

SELF-ASSESSMENT QUESTIONNAIRE

UNIT 12

UNIT 12.- Judicial cooperation in the EU. *The institutions behind it: European Judicial Network in Civil and Commercial Matters. Liaison Magistrates. Internal judicial networks: REJUE, REDUE, Network of Court Clerks, Network of Prosecutors. European Network of Councils for the Judiciary. **Catalogue of online instruments:** European Judicial Atlas, Vademecum, other resources.*

Hugo Novales Bilbao

1.- What is one of the programmatic principles of the European Union, essential to the development of international judicial cooperation?

Answer: to maintain and develop the area of freedom, security and justice in which the free movement of persons is guaranteed.

This principle is enshrined in Article 3.2 of the latest version of the Treaty on the European Union, drafted after the Treaty of Lisbon.

2.- What is the primary purpose of the institutions behind international judicial cooperation within the EU?

Answer: to facilitate judicial cooperation, removing the real obstacles that arise in direct communication between judicial authorities and any others that may hinder and above all delay civil and commercial proceedings when there is an extra-territorial element.

3.- Does the European Judicial Network in civil and commercial matters operate throughout the EU or is any Member State excluded?

Answer: It operates throughout the territory of the Community with the exception of Denmark, which opted not to participate in the adoption of Council Decision 2001/470/EC.

4.- What is the practical use of the European Judicial Network in civil and commercial matters?

Answer: On the one hand the task of providing public information which is obtained by accessing the Network's website.

Secondly, the EJM offers the possibility to establish direct, personal contact with the contact points designed by each of the Member States in order to obtain, via direct intervention, the necessary collaboration or coordination in order to speed-up international jurisdictional cooperation.

5.- What is the basic aim of the liaison magistrates pursuant to Article 1.3 of the Joint Action of 22/4/1996?

Answer: to increase the speed and effectiveness of judicial cooperation and to promote the pooling of information on the legal and judicial systems of the Member States and to improve their operation.

6.- With what states does Spain currently exchange liaison magistrates?

Answer: Spain has appointed liaison magistrates in France and Italy while France, Italy and the United Kingdom have appointed liaison magistrates to Spain.

7.- What is the function of the Spanish Judicial Network for international cooperation?

Answer: active intermediation with an information, advisory and coordinating role aimed at speeding-up judicial assistance in international matters.

8.- From a practical point of view, what are the main contributions made by the members of the REJUE?

Answer: they provide support to members of the Judiciary and Prosecutors by means of a system of direct, personal consultations and the preparation, development and updating of the website of the Vademecum.

9.- What is the name of the body or institution whose functions include providing advice on the referral of preliminary questions to the CJEC?

Answer: Network of Experts on EU law (REDUE).

10.- Name two noteworthy instruments providing technical support for judicial cooperation in Europe?

Answer:

- The European Atlas Judicial in civil matters
- Website of the European Judicial Network in civil and commercial matters
- Vademecum
- e-Justice