

Matra -Training for European Cooperation (MTEC)

on

# LEGISLATION

23 November – 4 December, 2009

The Hague  
The Netherlands



Ministerie van Buitenlandse Zaken

Dutch Ministry for Foreign Affairs



**EVD**  
international  
business and cooperation

EVD, Agency for International Business and Cooperation, NL



T.M.C. ASSER INSTITUUT

T.M.C ASSER INSTITUUT, The Hague, NL

Private and Public International Law, International  
Commercial Arbitration and European Law



European Academy for Law and Legislation

MTEC- Legislation

23 November – 4 December, 2009

## Key Information

- Objectives:

*To train participants in the various basic principles of the legislative process that are applicable to each participants' country such that they are equipped with the knowledge, insights and practical skills that will enable them to further develop their legal order and legislative processes back home in line with the 'acquis communautaire', the Dutch and EU situation being the focal point.*

*To promote networking and foster understanding among the participants towards stimulating and strengthening cooperation and information sharing with and between the participating countries on legislation issues.*

- Period: 23 November – 4 December, 2009
- Location: The Hague, the Netherlands.
- Residential Accommodation: NH Hotel Den Haag (Prinses Margrietplantsoen 100, The Hague, NL)
- Course Location: NH Hotel Den Haag (Prinses Margrietplantsoen 100, The Hague, NL)
- Organisation: T.M.C. Asser Instituut (R.J. Schimmelpenninklaan 20-22, The Hague, NL)
- Target group: Senior Civil servants (experts and policy makers) with relevant working experience in the area concerned.
- Participants: (Experts & Policy makers, 50 in total), drawn from Romania, Bulgaria, Croatia, Turkey and Macedonia and Albania, Bosnia and Herzegovina, Kosovo, Montenegro and Serbia.
- Application deadline: **Friday, 9 October, 2009.**
- Language: English (no translations will be provided)
- Information: [www.cross-agency.nl](http://www.cross-agency.nl) and [crossonline@info.evd.nl](mailto:crossonline@info.evd.nl)

## **Introduction**

Within the dynamical context of the European integration process, the new member States and the (potential) candidates are facing new demands and challenges, amongst others in strengthening their legislative processes.

Through the provision of an integrated and interactive training course on 'Legislation', encompassing theory, practical training and interlinked study visits and a social component, it is believed that the participants<sup>1</sup> will be exposed to knowledge and practice that will further their individual experience levels and open up new doors and dimensions to some. The diverse group of participants (functions and countries of origin) will enable individuals to transcend borders and experience approaches, attitudes and logic from other areas of their particular working environment as well as from abroad. Through intense, inter-group interaction it is expected that individuals will greatly expand their personal networks towards lasting communication and cooperation with each other and with the lecturing/host body.

The course is organised under the Matra programme of the Netherlands Ministry of Foreign Affairs. The objective of the Matra Training for European Cooperation (MTEC) courses is to train public administrators and officials on matters relevant to joining the EU. Another important objective of the courses is the creation of networks by bringing together people from the fore-mentioned countries in the Netherlands.

The MTEC programme is executed by EVD/CROSS and is funded by the Dutch Ministry for Foreign Affairs.

- To create understanding among the various participants (senior civil servants, policy makers, experts) of each other's roles, knowledge and abilities and to stimulate and strengthen cooperation with and between the participating countries.
- To create a solid network among participants and between participants and the host country such that cooperation with and between the participating countries and the host country is stimulated and strengthened, i.e. east-west, east-east and north-south.

## **Course Objectives**

The general aim of this course is to share knowledge and to strengthen cooperation between experts and policymakers in the field of legislation, more in particular the approximation of national legislation to the so-called *acquis* of the European Union. To this end, a training-programme has been developed.

After the training, the participants will:

- Have insight in the European dynamics and requirements that influence the field of domestic legislation;
- Be familiar with and competent in those areas of the legislative process relevant to their individual countries' needs with respect to (eventual) EU membership or indeed for interacting with EU member states;
- Be better equipped with knowledge and practical skills that will enable them to develop their respective legislative processes and systems;
- Know how Dutch public servants deal with strategic policy issues and the resulting regulatory adaptations;

- Be able to use the acquired knowledge and best practices as a source of inspiration for dealing with challenges related to (the development of) legislative issues in their own countries;
- Be trained in the practical application of specific subjects and in a number of oft-needed practical skills;
- Have had the opportunity to share knowledge and experiences;
- Have had the opportunity to create new professional cross-border networking relations.

### **Training programme set-up**

The course will have a practical and interactive character. This is in line with the objective to share knowledge and strengthen the co-operation between the various civil servants from the participating countries.

### **Structure and contents of the training programme**

From the theoretical perspective, the course centres on the following cross-cutting issues:

- EU law and legislative processes geared at the approximation of national legislation to the *acquis communautaire*.
- Dutch expertise and experience, *best practices* with regard to, inter alia, the translation of EU legislation into national law. Apart from the *best practices* attention will be paid to potential pitfalls. As such, participants can learn from the Dutch experience in this field.
- The role of non-governmental actors in the legislative process.
- The legislative cycle: drafting, implementation, enforcement and evaluation. Specific attention will be paid to the law drafting process and the different models of implementation.
- Procedural and technical aspects of legislation.

Additional theoretical topics which have been included in the programme concern:

- The legal effects of EU law in (potential) candidate countries and new Member States.
- The status and incorporation of international law into domestic legislation.

An essential element of the course will be a group exercise in the form of *back home action plan*. This exercise will be introduced to participants in the first half of the first week of the course. Participants will devote half a course day in the second week to working together on the exercise before making a group presentation on the final day of the course. Not only will this exercise stimulate the interaction among participants, it will also allow them to put the best practices and lessons learned into practice when they go back home. We have opted for the creation of a check-list that will ensure that law drafters take all necessary steps in the legislative process to approximate national law to the *acquis communautaire* and assure a proper implementation thereof.

In advance of the programme, the selected participants will be asked to provide us with information pertaining to their individual learning needs and objectives. The collated responses will serve to feed the further fine-tuning of the training programme to ensure maximum effectiveness.

## **Course Organiser**

The **T.M.C. Asser Instituut** ([www.asser.nl](http://www.asser.nl)) is a professional, inter-university research institute for Private and Public International Law, International Commercial Arbitration and European Law. Through its affiliations with the Dutch universities (law faculties) and other Centres of Learning, the Asser Institute functions as an Academic Community Organiser for its many and diverse stakeholders. An essential component of the Institute's objectives is the transferral of knowledge and expertise through education programmes (PhD positions, postgraduate programmes and tailor-made training courses, etc.).

The Asser Instituut has extensive knowledge and practical experience in providing training, technical assistance and advice to governments, civil servants, members of the Judiciary and training centres for the Judiciary. An extensive pool of alumni among students, lawyers and legal practitioners, PhD students and civil servants is a direct result of these activities. The Asser Instituut enjoys fruitful collaboration with its far-reaching national and international network of university and academic contacts, national and foreign governments, law firms, the European Union, international organisations, courts and tribunals located in The Hague.

The programme has been developed in close collaboration with the **European Academy for Law and Legislation** ([www.eall.eu](http://www.eall.eu))

The EALL is the leading educational and knowledge institute for professionals who want to further develop in the field of European and international legislation, such as government policy makers, judges, counsel, revisers, legal (staff) officials and civil servants. Its objective is to improve the quality of legislation and legislative procedures in all of the EU's member states and beyond. The EALL is located in the centre of The Hague, the Legal Capital of the World.

## **Dates /Fees**

The course will be held in The Hague from the 23 November through 4 December, 2009.

Participants will be expected to arrive in The Netherlands on 22 November, 2009. The date of departure will be 5 December, 2009.

The Netherlands Government (Ministry for Foreign Affairs) will provide fellowships including costs of international travel, board and lodging, visa and insurance, tuition fees, lecture materials and excursions insofar as included in the programme.

## **Accommodation**

Participants will be accommodated in single hotel rooms at the **NH Hotel The Hague**, located at Prinses Margrietplantsoen 100, The Hague. The hotel is conveniently located, close to the central train station and the city center.

See also:

<http://www.nh-hotels.com/nh/en/hotels/the-netherlands/the-hague/nh-den-haag.html>

## **Course Location**

The course will be delivered from the same hotel where participants will be accommodated. The hotel's conference rooms are equipped with all modern facilities required for contemporary meetings/seminars, including interruption microphones to facilitate interaction and discussion.

## **Facilities**

Participants will also be welcomed at the **T.M.C. Asser Instituut** itself (at R.J. Schimmelpennincklaan 20-22, The Hague). Open to the public is the Institute's modern and well-equipped library, which is also an official European Documentation Centre (EDC). Computers with internet connection and printing facilities are available here for participants.

The Institute is ideally positioned among the many European and international legal organisations in The Hague, offering participants endless inspiration and opportunity, as well as providing ready access to primary and secondary information. The Peace Palace and its famous library is only a 10-minute walk away, while the International Criminal Tribunal for the former Yugoslavia is at a mere 5 minutes walking distance.

## **Teaching Staff**

The teaching staff consists of:

- Officials from the Ministry of Justice of the Netherlands and other Dutch policy departments
- Staff of the European Academy for Law and Legislation
- Professionals and researchers active in the subject area covered by the training programme.

## **Course Participants**

Civil servants, experts & policymakers working in the field of legislation are invited to apply. Participation is open to applicants from Romania, Bulgaria, Croatia, Turkey, Former Yugoslav Republic of Macedonia Albania, Bosnia and Herzegovina, Kosovo, Montenegro and Serbia..

A balance between the number of participants from the different countries will be taken into account during the selection procedure.

The maximum number of participants is 50.

## **Admission Requirements**

Important points on which the selection of participants will largely be based are:

- The participant should be fluent in spoken and written English;
- The participant should be highly motivated and enthusiastic;
- The participant should be comfortable sharing their knowledge, possibly in the form of a solo presentation;
- The participant should clearly demonstrate an immediate need for training in the field of legislation

## **Applications**

Applications should be made through the Netherlands Embassy in the applicant's country. Application forms should be downloaded from the website: [www.cross-agency.nl](http://www.cross-agency.nl)

Go to Downloads, click on application form for the relevant course, click on your country; you can then download the application form.

Applications (duly signed by the applicant and his or her employer) should be submitted **before 9 October, 2009** through the Royal Dutch Embassy in the applicants' country. By this date, all forms, including the signed employer statement, must be received by the Royal Netherlands Embassy. Please note that the application instructions on the website need to be followed carefully.

Only fully documented applications will be considered. Admission will be on a competitive basis. The participants will be selected by the steering committee.

**Applicants who have been accepted for the course are expected to attend. In case of no-shows or cancellations within 3 weeks before the start of the course, the organisers reserve the right to claim any costs incurred from the applicant's employer.**

### **Information and course organisation**

#### **T.M.C Asser Instituut**

P.O. Box 30461,

2500 GL The Hague,

The Netherlands

Telephone : +31 70 34 20 329

Website : [www.asser.nl](http://www.asser.nl)

E-mail : [education@asser.nl](mailto:education@asser.nl)

Contact person : Patrick Willemsen, Department of Education

### **More information on the training programmes developed under the MTEC programme**

The Royal Netherlands Embassy in your country can supply more information about the other courses. For further information, you can contact the EVD/CROSS:

#### **EVD/CROSS**

P.O. Box 20105, 2500 EC

The Hague,

The Netherlands

Telephone : + 31 70 778 8139

Fax : + 31 70 335 2962

E-mail : [crossonline@info.evd.nl](mailto:crossonline@info.evd.nl)

Website : [www.cross-agency.nl](http://www.cross-agency.nl)

Contact person : Mr. Michiel Zimmer