome.</td>
</tr>
</tbody>
</table>

### Key dates in the building up of a common area of freedom, security and justice in the EU

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>29 June 1976</td>
<td>First meeting of Trevi Group lays the foundations for EU justice and home affairs policy.</td>
</tr>
<tr>
<td>19 June 1990</td>
<td>Schengen Convention foresees the abolishment of controls between the borders of the signatory States following the signature of a first agreement on 14 June 1985.</td>
</tr>
<tr>
<td>7 February 1992</td>
<td>Maastricht Treaty creates the 3 pillars of the EU: European Communities (Pillar I), common foreign and security policy (Pillar II) and cooperation in the fields of justice and home affairs (Pillar III); recognition of specific rights linked to European citizenship.</td>
</tr>
<tr>
<td>2 October 1997</td>
<td>Treaty of Amsterdam provides for the establishment and development of an area of freedom, security and justice; brought judicial cooperation in civil matters within the Community sphere; inserted a new title into the Treaty on European Union on police and judicial cooperation in criminal matters.</td>
</tr>
<tr>
<td>15-16 October 1999</td>
<td>Tampere European Council identifies the European Council’s determination to work towards an area of freedom, security and justice within the EU, notably through the mutual recognition of judicial decisions.</td>
</tr>
<tr>
<td>4-5 November 2004</td>
<td>The Hague Programme adopted by the European Council and presents the objectives in the area of freedom, security and justice in the period 2005-2010, followed up by an Action Plan for its implementation.</td>
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</tbody>
</table>

### Key dates in judicial training at the European level

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>13 October 2000</td>
<td>Signature of the Charter of Bordeaux founding the European Judicial Training Network following various initiatives taken by the training institutions of several EU countries (the first coming from Italy and dates from 1991).</td>
</tr>
<tr>
<td>24 February 2003</td>
<td>European Parliament Resolution calling for the setting up of a pilot programme for the training and exchanges of national judges.</td>
</tr>
<tr>
<td>8 June 2003</td>
<td>Acquisition of legal personality by the EJTN following its constitution as a non-profit making international organization under Belgian law; followed by the recruitment of a permanent secretariat and the inauguration, on 28th September 2005, of its headquarters in Brussels in the presence of the Vice-President of the European Commission, Franco Frattini.</td>
</tr>
<tr>
<td>Since 2005</td>
<td>Implementation of the Pilot Exchange Programme for Judicial Authorities; in 2005, by the French ENA (upon the mandate of the EJTN) and by the Italian Consiglio Superiore della Magistratura, subsequently, since 2006, by the EJTN which has been recognised by the European Commission as having a “de facto monopoly” for the organisation of the Programme, which will be renewed on a permanent basis (Decision of 11th July 2006).</td>
</tr>
<tr>
<td>29 June 2006</td>
<td>Commission Communication on judicial training defining the priorities in judicial training and inviting the EJTN to play a central role in this domain.</td>
</tr>
</tbody>
</table>

It should be noted that from 1996 onwards, the European Union has provided funding for the organisation of judicial training activities at the European level. The first Grotius programmes were reinforced in 2002 with a new generation of programmes (AGIS-criminal, civil frameworks, competition law…). These instruments were reorganised with the entry into force on 1st January 2007 of the General Programme “Fundamental Rights and Justice” 2007-2013, which creates increased possibilities for financing.
EU support for the EJTN’s activities: Council adopts new financial instruments in criminal matters for the period 2007-2013

In February 2007, the Council of the European Union approved new financial instruments for the next 7 years. In this regard, the Decision of 12th February 2007 establishes, for the period 2007-2013, the specific programme “Criminal Justice” in the framework of the general programme “Fundamental Rights and Justice.”

This programme, which applies from 1st January 2007 onwards, aims to strengthen the area of freedom, security and justice in the European Union, to promote judicial cooperation and to develop mutual recognition and confidence. It also promotes specific objectives such as training in European Union law for the judiciary, lawyers and other professionals involved in the work of the judiciary. It has a total budget of €196.2 million.

It should be noted that in this document, the Council considers that the EJTN which “promotes a training programme for judges and prosecutors with a genuine European dimension,” should benefit from increased financial support for its activities and, from now on, the financing of its structure will be included in the EU budget.

Conference of the judicial schools of Central and Eastern Europe

On the occasion of the Conference of the judicial schools of Central and Eastern Europe, organised at the National Institute of Magistracy in Bucharest on 16th March 2007, the Vice-President of the European Commission, Franco Frattini, expressed his vision of the important changes that are currently underway in the sphere of judicial training at the European level. He recalled his personal engagement to obtain increased financing and equally to offer a more flexible framework to enable the development of training activities. He strongly reiterated his support for the EJTN, which he praised for its development over the past months. He expressed his wish for the Network to continue on this path, which he sees as “an embryo for a future European school of the judiciary.”

The institutional relations between the EJTN and the Council of Europe continue to develop

On 23rd August 2006, the EJTN was granted observer status at the European Commission for the Efficiency of Justice (CEPEJ), an institution of the Council of Europe responsible for the evaluation of justice at the European level. In the presence of the First President of the Court of Cassation of Paris, Mr. Guy Canivet, the EJTN participated at the 8th plenary meeting of the CEPEJ in Strasbourg from 6th to 8th December 2006 during which an exchange of views took place on the selection and the training of the heads of large courts.

In addition, on 8th-10th November 2006, the Consultative Council of European Judges (CCJE) granted the EJTN observer status at its 7th meeting in Strasbourg. Created in 2000 by the Committee of Ministers of the Council of Europe, the CCJE is concerned with ensuring the independence and impartiality of judges in the Member States of the Council of Europe and is composed exclusively of judges. Its activities are conducted within the framework of implementing the right to an independent and impartial court with the aim of reinforcing the pre-eminence of the law and the effective protection of human rights, as well as the essential role of judicial power in deepening the concept of democracy and its rules of functioning.

This policy of building closer relations between the EJTN and the Council of Europe bodies enables a mutual enrichment, as well as the development of common initiatives.

Formal Sitting at the French Cour de Cassation

On 8th January 2007, the Cour de Cassation held a formal sitting for the beginning of the new year on the theme of “A Europe of Justice”.

Among the 600 guests, the presence of the French Prime Minister, Dominique de Villepin, the Minister for Justice, Pascal Clément, a significant number of European judges (Presidents and General Prosecutors of Supreme Courts, liaison judges/public prosecutors), as well as high judicial authorities such as Paul Costa, President of the European Court of Human Rights and Vassilios Skouris, President of the Court of Justice of the European Communities, was noted. The European Judicial Training Network (EJTN) was represented by its Secretary General, Gilles Chartier.

Guy Canivet, First President of the Court, recalled the engagement of the French Supreme Court “as an organ for the realisation of European Union law as well as an actor of the judicial area.” Franco Frattini, Vice-President of the European Commission, intervened to recall the legal basis for the European judicial area and the importance of mutual confidence between judicial authorities in the Member States. In this context, he highlighted the support that the Commission gives to the EJTN’s activities. Building personal relationships, getting to know other legal systems in particular through traineeships, sharing the experience of European law, but also accepting common standards of quality and evaluation mechanisms, are indispensable for building confidence and creating a common judicial culture.

Training on judicial cooperation in criminal matters available online!

During 2005 and 2006, a standard training programme for judicial cooperation in criminal matters was developed by the Université Libre de Bruxelles (ULB) and ECLAN (European Criminal Law Academic Network), in partnership with various actors (including the EJTN and also the Conseil Supérieur de Justice of Belgium, the European Judicial Network, the National Institute of Justice of Bulgaria and the Office of the General Prosecutor of Portugal) thanks to the financing of the European Commission (AGIS programme) and the Ministry of Justice of Luxembourg.

Divided into 8 modules on practical topics (such as the general framework for judicial cooperation in criminal matters, the European Arrest Warrant, obtaining evidence), the programme is aimed at authorities responsible for judicial training who can use it to undertake training sessions in this sector.

Following prior registration, the training module can be downloaded free of charge from http://www.copen-training.eu/. The training programme will be updated and evaluated on a regular basis in order to ensure that it remains a high quality tool that is available to everyone.

The EJTN has decided to actively support this initiative by assuring the wide diffusion of the programme through its website and during the meetings that it organises between judicial authorities and also, by helping to translate the different modules into English, which for the moment are only available in French.

Mr. Francois Frattini and Mr. Mihai Selegean, Director of NIM.
AGENDA
April - July 2007

24th May 2007
“Programmes” Working Group.
Escuela Judicial, Barcelona.

11th June 2007
Steering Committee, Trier.

11th-13th June 2007
General Assembly, Trier.

Training activities cofinanced by the EU (extract from the EJTN catalogue)

18th-20th April 2007
Courts and uniformity of the criminal/judicial process in the European Union.
(Escuela Judicial CGPJ, Barcelona)

23rd-24th April 2007
Cross-border family mediation.
(ERA, Trier)

7th-9th May 2007
Violence and molestation in the workplace: working towards an European strategy for preventing and fighting mobbing.
(CSM, Rome)

10th-11th May 2007
Using EU criminal justice instruments: mutual legal assistance and mutual recognition of judicial decisions in the EU.
(ERA, Barcelona)

13th-19th May 2007
European cooperation in criminal matters in practice.
(Deutsche Richterakademie, Trier)

21st-23rd May 2007
Practical issues in relation to instruments of cooperation in civil matters and their legislative evolution. Exchange of experiences.
(Escuela Judicial CGPJ, Barcelona)

June 2007
Using EU criminal justice instruments: mutual legal assistance and mutual recognition of judicial decisions in the EU.
(ERA, Helsinki)

11th June 2007
E-learning course on the European judicial area in civil and commercial matters: jurisdiction, recognition and enforcement of judgements.
(Virtual campus. Final session in Madrid or Barcelona)

11th-13th June 2007
Comparison between national systems and principles of harmonisation about the compensation for damage in case of road accidents.
(CSM, Rome)

18th-21st June 2007
The protection of victims of crime in European judicial jurisdiction.
(Escuela Judicial CGPJ, Barcelona)

Report on the 2006 EJTN catalogue

- 12 members who opened training activities to all European judges and prosecutors (10 in 2005);
- 128 training activities opened (100 activities in 2005);
- 18 training activities cofinanced by the European Union representing 15% of the total of 128;
- participation of approx. 970 members of the judiciary who were able to be trained outside of their own country with colleagues from other European countries (849 participants in 2005 and 528 in 2004).

‘New-look’ EJTN website

The EJTN’s website (http://www.ejtn.eu) has recently undergone a number of significant improvements both in terms of its structure and design. With the assistance of a webmaster, the following changes were introduced:

- a “news” section allowing for the rapid diffusion of information;
- a drop down menu, which modernises the overall design of the website and allows users to navigate more efficiently;
- automatic subscription to the EJTN’s newsletter;
- an internal search engine, which enables easier access to documents;
- a new section for the Exchange Programme for 2007 (with the main information, forms...).

Plans are also underway for the development of an online interactive discussion forum to facilitate the communication and the exchange of information between judicial authorities in Europe. This specific forum - which is different from the private members’ forum - will be accessible to members, partners, judges and prosecutors who have participated in the activities of the Exchange Programme. Prior registration will be required in order to enter this forum and access will be restricted to recognised users.

Recent publications

Publications available on the EJTN website: www.ejtn.eu


Other publications


Cybercriminality and attacks on human dignity in Europe (CD ROM) (French Ecole Nationale de la Magistrature with the support of the European Union, July 2006).


Road planning in Europe - a case study, (R. Rubel, and E.I. Silbermann, Association of the Councils of State and Supreme Administrative Jurisdictions, 2006).


This issue will be published on the EJTN website and translated into all of the EU languages to enable the widest distribution of the EJTN Newsletter to judges and public prosecutors.

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