

# European Judicial Network in civil and commercial matters

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The Commission presents a report on the activities of the European Judicial Network in civil and commercial matters.

To recall, the Network was set up by Council Decision No 2001/470/EC to improve, simplify and expedite effective judicial cooperation between the Member States in civil and commercial matters. It started operations on 1 December 2002. In 2009, Decision No 568/2009/EC modernised the Network's legal framework and expanded its tasks.

Building on the achievements so far, the Commission aims at **further improving the role and functioning of the Network** as indicated in its Communication of 11 March 2014 on [the EU Justice Agenda for 2020](#). This objective was taken forward by the strategic guidelines of the European Council of 26/27 June 2014 for legislative and operational planning for the coming years within the area of freedom, security and justice.

The report is based on the findings of a study commissioned by the Commission in 2014 and comes to the following conclusions:

**Functioning of the Network:** the Network has provided **substantial support for efficient judicial cooperation** between Member States in civil and commercial matters and the full participation of its members is an integral part of the day-to-day implementation of the Union acquis in civil justice matters. Moreover, the amendments to the Decision introduced in 2009 have contributed to the Network's positive development. The report notes the following developments;

- the **Network's membership structure** has evolved during the last few years, mainly due to the integration of associations of legal professionals and the adoption of new Union law. The Network is made up of 505 members. The contact points designated by the Member States play a central role in the functioning of the Network;
- **meetings of the contact points, and meetings of central authorities** have proved to be essential for the Network to exchange good practices and experience, identify possible shortcomings and develop a common understanding on the application of Union instruments. At the same time, **bilateral meetings** are organised between case-handlers and authorities involved under the cooperation mechanisms provided for in both the [Brussels IIa Regulation](#) and the [Regulation on Maintenance Obligations](#). The Network has also set up **working groups** on specific subject matters which have an essential supportive function;
- since the beginning of its operations, it has been a core function of the Network to set up an **online information system for the public** on Union instruments, national measures for their implementation, national law, international instruments and on relevant case-law by the Court of Justice. On that basis, the Network today strongly contributes to the further development of e-Justice. The migration of the Network's website to the European e-Justice Portal should be finalised in 2016;
- currently, the Network has posted 10 695 pages of information **factsheets on national law**, which for the year 2014 generated a total of 359 184 page views. This increased significantly in 2015 with a total of 2 994 122 page views
- after the Network made available factsheets on succession, family mediation, applicable law and maintenance claims;

- the Network has produced **citizens' and practitioners' guides**, aimed at promoting the uniform application of Union law in civil and commercial matters by courts and other legal practitioners. These guides are targeted at citizens or at courts and legal practitioners.

The report notes that **the Network has been proved to work effectively** although improvements in its operations can be made within the existing legal framework. Therefore, the Commission concludes that there is no need to amend the Decision.

**Possible improvements:** building on initiatives already ongoing, the Commission identifies seven key points for further action to improve the Network's functioning:

1. in line with the Decision and following best practices in some Member States, **all contact points should be given the necessary resources and support** at national level, in order to be able to effectively cope with their increasing tasks;
2. building on best practices in a number of Member States, **networks should be established at national level** in all Member States, bringing together national Network members, ensuring interaction at a national level as well as knowledge sharing and gathering of information;
3. a **stronger integration of judges** and other judicial authorities as well as legal professionals in all of the Network's activities should be ensured;
4. **synergies with other European networks** pursuing similar aims should be extended;
5. an even **greater visibility** of the Network should be achieved, in particular on the basis of the ongoing work, to enhance its presence, firstly, through a dedicated section in the European e-Justice Portal, and secondly, on the national websites of the institutions to which Network members belong. disseminating information via social media and other communication channels should also help the Network gain visibility;
6. the **Network's role in the full ex post evaluation** of existing instruments should be further developed through the identification and collection of key statistical data based on national data collection mechanisms;
7. the Commission intends to assess the **financial and technical implications** of putting in place a tool or adapting an existing electronic information exchange tool for secure communication and registration to be used by the contact points.

The next report will build on the existing findings and will provide a full evaluation of the impact of the activities of the Network.