



European Judicial Training Network  
Réseau Européen de Formation Judiciaire



# PRACTICAL GUIDE TO THE EXCHANGE PROGRAMME 2017<sup>1</sup> ONE-WEEK EXCHANGES

January 2017



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of the European Union**

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<sup>1</sup> This Guide may be subject to changes. Should that be the case, participants will be informed in due time.

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## I. BACKGROUND

### The European Judicial Training Network

Founded on 13<sup>th</sup> October 2000, the European Judicial Training Network (EJTN) is a non-profit making international organisation (AISBL) with its headquarters in Brussels and comprises the institutions specifically responsible for the training of the professional judiciary within the European Union (EU). It currently has 35 members<sup>2</sup> from the 28 Member States of the European Union and 15 observers<sup>3</sup> amongst which the institutions of the European Union and the Council of Europe.

EJTN aims to initiate and develop training programmes with a genuine European dimension for members of the European judiciary. This involves analysing and identifying training needs, designing programmes and methods for collaborative training, developing exchanges and sharing experiences in the field of judicial training, coordinating programmes and providing training expertise and know-how.

In order to carry out its activities, EJTN has established a permanent secretariat in Brussels. For more information on EJTN and its activities, you can visit the EJTN website at [www.ejtn.eu](http://www.ejtn.eu).

### The Exchange Programme

Launched at the initiative of the European Parliament<sup>4</sup>, the main objective of the Exchange Programme is to develop mutual trust between judicial authorities and the feeling of belonging to a common European judicial area in order to promote the mutual recognition of judicial decisions by getting to know each other better and working together.

The first Exchange Programme was implemented in 2005 by two members of EJTN (the French National School for the Magistracy and the Italian High Council for the Magistracy). Since 2006, EJTN is itself in charge of its implementation. The same year, it has been recognised a de facto monopoly in the implementation of the Exchange Programme by the European Commission<sup>5</sup>.

The list of participating countries and the types of exchanges offered in each of them can be found in the Exchange Programme section of the EJTN website (<http://www.ejtn.eu/Exchange-Programme/Partners/>).

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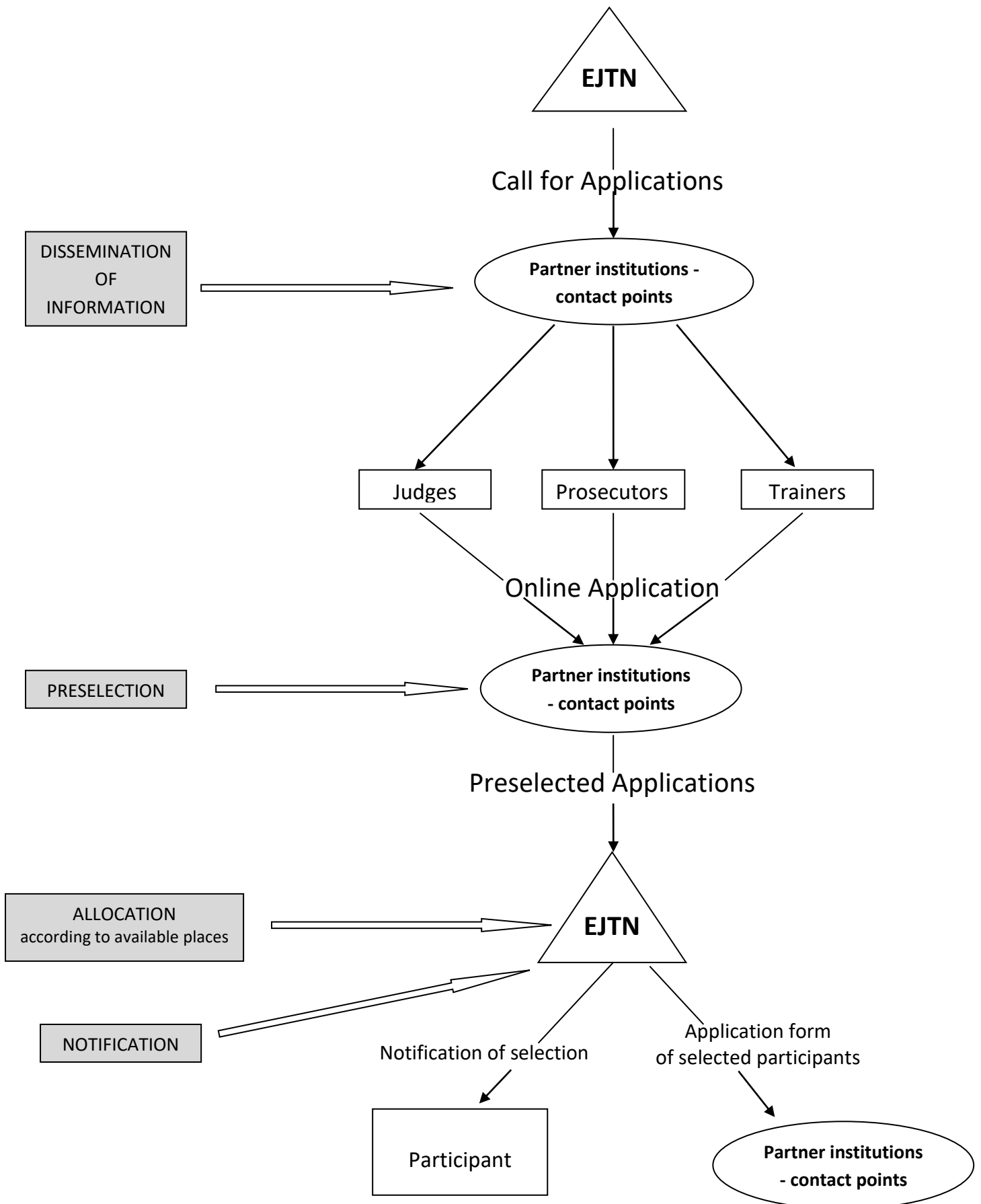
<sup>2</sup> Austria (Bundesministerium für Justiz); Belgium (Institut de Formation Judiciaire); Bulgaria (National Institute of Justice); Croatia (Judicial Academy); Cyprus (Supreme Court); Czech Republic (Justiční akademie); Denmark (Domstolsstyrelsen); Estonia (Supreme Court); Finland (Oikeusministeriö); France (Ecole Nationale de la Magistrature); Germany (Bundesministerium für Justiz); Greece (National School of Judges); Hungary (Office of the Prosecutor General, Office of the National Council for the Judiciary); Ireland (Judicial Studies Institute); Italy (Scuola Superiore della Magistratura, Consiglio Superiore della Magistratura); Latvia (Latvian Judicial Training Centre); Lithuania (Ministry of Justice); Lithuania (National Courts Administration of the Republic of Lithuania), Luxembourg (Ministry of Justice); Malta (Judicial Studies Committee); The Netherlands (Studiecentrum Rechtspleging); Poland (National School of Judiciary and Public Prosecution); Portugal (Centro de Estudos Judiciários); Romania (National Institute of Magistracy); Slovakia (Judicial Academy); Slovenia (Ministry of Justice); Spain (Centro de Estudios Jurídicos, Escuela Judicial Consejo General del Poder Judicial); Sweden (Courts of Sweden Judicial Training Academy, Swedish Prosecution Authority); United-Kingdom (Judicial Studies Committee of Scotland, Judicial College of England & Wales, Judicial Studies Board for Northern Ireland); Academy of European Law (ERA).

<sup>3</sup> EU institutions, Council of Europe, School of magistracy of Albania; Centre for Judicial and Prosecutorial Training of Bosnia and Herzegovina, Centre for Judicial and Prosecutorial Training in the Republic of Srpska, High School of Justice of Georgia; Office of the Prosecutor General of Estonia, Prosecutor General's Office of Lithuania, Academy for the Training of Judges and Prosecutors of the former Yugoslav Republic of Macedonia; National Institute of Justice of Moldova; Judicial Training Center of Montenegro, National Courts Administration of Norway, Foundation for the continuous training of Swiss judges, and Judicial Academy of the Republic of Serbia.

<sup>4</sup> European Parliament Resolution (A5-0039/2003) on the guidelines for the 2004 budgetary procedure.

<sup>5</sup> Decision of the European Commission, 11 July 2006

## II. SELECTION PROCEDURE



### III. BEFORE, DURING AND AFTER THE EXCHANGE

#### 1) Allocation of the participants:

- EJTN
  - Allocates and notifies each participant of his/her selection and sends him/her practical information regarding the exchange.
- The hosting institution and the participant
  - Contact each other to organise concretely the exchange.
  - Inform EJTN about the dates of the exchange (as well as the place and contact details of the tutor when relevant) when agreed. Exchanges last 1 week (5 working days). Exchanges should take place from Monday to Friday as a general rule.

#### 2) Before the activity

- The participant
  - Makes his/her travel arrangements and logs on in the Exchange Programme platform at <http://ejtn-exchange.azurewebsites.net/Participant> to register online at the latest one month before the starting date of the exchange.
  - Checks with his/her employer that he/she will remain covered during the whole training period by the social security scheme applicable to the concerned national administration and that the latter will support the health expenses incurred abroad.
  - Makes sure that he/she is insured against accident, death and invalidity risks.
- EJTN
  - Sends to the participant information on the reporting documents to submit after the activity.

#### 3) During the activity

- The participant
  - Shall respect the terms and conditions of the programme (training schedule, content...).

#### 4) After the activity

- The participant
  - Logs on the Exchange Programme platform at <http://ejtn-exchange.azurewebsites.net/Participant>, within a month after the activity, to fill in the online evaluation form, upload the report on the exchange as well as a scanned copy of the expense claim form and requested travel evidence. Template documents and guidelines may be found on the EJTN website: <http://www.ejtn.eu/Exchange-Programme/Activities/Short-term-exchanges/> Please see [section IV](#) for more information on the “requested documents for payment”
  - Sends by post the expense claim form and requested original travel evidence to the following address:  
We strongly recommend to keep a COPY of all the documents sent.

Finances Unit - Jolanta / Short-term exchanges  
European Judicial Training Network  
Rue du Commerce 123, B-1000 Brussels

- The tutor
  - Sends EJTN the evaluation form for tutors.
- EJTN
  - Makes the reimbursement to the participant (see [section IV](#)) within two months after reception by EJTN of all the required documents
  - Sends the participant a certificate of participation.

#### IV. FINANCIAL CONDITIONS<sup>6</sup>

The costs incurred by the participants are reimbursed through daily allowances (*per diem*) for accommodation, meals and sundry expenses as well as on a real-cost basis for travel expenses between the country of origin and the host country.

##### 1. Per diem (daily allowance)

The list below indicates the amount of per diem applicable to any exchange that entitles the participant to less than 7 full daily allowances and indicates the amount of the per diem paid by EJTN according to the country where the event takes place. The per diem is considered to cover any and all of the participant's expenses other than the round trip referred to in article 2 below, namely including accommodation, sundry expenses, meals and local travels<sup>7</sup>. It does not cover international travel costs which are reimbursed on a real-cost basis (see below).

COUNTRY	EJTN PER DIEM RATES
Austria	€ 170
Belgium	€ 180
Bulgaria	€ 180
Croatia	€ 150
Czech Republic	€ 180
Cyprus	€ 180
Denmark	€ 210
Estonia	€ 150
Finland	€ 190
France	€ 190
Germany	€ 160
Greece	€ 170
Hungary	€ 170
Ireland	€ 200
Italy	€ 180
Latvia	€ 160
Lithuania	€ 150
Luxembourg	€ 180
Malta	€ 160
Netherlands	€ 200
Poland	€ 170
Portugal	€ 160
Romania	€ 170
Slovak Republic	€ 160
Slovenia	€ 150

<sup>6</sup> Matters not covered by the present document are considered to be governed by EJTN's Corporate Financial Policy in force at the time of the reimbursement. Any doubts concerning the interpretation and application of the present document shall be decided by EJTN in light of the applicable Corporate Financial Policy.

<sup>7</sup> Local travels should be understood in the following cases:

- Travels within the city of departure of the participant;
- Travels within the city arrival (where the event/activity takes place);
- Travels within any city of transit;

Between the airport and the city of departure, any city of transit and the city of arrival.

Spain	€ 160
Sweden	€ 200
United Kingdom	€ 210

**Per Diem calculation method:** The number of per diems to be paid equals the number of nights between the days of event and the night before the event (if justified). The last day of event gives right to a half (1/2) per diem. However, a full per diem will be paid for the last day of event / one-day event, if the participant demonstrates that s/he cannot return in the same day the exchange ends due to unavailable transport, before any financial commitment is made.

The length of the stay abroad is determined by the documental evidence provided by the participant according to article 3 below.

In any case, the number of per diems paid will not exceed a full 6 for one-week exchanges.

## **2. Reimbursement of travel expenses**

The total eligible costs for the round trip **will not exceed 400 Euros**. Any exceeding amount shall be at the charge either of the participant or of his/her sending institution.

Exceptions (ex. amounts in excess of 400 Euros, variation in travel class) may be claimed if duly justified (i.e. urgency, complex route ...) with an explanatory note addressed to the Secretary General (exchangeprogramme@ejtn.eu) **before any financial commitment is made**. Such a request shall be appreciated discretionally and on a case-by-case basis.

In no case shall costs derived from excess luggage or travel insurances be reimbursed. For the avoidance of doubt, and although the 400 Euros limit will be still applying, it will not be considered "an excess luggage cost" any expense related to the transport of one single piece of registered luggage per person whenever such cost is not included in the ticket's price; in order to be entitled to the reimbursement of such costs, participants must provide, in addition to their travel documents, sufficient evidence that the transport of such piece of luggage was not included in the paid airlines fare.

All transport claims must be justified by means of the expense claim form to which the pertinent travel documents, indicated below, shall be attached.

The travel expenses incurred by participants are reimbursed on the basis of the most cost-effective means of transport between the institution in the country of origin and the place of the event in the hosting country.

Depending on the mean of transport used, the reimbursement is made as follows:

- Travel by plane: cost of an economy class ticket
- Travel by rail: cost of first-class ticket on the shortest way for a round trip;
- Travel by car: cost of 0,22 EUR per kilometre for a round trip up to a maximum of 1.200 km calculated on the basis of the shortest route (itinerary mapping in support – Michelin/Google Internet Maps):  $\text{km} \times 2 \text{ (in-out)} \times 0,22 \text{ € / km} =$   
Participants who choose to travel by car discharge EJTN from being responsible in any occurrence to the car or to third parties.

In case of car sharing, the expenditures of transport by private car will be reimbursed to the participant appointed to EJTN among the participants travelling together. This is also applicable in case of a taxi share.

Except in case of early departure and/or late arrival expressly requested for the purpose of attending the event and in dully substantiated cases assessed on a case-by-case basis, local travels (e.g.: taxi, etc.) are not subject to reimbursement.

In the cases mentioned above where the autonomous payment of travel expenses is foreseen, participants should clearly state in their expense claim form if any national institution had provided them with transport tickets. In the cases where so is stated, the reimbursement of these travel expenses will be made by EJTN to the appropriate national entity but the participant is due to provide the documents indicated above as evidence that the trip was undertaken.

Participants travelling from a non-EU country will be reimbursed for an amount equal to a travel between his/her national/resident EU country and the hosting country of the event. This applies also to overseas territories. Participants in such situation must do a simulation of the normal trip from their home country to the venue while booking the trip they intend to do. That simulation must be included in the cost claim to be sent after the event.

Participant combining an EJTN activity and another professional or private activity will be reimbursed on the basis of the less expensive journey and avoiding double funding.

### 3. Requested documents for payment

- the report on the exchange and its summary in English or French to be downloaded on the EJTN website and uploaded on the Exchange Programme platform.
- the online evaluation form to be filled in on the Exchange Programme platform.
- the expense claim form to be uploaded on the Exchange Programme platform and sent by post to the below address together with the following travel documents depending on the mean of transport used:

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European Judicial Training Network  
Rue du Commerce 123; B-1000 Brussels

- ✓ If travel by plane:
  - a copy of the flight ticket
  - the invoice from the travel agency or the airline (only if the ticket does not clearly show the amount claimed)
  - the **original of all the boarding passes** corresponding to the journey or a certificate from the airline that the ticket was flown should the participant have lost one or all boarding pass/es. Mobile boarding passes must be printed and added to the costs claim.
- ✓ If travel by train:
  - the train tickets. Mobile train ticket must be printed and added to the costs claim.
  - the invoice from the travel agency or the train company (only if the ticket does not clearly show the amount claimed)
- ✓ if travel by private car:
  - an itinerary mapping & detailing the journey to which will be applied the following calculation with a limit to a maximum of 1.200 km calculated on the basis of the shortest route:            km x 2 (in-out) x 0,22 € / km =



*The right to be reimbursed extinguishes due to the closure of the claiming file where, missing dully substantiated justifications, two reminders have been sent to the participant without any feedback or follow-up from his part. In addition, EJTN may request the reimbursement of any amounts it has advanced to the participant if the post-exchange requested documents are not produced.*

#### **4. Payment procedure**

The amounts due to exchanges of one week (5 working days) or less will be paid in a single instalment within two months after the reception by EJTN of all required documents.

## V. CONTACTS

**EXCHANGE PROGRAMME DEPARTMENT WITHIN EJTN**

[exchangeprogramme@ejtn.eu](mailto:exchangeprogramme@ejtn.eu)

### CONTACT POINTS IN HOST COUNTRIES

Country	Institution	Competence	Name CP	email adresse	Phone
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