



Consiglio Superiore della Magistratura

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Scuola Superiore della Magistratura

e-Gaius

(European Gaius Project)

www.csm.it/gaius/index.html

§1

European law

Not a topic for the happy few



- The painting “**Abduction of Europa** (De roof van Europa)” by Rembrandt van Rijn (1606, Leiden – 1669, Amsterdam) can help us explain the aim of this **project**.
- As Zeus - changing his form into that of a bull - carried Europa off into Crete, we now have **to bring European law into every Court**.

- Up to recent years, **European law** has often been considered as a topic for happy **few specialists**.
- Our bull is made by a **network** of specialists in every national Court.
- European law has to become matter for everyday judicial application without pain.

- Our aim is to allow **national judges** to become true **European judges**.

§2

The *new* European context

- Following the entry into force of the **Treaty of Lisbon**, great importance is attached to the relations between the **European Union**, the **Charter of fundamental rights** of the European Union and the **European Convention** for the protection of **human rights** and fundamental freedoms.
- **National judges**, as **EU judges**, are required to implement these instruments.

- **Treaty of Lisbon**: new legal base for judicial training (artt. 81 and 82 Treaty on the Functioning of the European Union).
- To develop judicial cooperation in civil and criminal matters, the European Parliament and the Council shall adopt measures aimed at ensuring: (h) **support for the training of the judiciary and judicial staff.**

§3

**The *European Gaius Project*:
comparative law
in action.**

- Taking into account the experience in European law gained by the *Eurinfra programme*, implemented in the *Dutch system* to strengthen the knowledge of European law among *judges and prosecutors*, on April 13, 2011 the Italian CSM approved the *European Gaius action plan*.

- The *European Gaius* action plan is an example of **comparative law in action**.
- Thanks to the relationship with European colleagues met during the exchange programme organised by EJTN, we **discovered** the Eurinfra project.
- We studied the Dutch experience and adapted its goals and means to the **new context** of the Lisbon Treaty and to the larger context of **Italy**.

- The *European Gaius* action plan is part of the initiatives aimed to create the necessary conditions to have **judges and prosecutors** fulfill such extremely complex and enormous duty of protecting and guaranteeing the **effectiveness** of **rights** in the best possible way.

three actions:

- **1) increasing the number of central and decentralised courses on European law** (with specific regard to language contents) and introducing specific sessions on European law in courses on national law;
- **2) introducing special trainers in European law** in each Court of Appeal;
- **3) implementing a website (*e-G@ius: electronic Gaius*)** in order to provide quick and easy access to training materials and European law sources.

The state of implementation of project:

- 1) we increased for 2012 the number of central and decentralised courses on European law. Language courses, e-forum on Eu-law in civil and commercial matters (training 2.0);
- 2) we completed the appointment of the trainers in European law in each Court of Appeal;
- 3) first pages *e-G@ius* are available on [*www.csm.it/gaius/index.html*](http://www.csm.it/gaius/index.html)

- Now implementation has to be continued in co-operation with the newly established *Italian School for the Judiciary*, which started operation this year.
- the new *School* ensures the implementation of the right to, and duty of, professional training of members of the judiciary; the Schools also performs other tasks in the areas of training and research, as provided for by the law and the School's own charter.

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Thank you very much

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