

EVALUATION ROADMAP

Roadmaps aim to inform citizens and stakeholders about the Commission's work to allow them to provide feedback and to participate effectively in future consultation activities. Citizens and stakeholders are in particular invited to provide views on the Commission's understanding of the problem and possible solutions and to share any relevant information that they may have.

TITLE OF THE EVALUATION	Evaluation of the European judicial training strategy
LEAD DG – RESPONSIBLE UNIT	DG Justice and Consumers
INDICATIVE PLANNING (PLANNED START DATE AND COMPLETION DATE)	Planned start date: Q4 2017 Planned completion date: Q4 2018
ADDITIONAL INFORMATION	https://e-justice.europa.eu/content_european_judicial_training-120-en.do

The Roadmap is provided for information purposes only. It does not prejudice the final decision of the Commission on whether this initiative will be pursued or on its final content. All elements of the initiative described by the document, including its timing, are subject to change.

A. Context, purpose and scope of the evaluation

Context

For EU legislation to produce the intended impact, it needs to be applied correctly. This is the objective of the 10th priority of the [Commission's 2017 Work programme](#): "A Union of democratic change". The judiciary plays a special role in this as guarantor that the laws are applied correctly. In that context, training of justice professionals (judges, prosecutors, court staff, bailiffs, lawyers, notaries, prison staff, probation officers, mediators, legal interpreters, etc. and their trainers) on EU law is essential to ensure that EU legislation is correctly understood and applied throughout the EU. European judicial training in the Union is currently implemented by national and Union level actors according to a [long-term strategy adopted by the Commission in 2011](#), which set specific objectives for the training of justice professionals by 2020.

The European Union is built on the rule of law combining Union law and national legal systems. Both are applied by national judges who work within different national legal systems and traditions. The creation of a European judicial culture that fully respects subsidiarity and judicial independence is central to the efficient functioning of a European judicial area. Judicial training is a crucial element of this process as it enhances mutual confidence between Member States, practitioners and citizens. The 2011 Commission Communication "[Building trust in EU-wide justice - A new dimension to European judicial training](#)" considered judges and prosecutors as the main target of the policy but underlined the importance of training other legal practitioners on EU law, such as court staff, lawyers, bailiffs, notaries and mediators. The Commission set the ambitious target that half (700 000) of all legal practitioners should have participated in a European judicial training activity by 2020 through the use of all available resources at local, national and European level, whether during initial or continuous training. It set an additional target of ensuring that all legal practitioners benefit from at least one week's training in EU law during their career. To achieve this, the Commission called on national governments, councils for the judiciary, professional bodies and judicial training institutions both at EU and national level to commit to integrating EU law into their training programmes and to increasing the number of courses and participants. The strategy was implemented by a variety of actors (judicial training providers, training providers of justice professionals, representatives of justice professions, judicial authorities, ministries of justice) in the Member States and at EU level, involving financial and non-financial measures.

The Commission facilitates access to EU funding to support high-quality training projects, including e-learning or legal linguistic training. Under the EU's 2014-2020 multi-annual financial framework, the Commission proposed to make European judicial training a major priority, with the aim of supporting the training of more than 20,000 legal practitioners a year by 2020. The "[Justice programme 2014-2020](#)", Regulation (EU) No 1382/2013, dedicates 35% of its total budget of EUR 378 million to support judicial training. That is EUR 132 million over the seven year period or EUR 18.8 million on average per year. Other financial instruments also include the "[Erasmus+ programme 2014-2020](#)", Regulation (EU) No 1288/2013, in the field of education, life-long-learning, vocational training and via the "[Jean Monnet Activities](#)"; the "[European Social Fund 2014-2020](#)", Regulation (EU) No 1304/2013, where support to judicial training is included in some national implementation programmes; the "[Hercule III programme 2014-2020](#)", Regulation (EU) No 250/2014, in the field of the protection of the financial interests of the EU; the "[Instrument for Pre-accession Assistance 2014-2020](#)" (IPA II), Regulation (EU) No 231/2014, which provides support to judicial training in candidate countries, potential candidate countries and in some neighbourhood countries; the "[LIFE programme 2014-2020](#)", Regulation (EU) No 1293/2013, in the field

of environment and the "[Rights, Equality and Citizenship programme 2014-2020](#)", Regulation (EU) No 1381/2013, in the field of fundamental rights.

To help building a common European judicial culture based on mutual trust, the Commission also called for the creation of a two-week exchange programme for new judges and prosecutors from 2014 onwards. Training is also supported through the [European e-Justice Portal](#) – the EU's one-stop shop for laws and access to justice in all EU countries, by sharing practical guidelines on training methodologies and evaluation and by encouraging public-private partnerships to develop innovative training solutions. The Commission also builds on the strengths of all existing training providers and main stakeholders, including the European Judicial Training Network ([EJTN](#)), the Academy of European Law ([ERA](#)), the European Centre for Judges and Lawyers of the European Institute of Public Administration ([EIPA-Luxembourg](#)) and the European-level legal professional organisations: the European Network of Councils for the Judiciary ([ENCJ](#)), [ACA-Europe](#) - the Association of the Councils of State and Supreme Administrative Jurisdictions of the EU, the [Network](#) of the Presidents of the Supreme Judicial Courts of the EU, the Council of Bars and Law Societies of Europe ([CCBE](#)), the Notaries of Europe ([CNUE](#)), the International Union of Judicial Officers ([UIHJ](#)) and the European Legal Interpreters and Translators Association ([EULITA](#)).

The current strategy will expire in 2020. An evaluation should help preparing the updating of this strategy and suggest new avenues if needed. A number of lessons learnt since 2011 and new developments require being analysed, in order to evaluate the overall functioning of the current strategy in relation to its original objectives and to the new training needs that arose during its implementation.

Purpose and scope

The evaluation of the European judicial training strategy will assess to which extent the strategy was successful, between 2011 and 2016. The evaluation will also assess whether the current strategy is still fit for nowadays' challenges. The evaluation will cover all Member States as well as candidate and neighbourhood countries.

The analysis will be conducted against the following evaluation criteria:

- Effectiveness: the extent to which the European judicial training strategy has been successful in achieving its objectives;
- Efficiency: the costs and benefits associated with the implementation of the European judicial training strategy and whether they are proportionate;
- Relevance: the extent to which the European judicial training strategy still addresses current training needs and problems of the justice professions;
- Coherence: the extent to which elements of the European judicial training strategy worked well together between themselves and with other EU policies and interventions, such as the [2008 Commission Communication on implementing European Community Environmental Law](#) or the [2016 Commission Communication on EU Law: Better Results through Better Application](#);
- EU added-value: the added-value delivered by the European judicial training strategy and its implementation, over and above what could reasonably have been expected from national interventions in the Member States as well as the consequences of withdrawing it;
- Sustainability: the extent to which the implementation of the strategy has a lasting effect on the direct beneficiaries and other main stakeholders.

The evaluation of the current strategy will serve as a basis for designing the new 2019-2025 strategy for European judicial training.

B. Better regulation

Consultation of citizens and stakeholders

Since European judicial training is a shared competence between the justice professions, the Member States and the European Union, a wide consultation will be organised. The consultation will aim at obtaining input from all interested stakeholders and will contribute to the identification of lessons learnt since 2011, new issues at stake and possible improvements of training of justice professionals on EU law, as mentioned above. It will take place from autumn 2017 until beginning of 2018 in order to ensure a broad consultation of stakeholders and take into account their input.

The identified stakeholders include:

- The justice professionals;
- The training providers for justice professionals, at EU and at national level;
- The organisations or associations representing justice professions, at EU and at national level;
- The EU institutions;
- The national judicial authorities;

- The national public authorities (governments, ministries, regional authorities...);
- International or inter-governmental organisations;
- EU platforms, networks or associations of justice professionals;
- Universities, law faculties, research institutes, publishing companies.

The consultation activities will include:

- An open public consultation, based on an online questionnaire in English, French and German to obtain input from all interested stakeholders, which will contribute in writing on lessons learnt, issues at stake and possible improvements, from end 2017 until early 2018; Contributions can be made in any of the 24 official EU languages;
- Three meetings of the expert group on European judicial training: at the start of the open public consultation, after the open public consultation and before drafting the evaluation report;
- Interviews of the main stakeholders (training providers for justice professionals and EU-level representatives of the justice professions);
- A conference of the main stakeholders, which will wrap up the consultation. It will enable direct discussions on the results of the written public consultation, on the evaluation of the 2011 strategy and on possible solutions for a future strategy.

The consultation will be published on the [consultation website of Europa](#). It will be announced by press release and by email sent to the main stakeholders (the training providers for justice professionals, the organisations or associations representing justice professions, the Member States, the EU institutions) and to any interested party by request sent to just-judicial-training@ec.europa.eu. The contributions to the open public consultation will be published on the consultation webpage. The synopsis report, summarising the consultation, will also be published on the consultation webpage, once all consultation activities are closed.

Data collection and methodology

The evaluation of the 2011 Strategy will be based, inter alia, on the following EU sources of quantified and qualitative data:

- 2018 Interim evaluation of the Justice Programme (ongoing);
- 2017 Report on European judicial training (ongoing);
- 2017 Study on the extent to which and how Member States used the ESF and the ERDF in the programming periods 2007-2013 and 2014-2020 to support their justice system (ongoing);
- [2017 Ex post evaluation report on the Civil Justice Programme \(2007-2013\)](#) and related [study](#) and [annex](#);
- 2017 European Parliament workshop on "The Training of Judges and Legal Practitioners - Ensuring the Full Application of EU Law": [in-depth analysis](#);
- [2016 Ex post evaluation report on the Criminal Justice Programme \(2007-2013\)](#) and related [study](#) and [annex 1](#) and [annex 2](#);
- 2016 European Commission Conference on "[Counter-terrorism and de-radicalisation: How to answer training needs of justice practitioners](#)";
- [2016 Report on European judicial training](#);
- 2015 European Commission Conference on "[European cooperation on judicial training for court staff and bailiffs](#)";
- [2015 Report on European judicial training](#);
- [2015 Advice for training providers – European judicial training](#);
- 2014 European Commission Workshop on "[Building upon good practices in European judicial training](#)";
- [2014 Report on European judicial training](#);
- 2014 European Parliament Workshop on "Upcoming issues of EU law": [in-depth analysis](#) and [annex](#);
- [2014 Study on best practices in training of judges and prosecutors](#). Summary in [English](#) and [French](#). The factsheets on good training practices are available in the "[good practices](#)" section of the European e-Justice Portal;
- [2014 Study on the state of play of lawyers' training in EU law](#). Study in an [interactive magazine](#). Summary in [English](#) and in [French](#);
- [2014 Study on the state of play of court staff training in EU law and promotion of cooperation between court staff training providers at EU level](#). Summary in [English](#) and [French](#). [Summary of EU court staff's main tasks and roles](#);
- [2014 Report on the project to promote the cooperation between judicial stakeholders concerned by European judicial training](#). Summary in [English](#) and [French](#);
- 2013 European Commission Conference on "[Stimulating European judicial training](#)";
- 2013 European Parliament Workshop on "The training of legal practitioners: teaching EU law and judgecraft: [Session I – Learning and Accessing EU Law: Some Best Practices](#) and [Session II – Improving Mutual Trust](#);

- [2012-13 Report on European judicial training](#);
- [2011 Report on European judicial training](#).

The evaluation of the 2011 Strategy will also be based on academic articles, activity reports of stakeholders, evaluation reports of training providers, reports of EU co-funded projects and on the results of the open public consultation.

A current gap in the information available is the level of knowledge of EU law of the justice professionals in relation to their practice needs. The study "[Judicial training in the European Union Member States](#)" published by the European Parliament dates from 2011 and concerned judges and prosecutors and partly court staff. The 2014 Commission studies on [lawyers](#) and [court staff](#) only partly covered this issue.

Another gap partly concerns the assessment of the quality of the training delivered. The annual reports published by DG Justice try and close that gap, but only partly do so. It will be a challenge of the evaluation and an issue to be addressed in the future.

Several tools will help to close these data gaps, notably: the open public consultation, targeted stakeholder interviews, a specific study, a conference of stakeholders.