



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

ANNUAL REPORT 2015

## ABOUT ERA

The Academy of European Law (ERA) is a non-profit public foundation established in 1992 and based in Trier, Germany, which is supported by the EU and whose patrons include 25 EU Member States. Our mission is to provide practitioners of law – judges, prosecutors, notaries and lawyers in private practice, business or public administration – with training and a forum for debate on EU law.

This annual report gives an overview of the different types of activities in which ERA is engaged, from the classic forms of annual conferences and training seminars to new and growing areas of work in developing training materials and distance-learning solutions.

We hope you enjoy the read.

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*Throughout this Annual Report 2015 you can view selected examples of our online content by scanning the QR codes with your smartphone or tablet.*



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## PREFACE

**T**he training of legal practitioners in EU law is key to the pace and scope of European integration. That is why the work of ERA, the Academy of European Law, is of such value. The high-quality, practical and modern European judicial training activities of ERA help advance our efforts to create an area of justice based on mutual trust.

Trust matters so much because, if we are to build a fairer Single Market, citizens and businesses must be sure that their rights are protected wherever they are in the European Union. But trust in the Single Market has to be earned. It requires the cooperation of judicial authorities in the Member States. In cross-border cases, a decision taken in one EU Member State should be recognised and enforced correctly in another.

There is still more to do. Legal professionals across the EU need to implement and apply EU law to national law. But inconsistencies between the countries still exist. That is why joint judicial training of participants from the Member States is so important. It provides a platform to share these differences and interpret EU law in a coherent way. A knowledgeable and efficient judiciary benefits both citizens and businesses because the correct application of EU law improves legal certainty and strengthens the Single Market, giving people the protection and trust they need to make the right choices.

In October 2015, the European Commission published the annual report on the progress made to reach targets in judicial training.

The report shows that we are on track to meet our target, set in 2011, of training 50% (700,000) of all legal professionals in EU law or in the law of another Member State by 2020. In 2014 over 132,000 practitioners were trained and, for most legal professions, the number of participants has increased. This improvement must be praised. But, differences in the levels of participation remain. More must be done to increase training in some Member States and for

some legal professions, such as lawyers, senior court staff and bailiffs.

Also, if training is offered only in a few main languages, it will target the same small number of legal professionals: those confident enough to take part in legal training in a foreign language. To provide more professionals with cross-border training activities, we need to take care of the language obstacle. There are different ways to do this, and ERA already uses some of them.

The Commission will continue to support high quality European judicial training and encourage projects which use practice-oriented methods that reach a large audience.

That is exactly what ERA does through its seminars and conferences targeted at practitioners from almost all fields of law. In 2015 judges, prosecutors, notaries and lawyers from across the EU engaged on diverse and topical issues, ranging from the fight against radicalisation, to data protection reform and the new EU succession regime.

I am particularly delighted by the announcement of the cooperation agreement between ERA and the European Law Institute. This will help to promote the understanding of EU Law and its consistent application in Member States.

ERA has shown the way since 1992, providing forums for debate, so that legal practitioners can network and keep up with the latest developments. You pave the way for cooperation. I look forward to cooperating with you on more of the Commission's priorities. And I look forward to seeing ERA continue to play an active role in building a European area of justice based on mutual trust.





**VĚRA JOUROVÁ**

*Commissioner for Justice, Consumers and Gender Equality*



## 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*

2015 has been a challenging year for the European Union. The sovereign debt crisis in Greece and the influx of refugees into the Schengen area have shown that Europe needs to strengthen its legal framework and also to improve the effective application of its existing laws. Therefore, ERA as a provider of high quality training in European

law is all the more important for legal professionals in all member countries. The high number of participants and the wide range of topics covered by the annual programme 2015 prove that ERA has again fulfilled the expectations and the needs of Europe's legal community. I am pleased with the results achieved and thank the ERA staff for their work.



## CHAIRPERSON OF THE EXECUTIVE BOARD

### PAVEL SVOBODA

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

The broad range of training possibilities for legal practitioners offered by ERA and the high number of participants at its events prove the extraordinary need for the Academy in Europe. This has been underlined by the European Commission's report on judicial and legal training in 2015, which has been presented in the Committee on Legal Affairs of the European Parliament. As chair of the committee, I am pleased to say that ERA has

played an important role in fulfilling the commitments of the Stockholm Programme and the Commission's goal of enabling half of Europe's legal practitioners to attend training in European law by 2020. This has been an important issue for the European Parliament for many years, and I will support this in future in order to strengthen ERA in its position as a leading law training and networking provider in the EU.



## CHAIRPERSON OF THE BOARD OF TRUSTEES

**DR PAULIINE KOSKELO**

*Judge at the European Court of Human Rights,  
former President of the Supreme Court of Finland,  
Strasbourg/Helsinki*

**A**s chairwoman of the outgoing Board, I wish to thank all my fellow Trustees for their committed support and valuable contributions to the Board's work in its various formations – plenary, committees and presidium. This Board has been able to provide guidance and advice in many areas: It has participated in the shaping of ERA's Development Strategy 2014-2020, it has assisted ERA's staff in the design and marketing of hands-on training programmes, it has helped to succeed special

projects such as ERA's involvement in the 7th European Lawyers' Forum in Barcelona. With the recent terrorist attacks in Brussels and Paris, with the refugee and the Euro crisis threatening core values of the European Union, major challenges are growing for the EU and its supporters. I am confident that the new Board of Trustees appointed until 2019 will be as enthusiastic as its predecessor in helping ERA to face the challenges to come.



## MANAGEMENT BOARD

DIRECTOR

**DR WOLFGANG HEUSEL**

DEPUTY DIRECTORS

**JOHN COUGHLAN** *Corporate Communications*

**LUC DOEVE** *Finance and Conference Services*

**JEAN-PHILIPPE RAGEADE** *Programmes*



## INTERVIEW WITH DR WOLFGANG HEUSEL

*Director of the Academy*

*Talking about the highlights of ERA in 2015, what was special for you, Mr Heusel?*

**Wolfgang Heusel:** Politically, the 2015 agenda of the European Union was marked by two enormous challenges, which both in their way presented a vital threat to core achievements of European integration – the sovereign debt crisis with Greece at its centre in the first semester, and the refugee crisis in the second. Both have unveiled fatal insufficiencies in the regulatory concepts of the Monetary Union on the one hand and of the interplay between the Schengen system of open borders and the management of massive influxes of refugees on the other.

Unsurprisingly both crises had their impact on ERA's 2015 programme (and will continue to keep us busy in 2016). The reform agenda for the Monetary Union was discussed in a number of events: the annual conference on financial supervision in the EU which focused on the establishment of the banking

and capital markets union and bank resolution; a conference on the proposed second-generation Directive regulating the market for financial instruments ("Mifid II"); and a discussion forum on opportunities and risks of the crisis measures adopted by the ECB; a series of events complemented by an in-house training programme for the staff of the European Securities and Markets Authority (ESMA) in Paris. The refugee crisis – for which any substantial regulatory reform proposals were missing throughout 2015 – was nevertheless discussed in depth at ERA's annual conference on asylum law, with a focus on the insufficiencies of the Dublin system and the problem of relocation. A related subject was debated by the annual conference on EU (external) border management, which in 2015 attracted the highest number of participants for several years.

The terrible terrorist attacks in Paris at the beginning and the end of 2015 were the landmarks



of another major challenge for the EU, even if for the time being at least it is not threatening the European area of freedom, security and justice as such. A call for more and more targeted judicial training to effectively combat terrorism was one of the immediate consequences at Council and Commission levels. In this context ERA seemed well prepared to answer this call, as it had already scheduled an event on countering radicalisation towards terrorism and violent extremism which took place in May and examined various aspects of radicalisation, from recruitment to radicalisation in prisons, considering judicial and law enforcement approaches to the problem and their coordination.

Besides these activities covering the most dramatic challenges of the European Union in 2015, I would like to mention a few further highlights of our programme which dealt with important features of the European legal order, be it *de lege lata* or *ferenda*. A ground-breaking project of the latter type, which will fundamentally change the administration of justice in all participating Member States is the proposal to create an Office of a European Public Prosecutor (EPPO) on the basis of Article 86 TFEU. The Commission first presented its proposal in July 2013 and Member States received it more openly than many observers had expected. However, negotiations at Council level reached a critical point by the beginning of 2015 and a decision between diverging concepts had to be taken. At this stage the idea of a conference clarifying their impact on judicial practice emerged. The Commission and ERA joined forces to organise an event intended to feed into the legislative debate by asking experienced public prosecutors from all Member States to offer their views on the practical challenges of the college model then under discussion and their suggestions on how the draft Regulation should address them best. The conference organised in cooperation with the Latvian Presidency of the Council was attended by prosecutors from 25 Member States, which meant that, with Denmark being excluded from the legislative process, only Greece and Cyprus were missing.

The EU's accession to the ECHR ordered by Article 6 para. 2 TEU is another *lex ferenda* project discussed at an ERA conference in early 2015, shortly after the Court of Justice had pronounced its Opinion 2/13 which declared accession on the basis of the negotiated agreement inadmissible. The unexpectedly sharp refusal of the agreement and the apparent underlying

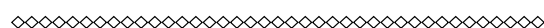
## ★ HIGHLIGHTS

### Annual Conference on European Labour Law 2015

19-20 March 2015, Trier



This annual conference kept employment and labour law practitioners up-to-date by providing an overview of the latest policy developments, legislative initiatives and case law in this field.



### The EPPO and prosecuting fraud against the Union's budget – a seminar for practitioners

16-17 April 2015, Trier

This seminar fed into the legislative debate on the proposal for a Regulation on the establishment of the European Public Prosecutor's Office (EPPO) by asking experienced public prosecutors from all EU Member States to offer their views on the practical challenges of the college model under discussion as well as their suggestions on how the draft Regulation should address them.



unwillingness of the Court to ever accept its subordination under the jurisdiction of the Strasbourg European Court of Human Rights met with harsh criticism from many a scholar. The ERA event in Brussels gathered more than 100 participants from many fields and saw a lively debate about the Court's reasoning and the way forward.

A last highlight in ERA's 2015 activities I wish to mention is a study for the European Commission on judicial training in the area of EU competition law which was essentially prepared and drafted last year, even if the deadline for submission was only 9 January 2016. The objective of the study was to define the training needs of Member States' judges in the area of European antitrust and State aid law based on a thorough mapping of national jurisdictions and to evaluate the Commission's "Training for judges" Programme in the field. With the latter research and analysis being conducted by an experienced consultancy company, Ecorys, ERA delivered the former with the support of the European Judicial Training Network and the Association of European Competition Law Judges. The study will soon be available on the website of the Commission's DG COMP and via ERA's website.

*A new cooperation with the European Law Institute (ELI) has been established. Why is this cooperation good for ERA?*

Wolfgang Heusel: It is not widely known that, thanks in part to Diana Wallis, who is now president of ELI, ERA already contributed to the debate on a future European law institute following the proposal for its creation made in 2010. This debate was organised in a number of sessions by the EUI in Florence and

eventually led to the creation of the ELI in 2011. In this perspective it seems only natural that ERA became an institutional "observer" of ELI in 2015 and that representatives of the two organisations agreed to develop and strengthen their cooperation in the light of their shared objectives. The institutional ties between the two institutes (with ELI president Diana Wallis also being an active member of ERA's Board of Trustees) will provide a solid basis for this. Each



*"Each partner's contributions in the light of their specific mission and expertise will perfectly complement each other and help to improve the quality of European law and its effective application in the Member States."*

partner's contributions in the light of their specific mission and expertise – research and quality legislation in the case of ELI, expert training and legal debate in the case of ERA – will perfectly complement each other and help to improve the quality of European law and its effective application in the Member States. More concretely, ERA can involve ELI experts in its conferences where their expertise will enrich the debate with practitioners and where they can report about their studies or drafting projects and sound out their practical relevance.

The cooperation with ELI is good for ERA for all of these reasons and has already produced a first joint event in November 2015, "Building European rules of civil procedure – from transnational principles to European rules of civil procedure", which discussed an initiative of ELI and UNIDROIT on drafting European rules of civil procedure in five different areas (access to information and evidence; provisional and protective measures; *res judicata* and *lis pendens*; obligations of parties and lawyers; service and due notice of proceedings). The cooperation will be continued and enlarged in 2016 and is supposed to cover areas such as family law, insolvency law, criminal law or the detention of asylum seekers and irregular migrants.

*Besides the newly established cooperation with ELI, ERA has again partnered with quite a number of institutions in 2015. Why is this of mutual benefit?*

Wolfgang Heusel: For good reasons ERA's partner network was highlighted in our 2014 annual report in some greater detail. Joining forces with partners at European or national level is mutually beneficial if the results achieved are of relevance for both sides

and could not, or not as easily be achieved if each partner went alone.

A classical, and long-standing partnership with these characteristics is ERA's active membership in EJTN, which not only provides the appropriate framework for joint training projects with national judicial training institutes but also allows us to develop new training concepts and contents with these through cooperation in the various EJTN working groups. Other one-off or continued bilateral partnerships in specific

areas or targeting specific groups of lawyers at European or national level do not require a formal or institutional framework and are no less beneficial for the partners as long as they can bring in their specific expertise, contacts and expectations and get relevant contents, skills, expertise or recognition in exchange.

In ERA's 2015 programme, the committed cooperation with outstanding partners produced a number of projects worth mentioning here. First I wish to refer to an event initiated by and implemented with the Association of Danish Labour Attorneys (Ansættelses Advokater), which was the first cooperation with a Danish partner following Denmark's accession to ERA in 2014. The Association chartered a plane to fly a group of over 70 labour lawyers from Copenhagen to Luxembourg for a training programme organised by ERA which included a visit to the Court of Justice. Another innovative

cooperation project initiated by our Trustee Catherine Kessedjian designed in cooperation with the French branch of the International Law Association (ILA) and co-sponsored by the Swiss Confederation analysed the relationship between "International law and European Union law" with regard to their "harmony and dissonance". A more traditional type of cooperation with the Saarbrücken-based Institute of European Media Law was revived in 2015 to organise

ERA's annual conference on EU media law. Let me also mention the cooperation with the Turkish Competition Authority, which for a second time requested ERA to devise a tailor-made two-week training for junior case handlers.

Speaking of new cooperation formats, I am delighted to refer to three further new projects launched in 2015. The first puts into effect a cooperation agreement signed with the French Conseil d'Etat and its Centre de Formation de la

Juridiction Administrative

(CFJA) in 2013, in the framework of which two seminars (one in Trier, one in Paris) were implemented, the first addressing future French administrative law judges and the second a group of senior environmental law judges from a variety of Member States. The second new partnership in cooperation with Lithuania's National Court Administration saw the organisation of eight training seminars for Lithuanian judges and prosecutors in Vilnius which were funded by Norway Grants. Last not least I would like to pay tribute to the Swedish Judicial Academy which, having conceived a new course cycle on "the role of the judge and the courts", partnered with ERA in a study visit to Luxembourg and a course in Trier highlighting the European role and responsibility of the national judge as the culmination of the cycle.



*"Joining forces with partners at European or national level is mutually beneficial if the results achieved are of relevance for both sides."*

*The number of events has slightly decreased, but the average number of participants remained almost stable. What do you think about this development?*

**Wolfgang Heusel:** It is true that in 2015, the overall number of events organised decreased from 162 to 157 (about 3 %). This slight decline does not seem very relevant; it is first of all not due to any cancellation.

Besides the need to allocate more resources to the development of specific training modules, one rather odd factor was that we suffered from a higher staff fluctuation than in previous years – not because of more colleagues leaving ERA than usual but because of an extraordinary high number of maternity (and paternity) leaves among our legal staff.

The overall number of participants in all our events fell in parallel from 7,494 to 6,903, proportionally a two times higher decrease. Similar to the situation in past years, the picture is rather pitchy if we look

at the different types of events, where in relation to open and EU co-funded events the 2014 trends were reversed: While ERA organised fewer open events than in 2014 the 2015 trend was for a higher average attendance, and while the number of co-financed (and also of contract events) increased in 2015 we noted an inverse trend for participants.

In 2015, the number of fee-paying events open to the general public fell from 82 to 65 (20.7%), but the average number of participants in these (excluding speakers) increased from 36.7 to 43.3, i.e. by 17.9% (in 2014 it had dropped from 39.7 to 36.7). The number of seminars co-funded under EU programmes rose from 30 to 48 (plus 60%), whereas the number of participants on average decreased by one third

from 46.2 to 30.6 (in 2014 there was a slight increase from 45.7 to 46.2). A similar tendency emerged in the area of contract activities (number of events slightly increasing from 42 to 44; average number of participants going down from 41.4 to 35).

How can these trends be interpreted, and which conclusions should we draw from them? First, the higher level of attendance in open events seems to suggest that concept and content of these were more

adapted to the needs and expectations of the target public in 2015 than in previous years, an endeavour which we should continue in 2016. It is less clear whether in some cases the reduced number of open events as such had a (positive) effect on the average number of participants, e.g. when in a given area of law a more general programme was offered instead of a range of specialised seminars dealing with very specific subtopics in the same area. If this is the case, the strategic question arises whether events with a narrow but in-depth focus on specific questions should still be

organised for smaller but highly specialised target groups.

Second, with regard to co-financed and contract events we have to realise that their total number depends on opportunities made available by the Commission and other contractors which are beyond ERA's control. When and if ERA is in a position to seize these opportunities, it is nevertheless bound by the underlying co-funding or project contract which may (and often will) define the target group and possibly limit the number of attendees in a way which ERA has to accept: Events implemented in the framework of such contracts are often explicitly designed for smaller target groups, which means that a lower participation on average is not necessarily a relevant indicator for



*"The higher level of attendance in open events seems to suggest that concept and content of these were more adapted to the needs and expectations of the target public in 2015."*



the quality or success of such events.

Third, I also think that we have to analyse our impact on specific professional or national markets in some more detail and take the appropriate steps to improve participation from these. Without going into detail here, we should strive for strengthening the presence of the private sector in our audience and also work on attracting more participants from the larger EU member states.

*2016 will be an interesting European year. What are the main challenges for ERA in order to promote European law training to a broad audience?*

**Wolfgang Heusel:** With regard to the three major challenges for the EU in 2015 mentioned in the

beginning of this interview, we can expect them to remain in 2016 and ERA will have to be present in the search for the best or right answers. Other political developments threatening the core of European integration such as the possible no-vote in the Brexit referendum in June or the rise of anti-European movements in a series of Member States also need to be monitored and where necessary be dealt with in the context of ERA events. But if I answer your question in the narrower modest context of ERA's own challenges in 2016, I see at least three areas of risks and opportunities which we have to concentrate on:

The first is to be ever more demand-driven in the conception of our conference and training programme. This is an obvious necessity for the



*"Other political developments threatening the core of European integration such as the possible no-vote in the Brexit referendum in June or the rise of anti-European movements in a series of Member States also need to be monitored and where necessary be dealt with in the context of ERA events."*

## ★ HIGHLIGHTS

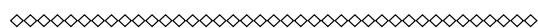
## Annual Conference on European Migration Law 2015

7-8 May 2015, Brussels

This annual conference tackled the current challenges for the EU in developing a coherent legal framework in the field of labour migration and provided practitioners with an update on the legal rules applicable to migrants.



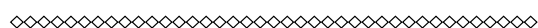
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## Litigation and settlement in patent disputes

7-8 May 2015, Trier

The seminar provided practical guidance on how to make the best use of EU and international legal instruments in litigation and mediation/arbitration proceedings.



private sector, but also public sector lawyers will be more selective in times of an increasing supply with fully or partly funded training events which is likely to produce a growing “conference fatigue” if the offer does not fully correspond to their needs. This requires careful market research and needs analyses in the Member States involving both our lawyers and our marketing experts.

In line with a needs-based programme response, we also have to further improve our communication channels and above all make quick and substantial progress in the development of our new state-of-the-art website, a project that has proven to be more complex and demanding than anticipated. We should also be more present in social media and improve and expand our relations with key clients.

Third, we have to adapt our e-learning strategy in the light of the results of the evaluation conducted in 2014/15, to strengthen the dissemination and reach of our e-learning products (e-courses and e-presentations) and to further test new formats such as the streaming of short events. This will have to include the provision of e-courses in other languages than English and a close cooperation for their distribution with national partners.

2016 will also be an important year for our involvement in the activities of the European Judicial Training Network, where ERA has served as convener of the working group Programmes since 2011. EJTN’s 2016 General Assembly will renew all bodies of the Network and ERA is prepared to continue its committed support.

Finally, as it seems likely that the required minimum number of ratifications of the UPC Convention will be achieved by the end of this year, ERA will further work on its training scheme for patent practitioners wishing to qualify as representatives before the Unified Patent Court. We have now signed a cooperation agreement with the Faculty of Law of Maastricht University and will together finalise a programme which we hope to be able to offer from January 2017 on.







## ERA IN NUMBERS 2015

157 *Events*

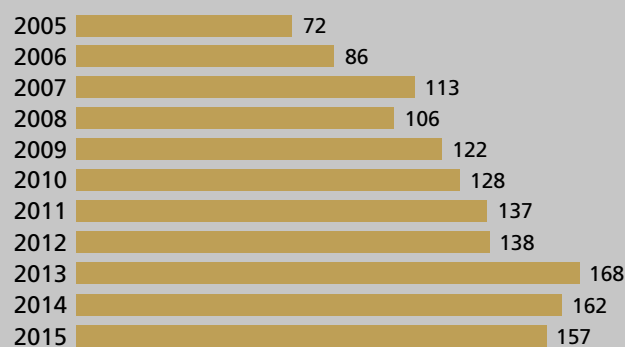
6,903 *Participants*

from 54 *Countries*

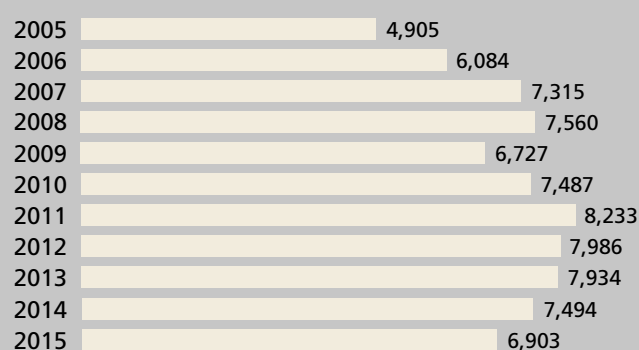
66 *New e-Presentations*

7 *New e-Courses*

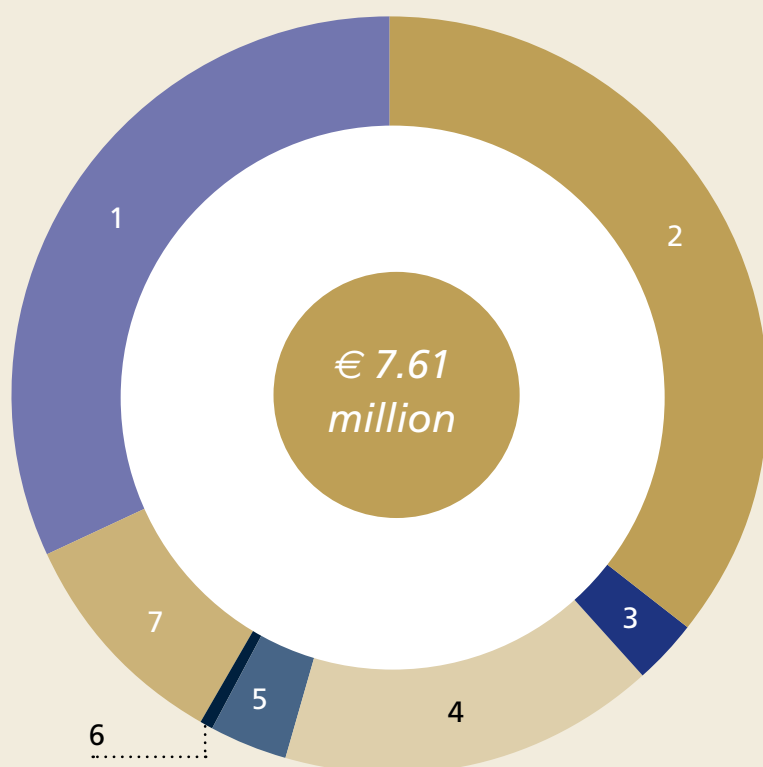
## NUMBER OF EVENTS



## NUMBER OF PARTICIPANTS



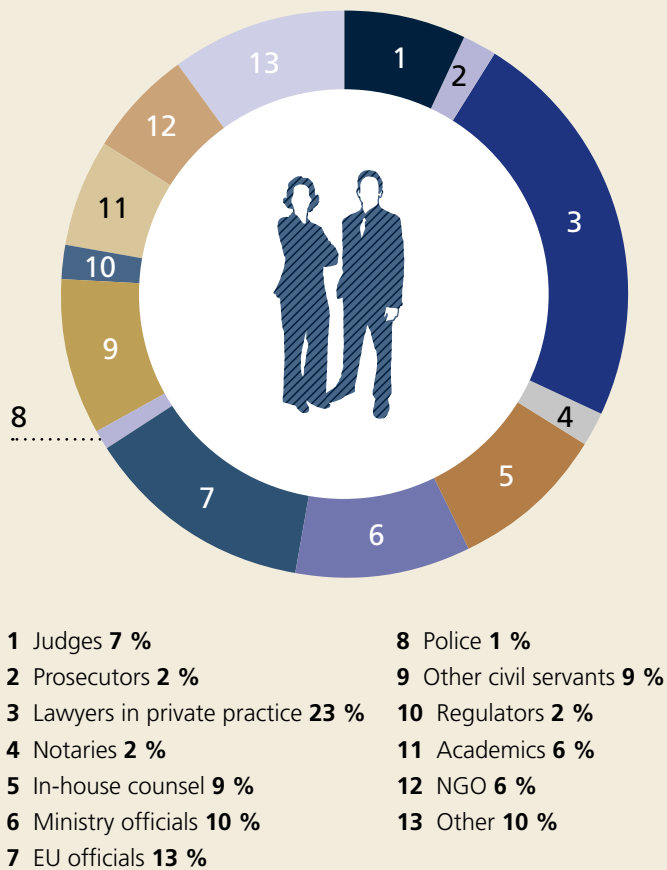
## OPERATING INCOME 2015



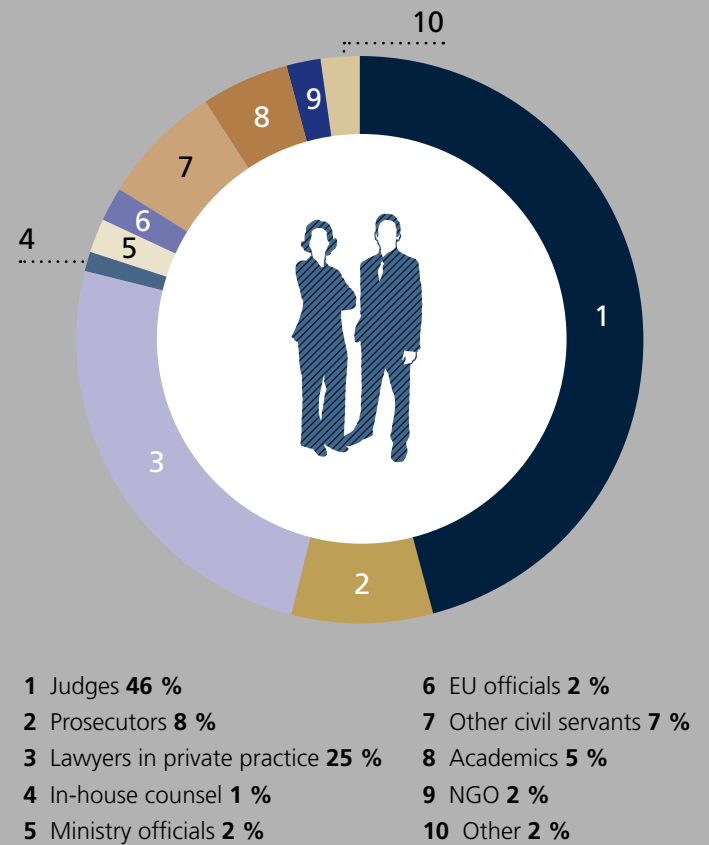
- 1 EU project funding **31.7 %**
- 2 EU operating grant **35.7 %**
- 3 Other project funding **2.8 %**
- 4 Participation fees **16.0 %**
- 5 ECC (rental of facilities) **3.3 %**
- 6 Other income (foundation capital, publications) **0.8 %**
- 7 Rhineland-Palatinate operating grant **9.7 %**



## PARTICIPANTS BY PROFESSION AT OPEN EVENTS 2015

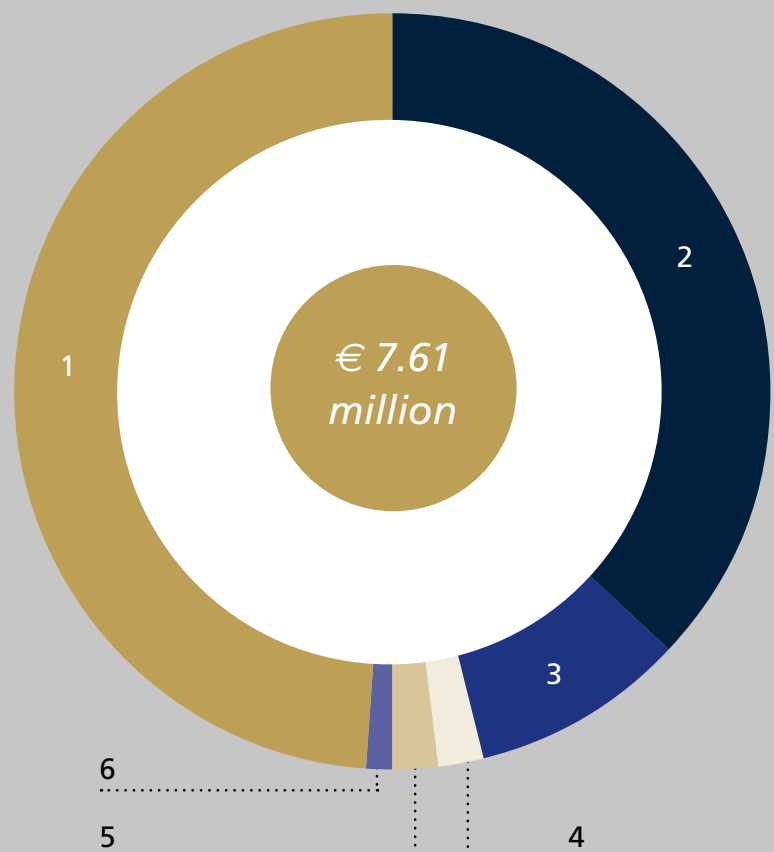


## PARTICIPANTS BY PROFESSION AT CO- AND FULLY FINANCED EVENTS 2015

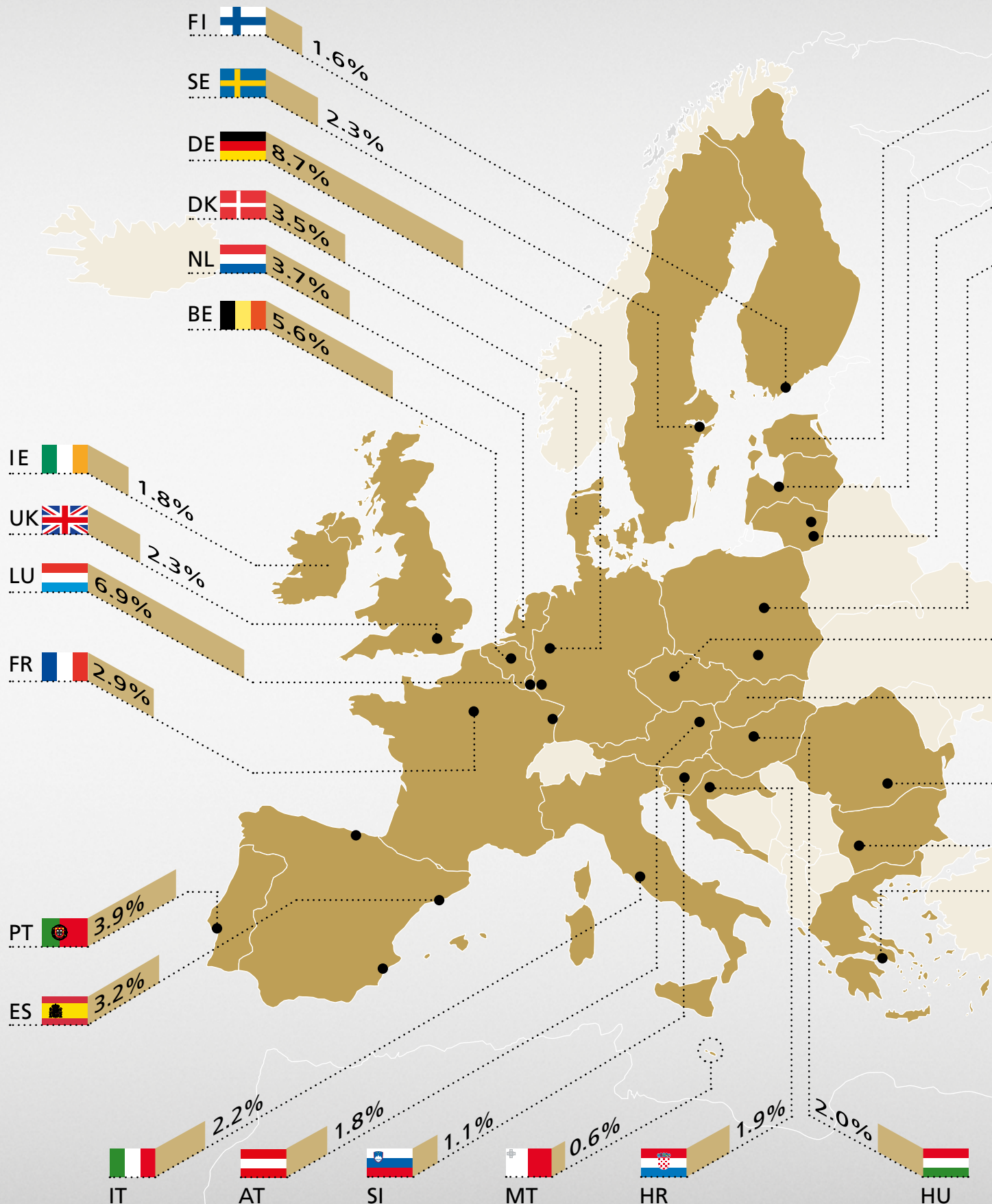


## OPERATING EXPENDITURE 2015

- 1 Personnel **49.0 %**
- 2 Direct costs of events **37.0 %**
- 3 Administration **8.7 %**
- 4 ECC **2.5 %**
- 5 Equipment **2.1 %**
- 6 Other expenditure **0.7 %**



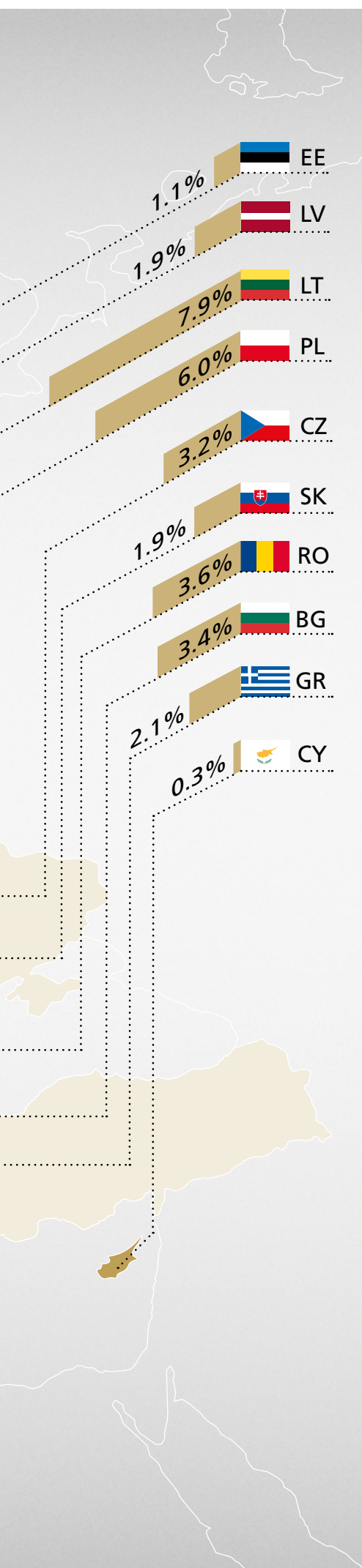
# PARTICIPANTS AT FACE-TO-FACE EVENTS IN 2015



## ERA EVENTS IN 2015

Alicante, Spain  
 Athens, Greece  
 Barcelona, Spain  
 Bilbao, Spain  
 Brussels, Belgium  
 Bucharest, Romania  
 Cracow, Poland  
 Helsinki, Finland  
 Lisbon, Portugal  
 Ljubljana, Slovenia  
 London, United Kingdom  
 Luxembourg, Luxembourg  
 Moletai, Lithuania

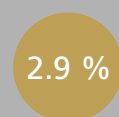
Paris, France  
 Prague, Czech Republic  
 Recklinghausen, Germany  
 Riga, Latvia  
 Rome, Italy  
 Sofia, Bulgaria  
 Stockholm, Sweden  
 Strasbourg, France  
 Trier, Germany  
 Vienna, Austria  
 Vilnius, Lithuania  
 Warsaw, Poland  
 Zagreb, Croatia



## OTHER PARTICIPANTS



EU OFFICIALS



EEA COUNTRIES

1.7 %



CANDIDATE COUNTRIES

0.4 %



OTHER COUNTRIES

## CONFERENCES AND LEGAL POLICY DEBATES



### A comprehensive programme of annual conferences

The challenge for ERA over the years has been to maintain diversity and breadth in its conference 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 a key element of our strategy.

Evidence of these programme developments can be seen in the range of ‘annual conferences’, where the main aim is to cover the most recent developments in a specific area of EU law. This successful formula covered in 2015, inter alia, banking law, border management, company law, consumer law, copyright law, criminal law, indirect taxation, disability law, environmental law, migration law, pharmaceutical law, public procurement, State aid, and trade mark law.

These highly technical events, aimed at specialists who wish to keep up-to-date in a specific field, can gather each year a high number of legal practitioners from all over Europe. This was once again the case in 2015 with the annual conferences on European family law with 86 practitioners from 17 countries and the annual conference on European labour law with 94 delegates from 19 countries. Additionally, the annual conferences on EU data protection law, social security law and asylum law had more than 70 practitioners each.

In 2015 ERA launched an annual conference

on EU media law in cooperation with the Institute for European Media Law (EMR). This first edition, which took place in Brussels and gathered some 50 delegates, mainly aimed at offering an overview of the implementation of key provisions of the Audiovisual Media Services Directive as well as a CJEU case law update.

### Events on very specific topics

Complementary to its annual conferences, ERA offers ad hoc events on very specific topics. For example, 2015 saw ERA dealing again with cross-border estates on the basis of the Succession Regulation (No 650/2012) just before it started being applied on 17 August 2015. Key topics of great relevance for practitioners were addressed, such as the drafting of testamentary dispositions in the light of the new Regulation, the (double) taxation of successions in cross-border situations, the succession of immovable property, the European Certificates of Successions, and successions with regard to third states. This conference, which was attended by 90 mainly lawyers in private practice and notaries from 22 countries led to a very fruitful exchange of information and lively discussions.

Further such events in 2015 dealt with cross-border dispute resolution, the recently adopted fourth Anti-Money Laundering Directive, the MiFID II package, and experience with the post-Lisbon system of delegated and implementing powers. Two specific tax law events took place: one dealt with the current state of international business taxation and recent initiatives to increase the



transparency of corporations' taxation and to combat tax avoidance, while the second presented the OECD BEPS 2015 Final Reports just weeks after their release. Against the background of the recent terrorist attacks in the EU and the growing problem of foreign fighters returning to Europe, ERA organised a *conference on the main challenges in 'Countering radicalisation towards terrorism and violent extremism'*. The event looked at the various aspects of radicalisation, from recruitment to radicalisation in prisons, as well as de-radicalisation, the judicial and law enforcement approaches to the problem and their cooperation in countering it, as well as what is planned for more coherent action against radicalisation in future. This event was selected for the Upgrade Catalogue of EJTN.

Two important *conferences dealing with fundamental rights* were organised in 2015. The first in Brussels, which took place one month after the CJEU had declared the Draft Agreement on the Accession of the EU to the ECHR to be incompatible with the Treaties (Opinion 2/13), gathered some 110 delegates from 26 countries. The second event in Trier discussed three key current aspects of fundamental rights protection in the EU. First, as regards the Charter of Fundamental Rights, the Commission's "Charter Strategy", including the fundamental rights impact assessment methodology developed in the EU legislative process, and recent CJEU case law on the lawfulness of limitations on the exercise of fundamental rights or the scope of application of the Charter when EU law is implemented by the Member States, have contributed to the Charter's successful implementation. Second, an array of mechanisms provide redress against fundamental rights violations in Europe. These include recent proposals to give teeth to the Article 7 TEU mechanism to protect EU common values, the Fundamental Rights Agency's e-initiative to develop awareness of non-judicial mechanisms against violations of fundamental rights, and the option of strategic litigation before the CJEU and the ECtHR to ensure the right to an effective remedy (Art. 47 EU Charter, Art. 6 and 13 ECHR). Third, one of the main issues for legal practitioners faced with a multi-level system of fundamental rights protection is how to coordinate the application of the relevant ECHR, EU Charter and national rules when faced with a fundamental rights violation, which rules to apply and when. A panel composed of one ECtHR judge and one CJEU judge exchanged views on the role of their respective courts, the articulation

## ★ HIGHLIGHTS

### First joint conference of the European Law Institute (ELI) and ERA

26-27 Nov. 2015, Trier



This interactive conference discussed the recent initiative of the European Law Institute and UNIDROIT on drafting European rules of civil procedure in five different sessions.



# The prevention of radicalisation and extremism and action to address the phenomenon of foreign fighters

With traditional law enforcement techniques insufficient to deal with the evolving trends in radicalisation leading to terrorism and violent extremism, this seminar analysed the latest developments in the European Union's response and what further measures still need to be taken.

# Annual Conference on European Social Security Law 2015

This conference enabled practitioners of law specialising in social security to keep up-to-date with the most recent developments in legislation, jurisprudence and practice in this field.



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Several conferences were implemented in cooperation with renowned partners, such as a timely event in early 2015 entitled 'ADR & ODR in the EU', organised in cooperation with the Max Planck Institute Luxembourg. The ADR Directive had to be transposed in summer and the ODR platform was due to become operational six months later. The conference debated the forthcoming changes after the entry into force of these instruments. In March 2015, when the revision of the EU Insolvency Regulation was in its last legislative stages, a conference was held in cooperation with INSOL Europe Academic Forum on 'Cross-border insolvency proceedings' and was attended by more than 70 lawyers from various professional backgrounds and different Member States. Finally, the French Branch of the International Law Association (ILA), the Swiss Federal Department of Foreign Affairs and ERA joined forces for the organisation of a conference in Trier on key topics and recent developments affecting the daily practice of legal practitioners at the crossroads of international and EU law.

In line with its Statute, ERA does not confine itself to the dissemination of European law via training, but also serves as a European platform for the discussion of legal policy. In so doing, ERA attaches great importance to remaining neutral and independent, for example by not becoming directly involved in the drafting of specific legal policies. ERA's neutrality and independence have given it a role in a number of topical and fundamental debates at European level. The aim of such events is to stimulate reflection on future political developments in a field of law or, where future legislation is already at an advanced stage, to put forward practical considerations from legal practitioners and stakeholders for the evaluation of proposed legislation.

Following the discussions about the establishment of a European Public Prosecutor's Office (EPPO), in April 2015 ERA, with the support of the European Commission's DG Justice and Consumers, organised a conference for public prosecutors working on fraud cases and related offences. The conference aimed to

feed into the legislative debate by asking experienced public prosecutors from all EU Member States to offer their views on the practical challenges expected from the proposed model for an EPPO. Scenarios illustrated how cases of fraud and other offences against the financial interests of the EU would be handled under the current draft – from the initiation phase to trial – in order to highlight practical benefits and potential issues the proposed EPPO model might bring.

In the same vein, ERA and the European Law Institute (ELI) organised their first joint event, a conference on the ELI-UNIDROIT Project “From Transnational Principles to European Rules of Civil Procedure”, which ERA hosted in November 2015 and which brought together Europe’s leading civil procedure experts. ERA’s Director Dr Wolfgang Heusel opened the conference emphasising the importance of more unified procedural rules across the European legal landscape. ELI President Diana Wallis thanked the European Parliament and the European Commission, both of which sent representatives to this event, for their interest in the project. In total, five panel sessions took place: a member of the Steering Committee of the ELI-UNIDROIT project chaired each session, accompanied by a member of the respective working group and an independent leading discussant. Points made by the attendees contributed to the project’s further development and will be carefully considered by the working groups when revising the draft rules.

The events organised by ERA in cooperation with successive *EU presidencies* also belong in this category. Since 2005 most ERA patrons have involved ERA in major events during their presidencies. In the framework of the Luxembourg Presidency 2015, ERA was involved in the organisation of the 17th European Corporate Governance Conference in cooperation with the University of Luxembourg, the *Commission de Surveillance du Secteur Financier* (CSSF), the Luxembourg Stock Exchange, Ernst&Young, and the *Institut Luxembourgeois des Administrateurs*. The event took place in the Chamber of Commerce of Luxembourg and attracted over 200 participants who are shaping the debate on corporate governance in Europe. The debate focused on a number of topics, such as the impact of the Capital Requirements Directive IV on corporate governance in the financial sector, corporate governance in groups of companies and the influence of innovative forms of financing such as crowd-funding on corporate governance.

## ★ HIGHLIGHTS

### Annual Conference on EU Media Law 2015 in cooperation with EMR

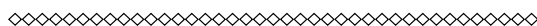
28-29 May 2015, Brussels



This event saw the relaunch of a long-standing cooperation between ERA and the widely respected Institute on European Media Law (EMR), based in Saarbrücken.



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## PRACTICAL TRAINING COURSES AND WORKSHOPS

### Legal training for young professionals

In terms of practical training ERA has considerably intensified its programme in recent years in order to meet better the needs of practitioners. This concerns in the first instance its range of intensive five-day summer courses aimed at young professionals and non-specialists. In 2015 ERA offered summer courses on competition law, criminal justice, environmental law, WTO and EU trade law, institutional law, intellectual property law, labour law, mediation, ADR and ODR, tax law and on the regulation and supervision of financial markets. Major efforts are made to ensure these courses are always top-quality: all of them include case studies, practical workshops and role-playing to allow participants to put into instant practice the knowledge they acquire. Most courses provide the opportunity to attend a hearing at the Court of Justice in Luxembourg. A total of 384 practitioners participated in these courses in 2015, an increase of 20% compared to the year before.

### Large-scale training projects

The development of long-running large-scale training projects has become a very efficient means for ERA to achieve its mission of better promotion and dissemination of EU law among legal practitioners across Europe. These ambitious projects, which aim at broad geographical and professional coverage, usually share common features: (i) they are implemented not only in Trier but also in various Member States; (ii) they are built on a large pan-European partnership generally composed of members of the European Judicial Training Network (EJTN) and of national bars, which facilitates their implementation and ensures that awareness will be raised throughout the EU; (iii) they are multilingual; (iv) they encompass more than face-to-face training, as they are complemented by subsites offering training materials, a comprehensive library, audio and video podcasts, sometimes e-learning modules; and (v) finally, they are funded partly or entirely by the European Union.

Among the most prominent examples of such projects in the ERA programme are two long-running

training programmes on 'EU Anti-discrimination Law' and 'EU Gender Equality Law'. These projects, with twelve seminars per year bringing together some 600 judges, legal practitioners and academics from all EU Member States, EEA/EFTA and candidate countries, have been implemented on behalf of and in cooperation with the European Commission, respectively under the 'Rights, Equality and Citizenship Programme 2014-2020' and the 'PROGRESS Programme'. Most seminars aimed at judges were held outside Trier in 2015: two training events on anti-discrimination law were implemented in Prague and Paris, in cooperation with the Czech Judicial Academy and the French School of Magistracy, while two seminars on EU gender equality law were implemented in Brussels and Sofia, in cooperation with the Belgian Judicial Training Institute and the Bulgarian National Institute of Justice. In order to make the information provided at the seminars available to an even wider audience, an extensive online documentation (including presentations, an e-learning course, e-presentations, etc.) of the two series can be accessed for free on a special ERA subsite. This documentation was extended and updated extensively in 2015. Since the beginning of ERA's cooperation with the European Commission in the framework of the two series, the first of which has run since 2003, ERA has contributed to the training of some 5,200 legal professionals – more than half of whom were members of the judiciary – in the field of EU equality law.

Of increasing relevance in ERA's programme are its activities in the field of cybercrime. Since 2012 ERA has implemented two major multiannual projects, both co-financed in the framework of the European Commission's ISEC Programme. The first, entitled 'Training Centre on Cybercrime for Judges and Prosecutors' consisted of eight seminars that took place in Trier until 2015. It comprised 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 was 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', consisted of a series of six seminars in Lisbon, Madrid, Vilnius, Stockholm as well as – in 2014 – London and Sofia. Each event had a specific focus, such as fighting child pornography online, following criminal money on the internet, online financial crimes and fraud committed with electronic means of payment. These two training projects dealing with the challenges that the judiciary faces with the use of new technologies have been supplemented by another – co-financed under the Criminal Justice Programme – entitled 'The Impact of Internet, New Technologies and Social Networks on EU Criminal Justice' (2012-2014) and by a fourth – co-financed under the EU Justice Programme 2014-2020 – entitled 'Investigating, Prosecuting and Adjudicating Criminal Cases in the Online World: Challenges (and Opportunities) Posed by the Internet' consisting of five seminars in Budapest, Madrid, Lisbon, Cracow and Trier (2016-2017). When completed, these four projects will have contributed to the training of some 1,250 legal practitioners (mainly judges and prosecutors) by the first quarter of 2017.

A similar large-scale approach has been launched in trafficking in human beings, organised crime and detention law with long-running multilingual series of events throughout Europe. For example, 2015 saw ERA continuing its work in the field of detention law and completing a second series of seminars co-funded under the European Commission's Criminal Justice programme. The last two events of this series took place in 2015, one in Strasbourg on supervising detention and the role of the Council of Europe and international bodies in improving conditions, and the other in Trier on improving measures at EU level, which looked at best practice, legislation and the follow-up to the European Commission's Green Paper in the field. These seminars brought together legal professionals, officials from judicial training institutions, prison administrations, the probation system, prison monitoring bodies and ministry officials, often bringing their own experiences of dealing with these issues into the discussions. This led to a very fruitful and lively exchange of information, with the conclusion being that there is still a clear need for further reform and EU legislation in relation to the use of pre-trial detention, as well as a more efficient

## ★ HIGHLIGHTS

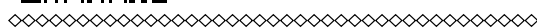
### Planning and justifying the search and seizure of electronic evidence

*2-3 June 2015, Riga*

The seminar presented practical challenges relating to the collection and use of electronic evidence in court and an overview of good practices in various EU Member States



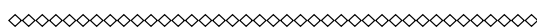
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### Application of EU Competition Rules in Banking and Financial Services

*3 June 2015, Brussels*

The workshop examined in depth the particularities of the application of competition rules in the banking and financial services sectors.



## ★ HIGHLIGHTS

# The new regime for planning cross-border successions

11-12 June 2015, Trier

The conference addressed practical problems for cross-border estates on the basis of the EU Succession Regulation (No 650/2012) which applied from 17 August 2015, taking into account national succession and inheritance tax regimes.



# The new EU legal framework to combat money laundering and the financing of terrorism

*17 June 2015, Brussels*

The legal framework of the new anti-money laundering and terrorist financing package and better alignment with international standards in the field were discussed at the ERA Briefing in Brussels.



and purposeful use of the European Arrest Warrant. Moreover, the need for better cross-border cooperation to improve mutual legal trust and assistance was stressed throughout the series.

'The Charter of Fundamental Rights of the European Union in Practice' was the subject of another large-scale two-year training project launched in 2015 with the financial support of the EU Fundamental Rights and Citizenship Programme. This new project – which is a follow-up of the one implemented in 2013 and 2014 – consists of seven decentralised seminars spread across the EU. Its aim is to shed light on the application and interpretation of the Charter and to highlight its relevance for the daily work of legal practitioners. For the implementation of this new project, ERA is cooperating with the judicial training bodies from Bulgaria, Croatia, Finland, Portugal, the Barcelona Bar Association and the Czech Bar Association. Four seminars took place in 2015 in Lisbon, Helsinki, Zagreb and Barcelona. Each programme addressed the relevance of the Charter for the national legal order, clarifying its scope of application and explaining the relationship between the Charter and the ECHR. In 2015, ERA and its partners provided training to 130 legal practitioners (some 100 members of the judiciary and 30 lawyers).

## Broad training offer on traditional areas of EU law

Training on 'classic' EU and Single Market law topics has remained very strong in the ERA programme. For example, ERA continued in 2015 the training format of advanced half-day EU competition law workshops in Brussels, which had been launched two years before. These workshops aim to provide a deep analysis of key concepts of European antitrust law and focus on the latest trends in CJEU case law, legislative developments and European Commission practice. Three such workshops were organised in 2015 on 'Dawn Raids in Practice: Developments in Case Law and Enforcement', 'Application of EU Competition Rules in Banking and Financial Services: Recent Trends', and 'Information Exchange under EU Competition Law: Practical Issues'. A full-day specialised event was organised by ERA in cooperation with the European Data Protection Supervisor (EDPS) in Brussels in September 2015 to address the current issues arising from the ever-increasing importance of personal and big data and its impact on antitrust assessments. In addition to these seminars, which

mainly targeted specialised lawyers in private practice, in-house counsel and national competition authority representatives, ERA provided advanced competition law training for the judiciary. ERA concluded in 2015 the implementation of a two-year series of six 1.5-day seminars in cooperation with the judicial training bodies from Finland, Germany, Lithuania, Poland, Romania, and with the support of EJTN. This series – which was co-financed by the European Commission's DG COMP – aimed at providing judges who already have knowledge of and/or experience with antitrust rules with advanced training on specific challenges related to the application of Articles 101 and 102 TFEU and the new Package on Antitrust Damages, as well as the possibility to exchange experiences and identify best practices. For this project, ERA had also been able to rely on the advice and expertise of the Association of European Competition Law Judges (AECLJ). Two regional seminars were held in 2015 in Barcelona at the Spanish Judicial School and in Trier at the German Judicial Academy. In the framework of this project ERA also welcomed national judges to its Summer Course on EU Competition Law. Finally, complementary to the Annual Conference on State Aid Law, which was organised in English, French and German and gathered some 70 participants in 2015, ERA offered practical training in Brussels on procedural issues for practitioners involved in State aid cases.

ERA's training activities on EU procedural law and judicial remedies are another example of the maintenance of a broad training offer in a core area of EU law. ERA dealt once again extensively with proceedings before the Civil Service Tribunal of the EU, including the case law on Staff Regulations. In 2015 ERA implemented another series of three co-financed training seminars aiming to prepare EU criminal law practitioners for the full jurisdiction of the CJEU in criminal matters that had taken effect in December 2014, enabling a consistent and uniform application of EU law in line with the most recent procedure and recommendations. Two seminars were held in 2015 in French and in German, with some 60 judges, prosecutors and defence lawyers attending the events. The last seminar of the series will be held in English in spring 2016. Given the interest raised by this project and the relevance of the topic ERA will continue this training in the future.

## Tailor-made training for lawyers in private practice

Lawyers in private practice belong to ERA's principal target groups for training and professional exchange. Large parts of ERA's open programme are of relevance for them – if not exclusively. Events of particular importance for private practitioners in 2015 included the 'Annual Conference on European Family Law', 'Cross-border Insolvency Proceedings', 'How to Handle International Commercial Cases', 'Litigation and Settlements in Patent Disputes'. For most of these events ERA accorded lawyers in private practice a preferential discount of 25% on the participation fees. Of great relevance for lawyers in private practice is the recently launched series of one-day events in Strasbourg aiming to provide an update on the most recent case law of the ECtHR in various fields. Four such training events for altogether more than 150 delegates were implemented in Strasbourg in 2015 and covered the Court's case law in family matters, criminal matters, asylum matters, and in the area of personal data protection and privacy. Finally, lawyers in private practice regularly take part in the numerous 'Legal English' courses ERA offers in Brussels and Trier each year.

While large parts of ERA's co-financed and fully-financed programmes are also open to lawyers in private practice, since 2011 ERA has been awarded EU funds for the implementation of training seminars on EU criminal justice instruments tailor-made for the defence. In 2015, ERA conducted its third project of this type. The project consisted of four seminars, each of these targeted at different clusters of EU Member States, providing training for 160 defence counsel in total. The project was designed in response to the European Commission's priority to train defence practitioners on relevant EU legal instruments, such as the European Arrest Warrant and the measures under the EU Procedural Rights Roadmap, as well as to foster networking between them. The European Criminal Bar Association (ECBA), the Athens Bar Association, the Budapest Bar Association, the *Illustre Col·legi d'Advocats de Barcelona* (ICAB) and the Latvian Bar Association were partners in this project. ERA plans to implement further training for defence lawyers on European criminal justice on a local level in 2016.

Another form of training implemented by ERA and targeted at the practical needs of lawyers in private

## ★ HIGHLIGHTS

## Summer Course on EU Regulation and Supervision of Financial Markets

22-26 June 2015, Trier



This highly popular course focused on the establishment of the banking and capital markets union and provided the participants with an introduction to the regulation and supervision of financial markets in the EU.



practice are short courses related to specific EU law topics – such as corporate tax, VAT, cross-border insolvency proceedings, public procurement – in different European cities in cooperation with local bar associations. In so doing, ERA aims to complement what is offered by national providers by bringing – in contrast to their own programmes – a genuine European dimension and perspective to these events, in terms of both the contents and the expert speakers. In 2015, ERA organised such a joint seminar on European public procurement law with the Czech Bar Association. It also organised a training event in French on how to litigate before the ECtHR in cooperation with the *Ecole des Avocats Nord-Ouest* (IXAD). Finally, together with the Polish Bar Foundation (*Fundacja Adwokatury Polskiej*) and with the sponsorship of four top-tier Polish law firms, ERA conceived and implemented a 1.5-day workshop on cross-border civil litigation in practice for a group of 40 Polish lawyers in Warsaw.

Besides its cooperation with bars, ERA also works frequently with associations or networks of individual lawyers or law firms. In 2015 it organised its third annual joint seminar in Brussels with the European Employment Lawyers Association (EELA). ERA also

welcomed a delegation of some 70 Danish lawyers from the Association of Danish Labour Law Attorneys (*“AnsættelsesAdvokater”*) for a seminar in Trier on the recent developments in European labour law combined with a visit of the CJEU. A long cooperation also exists with the Norwegian Center for Continuing Legal Education *“Juristenes Utdanningscenter”* (JUS) founded by the Norwegian Bar Association and the Norwegian Association of Lawyers, with whom ERA cooperated for the 12th time on an event in 2015 devoted to EU/EEA labour law addressed to 40 Norwegian labour lawyers.

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 many national bars and law societies. ERA makes every effort to ensure that participation by lawyers from all over Europe in its events is recognised under the various national schemes.

### In-house training on request

Training requests from private and public actors at national and EU levels represent an important part of ERA's activities. ERA is particularly valued for its training expertise, its network of experts, and its ability to



## ★ HIGHLIGHTS

### Annual Conference on European Asylum Law 2015

22-23 Oct. 2015, Trier



This conference provided asylum law practitioners with practical insights into the current challenges the Dublin system faces and new avenues for enhancing responsibility-sharing, solidarity and mutual trust among Member States while protecting the rights of persons in need of international protection.



deal with complex and very specific training requests. For example, the National Court Administration of Lithuania entrusted ERA with the conception of a series of eight one-day seminars in Lithuanian and English on various topics, such as EU data protection law, cross-border insolvency proceedings, international contracts and torts, the EU Maintenance Regulation, the Brussels IIbis Regulation, public procurement law, litigation before the CJEU, as well as specific questions of EU environmental law. Over 240 members of the Lithuanian judiciary took part in this training in Vilnius, which benefited from a Norway Grant. Finally, the *Centre de Formation de la Juridiction Administrative* (CFJA), part of the French Council of State, asked ERA to organise a 1.5-day seminar in Trier on procedural issues, combined with a visit to the Court of Justice, for a group of 40 future administrative judges as part of their initial training.

For many years, EU Institutions and agencies have regularly commissioned seminars from ERA for their own staff or for third parties. In 2015 the European Securities and Markets Authority (ESMA) also requested ERA to contribute to the conception of a 2.5-day in-house training seminar in Paris for ESMA staff seeking an introduction to EU law in a nutshell and wishing to

receive an update on recent developments in financial regulation and supervision on the European level. The European Judicial Network (EJN) also contracted ERA to organise a five-day intensive legal English course for its contact points. The course, which took place in Trier, focused on judicial cooperation in criminal matters.

Finally, ERA was awarded for the second consecutive year a service contract by the Turkish Competition Authority for the organisation of a two-week training course aimed at its junior case handlers on EU competition law. High-level speakers from the EU Institutions, private practice, national competition authorities, economic consultancies and academia from all over Europe contributed to this comprehensive two-week course. The training, tailor-made to meet the concrete work needs of its audience, covered the entire range of EU antitrust law topics, from the fundamentals on the application of Articles 101 and 102 TFEU to competition in regulated network industries, procedural issues, enforcement and the respective case studies.

## DEVELOPMENT OF TRAINING MATERIALS

In addition to implementing training programmes itself, ERA has in recent years devoted more and more resources to the development of standardised training materials and other resources that can be re-used by third parties.

### Training modules on behalf of the European Commission's DG Environment and DG Justice

In 2015 ERA continued a project on behalf of the European Commission's DG Environment entitled "Cooperation with National Judges in the Field of Environmental Law", which aims to develop training modules on various topics of EU environmental law as well as to organise workshops for judges. After developing training modules on "EU Law on Industrial Emissions" and the "Interaction between the EIA and the Nature Directives" in 2013, "Participatory and Procedural Rights in Environmental Matters" in 2014, ERA was asked to design another training module on "EU Air Quality and Noise Legislation". In 2015, the last two developed modules were tested and subsequently improved in the framework of a series of 2.5-day workshops held in Bucharest (in cooperation with the National Institute of Magistracy of Romania), Paris and Montreuil (with the French *Centre de Formation de la Juridiction Administrative*), and Warsaw (Polish Supreme Administrative Court). ERA also tested these modules twice in Trier and organised an awareness-raising workshop for national judicial trainers from 16 EU Member States with the aim both of familiarising them with the training modules already available in order to encourage them to be used more systematically at national level, and of promoting contacts between judicial trainers at EU level.

A similar project aiming to develop training modules regarding European legislative instruments for cross-border cooperation in civil matters had been implemented by ERA on behalf of the European Commission's DG Justice since 2012 and was completed in December 2015. This project saw ERA conceiving training modules on "Cross-border Divorce and Maintenance", "Parental Responsibility in a Cross-

border Context", and the "European Small Claims Procedure". In 2015, the last workshops aiming to test these modules with various target groups took place in Lisbon, Rome and Sofia, in cooperation with the national judicial training institutes respectively, as well as in Vilnius and Prague in cooperation with the Lithuanian and Czech Bars.

Both projects have led to the development of comprehensive standardised materials which promote interrogative and participative learning methods and are easily reusable. The entire training packages are accessible by any party or institution interested in organising future training in these areas of law. The materials are addressed to both end users and training providers. The so-called "user's pack" includes the traditional documentation with the related legislation and jurisprudence of the CJEU to be distributed to end users in advance of the training in the form of an introductory e-learning course. Blended learning as a methodological tool ensures initial familiarisation with the scope and objectives of the training and a level playing field for all participants, whilst at the same time constituting a source for future reference as it remains freely available after the completion of the training event. Although a significant part of the training relies on the provision of information on different legal instruments through face-to-face presentations, the "user's pack" is complemented by workshop exercises (case studies, IT-supported training sessions, role-play) requiring the active contribution of the participants. In addition to the materials included in the "users' pack", training providers have access to the "trainer's manual", which specifies how best to navigate through the materials available and how these may be integrated in future workshops by providing information on their structure, content and methodology. Further to this, information on the organisational aspects of a training event, such as guidelines on how to identify possible trainers, select the participants or evaluate the training event, have been included. The materials have all been tested in workshops aimed at different target groups (judicial trainers, judges, lawyers) and in different languages. Some modules are available

## ★ HIGHLIGHTS

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### Training Materials on Using EU Civil Justice Instruments

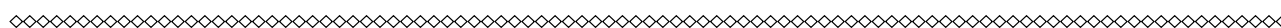
With funding from the European Commission, ERA implemented in 2015, together with 16 judicial training bodies and bar associations from 15 Member States and with the support of the European Judicial Training Network, a project regarding European legislative instruments for cross-border cooperation in civil matters. The main objective is to develop training materials to aid legal practitioners to actively apply the EU acquis in the area of civil justice.

The finalised training materials will be freely available in three languages (English, French, German). Translation of parts of the materials into the national languages of the partners (Bulgarian, Croatian, Greek, Hungarian, Latvian, Lithuanian, Polish, Portuguese, Romanian, Slovenian and Spanish) will follow.

### PARTNERS

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Bar Association of Vizcaya-Bilbao  
 Bulgarian National Institute of Justice  
 Centre of International and European Economic Law in Thessaloniki (CIEEL)  
 Centro de Estudos Judiciários (CEJ)  
 Court of Appeal of Vienna  
 Delegation of the French Bars in Brussels  
 European Judicial Training Network (EJTN)  
 General Council for the Judiciary. Spanish Judicial School  
 Hungarian National Office for the Judiciary  
 Judicial Academy of Croatia  
 Judicial Academy of the Land of North Rhine-Westphalia  
 Latvian Judicial Training Centre (LJTC)  
 Lithuanian National Courts Administration  
 Ministry of Justice of the Republic of Slovenia, Judicial Training Centre  
 Polish National School of Judiciary and Public Prosecution (KSSiP)  
 Romanian National Institute of Magistracy (NIM)





in their entirety in English, French, German, Greek, Italian or Spanish.

This type of project seems to meet both the expectations and needs of national judicial training actors. Evidence of this can be seen, first, in the fact that the civil justice project was supported from the beginning by the national judicial training actors of eight EU Member States (Austria, Czech Republic, Finland, Germany, Latvia, Poland, Romania and Slovenia) and that for the environmental law project, ERA secured the partnership of the judicial training bodies of 15 EU Member States (Austria, Bulgaria, the Czech Republic, Denmark, England and Wales, Germany, Hungary, Lithuania, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia and Spain), as well as the support of 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). Secondly, institutions which were not part of the initial consortium also accepted to host and co-organise workshops in 2015 aiming to test the training modules of these projects. Thirdly, some judicial training bodies made use (partly or entirely) of the training materials outside the projects for domestic training courses, which is the ultimate aim of these modules.

### Case studies on EU civil justice instruments

Following this practical approach to European judicial training, ERA continued in 2015 a large-scale two-year project initiated the year before in the area of cross-border cooperation in civil matters with the financial support of the Commission's Civil Justice Programme. This project was implemented in partnership with 16 national judicial training bodies and bar associations from fifteen EU Member States (Austria, Belgium, Bulgaria, Croatia, Germany, Greece, Hungary, Latvia,

Lithuania, Poland, Portugal, Romania, Slovenia, Spain and United Kingdom).

The main objective of this project was to develop a set of training materials to aid legal practitioners to apply actively and efficiently the EU acquis in the area of civil justice. To this end, three main topics of high practical relevance were identified: (i) cross-border civil litigation, (ii) European cross-border procedures, and (iii) conflict of laws. The training materials in this project consisted mainly of case studies. In relation to each main topic, three comprehensive case studies were developed by renowned private international law experts. Each case study encompassed the case scenario, the suggested solution and some methodological advice for using the case. The three case studies developed in relation to each main topic were conceived in such a way as to be used in the context of a 1.5-day seminar. All case studies were made available from the beginning in three of the most frequently used languages in the EU: English, French and German.

Once the case studies were developed, a 2.5-day coordinating meeting bringing together national experts/judicial trainers – appointed by the sixteen project partners in light of their expertise in the EU civil justice instruments (so-called 'national experts') – was organised in Trier in September 2014. This step was deemed necessary for the next phase of the project: the organisation of test seminars throughout Europe. Between October 2014 and December 2015, 20 national test seminars were organised in 15 Member States by the project partners under the supervision of their national expert and with the support of ERA. The partners translated the training materials and implemented the seminar(s) in their national language and in the topic(s) of their choice. Between November 2015 and January 2016, three pan-European seminars were organised by ERA in Trier open to legal



professionals from all EU Member States, each dealing with one of the selected project's areas.

The series of test seminars, which was conducted over 15 months, offered 535 legal practitioners from all over Europe (445 judges and 90 lawyers) the opportunity to receive innovative and in-depth training in the area of EU civil justice and to create new contacts and close synergies, thus improving mutual trust and cooperation. The translation of parts of the training materials into the national languages of the partners (Bulgarian, Croatian, Greek, Hungarian, Latvian, Lithuanian, Polish, Portuguese, Romanian, Slovenian and Spanish) considerably increased the number of legal professionals benefiting from their development.

### Training materials on child-friendly justice

A similar approach – though less ambitious in its scale – has been followed with a project launched in 2015 aiming at the development of training materials and the creation of a standardised training package that can be employed for setting up seminars on the rights of the child that explore the practical side of achieving child-friendly justice through a multi-disciplinary approach.

Renowned EU experts developed comprehensive introductory presentation materials and interactive workshop materials on various aspects. The main characteristic of the training package is that it ensures awareness of the existing EU acquis and resources that may be particularly relevant in this field (including legislation, jurisprudence, studies, projects, etc.) while at the same time facilitating the exchange of different national experiences and the perspectives of different professionals concerned with children in the justice system. This is achieved by the practical workshop materials consisting of case studies and role-plays.

The training materials/package will also be tested at national level and made available in various languages. The project is co-financed by the European Commission and is developed together with the judicial training bodies from Croatia, France, Lithuania, Poland, Romania, Spain (Escuela Judicial), the German Justice Ministries of Bavaria, Baden Wurttemberg, North-Rhine Westphalia, Rhineland-Palatinate, as well as with the support of the Honorable Society of King's Inns, the Council of Europe, the Child Rights International Network and EJTN.

## ★ HIGHLIGHTS

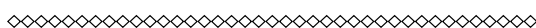
### Recent jurisprudence of the ECtHR in the area of personal data protection and the right to privacy

*12-13 Nov. 2015, Strasbourg*

Over the last few years the European Court of Human Rights (ECtHR) has had a rising number of cases related to proportionate and disproportionate interferences with personal data protection and privacy rights.



*Scan this QR code with your smartphone or tablet for more information.*

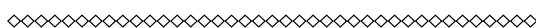


### Training for Turkish Competition Authority

*23 Nov. - 4 Dec. 2015, Trier*



Two-week comprehensive tailor-made training on EU Competition Law for the junior case handlers of the Turkish Competition Authority for the second year in a row.



## DISTANCE LEARNING

### e-Learning

ERA has been developing various forms of e-learning and blended learning since 2007. In 2012, a self-standing e-learning platform was launched with an ever-growing range of e-learning courses and e-presentations. These include both “open” e-learning programmes (i.e. available for purchase on ERA’s e-learning platform) and a considerable amount of e-learning and blended learning resources developed in the framework of EU-funded programmes, which are freely available on the ERA website (notably in the fields of anti-discrimination, civil justice cooperation and environmental law).

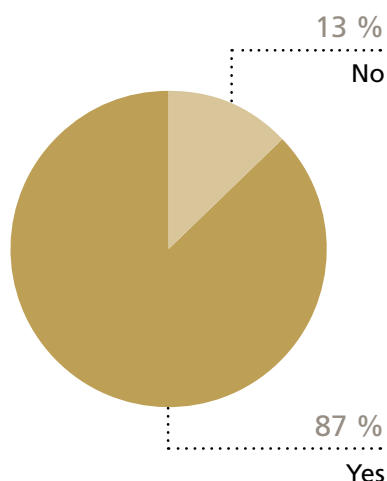
The range of e-learning courses and e-presentations available for sale has grown steadily. In 2015 three new courses were added to the practical “10 Key Questions” range – “Copyright and CJEU Case Law”, “Fighting Child Pornography Online” and “Societas Europaea” – as well as some 50 new e-presentations. In addition, two new blended learning modules and two self-standing courses were added in the framework of ERA’s project for the European Commission on EU environmental law for national judges.

In 2015, ERA completed an evaluation of its distance-learning portfolio. For a majority of users, using an ERA e-learning programme represents their first experience of distance learning. As a result, greater attention will be paid to introducing and explaining the concept to potential new users.

Users generally found ERA’s e-presentations to be an effective way of delivering the content. Features such as the quiz and certification option were regarded as offering particular added value. Users of the e-learning courses praised both the high quality of the legal content and the format of the courses. The navigational interface (including tablet-friendly version), the inclusion of video interviews, background documentation, the self-assessment quiz and the option of obtaining a participation certificate were all considered advantages by users.

The next stage in the development of ERA’s e-learning programmes will be to offer more content in languages other than English.

### DO YOU THINK THE E-PRESENTATIONS COULD BE RELEVANT FOR YOUR COLLEAGUES AS WELL?



Self-assessment quiz allows you to test your knowledge before, during or after the course



Design optimised for use both on PC and tablet computers

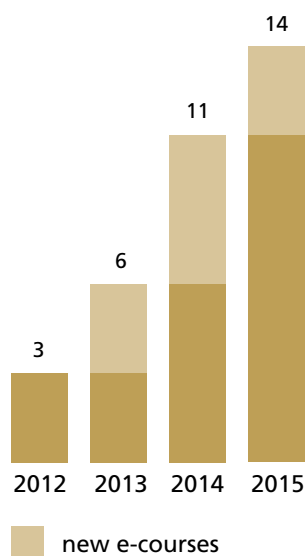
User-friendly navigation structure allows you to move easily between sections

10 Key Questions: content organised into practically applicable chunks

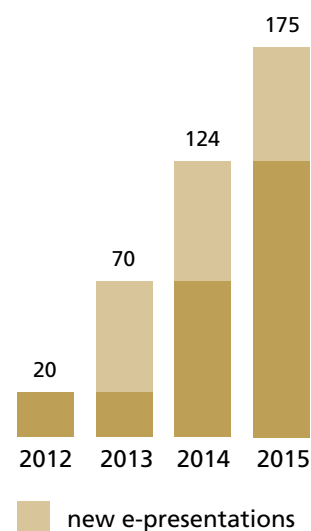


Library: detailed documentation for future reference

## OPEN E-COURSES



## OPEN E-PRESENTATIONS





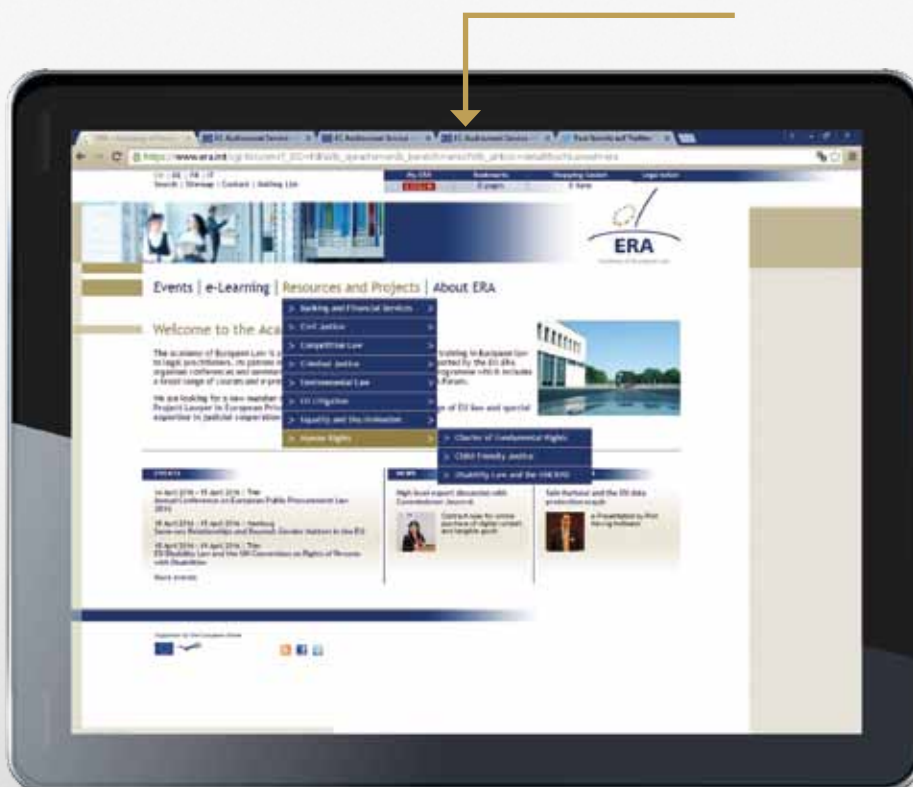
## DISTANCE LEARNING

### Resources on the ERA website

In recent years, ERA has put increasing efforts into the creation of user-friendly project subsites in order to ensure accessibility and therefore widespread use of the materials developed in the framework of large-scale projects. For example, the training modules on European family law and on the European Small Claims Procedure mentioned above (p. 30) are available on the ERA website in numerous language versions and are freely accessible to all interested parties. The same applies to the training modules on EU environmental law, as well as the case studies on civil justice instruments in all their language versions.

The section of the ERA website entitled “Resources & Projects” gathers all these project subsites. Comprehensive resources are now available on various legal topics, such as EU gender equality, EU anti-discrimination law, disability law (with a focus on the UNCRPD), the Charter of Fundamental Rights of the EU. The project subsites include different types of content, such as seminar programmes, background documentation and speakers’ contributions, a (multilingual) library, audio and/or video podcasts, e-learning modules, participants’ fora.

*Simple and user-friendly design makes the product easy to handle*







# 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.

There was a significant increase in the number of article downloads from 25,154 in the previous year to 33,070 in 2015.

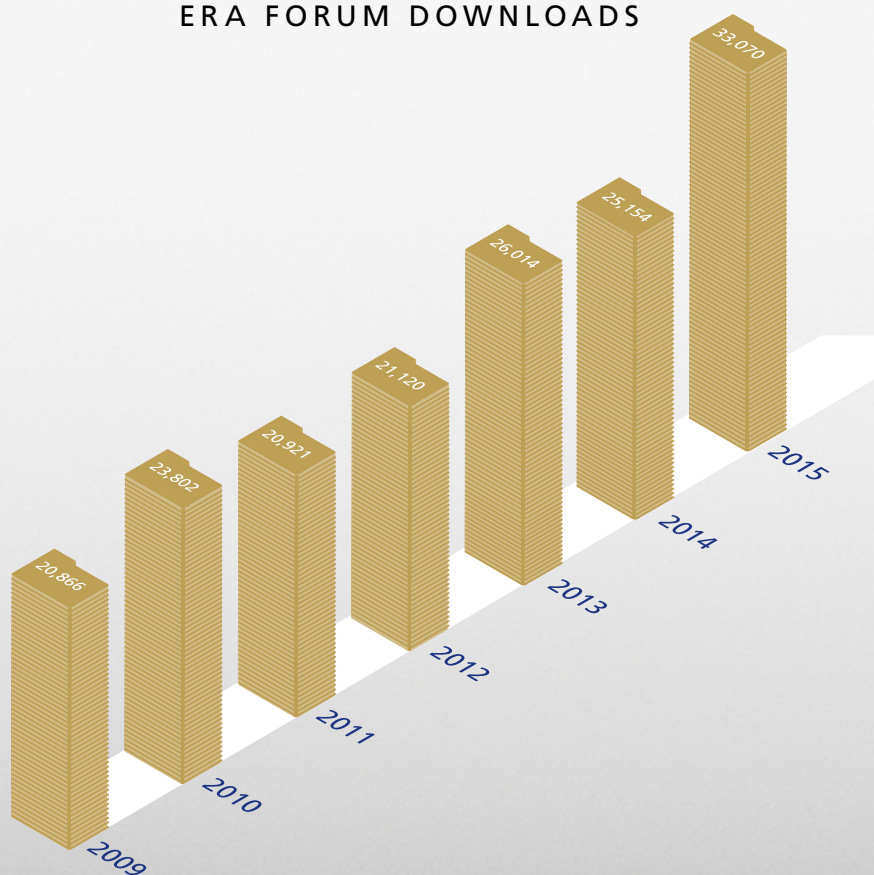
Articles published in the journal are based on the most outstanding presentations delivered at ERA's conferences.

Authors, including both practitioners and academic experts, addressed a range of topical issues in the past year: banking supervision, trade mark abuse, competition and public procurement issues, alternative dispute resolution, the recast Insolvency Regulation, cybercrime, Schengen and many more.

Each issue also includes reports on recent CJEU case law prepared by ERA's lawyers.

Members of the Friends of ERA Association are offered an annual subscription (print and online) to ERA Forum at a preferential price.

### ERA FORUM DOWNLOADS





## ERA CONFERENCE CENTRE

A valued and reliable concept of services provided to our participants has been realised for many years now and the well-being of our guests is of top priority for the ERA Conference Centre (ECC). Many activities are implemented by the ERA team. Additionally some services are realised in solid partnerships with external service providers.

ERA together with a local partner offers a shuttle service from the airports of Luxembourg and Frankfurt-Hahn to the ERA Conference Centre. Both airports are located close to Trier. A convenient airport shuttle for ERA guests and participants is highly appreciated, because the public transport network does not sufficiently serve the needs of our guests. By the end of 2014, regional carriage companies participated in a tendering procedure. As a result we arranged an agreement with the taxi company Finkelgruens.

A new cooperation with the hotel next door to the ERA Conference Centre has been set up. Since summer 2015 the largest Austrian hotel chain Vienna International Hotelmanagement AG (new brand from February 2016 Vienna House) is the operating company of the hotel. With a new service concept implemented in their hotel in Trier, the advantage of having a good quality place of residence for an overnight stay, connected to our conference facilities, remains well preserved.

### Events highlights in the ERA Conference Centre

A limited but growing contribution to ERA's overall income is provided by renting ERA premises and services to organisations and to the private sector. In 2015 the income from the ECC exceeded all previous annual turn-overs, due to a number of large events and congresses.

For the third time, the Ingram ForumMobility for purchasing agents of worldwide renowned mobile telecommunications manufacturers chose the ECC. Both international and local organisers of conferences, meetings or customer events used the service and facilities of the ECC frequently in 2015.

In May the 36th Annual Conference of the International Computer Archive for Modern and

Medieval English (ICAME 36) took place in Trier. This four-day event hosted 200 international participants. The ECC offered them perfect surroundings for an extensive academic and social exchange of views.

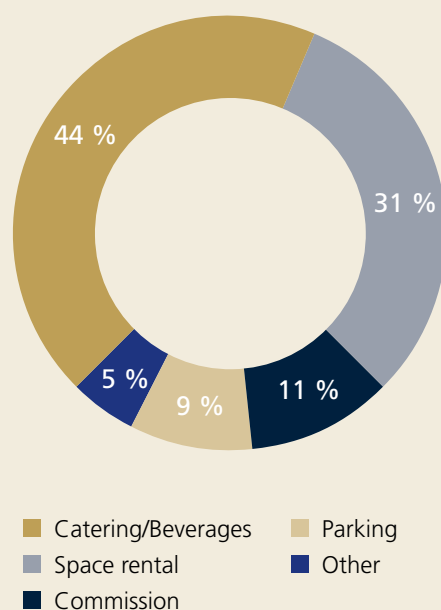
Regional small firms and traders met in several workshops, e.g. on legal barriers in export processing, export controls, value added taxes and incoterms. This 4th IHK-export forum for Rhineland-Palatinate and the Saarland was organised by the Chamber of Commerce and Industry for 200 participants.

The Institute for Environmental and Technology Law of the University of Trier organised a multilingual and international colloquium with the topic "Protecting the Environment for Future Generations – Principles and Actors in International Environmental Law". The ECC hosted this event over several days.

The largest event in 2015 has been the annual conference of the German Association for Social Psychiatry with 300 participants.

The ECC secured its position in 2015 as a regional and international congress location for medium-sized events. It will remain the aim of the ECC to offer good and reliable service for the success of our clients and their events.

ECC REVENUE MIX 2015



FRIENDS OF ERA AND  
THE JUBILEE FUND



The Friends of ERA Association brings together individuals and corporate members who share a common interest in European law and a commitment to supporting ERA's work.

Jettie Van Caenegem

*Elected chair of the Friends of ERA Association at the General Meeting in Brussels on 27 May 2015*

The ERA Jubilee Fund

The Association's most important initiative in recent years was the launch in 2012 of the ERA Jubilee Fund to mobilise financial support for three specific causes:

- extending ERA's scholarship programme to practitioners from across Europe
- supporting EU law training events at national and local level where funding is unavailable
- providing stipends for internships at ERA for EU law training professionals in the Member States

In 2015, funds of € 8,920 were raised from both individual and corporate donations. Together with the contributions of its members, the Association was able to provide € 20,000 to support in particular the Academy's scholarship programme. 23 scholars from the EU's Member States and accession countries were able to participate in ERA's events in 2015 thanks to this programme. The legal practitioners awarded with a grant came from 11 different countries: from Bulgaria, Greece, Croatia, Hungary, Finland, Lithuania, Poland, Portugal, Romania, Serbia and Turkey.

The Association would like to thank warmly the donors to the ERA Jubilee Fund in 2015:

Deutsche Bundesbank, Sparkasse Trier, Catherine Kessedjian, Allen & Overy, Luxemburg, Maria Mitola, Jackie Jones, Katherine Allen, Marco Sussi, Justas Vilys, Paula Bilbao, Louise Ellen Teitz, Carsten Grave, Gerasimos



*"I am very happy to take over as chair of the Friends of ERA at a time when the association is developing a number of new initiatives to contribute to the growth of the institution which we, as Friends, are so attached to. During my years as member of the Board of Trustees and Business Strategy Committee I have come to realise how important ERA's contribution is to the knowledge of EU law, which is still sadly lacking, also among the in-house counsel to which I have belonged for most of my career. I look forward to growing, with the help of all ERA's Friends, the funding that we can provide to ERA's activities and in particular to assisting enthusiastic Europeans to build their knowledge of European law. I invite anyone who is interested to work with the Board or who has an idea on initiatives we can develop to contact me through ERA's secretariat."*





Fourlanos, Ezio Perillo, Horst Peter Kreppel, Philippe Vlaemminck, Johan Callewaert, Sofia Spyropoulos, Roberto Mazorriaga Las Hayas, David O'Reilly, Patrick Wautelet, Diane Le Grand de Bellerroche.

### Membership activities

At its General Meeting in 2015, the Friends of ERA Association held elections for its executive committee. Jettie van Caenegem was elected chair, succeeding Manuel Medina Ortega, who continues as a member of the executive committee. The other committee members are Alain Lamassoure and Wolfgang Heusel.

The Association's newly launched chapters in Brussels and Luxembourg continued to meet, coordinated by Nina Niejahr and Carlo Schockweiler respectively. One event in Luxembourg in October focused on Schengen, including a visit to the Schengen museum followed by dinner, and was facilitated by Charles Elsen, former Director General at the Council of the EU and one of the architects of the Schengen agreements. Another in Brussels in November brought together politicians, lawyers and civil society representatives for a panel debate on the migrant crisis and the EU's response. The Brussels and Luxembourg chapters plan further activities in 2016.

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

- 10 % discount for one ERA conference of your choice per year
- Exclusive access to online conference documentation on the ERA website (password-protected area)
- Free access to one ERA e-presentation of your choice per year
- Annual subscription to ERA Forum at a preferential rate of €95 (normal price €194)
- Free participation in ERA briefings in Brussels
- Membership directory and Friends of ERA Quarterly Newsletter
- Regular networking opportunities with colleagues from the European legal community



FIND OUT MORE AT  
[WWW.ERA.INT/FRIENDS](http://WWW.ERA.INT/FRIENDS)

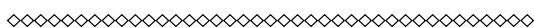
## ★ HIGHLIGHTS

### ERA on the run: International Trier City Run 2015

*13 May 2015, Trier*



For the first time the ERA Team joined the international Trier City Run 2015. Twelve members of staff ran for the Academy of European Law and were supported enthusiastically by colleagues along the circuit.



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### (AS PER 31 DECEMBER 2015)

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**Ute Beissel, Julia Degen, Anna Lees and  
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