

Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Decision	1996/0277(COD) Procedure completed
Legal professions : action programme Robert SCHUMAN, project to improve awareness of Community law	
Subject 8.50 EU law	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	JURI Legal Affairs, Citizens' Rights		
	Former committee responsible		19/12/1996
	JURI Legal Affairs, Citizens' Rights	PPE PALACIO VALLELERSUNDI Ana	
	Former committee for opinion		
	BUDG Budgets		
Council of the European Union	Council configuration	Meeting	Date
	Competitiveness (Internal Market, Industry, Research and Space)	2094	18/05/1998
	Economic and Financial Affairs ECOFIN	2072	09/03/1998
	Competitiveness (Internal Market, Industry, Research and Space)	2051	27/11/1997
	Competitiveness (Internal Market, Industry, Research and Space)	1970	26/11/1996

Key events			
15/11/1996	Legislative proposal published	COM(1996)0580	Summary
26/11/1996	Debate in Council	1970	
28/11/1996	Committee referral announced in Parliament, 1st reading		
14/10/1997	Vote in committee, 1st reading		Summary
14/10/1997	Committee report tabled for plenary, 1st reading	A4-0323/1997	
23/10/1997	Debate in Parliament		Summary
	Decision by Parliament, 1st reading		Summary

24/10/1997		T4-0524/1997	
07/11/1997	Modified legislative proposal published	COM(1997)0596	Summary
09/03/1998	Council position published	05195/1/1998	Summary
02/04/1998	Committee referral announced in Parliament, 2nd reading		
14/04/1998	Vote in committee, 2nd reading		
30/04/1998	Decision by Parliament, 2nd reading	T4-0228/1998	Summary
18/05/1998	Act approved by Council, 2nd reading		
22/06/1998	Final act signed		
22/06/1998	End of procedure in Parliament		
14/07/1998	Final act published in Official Journal		

Technical information

Procedure reference	1996/0277(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Decision
Legal basis	Rules of Procedure EP 66_o-p4; EC before Amsterdam E 100A
Stage reached in procedure	Procedure completed
Committee dossier	JURI/4/09850

Documentation gateway

Legislative proposal	COM(1996)0580 OJ C 378 13.12.1996, p. 0017	15/11/1996	EC	Summary
Economic and Social Committee: opinion, report	CES0466/1997 OJ C 206 07.07.1997, p. 0063	23/04/1997	ESC	Summary
Committee report tabled for plenary, 1st reading/single reading	A4-0323/1997 OJ C 339 10.11.1997, p. 0007	14/10/1997	EP	
Text adopted by Parliament, 1st reading/single reading	T4-0524/1997 OJ C 339 10.11.1997, p. 0407-0414	24/10/1997	EP	Summary
Modified legislative proposal	COM(1997)0596 OJ C 368 05.12.1997, p. 0006	07/11/1997	EC	Summary
Council position	05195/1/1998 OJ C 135 30.04.1998, p. 0025	09/03/1998	CSL	Summary
Commission communication on Council's position	SEC(1998)0243	17/03/1998	EC	Summary
Text adopted by Parliament, 2nd reading	T4-0228/1998 OJ C 152 18.05.1998, p. 0015-0031	30/04/1998	EP	Summary
Document attached to the procedure	SEC(2002)0157	07/02/2002	EC	Summary

Additional information

Final act

[Decision 1998/1496](#)

[OJ L 196 14.07.1998, p. 0024](#) Summary

Legal professions : action programme Robert SCHUMAN, project to improve awareness of Community law

OBJECTIVE : the proposal for a European Parliament and Council Decision seeks to establish an action programme to improve awareness of Community law for the legal professions (Robert Schuman Project) for the period 01/01/1997 to 31/12/1999. **SUBSTANCE :** the Robert Schuman Project seeks to: - encourage the launch of practical training initiatives in Community law in the Member States (initial or continuing training) by bodies responsible for training judges and lawyers or future judges and lawyers; - encourage the development, in the Member States, of information resources (traditional or based on new communication and information technology) in Community law for judges and lawyers; - support initiatives likely to facilitate implementation of the above two forms of support, complement them or enhance their impact. To achieve these objectives the programme comprises three specific sub-parts intended for support for training, information and accompanying projects. The institutions responsible in the Member States for the initial or continuing vocational training for young judges or lawyers are eligible for support (the proposal gives a list of the institutions concerned). The projects are to be selected on the basis of the following criteria: practical use of the measures, their accessibility to the greatest possible number of judges and lawyers, adjustment to constraints of professional practice and cost-effectiveness. Complementary optional criteria such as the inter-professional or cross-border dimension of measures will also be taken into account. It should be noted that the programme is intended to support and complement the activities of the Member States while respecting their responsibility for the definition of the content and organization of vocational training. The Robert Schuman Project should also complement other Community programmes such as LEONARDO (professional training), the Jean Monnet project (development of teaching on European integration) and GROTIUS (exchanges for legal practitioners). Budget : 5.6 Mecu.

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For the reasons mentioned above, the Robert Schuman Project is particularly apposite, despite the modest funding envisaged. It seeks to make the 100,000 or so judges and 450,000 lawyers in the Community realize the importance of their role in ensuring the application of Community law. The Committee supports the proposal, but it has some specific comments: The project solely concerns judges and lawyers, and excludes all other members of the legal profession. As the Member States have different concepts of the term "judge and lawyer", each should use its own concept. The Committee nevertheless stresses the considerable importance of legal practitioners within companies, organizations and associations as regards day-to-day experience and practical application of Community law. In this context, the Commission proposal already states that "the possibility of extending the scope of the project could be envisaged in connection with the assessment and monitoring arrangements referred to in Article 9". The Committee hopes that when the time comes, such an extension will indeed be considered. Nonetheless the Commission's justification for initially restricting the proposal to judges and lawyers is sound. Firstly, it is necessary to set clearly delimited objectives and concentrate the modest resources available in order to ensure the effectiveness of the scheme. Secondly, the real objective of the scheme is to improve the practical enforcement of Community law by the courts, and this depends on judges and lawyers, and only very indirectly on other legal practitioners. Furthermore, universities and other specialist institutions providing basic training for future judges and lawyers are generally already well aware of the objectives of the scheme, although it is hoped they will be provided with more effective means for pursuing these objectives. Also, it is the older and more senior judges and lawyers who have proved less willing and able to assimilate Community law. It might therefore be best to make them the priority target of the scheme. ROAD TAXES AND CHARGES?

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The Committee, following on from a hearing of experts held in May this year, unanimously adopted the report by Ana PALACIO VALLELERSUNDI (EPP, E) on the Robert Schuman project, which aims to set up a programme to improve awareness of Community law for the legal professions. As Mr DE CLERCQ pointed out, nowadays no area of law is unaffected by EU legislation. The committee adopted amendments recommending extending the scope of the project to cover all members of the legal professions involved in a broad sense in the administration of justice, and not just judges and lawyers. The project complements other Community measures concerning training and information on Community law.

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The rapporteur stressed the importance of practical rather than academic training in the area of Community law which statistics showed was still not sufficiently well known among the legal professions. While agreeing with the choice of legal basis in the original proposal, the rapporteur said that the 23 amendments tabled aimed to strengthen its scope. Commissioner de Silguy welcomed the agreement between the

Commission and Parliament on the legal basis proposed and said that all the amendments tabled could be accepted, subject to a small editorial precision to be applied to Amendment No 20.

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In adopting the report by Mrs Ana PALACIO VALLELERSUNDI (PPE,E) regarding the Robert Schuman project, the European Parliament approved the programme with the following amendments: - the objective of the programme is to contribute to the effective and uniform application of Community law, - it must be open to all members of the legal profession involved in the administration of justice (judges, prosecutors and lawyers or future lawyers in the Union), - in implementing the programme it is necessary to ensure overall cohesion and complementarity (including budgetary complementarity) between this programme and other Community training or information initiatives - a list of beneficiaries of the project must be published in the assessment report on the programme (1999). ?

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In its amended proposal the Commission accepted all the amendments adopted by the European Parliament at first reading, subject to an adjustment to the wording of an amendment on the relaxation of the obligation to ensure continuity after the cessation of Community financing. The amendments concern: - the aim of the programme (effective and uniform application of Community law), - the targets of the Schuman project (legal professionals involved in the administration of justice: judges, prosecutors and lawyers or those training as lawyers), - cohesion and complementarity (including budgetary complementarity) of the programme with other Community training or information initiatives, - publication of the beneficiaries of the project in the assessment report on the project. ?

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In its common position on the Robert Schuman project, the Council has incorporated almost all the amendments adopted by the European Parliament at first reading which were incorporated in the modified proposal. Only six amendments have not been included, principally those concerned with: - the importance of uniform and effective application of Community law in the administration of justice, - the role of the legal professions with which the proposal was concerned, - the link between this proposal and the operation of the single market, - budget complementarity and synergy between this programme and other Community programmes. The Council has, however, acceded to the European Parliament's request for references to the project's target groups, i.e. judges, prosecutors, lawyers and future lawyers of the Member States. It also incorporated the amendments concerning the duration of the programme (three years) and an amendment allowing for dispensation from the obligation to continue a project beyond the planned period. The Council also made two significant changes to the proposal concerning: 1) the financial provisions of the Robert Schuman project (incorporating a similar amendment by Parliament) and indicating a financial framework for the programme of ECU 5.6 million over three years; 2) the assessment report on the project, which will be submitted two years after it comes into force.?

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In its communication on the Council common position on the Robert Schuman project, the Commission welcomes the Council text, considering that it incorporates almost all of Parliament's amendments. ?

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The common position of the Council on the Robert Schuman programme was approved by Parliament unamended at second reading, pursuant to Rule 66(7) of Parliament's Rules of Procedure (procedure without report, adoption in letter form).?

Legal professions : action programme Robert SCHUMAN, project to improve awareness of Community law

OBJECTIVE: to establish an action programme to improve awareness of Community law for the legal professions (Robert Schuman Project) for the period 1998-2001. COMMUNITY MEASURE: European Parliament and Council Decision 1496/98/EC establishing an action programme to improve awareness of Community law for the legal professions. CONTENT: the project has been introduced for three years from 14 July 1998 and has a financial framework of ECU 5.6 million for this reference period. The Robert Schuman Project seeks to encourage and support initiatives to improve awareness of Community law for the legal professions involved in the administration of justice, i.e. judges, prosecutors and lawyers in the Member States. In particular, the project seeks to: - encourage the launch of practical training initiatives in Community law in the Member States (initial or continuing training) by bodies responsible for training judges, prosecutors and lawyers or future

judges and lawyers; - encourage the development in the Member States of information resources (traditional or based on new information technologies) in Community law for judges, lawyers and prosecutors; - support initiatives likely to facilitate implementation of the above two forms of support, complement them or enhance their impact. To achieve these objectives, the programme comprises three specific sub-parts intended for support for training, information and accompanying projects. The institutions responsible in the Member States at local, regional, national or Community level for the initial or continuing vocational training for young lawyers are eligible for support (the Decision gives a list of the institutions concerned). The projects are to be selected on the basis of the following criteria: practical use of the measures; their accessibility to the greatest possible number of members of the legal professions; adjustment to constraints of professional practice and cost-effectiveness. Complementary optional criteria such as the inter-professional or cross-border dimension of measures will also be taken into account. The programme is intended to support and complement the activities of the Member States, while respecting their responsibility for the definition of the content and organisation of vocational training. Financial support is intended to complement national financing and not, under any circumstances, to generate any direct or indirect profit. Support will be awarded for a period of one or two years, although the beneficiary is required to continue its programme beyond the period of financing (provision is made for derogations in certain cases if the beneficiary faces financial or statutory difficulties). The Robert Schuman Project should also complement other Community programmes such as LEONARDO (professional training), the Jean Monnet Project (development of teaching on European integration) and GROTIUS (exchanges for legal practitioners) and should be implemented in cohesion with other Community training or information initiatives. Provision is made for periodic monitoring and evaluation of the programme and for a report assessing its implementation after the first two years of application. ENTRY INTO FORCE: the programme will enter into force on 14 July 1998 for a period of three years.?