



# **LANGUAGE TRAINING ON THE VOCABULARY OF JUDICIAL COOPERATION IN CRIMINAL MATTERS**

## **General context**

The Tampere Conclusions (1999) and afterwards The Hague Programme (2004) emphasise that the development of mutual confidence expressly requires the improvement of mutual understanding between judicial authorities and the different judicial systems.

The Communication of the European Commission on judicial training in the European Union (COM 2006 (356 final) highlights the need to improve language skills so that judicial authorities can communicate with each other as provided for in most judicial cooperation instruments. Furthermore, the Resolution of the European Parliament of 9 July 2008 on “the role of the national judge in the European judicial system” considers that language is the main tool of practitioners of justice and that knowledge of foreign languages is crucial for ensuring proper judicial cooperation. In this context, the European Parliament calls on all players involved in judicial training to give specific attention to the training of judges in foreign languages and considers that it is in the public interest to enhance the language skills of the judiciary.

This Project takes into account all those considerations: judges and public prosecutors need more and more a specialised linguistic training in the field of judicial cooperation in a wide Europe without frontiers where the free movement of persons is the corner stone of the area of freedom, security and justice.

## **Project Description**

The Project consists of a series of 6 seminars on the vocabulary of judicial cooperation in criminal matters. The seminars will be held in English and French in 6 Member States and will last each for 5 days over the period 2009-2011. The Project will consist of two main phases:

- ⇒ the preparatory phase with expert meetings in charge of preparing the methodology and training materials for the seminars.
- ⇒ the implementation phase with 6 seminars in 6 Member States. This phase will end with a final meeting of the experts who will be in charge of producing a training language handbook in order to promote best practice as well as to ensure a wide dissemination of the results.

The Project budget is established on the basis of 80% EC funded and 20% EJTN partners funded.

## **Project Aims**

The Project aims to enhance the linguistic skills of participants in order to facilitate direct communication between judicial authorities - an objective which is provided for in most of the legal instruments adopted in the field of judicial cooperation in criminal matters at the EU level. The Project combines the study of legal terminology in English and French of different legal instruments at EU level with a practical emphasis on the different forms of applicable judicial mechanisms in international cooperation as well as online training tools.

The Project has the following components as its Aim and participants will be asked to evaluate the success of each seminar on how they perceive the Aim to have been met through the contents of the seminars:

- ⇒ To provide participants with training on specific terminology in English and French of the different instruments in the field of judicial cooperation in criminal matters at the EU level.
- ⇒ To provide participants with an in-depth knowledge of legal terminology in English and French as well as to improve a practical use (oral and written).
- ⇒ To provide participants with a comprehensive overview of the legal and judicial systems of the European Union in order to assess their respective needs in the field of judicial cooperation.
- ⇒ To familiarise participants with the use of online tools available on different websites relating to judicial cooperation in criminal matters (e.g. EJM website).
- ⇒ To provide for direct contacts between judges, public prosecutors and legal practitioners of the different Member States in order to promote a common “European legal culture”
- ⇒ To enhance mutual trust between European judicial authorities in order to facilitate the recognition and execution of judicial decisions received from other Member States

## **Participants**

Participants shall consist of judges and public prosecutors involved in judicial cooperation in criminal matters from the EJM members and observers who are partners of the project including as many EJM members as possible.

Participants will be selected by Member States according to criteria that will be defined by the Working Group “Programmes” and confirmed by the Steering Committee. When selecting the participants, Member States should give priority to EJM members. Moreover, the hosting institution will be entitled to provide half of the participants of the seminar that it is hosting<sup>1</sup>.

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<sup>1</sup> In return of which, the hosting institution will discharge the fees paid to lecturers in addition to in-country travel expenses for their own participants.

Each seminar will be divided into 4 groups of 12 participants. The total number of participants will thus be 48 for each seminar. There will be a total number of 24 groups with flexibility in the number of groups for English and French, making a total of 288 participants.

## **Methodology**

### *1) Preparatory phase: expert meetings*

A group of 15 experts will be established: 10 legal and linguistics experts (trainers) will be appointed and selected by the EJTN members; 2 will be members of the Linguistics Subgroup of the Working Group “Programmes” and 3 will be practitioners from EJM, EUROJUST, etc. A call for experts will be made by WG Programmes to all the members of the Network in order to propose candidates.

The group of experts will meet twice face-to-face in order to prepare the seminars but it is expected that they will communicate outside such meetings. The first preparatory meeting will aim at defining methodological aspects, creating a syllabus on judicial cooperation terminology, developing training materials as well as criteria for the assessment of the linguistic level of participants. During a maximum period of six-months following the initial meeting, the experts will draft the training materials.

At the end of this period, a second preparatory meeting will be held to finalise the work and approve the training materials. It is proposed that these two preparatory meetings be held at the EJTN premises in Brussels.

### *2) Implementation phase: implementation of 6 seminars in 6 Member States*

#### A) Seminars

The seminars will be held in 6 Member States. A call for partners will be made to all EJTN members, in which the latter will be asked whether they are willing to host one of the seminars.

The seminars will consist of 5-day “face to face” courses combining theoretical and practical sessions. The aim of the course will be to develop the four basic language skills – reading, writing, listening and speaking – focusing on the topics outlined in point B of the “Content” section of the EJTN guidelines for linguistic training approved by the 2008 EJTN General Assembly. In each seminar, the participants will be trained by a “pool of 3 teachers”: a legal expert, a linguistics expert and a lecturer appointed by the hosting institution.

Each seminar will last 26 hours.

#### B) Experts final meeting

After the 6 seminars have been completed, a final meeting of the experts will be held with a view to creating a handbook on the vocabulary of judicial cooperation and best practices. This handbook will include a trainers’ manual, key answers to the training manual as well as the training manual for judges and prosecutors.

The dissemination of the project results will be ensured through a wide distribution of the handbook (including training materials and trainers' manual) in DVD format in order to promote the exchange of best practice.

## **Content**

At its General Assembly in Ljubljana in June 2008, the EJTN adopted the Linguistics Training Guidelines as a part of a European Curricula for judges and prosecutors. The Guidelines point out the legal content of linguistics courses as regards international judicial cooperation in criminal matters. Topics covered by the Project will include :

- a) Criminal cooperation in Europe: developments, the impact of European integration, a European judicial area and the principle of mutual recognition.
- b) Criminal cooperation within the Council of Europe: European Convention on Mutual Assistance in Criminal Matters, European Convention on Extradition, Convention on the Transfer of Sentenced Persons, European Convention on the Transfer of Proceedings in Criminal Matters (combating terrorism, Convention on Supervision of Conditionally Sentenced or Conditionally Released Offenders, money laundering, Seizure and Confiscation of the Proceeds from Crime, peaceful settlement of disputes, punishment of road traffic offences and other Conventions).
- c) Criminal justice cooperation in the EU: Schengen area, Convention on mutual assistance in criminal matters of 29 May 2000 and the Prüm Convention.
- d) Mutual recognition: the European Arrest Warrant, decisions on orders for freezing property or evidence and other instruments.
- e) Bilateral and multilateral instruments: extradition, multilateral instruments of the United Nations on terrorism and narcotics and bilateral instruments.
- f) Tools for mutual legal assistance (atlas, fiches belges, compendium and SOLON, glossary of multilingual equivalences).

## **European relevance and added value**

The added value of this Project lies in its innovative aspects: the Project involves training in language skills for the European judiciary in English and French in the field of judicial cooperation and it is addressed to judges and prosecutors from the different Member States, including members of the European Judicial Network, EUROJUST and liaison magistrates.

A training handbook will be elaborated on the vocabulary of judicial cooperation and best practice. The handbook will include the course content and training materials, and will be produced in DVD format in order to ensure a wide diffusion among European institutions, national training schools, universities and academics.



## Example seminar's structure within the framework partnership

“Language training on the vocabulary of judicial cooperation in criminal matters”

