

# European Judicial Network in civil and commercial matters

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The European Judicial Network, adopted less than a year after it was first proposed, came into force on 1 December 2002. Under the terms of the Council Decision establishing the network, the Commission is obliged to prepare a Report on its implementation.

In summary, the judicial network was adopted in order to pursue three fundamental objectives: to improve and facilitate judicial co-operation in civil and commercial matters between the Member States in all fields; to improve the effective and practical application of Community instruments and conventions in force between two or more Member States; and to promote effective access to justice for the general public.

Regarding the practical operation of the network, the Report makes the following findings:

- In October 2005, the network consisted of 424 members. They can be categorised into four groups namely a) contact points – 93 members; b) the central authorities – 159 members; c) the liaison magistrates – 13 members; and d) other judicial or administrative authorities responsible for judicial co-operation – 159 members.
- In 24 of the EU Member States 93 contact points were established – averaging out at 3.8 per Member State.
- All contact points benefit from modern communication facilities – but lack supporting staff.
- Less than ten EU Member States have established national sub-networks.
- Certain contact points combine their functions with those of the central authorities meaning that they are only partially available to the network.
- Between 2003 and 2005 the contact points met fourteen times.

In terms of its overall performance, the Commission Report states that by and large the network has attained the objectives assigned to it – at the same time it is still far from having developed its full potential. In light of its importance, as an essential tool for establishing a genuine European judicial-enforcement area, the Commission lists a number of priorities it would like to see enacted over the coming years. They include, *inter alia*,:

- All contact points being given adequate resources allowing them to devote their entire work to the network;
- The involvement of a judge – even if it be as a supporting contact;
- Giving contact points access to an intranet with national courts for all contact point and to give the contact points specific pages on the national Ministry of Justice website.
- The establishment of local contact points in Member States' courts.

- Completion of the network's website – in terms of content and languages.
- Publication of practical guides;
- The creation of on-line discussion groups;
- Developing a partnership with the legal professions by opening up the network.