

Trends in European training of legal professionals
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Intro

- It is a pleasure to address this annual HELP conference in the light of the constantly intensifying partnership between the HELP Programme of the Council of Europe and the European Commission. It is a welcomed opportunity to address the representatives of the judicial training providers of two key target groups of the European judicial training policy – the judiciary (judges and prosecutors) and the lawyers, not only from EU Member States but also from candidates and potential candidates for EU membership.
- As you know judicial training of justice professionals, within the EU as well as in its neighbourhood, is a constant priority of the Commission.
- The Commission was invited to discuss this morning the trends in the European training of legal professionals.
- I wish to address 3 such key trends: (1) to ensure the availability of training on fundamentals, (2) to help respond to emerging needs and (3) to continue to innovate, which derive from the European Judicial Training Strategy that was presented to you extensively at the last year's HELP Programme meeting and which key objectives were recalled yesterday by Ambassador Kuneva.
- I will analyse these 3 aspects also from the perspective of the Council of Europe and of the European Commission's collaboration.
- Finally, I will present the findings of the most recent European Judicial Training Report.

Ensuring fundamentals

- By fundamentals, I mean the rule of law, including its vital aspects like judicial independence, accountability, integrity.
- Justice practitioners are key in upholding the rule of law. They should keep pace with the EU acquis in this area, including the fast-developing case-law of the Court of Justice of the European Union, so they can implement it in their work.
- But this is just a fraction of the expected content of judicial training.
- Justice professionals should be extensively trained on topics like judicial conduct, resilience, integrity.
- Further, training to build the Rule of Law culture should enable to create the relationship of trust between justice systems and members of the public, and trust between practitioners in cross-border cooperation.
- The European Union supports delivery on all these topics, and interest for these topics is growing.
- Let me share two examples.
- The Commission, upon the initiative of the Council of the EU, invited the European Judicial Training Network, the EJTN, to launch the dialogue forum ‘judges@europe’, and its pilot event took place in Syracuse in May this year.
- This event gathered a group of judges from most EU Member States discussing in a safe environment professional challenges and tools to face them.
- As it will be continued please support the participation of relevant members of your judiciary.
- Another very important milestone was the hybrid conference “Initial training of justice professionals serving the rule of law” that the Commission co-organised with the French Presidency of the Council of the EU and the École nationale de la magistrature in February this year.
- We were very happy to have welcomed around 130 participants onsite and 70 online from all EU Member States and all the Western Balkans.
- With this conference we analysed the links between the initial training of justice professionals, in particular magistrates and lawyers, and the respect for the rule of law.
- I encourage you to take ownership of the conclusions gathered in the conference report and turn them into actions.

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- Training on fundamentals also means ensuring the effective application of the EU Charter of Fundamental Rights and making the Charter rights a reality in people's everyday lives.
- This is a key substantial priority for the Commission and a bridge between the EU and the Council of Europe's HELP programme.
- This is why the European Commission continues to provide financial support and funds numerous judicial training projects of the HELP programme. These include the "HELP in EU" that enters this year its 3rd edition.
- In general EU Charter training should focus on the scope of its application and specific rights. But practitioners also need better knowledge of the interplay between the EU Charter of Fundamental Rights and the European Convention on Human Rights.
- We welcome the launch of your works on the new HELP course on ECHR-EU Charter interplay; the first meeting of the experts group where the Commission is also represented took place just last week.
- This course reflects well the more general, crucial need to have the link with the EU Charter well covered in all "HELP in the EU" courses.
- When designing courses on human and fundamental rights there is a need to use the lenses of practitioners who are confronted with the application of both instruments – the Charter and the Convention.
- As we know HELP courses are ultimately supposed to be relevant for all the Council of Europe countries but we encourage HELP to reflect how to best achieve sufficient attention to the EU law perspective. One of the options could be that every course includes a relevant sub-module.
- All in all we see the need for the Charter to be even better covered in the future.
- Additionally we note with satisfaction the updated HELP course on Reasoning of Judgements published in February 2022.
- It analyses the crucial element of the Rule of law - the explanatory accountability, so important to secure the judicial independence, based on the trust of the society within which the judiciary operates.
- To conclude the remarks on the training on fundamentals I wish to say that it needs a boost not only at European level, where we see satisfactory progress, but also at the

national level. It should be better incorporated into training modules on various areas of national law and EU law, where relevant.

Training to respond to emerging needs

- Justice practitioners must be able to adapt to new developments in many areas. It's not only about changes in law and jurisprudence, training should allow them to follow the developments of societies within which they operate. A flexible response must be brought to all emerging training needs.
- This is obvious and at the same time we could discuss at length the ways to do it.
- However these days we should focus on one source of the training needs – war in Ukraine.
- We had a good discussion on this issue yesterday.
- The invasion of Ukraine impacts both training needs of the judiciary of the EU Member States, and of the Judiciary of the Ukraine.
- EU professionals' needs concern the right to asylum in the Member States, judicial cooperation, cooperation with Eurojust and its Genocide Network.
- The Commission liaises with the different authorities of Ukraine, namely the General Prosecutor Office, the Ministry of Justice as well as the National School of Judges and the Prosecutors Training Centre.
- Together we have identified the most pressing training needs of the Ukrainian judges and prosecutors. These needs are clustered into 3 themes: crimes of genocide and war crimes, investigation technics of genocide and war crimes (including forensics, evidence gathering, e-evidence), assets freezing and seizing.
- Additionally Ukrainian partners asked for the delivery of auxiliary training events on online training methodology and on legal writing skills.
- The Commission coordinates the delivery of training with the European Union Advisory Mission Ukraine, the CEPOL EU agency, the EJTN, and others.
- EJTN is in course of designing and implementing a series of webinars and podcasts on all requested topics, which will be financed by the Commission under the EJTN operating grant from the Justice Programme.
- CEPOL opens its forensic training events to the experts from UA.

- We find that the provision of assistance to the Ukrainian judiciary is another area of synergies between the Council of Europe and the European Union, as several HELP courses play an important role in building up the required capacity.

Continue to innovate

- At European level, face-to-face training is essential to contribute to mutual trust and the creation of personal networks between magistrates.
- It must be complemented by an online training offer, in order to adapt to the needs and availability of justice professionals, especially building on the pandemic driven transition in judicial training.
- Both formats of training need to be innovative, applying state of the art training methodology, newest developments of andragogy and neurosciences.
- The important element of our approach is to secure the rollout, multiplication and sustainability of the European judicial training initiatives.
- EU supported training should help pilot new approaches, including hybrid formats and cross-professional training, on specific topics of relevance.
- When selecting projects for the EU financial support priority is and will be given to projects that do not duplicate existing training material or on-going projects but that act in complementarity and/or that innovate.

Annual Report

- The annual reports on European judicial training aim to measure to what extent the objectives of the strategy are achieved, to what extent the trends I was referring to are present.
- Since 2021 we have introduced some novelties to adjust the report to the objectives of the new strategy.
- The report now includes more detailed information on training for young justice professionals and different types of training activities (face-to-face, blended, hybrid and online) offered by training providers and non-legal skills.
- We have also introduced a new section dedicated to measuring the quality of the training activities and started to enlarge the geographical scope of the report.

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- Just to share with you a key figure: the total number of justice professionals in EU law judicial training marked last year a new record – more than 318 000 or 25.2 % of all EU justice professionals received training on EU law in 2020.
- This is notably due to the increase in EU law training for lawyers which is the only profession to have surpassed its target, and due to the shift of training activities of some Member States (like Italy) to online training schemes such as the HELP programme of the Council of Europe.
- I would like to underline that since last year general data about judicial training in the Western Balkans is being collected. The questionnaires for the 2022 report based on 2021 data are currently being translated in all EU languages, also in the WB languages. They will be sent out shortly. I strongly encourage all training providers concerned to contribute to the data collection. Do not hesitate to reach out to the judicial training team of the European Commission should you have any questions.
- To conclude, I wish to reaffirm that cooperation of the Commission with the Council of Europe in the area of judicial training is important for several of our priorities.
- We are happy to witness at this conference the constant progress and achievements of HELP.
- The Commission is ready to provide further support and financing for HELP activities that will address fundamentals, will provide response to emerging needs and will innovate.