

## ANNEX

### *1.2.2. Call for proposals to support transnational projects to promote judicial cooperation in criminal matters*

#### LEGAL BASIS

Art. 4 and 6(1) Regulation (EU) No 1382/2013

**Specific objective: to facilitate and support judicial cooperation in civil and criminal matters**

#### BUDGET LINE

33 03 02

#### Priorities of the year, objectives pursued and expected results

The aim of this call is to promote judicial cooperation in criminal matters, in particular regarding the fight against terrorism, and to contribute to the effective and coherent application of EU mutual recognition instruments in criminal matters. Priority shall be given to:

1. The implementation and application of the following mutual recognition instruments:
  - 2000 Convention on mutual assistance in criminal matters between the Member States of the European Union (established by Council Act of 29 May 2000);
  - Framework Decision 2002/584/JHA on the European arrest warrant;
  - Framework Decision 2003/577/JHA on freezing property or evidence;
  - Framework Decision 2005/214/JHA on financial penalties;
  - Framework Decision 2006/783/JHA on mutual recognition of confiscation orders;
  - Framework Decision 2008/909/JHA on transfer of prisoners;
  - Framework Decision 2008/947/JHA on probation and alternative sanctions;
  - Framework Decision 2009/829/JHA on the European Supervision Order;
  - Directive 2011/99 on the European Protection Order;
  - Directive 2014/41/EU on the European Investigation Order in criminal matters.

2. Judicial cooperation aiming to fight terrorism by preventing radicalisation<sup>1</sup>, and concerning in particular:

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<sup>1</sup> Projects should complement and not duplicate actions which are supported financially by the Regulation (EU) No 513/2014 of the European Parliament and of the Council of 16 April 2014 establishing, as part of the Internal Security Fund, the instrument for financial support for police cooperation, preventing and combating crime, and crisis management and repealing Council Decision 2007/125/JHA. [http://ec.europa.eu/dgs/home-affairs/financing/fundings/pdf/overview/regulation\\_eu\\_no\\_5132014\\_of\\_the\\_european\\_parliament\\_and\\_of\\_the\\_council\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/financing/fundings/pdf/overview/regulation_eu_no_5132014_of_the_european_parliament_and_of_the_council_en.pdf)

- o Prevention of radicalisation in detention facilities and of persons who are under probation or other alternatives to detention;
  - o Promotion of social rehabilitation of prisoners and alternatives to detention and exploration of the role of probation at EU level through the implementation of the following instruments:
    - Framework Decision 2008/909/JHA on the judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty;
    - Framework Decision 2009/829/JHA on the European Supervision Order;
    - Framework Decision 2008/947/JHA on probation and alternative sanctions.
3. Cooperation between prosecutors of different Member States for the application of the instruments mentioned under point 1. above on issues related to counter terrorism and organised crime.

#### Description of the activities to be funded under the call for proposals

This call will cover the following activities:

- analytical activities, such as data collection, surveys, research activities, etc;
- facilitating the exchange of data and the structured, confidential and data-protection compliant communication between the authorities appointed under EU legislation (e.g. competent authorities), including electronic transmission of documents, requests for information, questioning and hearing of persons across borders (such as by way of video-conferencing);
- exchange of information and networking between judicial and administrative authorities, the legal professions and relevant civil society actors, such as development of an accessible and comprehensive source of country specific information and guidance on procedures, criminal codes, offences and legislation in each Member State; development of prototype templates to assist the issuing and executing authorities;
- mutual learning, identifying and exchange of best practices which may be transferable to other participating countries;
- dissemination and awareness raising activities.

Training activities can also be funded under this call, as long as they are of ancillary nature and not the main purpose of the project.

#### Essential eligibility criteria

To be **eligible**, grant applications must comply with all of the following criteria:

- (a) the applicant must be a public entity or a private non-profit-oriented organisation, duly established in one of the countries participating in the Programme, or an international organisation;
- (b) the application must be transnational and involve organisations from at least two participating countries;
- (c) the EU grant applied for cannot be lower than EUR 75 000;

(d) the project must not have started prior to the date of submission of the grant application.

#### Implementation

By DG Justice

#### Indicative timetable and indicative amount of the call for proposals

Reference	Date	Amount
- Judicial cooperation aiming to fight terrorism by preventing radicalisation, and cooperation between prosecutors JUST/2015/JCOO/AG/TERR	Q4 2015	1 000 000 EUR
- Other Judicial cooperation JUST/2015/JCOO/AG/CRIM		2 300 000 EUR
		<b>TOTAL 3 300 000 EUR</b>

#### Maximum possible rate of co-financing of the eligible costs

80%

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#### 2.2.1. *Call for proposals to support transnational projects on judicial training covering civil law, criminal law or fundamental rights*

##### LEGAL BASIS

Art. 4 and 6(1) Regulation (EU) No 1382/2013

**Specific objective: to support and promote judicial training, including language training on legal terminology, with a view to fostering a common legal and judicial culture**

##### BUDGET LINE

33 03 01

#### Priorities of the year, objectives pursued and expected results

The aim of this call is to contribute to the effective and coherent application of EU law in the areas of civil law, criminal law and fundamental rights.

Priority will notably be given to training on the following topics:

## Civil law

- Legal instruments in family matters and successions, in particular:

Regulation (EU) No 650/2012 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of successions and on the creation of a European Certificate of Succession;

- Legal instruments in civil and commercial matters, in particular:

Regulation (EC) No 805/2004 creating a European Enforcement Order for uncontested claims;

Regulation (EC) No 1896/2006 creating a European Order for Payment Procedure;

Regulation (EC) No 861/2007 establishing a European Small Claims Procedure;

Regulation (EU) No 1215/2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (recast);

Regulation (EC) No 655/2014 creating a European Account Preservation Order to facilitate cross-border debt recovery in civil and commercial matters;

- Training of enforcement authority agents applying instruments in the area of civil judicial cooperation, in particular:

Regulation (EC) No 2201/2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility (Brussels IIa);

Regulation (EC) 805/2004 creating a European Enforcement Order for uncontested claims;

Regulation (EU) No 655/2014 establishing a European Account Preservation Order procedure to facilitate cross-border debt recovery in civil and commercial matters.

## Criminal law

- Judicial aspects of the fight against terrorism and organised crime, and in particular<sup>2</sup>:

- Mutual legal assistance:

The Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union and its protocol, including spontaneous exchange of information;

- Mutual recognition of decisions between EU countries:

Council Framework Decision 2003/577/JHA of 22 July 2003 on the execution in the European Union of orders freezing property or evidence;

Council Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition to confiscation orders;

- Prevention of radicalisation in detention, including the use of alternatives to imprisonment<sup>3</sup>:

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<sup>2</sup> Projects should complement and not duplicate actions which are supported financially by the Regulation (EU) No 513/2014 of the European Parliament and of the Council of 16 April 2014 establishing, as part of the Internal Security Fund, the instrument for financial support for police cooperation, preventing and combating crime, and crisis management and repealing Council Decision 2007/125/JHA. [http://ec.europa.eu/dgs/home-affairs/financing/fundings/pdf/overview/regulation\\_eu\\_no\\_5132014\\_of\\_the\\_european\\_parliament\\_and\\_of\\_the\\_council\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/financing/fundings/pdf/overview/regulation_eu_no_5132014_of_the_european_parliament_and_of_the_council_en.pdf)

<sup>3</sup> Idem.

- In particular implementation of the following EU instruments:

Council Framework Decision 2008/909/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union;

Council Framework Decision 2009/829/JHA of 23 October 2009 on the application, between Member States of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention (European Supervision Order);

Council Framework Decision 2008/947/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments and probation decisions with a view to the supervision of probation measures and alternative sanctions.

- Procedural rights in criminal proceedings:

Directive 2010/64/EU on the right to interpretation and translation in criminal proceedings;

Directive 2012/13/EU on the right to information in criminal proceedings;

Directive 2013/48/EU on the right of access to a lawyer in criminal proceedings and in European arrest warrant proceedings, and on the right to have a third party informed upon deprivation of liberty and to communicate with third persons and with consular authorities while deprived of liberty.

- Victims' rights:

Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime;

#### Fundamental rights

- The scope and application of the Charter of Fundamental Rights of the EU,
- in particular its Article 45 on Freedom of movement and other Union citizenship rights

#### Other priority topics

The proposed training activities can also include the following topics:

- Development of linguistic skills of legal practitioners;  
Projects should cover the legal terminology used in the work environment of practitioners;
- Knowledge of the legal systems of the Member States;
- Once it is released, the use of the search tool of the European Case Law Identifier (ECLI) to identify foreign judicial decisions, notably in the context of the "acte clair" doctrine of the Court of Justice of the EU (CJEU).

#### Proposals outside of these priority topics

Since the assessment of European judicial training needs cannot be solely conducted at EU level and is mainly done nationally and even locally, policy priorities mentioned in the annual work programme are indications of possible topics of supported projects. Regarding proposals not in line with these priorities, they may still be awarded funding if applicants can justify the suggested training topics by an evidence-based needs assessment, showing that more training is needed for the proper

application of EU law in the field to be covered.

#### Target group

The training should target members of the judiciary and judicial staff, meaning judges, prosecutors and court officers, as well as other legal practitioners associated with the judiciary, such as lawyers, notaries, bailiffs, probation officers, mediators, court interpreters and translators, who are involved in the application of the relevant instruments.

#### Description of the activities to be funded under the call for proposals

Projects must be transnational and involve organisations from at least two participating countries. In addition the training activities implemented by each project must include participants (trainees) from different participating countries.

In the priority areas defined above (including those identified by a needs assessment), this call will fund activities such as:

- Organisation of interactive, practice-oriented training activities;
- Multilateral exchanges between legal practitioners (except for judges and prosecutors whose training bodies are members of the EJTN and may thus take part in the exchanges organised by the EJTN);
- Creation of training content, whether for presential learning, blended learning or e-learning, either ready-to-use by trainers or by practitioners for self-learning;
- Tools for training providers (for example: train-the-trainers events, tools to support the organisation of training in other Member States, etc.).

Projects that roll out training modules created by the Commission on European legislation can also benefit from funding.

All these activities can take place in the context of initial training (induction-period) or continuous training of the participants (for example: training activities to familiarize newly appointed legal practitioners with EU legislation and judicial cooperation instruments; or more specialised training activities for practicing legal practitioners).

Projects targeting "Knowledge of the legal systems" should cover the legal systems which have particular relevance for the participants and involve experienced legal practitioners who will be able to compare experience and practice of application of EU legal instruments.

Projects should also aim at encouraging practitioners to follow training in a foreign language, either by providing simultaneous high-quality interpretation into their native language or by easing the participation with foreign language training (for example with an introduction to the relevant legal terminology of the topics covered prior to or at the beginning of the training activity, or with a linguistic warm-up by actively involving participants at the beginning of the training activity, etc).

#### Training methodology

Applications should notably take into account recommendations resulting from the EU pilot project on European Judicial Training<sup>4</sup> or expand good practices<sup>5</sup> revealed by this pilot project to other Member States or legal professions.

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<sup>4</sup> The reports of the pilot project on the European e-Justice Portal: [https://e-justice.europa.eu/content\\_the\\_european\\_judicial\\_training\\_policy-121-en.do](https://e-justice.europa.eu/content_the_european_judicial_training_policy-121-en.do)

### Dissemination strategy

The Commission is particularly interested in activities with multiplication effects, such as train the trainers' activities. The funded projects are expected to have a clear dissemination strategy of their results.

### Essential eligibility criteria

To be **eligible**, grant applications must comply with all of the following criteria:

- (a) the applicant must be a public entity or a private organisation, duly established in one of the countries participating in the Programme, or an international organisation. Organisations which are profit-oriented must submit applications in partnership with public entities or private non-profit-oriented organisations;
- (b) the application must be transnational and involve organisations from at least two participating countries;
- (c) the EU grant applied for cannot be lower than EUR 50 000;
- (d) the project must not have started prior to the date of submission of the grant application.

### Implementation

By DG Justice

### Indicative timetable and indicative amount of the call for proposals

Reference	Date	Amount
Judicial aspects of the fight against terrorism and organised crime, and Prevention of radicalisation in detention JUST/2015/JTRA/AG/TERR	Q3 2015	1 500 000 EUR
Other Judicial training activities JUST/2015/JTRA/AG/EJTR		4 000 000 EUR
		<b>TOTAL 5 500 000 EUR</b>

### Maximum possible rate of co-financing of the eligible costs

80%

<sup>5</sup> Good judicial training practices on the European e-Justice Portal: [https://e-justice.europa.eu/content\\_good\\_training\\_practices-311-en.do](https://e-justice.europa.eu/content_good_training_practices-311-en.do)