European judicial area in civil matters: implementation, general framework for activities

2001/0109(CNS) - 15/05/2001 - Legislative proposal

PURPOSE : to establish, for the period from 1 January 2002 to 31 December 2006, a general framework for Community activities to facilitate the implementation of a European judicial areas in civil matters. CONTENT : as rapid and extensive developments have taken place following the entry into force of the Treaty of Amsterdam. The Community now has an ambitious agenda ahead of itself in the area of judicial cooperation in civil matters. Following an analysis of the Grotius programme, it has therefore been found that a wider and more general framework for activities is needed, to provide the support necessary for policy development in this field. The proposed regulation establishing the legal basis for financing activities under the budget of the European Communities in the policy area of judicial cooperation in civil matters. It should not be seen as establishing a new action plan, but rather a general long-term framework for activities and prioritised objectives. On the basis of the framework, operational programmes and specific projects can be elaborated. The objectives of the framework have been closely linked to those set by the Treaty, by the Vienna Action Plan and by the Tampere conclusions. More specifically, the framework for activities shall have the following objectives: - to promote judicial cooperation; - to improve mutual knowledge of legal and judicial systems between the Member States; - to ensure the sound implementation and application of Community instruments in the area of judicial cooperation in civil matters; - to improve information to the public on access to justice, judicial cooperation and the legal systems of the Member States. Moreover, the new Community instruments adopted, or to be adopted, in this field, need appropriate monitoring to ensure that they are effectively implemented and applied. This is easily forgotten but equally important as adopting the instruments themselves, and has therefore been included as a separate objective. In terms of activities supported, the new framework allows for the continuation of the types of actions supported under the Grotius Programme, following its success, but it also goes further and has a wider scope. It allows for Commission actions to supplement the co-financed projects, to ensure that all political priorities will receive adequate and timely support, and it allows for Commission actions of its own initiative to fulfil the objective of ensuring the sound implementation and application of Community instruments. In addition, the framework allows for support to organisations that are continously active in judicial cooperation in civil matters, without necessarily carrying out specific projects. This possibility will further increase the flexibility of the framework. Lastly, it should be noted that this Regulation shall not apply to Denmark, Ireland and the United Kingdom.