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#### **OUTCOME OF PROCEEDINGS**

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From: General Secretariat of the Council  
On: 8 March 2021  
To: Delegations

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Subject: Council Conclusions Boosting Training of Judicial Professionals  
- Council conclusions approved by written procedure

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Delegations will find attached the Council conclusions Boosting Training of Judicial Professionals as approved by the Council via a written procedure on 8 March 2021.

COUNCIL CONCLUSIONS

Boosting training of justice professionals

THE COUNCIL

RECALLING Articles 81(2)(h) and 82(1)(c) of the Treaty on the Functioning of the European Union, regarding Union support for training of the judiciary and of judicial staff in civil and criminal matters;

UNDERLINING the critical role of judicial training in building a common European judicial culture, based on the rule of law, mutual trust and respect for fundamental rights, as well as in ensuring the correct and uniform application of EU law and the efficiency and effectiveness of cross-border judicial proceedings in the EU;

THE COUNCIL

- (1) WELCOMES with appreciation the new, ambitious and timely objectives set by the European Commission in the Communication ‘Ensuring Justice in the EU – a European judicial training strategy for 2021–2024’<sup>1</sup>, an instrument that will boost European judicial training, helping to improve quality and efficiency and to modernise the EU’s justice systems;

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<sup>1</sup> ST 13704/20

- (2) NOTES with satisfaction the tangible results achieved through the work carried out under the Commission's 2011 strategy 'Building trust in EU-wide Justice – A new dimension to European judicial training'<sup>2</sup>, as part of which more than half of all EU legal practitioners – more than 1 million participants – attended training on EU law between 2011 and 2019;
- (3) RECOGNISES the significant work carried out by the European Judicial Training Network (EJTN), which has grown, matured and confirmed itself as being best placed to coordinate, through its members, national training activities and to develop cross-border training for judges and prosecutors;
- (4) CONSIDERS it especially important to continue and step up work to translate the achievements of European judicial training into an improvement in the quality, diversity and impact of national EU-law-related training for all justice professionals;
- (5) EMPHASISES that European judicial training should contribute to foster respect for the rule of law and strengthen the European rule-of-law culture, as the independence, transparency, quality and efficiency of national justice systems are the essence of the rule of law;
- (6) STRESSES that increasing the knowledge and skills of justice professionals is a prerequisite for increasing the quality and efficiency of judicial systems, and for strengthening European citizens' trust in national justice systems and mutual trust in cross-border judicial proceedings;

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<sup>2</sup> ST 14196/11

- (7) HIGHLIGHTS the close ties between judicial training and the digitalisation toolbox presented in the Commission Communication on Digitalisation of justice in the EU<sup>3</sup>, where training is referred to as a crucial tool for immersing justice professionals in the digital reality in order to achieve greater efficiency and effectiveness in the use of digital technologies in the justice systems, and to fully seize the benefits of digital technologies in cross-border judicial cooperation;
- (8) RECOGNISES that European judicial training should address all the professionals involved in the administration of justice: judges, prosecutors and judicial staff and other justice practitioners;
- (9) NOTES that considerable differences remain in the uptake of training across Member States and justice professionals;
- (10) ACKNOWLEDGES that matters related to training of justice professionals are cross-professional, multidisciplinary and multidimensional and require coordination at both European and national levels;
- (11) ACKNOWLEDGES the achievements of the European Judicial Training Network (EJTN) in training judges and prosecutors and encourages other professions to build on this good example by promoting dialogue and exchange of good practices at the European level within their existing network structures;
- (12) EMPHASISES the importance of EU financial support in the area of European judicial training under the new Justice programme, the potential of funding opportunities made available under the new Citizens, Equality, Rights and Values (CERV) programme and the European Social Fund but also the possible investments enabled by the Recovery and Resilience Facility (RRF);

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<sup>3</sup> ST 13708/20

(13) TAKES INTO ACCOUNT the work developed by the European Judicial Networks in criminal matters and in civil and commercial matters in promoting and contributing to training sessions on judicial cooperation and the results of the Ninth Round of mutual evaluations on mutual recognition legal instruments in the field of deprivation or restriction of liberty, in particular regarding training of practitioners;

THE COUNCIL

CALLS ON MEMBER STATES TO:

- ENCOURAGE the use of training possibilities and to support judicial training providers and all relevant professional bodies;
- ENHANCE efforts to reduce differences across Member States on the number of justice professionals that take advantage of available training opportunities;
- MAKE FULL USE of the EU funding instruments, in particular the Justice programme and the Citizens, Equality, Rights and Values (CERV) programme;
- INVEST in the digitalisation of judicial training, for example in terms of organisation tools, latest (e-)learning methodology, modernisation of training facilities and equipment for online training of decentralised training locations and using the Recovery and Resilience Facility (RRF);
- URGE national professional bodies and their training providers to follow and apply the new developments in training methodology, to increase training quality by better identifying professionals' needs, evaluating the effects of training and applying modern methods and tools including digital tools, and to motivate the judiciary and professional bodies to become learning organisations, for example by promoting on-the-job learning;

- ENCOURAGE national professional bodies and their training providers to address, as compulsory components of the training they offer, the EU common value of the rule of law, as established in the Treaties and interpreted by the Court of Justice of the European Union, the Charter of Fundamental Rights of the European Union, Charter-related case-law, and the Charter’s interplay with the European Convention on Human Rights, as well as training on non-legal knowledge, foreign languages and professional skills;
- SECURE the capacity of national training providers to anticipate and to react flexibly to developments in EU law, such as the establishment and operation of the European Public Prosecutor’s Office (EPPO), those relating to cybercrime and e-evidence, the Directive on restructuring and insolvency and the recent and upcoming adaption of the acquis on consumer rights, by adapting and enhancing professionals’ know-how, skills and attitudes;
- EMPHASISE the multidisciplinary approach that judicial training should involve;
- PROVIDE, collectively, coherent and sustainable support to the judiciaries beyond the EU, in particular of the Western Balkans in order to increase their capacity, and ensure they adhere to the rule of law standards and understand the role of EU law in daily practice and the obligations stemming from EU law in national judicial proceedings;

**CALLS ON MEMBER STATES TO WORK WITH JUSTICE PRACTITIONERS’ TRAINING PROVIDERS AND PROFESSIONAL BODIES TO:**

- ENSURE that national initial and continuous training schemes enable all justice professionals to identify the role of EU law in their daily practice, effectively apply it and secure respect for the rights and obligations stemming from EU law in national judicial proceedings;
- UNDERTAKE steps to enhance training on EU law for professions where training possibilities are not fully used, such as lawyers, bailiffs, court staff, prison and probation staff, in order to reach the ambitious goals, set by the new European judicial training strategy;

- INVEST in the European aspects of training for justice professionals at the beginning of their careers;
- ENSURE that the national training schemes recognise and support participation in professional training abroad and give full recognition for such participation;
- UNDERTAKE efforts to set up and strengthen where they exist, national networks of EU law coordinators composed of carefully identified and specifically trained professionals;
- MAKE full use of digital solutions to increase learning efficiency and effectiveness;
- EMPOWER national justice professionals with the adequate knowledge, skills and attitudes related to all aspects of the new technologies and digitalisation, including artificial intelligence and legal technology, enabling them to handle digitalisation related cases, use the new technologies as working tools, and secure adequate protection of individuals' rights in the digital space, including the right to privacy and data protection;
- SECURE the national rollout and reuse of the deliverables of European training projects;

**CALLS ON MEMBER STATES' JUDICIARIES AND LIBERAL PROFESSIONS TO:**

- INCREASE awareness that senior members and leaders of justice professions play a key role in proactively disseminating information on, and supporting participation in, national and European training;
- ENCOURAGE all justice professionals to take up training opportunities, including opportunities abroad;
- STRENGTHEN training for new justice professionals on EU law, for example on the role of EU law in their national system and on the rule of law acquis;

INVITES FRA, EUROJUST other Justice and Home Affairs agencies and their networks to:

- be fully involved in European judicial training;
- enter into working relationships with and provide support to the European and – where relevant and possible – national training providers for justice professionals;

INVITES THE EUROPEAN COMMISSION TO:

- promote the use of European judicial training to strengthen a common legal culture based on the principles of the rule of law, mutual trust, and fundamental rights;
- support high-quality training projects with a European dimension which safeguard sustainability, and the roll-out of deliverables;
- promote training opportunities in digital literacy and skills for judges, prosecutors, judicial staff and other justice practitioners;
- invest in further digitalisation of judicial training methodology;
- inform and simplify access to EU funding and the grant-management process;
- invest in the development and promotion of the European Training Platform of the European e-Justice Portal and to promote the accessibility of this multilingual platform to all justice professionals;
- support the existing European networks to promote and enhance the dialogue among judges, such as via a dialogue forum ‘judges@europe’, to facilitate the expert exchange, on a voluntary basis, on topics relating to the rule of law as well as the integrity and independence of the judiciary in a familiar and trusting framework;



WILL TAKE NOTE annually of the progress made by training providers and Member States towards the objectives, in close cooperation with the Commission and based on its annual judicial training reports, and with the justice and liberal professions' stakeholders and the Member States.

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