

Basic information	
<b>2000/0240(CNS)</b> CNS - Consultation procedure Decision	Procedure completed
European Judicial Network in civil and commercial matters  Amended by <a href="#">2008/0122(COD)</a>  <b>Subject</b>  7.40.02 Judicial cooperation in civil and commercial matters	

Key players				
European Parliament	<b>Committee responsible</b>		<b>Rapporteur</b>	<b>Appointed</b>
	<b>LIBE</b>	Citizens' Freedoms and Rights, Justice and Home Affairs	<b>KESSLER Margot (PSE)</b>	10/10/2000
	<b>Committee for opinion</b>		<b>Rapporteur for opinion</b>	<b>Appointed</b>
	<b>BUDG</b>	Budgets	The committee decided not to give an opinion.	
	<b>JURI</b>	Legal Affairs and Internal Market	<b>WALLIS Diana (ELDR)</b>	17/10/2000
Council of the European Union	<b>Council configuration</b>		<b>Meetings</b>	<b>Date</b>
	Justice and Home Affairs (JHA)		2350	2001-05-28
	Justice and Home Affairs (JHA)		2288	2000-09-28
European Commission	<b>Commission DG</b>		<b>Commissioner</b>	
	Justice and Consumers			

Key events			
Date	Event	Reference	Summary
22/09/2000	Legislative proposal published	COM(2000)0592 	<a href="#">Summary</a>
28/09/2000	Debate in Council		
13/11/2000	Committee referral announced in Parliament		

20/03/2001	Vote in committee		<a href="#">Summary</a>
20/03/2001	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A5-0091/2001</a>	
04/04/2001	Debate in Parliament		
05/04/2001	Decision by Parliament	<a href="#">T5-0198/2001</a>	<a href="#">Summary</a>
24/04/2001	Modified legislative proposal published	<a href="#">COM(2001)0234</a> 	<a href="#">Summary</a>
28/05/2001	Act adopted by Council after consultation of Parliament		
28/05/2001	End of procedure in Parliament		
27/06/2001	Final act published in Official Journal		

Technical information	
<b>Procedure reference</b>	2000/0240(CNS)
<b>Procedure type</b>	CNS - Consultation procedure
<b>Procedure subtype</b>	Legislation
<b>Legislative instrument</b>	Decision
<b>Amendments and repeals</b>	Amended by <a href="#">2008/0122(COD)</a>
<b>Legal basis</b>	EC Treaty (after Amsterdam) EC 061-
<b>Stage reached in procedure</b>	Procedure completed
<b>Committee dossier</b>	LIBE/5/13754

Documentation gateway				
<b>European Parliament</b>				
<b>Document type</b>	<b>Committee</b>	<b>Reference</b>	<b>Date</b>	<b>Summary</b>
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A5-0091/2001</a>	20/03/2001	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T5-0198/2001</a> OJ C 021 24.01.2002, p. 0258-0330 E	05/04/2001	<a href="#">Summary</a>
<b>European Commission</b>				
<b>Document type</b>	<b>Reference</b>	<b>Date</b>	<b>Summary</b>	
Legislative proposal	<a href="#">COM(2000)0592</a>  OJ C 029 30.01.2001, p. 0281 E	22/09/2000	<a href="#">Summary</a>	
Modified legislative proposal	<a href="#">COM(2001)0234</a>  OJ C 240 28.08.2001, p. 0101 E	24/04/2001	<a href="#">Summary</a>	
Follow-up document	<a href="#">COM(2006)0203</a> 	16/05/2006	<a href="#">Summary</a>	

## Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	<a href="#">CES0227/2001</a> <a href="#">OJ C 139 11.05.2001, p. 0006</a>	28/02/2001	

## Additional information

Source	Document	Date
European Commission	<a href="#">EUR-Lex</a>	

## Final act

[Corrigendum to final act 32001D0470R\(02\)](#)  
[OJ L 297 04.11.2016, p. 0025](#)

[Decision 2001/0470](#)  
[OJ L 174 27.06.2001, p. 0025](#)

[Summary](#)

# European Judicial Network in civil and commercial matters

2000/0240(CNS) - 22/09/2000 - Legislative proposal

PURPOSE: to present a Council Decision establishing a European Judicial Network in civil and commercial matters. CONTENT: this document has been slightly modified in that the COM document reference number has been changed. This concerns only the English version. By Article 2 of the Treaty on European Union, the Union set itself an objective of maintaining and developing the Union as an area of freedom, security and justice. Article 61(c) of the Treaty establishing the European Community provides that the Council shall adopt measures in the field of judicial cooperation in civil matters in order to establish progressively that area. This draft responds to the mandate given by three political instruments: - the Council and Commission Action Plan of 3 December 1998, presented to the Vienna Council of 11 and 12 December 1998, on how best to implement the provisions of the Treaty of Amsterdam on an area of freedom, security and justice; - the conclusions of the special European Council at Tampere in October 1999; - the Commission communication on the scoreboard to review progress on the creation of an area of "freedom, security and justice" in the European Union. Detailed discussions on the establishment and operation of a European Judicial Network in civil and commercial matters continued during the Portuguese Presidency. The effect is that the Commission can now present this proposal for a Council Decision. This proposal falls within this context. It seeks to ensure the sound operation of judicial procedures in civil and commercial matters with a cross-border impact. The ultimate aim of this draft is to simplify the life of Europe's citizens by improving judicial cooperation between the Member States in civil and commercial matters by giving them easier access to justice in a Member State other than their own. More specifically, the measure aims at networking the authorities of the Member States in an uniform manner throughout the European union. Since its purpose of improving cooperation between authorities of the Member States in litigation with a cross-border impact cannot be achieved by the Member States alone, action is needed at Community level. The proposed Decision pursues the objective of the coordinated and uniform Union-wide enhancement of judicial cooperation mechanisms and the provision of the public of practical information that might be useful to persons engaging in cross-border litigation. The proposal lays down only the minimum measures needed to attain the objectives pursued and does not go beyond what is necessary to that end. It is without prejudice to existing cooperation mechanisms and is based extensively on close cooperation between the Commission and the Member States.

# European Judicial Network in civil and commercial matters

2000/0240(CNS) - 05/04/2001 - Text adopted by Parliament, 1st reading/single reading

The European Parliament voted to endorse the report by Mrs Margot KESSLER (PES, D) which aims to extend the existing judicial network in criminal matters to civil and commercial law. Parliament's resolution takes the view that the proposal will be an opportunity to simplify judicial cooperation between the Member States and to facilitate cross-border legal procedures. (Please refer to the previous text). It should also be added that the Commission was called upon to come forward with proposals on setting up a Centralised Electronic Casebook and Judgement Registry Database.

# European Judicial Network in civil and commercial matters

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.

## European Judicial Network in civil and commercial matters

This amended proposal is adopted in response to amendments voted by Parliament. The Commission can accept a number of Parliament's amendments. The amendments accepted in whole or in part concern: - introducing clarifications as to the objectives of the Network; - introducing a new recital specifying that the Network is to contribute to the application of Council Regulation 44/2001/EC on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters and Council Regulation 1347/2000/EC on jurisdiction and the recognition and enforcement of judgments in matrimonial matters and in matters of parental responsibility for joint children; - study proposals for the establishment of a central European Union database combining the general register of cases brought in the courts; - electronic data exchange system to be developed in the IDA programme; - the association the applicant countries with meetings of the Network, though it sees the need for a degree of flexibility that might be based on the nature of certain meetings or parts of meetings; - shorter deadlines (three years) for presentation of reports on the implementation and application of the decision; The amendments not accepted by the Commission include those relating to: - cooperation between the proposed European Judicial Network in Civil and Commercial Matters and the existing European Judicial Network in Criminal Matters; - limiting the number of representatives of each Member State at Network meetings to three.

## European Judicial Network in civil and commercial matters

PURPOSE: to establish a European Judicial Network in civil and commercial matters. COMMUNITY MEASURE: Council Decision 2001/470/EC establishing a European Judicial Network in civil and commercial matters. CONTENT: the European Judicial Network in civil and commercial matters established by this Decision seeks to facilitate judicial cooperation between the Member States in civil and commercial matters both in areas to

which existing instruments apply and in those where no instrument is currently applicable. To attain its objective, the Network needs to be supported by contact points designated by the Member States and to be sure of the participation of their authorities with specific responsibilities for judicial cooperation in civil and commercial matters. Contact between them and periodic meetings are essential to the operation of the Network. Moreover, using the information supplied and updated by the contact points, the Network should progressively establish an information system that is accessible to the public, both the general public and specialists. The United Kingdom and Ireland have given notice of their wish to take part in the adoption and application of this Decision. ENTRY INTO FORCE: 01.12.2002.