



**Réseau Européen de Formation Judiciaire
European Judicial Training Network**

STEERING COMMITTEE

**Minutes of the meeting held on 28 September, in Brussels, at the Conseil
Supérieur de la Justice**

Secretary General Charbonnier Gilles

Secretariat Balthazart Quentin

PRESENT MEMBERS

Germany Gressmann Michael
Ministry of Justice Morawitz Gabriele

Austria Kren Constanze
Ministry of Justice

Belgium Van den Broeck Edith
Conseil supérieur de la Justice Hamaide Jacques
Warson Dave

ERA Rageade Jean-Philippe

Ireland McCracken Brian
Judicial Studies Institute

Italy Berlinguer Luigi
Consiglio Superiore della Magistratura Albamonte Eugenio
Civinini Giuliana

Luxemburg Huberty Yves
Ministry of Justice

The Netherlands Langbroek Martin
Studiecentrum Rechtspleging

Portugal Pereira Silva Luís
Centro de Estudos Judiciarios

United-Kingdom, England & Wales Hall Victor
Judicial Studies Board Williams Michael

OBSERVERS

<i>France</i> <i>Ecole Nationale de la Magistrature</i>	Sévère-Jolivet Eric Maitrepierre Eric
<i>Latvia</i> <i>Latvian Judicial Training Centre</i>	Kalnina Solvita
<i>Lithuania</i> <i>Ministry of Justice</i>	Jakstiene Vilma
<i>Czech Republic</i> <i>Judicial Academy</i>	Opravil Jaroslav
<i>Slovenia</i> <i>Judicial Training Center</i>	Merlac Barbara Gabrijelcic Maja

EXCUSED MEMBERS

<i>Denmark</i> <i>Domstolsstyrelsen</i>	Meilvang Anders
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CONSULTANT

Mönks Joost

AGENDA

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| 09 : 30 | 1. Approval of the minutes of the Steering Committee meeting (Brussels, 15 June 2005) |
| | 2. Approval of the agenda |
| 09 : 45 | 3. Report of the Secretary General : |
| | - About the activity since the SC meeting of 15 June 2005 |
| | - On the current state of the Network (financially ; deadlines to come, notably on the 2005 Exchange Programme for Judicial Authorities; on the Secretariat and the website's transfer, on the newsletter) |
| | - On the planning of the EJTN meetings for 2006 |
| | - On the partnership with the Office of Harmonisation of the Internal Market |
| 10 : 00 | 4. Inauguration of the premises of Square Marie-Louise, 43 : |
| | - presentation of the opening ceremony |
| | - discussion |

10 : 45	BREAK
11 : 00	5. Elaboration of the EJTN strategic plan for the next 5 years (2005-2010) in presence of Mr. Joost Mönks, consultant <ul style="list-style-type: none"> - presentation of the project - discussion
12 :00	6. Preparation of the General Assembly of Edinburgh (Victor HALL) <ul style="list-style-type: none"> - presentation of the programme - first review of the applications to become a member or an observer of the EJTN - preliminary budgetary orientations for 2006 - changes of the status - discussion
12 : 30	LUNCH

The meeting is opened at 9:30 by Edith Van Den Broeck, President of the Belgian Conseil Supérieur de la Justice.

1. Approval of the minutes of the Steering Committee meeting (Brussels, 15 June 2005)

Minutes are approved.

2. Approval of the agenda

The agenda is approved.

3. Report from the Secretary General

- Presentation of the second activity report of the Secretary General (15 June – 28 September 2005): the document is appended to the minutes (appendix 1).
- Payment of membership fees 2006: Gilles Charbonnier thanks members for their financial efforts and asks the opinion of the steering committee as regards payment of the 2006 membership fee. He suggests keeping the same fee amount as well as the same procedure in 2006. He also raises the issues of those members who did not pay their membership fee in 2005 and the possibility to ask observers for their financial contribution. Finally, he informs steering committee members that he has no guarantee that the EJTN will be awarded an operational grant in 2006. According to him, it calls upon him continuous efforts from EJTN members in 2006, especially, as he reminds, because he has undertaken necessary steps towards the personnel and the owner of premises in which the secretariat is installed.

Members are requested to give their view on these issues.

Martin Langbroek suggests maintaining the same method as last year. As regards members who didn't pay their membership fee in 2005, he considers that the procedure established during The Hague General Assembly should apply. According to him, observers should not be requested to pay a membership fee given that the EJTN does not cover their costs. Eric Maitrepierre and Victor Hall share Martin Langbroek's view on the latter.

Brian McCracken agrees with the maintenance of membership fees and the fact that observers should not be requested to pay a fee. As regards members who didn't pay their membership fee in 2005, he stresses that in most cases, it is simply because they are unable to do so. As Gilles Charbonnier, he recommends analysing each situation individually and finding appropriate solutions to each problem.

Michael Gressmann shares the same view. He underlines the importance of preventing budget problems in 2006.

Jaroslav Opravil points out that if the Judicial Academy of the Czech Republic did not pay its contribution, it is not due to a lack of financial means, but because of legislation issues. Alternative solutions are under study to pay the contribution, notably by lobbying the European Commission in order to make the Czech government change current legislation.

Giuliana Civinini believes that members should pay subscription fees until the EJTN has financial autonomy. She also insists on the need to keep working with the European Commission in order to obtain permanent structural financing.

Jean-Philippe Rageade agrees with the maintenance of membership fees in 2006 and putting off unpaid fees in 2005. He disapproves the establishment of a fee for observers.

- Exchange Programme for Judicial Authorities (PEAJ) 2005 : the Secretary General declares that he has submitted the application on 1st July 2005 and that the answer of the Commission should be received by 15 October at the latest. Consequently, the "programmes" and "website" working groups shall be able to start working on the Programme on next meetings (14-15 November and 31 October 2005).
- Secretariat : the Secretary General informs members that he gave to the secretariat the task to update and reorganise the EJTN website. Moreover, the AGIS 2005 budget provides for an amount of 10,000 € dedicated to multilingual development of the Website. A message has been sent to members on 15 September in order to ask them to provide the secretariat with an estimate of the costs induced by the translation in their national language of a selection of pages. Gilles Charbonnier stresses that multilingual development will enable member states judges and prosecutors to have direct access to EJTN information in their mother tongue. However, it will require specific efforts from members to update and provide data.

- Draft schedule of EJTN meetings for 2006 (appendix 2): the Secretary General submits a draft schedule.

He explains the criteria that were applied to draft the schedule:

- Maintaining the same frequency and number of meetings than in 2005, that is to say 5 steering committee meetings, 5 WG I meetings, 4 WGII meetings and 3 WGIII meetings;
- Joining meetings in order to avoid too much travelling ;
- Subject to the agreement of group conveners, he expresses the wish to have as much different hosting countries as possible to favour better mutual knowledge.

He asks members to give their availabilities as regards the organisation of meetings: Martin Langbroek and Giuliana Civinini propose to host meetings respectively in Zutphen and Rome.

- Partnership with the Office for Harmonisation in the Internal Market (OHIM): the Secretary General submits the Exchange of letters between the EJTN and the OHIM drafted further to a meeting on 15 September 2005 in Brussels with the OHIM and Felix Azon to be signed on 29 September 2005 in Alicante. The Steering Committee approves the request of the Secretary General.

4. Inauguration of the premises square Marie-Louise, 43

The Secretary General presents to the steering committee the agenda of the opening ceremony and delivers the broad lines of his speech.

He then submits his draft motion in view of the experts meeting organized by the European Commission on 5 October 2005 in Brussels, in the framework of the Hague programme, with the stands he will take on behalf of the Network.

After a roundtable, this paper is improved. Except for Portugal, all steering committee members agree on the final adopted motion (appendix 3).

5. Elaboration of a strategic plan for the Network for the 5 coming years (2005-2010)

Joost Mönks, consultant, introduces the project to the steering committee. The aim is to provide the Network with a concise basic document recalling its fundamental missions, setting goals for the future as well as a strategy, proposing necessary changes to attain such goals, especially as regards the structure, as well as a working plan for coming years.

Several stages to achieve this working paper :

- The present steering committee to prepare works and approve the proposed approach;
- The seminar which shall take place in Lisbon on 8 and 9 November 2005 ;
- The assessment of the results this seminar during the General Assembly in Edinburgh on 7 and 8 December 2005 ;

- A questionnaire drafted in close cooperation with Gilles Charbonnier, will be submitted to all steering committee members. It shall be completed and sent back to Joost Mönks who will draft a synthesis that will be submitted for the seminar in Lisbon.

Edith van Den Broeck observes that a discussion can help to widen the content of the debates while a text would close it.

Taking into account the experience gained of the The Hague General Assembly in 2004, Martin Langbroek advises Gilles Charbonnier and Joost Mönks to make an in-depth preparation of the seminar in Lisbon to ensure significant results from this seminar.

6. Preparation of Edinburgh General Assembly (Victor HALL)

- Presentation of the agenda (see appendix 4) :
- Examination of applications to become member of observer of the EJTN:

Gilles Charbonnier presents applications that were sent to him:

- The official application of the Slovak Judicial Academy to become member ;
- The official application of the Turkish Academy of Justice to become observer ;
- The unofficial application of the Estonian Law Center (by e-mail dated on 1st September 2005) to become member ;
- The unofficial application of the National Court Administration of Norway (by e-mail dated on 10 June 2005) to become observer.

He points out that no application was received from Cyprus to become member, neither from Bulgaria, Romania and Croatia to become observers. He will contact the authorities of these countries to know about their intentions towards the Network. In order to deal properly with the applications received, he suggests meeting the applicant institutions in their countries to exchange information that will be useful both to the Network and to the applicant. In this view, the Secretary General met in Riga the Latvian Court Administration on 6 September 2005. This institution which had applied, has decided to « *suspend* » its application. Gilles Charbonnier adds that he will keep steering committee members informed about the initiatives undertaken in this matter.

Solvita Kalnina asks if a procedure to approach applicants to become member or observer of the EJTN has been worked on in the framework of WGIII.

Luis Pereira, as convener of WGIII, observes that all issues raised in the framework of the working group are passed on to the steering committee.

Luigi Berlinguer proposes steering committee members to increase the contacts and the coordination of initiatives between the EJTN and the ENCJ (European Network of Councils for the Judiciary).

Edith Van den Broeck suggests putting on the agenda of next meeting of the steering committee the collaboration with the ENCJ, which is accepted.

- Budget orientations for 2006

Gilles Charbonnier introduces to the steering committee the EC call for proposals for an AGIS operating grant in 2006. He recalls that he will submit to next steering committee meeting, on 6 December in Edinburgh, a provisional budget submitted for approval and which will be one of the key elements of the final application.

- Modification of the Articles of association

Gilles Charbonnier submits to the steering committee which approves them, the proposals for modification of the Articles of association of the EJTN:

- Article 1 on the provisions ruling non profit making associations ;
- Article 2 relating to the legal seat of the association transferred from the Belgian Conseil Supérieur de la Justice to Square Marie Louise, 43 in B-1000 Brussels.
- Article 12 relating to the rules on the modification of the Articles of association (approval and taking into effect after approval).

Gilles Charbonnier takes advantage of the presence of many EJTN members to thank Giuliana Civinini, called to other duties in the Italian Consiglio Superiore della Magistratura, for her involvement in the Network and wishes her good luck in her new duties.

The meeting is ended at 12h30.

Brussels, 23 November 2005

Quentin BALTHAZART
EJTN Secretariat

Approved on

Gilles CHARBONNIER
EJTN Secretary General

APPENDIX 1

2nd activity report of the Secretary General to the Steering Committee members in Brussels on 28 September 2005

1. GENERAL INFORMATION TO THE MEMBERS OF THE NETWORK

- a. Message of 8 July 2005 : presentation of the decisions taken by the Steering Committee on 15 June 2005 in Brussels;
- b. Message of 12 July 2005: on the elaboration of a strategic plan for the Network;
- c. Message of 14 July 2005: on the sending to the European Commission of the application submitted by the EJTN in the framework of the call for proposal for the Exchange Programme of Judicial Authorities (PEAJ) 2005;
- d. Message of 20 July 2005: presentation of the EJTN organisational chart (Secretary General ; secretariat);
- e. Message of 31 August 2005: on the inauguration of the premises, square Marie-Louise 43, in Brussels, on 28 September 2005;
- f. Message of 15 September 2005: on the website multilingual development.

2. PARTICIPATION TO THE EJTN MEETINGS

- a. Meeting of working group « external relations » in Lisbon on 5 July 2005
 - i. Preparation of the agenda with the coordinator of the group;
 - ii. Report on the situation of the Network with regard to its relations with the judicial training institutions of the countries non-members of the EU as well as with other Networks or institutions connected to the judicial field;
 - iii. After the meeting: discussion with the director of the Latvian Court Administration related to the application submitted by this institution for becoming a member of the EJTN (Riga, 6 September 2005).
- b. Meeting of working group « programmes » in Riga on 5 and 6 September 2005
 - i. Before the meeting:
 - Preparation of the EJTN application form for the « Exchange Programme of Judicial Authorities 2005 » (16-30 June 2005);

- a. Working session with a delegation of the European Commission lead by Mr. Joseph O'Neill, Head of Unit D4, in presence of Mr. Jacques HAMAIDE (Belgian High Council of Justice) and of the EJTN secretariat, in Brussels on 28 June 2005;
 - b. Sending of the application to the European Commission on 1st July 2005.
- Meeting of preparation of the General Assembly with Mr. Victor HALL (JSB) and Mr. Franck CROWE (Judicial Studies Committee), in Edinburgh on 12 and 13 July 2005;
- ii. During the meeting:
 - Preparation of the agenda with the group coordinator and the Latvian Judicial Training Centre, hosting the meeting;
 - Report on the project submitted by the Network in the framework of the «Exchange Programme of Judicial Authorities 2005» (section A), on the preparation of the documentation used for the inauguration of the premises, on the newsletter;
 - iii. After the meeting:
 - Meeting, in Brussels on 15 September 2005, with Mr. Alberto CASADO (Office of Harmonisation of the Internal Market) and Mr. Felix AZON and preparation of an exchange of mails in order to set up a partnership between the EJTN and the OHIM.
- c. Meeting of working group « website » in Roma on 9 September 2005
- i. Before the meeting: meeting in Trier on 7 July 2005 with Mr. Alex KAMPA, manager of the GAX company, which hosts the EJTN website;
 - ii. During the meeting:
 - Preparation of the agenda with the group coordinator;
 - Reports:
 - a. on the current state of the EJTN website, on its transfer to the secretariat, its updating and the priorities drawn since July 2005;
 - b. on the EJTN project submitted in the framework of the «Exchange Programme of Judicial Authorities 2005» (Section B).

d. Meeting of the Steering Committee in Brussels on 28 September 2005

i. Before the meeting:

- On 22 August 2005 and 1st September 2005, signing of a contract between the German Federal Republic and the EJTN on the attribution of a subvention of 10 000 € for the equipment of the secretariat with IT materiel, this amount represents 50% of the German financial contribution to the EJTN for 2005, and the remaining 50% are paid by the Länder;
- Preparation of the seminar for the elaboration of an EJTN strategic plan (contacts with Mr. MONKS, consultant : from July to September 2005).

ii. During the meeting:

- Preparation of the agenda of the Steering Committee
- Reports:
 - a. Activity report since the Steering Committee of 15 June 2005
 - b. on the current state of the Network (financially, on deadlines to come and notably on the Exchange Programme of Judicial Authorities 2005, on the secretariat, on the transfer of the website and on the newsletter).
- Preparation of calendars of the EJTN meetings 2005 and 2006, of the list of financial contributions up to the 28 September 2005, of an updated contacts list as well as of this second activity report since 15 June 2005.

3. INSTALLATION OF THE SECRETARIAT

- a. Working session with ERA, which has ensured the EJTN secretariat since the beginning and the new permanent secretariat (Aude MAGEN, Quentin BALTHAZART) in Trier on 6 and 7 July 2005;
- b. Inauguration of the EJTN premises:
 - i. Preparatory meetings with Mr. Lorenzo SALAZAR, Advisor of Commissioner FRATINI, in Brussels on 21 June and 13 September 2005;
 - ii. Inauguration ceremony, square Marie-Louise 43, in Brussels on 28 September 2005 , in presence of Mr. Franco FRATINI, Vice-president of the European Commission responsible for « justice, freedom and security »;

- c. Various
- i. Meetings at the bank agency KBC in Brussels on 29 June and 18 August 2005 for everyday administrative questions as well as to obtain a bank guarantee, which a necessary prerequisite for the transfer of the grant of the Commission. This guarantee has been delivered on 23.07.2005 and transmitted to the Commission on 23.08.2005;
 - ii. Meeting with the social secretariat PARTENA in Brussels on 2 September 2005;
 - iii. Equipment of the secretariat:
 - With IT materiel, by DELL company on 19 September 2005;
 - With office fouritures (21 September 2005);
 - With communication materiel: contacts with the companies CURTI (22 June 2005), HALO (2 September 2005) and EUROGIFTS (13 September 2005).
4. MISSIONS LEFT TO THE SECRETARIAT (additional to the everyday administration and the preparation of the EJTN meetings)
- a. Preparation of the EJTN application for the « Exchange Programme of Judicial Authorities 2005 » (15-30 June 2005)
 - b. Updating of the website (since 15 July 2005)
 - c. Preparation of the inauguration of the premises
5. REPRESENTATION OF THE NETWORK
- a. Participation to the opening day organised by the French Ecole Nationale de la Magistrature in the framework of the Exchange Programme of Judicial Authorities 2004 (Paris, 1st July 2005).
 - b. Interview in the Law Journal « *Jurista Vards* » - *A Say of a Jurist* (Riga, 6 September 2005).

Gilles CHARBONNIER
Secretary General of the European Judicial Training Network

APPENDIX 2

The Secretary General/ Le Secrétaire Général

EJTN MEETINGS SCHEDULE / 2006 – CALENDRIER DES REUNIONS DU REFJ / 2006

Draft of 22 September 2005 / Projet du 22 septembre 2005

	General Assembly	Steering Committees	Working groups
January		23 Jan. /	WG I: 24 - 25 Jan. /
February			WG II: 27 Feb. / WG III: 28 Feb. – 01 Mar /
March		29 March /	WG I: 30 – 31 April /
April			WG II: 1 April /
May			WG I: 24 – 25 May / WG III: 26 May /
June		12 – 13 June /	WG II: 14 June /
July			
August			
September		18 Sept. /	WG I: 19 – 20 Sept. / WG III: 21 Sept. /
October			
November			WG I : 6 – 7 Nov./ WG II: 8 Nov. /
December	6 – 7 Dec. / Helsinki	5 Dec. / Helsinki	

APPENDIX 3

**MOTION ADOPTED BY
THE EUROPEAN JUDICIAL TRAINING NETWORK
(STEERING COMMITTEE, BRUSSELS, 28 SEPTEMBER 2005)**

The European Judicial Training Network

- 1) Considers the implementation of The Hague programme, adopted on 4 and 5 November 2004, especially concerning the priority given to the training of judges and prosecutors, as a crucial challenge for the future;
- 2) Reaffirms its total involvement, since its origin, in order to develop for the benefit of the judiciary, a training programme with a genuine European dimension, as is attested by its funding Charter, its articles of association and the activities that it has developed through the years (Website, catalogue of activities open to all European judges and prosecutors and the exchange programme for judicial authorities);
- 3) Points out that in most of the EU Member States, the competence of the training of judges and prosecutors is attributed by the Constitution or the Law to public bodies and specific institutions with a status and a particular composition, which guarantee the independence. As a consequence, these bodies and institutions as well as their association, the EJTN, should be recognised as privileged partners in the framework of the judicial training in the European Union;
- 4) Believes that the training of judges and prosecutors is a powerful lever to improve the quality of justice delivered to the citizens, to adapt the judicial responses to the developments of the law and society, and to create the conditions for a genuine common judicial area in Europe based on mutual trust and recognition of judicial decisions;
- 5) Calls for the adoption of a pan-European statement responding to The Hague Programme which reinforces judicial training derived from a properly supported organisation with permanent financial means, to develop and enhance the EJTN experience, and to guarantee judicial independence;
- 6) Declares to be ready to mobilise itself and its members, in charge of judicial training in their home countries, in order to work with the European institutions so as to realise the high ambitions aimed at by the Hague programme.

APPENDIX 4

GENERAL ASSEMBLY, 7 – 8 DECEMBER 2005, EDINBURGH

DRAFT AGENDA (22.09.2005)

WEDNESDAY, 7 DECEMBER 2005

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| 09 : 00 | Welcome and introduction of guests |
| 09 : 30 | Report of the Secretary General
(including the EJTN brochure and newsletter) |
| 10 : 15 | Discussion |
| 10 : 30 | Proposal to adopt a strategic plan for the EJTN |
| 11 : 00 | Coffee break |
| 11 : 30 | Examination of the applications for membership and observer status |
| 12 : 45 | Lunch |
| 14 : 15 | Proposal to adopt the 2006 EJTN catalogue |
| 14 : 45 | Reports from Working Groups: <ul style="list-style-type: none"> - working group « <i>programmes</i> » ; - working group « <i>website</i> » ; - working group « <i>external relations</i> ». |
| 15 : 45 | Discussion |
| 16 : 00 | Coffee break |
| 16 : 30 | The floor is given to the Lisbon Network |
| 17 : 30 | End of Day 1 |
| 21 : 00 | Dinner in the Jacobite Room at the Edinburgh Castle |

THURSDAY, 8 DECEMBER 2005

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|---------|--|
| 09 : 00 | EJTN Finances <ul style="list-style-type: none"> a. Proposals to adopt the financial procedure agreed on by the Steering Committee of 15 June 2005 in Brussels; |
|---------|--|

b. Examination of the 2005 accounts;

c. Budget 2006;

- Subscriptions (article 8 of the status);
- Project of operating grant AGIS for 2006;

11 : 00	Coffee break
11 : 30	Modifications of status
11 : 45
12 : 45	Lunch
14 : 30	PEAJ 2004 : report from the French ENM and of the Italian CSM
15 : 30	Discussion
16 : 00	Coffee break
16 : 30	PEAJ 2005
17 : 30	Discussion
18 : 00	End of works