



## THEMIS 2012

The European Judicial Training Network proudly announces for 2012 the 7<sup>th</sup> edition of its THEMIS Competition.

The event is based on the successful THEMIS Competitions format created, financed and run from 2006 to 2009 by the Portuguese Centre for Judiciary Studies (CEJ) and the National Institute of Magistracy of Romania (NIM), with the support of both EJTN and the Council of Europe through its Lisbon Network.

In 2010, the competition was absorbed into the main EJTN Training Programme and steps were then taken to adapt and enlarge its format in order to recognize its importance in cross-border training in European Law.

THEMIS is addressed to the trainees of all institutions and schools responsible for training the European magistracy, whether as judges or prosecutors (where the prosecutorial system forms a part of the *corps judiciaire*) and is designed to give participants an opportunity not only of entering into stimulating and competitive debate with members of similar schools but also to meet others in training in different countries and to learn about, or to improve knowledge of, the different systems that exist within Europe.

As in 2010 and 2011, THEMIS 7<sup>th</sup> Edition will comprise two different stages: the semi-finals and a Grand Final. The two semi-final stages will allow a maximum field of 17 teams each, with the winners and runners-up of each category competing in a Grand Final.



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The deadline for registrations is March, the 2<sup>nd</sup> 2012, 5pm, Brussels time.

For semi-final A, the main categories will be International Cooperation in Criminal Matters and Magistrates Ethics and Deontology. It will be held at the Thüringer Justizministerium, Werner-Seelenbinder-Straße 5, Erfurt, Germany between **the 14<sup>th</sup> and 18<sup>th</sup> May 2012** (participants' papers shall be sent to EJTN by no later than *the 16<sup>th</sup> April 2012 by 5.00 pm Brussels time*).

Semi-final B, where the categories will be International Cooperation in Civil Matters and Interpretation/ Application of Articles 5 or 6 of the ECHR, will be held at the National Institute of Magistracy (NIM), Bd. Regina Elisabeta nr. 53, Sector 5, Bucharest, Romania between **the 18<sup>th</sup> June and 22<sup>nd</sup> June 2012** (participants' papers shall be sent to EJTN by no later than *the 22<sup>nd</sup> May 2012 by 5.00 pm Brussels time*).

The Grand Final will be held at the Ecole Nationale de la Magistrature (ENM), 8 Rue Chanoinesse, FR-75004 Paris, France between **the 29<sup>th</sup> October and 2<sup>nd</sup> November 2012**.



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## THEMIS 2012 RULES

### A - GENERAL

- 1- The competition will comprise two semi-finals and a Grand Final, each lasting one week.
- 2- The event will be open to trainees of all European institutions and schools which are responsible for training the magistracy.
- 3- The competition will be based on the following 4 categories or topics:
  - a) International Cooperation in Criminal Matters
  - b) International Judicial Cooperation in Civil Matters
  - c) Interpretation and Application of Articles 5 or 6 of the ECHR
  - d) Magistrates' Ethics and Deontology
- 4- Semi-Final A will be addressed to categories a) and d) and Semi-Final B to categories b) and c), above.
- 5- The Grand Final will cover only one of the categories indicated above which will be decided after the semi-finals by a draw.
- 6- The category chosen for the Grand Final shall be transmitted to the competing teams at least two weeks prior to the final together with an indication of the international legal instruments that may apply both to the common legal question and the debates.





## **B- PARTICIPANTS**

1- “A participant” is defined as “a team consisting of three persons”.

2- These three persons must be trainees:

A person is considered a trainee if he or she is so regarded under the national law and if he/she is not attending initial training activities for more than two years.

The training institution to which the trainee belongs shall certify his/her status, according to the above, at the moment of registration.

3- Any country where such a concept of “trainee” does not exist may participate with a team composed of magistrates (Judges and/or Public Prosecutors) who, at the date of the beginning of the competition, are in their first year of service, such year commencing with the date when they first took up their appointment as a Judge or Public Prosecutor irrespective of whether or not they are in the same employment at the time.

4- English will be the single official language of the competition. Every member of a participant must be proficient in this language as no translation or interpretation will be provided.



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## C- TEAM REGISTRATIONS

- 1- In order to register successfully, teams must fill-in the application form that can be found at the THEMIS section of the EJTN Website ([www.ejtn.eu](http://www.ejtn.eu)) and send it to the electronic address indicated there in.
- 2- The maximum field of participating teams in each Semi-final is restricted to seventeen (17).
- 3- The maximum field of participating teams in each of the categories identified in A.3 is 9.
- 4- Registrations will be processed in accordance with the date on which they are received by EJTN; EJTN will issue an acknowledgement of receipt as soon as reasonably practical after receiving each application stating whether or not the application has been accepted.
- 5- In the event that an application is not accepted the reasons for such non-acceptance will be given and, in the case of a refusal being based upon the fact that the maximum number of teams permitted by these rules has already entered the desired category defined in paragraph A.3 above, an opportunity will be given to enter a team in another category where places remain available.
- 6- If the revised application is received by 5.00 pm Brussels time on the day which is two days after that on which notification of the opportunity to submit a revised application is given the team's registration date is considered to be, for all purposes, the one when the first application was made. If received afterwards the new date will stand as the date of receipt.
- 7- Second teams of participants from the same country where another registration has already been accepted will only be considered if the maximum number of teams in each semi-final has not been reached by the deadline of **Friday, March 2<sup>nd</sup> 2012, by 5.00 pm Brussels time.**
- 8- Each participating institution may nominate one trainer per country per Semi-Final to be present at the event. For the avoidance of doubt, such trainer shall not be paid any remuneration by EJTN for such participation but shall receive per diems and payment of travel expenses as all other members of participating teams.



## **D – THE CONTENTS**

- 1- Each semi-final will consist of three stages: A written paper, an oral presentation of the paper and its discussion with the Jury.
- 2- The final will consist of three stages: A written report on a common legal question, an oral debate with another team in front of the Jury and the draft of observation files.

### ***D1 – The Written Paper (Semi-finals)***

- 1- Each participant in each semi-final must present a written text on any subject falling in one of the two categories selected for their semi-final in accordance with paragraph A 3 and 4 above.
- 2- This paper:

Must be sent to EJTN by:

Semi-final A: April, the 16<sup>th</sup> 2012, 5pm, Brussels time.  
Semi-final B: May, the 22<sup>nd</sup> 2012, 5pm, Brussels time.

Must not exceed 20 pages in WORD format, Times New Roman, size 12, line spacing 1.5.  
(For the avoidance of doubt, all written references, such as summaries, side comments, annexes, bibliography or endnotes shall be included in those 20 pages. A cover page is not considered as being included in the above limitation.)

Must be written in English.

Should contain new ideas, critical appreciations or proposals regarding the subject of the concerned category.

- 3- By presenting their paper, the authors give authorization to the dissemination of its content by EJTN.

### ***D2 – The Oral Presentation (Semi-finals only)***

- 1- Each participant will have a maximum of thirty minutes to make an oral presentation of its paper. This presentation shall involve all team members (but not the trainer) and audio-visual technology may be used.
- 2- Presentations will be made according to the alphabetical order of the names of participant countries (in the English language) in each of the categories.
- 3- Following each of the oral presentations, another team will be asked to address questions to the presenting team.
- 4- This team will be selected by a draw taking place at the beginning of each working day. Neither a team of the same nationality as the presenting team or one that has already been drawn on a previous similar procedure will be entitled to enter any new draw.



- 5- The maximum number of questions that can be addressed by that team will be three, one each per member of the team.

### ***D3- The Discussion with the Jury (Semi-finals only)***

- 1- Immediately after the presentation and the answers to the 3 questions referred above the Jury will conduct a discussion with the participant about the contents of the paper and its oral presentation that shall not exceed 30 minutes. All team members (but not the trainer) shall take a broadly equal part in the discussion.

### ***D4- Written report (Grand Final only)***

- 1- Each finalist will be asked to prepare a written report on a legal practical question that will be given to them, by the Jury, immediately after the opening Ceremony of the Grand Final on Monday morning.
- 2- The teams will have the remaining Monday and Tuesday to prepare this written report. This written report:  
Must not exceed 10 pages in WORD format, Times New Roman, size 12, line spacing 1.5.  
Must be written in English.

(For the avoidance of doubt, all written references such as summaries, side comments, annexes, bibliography or endnotes shall be included in those 10 pages. A cover page may be added to the above limit).

- 4- The legal practical question will be common to the eight competing teams and will follow into the main category chosen for the Grand Final.
- 5- This written report must be finished and delivered to THEMIS organizers by Tuesday, at 6pm, at the latest.

### ***D5 - The Presentations (Grand Final only)***

- 1- Each team will be required to take part in a presentation with another participant team where each will be asked to take opposite stances in relation to a case study or topic which will be provided to them two weeks before the Final. Each pair of teams will debate a different case.
- 2- These presentations will take place in front of the Jury.
- 3- The teams will be paired using a random draw conducted by the Secretary General of EJTN in advance of the Finals.
- 4- The inverse of the alphabetical order of the English names of the countries involved, will define the team starting each presentation.



- 5- The full time available for each pair of finalists is 90 minutes distributed in the following order:
- 20 minutes for the first team's presentation;
  - 20 minutes for the second team's presentation;
  - 10 minutes for the first team's response to the argument put by the second team;
  - 10 minutes for the second team's response to the argument put by the first team;
  - 30 minutes for the Jury's questions to both teams.

***D6- The observation files (Grand Final only)***

At the end of each working day and according to the timetable set by the organizers, every team will prepare and hand to the Jury an observation file concerning each of the debates in which it has not participated during that day. This file will contain constructive feed-back, the team's opinion on the approach taken by the debating teams together with any other innovative comments that they wish to make



## **E- THE JURY**

- 1- Members of the different Juries will be appointed by the EJTN Secretary General from a pool of experts established for that purpose, following an advice from the Chair of the Steering Committee and the Convener of Working Group Programmes.
- 2- This pool will consist of well-regarded professionals – Judges, Prosecutors, University teachers - in the fields in which they are being indicated as jury members. The appointments to this pool will be made by EJTN members who will be requested to certify the expert's abilities and his/her linguistic proficiency in English.
- 3- Jury members must not have the same nationality as the competing teams they will be required to assess.

### ***E1- The Semi-final Juries***

- 1- During the semi-finals each category will have its own Jury.
- 2- Each Jury will comprise a maximum of three persons.
- 3- The Jury will assess participants' performance according to the following criteria, where appropriate: (a) originality, (b) reference to the relevant case law of the European Court of Justice and European Court of Human Rights (c) European standards in the field of ethics and deontology of judges and prosecutors (d) in-depth analysis of the latest European debates on both ethics and EC Law (e) anticipation of future solutions.

### ***E2- The Grand Final Jury***

- 1- The Jury of the Grand Final will comprise five persons.
- 2- The Jury will assess participants' overall performance – on the written report, the debate and the observation files - according to the following criteria, where appropriate: (a) originality, (b) reference to the relevant case law of the European Court of Justice and European Court of Human Rights (c) European standards in the field of ethics and deontology of judges and prosecutors (d) in-depth analysis of the latest European debates on both ethics and EC Law (e) anticipation of future solutions (f) critical thinking (g) communication skills (h) clarity, attractiveness and persuasiveness of oral skills and consistency



## **F- COMPETITION WINNERS**

- 1- In each category during the Semi-Finals, the Jury will select a team as category winner and another as runner-up.
- 2- Both the winning team and the runner-up in each of the two categories per semi-final chosen in accordance with paragraph A4 above will enter the Grand Final –, a total of 4 teams from each semi-final.
- 3- The Grand Final Jury will declare one of the competing teams as THEMIS winner and will award it a Prize comprising a study visit organised by EJTn.
- 4- The winning team's country will be granted the option to organize the THEMIS grand final in the following year.





## **G – OTHER GENERAL INFORMATION**

### **Project Beneficiaries:**

Trainees from all training institutions and schools who are members of EJTN and/or the Lisbon Network.

### **Project Leader:**

European Judicial Training Network

### **Relevance:**

This competition will constitute one of EJTN main activities specifically addressed to initial judicial training in 2012.

### **Project Purpose:**

The main aim of the project is to bring together future magistrates from different European countries at a time when they are undergoing entry level training to enable them to share common values and to exchange new experiences/discuss new perspectives in areas of common interest. The project also aims to develop abilities related to the future profession of the participants, such as communication skills, debating abilities, critical and analytical thinking, logical reasoning, proper legal writing etc.

The event also aims to develop further the professional contacts, experiences and relationships between entry-level trainees and their teaching staff. Having regard to the primacy given to European law by the Lisbon Treaty and the Stockholm Programme, it is generally recognized that judges and prosecutors should be given special training on the international rules which might be directly applied by them. With this in mind, the event gives a unique opportunity to trainees to discuss their own ideas on the chosen subjects with well-known experts in an international forum.

### **Expected :**

Promote a forum of discussion on European and International Law subjects.

Promote exchanges of experiences between the participants.

Overall evaluation of the results of initial training techniques and curricula being used in national training institution regarding the chosen subjects.

Obtain and spread interesting and useful thesis on the chosen subjects.

Encourage the development of the critical thinking and communication skills.

Promote and foster personal relationships among participants from across the European judiciaries represented in the competition.



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## **H - FINANCIAL REGULATIONS - EU TEAMS, only**

### **H1. REIMBURSEMENT OF TRANSPORT EXPENCES**

The participating teams as well as the accompanying teachers will receive a transport indemnity of 400 Euros maximum for their return voyage from their place of residence to the place where the competition takes place.

This rule applies equally to the jury members.

Participants, accompanying trainers and jury members have **two weeks after either each semi-final or final** to convey to the EJTN Secretariat, the **ORIGINALS** of their boarding passes, the airline invoices from the flight company or travel agency or their train tickets.

#### **1st Scenario: You have purchased your transportation tickets yourself**

To obtain the reimbursement of your transportation expenses, you must provide EJTN secretariat the supporting documents of the transportation as mentioned below:

**\* If you travelled by airplane:**

The invoice of the airline from the travel agency or the flight company  
The originals of all your boarding passes corresponding to your route

**\*If you travelled by train:**

The invoice of the railway company  
The originals of your train tickets

**\*If you travelled by private car:**

The route and detailed roadmap of the journey which will apply the following calculation, based on the shortest route and for a distance not exceeding 1200 km:  
... km x 2 (round trip) x €0.22

*Local taxis invoices and bus fare tickets will not be reimbursed and should not be sent to EJTN for reimbursement.*

#### **2nd Scenario: your training institution has purchased your transport tickets**

In this case, in order to obtain the reimbursement of transport expenses, the contact person of that institution must provide EJTN secretariat with the supporting travel documents as mentioned below:

**\* If you travelled by airplane:**

The invoice of the airline  
The originals of all your boarding passes corresponding to your route





**\*If you travelled by train:**

The invoice of the railway company  
The originals of your train tickets

*Local taxis invoices and bus fare tickets will not be reimbursed and should not be sent to EJTN for reimbursement.*

**Exceptional cases**

You have lost your tickets or boarding passes:

You **must** ask your airline a supporting document on letterhead of the airline showing your name/first name, flight number and the date and time that you have taken the airplane. **Only this document may also be valid for reimbursement purposes. No other document will be considered by EJTN financial department. The same procedure will be required for those who have taken the train.**

NO SUPPORTING DOCUMENT = NO REIMBURSEMENT

**H2. PER DIEMS**

Each participant, accompanying teachers and jury members benefit from a daily allowance (per diem) intended to cover their accommodation costs, meal expenses, local transport etc...

This indemnity varies depending on the location where the semi-finals and the finals take place.

Participants, accompanying teachers and jury members are kindly asked to make their hotel bookings themselves. A suggested hotel list will be proposed by EJTN secretariat with sufficient delay although not being compulsory to make a reservation in any of these.

EJTN wants to underline the fact that the daily allowance is calculated according to the in force EJTN Financial Regulation. Accordingly, participants, accompanying teachers and jury members will be entitled to receive the full daily allowance for **the day before the start of the competition and the full days of the competition, only. The last day will be paid at a 50% rate (although on special cases other rules may apply).**

If participants, accompanying teachers and jury members wish to stay at the hotel some days either before or after the competition they will do it at their own expense. In no case per diem will be paid for those additional and private days.

Hotel invoices do not need to be sent to the Secretariat.



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## The meals

Lunches are arranged by the host institution. You will be requested to book these on a particular form that will be addressed to you prior to the start of the event. By ticking the box of each meal on the document, the applicant commits himself to be present for these. A sum of **€15** per meal will be automatically deducted from his per diem. **The number of meals ticked cannot be changed after the form is received at the EJTN Secretariat. Consequently, and due to organizational requirements, it is no longer possible to add or to cancel booked meals during the competition.**

Evening meals are free and will be paid by you with your per diem.

## Exceptional cases

It is possible to obtain an advance instalment to cover your expected expenses. However, in order to obtain it you must address a grounded request directly to the EJTN Secretariat.

You will be notified of the result of your demand and, if favourable, the advanced amount will be calculated by the Financial Service and transferred to your bank account prior to the start of the competition as soon as your correct bank details are verified by the Financial Department.

## Information for Participants of Hosting Institutions

Participants, accompanying teachers or jury members bound on the country the competition is **organized** will not receive any daily allowances. However, their travel and meal expenses may be reimbursed on the basis of its actual costs upon the submission of the adequate invoices to EJTN Secretariat.

## Additional information

EJTN will not take in consideration expenses related to accompanying persons.



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