

Matra Training for European Cooperation

(MTEC)

# Administration of Justice

*from an organizational and policy perspective*

November 17<sup>th</sup> – 28<sup>th</sup>, 2008



**EVD**

international  
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T.M.C. ASSER INSTITUUT

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

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

## Key Information

- Objective: Training participants *how to develop the administration of justice, from an organizational and policy perspective*. The focus will be on the Dutch and EU situation.
- Period: November 17<sup>th</sup> – 28<sup>th</sup>, 2008.
- Location: The Hague, the Netherlands.
- Residential Accommodation: IBIS Hotel The Hague City Centre (Jan Hendrikstraat 10)
- Course Location: Hoofdproductschap Akkerbouw (Stadhoudersplantsoen 12)
- Organisation: T.M.C. Asser Instituut (R.J. Schimmelpenninklaan 20-22)
- Target group: officials (civil servants, judges and prosecutors) from the national ministries of Justice and other (governmental) organisations involved in the Rule of Law.
- Participants: 50 in total, drawn from the new Member States (Romania, Bulgaria), (potential) candidate member countries (Albania, Bosnia and Herzegovina, Croatia, Kosovo, Turkey, Serbia, Montenegro and Macedonia) and the Eastern and Southern neighbours of the enlarged European Union (Russia, Ukraine, Belarus, Moldova, Morocco and Jordan).
- Applications: before October 3<sup>rd</sup>, 2008.
- 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 Europeanization, the new member States Bulgaria and Romania, the (potential) candidate EU member states, as well as their neighbouring countries, are facing new demands and challenges, amongst others in strengthening the Rule of Law.

One of the main components of the Rule of Law is a well functioning system for the administration of justice. Often legal courses are being offered about implications of EU legislation on e.g. the functioning of the judiciary. The line of approach of this training however is different, as justice-administration will *not* be viewed from a legal viewpoint, *but from an organizational and policy perspective*. Because of the importance of an interdisciplinary approach, the content of the course focuses on the training needs of civil servants and those of judges and prosecutors.

The organizational and policy aspects of justice-administration are not strongly regulated by EU (as yet). Nevertheless, from the perspective of development, there are some strategic issues that all candidate EU member states, as well as their neighbouring countries, are dealing with. And although every country has its own particular challenges, there is a lot to be learnt from each other's experience in developing the administration of justice.

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) training 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.

## Course Objectives

The general aim of this course is to share knowledge and to strengthen cooperation between public servants and magistrates in the European field of the administration of justice. To this end, a training-programme has been developed.

- The main objective of this programme is to train the participants how *to develop the administration of justice from an organizational and policy perspective*. The focus will be on the Dutch and European situation.

After the training, the participants will:

- Have insight in actual European developments that influence the field of justice-administration;
- Be able to discuss contemporary organizational challenges for candidate EU member states and neighbouring countries in developing the administration of justice;
- Know how the Dutch administration of justice and judicial procedures are organized;
- Know how Dutch public servants deal with strategic policy issues;
- Be able to use the acquired knowledge and best practices as a source of inspiration for dealing with challenges related to the development of justice administration 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.

## Approach of the course

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 public servants and magistrates of the participating countries.

## Structure and contents of the course programme

- Starting from a historic perspective, the Dutch system of justice administration and judicial procedures will be illustrated;
- Various actors within the field of justice administration will be involved, e.g. judiciary, public prosecution service, bar association, process servers, legal aid boards;
- From the perspective of development, the main focus will be on facing Europeanization and other new challenges. Where applicable, due attention will be paid to Dutch best practices;
- Actual (strategic) policy issues will be discussed. For instance:
  - judicial chain management (for both criminal and civil chains);
  - court management
  - how to maintain balance between the quality of jurisdiction and the efficiency of procedures;
  - the organization of small claims procedures;
  - how to make (or keep) legal aid accessible for citizens;
  - treasure policy;

- the use of ICT for management information systems;
  - lay justice and other forms of citizen involvement;
  - jurisdiction in relation to the increasing demand for mediation and other forms of Alternative Dispute Resolution.
- Site visits will be paid to the Ministry of Justice, the Council for the Judiciary, District Courts and relevant European and international institutions to learn from best practices;
  - Participants will be invited to practically apply the information provided by comparing and working out a case or preparing a Back Home Action plan for their own country.

The contents of the course will be fine-tuned on the basis of a pre-course questionnaire that will be sent to the participants.

### Course Organiser

The **T.M.C. Asser Instituut** 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.

### Dates /Fees

The course will be held in The Hague from the 17<sup>th</sup> through the 28<sup>th</sup> of November, 2008. Participants will be expected to arrive in The Netherlands on November 16<sup>th</sup> 2008. The date of departure will be on the 29<sup>th</sup> of November.

The Netherlands Government 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 **Ibis Hotel The Hague City Centre**, located at Jan Hendrikstraat 10, The Hague. The hotel is conveniently located in the city center, near shops, public transport and restaurants. See also:

[http://www.accorhotels.com/accorhotels/fichehotel/gb/ibi/3701/fiche\\_hotel.shtml](http://www.accorhotels.com/accorhotels/fichehotel/gb/ibi/3701/fiche_hotel.shtml)

Participants will commute between the hotel and the course location by public transport. Tram 17 runs between both locations and takes approximately 10 minutes.

## Course Location

The course will be delivered from a location that 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.

The course will take place primarily in the conference theatre located of the Hoofdproductschap Akkerbouw adjacent to the Asser Instituut (at Stadhoudersplantsoen 12, The Hague). This location is 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. Schimmelpenninklaan 20-22, The Hague). Open to the public is the Instituut'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.

## Teaching Staff

The teaching staff consists of:

- Officials from the Ministry of Justice of the Netherlands and other Dutch policy departments;
- Professionals and researchers active in the subject area covered by the course.

## Course Participants

Government officials and magistrates working in the field of the administration of justice are invited to apply. Application is open for applicants from Bulgaria, Romania, Albania, Bosnia and Herzegovina, Croatia, Kosovo, Turkey, Serbia, Montenegro, Macedonia, Russia, Belarus, Ukraine, Morocco, Moldova and Jordan. 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 the development of the judiciary.

## 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 October 10<sup>th</sup>, 2008** 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

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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 courses 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 either the Royal Netherlands Embassy or EVD/CROSS:

### **EVD/CROSS**

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