

FOURTH CONTACT POINT MEETING – EU PILOT PROJECT – LOT 4

Wednesday 31 January 2018 - 10am-16pm - EJTN, Brussels

**Assessment report on specialised exchanges in cooperation with EJTN partners
under the Exchange Programmes 2017 and 2018**

1. Identification of hosting places for both 2017 and 2018:

The EJTN secretariat ran two different calls for hosting offers simultaneously:

- A call through the national contact points. The call proved to be very successful both in terms of number of places and in terms of the diversity of the specialisations offered. For 2017, a total number of 137 places were open by 14 Member States in 23 areas of law (Asylum law, Banking law, Company law, Competition law, Construction law, Contract law, Drugs, Economic Crime, Environmental law, Family law, Guardianship law, Insolvency law, Labour law, Mediation, Migration law, Organised crime, Organised crime/Financial delinquency, Organized crime/Counter-Terrorism, Planning Law, Public economic law, Refugee law, Social health law, Tax Law).
- A call through EJTN partners: EJTN partners were requested to help in identifying partners in their area of specialisation during the Lot 4 meeting of 27 March 2017. Further to the recommendation of partners, the call for hosting places included an official request from the EJTN Secretary General as well as guidelines for tutors aiming at encouraging hosting courts to receive a colleague. The results of the call were limited with a total number of 16 places opened under the Exchange Programme 2017 in three different areas: mediation, environmental law and refugee law. For 2018, a total of 10 places were offered in the same areas.
- Altogether, a total of 153 places in 23 different areas of law were opened under the call for specialised exchanges 2017 and 173 in 20 areas of law under the Exchange Programme 2018.

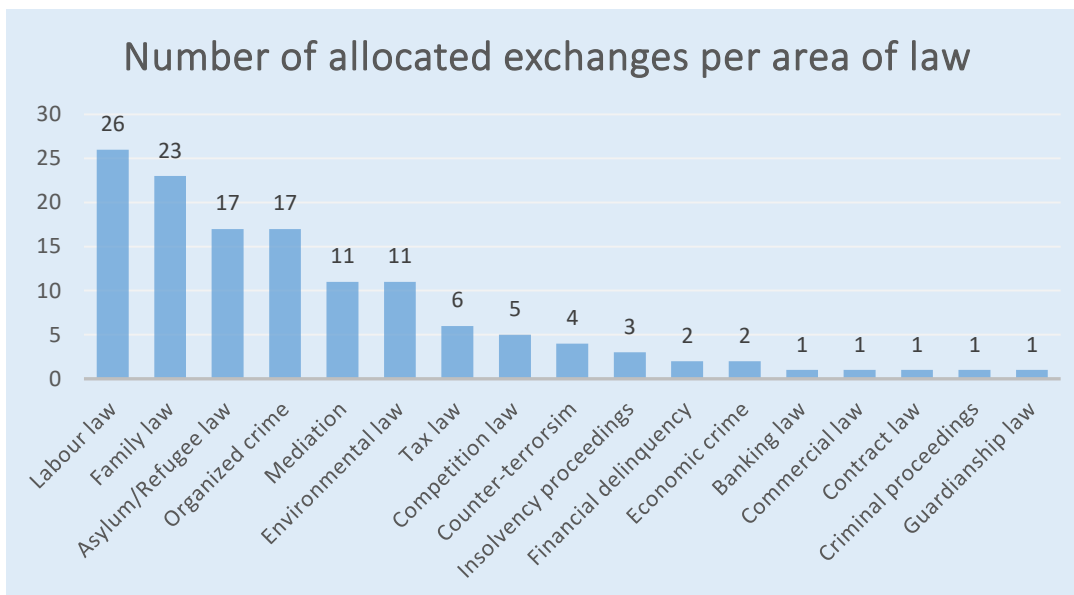
2. Calls for applications 2017 and 2018

The call for applications for the specialised exchanges 2017 was launched under the 2nd call for applications to the Exchange Programme 2017 both through EJTN members and partners at the end of May with a deadline on 23 June 2017.

The call for applications for the specialised exchanges 2018 was launched together with the regular exchanges in November 2017 with a deadline on 15 December 2017. The allocation of the exchanges is due to be made by the end of January and the exchanges to take place from February to December 2018.

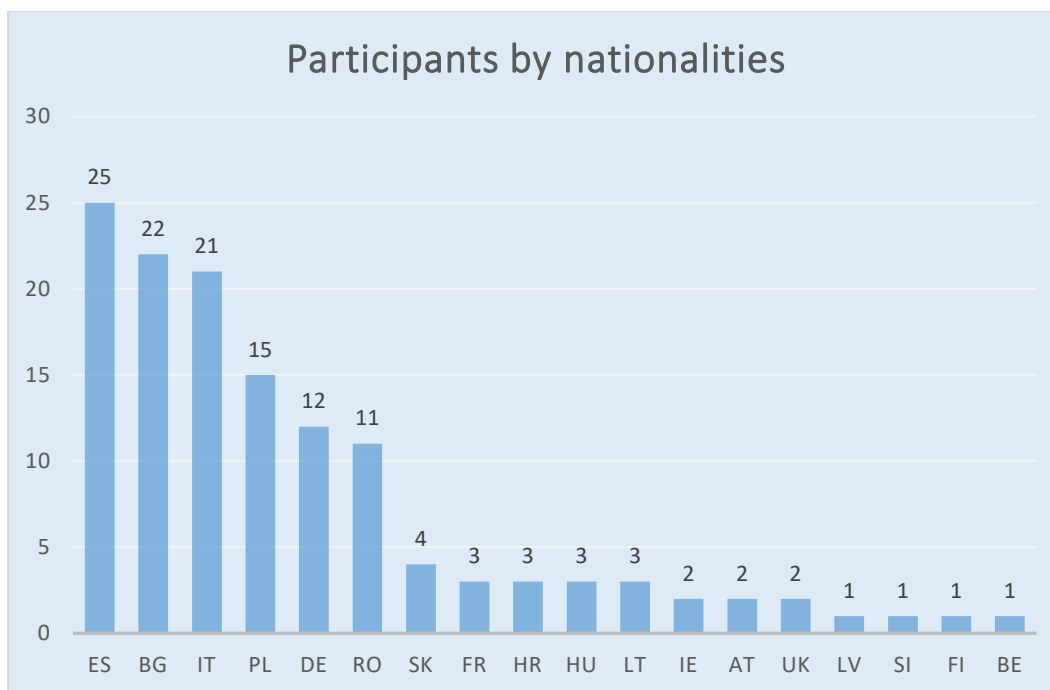
3. Implementation of specialised exchanges under the Exchange Programme 2017

The EJTN secretariat received a total of 440 applications and tried to allocate as many applicants as possible: A total of 132 exchanges were organized in 17 different areas as below:



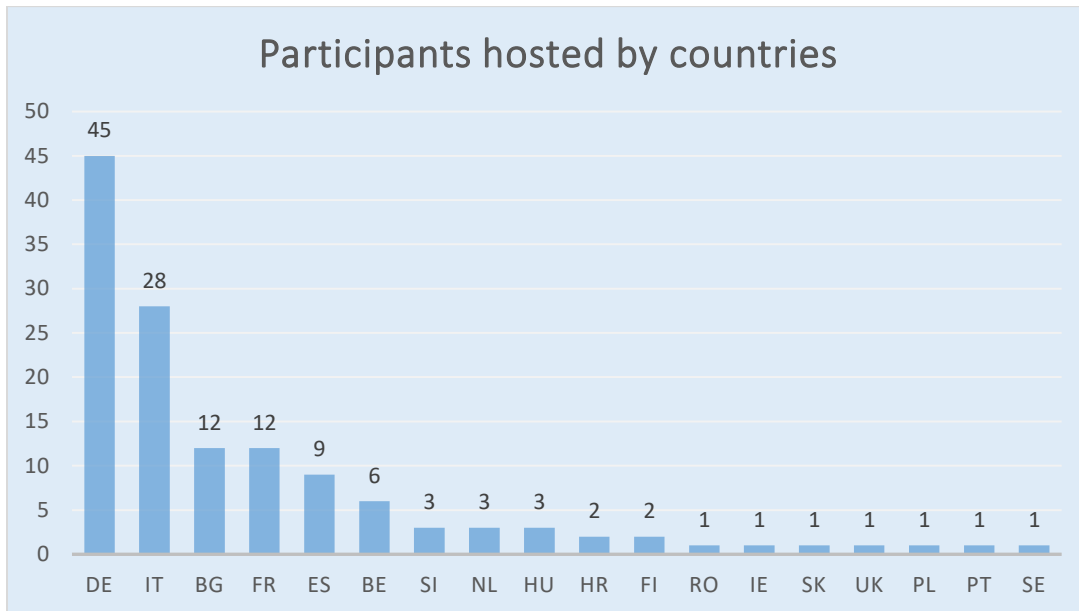
The majority of the exchanges were held in the areas of labour law, family law, asylum/refugee law, organized crime, mediation and environmental law.

With regards to nationalities, the different Member States were represented as follows:



Three countries, namely Spain, Bulgaria and Italy sent more than 50% of the participants in specialized exchanges.

The distribution of exchanges by host country differs greatly, with Germany hosting the largest number of participants:



Feedback from the participants

The overall evaluation of the specialized exchanges was highly positive. Almost 91% of the participants assessed their exchange as very satisfactory and 9% as satisfactory. None of the participants found this exchange programme unsatisfactory. In the same logic, **all the participants** consider that this type of programme should be continued in the future.

With regards to the preparation of the exchange, both the practical preparation of the exchange (information, transport, accommodation, etc..) and the pedagogic one were assessed favorably by the participants. If the large majority of participants found the duration of the programme appropriate, 18,6% considered it was too short. The conditions of the exchange were rated positively: 85,3% found it very satisfactory and 14,7% satisfactory. The participation in the activities of the hosting institutions also received positive evaluations, with 86% judging them very satisfactory. According to the evaluations, the language was not a barrier.

Most of the participants could join the hearings and access the files. They had contact with other judicial authorities or courts. The majority could also attend court deliberations and took part in other activities. These activities were diverse and depended on the area of law the exchange was focusing on. They included meetings with lawyers, registrars, judges, mediators, prosecutors or border police but also visits to customs office checking, underage welcome centers, environment ministry, parliaments, guardianship office, asylum-seekers centers. Some participants also took part in inspection of sites or interrogations with police officers. Some IT tools and software were also presented. The participants particularly appreciated to participate in the judicial authorities' activities and to have the opportunities to exchange with colleagues and attend hearings.

According to 98,5% of the participants, the exchange allowed them to improve their knowledge of the institutions and law or training system of their host country. 86,1% of the participants considered that the programme improved their knowledge of Community instruments, EU law/case law or cooperation mechanisms. For all the participants, the exchange improved their feeling of belonging to a common judicial culture and their feeling of mutual trust. For 83,8% of them, these feelings of belonging and trust increased very much. They pointed the feeling of mutual trust and understanding as one of the key benefit of the exchange. It also made

them realize the judicial diversity that exist within the EU and how the same European standard or situation can be dealt with differently according to the judicial culture.

The tutors appeared to have been carefully selected, as they received excellent comments praising their organization, their hospitality and their professionalism. Besides the professional added-value, the participants highlighted the benefits of meeting colleagues from other nationalities to create a better understanding and a useful network. Consequently, the participants expressed their hope that this kind of programme will be continued in the future and recommend it to their colleagues.

4. Conclusions/recommendations

- In the framework of the Exchange Programmes 2017 and 2018, the cooperation with EJTN partners has not been as fruitful as in the previous years as very few places were opened through this channel and there was some overlap with EJTN members. Yet, the cooperation with EJTN partners allowed to open places in countries where no place had been opened through the EJTN member or even where the EJTN member was not participating at all in the Exchange Programme (ie. Ireland).
- Additionally, the demand for specialized exchanges keeps increasing with more than 400 applications in 2017.
- With a view to prepare the specialised exchanges 2019, the EJTN Exchange Programme Working Group decided the following in its last meeting in October 2017:
 - for 2019 onwards; the EJTN secretariat would continue to request the help from partners. However, to avoid any overlap, the partners would be requested to provide the names and contact details of the identified hosts, not to the EJTN secretariat directly, but to the relevant EJTN member in the host country. The NCP would then collect these offers and send a global offer to the EJTN secretariat (hosts identified with the help of the partners and hosts identified through regular national channels).
 - EJTN members and partners would be able to offer places only from a fix list of 16 specializations. This would enhance both the application and the allocation processes by enabling to better identify the specialization of the applicants.
- The call for hosting places for 2019 will be sent to both the EJTN members and partners in February 2018 with a deadline in the beginning of April 2018.
- The call for applications for the specialized exchanges 2019 will be published through both the EJTN members and partners in October 2018.