Judicial cooperation: European judicial training network. Initiative France

2000/0829(CNS) - 19/04/2007

The Council adopted conclusions on guidelines for further work concerning the European Judicial Network, as follows:

Resources and organisation of the contact points: the contact points are an essential element in the judicial cooperation between the Member States and all Member States should ensure that they are organised in an efficient way and are given the resources necessary for carrying out their tasks. It should however be left to the individual Member States to decide how best to organise their contact point(s).

Links between contact points and judges: communication between contact points and judges is necessary for the smooth operation of procedures having a cross-border impact, but the Member States should be free to provide for such communication in their own way. They should not be put under the obligation to designate a judge as contact point.

Communications between contact points and courts: it seems important to provide for channels of communication between the contact point(s) of a Member State and the local courts, but how this is to be organised on the practical level would depend on the internal structure of each Member State and is therefore a matter incumbent on each Member State .

Domestic organisation of the Network: the Network should be organised within each Member State in such a way that it is able to serve the purposes defined in Article 3(2) of Decision 2001/470/EC, but the organisational details should be left to the individual Member States.

Completion of the website: the Network's website is an extremely useful tool, and efforts should be made to make it complete in all languages as soon as possible so that all EU citizens can access it on an equal footing.

Support for Community law-making: it is important to ensure that the Network does not intervene in the decision-making process established by the Treaty. The activities of the Network should not go beyond the purposes referred to in Article 3(2)(b) of Decision 2001/470/EC. The practical guides which are elaborated should remain descriptive. They should contain examples of specific cases, but should not in any way attempt an interpretation.

On-line discussion groups: note is taken that the Commission's recommendation nr. 8 on the creation of on-line discussion groups goes no further than to suggesting that the contact points in addition to the physical meetings may also discuss on-line.

Direct public access to contact points: they are not assigned to providing legal advice to citizens. The resources of the contact points are not unlimited, and it would be difficult for them to cope with the increase in the number of requests public access would entail. The public should therefore not be given direct access to the contact points. Efforts should however be made to make the general public aware of the information to be found on the website.

Direct access for legal practitioners to contact points: for the reasons invoked above in point i) there should not, at this stage, be direct access either to contact points for legal practitioners. What could be reflected on, though, is the possibility of giving certain legal practitioners some degree of access to the Network in the future. This access would however have to be determined by the Council.

Cooperation between the Network and ECC-Net: the Network should cooperate as much as possible with ECC-Net so as to optimise the use of the available resources.

Institutional differentiation between contact points and central authorities: it should be left to the Member States to decide whether it is necessary to differentiate institutionally between contact points and central authorities.

Regular meetings between central authorities and contact points: there should be an optimal flow of information between central authorities and contact points where the two are not combined. Meetings should be organised in a flexible way so as to be able to react to concrete needs.

Relations between the Network and other European networks of judicial institutions and judges: the Network should establish close relations with other European networks of judicial institutions and judges whenever this serves the aim of creating mutual confidence and exploiting synergies.

Organisation and proceedings of meetings of the Network: in order to optimise the work of the Network it is important that relevant bodies such as the Committee on Civil Law Matters are kept informed of its activities at all times.