



EJTN Working Group 2 Website

Meeting in Trier, 8 August 2003

Academy of European Law (ERA)
Metzer Allee 4
D-54295 Trier
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Minutes

Present

Secretary General of the EJTN (SG)

Armano D'Alterio
(AD)

Members of the WG:

United Kingdom

Judicial Studies Board (England & Wales)

Director

Judge William Rose
(WR)

Slovenia

Supreme Court

Judge

Andrej Kmecl
(AK)

**Academy of European Law
Trier**

Director

Dr. Wolfgang Heusel
(WH)

excused:

Italy

Consiglio Superiore della Magistratura
(CSM)

Guest (only present during the discussion on item 1):

GAX S.A., Luxembourg

Alex Kampa

AGENDA

- 1) **Evaluation of the present website: concept, format, operation, costs, options for further development**
 - 2) **Definition of targets: which purposes should the website serve, as seen from both the perspective of members and from the perspective of final users (members of the member states judiciaries)**
 - Information on EJTN and EJTN activities
 - Information on members and members' activities
 - Database and database links (EU law, national law, case law, etc)
 - Links to other networks, organisations, partners, etc
 - Discussion forums for members of the European judiciaries
 - Website languages
 - 3) **Concrete action plan for 2003**
 - 4) **Cost estimate for the 2003 budget**
 - 5) **Miscellaneous**
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WH opened the meeting at 9:30 and chaired it after consultation with the convener. After welcoming the SG and the representatives of members present as well as Mr. Kampa, representative of the company GAX which has maintained the EJTN website on behalf of ERA to-date, WH introduced the agenda which was subsequently approved.

The main purpose of the meeting was to specify the activities to further develop the EJTN website in 2003 and to draw up the corresponding budget as part of the revised 2003 budget of the EJTN which will be submitted to the European Commission to justify the EJTN request for funding. The first EJTN budget adopted by the GA in Thessaloniki, that was the basis for our successful AGIS application, foresaw a budget of €50,000 for the website (20% of the total budget) but the Commission made clear that the website activities referred to were not specific enough to justify AGIS funding.

1. Evaluation of the present website: concept, format, operation, costs, options for further development

Mr. Kampa explained structure, maintenance and potential of the present website (cf. the report by GAX). It was stated that the website as it stands, albeit of interest to the EJTN members particularly via the "members' forum", does not offer sufficiently attractive information to users at the level of judges and prosecutors in the member states and is virtually not used by them. One of the reasons for this deficiency is that the information provided is scarce and not regularly updated. The page on "activities" does not offer more than a handful of upcoming events; the number of links provided under "resources" is very limited (European links) or almost non-existent (national links); the pages of EJTN members have not been updated since they were first delivered.

The structure of the website is simple but with potential for expansion. Technically it would be easy to introduce registration modules for events organised by the EJTN itself or to multiply the linguistic versions of the website. A search system by keywords is not yet available for the website but could be added easily. The website is not yet ready for the introduction of interactive computer-based training but the respective module could also be introduced as soon as desired.

On the basis of the existing Content Management System (CMS) it would furthermore be possible to give EJTN members access to those parts of the website where they present themselves and to those activities which they are in charge of. Mr. Kampa said that this would in principle not increase CMS costs once this new function has been introduced. Mr. Kampa also made clear there are no extra costs for managing the pass-word protected part of the website (the members' forum).

AD asked Mr. Kampa whether it would be justifiable to spend a total amount of €50,000 on further development of the website. The reply was that it would be realistic to calculate some €30,000 as costs for redesigning the website, although this would of course depend on the concrete measures to be implemented. For comparison, WR gave some figures for a redesign of the JSB website in 2002/2003, the redesign costing some €13,000 and the running costs amounting to some €500-€1,000 p.a. (the JSB website essentially contains static elements and links). AK referred to the recent introduction of a website system serving all Slovenian courts which had involved costs of some €20,000, with annual updating costs of €1,500.

2. Definition of targets: which purposes should the website serve, as seen from both the perspective of members and from the perspective of final users (members of the member states judiciaries)

After a brief discussion, there was general consensus that the primary purpose of the website was *to serve the members of the European judiciaries*¹, as the EJTN itself was set up basically for the benefit of European judges and prosecutors in the areas of training on European law and on judicial cooperation. The communication facility between member organisations as the other function of the website was regarded as being of secondary importance, as this communication can be maintained without the website. Hence it was concluded that the EJTN website will first have to be made attractive for all members of the European judiciaries, second these persons will have to be made aware of it and third it will have to be updated permanently and regularly (with the date of the last update to be indicated on the homepage).

The first need put forward was therefore the employment of a skilled *website administrator* (webmaster) who should be in charge of the proactive administration, completion and update of the site. WH suggested that this be done by the administrative assistant to be employed to succeed Dirk Steinsberger, who should be a full-time assistant in charge of both general administration and the website. **This proposal was accepted by the Group.** AD suggested to leave the decision to the Steering Commission, including on his proposal to set up a selection committee to choose the best candidate, an approach which the members of the working group did not consider appropriate. The matter was left for discussion by the Steering Committee in its next meeting on 8 September.

¹ i.e. judges and prosecutors in the member states of the European Union

The following actions to develop the website and to convert it into an attractive tool for European judges and prosecutors were discussed:

a) Information on training programmes

It was agreed that complete and updated information on the following programmes should be available on the website:

- information on genuine EJTN events
- information on joint events organised by members under the umbrella of an EU programme such as Grotius, AGIS etc.
- information on all events organised by members and opened up to judges and/or prosecutors from other members' jurisdictions

b) Hotlinks to basic documents on European law and EU judicial cooperation, as well as to national law and case law

All relevant EU materials on judicial cooperation should be made accessible through the website, as well as all EU documents of importance for the judiciary. This was also part of the proposal of the CSM submitted by Carmelo Celentano. The website should take the form of a portal offering access to these documents via hotlinks. Address links to EU contact points and networks should also be included, such as Eurojust or the EJM. It was suggested to facilitate this access through explanatory documents or articles which sometimes are available for free from the European institutions in all EU languages, such as e.g. the "ABC of Community Law" by K.-D. Borchardt.

Following the proposal by CSM, this should include links to sources and documents on national law including national case law relevant for judicial cooperation.

AK emphasised that the website administrator should spend some considerable time searching the internet for sources and documents of relevance. WR recommended checking existing links on members' websites, as e.g. the JSB provides links and information on English law.

c) European "benchbooks"

Following the example of the series of benchbooks published by the JSB on their website (cf. <http://www.jsboard.co.uk/publications.htm>), it was agreed that a "European benchbook" – or a certain number of European benchbooks – should be made available on the website for the comfort of European judges and prosecutors. Benchbooks are meant to provide practical information and guidelines to the members of the judiciary in a given area, they are not intended to be academic publications, nor is their target readership the training institutions themselves. A European benchbook would be of high practical value for judges and prosecutors in all member states and in particular in the new member states.

The Working Group did not, however, consider it its task or responsibility to edit or draft and then update a European benchbook. There was consensus that this should be done by a special editorial committee and that the General Assembly would have to decide on the appropriate way to establish it.

AD expressed the view that the most important thing would be to respect the competences of other Working Groups. In his opinion, the first step towards preparing a European benchbook should be to have a part on training methodologies, which could be the result of the planned EJTN event on training methodologies suggested by the Working Group on programmes. As a second step, the contents of European judicial training should be defined. The last step would then be to decide what else should be in the European benchbook.

AK replied that this would place us in a dilemma: If the task of this Working Group was only to create a tool for the dissemination of the results of the Working Group on programmes, the present website would be sufficient. If the task of this Working Group was somewhat more original it would have to go further and be more proactive. WR suggested to present the project to Working Group 1 first so that it can be discussed by this group at its next meeting in October.

The Working Group has adopted the following conclusion:

The Working Group is of the opinion that an editorial committee for a European benchbook should be established. It does not express a view on whether this committee should take the form of a sub-committee of Working Group 1 or whether it should be set up as a separate Working Group. The Working Group invites Working Group 1 to comment on this proposal.

The SG stated his position as follows:

The SG supports the proposal to draw up a European benchbook. He underlines that the steps suggested by him to develop the benchbook would be in line with the repeated proposal by himself and WH to define and develop a genuine training approach for the EJTN, which the Working Group on programmes so far has taken up only for the part concerning training methodologies. However, the SG does not wish to make a concrete proposal to Working Group 1 on the establishment of an editorial committee at this stage.

d) Computer-based training (distant learning)

There was consensus that the introduction of computer-based training via the website would be a legitimate and promising target which should be kept in mind in a mid-term perspective but which should not be looked into at the moment. This would only become a priority once the basic services and elements which members of the European judiciaries would expect to find on the EJTN website have been created.

It was noted that the development of a distant-learning training module would be a quite expensive project for which the necessary funding will have to be carefully considered. For the time being, not even a preliminary expert opinion will be sought on this as technology in this area seems to change very rapidly (broad band).

e) Security of the EJTN website

WR underlined the need to improve the website's security, especially if a variety of administrators of particular website pages are to be given direct access to the CMS. Higher security standards will also be necessary with the increased use of broad band technology. It was agreed that expert advice on further proceeding is a first priority.

f) Discussion forums

AK advised against discussion forums at this stage, as they would need to be constantly animated and it would not be sure whether users would be prepared to accept a moderator.

WR referred to the encouraging JSB experience with moderated discussion forums in a number of areas which he said was widely positive. In their experience, moderation was well accepted as the moderator's task was simply to make sure that participants abide by certain rules and conventions, but not to edit any contributions. WR added that the moderation system had been bought in by the JSB and was also done by an external company as well as by judges. Nevertheless, WR did not think it wise to open a discussion forum on the EJTN website in the near future or at least not until the corresponding demand has become apparent. He suggested to open a "users' wish list" on the website from which a possible demand for discussion forums could become emerge.

WH thought it more likely that a demand for discussion forums on concrete questions – such as the European arrest warrant, its implementation and practice in the member states – already existed and would become even more pressing with the imminent accession of ten candidate countries. He said that animated discussion forums could also be an efficient way to make the website known and used. But he conceded that the problem would be to make it run now.

These considerations were supported by the other members of the group. It was decided to first open the "wish list" page and to take action according to the response received.

g) Allocation of content and updates management to EJTN members (proposal submitted by Slovenia)

In his paper "Establishing a 'training exchange' as a part of the EJTN website" submitted before the meeting, AK had suggested to allow EJTN members to publish and update directly all data referring to EJTN relevant training activities organised by them.

The group welcomed and adopted this proposal. It was agreed that individual members should be in charge of:

- their general presentation page
- all pages presenting EJTN activities which they are in charge of, in particular events under the EU framework programmes
- all pages presenting their activities opened up to members from other jurisdictions

However, it was agreed that entries would have to follow a certain structure and should be moderated. AK referred to the template shown on page 3 of the GAX report which offered a good model. It was furthermore decided to place a disclaimer on the various pages, making clear who was in charge of the page in question.

h) Storing the results of previous activities on line (proposal submitted by CSM)

In his paper submitted on behalf of CSM, Carmelo Celentano suggested to create a special database and to make “the results of previous activities ... available to the members of the European judiciaries”, through storing the texts of the conference documentation in pdf-format. He further suggested to provide a search system to identify specific documents, on the basis of indexed text (keywords).

The group hesitated to adopt this proposal. WR saw a risk that potential participants would not be prepared to attend meetings which would deal with topics fully covered by documents freely accessible on the web; at least their superiors might not be willing to pay for events which would offer information already available on the EJTN website. He further underlined the problems of copyright and of opening free access to documents of events for which sometimes a participation fee is charged.

Referring to ERA’s particular situation, WH saw no problem in principle in making available documents which were produced for EU-funded projects. However, conference documentation partly consists of legal texts which should be accessible through hotlinks on the website, and substantial texts on the topics dealt with are not always provided by speakers. Storing documents of previous meetings would therefore require developing a consistent system as well as some kind of editing.

The group eventually decided to start the database with documents from EJTN activities which were financially supported by the Commission. A search engine should not be purchased before the database has reached an appropriate size. It was agreed that in this case, searchrs should not be index-based but refer to the full texts. The cost of full-text searches are barely higher than that of index-based searches, yet full-text search is much easier and much more effective and there is no need to index the data stored.

i) Languages of the EJTN website

There was consensus that there should not be second-class users in the European judiciaries, yet no one would expect members to translate their own national websites into other languages. There was also consensus that in many member states the members of the judiciaries do not have a sufficient command of English or French to feel comfortable using the EJTN website in either of these languages.

It was decided that the static part of the website should become fully operational, initially in the two working languages of the EJTN, English and French. Bearing in mind that the primary purpose of the website is to serve users in all member states, it was also decided to translate the static part into other EU languages, ideally into all official languages, subject to the costs involved. WH underlined that it should be easy to provide the hotlinks to EU documents in the corresponding language (e.g. the link to decision on the European Arrest Warrant in Italian for a user choosing the Italian version of the website). The group agreed, however, that the dynamic part of the website should be made available in the original languages alone, unless members are prepared to submit translations of their texts and documents into English and/or French.

3. Concrete action plan for 2003

The following actions will be implemented in 2003 and consequently be budgeted for:

a) Information on training programmes

Information on genuine EJTN events, information on joint events organised under the umbrella of an EU programme, information on all events organised by members open to participants from other member states is to be included on the website. ENM is administering the list of these events.

b) Hotlinks to basic documents

This will be the responsibility of the new administrator/webmaster – to search the internet for relevant documents and to create the links

c) European “benchbooks”

Drafting and compiling a European benchbook (or several) should be the task of a editorial committee to be set up later this year and will not be completed before 2004. In 2003, only the technical arrangements to the website will have to be done so that the benchbook(s) can be made available in due course.

d) Computer-based training (distant learning)

This project is to be kept in mind for the medium-term but as yet no further action will be taken.

e) Security of the website

Increased security will be necessary if more than one web administrator is to be given access to parts of the website. Expert advice on further proceeding is to be sought and measures to improve security be implemented where possible.

f) Discussion forums

These are not to be set up initially. Instead a “wish list” page will be created, from which it is hoped concrete requirements will emerge.

g) Allocation of content and updates management to EJTN members

Individual EJTN members are to be in charge of managing and updating pages relating to their general presentation as well as activities that they are in charge of and national activities open to participants from other member states.

h) Availability of the results of previous activities

A database of documents from EJTN activities that were supported by the Commission is to be drawn up. A search engine will not be purchased until the database has reached a certain size. Searches will be by full text, not index-based.

i) Languages of the EJTN website

The static part of the website is initially to become operational in English and French. Subject to translation costs this section should also be available in all

official EU languages. The dynamic section will be presented in the original language, unless members are prepared to provide translation of their texts and documents in English and/or French.

4. Cost estimate for the 2003 budget

Cost estimates for the measures envisaged will be requested from GAX and at least one competitor.

The meeting was closed at 14:00h.

Trier, ...August 2003

Wolfgang Heusel