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**European Network for the exchange of information between persons and entities
responsible for the training of judges
(Lisbon Network)**

**A NETWORK TO SUPPORT JUDICIAL TRAINING
IN THE COUNCIL OF EUROPE MEMBER STATES**

Discussion paper drawn up by
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1. The Lisbon Network was set up in 1995 as part of the legal co-operation programmes in order to enable the different judicial training bodies in Europe to become better acquainted with each other, exchange information on matters of common interest and to support, by means of this dialogue, the setting up or further development of judicial training facilities in the new democracies of central and eastern Europe.
2. A little more than ten years later, all European countries¹ are now members of the Council of Europe. Many new member states have set up or are in the process of setting up schools to train judges and prosecutors.

The mission of the Lisbon Network fully lies within the fulfilment of the goals of the Council of Europe, ie in particular the independence and efficiency of justice, which are a key factor in a State that guarantees Human Rights and founds its institutions on the Rule of Law.

The Council of Europe attaches special importance to the legal professions' role - and in particular magistrates – taking into account the fact that unless the right training is provided for legal professions, judicial systems cannot function effectively and will forfeit public trust. The appropriate training of the judge partakes of its independence and its efficiency. This is why the Lisbon Network, whose main goal is to help in the development of the training of magistrates, in particular through the strengthening of exchanges of experience between the judicial training institutions and the common examination of shared problematics, contributes to the fulfilment of these essential goals of judicial independence and efficiency.

3. The citizens of Europe are making ever greater calls on the justice system (at both national and European level) and today expect to be delivered a high quality public justice service. Consequently, the question of judicial training is becoming increasingly more important in all European countries: what should be the common element of training for the various judicial professions? what should be the balance between practice and theory? how to transform a person with a law degree into a judge entrusted with decisions regarding the daily life of citizens? what extra-legal topics should also be included in the training? what is the state's responsibility in the training of judges? There is no shortage of questions to be addressed in these national discussions.
4. The Committee of Ministers of the Council of Europe has set up a number of bodies to advise it on the Council's justice policies (Consultative Council of European Judges – CCJE), to gain a better insight into the functioning of European justice systems and help improve their quality and efficiency (European Commission for the Efficiency of Justice – CEPEJ).
5. The work of these bodies has allowed the reinforcement and fine-tuning of European standards and the measures proposed by the Council of Europe concerning public justice policies, particularly as regards the training of judges and prosecutors. For example, CCJE Opinion No. 4 (2003) on initial and in-

¹ With the exception of Belarus

- service training for judges; assessments of European justice systems, including a judicial training study, etc.
6. Furthermore, the European Union has set up the European Judicial Training Network, enabling the 25 member states to step up their co-operation on judicial training and exchanges between the relevant institutions.
 7. Today, therefore, it is essential that the Lisbon Network evolve to take account of the current context, in which judicial training plays a key role in improving the efficiency and quality of our justice systems.
 8. As a network of judicial practitioners, the Lisbon Network must become a regular interlocutor of those Council of Europe's structures entrusted with public policies of justice, namely the CEPEJ, the CCJE as well as the Consultative Council of European Prosecutors (CCPE).
 9. In 2004, the Lisbon Network established a Bureau, responsible for defining the network's strategy and to help ensure continuity. It also set up a Conference of Directors of European Schools of Magistrates, which can address problems specific to such institutions (statute, curricula, etc).
 10. The 7th plenary meeting of the Lisbon Network (Strasbourg, 23 – 24 December 2005) was an essential step forward which enabled to draw the basis towards a pro-active Network. This reflection must be pursued to move on from an "information exchange network" to a body tasked at pan-European level with providing active support for improving judicial training, ensuring complementarity with the work of the European Union, as called for by the Heads of State and Government at their 3rd Summit (Warsaw, May 2005) and highlighted by Jean-Claude JUNCKER in his report, entitled "Council of Europe - European Union: a sole ambition for the European continent".
 11. A "European judicial training network" to:
 - step up its information exchange,
 - contribute to the debate on judicial training in Europe,
 - support judicial training in the countries of Europe

1. Strengthening the role and tasks of the Lisbon Network

1.1 Improving information exchange

12. The Network should strengthen its action in the following fields:
 - being a forum for joint reflection on judicial training, focusing on specific topics of common interest to all Council of Europe member states;
 - helping provide a better understanding of and monitor developments in the various judicial training systems in Council of Europe member states.

1.2 Becoming a forum for reflection and proposals

13. The Lisbon Network should be able to put forward suggested lines of approach for judicial training (proposed guidelines for Council of Europe activities, action priorities, etc) and contribute to the effective implementation of European standards (and in particular CCJE Opinion No. 4 (2003)).
14. It should also become a resource and information clearing house for information on judicial training.

1.3 Acquiring the means to act for the benefit of member states

15. The Lisbon Network should become a main source of Council of Europe expertise for its co-operation activities with member states in the field of judicial training. It must also become the privileged place for using information already available and, where necessary, additional researches.
16. Members of the Network should also be able to become directly involved with other network members on specific issues (horizontal co-operation). In particular, the activities of the Lisbon Network must help to strengthen horizontal co-operation between the European Union member States (grouped within the European Judicial Training Network (EJTN) and the other member States of the Council of Europe.

2. Lisbon Network resources

2.1 Bodies

17. The Network's **plenary** should be able to meet if possible once a year, in order to:
 - reflect on topics of common interest (study session),
 - exchange information on judicial training in member states (allowing for contributions from all participants),
 - come up with proposals to be submitted to the relevant bodies of the Council of Europe,
 - prepare and adopt expert reports for member states which so request.
18. The **Bureau** of the Network should meet at least once a year, in order to:
 - set out the general thrust of the plenary's discussions and proposals,
 - prepare contributions from the Network's representatives to other bodies (eg the European judicial training network, CCJE, CEPEJ),
 - suggest, where appropriate, urgent action to be taken between two plenary meetings.
19. Within the framework of the plenary meetings of the Network, the **Directors of European Schools of Magistrates** should be able to find solutions on issues regarding specifically judicial training schools. A specific area should be reserved to them within the framework of these plenary meetings, where appropriate.

20. The Secretariat should be able to rely on a **pool of experts** acting as Network experts to:
- prepare opinions (legal expert assessments) on texts relating to judicial training, at the request of member states,
 - participate in training activities (seminars, conferences, etc), organised or supported by the Council of Europe.
21. The **Secretariat** of the Network will be ensured by the Division of the Judiciary and Programmes (Directorate General I – Legal Affairs), which is also entrusted with the Secretariat of the CEPEJ and the Secretariat of the CCJE. The Secretariat could, on an ongoing basis, take on one or more trainees from one of the judicial training schools in member states, tasked with providing assistance in supporting the Network's activities.

2.2 Communication tools

22. The Lisbon Network website should be developed from two angles:
- as an information and working tool for Network members (restricted site)
 - as a reference site for the European judicial community and general public, providing information on judicial training in Council of Europe member states.
23. If appropriate, an electronic Lisbon Network newsletter could be published on a regular basis.

2.3 Co-operation programme to strengthen the rule of law

24. The Lisbon Network should participate in the Council of Europe's bilateral and multilateral co-operation activities as part of its legal co-operation programmes (and in line with the budgetary resources allocated to those programmes), including the joint programmes with the European Commission, by:
- involving the Lisbon Network experts in the various co-operation activities,
 - informing the plenary of the opinions and expert reports drawn up at the request of member states in the framework of the Council of Europe's co-operation programmes,
 - pursuing a regular information policy for Network members on the completed and scheduled judicial training-related activities in the Council of Europe, including during the Network's plenary meetings.
25. In addition, and on a case-by-case basis, the Network could be (or continue to be) represented in other relevant bodies:
- within the Council of Europe: CEPEJ, CCJE, CCPE,
 - outside the Council of Europe: in the European judicial training network, and other competent bodies, in order to promote its principles and activities in the field of judicial training.