



Europäische Rechtsakademie
Academy of European Law
Académie de Droit Européen
Accademia di Diritto Europeo



ANNUAL REPORT 2012

ABOUT ERA

The Academy of European Law celebrated its twentieth anniversary in 2012. Our foundation was a truly European initiative, with its roots in resolutions by the European Parliament on the application of EU law. The goal of our founders was not only to provide training in European law but also to create a common legal culture and a European community of jurists. This aim is just as pertinent today.

A non-profit public foundation, ERA's patrons include most EU Member States. Supported by the European Union, we provide training in European law to judges, prosecutors, lawyers in private practice, notaries, in-house counsel, law enforcement officers, lawyers in public administration and other legal practitioners.

We organise conferences, seminars and language courses at different levels in Trier, Brussels and around Europe. We offer an ever-growing range of online training resources from introductory courses to in-depth video presentations by Europe's leading experts on European law and publish a quarterly legal journal, *ERA Forum*.

Throughout this Annual Report 2012 you can view selected examples of our online content by scanning the QR codes with your smartphone or tablet. Scan this code, for instance, to access our e-learning collection:





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PREFACE

L'Union européenne, géant législatif et nain budgétaire

L'ERA fête ses vingt printemps cette année. Née de la volonté commune du Land de Rhénanie-Palatinat et du Parlement européen, elle a éclairé, accompagné, diffusé, et souvent préparé les progrès réguliers de l'Europe du droit. Trois nouveaux traités sont venus étendre les compétences de l'Union, le nombre des membres a plus que doublé, la jurisprudence des cours suprêmes des Etats membres est venue confirmer et compléter celle de la Cour de Luxembourg.

L'entrée de l'ERA dans l'âge adulte est l'occasion de féliciter ses fondateurs et tous ceux qui en ont assuré la direction. En deux décennies à peine, l'Académie s'est imposée comme l'un des centres juridiques européens les plus originaux et les plus féconds.

C'est aussi l'occasion de braquer le projecteur sur la face sombre inattendue de l'Europe du droit. Pour préparer les chantiers du nouvel âge européen.

Traité après traité, l'Union européenne est devenue un géant normatif. Le vice-président du Conseil d'Etat français estime aujourd'hui qu'environ 70% des nouvelles règles de droit qui s'appliquent chaque année en France sont soit décidées directement à Bruxelles, soit décidées à Paris mais « sous influence européenne » : la formule n'est pas très juridique, mais elle est parlante. Sans que les parlements nationaux, les médias et les citoyens eux-mêmes en aient véritablement pris conscience, le législateur européen joue désormais un rôle majeur dans l'espace juridique que constitue l'Union.

En revanche, l'Union est un nain budgétaire : quand un Européen gagne 100 euros, il paye, en moyenne, 40 euros d'impôts et autres contributions obligatoires. 39 euros sont redistribués au niveau national, et 1 seul euro est affecté au budget communautaire. Mesuré par rapport au PIB, le budget est même un domaine dans lequel l'intégration européenne a régressé depuis une quinzaine d'années : alors que le budget communautaire atteignait 1,20% du PIB de l'Union au milieu des années 1990, il est

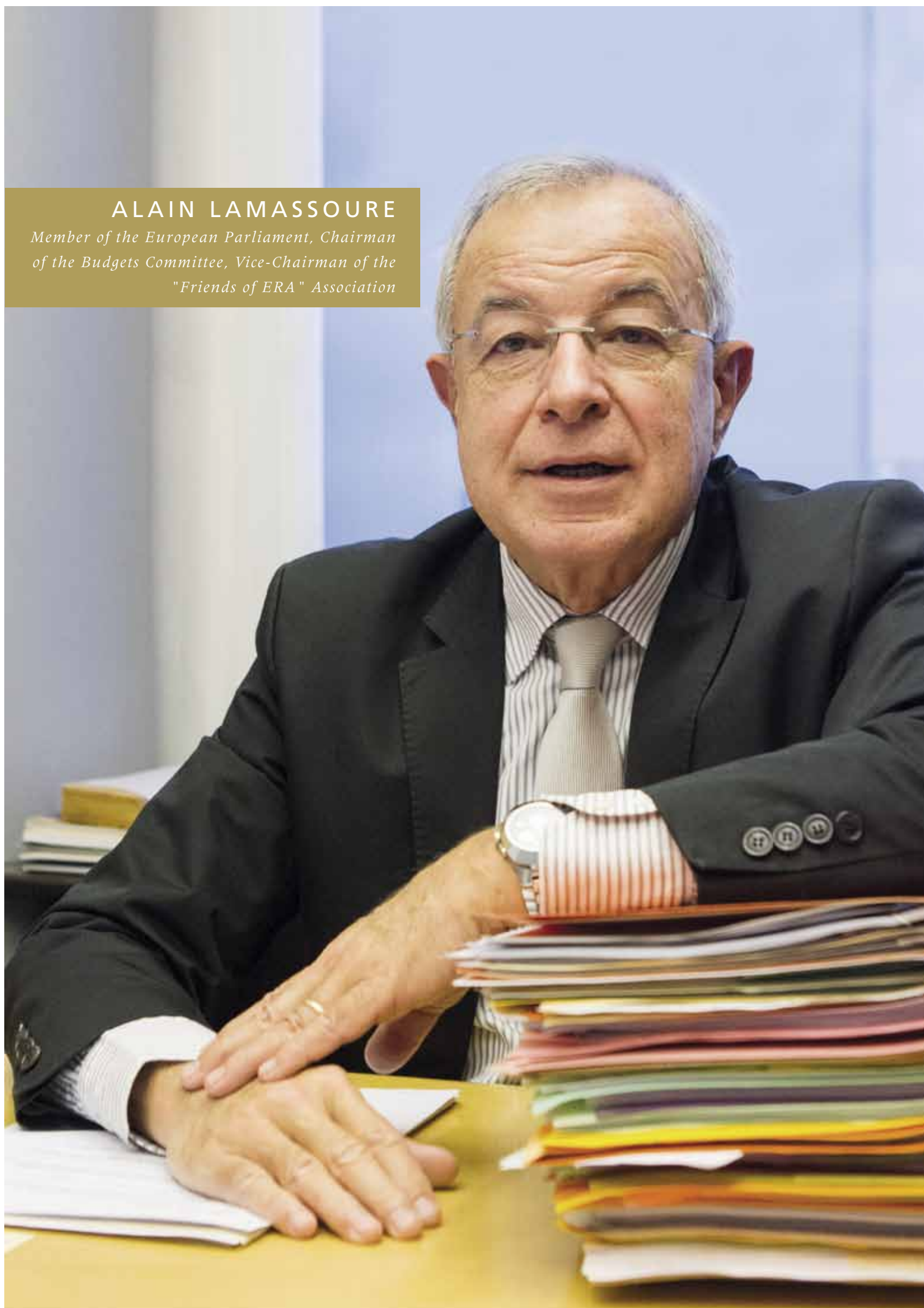
resté autour de 1% depuis les années 2000 et la position prise par le Conseil européen de février 2013 réduirait le niveau moyen des paiements au-dessous de 0,90% pour les sept prochaines années !

Comment cela a-t-il été possible ? Dès l'origine, les traités ont prévu que l'Union devait disposer de l'autonomie financière, en étant financée par des ressources propres. Les négociations sur la nature et le montant de ces ressources n'ont jamais été faciles : c'est ce sujet qui motiva la politique de la « chaise vide » du général de Gaulle et, vingt ans plus tard, le fameux « I want my money back ! » de Margaret Thatcher. Pourtant, pendant une trentaine d'années, le principe s'est appliqué dans des conditions acceptables. La Communauté européenne était financée par les droits de douane, par l'impôt de la CECA sur le chiffre d'affaires des entreprises sidérurgiques et minières, et par un prélèvement TVA qui s'est élevé jusqu'à 1,43% de l'assiette commune. Comme le traité oblige à équilibrer rigoureusement le budget communautaire, si ces ressources s'avéraient insuffisantes en fin d'année, le solde était apporté par une contribution financée par les budgets nationaux en proportion du PIB de chaque Etat membre.

Avec le temps, le système s'est dérégulé, mais en douceur, année après année, sans qu'une rupture soudaine n'oblige les décideurs à prendre conscience de la nécessité d'une réforme. Du côté des dépenses, les traités successifs (acte unique, Maastricht, Amsterdam, Nice, Lisbonne) ont accru les compétences communautaires, tandis que les élargissements au sud puis à l'est ont fait exploser les fonds de cohésion. Cette tendance fondamentale à la hausse des besoins a été accompagnée d'une érosion inexorable des recettes traditionnelles : la taxe CECA a disparu avec le traité qui l'avait fondée, les droits de douane ont fondu avec les accords commerciaux internationaux, quant à la ressource TVA, année après année les administrations nationales en ont

ALAIN LAMASSOURE

*Member of the European Parliament, Chairman
of the Budgets Committee, Vice-Chairman of the
"Friends of ERA" Association*



recupéré la plus grande partie sous les prétextes techniques les plus divers. Si bien qu'aujourd'hui, ce sont les contributions des budgets nationaux qui fournissent 85% des recettes de l'Union.

Nous voilà devant une situation extraordinaire : sans que jamais la décision politique en ait été prise, le système de financement reposant sur des ressources propres a été peu à peu remplacé, en violation des traités, par le système contraire d'un financement à base de contributions nationales. Aucun ministre des finances n'étant spontanément incliné à accroître les impôts nationaux ou son endettement pour financer le budget communautaire, celui-ci a commencé à se geler autour des années 2000. Puis, la crise financière ayant achevé de ruiner les finances nationales, les chefs d'Etat et de gouvernement en arrivent aujourd'hui à la conclusion que le budget commun doit être réduit pour soulager leurs budgets nationaux.

Les conséquences de cette dérive dépassent de beaucoup les effets d'une diète financière passagère.

D'une part, c'est toute la réussite du traité de Lisbonne qui est en jeu. L'Union a mis presque une décennie à concevoir, à négocier, et à ratifier ce nouveau traité fondateur. Trois ans après son entrée en vigueur, pas un seul euro supplémentaire n'a pu être affecté au financement des compétences nouvelles ou renforcées données à l'Union par ce traité : politique étrangère et de sécurité commune, politique commune de l'énergie, politique commune de l'immigration, politique spatiale... Ces politiques nouvelles étaient jugées urgentes dès 2001 : va-t-on se résigner à perdre une génération entière, en renvoyant les moyens nécessaires à 2021 ? Le reste du monde n'attendra pas l'Europe pour construire, inventer, voire dominer le XXI^e siècle.

D'autre part, de manière moins visible mais plus grave encore, le déséquilibre entre sa capacité législative et ses moyens financiers conduit l'Union à utiliser exagérément la première. L'actuel ministre allemand de la défense illustre ce phénomène par une image parlante : « Celui qui ne dispose

que d'un marteau voit des clous partout ». Faute de pouvoir financer, encourager, inciter par des moyens budgétaires appropriés, l'Union ne cesse de multiplier les réglementations. Pas d'argent pour la transition énergétique ? On oblige les Etats membres à réduire les émissions de gaz à effet de serre, on durcit les normes pour les constructeurs automobiles et les fabricants de moteurs d'avions, de trains et de navires, on impose aux agriculteurs de laisser des champs en jachère, on exigera bientôt l'affichage de la trace carbone sur chaque paquet de légumes surgelés. Pas de budget pour une politique commune de l'immigration ? On oblige les Etats d'origine ou de transit des migrants à détenir chez eux les candidats au départ, et on laisse se noyer dans les eaux noires de la Méditerranée ou de l'Atlantique ceux qui persisteraient dans leur projet. Et finalement, c'est parce que l'Europe n'a pas de budget propre suffisant pour avoir un effet macro-économique que le renforcement de l'union économique et monétaire se fait exclusivement par de nouvelles règles, assorties de sanctions quasi automatiques, allant jusqu'au cœur des politiques économiques nationales. Bref, toutes les conditions sont réunies pour que « Bruxelles », juge et gendarme anonyme, sans cœur, à la grosse matraque, devienne de plus en plus impopulaire face aux Etats qui, malgré la rigueur, restent pourvoyeurs d'emplois publics et de largesses sociales.

Comment renverser cette dérive dramatique ? En revenant à la lettre et à l'esprit des traités : le découplage entre budget européen et budgets nationaux, l'autonomie financière de l'Union, l'affectation à celle-ci de nouvelles ressources propres. Le Parlement européen en a fait son cheval de bataille depuis plusieurs années. Sous sa pression, la Commission européenne a mis sur la table deux propositions concrètes, qui s'additionnent : une taxe sur les transactions financières et une nouvelle ressource TVA. D'autres formules peuvent aussi être étudiées. L'important est qu'un accord politique puisse se faire entre le Parlement et les gouvernements

sur ce qui sera, non pas un saut fédéral, mais un retour aux origines : le financement des politiques européennes par des ressources européennes. Sinon, après avoir survécu aux tempêtes financières les plus effroyables ces dernières années, l'Union s'éteindra lentement, victime de la désaffection de ses citoyens et d'une asphyxie budgétaire inexorable.

Pour une institution comme l'ERA, cela signifie l'intérêt qu'il y aura à investir tout particulièrement dans le droit financier, budgétaire et fiscal. L'Union

obéit encore à des règles budgétaires et comptables archaïques, sa trésorerie est assurée par les Etats membres, sa fiscalité propre est entièrement à inventer, la consolidation des comptabilités publiques de l'ensemble formé par l'Union et ses (bientôt) vingt-huit membres n'a même pas été entreprise. C'est un champ immense qu'il faut maintenant ouvrir.



January 2012

EU Accession to the European Convention on Human Rights

The EU's accession to the European Convention on Human Rights raises complex legal issues. A conference organised by ERA on 30 January 2012 in Brussels discussed legal implications of the EU's accession to the ECHR.



February 2012

Annual Forum on Combating Corruption in the EU 2012

The sixth Annual Forum on Combating Corruption in the EU, co-financed by OLAF, which took place on 16-17 February 2012, gathered more than 80 lawyers to debate internal and external auditing in the context of the protection of the EU budget.





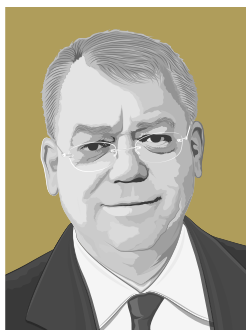
PRESIDENT OF THE GOVERNING BOARD

DR JACQUES SANTER

*Former Prime Minister of Luxembourg,
former President of the European Commission, former Member of
the European Parliament, Luxembourg*

In 2012, the crisis in the Eurozone has still not come to an end. To solve the crisis it is necessary to restore confidence and to find convincing answers for the citizens of the Union. This will require considerable legislative work. In the long run, an economic and monetary union is not possible without a political union.

In this context, the work of ERA is becoming all the more important to keep legal practitioners informed on legislative developments and case law and to provide a genuine forum for exchange of ideas between European lawyers.



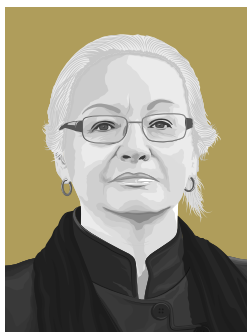
CHAIRMAN OF THE EXECUTIVE BOARD

KLAUS-HEINER LEHNE

*Member of the European Parliament, Chairman of the Committee
on Legal Affairs, Brussels/Strasbourg*

The year 2012 was important with regard to ERA's future funding from the EU. The Commission's original legislative proposal for the "ERASMUS FOR ALL" Programme for Education, Training, Youth and Sport did not include ERA and several other institutions that have benefitted from operational funding under the Lifelong Learning Programme. The European

Parliament made clear in March 2012 that it remains committed to supporting ERA in playing its role in EU law training. I am glad that the Parliament as well as the Council proposed to re-incorporate ERA in the Jean Monnet activities within the ERASMUS FOR ALL programme and I am confident that ERA will continue to play its central role in European law training.



CHAIRWOMAN OF THE BOARD OF TRUSTEES

DR PAULIINE KOSKELO

President of the Supreme Court of Finland

In 2012 ERA reached a landmark of twenty years of activity and development. At this age, ERA is a grown-up institution with a dynamic grasp on its mission. A major highlight of the year was the 20th anniversary congress in October 2012. Under its general theme, the Citizen at the Heart of EU Law, the programme of the congress covered recent and ongoing developments

in three topical areas – EU citizenship, the European area of justice, and fundamental rights protection in the EU. This event was a good and fruitful way to celebrate the anniversary. I extend my warmest thanks to all those who contributed to the Congress, as well as to the staff of ERA for its accomplishments.

MANAGEMENT BOARD

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DR WOLFGANG HEUSEL

DEPUTY DIRECTORS

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JEAN-PHILIPPE RAGEADE

INTERVIEW WITH THE DIRECTOR

ERA 20 years



DR WOLFGANG HEUSEL

Director of the Academy

In 2012, ERA celebrated its 20th anniversary. When you look back, how do you assess the development of the Academy?

Wolfgang Heusel: There are at least two answers to this question – a brief and a more elaborated one. The brief answer would be: In 1992, the year of the envisaged completion of the Single Market, it was the right initiative at the good moment; and thanks to our committed supporters and to our qualified staff we have managed to give life, shape and reputation to a genuinely European institute which in the beginning was not more than a vision – a vision of a few people brave enough to take the risk to implement it, even if their vision was perhaps not very concrete, nor necessarily shared by other actors on the European scene.

The longer reply would start by stating that, indeed, the European Parliament launched the initiative to found ERA at the right moment: For the first time in the member states, the Single Market legislation had created a state of awareness among a growing number of legal practitioners that European law might have an impact on their day-to-day practice and that they better came to understand how to apply and make use of its growing *acquis*. Together with new areas of European legislation emerging from the Maastricht and Amsterdam Treaties, together with waves of accession agreements which within twelve years more than doubled the number of member states, all this offered an ideal environment for the development and growth of an institute set up to train practitioners in European law – lawyers and notaries, judges and prosecutors, in-house counsel and civil servants.

The problem however was that at the start nobody knew the good way forward. There was no action or development plan. There was, in 1992, a rather narrow statutory basis – in the legal form of a public Foundation with its seat in Trier, hence a Foundation under German law, but with Luxembourg as the only EC member state among the founders. There was

a preliminary operating grant from the European Parliament but no secure financial perspective. There were other actors with an interest in European law – university institutes in many member states, European institutes of an academic or of a professional training character – who viewed the emerging ERA with scepticism and sometimes jealousy or even hostility. And there was still an enormous number of practitioners who just would not believe in the relevance of European law for their professional activity.

I am happy to state that most of these problems have since been overcome – at least for the time being. The Foundation has grown considerably since Ireland's accession in 2000: with Croatia as incoming member, soon 24 of the 28 EU member states will be formal patrons of ERA. Today ERA is discussing its second strategic development plan which will cover the period 2014-2020, while we can consider most of the targets of the current development plan met – the institute's logistical, staff and financial capacities



have been increased considerably, and we trust that the European Union's new education programme will again provide the legal basis for co-funding ERA's activities in the years to come. Today ERA has found its



place between the other actors who in the beginning rather considered it as a competitor: ERA complements national training providers, because its perspective, expertise and added value are genuinely European. In fact ERA's role and mission are also complementary with regard to other European education institutes, and only complementary public missions will justify that they share the same line in the European budget. Twenty years after its creation, ERA has shown its capacity to offer nearly 140 conferences and seminars per year and to host some 8,000 participants in these events. The programme of activities covers an impressive diversity of EU law topics and the audience reflects a sound mix of professional and national origins. There are good reasons for being proud of – and for being grateful for – the achievements so far. But we have to stay alert and prepared for meeting the challenges ahead.

You worked for the Academy from the beginning. What does 20 years of ERA mean for you, personally?

Wolfgang Heusel: My first thought is that this is hard to believe – these 20 years have gone by in a rush. Then indeed, considering what has been done and achieved since the initiative to set up this institute was first presented to a European public in November 1991, I realise. When I started to work for ERA I was a judge in a civil chamber of the Landgericht in Mainz. The Ministry of Justice of Rhineland-Palatinate was at that time the driving force in the establishment of the ERA Foundation and wished to involve me. I was recruited for this additional “part-time activity”

because I had a comparatively strong “European” profile – as a student I had studied EC law and spent a semester at Dijon university; as a trainee judge or lawyer (“Referendar”) I had worked at the German-Portuguese chamber of commerce in Lisbon; and I held a PhD in public international law. Thus in 1992, one of my first trips on behalf of ERA led me to Poland which at that time was not even an official candidate for EU membership but where we wished to launch a first series of cooperation events in 1993. In Warsaw I met the then President of the Supreme Court Stanisław Rudnicki, a very impressive erudite gentleman who because of his sympathy for the Solidarność movement had been dismissed from the Court in the times of martial law. I still remember Rudnicki's comment when I had introduced myself: “What a young judge!” I was 36, roughly half his age...

I started to work full-time for ERA in January 1993. We were a team of four lawyers, two assistants, an administrator and an accountant. Of these, the administrator (now our head of personnel, Jutta Breit), the accountant (now head of our accountancy Heinz Monsch) and one assistant (Monika Hammerle) are the only survivors with me. We gradually started to develop activities, to expand the staff, to present the institute to courts, bars, potential partners and to the governments of member states and candidate countries. We built contacts all over Europe, we studied the needs of our target groups and realised the enormous variety of professional development cultures and markets in our member states. We learned to define and to defend the interests of our

institute, we acquired skills which can be characterised as political. Those were exciting times.

My children grew up in Trier because of ERA, but it is a good place to grow up. I have suspended my judicial career because of ERA, but leading ERA is a unique and rewarding responsibility. 20 years of ERA for me, personally, mean to have been part of a pioneer venture, to have met an enormous variety of impressive personalities from all over Europe, to have enjoyed friendships and support, to have withstood antagonisms and conflicts, to have been allowed to learn from mistakes, and to have enjoyed a maximum of autonomy in the interest of European integration. It has, in other words, been a dream job.

What were the highlights of ERA's programme activities in your opinion?

Wolfgang Heusel: THE highlight in ERA's 2012 programme of activities was certainly ERA's jubilee congress, which took the citizen's perspective as starting point for discussing several strands of EU law and policy – the citizen as the owner of fundamental rights and as a political actor; the citizen as subject and object of judicial proceedings in the European Area of Justice; the citizen and his social rights in the Single Market. By examining to which extent the citizen is at the heart of European law, the jubilee congress anticipated the European year of the citizen 2013 and gathered some 200 participants at ERA's enlarged headquarters in Trier. The event was honoured by the presence and active contribution of distinguished speakers representing EU institutions, member states and the legal profession, including the President of the Court of Justice Vassilios Skouris, the Vice Presidents of the European Commission Viviane Reding and Joaquín Almunia, the chairman of the European Parliament's Legal Affairs Committee Klaus-Heiner Lehne, the Chief Justice of Finland Pauliine Koskela and last not least the former Prime Minister of Luxembourg and former President of the European Commission Jacques Santer.

The report on ERA's programme activities below presents further highlights in ERA's 2012 programme; they all deserve a more detailed reference than I could possibly give in this place. But let me just mention one other event which although attended by only a limited number of experts is an expression of the close relationship between the European institutions and ERA. Following an initiative emanating from the European Parliament's Budgetary Control Committee in the context of the ongoing debate on the next Multiannual Financial Framework (MFF), ERA organised a two-tier event on the EU's budgetary procedure post-Lisbon which was launched in November 2012 by a seminar in Brussels. The event was opened by the Commissioner in charge of the budget Janusz Lewandowski. The second phase of the project with a focus on the new Financial Regulation followed in February 2013.

The euro crisis has still not come to an end. To what extent has ERA's training business been affected by the crisis?

Wolfgang Heusel: Sadly the economic crisis, be it in essence a "euro crisis", a sovereign debt or a banking crisis, or just the result of a combination of these, has been persisting for five years now. We can read its effects from our average registration numbers per event which have gone down from 67 in 2008 to 42 in 2012. We realise that standard events such as our summer courses or some of our annual conferences in specific areas of EU law attract fewer participants on average than they did five years ago. It is striking that really large numbers of participants are only achieved in events presenting something definitely new which to ignore you cannot afford, or in activities which are highly or fully subsidised – or ideally in a combination of both. The prevailing attitude in both business and the public sector at the moment is to save training expenditure for better times; and while in the past the cycles of saving and investing in training differed between the two sectors due to their difference in reactivity, they are now running in parallel as the crisis has been going on for so long.

However, the crisis also offers some opportunities. It obliges us to constantly improve our reactivity, our creativity and the quality of our services. It forces us to accelerate the development of new types of services such as e-learning or webinars. It also leads

to expand our e-learning activities in a number of perspectives: self-standing courses in the form of shorter basic courses and extended specialised courses; video podcasts of expert presentations in a number of areas; a special project presenting competition law in charts. A number of these e-learning products have been produced as part of contractual obligations with the European Commission, but our target is to provide a consistent portfolio of up-to-date and state-of-the-art e-learning tools which will complement our face-to-face training offer.

To be honest, so far I am not fully satisfied with the progress made in developing our e-learning programme. A number of problems have delayed the project, which partly were of a simple technical nature such as the late availability of a new e-learning platform on our website. Others of more human nature had to do with the timely delivery of individual contributions, which have an impact on the completion of the e-learning tool concerned – a problem known from the preparation of collective publications. But I am confident that these initial problems have now been overcome and that a first full set of ERA's EU law e-learning programmes will be announced shortly to the European public.

March 2012

Annual Reception in Brussels

The Danish Minister of Justice, Morten Bødskov, addressed ERA's Annual Reception on 8 March 2012 in Brussels. "ERA's conference programme 2012 reflects many topics that are currently negotiated under the Danish EU Presidency" he said.



to new legislative activities such as the legislation establishing the banking union, activities which offer new opportunities and needs for training.

You already mentioned e-learning. The range of ERA's e-learning products has been consistently expanded in the last years. What are the next steps?

Wolfgang Heusel: Until very recently ERA only offered some blended e-learning courses which were part of various summer course packages. We then decided

ERA has implemented a number of projects for the European Union. How important are these contracted activities for the Academy?

Wolfgang Heusel: Since its early years, ERA has accepted to operate contract projects for the EU. In ERA's first ten years, such projects aimed at assisting candidate countries in their preparation for accession (e.g. the famous PHARE projects in which ERA engaged with projects for Hungary and Bulgaria), but there were also a few studies conducted for the European Commission (on competition law – the member states' practice in horizontal cooperation between undertakings – or criminal justice – a study in the context of the Corpus iuris project).

Recent ERA projects contracted by the EU institutions have been of a different type and dimension. Besides a study on judicial training in the member states delivered to the European Parliament in 2011, they include huge training projects in the areas of civil justice and – our latest contract – environmental law, which oblige ERA to develop and deliver “training packages” on specific sub-areas of the area of law concerned. These training packages are prepared for both trainers and end-users; they include not only standard programmes and materials such as case studies and EU or national jurisprudence. They also contain methodological references as well as e-learning courses for the preparation and repetition of the courses. All these elements will be made available for free to trainers and users at the Commission’s e-justice portal.

For ERA these projects are important in three ways: First, they are a challenge – they require an enormous investment of resources which have to be made available in parallel to our standard programme. Second, they are an opportunity – they allow ERA to sharpen its profile as a top-level training provider and privileged partner of the EU institutions. And third, these projects help to survive the crisis, as they provide important and secure work at times where the economic crisis has a negative impact on the take-up of standard training courses.

How did the support and the activities offered by the Friends of ERA association develop?

Wolfgang Heusel: In 2012, the Friends of ERA association led by its chairman Manuel Medina Ortega took advantage of ERA’s 20 years anniversary to launch a new initiative – the ERA Jubilee Fund. The concept is to raise fresh funds for new activities and to link this initiative with ERA’s anniversary. The purpose of the Jubilee Fund is to support three lines of activities – an extended and widened scholarship programme, which will henceforth not limit scholarships to participants from the new and candidate countries; a programme

of local trainings for the legal profession; and an internship programme to improve capacity-building in EU-law training at national and local levels.

The Friends of ERA association started its new fundraising approach through a fundraising dinner on the margins of ERA’s jubilee congress in October 2012, which was marked by a speech by Vice President Joaquín Almunia from the European Commission.

This annual report puts a focus on the speakers at ERA’s seminars. Why did you choose the speakers?

Wolfgang Heusel: Last year we launched a new feature of our annual report concept – we invited representatives of our staff to express their personal view on ERA’s work and activities. We thought that such a personal perspective would help readers to better understand what makes ERA unique. This year we are putting a similar focus on our speakers, as these in a way are no less responsible for the success of ERA than our staff so we wish to give them the possibility of a personal statement in this report. Now it’s up to you to guess who might be the focus of ERA’s 2013 report next year...

TWENTY YEARS OF ERA: THE CITIZEN AT THE HEART OF EU LAW.



Twenty years after the signing of the Maastricht Treaty the Academy of European Law (ERA) celebrated its 20th anniversary with a congress entitled “The Citizen at the Heart of EU Law” on 18-20 October 2012. In three thematic conferences the congress focused on the citizen as holder of fundamental and political rights, the citizen as participant in judicial procedures and on the citizen as holder of social rights in the single market.

In the last 20 years the citizens of the EU have seen a major expansion of their rights. In his keynote speech, Claus-Dieter Ehlermann, Senior Counsel at WilmerHale, gave an overview of these achievements for the European citizen since the Treaty of Maastricht. The subsequent panel discussion dealt with the relationship between EU citizenship and national constitutional traditions and its impact during the current economic crisis. Lady Justice Arden, Lady Justice of Appeal and Head of International Judicial Relations for England and Wales, Winfried Hassemer, former Vice-President of the German Federal Constitutional Court, Vassilios Skouris, President of the Court of Justice of the European Union and Andrzej Wróbel, member of the Constitutional Court of Poland, discussed whether there is a constitutional core which sets limits to an “ever closer” integration and how far

integration should be driven without Europe getting too far from the citizens. The panellists debated what citizens expect from the European Union and what would in their view be better left to the nation state.

The second day of the congress started with a speech by Viviane Reding, Vice President of the European Commission responsible for Justice, who highlighted the importance of an independent and efficient judiciary for the citizen to feel secure. Subsequently, three parallel conferences dealt with the European citizen from different perspectives. The first conference examined the concept of EU citizenship in terms of political participation and in the case law of the Court of Justice of the European Union. The second conference explored the relevance of the European area of justice for the citizen in light of the Stockholm programme with regard to civil and criminal law. The third conference was devoted to fundamental rights protection. Participants discussed social rights protection with a view to the economic and financial crisis and examined the impact of specific citizens’ rights as part of the Charter of Fundamental Rights which became binding through the entry into force of the Lisbon Treaty. The Charter and recent ECJ judgments in cases such as *Ruiz Zambrano* and *McCarthy* have reinforced the notion of political,



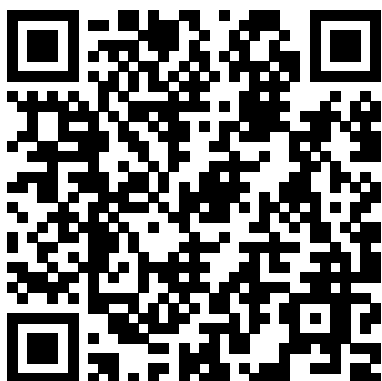
economic and social rights emanating from citizenship of the EU but the lines are not always clear and have become a source of lively legal debate.

On the closing day of the conference, a panel discussion with Carol Coulter, Legal Affairs Editor at the Irish Times, Juan Carlos González Álvarez, Head of the Press and Information Service of the Court of Justice of the European Union, and Michael Stabenow, correspondent of the *Frankfurter Allgemeine Zeitung* in Brussels, focused on the role of the media in bringing the citizen closer to Europe. The speakers agreed that

independent media can have no mission to bring citizens closer to the EU, but should explain the complexities of the European Union in a serious way.

The panel discussion on the relationship between EU citizenship and national constitutions, as well as a number of other contributions to the congress, have been published in issue 4/2012 of ERA's legal journal ERA Forum.

A NUMBER OF VIDEO PODCASTS
OF THE ERA 20 CONGRESS ARE AVAILABLE
ON OUR WEBSITE.



Viviane Reding, Vice-President of the European Commission responsible for Justice

Koen Lenaerts, Vice-President of the Court of Justice of the European Union, "The concept of 'Union citizenship' in the case law of the CJEU"

Catherine Barnard, Professor at the University of Cambridge, "Fundamental social rights in the EU Charter and in the Council of Europe's Social Charter: Can they help address the crisis?"

Jean-Paul Jacqu , former Director of the Council of the EU's Legal Service, "What does the legally binding character of the EU Charter of Fundamental Rights concretely mean for the citizen?"

TWENTY YEARS OF ERA: ERA JUBILEE FUND.

The ERA Jubilee Fund was established on the initiative of the Friends of ERA Association as a sustainable legacy of ERA's anniversary year to support capacity-building and greater access to EU law training for all legal practitioners in the EU Member States. The Fund aims to support wider access to EU law training through an expanded scholarship programme and high-quality EU law training projects in the Member States. In order to support the development of high-

quality EU law training at national and local level, the ERA Jubilee Fund will fund internships for trainers and practitioners to work at ERA. On the occasion of the congress to mark 20 years of ERA, a first fundraising dinner was held in Trier on 18 October 2012 to support the Fund at which Joaquín Almunia, Vice-President of the European Commission, gave an after-dinner speech.

The Association would like to thank warmly the donors to the ERA Jubilee Fund in 2012 (sorted by amount of donation):

Elvinger, Hoss & Prussen	Alexander Layton	Rainer Hornung	Wolfgang Schomburg
Arendt & Medernach	Penka Dimitrova	Lennart Johansson	Octavia Spineanu-Matei
Vanessa Knapp	Rita Petro	Sarah Jund	Zuzana Stofova
Law firm Kolcheva	Silvia Assennato	Zuzana Maruniakova	Elizabeth Tsiaka
Hans-Jürgen Hellwig	Michael Niejahr	Shabname Meralli-Ballou	Paulette Vercauteren
Niilo Jääskinen	Eric Balate	Tom Moes	Antonio Pérez van Kappel
Ulrich Everling	Märit Bergendahl	Deirbhle Murphy	Rudolf Winter
Taxi Franken	Patricia Conlan	Karl-Heinz Oehler	Jana Wurstova
Victoria Terziera	Jose Luis da Cruz Vilaca	Ezio Perillo	Hans Ytterberg
LWK Niedersachsen	Oddvar Ege	Gerhard Reissner	Jackie Jones
Aglika Gavrilova	Charles Elsen	Ronald Rohrer	Marco Sussi
Frank Friedrich	Ulrich Forsthoff	Romain Schintgen	
Eberhard Klein	Gerassimos Fourlanos	Peter Schmidhuber	



May 2012

Fighting Cybercrime: Between Legislation and Concrete Action

The conference organised by ERA on 24-25 May 2012 in Milan brought together stakeholders from law enforcement agencies and the internet industry to discuss European and international instruments used in the fight against cybercrime.



June 2012

Mediation in Greece: EU and National Legal Framework and Practice

The conference on 30 June 2012 in Athens kicked-off a series of events, highlighting the importance of out-of-court settlement of disputes, the relevant European and national legislation and best practices from EU member states.





1990
1999

1990

The European Parliament recommends that the Commission invest in a centre for the continuing education of lawyers in order to improve the application of European law

1990

Foundation of the Association for the Promotion of the Academy of European Law

**12
MARCH
1992**

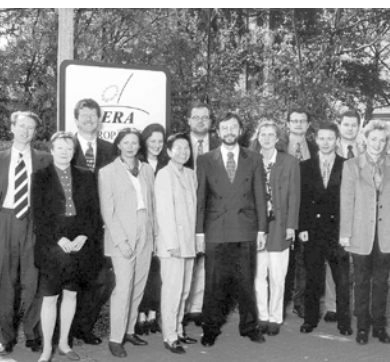
First Seminar held on asylum and immigration policy

**22
JUNE
1992**

The Grand Duchy of Luxembourg, the State of Rhineland-Palatinate, the City of Trier and the Association for the Promotion of the Academy of European Law jointly establish the Academy Foundation

**8-9
NOVEMBER
1991**

ERA is formally inaugurated at a conference at the Electoral Palace in Trier



1993



1998



2002



2003

2000
2012

**1
JANUARY
2000**

Appointment of Wolfgang Heusel as Director of the Academy

**OCTOBER
2000**

ERA becomes founding member of the European Judicial Training Network (EJTN)

2003

ERA organises its first annual reception in Brussels

2000

ERA launches the first issue of its legal journal ERA Forum

2002

ERA celebrates its 10th anniversary

5
JULY
1993

First meeting of the
Board of Trustees

11
SEPTEMBER
1998

Opening of the ERA
Congress Centre

JULY
1999

The ERA library is
awarded the status of
an EU documentation
centre

1998

Opening of a
small office in
Brussels

1993

The ERA team occupies
its first offices in
Dasbachstraße, Trier



2005



2006



2009



2011

2005

First cooperation with
rotating EU Presidency
(Luxembourg)

2006

European Court of Justice
President Vassilios Skouris
launches ERA's annual summer
reception in Luxembourg

2009

Work begins on
converting ERA's
newly acquired second
building

2011

Official opening
of the new ERA
building

2012

ERA celebrates its
20th anniversary

WHICH WAS THE MOST REMARKABLE ERA EVENT YOU ATTENDED?

All the events I attended at ERA were remarkable for the quality of the speakers and the competence of the audience, which asks very interesting and challenging questions that help in better understanding all the facets of the overall organisation, also of the social part, allows to exchange their views and experiences, with very issues involved. The the participants fruitful results.

PROFESSOR STEFANIA BARIATTI,
PARTNER, CHIOMENTI STUDIO LEGALE,
MILAN, ITALY



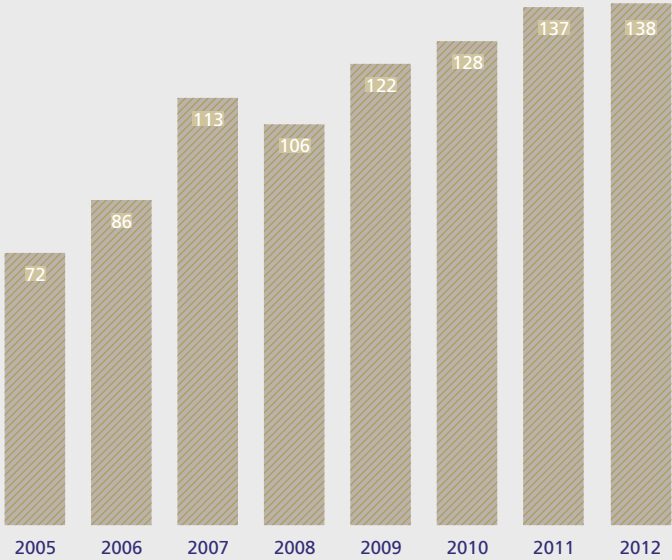
ERA
in numbers
2012

138
Events

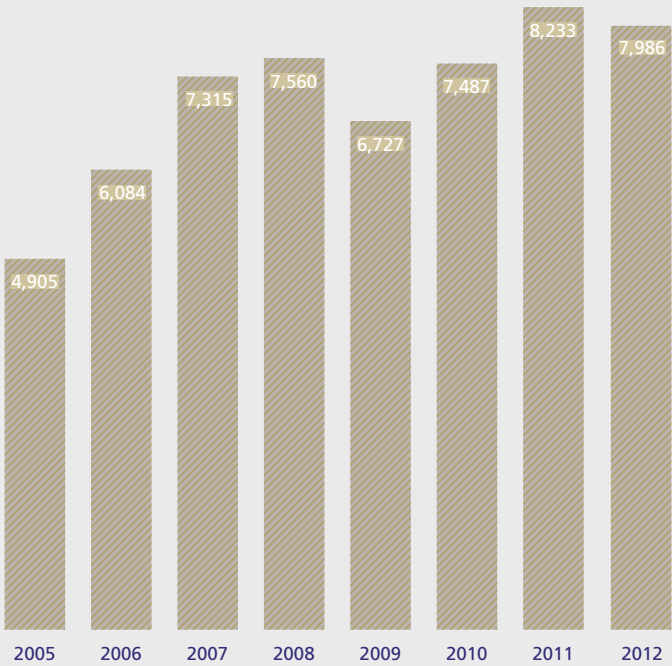
7,986
Participants

From 53 *Countries*

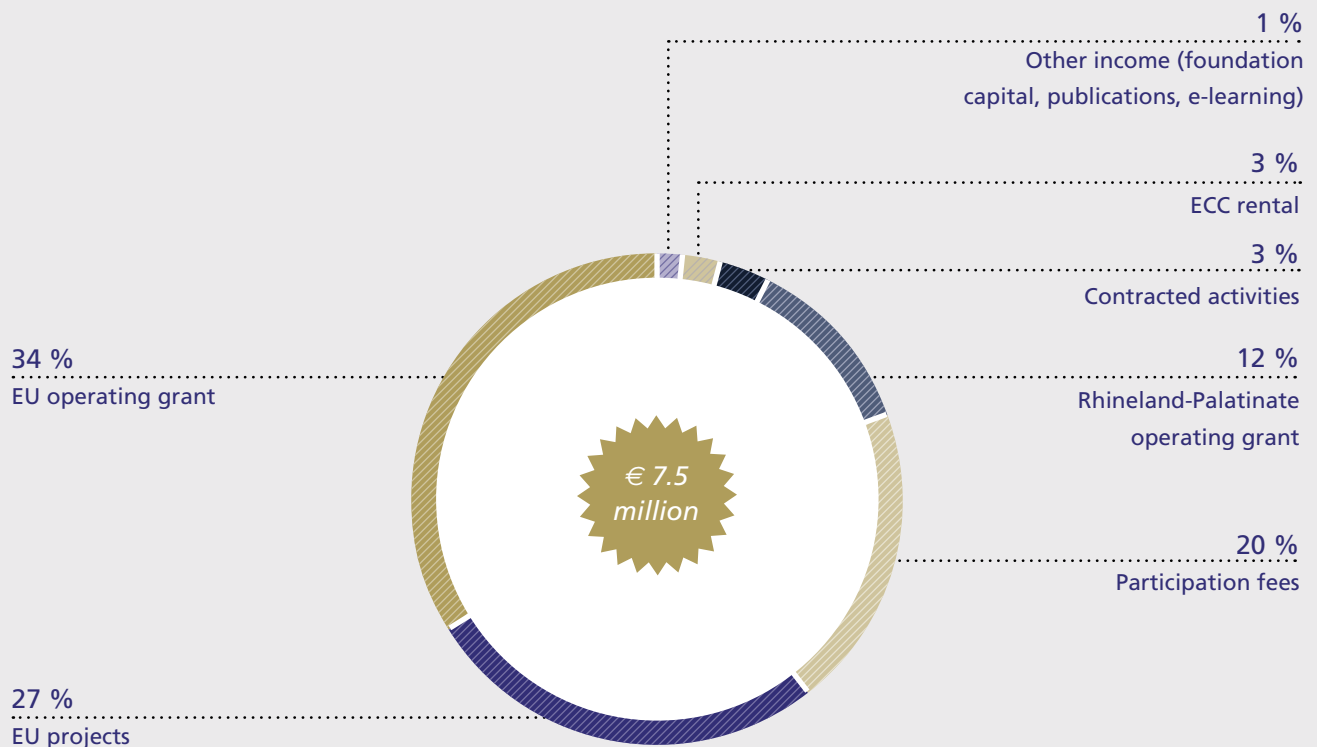
NUMBER OF EVENTS



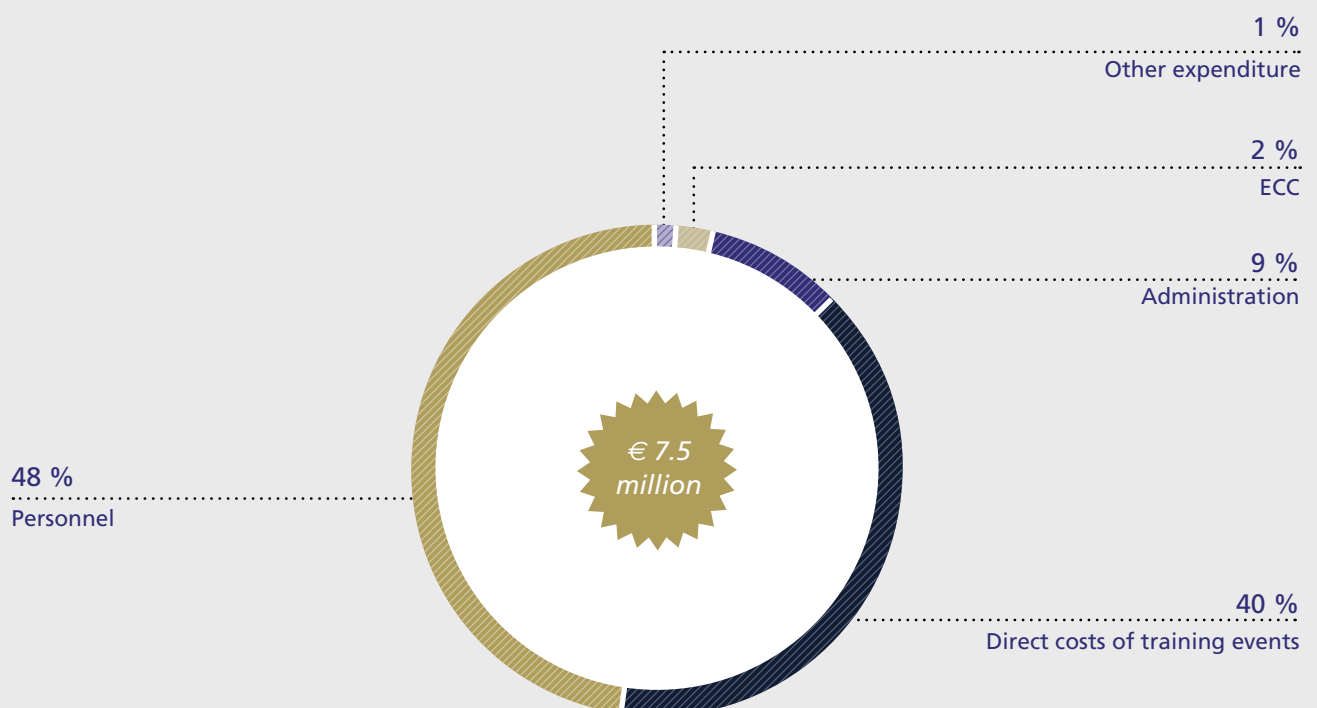
NUMBER OF PARTICIPANTS

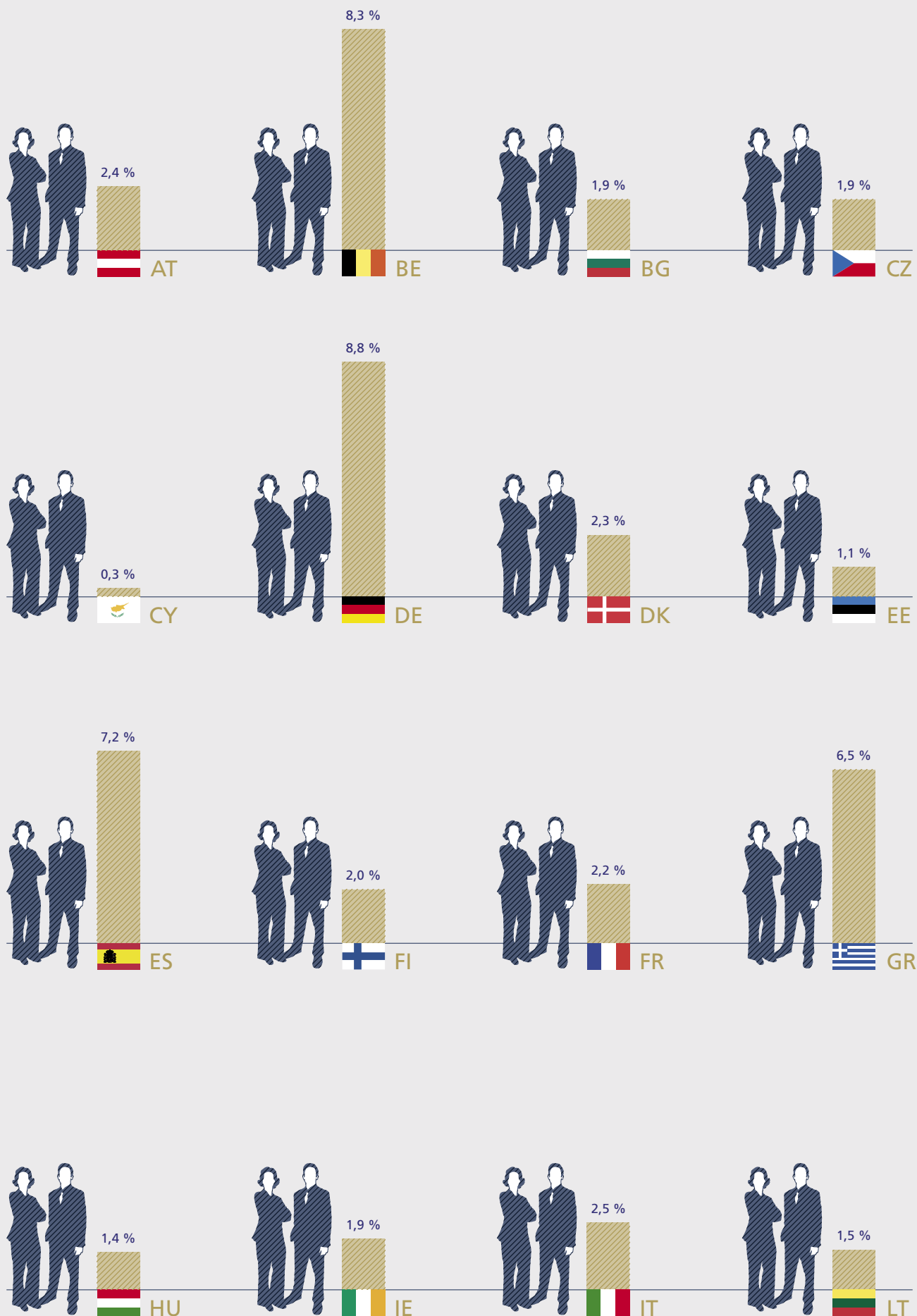


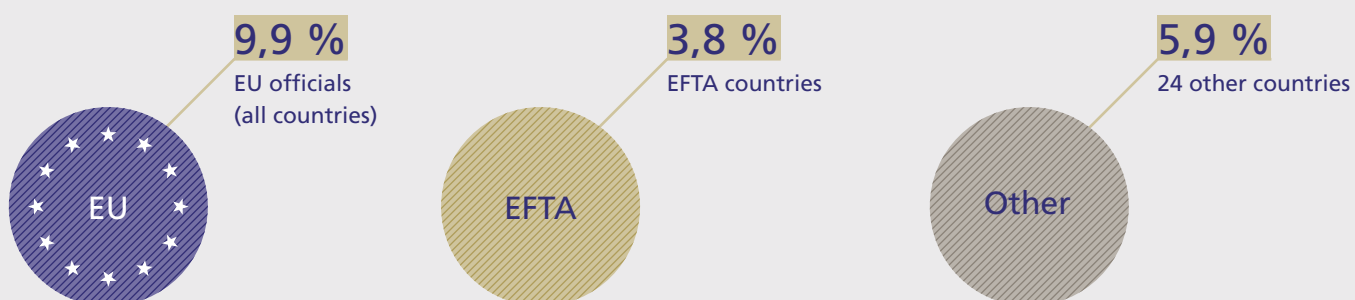
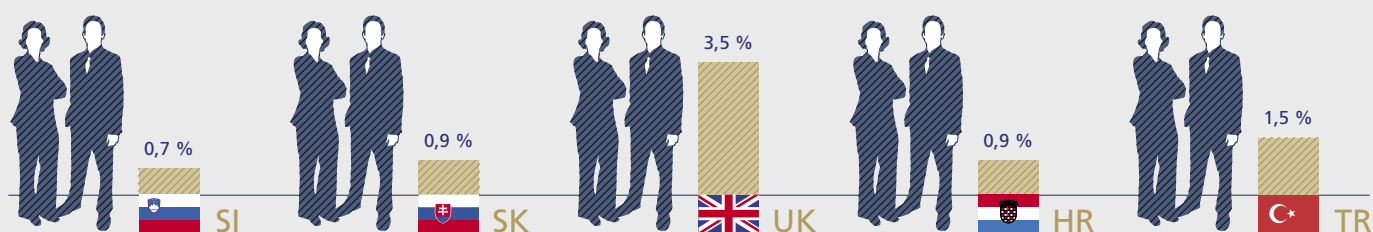
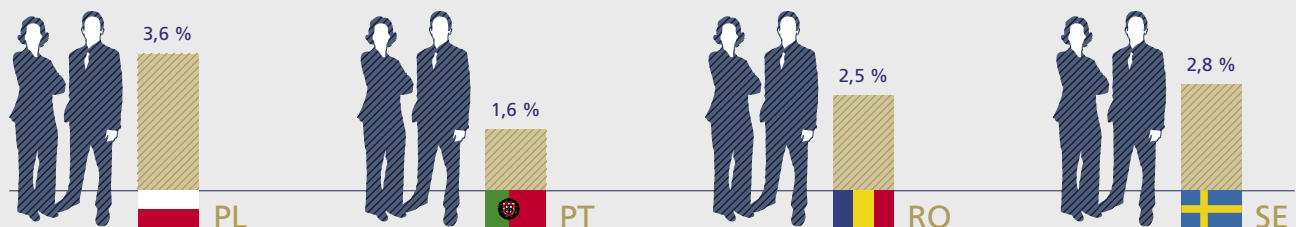
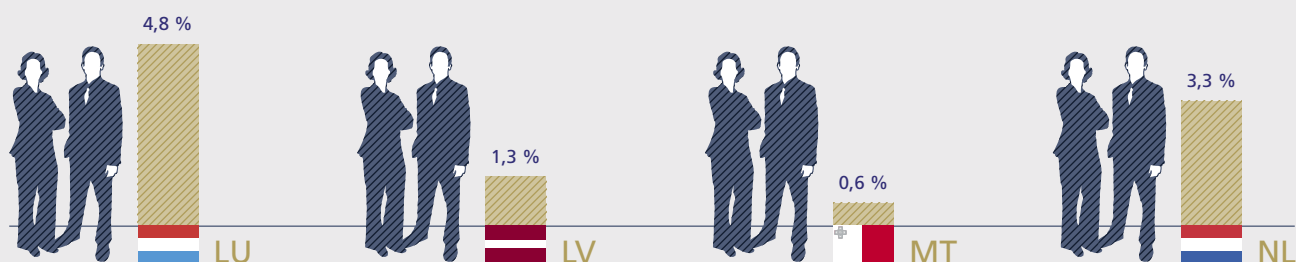
OPERATING INCOME 2012



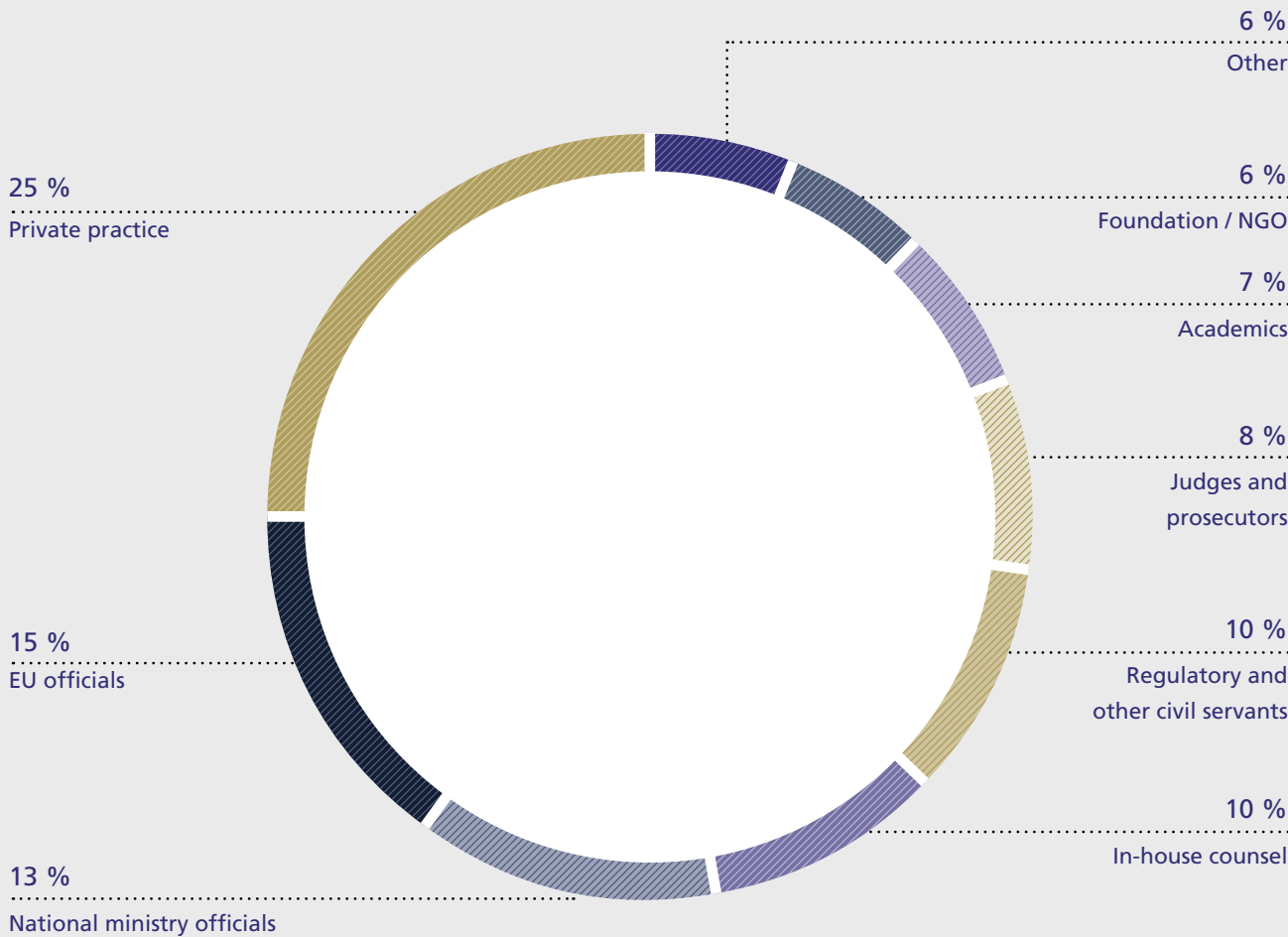
OPERATING EXPENDITURE 2012



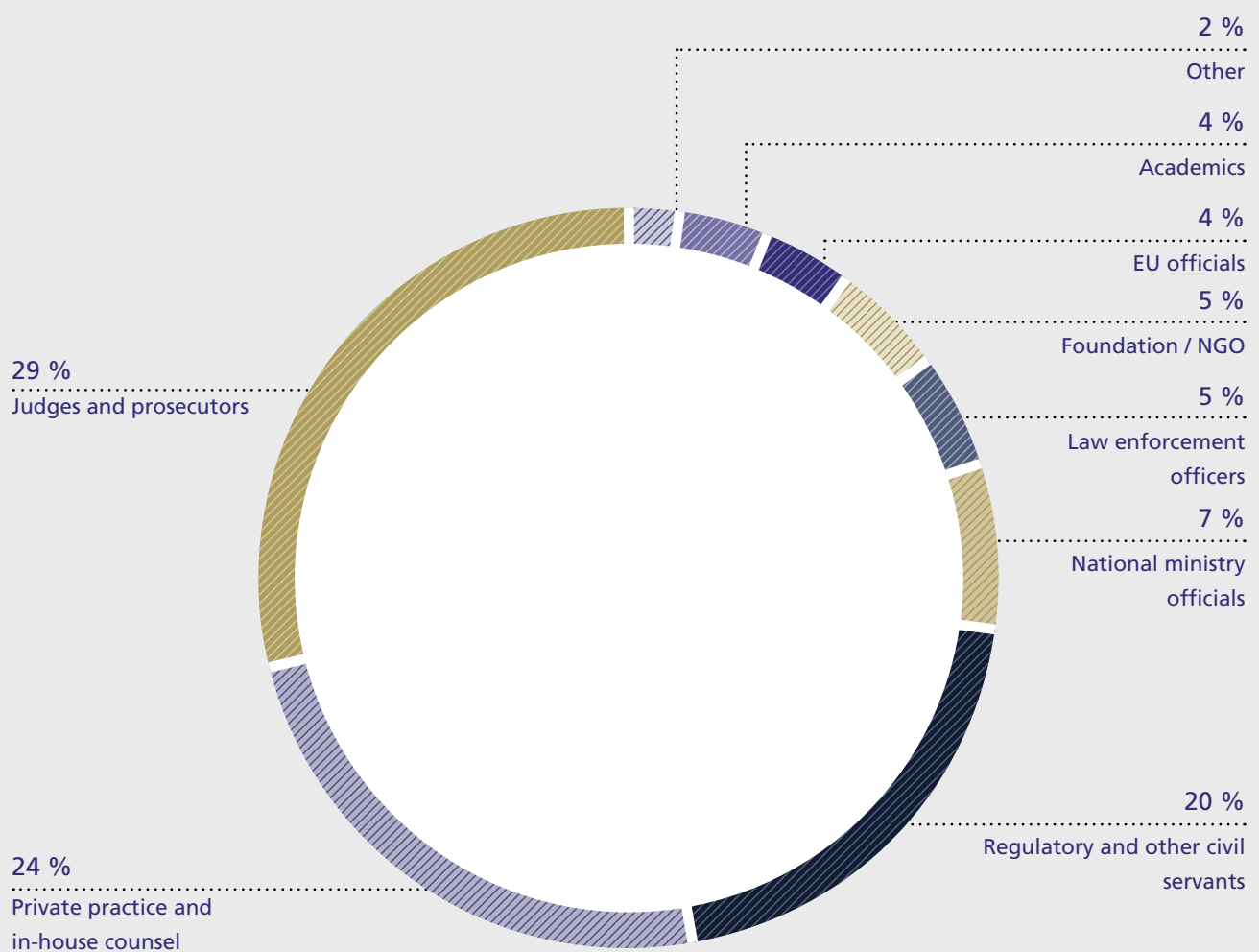




PARTICIPANTS BY PROFESSION AT
OPEN EVENTS 2012



PARTICIPANTS BY PROFESSION AT
CONTRACT AND COFINANCED EVENTS 2012



OPEN PROGRAMME IN 2012.

The challenge for ERA over the years has been to maintain diversity and breadth in its open training programme despite the ever-increasing number of areas in which EU law applies and despite the growing 'Europeanisation' of domestic law. Updating, deepening and enlarging the programme to match the growing training needs and expectations of legal practitioners have been our main concerns.

Evidence of these programme developments can be seen in the expansion of the so-called 'regular' programme and in the rapid development of new areas of expertise. ERA offers annual conferences where the main aim is to cover the most recent developments in a specific area of EU law. Given the success of this formula, this type of event has been expanded to cover for example direct and indirect taxation, public procurement, company law, consumer law, state aid, insurance law, asylum law, immigration law, social security law, data

year an impressive number of legal practitioners from all over Europe and therefore contribute to raising the profile of ERA among those specialists. The 2012 editions of the Annual Conferences on European Family Law and on European Labour Law, which gathered respectively 100 participants from 18 member states and 118 delegates from 25 countries, are particularly significant in that respect. Another example of 'regular' events, but aimed at young professionals and/or non-specialists, is the growing collection of summer courses in European law, which covers constitutional law, tax law, civil litigation, criminal justice, competition law, private law, intellectual property law, labour law, and – since 2012 – environmental law.

Topics that were previously dealt with only sporadically have also recently become an integral part of ERA's programme, such as ECtHR procedure and case law or EU procedural law and judicial remedies. As a further example, ERA has considerably intensified its activities on EU environmental law. Besides the annual events on waste and water management law, more specific conferences were organised in 2012 dealing with issues relating to industrial emissions, climate change and European energy law. During these events the Commission's Roadmap 2050, the new Energy Efficiency Directive and the new Industrial Emissions Directive were presented and actively discussed. European banking law and financial services has also become more visible in the ERA programme offer. 2012 saw ERA reacting to the legislative consequences of the financial crisis in the European Union offering conferences reflecting the ongoing wave of regulatory requirements with particular focus on financial markets and investment funds regulation – the Markets in Financial Instruments Directive (MiFID I and II), the European Market Infrastructure Regulation (EMIR), the Market Abuse Directive (MAD), the Undertakings for Collective Investment in Transferable Securities Directives (UCITS IV, V and IV), the Alternative Investment Fund Managers



protection law, the Schengen regime, copyright law, pharmaceutical law, trade law, trade mark law, food law and – since 2012 – nature protection. Some of these highly technical events, which are aimed at specialists who wish to keep abreast of up-to-date knowledge in a particular field, gather each



IN YOUR WORK YOU FOCUS ON ENVIRONMENTAL LAW: WHY IS EU LAW TRAINING IMPORTANT IN THIS FIELD?



For a lawyer in a EU Member State knowledge of EU law is as necessary as knowledge of national law. I cannot imagine writing a commentary on a national law or making an argument in a legal dispute without referring to the relevant provisions of the Treaties, secondary legislation or international agreements. They are subject to constant change and interpretation in the jurisprudence so continuous training can be considered a must for all EU lawyers serious about their profession.

**JERZY JENDROSKA, MANAGING PARTNER,
JENDROSKA JERZMANSKI BAR & PARTNERS, WROCŁAW, POLAND**

Directive – as well as recent developments in banking regulation and crisis management, including the Banking Union, the Single Supervisory Mechanism, the Bank Recovery and Resolution framework, the Deposit Guarantee Schemes. Dedicating the training to the future legislative proposals in the context of the current regulatory framework allowed the participants to cope with short- and longer-term prudential demands and a rapidly evolving regulatory landscape.

ERA also offers more and more individual events on very specific and/or topical themes. In the 2012 programme, practical events were organised on the Rome I and Rome II regulations, on anti-money laundering, on geographical indications, on the new

ERA's neutral and independent position in the European legal landscape makes it a unique partner to play a facilitative role in the furtherance of fundamental and topical debates on future political and legislative developments. This particular position allows ERA to fulfil one of the stated goals of its Statute, namely to serve as a European platform for the discussion of legal policy. Such events focus on encouraging deliberation on the current state of political developments as well as the future course of action likely to be followed. In addition, where legislative proposals are already at an advanced stage, ERA's legal policy events provide an apt platform for reflection on the practical considerations of the application of such legislation as well as enabling a discourse among legal practitioners and other stakeholders thereby advancing the understanding of the potential impact such measures might have.

Two events were organised in the course of 2012 in the area of data protection law that are particularly representative of this type of event and that are illustrative of ERA's ongoing commitment to providing both quality training and a suitable platform for debate on this important and rapidly developing area of law. Given the significance of the changes being introduced in the area of data protection with the proposed Regulation on the protection of individuals with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation), as well as the free movement of such data dealing specifically with data protection in the area of criminal law in the form of the Directive on the protection of individuals with regard to the processing of personal data by competent authorities for the purposes of prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, a comprehensive approach to this subject matter was deemed necessary. Hence two events were organised in September and November 2012 respectively. In respect of both events, ERA was able to continue its fruitful cooperation with the key



EU drugs strategy, on the protection of minority rights in the EU asylum process, and on white-collar criminality in the EU. Some 100 delegates took part in a conference presenting the new EU Regulation No 650/2012 on cross-border successions less than five months after its adoption.

A portrait of Mary Stacey, a woman with short dark hair, smiling. She is wearing a dark blazer over a dark top, a blue beaded necklace, and a long white pearl necklace. Her hands are clasped in front of her.

WHY SHOULD LEGAL PRACTITIONERS FOLLOW EU LAW TRAINING?

It is all too easy for legal practitioners to overlook the impact of EU law in their busy working days. The EU law courses in Trier provide lawyers the opportunity and expertise to assess the implications of the latest directives and judgments of the CJEU with colleagues across the EU.

MARY STACEY, EMPLOYMENT JUDGE,
LONDON SOUTH EMPLOYMENT TRIBUNAL,
UNITED KINGDOM

actors in the area of data protection, in particular with the offices of the European Data Protection Supervisor (EDPS).

Early 2012 a major conference in Brussels gathered more than 100 delegates to examine the state of the negotiation process of the accession of the European Union to the European Convention on Human Rights. The conference was organised only 3 months after the accession agreement was drafted. The draft (including the co-respondent mechanism) and its legal implications were discussed in depth. Furthermore, the conference aimed at discussing the legal implications of accession for protection of the fundamental rights of EU citizens and the relationship between both legal orders and the European Courts in Luxembourg and Strasbourg. Finally, during the conference practical aspects of accession and future steps to be taken were examined in detail.

And in October 2012, ERA organised a seminar in Brussels to examine the Commission's recently published proposal for a Regulation creating a statute for the European foundation. As a public-benefit foundation itself, this is one of the very few topics of European law on which ERA can be said to have its own interest, but for ERA it remains essential to provide a neutral platform on which to discuss the legal and practical challenges posed by such proposals. Both supporters and critics were therefore invited to analyse the Commission's proposal from the perspectives of company law, tax law, labour law and corporate governance. The keynote speech was delivered by European Commissioner for the Internal Market Michel Barnier.

June 2012

Annual Reception in Luxembourg

Josef Azizi gave a keynote address at the Academy of European Law's Summer Reception on Thursday 27 June 2012 at the Abbaye de Neumünster in Luxembourg, attended by 200 guests from Luxembourg and the Greater Region.





WHAT IN YOUR VIEW WOULD BE THE MOST IMPORTANT REASON FOR A NATIONAL LEGAL PRACTITIONER TO ATTEND AN ERA EVENT?



ERA provides high-quality conferences, delivered through a combination of presentations and panel discussions, for a multi-jurisdictional audience, in a professional location. Experienced speakers share the most recent developments and debate topical issues from the latest court cases. With valuable cross-border contacts, delegates will depart fully up-to-date in the area of their expertise.

BOB WESSELS, LEGAL COUNSEL AND ADVISOR, PROFESSOR OF INTERNATIONAL INSOLVENCY LAW, LEIDEN SCHOOL OF LAW, UNIVERSITY OF LEIDEN

NEW TECHNOLOGIES. DISTANCE LEARNING.

2012 saw the launch of ERA's stand-alone e-learning platform at www.era.int/e-learning (i.e. providing access to online training content separately from participation in ERA's face-to-face events). By the end of the year the platform contained three introductory e-learning courses – on European constitutional law, European criminal justice and European intellectual property law – as well as some 20 video podcasts composed of presentations by speakers at ERA events combined with all the relevant supporting documentation. The number of both courses and podcasts will increase considerably in the course of 2013.

An e-learning version of "Essential EU Competition Law in Charts", with interactive graphics explaining key concepts of EU antitrust and State aid law, was completed and made available on the platform. ERA also worked on the development of a course using video of key experts on the basics of EU competition law for national judges, with financial support from the European Commission's DG Competition.

An e-learning course was delivered to the Office for Harmonization in the Internal Market, the EU's trade mark agency, to replace its introductory training sessions on trade mark law for new staff at the agency. The course uses a combination of video, animations, quizzes and other interactive activities to explain the basics of how and why to register trade marks in the EU.

In the framework of an EU-funded project to develop training modules on EU civil justice (see page 44), ERA in 2012 produced two courses designed to serve as part of a blended learning concept within the respective training modules. The courses are remarkable insofar as they have been certified as meeting the WCAG 2.0 AA standards on accessibility for disabled users, a condition that most traditional e-learning software has been unable to fulfil. Another blended learning course on EU anti-discrimination law was also developed in the framework of an EU-funded project and is freely available on the ERA website. Further such courses will be developed in 2013.

A number of the key presentations at ERA's 20th anniversary congress in October were filmed, including those of Catherine Barnard, Professor at the University of Cambridge, Jean-Paul Jacqu , former Director General of the Legal Service of the Council of the EU, Koen Lenaerts, Vice-President of the European Court of Justice, and Viviane Reding, Vice-President of the European Commission responsible for Justice, Fundamental Rights and Citizenship. All can still be viewed on the ERA website and on YouTube.

Finally, ERA remains an active member of the European Judicial Training Network's Working Group on New Technologies.

SCAN THIS QR CODE WITH
YOUR SMARTPHONE
OR TABLET FOR DIRECT
ACCESS TO ERA'S
E-LEARNING PRODUCTS.





EU anti-discrimination law

You are here: [Home](#) - [Modules overview](#) - [Module 2](#) - [Introduction](#)

Module 2: Key concepts of EU anti-discrimination law

This module examines the key concepts that are common to the Race and Framework Directives, as well as the Gender Directives that are not considered in this e-learning course.

It will examine:

- the different types of discrimination that are prohibited;
- exceptions to the principles of non-discrimination; and
- enforcement of rights under the Equality Directives.

An overview of the issues raised in this module is provided by [Ms Nicole Braganza](#):

Click [here](#) to see the video.



Next: Types of discrimination that prohibited | **Previous: Module 1 - The relationship between the EU and United Nations human rights frameworks**

Developed by the Academy of European Law (ERA)

SUBCHAPTERS

Module 2:

- Introduction
- Types of discrimination that prohibited
- Exceptions to the principles of non-discrimination
- Enforcement of rights under the Equality Directives

Modules overview

LIBRARY

[Links, documents and glossary](#)

CONTACT

[Click here](#)

QUIZ

[Take the quiz](#)

**Thematic unit 3:
Cross-border recovery of maintenance in Europe**

Subchapter 1: Domestic maintenance in the United Kingdom

Background

Procedural international and regional instruments addressing the cross-border recovery of maintenance

At the moment, there is no specific international and regional instrument addressing recovery of maintenance. However, there are a number of instruments that contain provisions that may be relevant to the recovery of maintenance. These include the 1956 Convention on the International Recovery of Child Support and Other Family Maintenance, the 1992 Convention on the International Recovery of Child Support and Other Family Maintenance, and the 2007 Convention on the International Recovery of Child Support and Other Family Maintenance.

Instrument	Year	Scope
1956 Convention on the International Recovery of Child Support and Other Family Maintenance	1956	Child support and other family maintenance
1992 Convention on the International Recovery of Child Support and Other Family Maintenance	1992	Child support and other family maintenance
2007 Convention on the International Recovery of Child Support and Other Family Maintenance	2007	Child support and other family maintenance

PRISM - Moving towards a fully functioning system

Dr Barbara Jordan

PRISM - Moving towards a fully functioning system

INTERNATIONAL „CLASSICAL“ BIOMETRIC DATA EXCHANGE

PRISM is a project of the European Union, aimed at creating a fully functioning system for the exchange of biometric data between member states. The project is led by the European Commission and involves a number of member states, including the UK, France, Germany, and Italy. The project is expected to be completed by 2015.



WHAT WAS THE MOST STRIKING FEEDBACK YOU EVER GOT FROM AN ERA PARTICIPANT?



That was a comment by a highly specialised participant who said that he learned a lot!

CHRISTA TOBLER, PROFESSOR OF EUROPEAN LAW, UNIVERSITIES OF BASEL, SWITZERLAND AND LEIDEN, NETHERLANDS



WHAT DO YOU THINK ARE THE MOST CHALLENGING TOPICS IN EU LAW TODAY?

The current fiscal crisis in the euro area, which became manifest in 2010, triggered – just a year following the publication of the de Larosi re Report – a new debate on the need to set up supranational supervisory authorities for the European financial system. At the current juncture, the debate has taken on a broader focus, with a view to creating a ‘European Banking Union’, which would lead to setting up at European (Union) level a fully Europeanised ‘bank safety net’.

CHRISTOS GORTSOS, PROFESSOR OF INTERNATIONAL ECONOMIC LAW, PANTEION UNIVERSITY OF ATHENS, GREECE

WHAT MAKES ERA DIFFERENT IN YOUR VIEW FROM OTHER TRAINING PROVIDERS?

ERA conferences are a unique meeting place where private practitioners, academics and officials from the EU institutions as well as national authorities exchange their views and provide the audience with their experience and reflections, bringing at the same time up-to-date practical insight and forward thinking.

NICOLE COUTRELIS, PARTNER, COUTRELIS & ASSOCI S, PARIS, FRANCE



THE EU, EUROPE AND BEYOND. PRESIDENCY EVENTS AND COOPERATION WITH MEMBER STATES IN 2012.



The trend for requests from the patrons of the ERA Foundation for commissioned events for their staff or for third parties has increased significantly. Besides cooperation with a number of ministries of justice in the organisation of training events, mainly aimed at their national judiciaries on various topics (see also the section on judicial training), 2012 saw for example the continuation of ERA's long-standing cooperation with the Polish Ministry of Foreign Affairs with a seminar on 'Legal aspects of External Policy of the European Union' aimed at civil servants from the Polish Government.

Another major project on behalf of one of ERA's founders – the Grand Duchy of Luxembourg – deserves particular mention. Following a three-year project developed for Luxembourg aiming to strengthen international cooperation in criminal matters in Ukraine, Moldova and Georgia, ERA signed another two-year agreement with the Luxembourg Ministry of Foreign Affairs in 2011 for the development of training activities in Moldova, Croatia and China. According to this agreement ERA organised in 2012 a ten-day study visit for high-ranking officials of the National Development and Reform Commission (NDRC) of the People's Republic of China. This visit, to be seen in the context of the 40th anniversary of the establishment of diplomatic relations between China and Luxembourg, was devoted to 'Financial Stability and Sustainable Growth in Europe', with a particular focus on the major policy measures adopted and the long-term growth goals that were to be achieved within the European Union and the Eurozone as initiated by the governments of the EU Member states, the European institutions and regulatory authorities. The study visit involved meetings with Luxembourg authorities (Ministry of Finance) and actors of the financial sector (ATTF, ABBL, ALFI, LFF), representatives of

European institutions (European Commission), regulatory authorities (European Securities and Markets Authority, European Banking Authority, European Systemic Risk Board, Commission de Surveillance du Secteur Financier), the European Central Bank, the Banque Centrale du Luxembourg as well as international organisations (OECD).

Cooperation with successive EU presidencies is also a traditional and prestigious facet of ERA activities at the service of Member States. Since the Luxembourg EU Presidency in 2005, all ERA patrons have involved ERA in major events during their presidencies. This was again the case in 2012 where ERA was a partner in a major conference on 'Matrimonial Property Regimes and Property Consequences of Registered Partnerships' organised by the Cypriot EU Presidency in cooperation with the European Commission. The conference focused on the most important recent initiatives of the European legislator in the field of European family law and the proposed Regulations as another important component in the construction of the European conflict of laws regime. From the procedural perspective, they will supplement the Brussels IIbis Regulation and complement the already existing Regulations on divorce (Rome III), maintenance and succession. The objective of this conference in Nicosia was to offer a platform for debate on the purpose, content and form of the proposed Regulations. With a growing web of European Regulations on European family law, a good coordination of these Regulations and a uniform interpretation free of inconsistencies and contradictions is becoming increasingly important and was intensively discussed among the participating EJM officials. ERA played an important role in the development of the programme, the selection of the speakers and the organisation of the event.



*WHAT DOES IT MEAN FOR YOU TO PRESENT
YOUR WORK TO LEGAL PRACTITIONERS AT
ERA SEMINARS?*



The environment has no voice. In most people's daily work, it is often forgotten or neglected. Therefore, it is of great value to have a forum such as ERA which allows environmental requirements to be discussed with practitioners. After all, we only have one planet and it appears that we have the obligation to leave this planet to our children in a good shape.

PROFESSOR LUDWIG KRÄMER, **DERECHO Y MEDIO AMBIENTE,**
MADRID, SPAIN

CLOSE COOPERATION AT ALL LEVELS. COOPERATION WITH THE EU INSTITUTIONS IN 2012.



For many years, European Union institutions have regularly commissioned seminars from ERA for their own staff or for third parties.

Projects funded by the European Commission have for example included three major long-running training projects on 'Anti-discrimination Law', 'EU Law on Equal Treatment between Women and Men' and 'EU Disability Law and the UN Convention on the Rights of Persons with Disabilities'. All three projects developed by ERA are aimed at judges, legal practitioners and academics from all EU Member States, EEA/EFTA and candidate countries and have been implemented on behalf of and in cooperation with the European Commission's DG Justice under the PROGRESS Programme. With these series, the first of which has run since 2003, ERA has contributed to the training of 3,740 legal professionals – more than 50% of whom were members of the judiciary – in the field of EU equality law. The three projects will be continued in 2013.

2012 saw ERA organising on behalf of the European Commission's DG CONNECT, for the fourth consecutive year, a fully-funded seminar on EU telecommunications law for national judges and representatives of national regulatory authorities. The event focused on the effective right of appeal and the role of the judiciary in contributing to legal certainty in the field of electronic communications. The implementation of Articles 7 and 7a of the EU Telecoms Framework Directive were analysed in depth, providing judges with an overview of the first experiences and trends at European level. The seminar also dealt with the role of soft law in the sector, focusing in particular to the relevance of these instruments for the judiciary. Finally, the event gave

participants the opportunity to share experiences concerning the appeal procedure under Article 4 of the Framework Directive.

Also worthy of mention is the sixth edition of the 'Annual Forum on Combating Corruption and Fraud in the EU', an event which was again almost fully-funded by the European Commission's OLAF under the Hercule Programme. The 2012 event in Trier gathered nearly 100 professionals and focused on the topic of internal and external auditing in the context of the protection of the EU budget. Another event in cooperation with OLAF was organised in Copenhagen in May 2012. The event was attended by 70 participants, made up of legal practitioners, representatives of member state governments, representatives of EU institutions as well as academics and NGO representatives. Its objective was to debate and exchange ideas on how best to ensure the tracing and confiscation of illicit proceeds in the European Union. It explored the work of national judicial and law enforcement organisations and promoted cooperation with agencies in other EU member states.

Building on ERA's experience since the beginning of the nineties in organising tailor-made training to prepare lawyers from Central and Eastern Europe for the integration of the *acquis* into national law, ERA has been working intensively since 2006 with the European Commission's TAIEX Office (within DG Enlargement). In 2012 a new training series was launched by TAIEX in cooperation with ERA entitled 'Combating Terrorism: EU Standards, International Cooperation and Experiences from Member States'. Seminars were implemented in Bosnia, Montenegro, and Kosovo with police officers, ministry officials, members of the judiciary and all



HOW DO YOU ASSESS ERA'S ROLE IN EU LAW TRAINING?

ERA is doing a great job in EU law training because it brings together experts from different Member States with a broad range of views on EU law issues. This makes the conferences interesting for participants – and gives the speakers some food for thought as well!

**KATJA LENZING, LEGISLATIVE OFFICER,
DG JUSTICE, EUROPEAN COMMISSION,
BRUSSELS, BELGIUM**

others involved in the field of counter-terrorism. Also together with TAIEX, ERA pursued a training series on 'Cybercrime' with specialised events dedicated to online financial crimes and fraud committed with electronic means of payment, the impact of new technologies in criminal proceedings as well as child pornography online in Turkey, Ukraine and Belarus.

The close work of ERA with a number of EU agencies should also be stressed here. In June 2012, ERA and Europol organised a joint conference at Europol's new headquarters in The Hague to debate the role of Europol in the coming years. The conference dealt with Europol's institutional framework under the Lisbon Treaty, the establishment of the new European Cybercrime Centre within Europol and expectations from the 2013 proposal for a Regulation on Europol. The Directors of Europol, Frontex and Cypol and Eurojust's Vice-President discussed the cooperation between the agencies. In November 2012, ERA and Eurojust organised a conference in The Hague. The objective of this event was both to celebrate Eurojust's achievements ten years after its establishment and to discuss Eurojust's future challenges, particularly in view of the European Commission's proposals for regulations on Eurojust and on the establishment of a European Public Prosecutor's Office (EPPO), both expected in 2013. The conference was attended by some 100 judicial authorities, ministry officials, representatives of EU institutions, academics, and present and former Eurojust National Members. As a further example, the long-standing relationship with the Office for Harmonization in the Internal Market (OHIM) in Alicante has been considerably strengthened through a series of eleven internal training seminars and seven webinars for OHIM experts on different aspects of EU law on intellectual property since 2011.

Last but not least, at the end of 2012, the European Commission's DG Environment awarded ERA a four-year framework service contract for the further development of the programme entitled 'Cooperation with National Judges in the Field of Environmental Law' which had been established since 2008. The objective of this project is to develop training modules on various topics of EU environmental law as well as to organise workshops for –

mainly administrative – judges. A similar project is being implemented by ERA in the field of EU civil justice (see the section on judicial training). For this environmental law project, ERA was able to secure the partnership of the national judicial authorities from Austria, Bulgaria, the Czech Republic, Denmark, England and Wales, Germany, Hungary, Lithuania, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia and Spain. Support to ERA was also given by the Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union (ACA-Europe) and the Association of European Administrative Judges (AEAJ). A first specific contract was already signed in December 2012 with the aim of developing a training module devoted to the topic of 'EU Law on Industrial Emissions' and implementing two workshops, respectively in Budapest in cooperation with the Hungarian Judicial Academy and in Trier at the ERA premises.



June 2012

Making Europe Safer: Europol at the Heart of European Security

This conference on 18-19 June 2012 at Europol's new headquarters marked the tenth anniversary of the organisation and brought together its members, law enforcement agents, civil society representatives, ministry officials and legal practitioners.





HOW HAS ERA CHANGED SINCE YOU FIRST STARTED ATTENDING ITS EVENTS?



Over the last 20 years, ERA became the synonym for an open and in-depth exchange about all aspects of EU law. ERA stands for a high level legal discussion together with a pragmatic and hands-on approach. This I call: training at its best.

MICHAEL JÜRGEN WERNER, PARTNER, NORTON ROSE LLP, BRUSSELS, BELGIUM

CONTRIBUTING TO AMBITIOUS GOALS. ERA AND JUDICIAL TRAINING IN 2012.



In 2012 ERA reaffirmed its strong commitment to judicial training in light of the ambitious goals set by the Stockholm Programme for judicial training. Notwithstanding the financial crisis, some 1060 judges and prosecutors from all over the European Union took part in ERA events in 2012; most of these events specially organised for the judiciary in cooperation with the European Judicial Training Network (EJTN) or its members. ERA also continued its cooperation with individual national bodies for judicial training, inter alia in devising joint projects submitted for co-funding in the framework of EU programmes. Bilateral multi-annual framework agreements concluded with a number of EJTN members have also led to an increased participation at preferential rates of judges and prosecutors from these countries in ERA's 'open events' and to the joint

organisation of training activities for their judiciary.

As an example, together with the President of the Oberlandesgericht Innsbruck, ERA organised a training event on European criminal justice in Kitzbühel. Also worth mentioning is a cooperation with the Latvian Judicial Training Centre in Riga on an open event devoted to 'Family Reunification Procedures in EU Migration Law'. And ERA organised a conference in cooperation with the French Cour de cassation in 2012 on the evolution of the principle of 'Ne bis in idem', in particular in the most recent case law of the European Courts in Luxembourg and Strasbourg. At its premises in Trier, ERA hosted a 3-day visit for a delegation from the Bulgarian National Institute for Justice which aimed at sharing experiences on the development of practically oriented training on EU law. It also organised an

September 2012

EU Budgetary Procedure Post Lisbon

At the seminar organised by ERA in Brussels on 25 September 2012, high-ranking policymakers and top legal experts shed light on the key issues of the proposed EU Multiannual Financial Framework for the period 2014-2020.

The Proposed General Data Protection Regulation

This conference which took place on 20-21 September 2012 in Trier provided participants with in-depth knowledge of the most important changes expected to be introduced by the General Data Protection Regulation.





October 2012

Presidency Event: Matrimonial Property Regimes and Property Consequences of Registered Partnerships

The Cypriot Presidency of the Council of the EU and the European Commission in cooperation with ERA co-organised a conference on 9 October 2012 in Nicosia focussing on the most important recent initiatives of the European legislator in the field of family law.

The Citizen at the Heart of EU Law – Congress to Mark 20 Years of ERA

Against a backdrop of great political and economic challenges for the European Union, the congress on 18-20 October 2012 in Trier stood as an example of ERA's mission to provide an interface and forum for exchange between legal practitioners and law- and policymakers.

expert seminar for judges and staff members from the Finnish Supreme Courts on different aspects of judicial protection under EU law.

On behalf of the European Commission's DG Justice, ERA started in 2012 a two-year project which aims to develop training modules regarding European legislative instruments for cross-border cooperation in civil matters. For the implementation of this major project, ERA was able to secure the support of national judicial training actors from Austria, the Czech Republic, Finland, Germany, Latvia, Poland, Romania and Slovenia. The first two training modules covered the area of European family law and more specifically 'Cross-border Divorce and Maintenance: Jurisdiction and Applicable Law' and 'Parental Responsibility in a Cross-border Context, including Child Abduction'. They include a trainer's pack with information and guidelines on how to organise a workshop implementing the module, an introductory e-learning course, background materials for the recipients of the training, case studies and finally national sections with information on legislation, jurisprudence and representative publications with relation to the application of European family law in 26 member states. At the end of 2012, ERA already tested the two training modules in the framework of four workshops (mainly) aimed at judges and judicial trainers from various member states. Workshops were hosted in 2012 by

the Belgian Judicial Training Institute and further workshops have already been scheduled for 2013 in Dublin, Innsbruck, Riga, Scandicci, Thessaloniki and Trier. Under the same framework contract, as part of the European Commission's actions in support of the Greek Ministry of Justice, ERA implemented a series of activities on mediation in Greece. Aiming at raising awareness of mediation and its potential in improving judicial efficiency as a dispute resolution method, ERA organised a publicity campaign, a kick-off conference in Athens and three decentralised interactive workshops in Thessaloniki, Patras (in 2013) and Heraklion (in 2013) and trained more than 500 Greek legal professionals on this instrument.

Of increasing relevance in ERA's programme are its activities in the field of cybercrime. In various ERA seminars dedicated to recent developments in the EU area of freedom, security and justice, many EU legal practitioners, especially judges and prosecutors, expressed the wish to have more European training on new, emerging fields of law, such as the impact of the internet (and its illegal use) in criminal proceedings. In 2012, ERA launched two multiannual projects, both sponsored in the framework of the European Commission's ISEC Programme. The first project, entitled 'Training Centre on Cybercrime for Judges and Prosecutors' consists of eight seminars that will take place in Trier between 2012 and 2015. It comprises basic training courses on the legal and



technical aspects of cybercrime to provide some 500 judges and prosecutors from all Member States with the essential skills necessary to cope with internet-related offences. The main aim of the seminars is to enable participants to gain an overview of EU policy on internet-related offences and to offer them an insight into different national EU criminal justice systems and thus gain a better understanding of the work carried out at domestic level by other judges, prosecutors and police officers. The second project, entitled 'Fighting the Illegal Use of the Internet: Series of Six Intensive Seminars for 300 EU Legal Practitioners' consists of a series of events to take place in Lisbon, London, Madrid, Vilnius, Sofia and Stockholm. Each event has a specific, advanced topic such as: fighting child pornography online, following criminal money on the internet, online financial crimes and fraud committed with electronic means of payment. Combining the two projects ERA will contribute to the training of 800 EU legal practitioners (mainly judges and prosecutors) by mid-2015 on this very topical issue.

Whilst improving the knowledge of the instruments of judicial cooperation in criminal and civil matters has always been fundamental to judicial training at ERA, there are other areas where ERA has developed recognised expertise in judicial training at EU level, such as decentralised EU competition law, more precisely the provisions of Regulation (EC) 1/2003 on the implementation of the rules on competition law laid down in Articles 101 and 102 TFEU, and more recently on the enforcement of EU state aid rules at national level. Following

successive calls for proposals issued by the European Commission's DG Competition since 2005, ERA has been awarded funds for twenty-six projects for national training seminars in Bulgaria, Croatia, the Czech Republic, Finland, Germany, Lithuania, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the United Kingdom. Thanks to co-financing from the European Commission, ERA could also organise in 2012 two seminars open to judges from all member states, respectively on 'The Establishment of the Competent Jurisdiction and the Quantification of Damages Relating to Private Enforcement of Articles 101 and 102 TFEU' in London and on 'The Role of National Judges in Assisting the European Commission and National Competition Authorities in the Conduct of Inspections for the Enforcement of EU Competition Law' in cooperation with and at the premises of the Spanish Judicial School in Barcelona.

Finally, in 2012 ERA was awarded service contracts for the organisation of two five-day intensive legal English courses for EJM contact points. The courses, one in Trier and the other one in The Hague, both focused on judicial cooperation in criminal matters.

WHAT CAN A NATIONAL JUDGE GAIN FROM EU LAW TRAINING PROVIDED BY ERA?



It is an unique opportunity to have a platform with judges, academics and practitioners from across Europe, and to see the huge diversity of national legal systems and problems. You can understand that EU regulations have to fit for all of them and there may be answers to questions which are not common to your own system. This helps to understand the real intentions of EU regulations and their impact on their own legal system.

PROFESSOR GERHARD KURAS
JUDGE, SUPREME COURT OF
AUSTRIA, VIENNA



TRAINING FOR PRACTICE. ERA AND LEGAL COUNSEL IN 2012.



In 2012 ERA welcomed the highest number of lawyers in private practice in its history. ERA provides training specifically targeted at the needs of legal counsel as part of its open programme as well as in projects co- or fully financed by the European Commission. The profession constituted 25% of the participants at ERA's open events in 2012, with a further 10% made up by in-house counsel. At its contract and co-financed events, legal counsel represented 24% of the participants. This positive development is the result of ERA's efforts to ensure that its programmes meet the specific requirements of legal practitioners in the private sector.

In its open programme in 2012, for example, ERA offered "How to Litigate before the ECJ: Procedure before the General Court and the Court of Justice for Lawyers in Private Practice", "How to Litigate before the ECJ in Intellectual Property Cases: Procedure before the General Court for Lawyers in Private Practice" and "Advocacy Training for Criminal Defence Lawyers". Other conferences were of particular thematic importance for private practitioners such as "New Legislative Proposals on Cross-border Civil Litigation", "Summer Course on Cross-border Civil Litigation", "Annual Conference on European Family Law", "Cross-border Successions within the EU" and "How to Litigate before the ECHR". For such events ERA accords lawyers in private practice a preferential discount of 25% on the participation fees.

In the framework of EU co-financed projects, ERA conducted a number of seminars in 2012 targeted at private practitioners. Four events in Barcelona, Brussels, Edinburgh and Prague took place as part of a training project on EU criminal justice instruments tailor-made for the defence and co-funded by the EU's Criminal

Justice Programme. While most training projects in the last years at EU level have been exclusively addressed at judges and/or prosecutors, this project aims at closing this gap and offering such training also for defence lawyers in the EU Member States. The impact of the developing area of European criminal law, especially with regard to the increasing use of instruments based on the principle



October 2012

A New Legal Form for European Philanthropy

European Commissioner Michel Barnier gave the keynote speech at this seminar on 30-31 October 2012 in Brussels bringing together legal experts to analyse the Commission's proposal for a European foundation statute.



WHAT IS THE MOST IMPORTANT REASON FOR YOU TO AGREE TO SPEAK AT AN ERA EVENT?

What most impresses me is the high quality of the other speakers and the exceptional calibre of the delegates. In the three events I have attended, I have shared a platform with judges and world-renowned academics and practitioners, with more judges and delegations from ministries across Europe in the audience.

JENNIFER MARSHALL,
PARTNER, ALLEN & OVERY LLP,
LONDON, UNITED KINGDOM



of mutual recognition, on the daily work of the defence is growing in importance. The project is organised in cooperation with the European Criminal Bar Association (ECBA), the Czech Bar Association, the D  l  gation des barreaux de France (DBF), the Finnish Bar Association, the   sterreichischer Rechtsanwaltskammertag (Austrian Bar), the Scottish Faculty of Advocates and the Barcelona Bar Association. In 2012 the Commission also awarded funding for a new version of the project from 2013 onwards.

Another training project co-funded by the EU, this time by its Prevention of and Fight against Crime (ISEC) Programme, focused issues related to economic crime not only for judges and prosecutors but also for lawyers in private practice and in-house counsel. One seminar in 2012 dealt with "White-collar Criminality in the EU in a Global Perspective – Challenges for Defence and Prosecution" and two further events will take place in 2013.

In the field of civil justice, ERA's biggest single event of the year gathered some 300 participants, mostly lawyers in private practice, to the kick-off conference in Athens of a project fully funded by the European Commission's DG Justice to train Greek-speaking legal practitioners on mediation in civil and commercial matters (see page 47). The project also involved workshops organised often in cooperation with the local bar associations in Heraklion, Patras and Thessaloniki. ERA also organised in Florence on behalf of the Fondazione di Alta Specializzazione Forense G. Carmignani a seminar on family law for Italian lawyers in private practice.

Cooperation with local and national bar associations is also a key feature of ERA's approach to private practitioners. In 2012 it continued its bilateral partnership (alongside its cooperation in EU-funded projects) with the Barcelona Bar Association in the organisation of one-day courses related to specific EU law topics targeted at the practical needs of lawyers in private practice and in-house counsel, on this occasion with an event on VAT. ERA also conducted consultations with numerous local and national bar associations about implementing this model of cooperation, in which ERA aims to complement what is offered by national providers by bringing a genuine European dimension to the programme, in other cities around Europe.

ERA continued in 2012 its long-standing cooperation with the Czech Bar Association in the form of a cooperation agreement according to which the Bar

publicises ERA's training programme amongst its members in return for members of the Bar receiving a special discount on participation fees at ERA's events, and discussed a similar agreement with other Bars.

It is often crucial for lawyers in private practice that their participation in one of ERA's training events meets the compulsory professional development (CPD) requirements that have been introduced by an ever-growing number of national bars and law societies in recent years. ERA makes every effort to ensure that participation by lawyers from all over Europe in its events – whether in Trier or elsewhere – is recognised under the various national schemes. The diversity of



November 2012

Cross-border Successions within the EU

The conference organised on 22-23 November 2012 in Trier provided an in-depth discussion on the new Regulation (EU) No 650/2012 which aims to simplify the settlement of international successions and ease the legal burden when a family member with property in another EU country passes away.

the different national schemes makes registration cumbersome for ERA and this situation will continue as long as unified standards at European level are lacking. However, attending a two-day ERA event usually meets the annual CPD requirements in most jurisdictions.

It is essential that ERA not only make lawyers in private practice aware of its programmes, but also that it hears from private practitioners about their training needs and priorities. For this reason ERA has for many years held an exhibition stand at major law conventions. In 2012 it was present, among others, at the IBA Annual Conference in Dublin, at the first IBA Central European Conference in Warsaw and at the Union internationale des avocats annual congress in Dresden.



November 2012

10 Years of Eurojust

The conference organised in cooperation with Eurojust on 12-13 November 2012 in The Hague discussed the operational achievements and future challenges of Eurojust after its first 10 years and the prospects for a European Public Prosecutor's Office established from Eurojust.



The Creation of Unitary Patent Protection in the EU

After more than 30 years of negotiations, 25 of the 27 Member States reached agreement on the future Unitary Patent System. The conference organised by ERA in cooperation with Queen Mary University of London in Paris on 29-30 November 2012 offered a platform for discussion on the proposed regulations.



YOU ARE A REGULAR SPEAKER AT ERA. WHAT MAKES YOU COME BACK?

Being a regular speaker at ERA events, in particular on labour law, allows me not only to disseminate the findings of my work, but also to discuss them with a high-level, interested and – geographically and professionally – diversified audience leading not only to interesting debates but also new insights for myself.

STEFAN CLAUWAERT,
SENIOR RESEARCHER, EUROPEAN
TRADE UNION INSTITUTE (ETUI),
BRUSSELS, BELGIUM



WIDENING ACCESS.



Scholarship 2012

Dukagjin Abdyli, Senior Legal Officer for EU Legislation within the Legal Department of the Ministry of European Integration (MIE) of the Republic of Kosovo; Scholarship: "Litigating before ECJ in Intellectual Property Cases"

Participation in Litigating before ECJ in Intellectual Property Cases at the ERA was an extremely rewarding experience for me, on many levels. I was surprised by how rewarding the programme was on a personal level. The topics of the seminar were taught by some excellent and highly respected professionals and provided me with in-depth knowledge on proceedings before the General Court of the EU in Intellectual Property cases and the substance of IP itself. On the other hand, one of the great strengths of the programme in my opinion is the truly international character of the class. The staff was enthusiastic, passionate and arranged extra curricular activities that participants can take advantage of.

ERA SCHOLARSHIPS.

ERA's scholarship programme enables lawyers from Central and Eastern Europe who could not otherwise afford to do so to attend training events from ERA's open programme.

During 2012, ERA awarded a total of 24 scholarships to candidates from 12 different countries: Bulgaria, Cyprus, Hungary, Kosovo, Latvia, Lithuania, Macedonia, Poland, Romania, Serbia, Slovakia and Turkey.

The successful candidates came from a wide range of legal professions, including members of the judiciary, lawyers in private practice and academics.

The grants awarded amounted to a total of € 27,721. Donations of € 27,545 were received to fund the programme.

In 2012, the Friends of ERA Association launched the ERA Jubilee Fund with a view to increasing the funds available and to expanding access to the scholarship programme (see page 59).

ERA would like to express its sincere thanks to the donors who made the scholarship programme possible in 2012:

Friends of ERA Association

Deutsche Bundesbank

Catherine Kessedjian

Zonta Club Trier



WHAT DO YOU LIKE MOST ABOUT SPEAKING AT ERA?

ERA offers the opportunity to present the results of one's research to practitioners and judges from different countries interested in European law and aware of its growing importance. In this time of economic and cultural crisis ERA promotes fruitful and necessary networking. ERA is a benefit for Europe.

**MICHEL MINÉ, PROFESSOR OF LABOUR LAW,
CONSERVATOIRE NATIONAL DES ARTS ET MÉTIERS, PARIS, FRANCE**

ERA FORUM. JOURNAL OF THE ACADEMY OF EUROPEAN LAW.

The Academy's quarterly journal on European law, ERA Forum, is published in cooperation with Springer Science+Business Media (Heidelberg/Berlin/New York). Since the launch of this cooperation in 2007, ERA Forum has grown from being a small-circulation printed journal to being part of an online package available to thousands of institutional subscribers around the world. With a slight increase in article downloads to 21,120 in 2012, the journal continued to enjoy high readership levels.

Articles published in the journal are drawn primarily from the most outstanding presentations delivered at ERA's conferences. The conference provides a "market test," ensuring the journal's quality and relevance.

Four issues of ERA Forum were published in 2012, with articles on issues as diverse as State aid for the rescue and restructuring of banks, the *ne bis in idem* principle in the European Union legal order, the concept of EU citizenship in the case law of the European Court of Justice and gender equality. Among the many noteworthy authors were for example Catarina Frade,

Christopher Hodges, Jiří Malenovský, Rupert Manhart, Nikesh Pandish, Wolfgang Schomburg and Winfried Tilmann.

The fourth issue of the year was devoted to the congress to mark ERA's twentieth anniversary with a thematic focus on the EU citizen at the heart of the EU law. It contains the opening speeches by Margarita Popova and Pauliine Koskelo as well as articles by some of the most prominent speakers of the congress such as Koen Lenaerts, Claus-Dieter Ehlermann and Andrzej Wróbel. The issue also contains the transcription of a panel discussion on "Citizenship, European integration and national constitutions".

In order to complement the traditional marketing to promote ERA Forum among its target audience of legal practitioners, ERA last year extended its marketing efforts in social media. Members of the Friends of ERA association are also offered an annual subscription (print and online) to ERA Forum at a reduced price.

AUTHORS 2012:

Issue1: Christopher Hodges, Peter Rott, Catarina Frade, Eugenia Caracciolo di Torella, Shivaun Quinlivan, Winfried Tilmann, Dietrich Gorny, Rainer Sickerling

Issue 2: Michele Messina, Frédéric Dieu, Nina Póltorak, Christopher Hodges, Iris Benöhr & Naomi Creutzfeldt-Banda, Guy Tritton, Geoffrey Mamdani, Klaus M. Alenfelder, Victoria Chege

Issue3: Wolfgang Schomburg, Bas van Bockel, Jon Petter Rui, Rupert Manhart, Daniel Drewer, Jan Ellermann, Nikesh, Jiří Malenovský, Jean-Christophe Troussel, Stefaan Meuwissen

Issue 4: Pauliine Koskelo, Margarita Popova, Claus-Dieter Ehlermann, Gregorio Garzón Clariana, Koen Lenaerts, John Thomas, Andrzej Wróbel, Carol Coulter, Hanns Ullrich



ERA CONFERENCE CENTRE. FACILITIES & CONFERENCE SERVICES.

In addition to ERA's training activities which are held on ERA's premises, external events are also regularly hosted here. This taxable activity is marketed under the name of ERA Conference Centre (ECC). The events are usually trade fairs, congresses, conferences and seminars, receptions, as well as other types of events which are organised within ERA's walls. The ECC has had a special relationship with the neighbouring Hotel Arcadia since its inauguration. The Arcadia also organises events for their clients at the ECC.

Events highlights in the enlarged ERA Conference Centre

Some of the external events that took place at the ECC in 2012 are worthy of note. Some were repeat events, while others were one-offs.

A premiere in 2012 was the trade fair Forum Mobility 2012 which was implemented at the ECC for worldwide renowned mobile telecommunications manufacturers. In one building almost 400 participants were brought up-to-date through various workshops and expert presentations. Parallel to this, the other building hosted a trade fair exhibition and several meetings.

Another interesting trade fair was an information fair for school pupils. Numerous exhibitors from the most diverse sectors (banks, hospitals, industry, universities) were able to present themselves at the ECC and hold compelling talks with school pupils about their future professional possibilities.

As previously mentioned, the ECC is not only the ideal place for staging medium-sized trade fairs, it also offers interpreting facilities - which amplifies the possibilities open to clients. The Culture and Creative Industry Round Table (Der Runde Tisch Kultur und Kreativwirtschaft) from the association Cultural Space in the Greater Region (Verein Kulturraum Großregion/ Espace culturel Grande Région), alongside the partner meetings of the International Commission for the Protection of the Mosel and Saar (Internationale Kommission zum Schutze der Mosel und der Saar/ Commissions Internationales pour la Protection de la Moselle et de la Sarre) are good examples of this.

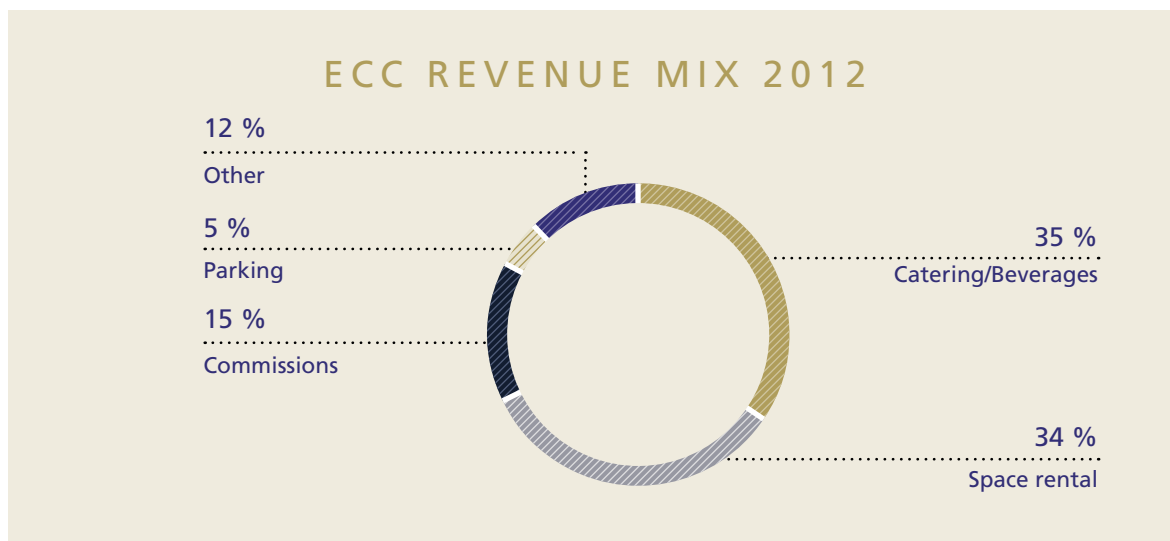
Of course the congress celebrating the 20th anniversary of ERA was a further highlight in 2012. The QuattroPole photographic exhibition „Vielfalt ganz nah“ (Diversity Close-Up), which took place parallel to the 20th anniversary celebration, also merits note. The ECC was also the final step in a touring photographic exhibition in which photographers from Luxembourg, Metz, Saarbrücken and Trier did not photograph their own city, rather one of the other QuattroPole cities. This brought new life and innovative angles to these well-known cities.

ECC Revenue

Overall the ECC can look back on 2012 as a very successful year. Income from renting the ECC premises to third parties reached its peak since ERA moved into its congress building in 1998 (an income increase of 28% compared to the previous year). The cost effectiveness of renting space to third parties also saw a distinct increase and for the first time showed post-tax profit.

Sustainable service

The performance profile of the ECC and its partners is, from the start of the event until its implementation, extensive and all-encompassing. It goes without saying that our know-how and experience is placed at the disposal of our clients. The success of the ECC of course has also to be attributed to the expertise, creativity and commitment of our employees. In a demanding service culture the ECC continues to strengthen customer loyalty and to achieve additional multiplier effects. In this context our hospitality and cooperativeness remain among the most important key factors.



Rent, beverages and food services are the primary sources of operating revenue for the ERA Conference Centre. With 68 per cent of all the total revenue in 2012 the percentage of both sources compared to the total income remained almost equal to the previous year. A clear decrease (and not only in percentage) is to be noted for revenue from commission. Although not directly a

new source of income the revenue earned from renting parking spaces has to be mentioned. In the second part of 2012 ERA started the paying system for its parking garage. Visitors arriving at the ECC by car are now obliged to pay for the parking space. In other words for ECC this has become a much more relevant source of income.

December 2012

Managing Europe's Financial Crisis: Towards a Banking Union & EU Bank Recovery and Resolution

The Conference organised in Brussels on 6-7 December 2012 discussed the latest proposals on EU banking union and EU banking supervision as well as the bank recovery and resolution framework.



Countering Trafficking in Human Beings

This seminar organised by TAIEX in cooperation with ERA on 6-7 December 2012 in Vienna looked at the most important aspects of trafficking in human beings and what has to and is being done within the EU to counter this crime.



FRIENDS OF ERA AND THE ERA JUBILEE FUND.



The highlight of the year for the Friends of ERA Association was ERA's 20th anniversary congress in October 2012 and the accompanying launch of the ERA Jubilee Fund, an initiative by the Association to raise funds to support three specific causes:

Extension of ERA's scholarship programme to practitioners from across Europe

Organisation of EU law training events at national and local level where funding is unavailable

Internships at ERA for EU law training professionals in the Member States

Donations to the fund can be made on a one-off or an annual basis. A fundraising dinner was also organised on the occasion of ERA's 20th anniversary congress at which Joaquín Almunia, Vice President of the European Commission responsible for competition policy gave a speech. The fund raised € 13,700 in 2012.

With help from the contributions to the Jubilee Fund, the Association made a donation of € 24,000 to ERA's scholarship programme for legal practitioners from the new and future EU member states in 2012.

Membership of the Association remained stable in 2012 with the acquisition of a number of new members balanced out by expiry of the membership of a number of older members.

As well as supporting ERA and its work, the members of the Association enjoy a number of privileges as a result of their membership:

- Free access to online conference documentation
- Free participation in ERA Briefings in Brussels
- Reduced rate subscription to the journal ERA Forum
- Invitations to receptions and other special events

Find out more at www.era.int/friends

THE BOARDS (AS PER 31 DECEMBER 2012).



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former President of the European Commission,
former Member of the European Parliament
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Attorney General of the Republic of Cyprus

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IOANNIS KARAKOSTAS

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PUBLISHER

Academy of European Law
Metzer Allee 4
54295 Trier
Phone: +49 (0)651 93737-0
Fax: +49 (0)651 93737-90
E-mail: info@era.int

Rue Belliard 159
1040 Brussels, Belgium

EDITOR

John Coughlan

COORDINATION

Benjamin Koltermann

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Academy of European Law

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Metzer Allee 4

54295 Trier, Germany

Phone: +49 (0)651 93737-0

Fax: +49 (0)651 93737-90

E-mail: info@era.int

Rue Belliard 159

1040 Brussels, Belgium



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