

Colophon

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Contents

COLOPHON	1
CONTENTS	3
1. FROM THE SECRETARY-GENERAL'S DESK	5
2. THE INFORMATION NETWORK	7
1. DEC.NAT	7
1.1 <i>Statistics</i>	7
1.2 <i>English translation</i>	7
1.3 <i>Implementation of decisions taken at the meeting on 28-29 October 2004</i>	7
1.3.1 Link between Dec.Nat, Eur-Lex and ECJ documents	7
1.3.2 Links with JuriFast	7
2. JURIFAST	8
1. <i>Statistics</i>	8
2. <i>Implementing the decisions taken at the meeting on 28-29 October 2004</i>	11
2.1 Complementary search methods - display.....	11
2.2 Links with Dec.Nat	12
2.3 Decisions contained on the site	12
2.4 Summaries.....	12
3. <i>Summary of the seminar in Trier on 15 May 2006</i>	13
3.1 General opinion of JuriFast as a user	13
3.2 The courts and JuriFast	15
3.2.1 and 3.2.2 How are the decisions entered into the database and who chooses them?.....	15
3.2.3 Appreciation of the number of decisions contributed by the courts to JuriFast.....	15
3.2.4 Are all the preliminary questions referred by the courts (except overlaps) entered into JuriFast?.....	16
3.2.5 Criteria applied for selecting decisions without preliminary reference.....	16
3.2.6 Problems entering data – Need to update information on entering data.....	17
3.2.7 Decisions from other higher courts.....	17
3.2.8 Decisions by courts of first instance	17
3.2.9 Suggestions for including more decisions and improving JuriFast as a whole	18
3. FORUM.....	21
1. <i>Statistics</i>	21
2. <i>Summary of the seminar in Trier on 15 May 2006</i>	23
2.1 Satisfaction about the options offered by the General Secretariat's forum	23
2.2 New categories or new forums within the existing categories. Interest to create a general discussion forum to enable more personal interaction between members.....	23
2.3 Reasons for the Forum's limited success.....	24
2.4 Possibility to take a more proactive role to encourage members of the courts to register on the Forum and take part in discussions.....	24
2.5 Suggestions	24
3. ACTIONS TO RAISE THE ASSOCIATION'S PROFILE	27
1. <i>Statistics</i>	27

<i>2. Implementing the decisions taken at the meeting on 28- 29 October 2004</i>	30
2.1 Access to the Association's website	30
2.2 Appointment of contact persons	30
2.3 Information concerning member courts	30
<i>3. Summary of the seminar in Trier on 15 May 2006</i>	30
3.1 Actions by the courts	30
3.2 and 3.3 Distribution of the newsletter and the vademecum.....	32
<i>4. Awareness raising action outside the courts</i>	32
4.1 Court websites.....	32
4.2 Courts' annual report.....	32
4.3 Other actions undertaken with a view to raising awareness of the Association	32
4.4 Involvement in events where it was possible to mention the Association	33
<i>5. Actions to be undertaken by the Association itself</i>	34
4. GENERAL CONCLUSIONS	37

1. From the Secretary-general's desk

The information network - more specifically the Dec.Nat and JuriFast databases and the forum - is playing an increasingly central role in the Association's activities, particularly where the European authorities are concerned.

This aspect was stressed at the most recent General Assemblies and Board meetings. It was emphasised that responsibility for improving the information network and ensuring that it runs smoothly lies with the research departments and contact persons, as well as with the General Secretariat. The Board therefore resolved that the research departments and contact persons should meet once a year to help achieve this goal.

The first of these meetings was held in Trier on 15 May 2006 and was attended by the representatives of almost all the research and documentation departments.

A variety of objectives were set. It was firstly necessary to assess the system, analyse why some instruments are still not working as well as they could (e.g. the number of judgements entered into JuriFast has fallen and the forum is not sufficiently used) and find appropriate solutions. At a more technical level, it was also deemed useful to examine whether the decisions and recommendations adopted at the meeting held at Trier on 28-29 October 2004 have been implemented and what further technical improvements could be made.

Both the responses to the questionnaire and the participation in the discussions held during the seminar of 15 May 2006 demonstrated the resolve of the research and documentation departments to make the information network into an effective tool which is accessible to more people. This is a welcome development.

Even more fundamentally, the General Assembly and the Board have noted that our Association remains very little known in judicial circles and among the general public, although its website contains a great deal of useful information (databases, reports on colloquia and seminars, newsletters, etc.). It was therefore decided to implement a scheme to raise awareness of the Association and its website.

This edition of the newsletter will give a detailed overview of the information network by taking stock of the situation, summarising the work carried out during the seminar in Trier on 15 May 2006 and presenting the conclusions.

Yves Kreins

Secretary General

2. The Information Network

1. Dec.Nat

1.1 Statistics

This database contains around 18,000 references to national decisions relating to Community law and covers the period 1959 to the present day.

1.2 English translation

The task of translating the Dec.Nat database into English was entrusted to a specialist agency that was already doing translation work for the Association. It was a substantial job. The General Secretariat did some ground work by identifying frequently recurring expressions to avoid these expressions being translated several times over; it also translated the formal sources itself.

The various parts of the translation job were completed on schedule, i.e. mid May 2006, which coincided with the meeting in Trier.

The updates that the Court of Justice has said it will provide twice a year will also have to be translated.

1.3 Implementation of decisions taken at the meeting on 28-29 October 2004

1.3.1 Link between Dec.Nat, Eur-Lex and ECJ documents

It was felt that the Celex codes of European provisions and the references to ECJ documents contained in Dec.Nat as references could usefully give direct access to these documents.

Links have been created accordingly.

1.3.2 Links with JuriFast

It was decided to create links between the two databases so that they could complement one another as much as possible.

This has been done: a link to "other information available in JuriFast" or "other information available in Dec.Nat" is now displayed whenever a decision is contained in both databases.

2. JURIFAST

1. Statistics

As at 1 July 2006, JuriFast contained 221 national decisions (plus subsequent decisions relating to preliminary questions) communicated by 19 member courts.

- *On a country-by-country basis, the number of decisions breaks down as follows (in decreasing numerical order):*

Netherlands: 39

Italy: 5

Belgium: 27

Czech Republic: 5

Austria: 23

Lithuania: 4

Portugal: 23

Poland: 4

Germany: 20

Estonia: 3

France: 20

United Kingdom: 2

Greece: 16

Ireland: 2

Sweden: 11

Cyprus: 1

Spain: 8

Luxembourg: 1

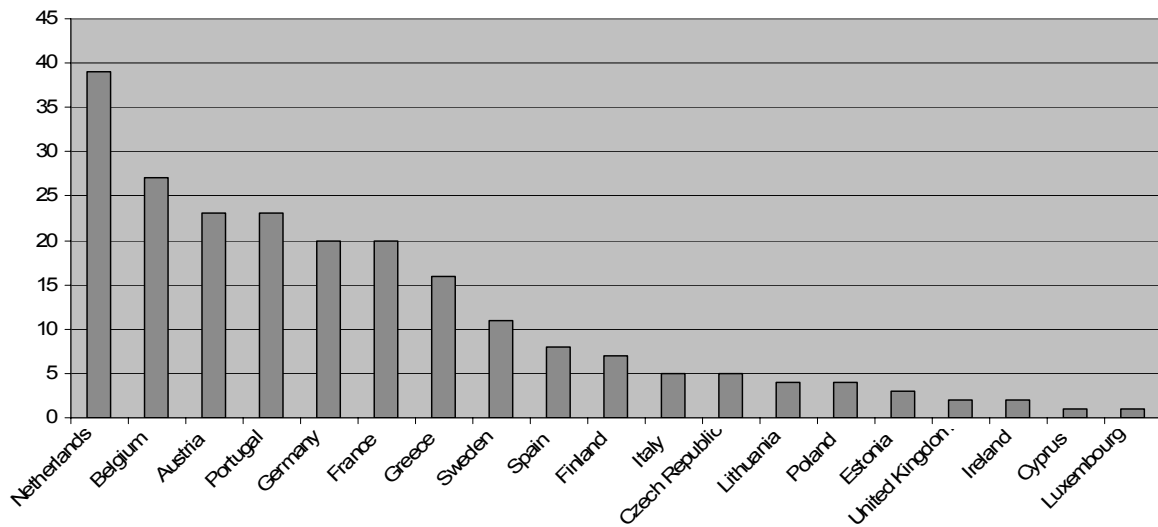
Finland: 7

- *Break-down per year of decisions submitted*

2004		2005		2006 (1 st half)	
Netherlands	20	Netherlands	19	Portugal	13
Germany	16	Austria	12	Austria	6
Belgium	15	Belgium	9	France	4
Spain	8	France	9	Czech Republic	4
France	7	Greece	6	Belgium	3
Greece	7	Portugal	5	Estonia	3
Sweden	6	Finland	4	Greece	3
Austria	5	Sweden	4	Lithuania	3
Portugal	5	Germany	2	Germany	2
Finland	3	United Kingdom	2	Poland	2
Italy	3	Italy	2	Cyprus	1
Ireland	1	Poland	2	Sweden	1
Lithuania	1	Ireland	1		
		Luxemburg	1		
		Czech Republic	1		
Total: 97 decisions		Total: 79 decisions		Total: 45 decisions	

- *Chart*

JuriFast - Decisions



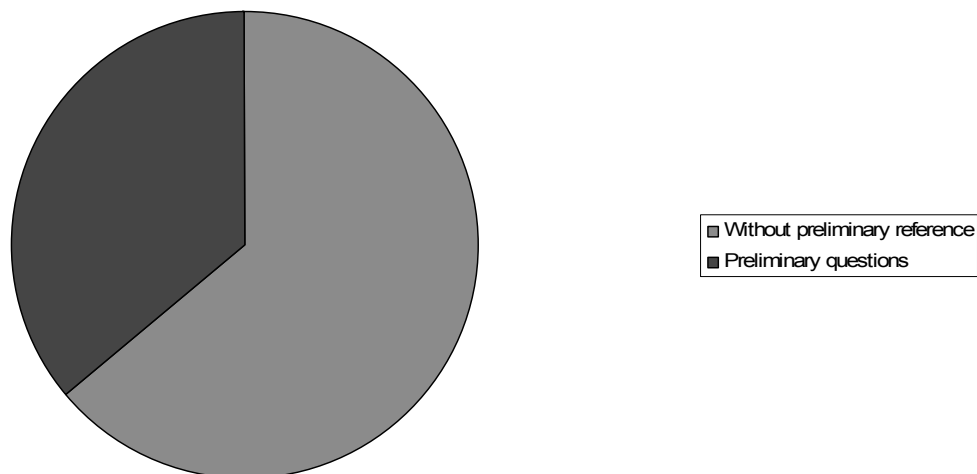
Six courts had not yet submitted information: the Supreme Court of Denmark, the Supreme Court of Hungary, the Supreme Court of Latvia, the Court of Appeal of Malta, the Supreme Court of Slovakia and the Supreme Court of Slovenia(*). After two years of EU membership, these 'new' Member State courts are soon likely to have to rule on issues relating to European law. The solutions they reach and the questions they ask themselves will then be made known via the Association.

Furthermore, as at 1 July 2006, one member court had still not taken the necessary steps to activate an account with JuriFast (the Supreme Court of Slovakia).

(The Supreme Court of Malta has since submitted two decisions and The Supreme Court of Hungary one decision.*

- *As regards the type of decisions, around 64% are decisions without preliminary reference and 36% relate to preliminary questions.*

JuriFast - Types of decisions



2. Implementing the decisions taken at the meeting on 28-29 October 2004

2.1 Complementary search methods - display

Initially, searches in JuriFast could only be made for the provision of European legislation applicable in the area concerned, based on details of that provision (type of provision, year, number, article(s), title word(s)).

It was decided to create an "advanced search" screen to enable searches:

- by court;
- by Member State;
- between two dates;
- based on the classifications used in Dec.Nat.

Modifications have been made along these lines although the new search screen does not offer searches by court or based on the Dec.Nat classifications. However, now that the new screen has been tested, these search methods do not seem necessary and would only clutter up the screen without making any really useful contribution.

This said, the new screen does enable searches based on the:

- type of decision (preliminary question or decision without preliminary reference);
- words of the subject of the decision.

It was also decided to:

- reach an agreement with the Court so that the case reference number appears as soon as it has been allocated;
- create a link with the Official Journal to enable access to the full text of questions asked in all the EU languages. This will require the creation of an additional section to store the necessary code.

This has yet to be done.

The idea of providing a simplified display, in addition to the normal display of five decisions per page, so that more decisions can be displayed on one page, was not in the end implemented, since the General Secretariat felt that the existing search methods processed information in an adequate way.

2.2 Links with Dec.Nat

Done: see point 2 – 1.3.2.

2.3 Decisions contained on the site

a) It was agreed that the preliminary questions asked by member courts would be systematically entered into JuriFast, except in the case of overlap. An examination of the OJ reveals that some of the questions asked have not been added to the database.

b) The delegates approved the idea that the database should not be limited to the decisions taken by member courts alone, but could also include the rulings and judgements of other higher courts. Some members are apparently reluctant to go down this path, whereas others are asking for decisions at first instance to be included.

2.4 Summaries

The October 2004 seminar was devoted to a relatively broad discussion of the way decision summaries should be written. As regards the length, it was recommended that the summary should be limited, where possible, to about 1/2 - 2/3 page (excluding the terms of the preliminary question, if there is one).

In reality, the length of summaries varies quite considerably, some being extremely succinct (e.g. stating no more than the preliminary question), others covering two A4 pages.

The other official elements, such as references in the summary itself to the court, the decision references, the subject etc., are only rarely included.

3. Summary of the seminar in Trier on 15 May 2006

3.1 General opinion of JuriFast as a user

- *Results*

	Total responses	Very good	Good	Average	Poor	Very poor
General quality of decisions	22	3	17	2	0	0
Total number of decisions	23	1	9	9	3	1
Description of subject	23	6	14	2	1	0
Content of summaries	23	6	12	4	1	0
Layout of summaries	23	4	13	4	2	0
General presentation of JuriFast	23	3	19	1	0	0
Clarity of "latest decisions" list	23	8	13	2	0	0
Search functions	23	3	13	7	0	0
General user-friendliness	23	1	19	3	0	0

- If we give each rating a number (0 for very poor - 4 for very good), we obtain the following averages per category:

	Rank	Average (Max. = 4)
Clarity of "latest decisions" list	1	3.26
Description of subject	2	3.09
General presentation of JuriFast	2	3.09
General quality of decisions	4	3.04
Content of summaries	5	3.00
General user-friendliness	6	2.91
Layout of summaries	7	2.83
Search functions	7	2.83
Total number of decisions	9	2.26

The evaluations show that the JuriFast system itself is generally satisfactory but they also indicate the items for which the members want to see improvements as a matter of priority:

- number of decisions;
- search functions;
- layout of summaries;
- general user-friendliness.

Although the above-mentioned points are generally evaluated positively, suggestions for improvement have been made for some aspects.

All of these points will be addressed below.

3.2 The courts and JuriFast

3.2.1 and 3.2.2 How are the decisions entered into the database and who chooses them?

The responses indicate that the decisions are usually entered by the contact person or by the research and documentation department (in some cases, the contact person also belongs to the department). The choice about what decisions to include is usually made by the people who enter the decisions. In five cases, the magistrate who handed down the decision is responsible for making the choice, in some instances together with the research and documentation department (as is the case in Germany or in Latvia, for example).

However, there is no standard system. The task is sometimes divided up into basic aspects and more technical ones (such as in the Netherlands). Dialogue¹ often takes place and in certain cases, some form of control² is exercised. Moreover, when there is a 'European law' body or department, the head or a member of the entity is asked to contribute in some way or another. This is the case, for example, in Poland, the Netherlands and the Czech Republic.

Generally, the contact persons or the research department appear to have a high degree of independence as regards decision-making. The responses provided do not indicate that red tape hinders this work.

The explanations and clarifications provided during the meeting confirm this information: it seems unnecessary to encourage other means of action.

3.2.3 Appreciation of the number of decisions contributed by the courts to JuriFast

A distinction must be made from the outset between the courts in the Member States belonging to the EU before 1 May 2004 and those in the 'new' Member States. Several of the latter quite rightly point out that they have not yet had to hand down a decision suitable for inclusion on the site.

¹ - In Ireland, the contact person is the assistant to the Chief Justice and is in regular contact with the administrative staff of the Supreme Court and the judicial research assistants. Suggestions may also be made by the Chief Justice, judges of the Supreme Court,

- Estonia pointed out that the contact person is able to consult the magistrate who handed down the decision. Although this possibility it is not mentioned explicitly by the other members, is highly likely that it exists in other courts.

² This is the case, for example, in Cyprus. The contact person always performs his task under the supervision of the Supreme Court. The selection of decisions, the drafting of the summaries and the way the decisions are entered into the database are being reviewed by the Supreme Court. In the Czech Republic, the judge who handed down the decision is responsible for approving the summary.

A significant number of courts think that they make an adequate contribution to the number of decisions. This may be the case even though the number is relatively low, since the decisions taken do not necessarily meet the objectives of the database (Germany).

Those who considered the number to be insufficient attributed this to a lack of time.

Although no explanation is given on this matter, it cannot be ruled out that the courts themselves sometimes have doubts about the importance of the Association's activities.

Two courts highlighted the difficulties related to using French or English for the summaries and one referred to technical problems.

The number of decisions posted by Portugal does not yet meet the target set. However, the number will surely increase in the near future since more officials have now been made responsible for analysing the decisions.

The Netherlands provided 39 decisions by June 2005. This can be attributed to the fact that a person responsible for JuriFast has been appointed until March 2006.

Everyone involved in the discussions on this very important matter were extremely motivated and encouraging prospects emerged from the discussions. It appeared that, in some cases, the heads of the courts could give the research and documentation departments more time for activities related to JuriFast. The Secretary General undertook to make the necessary contacts in this respect, primarily during the Board meeting held during the Leipzig colloquium.

3.2.4 Are all the preliminary questions referred by the courts (except overlaps) entered into JuriFast?

The responses can be compared to those given for the previous question: the majority of the courts in the new Member States have not yet been able to submit a preliminary question. As regards the other courts, there is obviously no problem of principle in referring all the preliminary questions asked (and also those from other higher administrative courts). If some courts do not do so, this can be put down to the reason mentioned above, i.e. a lack of time.

Moreover, the Netherlands stated that for administrative law they include all decisions with preliminary reference from the Dutch courts.

3.2.5 Criteria applied for selecting decisions without preliminary reference

All the courts apply the criteria decided on at the last seminar.

It should be noted, however, that two courts from the new Member States said that they do not apply restrictive criteria in a bid to give maximum visibility to the application of European law (Lithuania and the Czech Republic).

Moreover, the Netherlands indicated that they include all the decisions of the Dutch courts, which hand down a decision after the ECJ has given a preliminary ruling following a decision with preliminary reference made by a Dutch court on administrative law.

3.2.6 Problems entering data – Need to update information on entering data

The vast majority of the members did not mention any problems entering data. However, one member did find the procedure relatively complex, whilst another pointed out difficulties entering provisions contained in the Treaty.

Moreover, the majority of the courts believed that the information on entering data is sufficient. Three of the courts, however, would like to see some modifications, one of them – the Netherlands – in formal terms (too many pages for the content). These three requests do not, however, seem to be urgent.

The General Secretariat has since decided to update the information because the actions to raise the Association's profile need to be able to rely on completely up-to-date information.

3.2.7 Decisions from other higher courts

The question regarding the inclusion of decisions made by other higher courts (which had already been discussed during the previous seminar) gave rise to no real fundamental objections. Several courts mentioned the fact that there was no other higher court; three others said that it was difficult to take sufficient account of such decisions since they were not always aware of them; two others referred to the lack of time.

However, no courts seemed to contest the useful nature of such information; some courts have already adopted such an approach and others are planning on doing so. The responses also indicated that such decisions should only be included if they help to achieve the Association's objectives.

3.2.8 Decisions by courts of first instance

The responses to the question about whether it was appropriate to include decisions from courts of first instance, are pretty evenly divided:

- 12 (including seven courts from the new Member States) in favour of this approach, the sole condition being whether the decision is of interest:
- one member, Austria, in favour of the approach, but provisionally;
- one member, Slovakia, in favour of the approach but only when there is no higher court to resolve the issue (in other words, when the court of first instance is the last court to give a ruling);
- 10 (including two courts from the new Member States and Turkey) think that we should limit ourselves to higher courts. Since only two comments³ were submitted with the responses, it is

³ Czech Republic: "JuriFast should inform about application of EU law in administrative judiciary of the Member States. We cannot reasonably expect that everything will be reported; to rely exclusively on the information from higher courts might be misleading and give only a fragmented picture. However, reports about overruled judgements should be updated so that it is clear that the previous decision has been modified/annulled."

impossible to tell why the courts gave the responses they did, especially in the case of a position of principle or if there were reasons relating to certain practical problems (problems keeping up to date with the decisions or summarising the decision of another court, lack of time and so on).

It was necessary to reach a consensus on the matter since requests on the subject have already been made.

During the discussions on the matter, agreement was reached relatively quickly regarding careful management. In the end, it was decided that the decisions from the courts of first instance would be included, which followed a ruling by the Court of Justice on a preliminary question.

3.2.9 Suggestions for including more decisions and improving JuriFast as a whole

Some members were concerned about the way in which the question was formulated, highlighting that the primary concern must be the quality of the content (Greece - Estonia⁴). All in all, however, the participants agreed that an increase in the number of decisions included, together with the concern of maintaining high quality, would generate more interest in the site and would also be in line with the Association's objectives.

As regards the **number of decisions** included, few suggestions were made and those that were made are similar to the aspects examined under other points:

- include all the decisions that are relevant to Community law (Greece – Latvia - Lithuania);
- "Reporting decisions of 'parallel' higher courts (German Bundesfinanzgericht and Bundessocialgericht are 'supreme administrative courts' for many other jurisdictions)" (Czech Republic);
- more decisions will obviously be entered once the quality has been improved (the Netherlands) or once more people are aware of the database (Belgium – Malta).

To improve the **quality of JuriFast** as a whole:

- *Optimise the search methods - requested by Estonia, France, Ireland, Lithuania and the Netherlands.*

"A drop-down menu listing the thematic headings (using the directory available on Eur-lex or Eurovoc as a model) could appear when entering decisions; this could make searches by topic more efficient than searches using key words" (France).

Latvia : " It is possible that lower courts are issued interesting or important decisions which are not appealed to the Supreme Court."

⁴ "The quality of a database depends more on the availability of information and efficient possibilities for search, than the number of decisions entered into the database. There isn't need to increase artificially the amount of information, but to guarantee its availability (for example unification of used terminology)"

"Adding ECJ case codes to the search facility" (Ireland).

"Possibly the introduction of a thesaurus" (Malta).

Although the participants agreed that more refined search methods could be useful in various contexts, it was pointed out that such developments could not be made overnight and would require serious investment, both intellectual and material. It was therefore necessary to give this matter more thought. However, any practical suggestions from members would be welcome which could be addressed during subsequent discussions on the matter.

- *Improve the quality of the summaries:*

The Netherlands thought that, "The following sections should receive more attention and contain 'stricter' editorial rules: 'Subject' and 'Summary'. Especially the summaries should offer sufficient information that is readable and understandable (but with a maximum words/pages), but also offer pleasure to read it: use of good English, use of (sub)headings, providing basic information about the decision (country concerned, name of the court, date of the decision, number of the decision), mentioning the subject, mentioning the names of the parties involved, mentioning the paragraphs of the decision in which European law is being applied (the most relevant parts of the judgment from the point of view of the application of European law) and obviously an informative, comprehensive and understandable summary itself telling the reader what the case is about and how has the judge applied EU-law.(.) The next step would be that the use and application of the instructions is monitored and enforced in a stricter way by the secretariat. Best practices should be developed and high editorial standards should be maintained."

Ireland made a suggestion identical to that made by the Netherlands as regards the identification of summaries, stating that this would prove particularly useful when printing the summaries⁵.

As the JuriFast does not offer to enter a translation of whole decision in the database, the summaries should reach high level of clarity, namely, summary must show brief description of factual background and legal issue of the case (Latvia).

The Czech Republic thought that, "It might be worth considering longer summaries for each judgment. Many summaries are too short to be understood. There should be more clarity whether or not the database is to be a simple listing of relevant national case-law which relates to EC law or whether it is supposed to provide some useful (i.e. more detailed information) as well. So far, there seems to be some discrepancy between individual submissions as far as this is concerned."

⁵ The secretariat has been systematically entering these elements into the summaries for several months now.

A formal agreement was reached on the following matters: the summary must mention the Member State, the court, the date and the references of the decision (possibly also the name of the parties) and the subject of the decision.

- *General suggestions from the Netherlands:*

Look at and find inspiration in similar projects/website/databases/publications⁶;

Look at cooperation with publishers of legal information and organisations with similar aims as our Association such as the European Network of Councils for the Judiciary.

- *Other suggestions:*

Germany: Layout of the website could be improved by reducing empty spaces on the pages. Better usage of space would improve readability of the website. Try to avoid frames. Access for disabled persons needs to be improved.

Cyprus would like to suggest that the decisions and the summaries must be sent by CD Rom and the secretariat must undertake to enter them into the site. Furthermore the data should be translated into both English and French. The information provided must be constantly updated.

Ireland: the issuance of periodic reminders to contact persons similar to the 'New Topic' notification system on the Forum.

Italy: simplify the procedure, make more precise suggestions as regards the decisions, periodically contact the contact persons.

Lithuania: possibility to expand the list of persons getting the information from the system about new decisions.

Malta: as much as possible try and simplify the technical procedures for inputting decisions in the site.

⁶ For example:

a. Caselex (see: www.caselex.com)

b. 'Oxford Reports on International Law in Domestic Courts' (see: <http://www.jur.uva.nl/aciluk/object.cfm/objectid=71508F31-6DB1-4B34-BD571D32D5CC1545>).

c. Westlaw (see: <http://west.thomson.com/westlaw/newlook/default1.asp>)

d. LexisNexis (see: <http://www.lexisnexis.com/>)

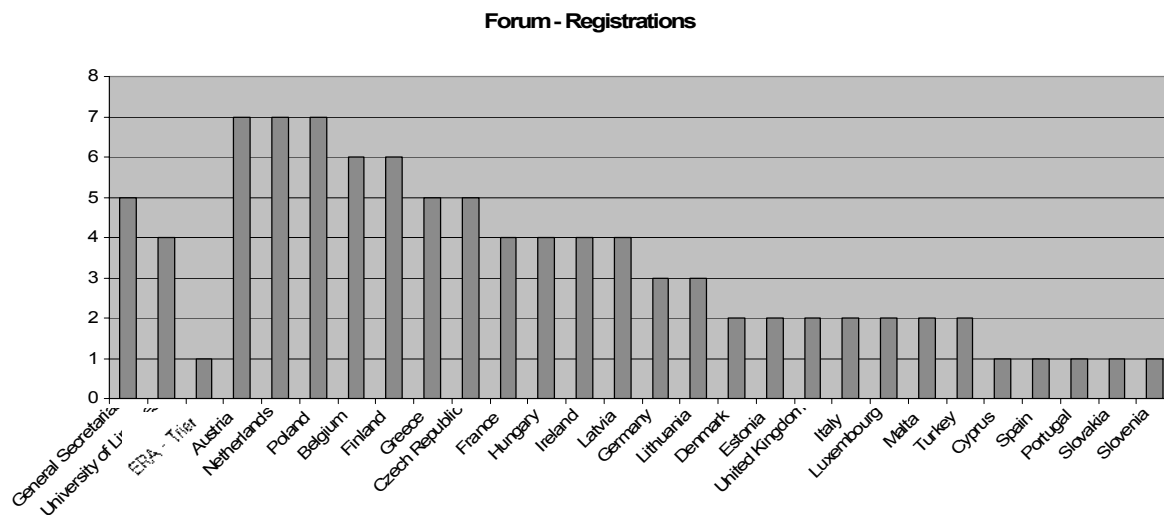
3. FORUM

1. Statistics

- As at 1 July 2006, the forum comprised 94 members, divided up as follows:

General Secretariat: 5	Germany: 3
University of Limoges: 4	Lithuania: 3
ERA - Trier: 1	Denmark: 2
Austria: 7	Estonia: 2
Netherlands: 7	United Kingdom: 2
Poland: 7	Italy: 2
Belgium: 6	Luxembourg: 2
Finland: 6	Malta: 2
Greece: 5	Turkey: 2
Czech Republic: 5	Cyprus: 1
France: 4	Spain: 1
Hungary: 4	Portugal: 1
Ireland: 4	Slovakia: 1
Latvia: 4	Slovenia: 1

- Chart



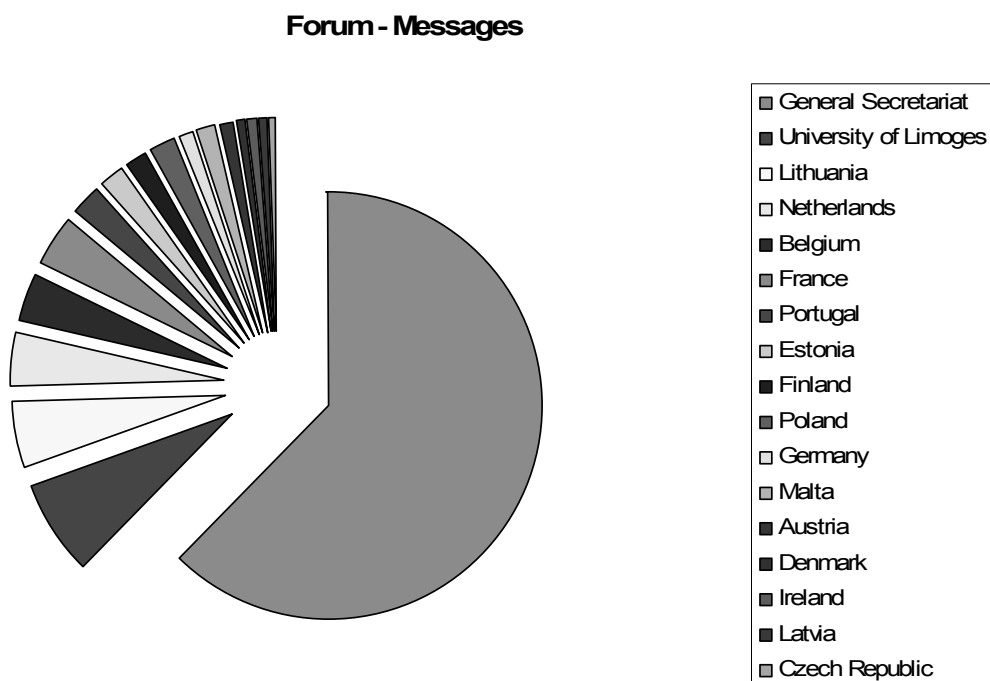
- *As shown by this list, there are still no registered members from Sweden and Slovakia.*

The forum members have posted a total of 164 messages.

The majority of the messages come from the General Secretariat (102).

Of the registered members, only those from the University of Limoges (12), Lithuania (8), the Netherlands (7), Belgium (6), France (6), Portugal (4), Estonia (3), Finland (3), Poland (3), Germany (2), Malta (2), Austria (2), Denmark (1), Ireland (1), Latvia (1) and Czech Republic (1) have posted messages.

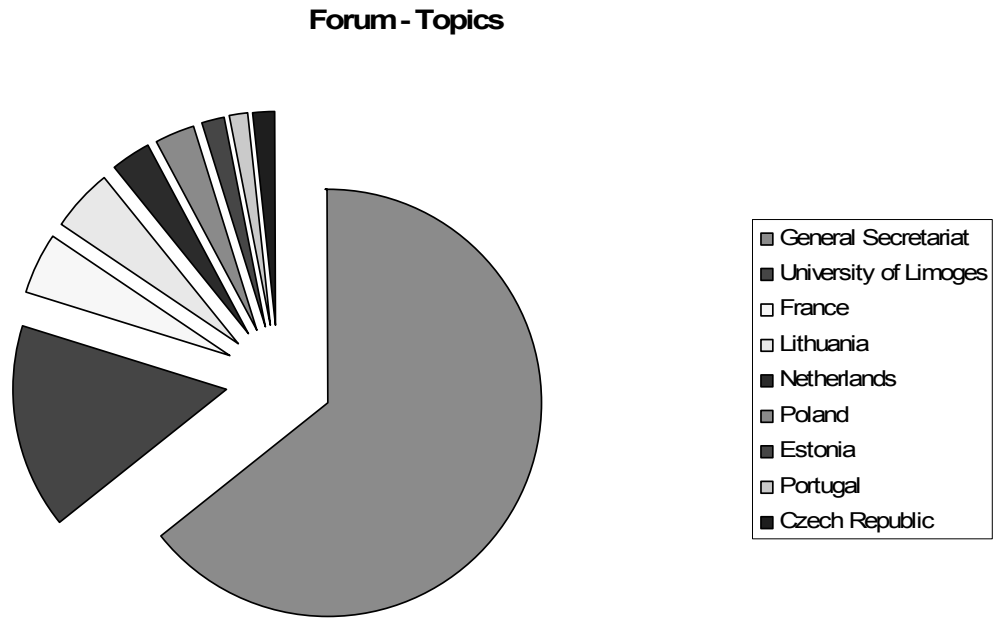
- *Chart*



- *The 164 messages cover 64 discussion topics.*

These 64 topics were initiated by the General Secretariat (41), the University of Limoges (10), France (3), Lithuania (3), the Netherlands (2), Poland (2), Estonia (1), Portugal (1) and the Czech Republic (1).

- *Chart*



2. Summary of the seminar in Trier on 15 May 2006

2.1 Satisfaction about the options offered by the General Secretariat's forum

The unanimous response was yes. No suggestions for new functions were made.

2.2 New categories or new forums within the existing categories. Interest to create a general discussion forum to enable more personal interaction between members

The responses to this question were more divided: no countries seemed to want to create any specific new categories, but nine countries were in favour of creating a general discussion forum for the members. However, Ireland raised the issue of a lack of time.

Lithuania suggested extending access to the Forum to include the members of other supreme courts. Slovenia was also in favour of more general access.

The idea of creating a forum purely for general discussions received much support. It would therefore be created in the near future.

2.3 Reasons for the Forum's limited success

- | | |
|---|----|
| • Lack of time | 12 |
| • Not well known, use not instinctive | 12 |
| • Unlikely to obtain an answer to questions asked | 4 |
| • Little information of European relevance to share | 3 |
| • Difficult to use | 0 |

Hungary mentioned that it was only inclined to answer when a question was specifically directed at it. Lithuania highlighted the fact that answers took a long time and that some of the questions were complex. It also referred to linguistic problems. The Czech Republic thought that communication via e-mail was sufficient. Greece thought that the magistrates' high work intensity was an important factor. For Latvia, at present the forum is not favourite tool among judges realizing their daily work duties. Sometimes an answer to the legal issue must be very prompt; therefore the judges are looking for this information on EuroLex portal, on website of the European Court of Justice or on HUDOC portal. But the Forum is a very good tool for persons who do not need a very prompt answer to their legal issues.

During the seminar, the language problem was mentioned: many members cannot understand or speak English or French well enough to be able to participate actively in the forum. Moreover, some judges still find the modern IT tools difficult to use, it will take time to change working habits.

2.4 Possibility to take a more proactive role to encourage members of the courts to register on the Forum and take part in discussions

The majority of members responded positively. Estonia pointed out that all the members of its court were already aware of the Forum. Finland had also encouraged everyone, but to no avail. Slovakia agreed but pointed out that there were few judges who dealt with administrative affairs. Sweden did not have enough time at the moment.

Those courts willing to make an effort all highlighted the importance of an internal information and publicity campaign within their court, using letters, e-mails, intranet or information sessions, which would inform each member about the Forum and the possibilities and advantages that it offers. Malta was considering raising awareness amongst the members of the courts about the Forum and the fact that it could be an effective means of communication for sharing ideas and experience. The Luxembourg Council of State is planning on establishing direct access to the Forum from its intranet in the near future.

Several members stressed the need to update the information campaigns regularly.

2.5 Suggestions

- *to increase the number of questions/answers on the Forum*

Once again, the focus was placed on the dissemination of information.

Cyprus suggested posting the questions and answers in a more user-friendly manner. Hungary highlighted the importance of personal contact between members. Lithuania was considering internal measures to identify the people responsible for answering the questions and reiterated the idea of extending access to the Forum.

Ireland asked to receive a second notification of the new subjects posted, two weeks after the first, by e-mail.

- *to improve the Forum as a whole*

Few suggestions were made, although awareness about the Forum needs to be raised. Cyprus suggested that the members conduct an annual evaluation of the website. Hungary suggested setting up groups with specific interests in common.

Ireland would like to be able to sort messages by member and by date.

3. Actions to raise the Association's profile

1. Statistics

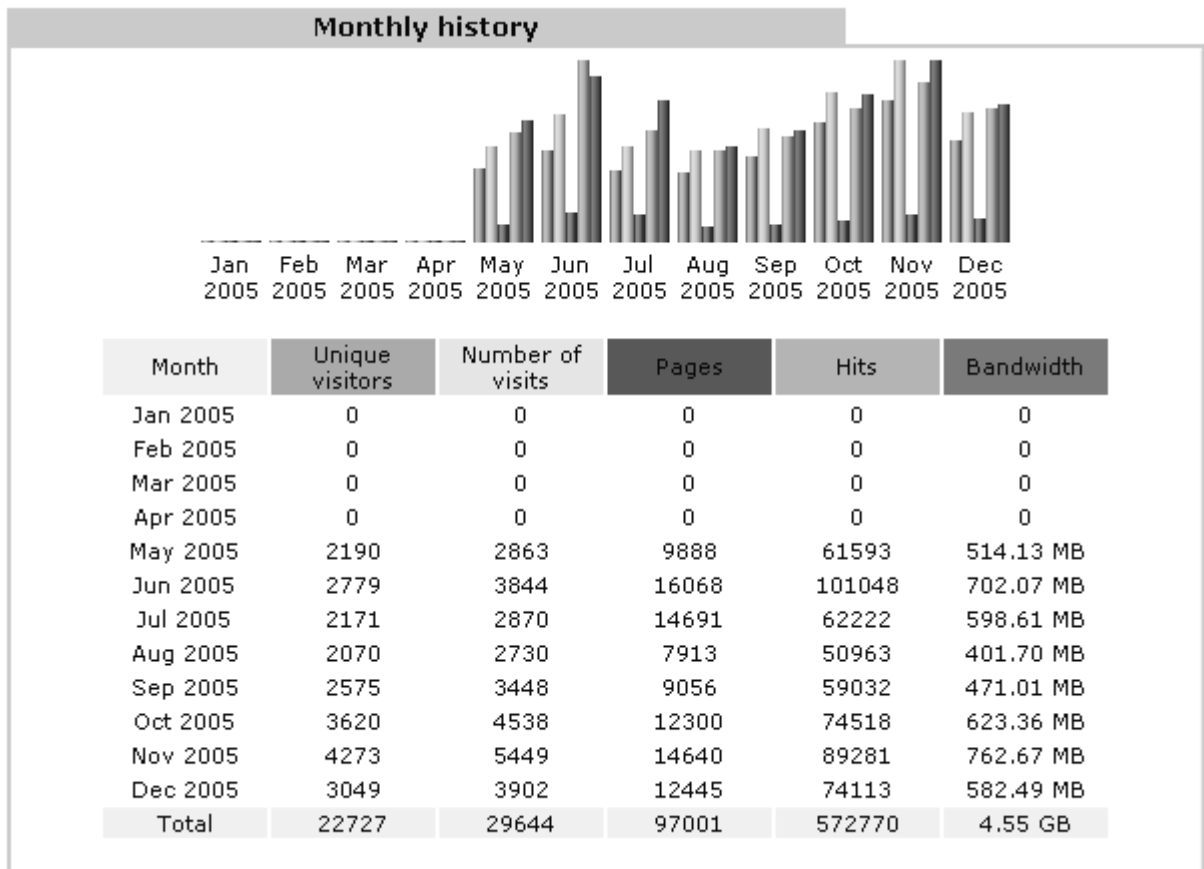
- 2005

The statistics tool was installed on the site in early May 2005.










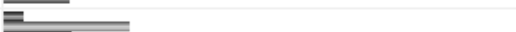










Summary					
Reported period	Year 2005				
First visit	09 May 2005 - 00:00				
Last visit	31 Dec 2005 - 23:27				
	Unique visitors	Number of visits	Pages	Hits	Bandwidth
	<= 22727				
Viewed traffic *	Exact value not available in 'Year' view	29644 (1.3 visits/visitor)	97001 (3.27 pages/visit)	572770 (19.32 hits/visit)	4.55 GB (160.83 KB/visit)
Not viewed traffic *			112875	235320	6.17 GB

* Not viewed traffic includes traffic generated by robots, worms, or replies with special HTTP status codes.

The site received an average of 2,840 different visitors a month, each of whom visited an average of 1.3 times a month. A total of 12,000 pages were consulted each month.



The 10 countries that visited the site most often in 2005 were France, Belgium, the Netherlands, Luxembourg, Germany, Poland, the United States, the Czech Republic, Finland and the United Kingdom.

Countries (Top 10) - Full list					
Countries		Pages	Hits	Bandwidth	
 France	fr	17696	94867	1.15 GB	
 Belgium	be	14044	92476	1.02 GB	
 Netherlands	nl	5574	59987	288.15 MB	
 Luxembourg	lu	4175	27500	149.31 MB	
 Germany	de	3396	22704	150.72 MB	
 Poland	pl	3056	14522	206.95 MB	
 United States	us	2793	9271	156.87 MB	
 Czech Republic	cz	2571	12803	68.97 MB	
 Finland	fi	2413	15585	80.22 MB	
 Great Britain	gb	2289	15695	113.67 MB	
Others		38994	207360	1.19 GB	

The most frequently consulted parts of the site were (in order of frequency) JuriFast in English, JuriFast in French, the homepage, Dec.Nat in French, the forum, Dec.Nat in English and the guide to preliminary ruling proceedings, followed by the site's other pages (members, colloquia, newsletter, activities, structure, etc.).

As regards technology, most users have Windows as an operating system and Internet Explorer as a navigator, although Firefox is beginning to break through.

64% of users accessed the site directly or via their favorites, 25% via a search engine (in the vast majority of cases Google) and 10% via links on other sites (the websites of the different courts but also sites such as droitenligne.com, juriguide.com and certain university websites).

The terms most frequently used to access the site via a search engine included "preliminary ruling", "renvoi préjudiciel", "jurisprudence", "jurifast", "la preuve devant le juge administratif" and "exception d'illégalité".

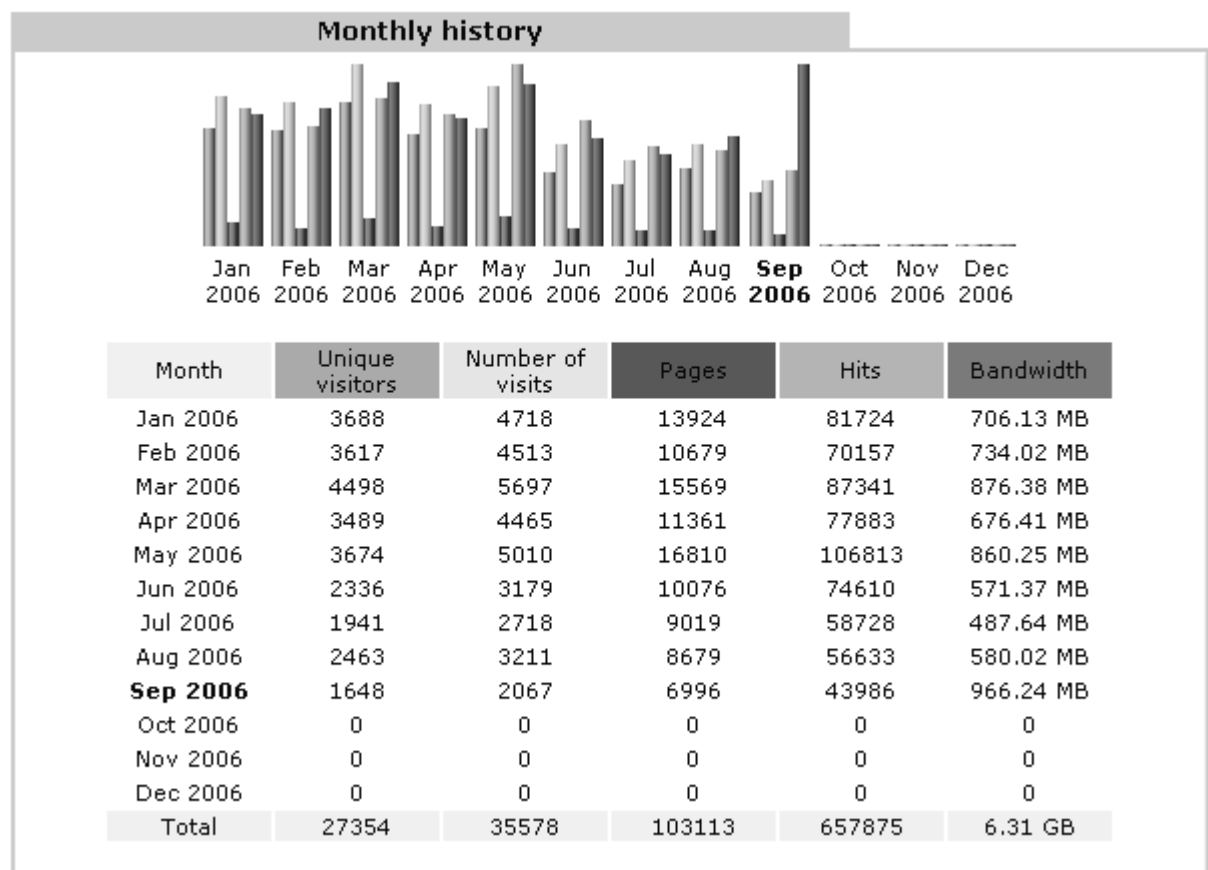
Around 6% of those who visited the site added it to their favorites.

- 2006











Summary					
Reported period	Year 2006				
First visit	01 Jan 2006 - 01:26				
Last visit	16 Sep 2006 - 21:47				
	Unique visitors	Number of visits	Pages	Hits	Bandwidth
Viewed traffic *	<= 27354 Exact value not available in 'Year' view	35578 (1.3 visits/visitor)	103113 (2.89 pages/visit)	657875 (18.49 hits/visit)	6.31 GB (185.88 KB/visit)
Not viewed traffic *			166183	304290	6.87 GB

* Not viewed traffic includes traffic generated by robots, worms, or replies with special HTTP status codes.

The statistics for 2006, which are still far from complete, confirm the 2005 figures but reveal a progression in the average number of different visitors per month (3,572).



Portugal is now among the 10 countries that have consulted the site most often; the most frequent visitors now come from France, Belgium, the Netherlands, the United States, Luxembourg, Germany, Portugal, Great Britain, and Poland.

Countries (Top 10) - Full list				
Countries		Pages	Hits	Bandwidth
 France	fr	19920	111598	1.66 GB
 Belgium	be	16373	117539	1.81 GB
 Unknown	unknown	7481	53350	177.15 MB
 Netherlands	nl	6621	63835	412.34 MB
 United States	us	5985	13977	337.24 MB
 Luxembourg	lu	4362	21976	217.36 MB
 Germany	de	3974	27139	209.69 MB
 Portugal	pt	3575	16612	106.97 MB
 Great Britain	gb	2962	20364	186.46 MB
 Poland	pl	2707	20530	121.03 MB
Others		32054	208170	1.31 GB

The search engine web crawlers are continuing to regularly browse the site. There are no other significant changes from 2005 apart from an increase in the number of visitors to the forum, which now ranks just after JuriFast in English and French.

2. Implementing the decisions taken at the meeting on 28- 29 October 2004

2.1 Access to the Association's website

It was unanimously agreed that the websites of the members courts should include a link to the Association's website, to make access to the website - particularly the databases - as broad as possible.

Links have not yet been created on all sites.

2.2 Appointment of contact persons

Each of the courts has appointed a contact person. Any changes should be reported to stephane.tellier@raadvst-consetat.be

2.3 Information concerning member courts

The "members" section of the Association's website includes various information about each of the Association's member courts.

The members were requested to provide a description of their particular court (in French or English and no longer than four pages). Seven courts have not yet provided a description of this kind.

3. Summary of the seminar in Trier on 15 May 2006

3.1 Actions by the courts

18 of the 23 members and Turkey said that they had undertaken actions within their institution with a view to raising awareness of the Association. The five others are planning on doing so or are still

considering the matter. In other words, all those who replied had a positive attitude towards information within their court.

There is a wide variety of different types of action, but the most common action is providing information directly to members of the courts, be it by post, e-mail, the intranet, the Association's newsletter or during information sessions. The information does not just focus on the Association's activities, but also addresses the website (including the Forum, which is mentioned expressly by various members). The members are sometimes informed by means of a website demonstration.

Some examples of action:

- Estonia indicated that the members of the court who so desired could be kept up to date with the Association's activities. Moreover, after each meeting of the Association, a summary or newsletter is drawn up covering the subjects that were discussed;
- in Hungary, information is disseminated during each meeting of administrative judges;
- informative circular from the Secretary-General and an information article written by G. Barbagallo and published in "La qualità della regolazione, politiche europee e piano d'azione nazionale", Maggioli editore (Italy);
- Latvia is organising information meetings, seminars for judges, discussion among them.
- Portugal does not just focus on information for magistrates but also disseminates information, particularly on JuriFast, to all lawyers who support the magistrates in their work.

There was a limited number of responses regarding the lessons to be learnt from these actions. The responses differed greatly:

- either positive conclusions, Germany (which noted greater interest from magistrates) and Cyprus;
- or highlighting the interest shown but stating that it was necessary to extend the actions if they were to be genuinely useful and generate positive results: Hungary and Portugal;
- or commenting that they received an insufficient response to encourage active involvement from the members of the court (Austria), that although interest had been shown in the action, the tools offered on the site were still not used due to a lack of time (Finland) or that there was little feedback from the advisors (Luxembourg – Council of State);
- or commenting that as the database is aimed mainly for the lawyers who apply Community law, they are interested in high quality of the summaries (Latvia).
- or indicating that the limited and sporadic interest for European law had resulted in the same attitude towards the Association and JuriFast, but hoping that the increasing importance of European law would change the situation (Czech Republic) or saying (Turkey, observer) that it was too early to draw any conclusions, since involvement in the Association's activities and discussions within the court could change the situation.

3.2 and 3.3 Distribution of the newsletter and the vademecum

The responses regarding how the newsletter and the vade mecum are distributed within the member courts showed that these two publications are very widely distributed, more or less in the same way. More often than not, copies of these two publications are available in the library, they can also be obtained from the magistrates in charge of the institution. Some courts said that they had not received enough copies of the vade mecum – or none at all.

4. Awareness raising action outside the courts

4.1 Court websites

16 courts that have their own website provide information on the Association and include a link to the Association's website or, provisionally, to the Belgian Council of State which used to host the Association's site. Five courts, whose website is currently under construction, have promised to do this.

10 courts explicitly mention the Association on their website and two are intending to do so soon.

4.2 Courts' annual report

Of the 13 courts which publish an annual report, ten of them mention the Association and one has undertaken to do so.

The Czech Republic will publish its first report at the end of the year and will definitely mention the Association.

Turkey does not publish an annual report but sends an official letter to legal authorities which mentions the Association.

4.3 Other actions undertaken with a view to raising awareness of the Association

The courts undertake a wide a variety of actions:

- presentation of the Association to a delegation of an association of public law lawyers, who demonstrated a keen interest (Belgium);
- information provided to magistrates, either directly (Poland) or to a magistrates union (Estonia) or using newsletters (Ireland);
- personal involvement of the president of the member court in various events (Finland);
- those who participate in different seminars organised by Association always make a report about it accordingly emphasising the role of the Association (Latvia).
- presentation of JuriFast and the Forum and the intention to take this further in the future (the Netherlands);
- intention to inform the Parliament (Slovakia);

- translation of the statutes of the Association into the national language. The public were informed of the Association's background, structure and objectives via the website (Turkey).

4.4 Involvement in events where it was possible to mention the Association

Twelve positive responses were given to the question about whether the institution or its members had taken part in events where they were able to talk about the Association:

- the president of the court was able to talk about the Association on several occasions, for example during the Verwaltungsgerichtstag (Germany);
- regular meetings between the Benelux Councils of State where the Association was discussed;
- the members have mentioned the Association and its databases in their speeches, for example in a speech delivered at an International association of law libraries (Estonia). The members have also informed the judges of other Estonian courts about the existence of the databases of the Association in the training sessions for judges on European law. The handbook for Estonian judges and other lawyers on preliminary references to ECJ⁷ written by judge J. Laffranque refers to the web page of the Association and to the various databases of the Association;
- during various internal events and events organised within the framework of the magistrates association, both at national and international level (Finland, Hungary);
- focus on actions aiming to inform as many judges as possible (Greece);
- in the International Conference of Anniversary of the Supreme Court of Latvia the Chief Justice of the Administrative Matters Department of the Supreme Court stressed that activities of Association (seminars, discussions and website) are very useful to develop our case law.
- during visits by member delegations from other courts (Portugal) (the Association is mentioned in the documents handed out during the visits) and during speeches given by the president of the court (Lithuania);
- the members of the court, who are active in universities, mention the Association to the students or in documents (for example, the suggestion of using the Association's website as an adequate source for the study of European law is expressly mentioned) (Lithuania);
- reference made during presentations given to magistrates and courts of first instance during the conference organised by the judicial academy and during other events (Czech Republic);
- informing other magistrates during sessions of the administrative division of the supreme court (Slovakia);

⁷ Written by judge Laffranque.

- Turkey's observer status was mentioned in all meetings about Turkey's accession to the EU in which the Council of State was involved (Turkey).

5. Actions to be undertaken by the Association itself

The vast majority (16) thought that the Association should undertake actions with a view to raising its profile. One member (Slovenia) thought that the Association's profile was adequate given its strictly professional nature, whereas another (Greece) thought that the actions already implemented were remarkable (but also wanted actions to be stepped up). Six other members made no comments.

A wide variety of actions were suggested:

- agreement with the wide-scale distribution of a prospectus (Germany, Austria, Cyprus, Greece, Luxembourg (Council of State), Malta, Sweden).
- Estonia: The representatives of the Association could actively take part in meetings of other similar associations in Europe, bodies of the Council of Europe which deal with judiciary such as CEPEJ, CCJE etc. Meet regularly with judges of ECJ and Court of First Instance and visit the judges associations of the Member States. In Estonia there are two major events for judges per year organised by the Supreme Court of Estonia - general assembly of all Estonian judges and forum of judges. In the first event the issues of administration of justice are discussed in the latter questions of substance such as application of European law are treated. It would be useful in the future also to inform in the framework of such meetings the Estonian judges about the activities of the Association and the subjects dealt with at the colloquium of the association.
- it would be a good idea for the Association to get in contact with comparative legal research centres (France).
- increasing the number of judgments - increasing utility will increase usage. Albeit the Association will have to market its increased utility to the various judiciaries of the Member States (Great Britain);
- some newsletter about new EU law? (Hungary)
- provide a link to the Association from a more prominent website, or give it its own independent URL⁸ (Ireland).
- organize the events which promote cooperation among judges (e.g. bilateral exchange of judges for study visits) or publish in the web-site a summary of main cognitions to what judges are came down after different seminars organised by Association (Latvia).

⁸ This has been implemented in the meantime (editor's note).

- studies having a long-term benefit (as recent study on Administrative justice), especially when the results of such studies are published with the indication of Association, would be very purposive (Lithuania);
- the distribution of the Association's newsletter amongst the legal profession could also help. Visits by members of the Secretariat to countries that are members of the Association could also help in assisting the Association to raise its profile. Members can also raise the Association's profile by making the Association's homepage directly accessible from their own website (Malta);
- formulate a mission statement and elaborate this statement at a practical level. Clarify and propagate the purposes and benefits of the Association and its projects. Start a publicity campaign within and outside the participating organisations. Organise and participate in meetings of (related/similar) legal practitioners. (Pays-Bas);
- cooperation with member institutions in order to prepare and distribute the comparative studies on issues of Community law of particular importance for administrative courts (Poland);
- a simple start might be to get a website with a real website name, not just numbers - association could work more closely in the scientific (legal) area and present the results of these efforts to the outside world in the form of books/analytical works - an Association-run "European Administrative Law Journal"? (Czech Republic).

4. General Conclusions

The seminar in Trier showed that the majority of the members institutions had taken actions to raise the Association's profile and make better use of its website. The number and range of the actions is quite impressive.

The work during the seminar in Trier pinpointed the three main reasons for the problems experienced by the information network:

- lack of time;
- lack of interest and motivation, above all from judges who are sometimes put off by technical difficulties in using the network;
- a language problem because people without a sound grasp of English or French find it difficult to consult the data bases and also because some people find it hard to perform a search in a language other than their mother tongue.

The General Assembly of 28 May 2006 took a number of decision on this matter:

1. As regards the lack of time, the presidents of the member courts were asked to encourage their departments to use and add to the databases and to give them enough time and means to do this.

2. As regards the lack of motivation, it was decided to launch a major action aiming at raising the Association's profile and that of its website both within the member institutions and amongst potential users at national and international level. To this end, a brochure will be compiled and widely distributed and, more specifically for the member institutions, a special newsletter will be created which will focus on instruments developed by the Association and their potential.

As the Vice-President of the Dutch Council of State quite rightly pointed out, simply sending out the brochure will not be enough on its own. The problem can only be overcome if the General Secretariat or the members of the Board get personally involved with the institutions experiencing certain problems. The General Secretariat and the members of the new Board would make the effort to do this.

3. To make JuriFast more attractive, the Board decided to look into the possibility, together with the ECJ, of including the preliminary questions submitted by the courts of first instance, at least for an initial period.

4. The meetings of the research and documentation departments would no longer be systematically held in Trier. Instead, a rotation system would be set up between the different countries in a bid to motivate participants, even if it would only manage to motivate members from the court hosting the seminar.

5. The General Assembly decided that if the member courts wanted a summary of a ruling contained in JuriFast translated into English or French, they could ask a translation agency. The translation costs

would then be refunded the Association. It goes without saying that these summaries must comply with the objectives set in terms of volume and quality.

Other suggestions also merited consideration, for example:

- efforts to work more closely with the academic world, particularly in terms of organising seminars and with regard to the rulings published in JuriFast and the Forum which could be commented on from a legal perspective;
- efforts to promote the Forum as a way of disseminating information. For example, the research and documentation departments could use it to post summaries of studies they have carried out and which could be discussed; summaries of opinions issued by Councils of State on the application of Community legislation could be posted; similarly all participants in the various seminars organised by the Association could be registered automatically and the forum could be used systematically to make preparatory documents, reports and so on available; young colleagues should have an opportunity to communicate with each other via a chatroom;
- setting up an editorial committee for JuriFast, perhaps including one or two representatives from the academic world;
- looking into how to improve the Dec.Nat database.

The next step in the project will see the research team finalising a first global synthesis on the basis of the completed questionnaires that they received back from the national correspondants and on the basis of the fruitful dialogue that was initiated in Trier and that continues through the electronic forum. This innovative and ambitious project is now well up and running and all involved can look forward expectantly to the colloquium in Paris in 2007, marking the culmination of the first phase of a project the results of which will surely constitute an important and lasting contribution to the advancement of administrative justice in Europe.