ENM

ÉCOLE
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MAGISTRATURE

L'esprit des lois s'épanouit à l'ENM

INTERNATIONAL ACTIVITIES









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With 60 years of expertise in judicial training behind it, the French National School for the Judiciary, the ENM, has always worked to strengthen the rule of law and assert the fundamental values that underpin our judicial system. By pursuing its actions within a European and international framework, it has enhanced its educational practices thanks to constant exchanges with its foreign counterparts.

In 2018, its international strategy was officialised when it was adopted by its board. It ties in with the strategies developed by the Ministry for Justice and the Ministry for Europe and Foreign Affairs, and the School's cooperation projects take several forms: support for training institutes, training of foreign judges and prosecutors, and international training for French judges and prosecutors.

On the international scene, our School has successfully carved out a major role for itself with the judicial training institutes, drawing on its own history within the French institutional landscape. By offering expertise and high-quality teaching to all the foreign judges, prosecutors and other justice professionals that it has trained, and for which it is now setting up a knowledge sharing network, the network of foreign judges and prosecutors trained at the ENM, named Eunomie, the School wishes to re-assert its role and ambition in international judicial cooperation and in the emergence of a culture and a feeling of belonging to an international judicial community.

Today, with this brochure focused on the School's international activities, it is once again with you, foreign judges and prosecutors, institutions and actors in the judicial world, funding and technical cooperation bodies, that I wish to reinforce the rich and precious ties that bind us together through sharing our educational and technical know-how.

By offering you this document containing all the keys to its international activities, the ENM is at your disposal through its International Department to collaborate with you on structuring, accompanying and diversifying the cooperation and training projects we can build together.

Nathalie RORET
Director of the ENM



THE INTERNATIONAL DEPARTMENT OF THE ENM

EUROPEAN AND INTERNATIONAL TRAINING FOR FRENCH JUDGES AND PROSECUTORS

The ENM's training offer exists in a context of globalisation and its natural reference framework is the "European Judicial Area". Accordingly, placements abroad and European exchange programmes enable French serving and trainee judges and prosecutors to share their values and a common judicial culture with their counterparts abroad, to exchange experiences and confront the perspectives for change in areas of common interest.

Initial training

French trainee judges and prosecutors at the ENM have the possibility of completing a **3-week internship** abroad, with a foreign court, an international court, an international judicial cooperation body, an international institution or an embassy or with a justice attaché.



In-service training

The ENM offers around twenty French judges and prosecutors the chance to undertake **a 15-day internship** in a country outside the European Union: Brazil, Cambodia, Canada, China, United States, Gabon, Israel, Japan, Lebanon, Russia, etc.



Two exchange schemes

The Exchange Programme for Judicial Authorities (EPJA) enables serving judges and prosecutors, as part of their in-service training, to complete a short or longer placement with a court or judicial training institute in another Member State of the European Union and study visits to other European bodies.

The "AIAKOS" programme organises exchanges for judges and prosecutors during their initial training.

THE INITIAL AND IN-SERVICE TRAINING OF FOREIGN SERVING AND FUTURE JUDGES AND PROSECUTORS

The training courses developed by the ENM that are open to foreign judges and prosecutors aim to facilitate the **sharing of professional practices** necessary to the emergence of a common judicial culture between judges and prosecutors. Discovering a foreign judicial system and the exchanges between practitioners can also help participants to see their own judicial system in a different light.

The ENM has several schemes that enable it to offer initial and in-service training to serving and future judges and prosecutors from other countries:



A catalogue of training sessions and cycles dedicated to a foreign audience



In-service training in the form of periods of immersion with French judges and prosecutors for French-speaking foreign judges and prosecutors



European seminars organised at the request of foreign partners or as part of projects co-funded by the European Commission



Ad hoc custom training courses requested by countries with specific needs

10 MONTH



A 10-month initial training course for foreign judges or prosecutors

Figures 2021

2,673 foreign judges and prosecutors trained by the ENM (1,711 in 2020)

258 training activities organised by the International Department (141 in 2020)

foreign judges and prosecutors who completed a placement n France (142 in 2020)

EUROPEAN AND INTERNATIONAL COOPERATION

The School participates in the **construction of judicial training systems** in countries that seek its help, often following a major crisis or against a background of structural reforms. It also provides technical and operational assistance to judicial training institutes that have embarked on a process of professionalisation. By developing and professionalising judicial training in the partner countries, the ENM is **helping to strengthen the rule of law around the world.**

This involves:

- Contributing to setting up a European Judicial Area
- Providing educational and administrative expertise to strengthen foreign judicial systems



Auditing: inventory and needs assessment



Recommendation and implementation of processes for evaluating candidates and recruiting trainers



Design or adaptation of educational projects taking account of all the technical, material, economic, financial and human aspects



Implementation of projects: training of trainers, deployment of information and communication technologies, teaching techniques



Evaluation of the teaching system and all the phases of the process

To carry through these missions, the ID has the support of dozens of experts.

Figures 2021

30 themed missions (36 in 2020)

12 technical assistance missions (educational/institutional) (11 in 2020)

 $258\,$ activities implemented involving collaborations in 75 countries

■ Receiving foreign delegations for study visits

Brazilian delegation, December 2021



EUNOMIE: A PROFESSIONAL NETWORK FOR FOREIGN JUDGES AND PROSECUTORS TRAINED AT THE ENM

By creating **this innovative network** in 2021, the ENM's aim was to give foreign judges and prosecutors trained at the ENM a way of maintaining a special relationship, both with each other and with the School, and also to promote the notion of belonging to a professional body and an international judicial community.



EUNOMIE's objectives are therefore:

- To support the creation of national associations;
- To enable exchanges on judicial practices and experiences;
- To disseminate general and professional ethical values and promote a common judicial culture.

The EUNOMIE platform allows each foreign judge or prosecutor who has undergone initial or in-service training at the ENM **to keep up with the latest international news** from the ENM and to make a free application to register.

Among other advantages, members have access to:

- A directory listing all the members of the network;
- National and international discussion forums;
- Mutual assistance forums for trainee judges and prosecutors arriving in France, or French trainee/serving
 judges and prosecutors going abroad;
- Training documents and e-training modules.



THE NATIONAL SCHOOL FOR THE JUDICIARY IN BRIEF

KEY POINTS

The only training school for the **judges and prosecutors** of the ordinary branch of the French judiciary.

A public administrative institution (EPA) under the supervision of the Ministry for Justice. A status that endows it with administrative, educational and financial autonomy.



240 people work at the ENM (17 in the International Department), including over 70 judges and prosecutors (4 in the ID).



It has an annual budget of €34 million.

TWO SITES, TWO DEPUTY DIRECTORATES



In Bordeaux, one deputy directorate in charge of the recruitment and initial training of future judges and prosecutors and research

In Paris, another deputy directorate in charge of judges and prosecutors' in-service training, the International Department and specialist professional training.

THE ENM'S MAIN MISSIONS

- Organisation of competitive entrance examinations and complementary entrance examinations to recruit future judges and prosecutors;
- Initial training of France's future judges and prosecutors;
- In-service training for France's serving judges and prosecutors;
- The training of judges and prosecutors from foreign States which have cooperation agreements with France;
- Training of lay judges and other judicial personnel: commercial court judges, non-career judges, employment tribunal judges, assessors in the social divisions and judicial auxiliaries (conciliators, prosecutor's delegates, judicial experts in charge of dealing with the victims of terrorism).

I THE ENM'S TRAINEES









over **25,000** trainees per year



Over **12,500** French lay judges and judicial auxiliaries.



I OUR APPROACH TO JUDICIAL TRAINING

The ENM's trainees are recruited each year by competitive entrance examination or by the application process for an **initial training course lasting 31 months**. Once they become professional judges and prosecutors, they have an obligation to undergo **5 days of in-service training every year**.

VALUES AND PRINCIPLES

The ENM was behind the creation of the working group that drew up the worldwide **Declaration of Judicial Training Principles** which was unanimously adopted in 2017 by the members of the International Organisation for Judicial Training (IOJT). It strives to give life to these principles, which among other things assert the essential nature of mandatory judicial training and its direct link to the independence of the justice system and progress towards the rule of law.

Furthermore, the ENM is engaged in a permanent reflection on the way it operates and its educational methods. The training provided at the ENM promotes these values:

Educational Ethical

INNOVATION *Openness*MULTI-DISCIPLINARITY **EXCELLENCE**Interprofessionality

IMPARTIALITY ACCOUNTABILITY
Integrity INDEPENDENCE
COLLEGIALITY

RECRUITMENT BY COMPETITIVE ENTRANCE EXAM OR APPLICATION PROCESS

Admission to the judiciary is conditional on **passing a competitive examination or an application process based on prior qualifications.**

The multiple ways of accessing the ENM mean that it is able to recruit candidates from diverse backgrounds, both educational and professional. This diversity of profiles guarantees equality of access to the offices of the judiciary as well as a fairer representation of French society.

Candidates' level of judicial knowledge and their competencies are checked to assess their suitability to embark upon the practical training to exercise the duties of a judge or prosecutor. As soon as they are recruited the trainees, who are known as "auditeurs de justice", become members of the judiciary by swearing an oath.



MANDATORY COMMON TRAINING FOR BOTH JUDGES AND PROSECUTORS

Initial training



The course lasts **31 months**, with a generalist phase lasting 24 months that trains future judges and prosecutors for all the positions open to them when they first leave the School.

During this period, they alternate theoretical studies and practical internships. The last 6 months of their training are a preparation for the first positions chosen by the new judges and prosecutors based on their ranking in the final examination.

In-service training

This is mandatory for the **9,100 serving judges and prosecutors**, every year for a certain number of days and whenever they move to a new position during their career. In-service training is a guarantee of professional legitimacy and enables judges and prosecutors to keep up to date with changes in judicial practice and refresh their knowledge of society, the law and public policy.

Depending on their needs, judges and prosecutors can choose from **some 600 training sessions, seminars, conferences and internships proposed every year** in the ENM's annual catalogue. The in-service training courses are delivered by **2,600 trainers,** who are judges and prosecutors, but also professionals from all different sectors, both public and private. The content of the courses is updated to keep pace with changes in legislation and case law and in the light of the dominant concerns in society.

A COMMON CORE OF COMPETENCIES AND SOFT SKILLS

The educational methods employed by the ENM place the emphasis on the knowledge and skills common to all the different roles of judge or prosecutor. This approach and the pluralistic teaching delivered enable the trainees to acquire the general skills required by a member of the judiciary before going on to become a juvenile judge or deputy public prosecutor. It is based on a baseline of **13 key competencies**, evaluated in the competitive entrance examinations and developed during the initial training:

- 1. Identify, adopt and put into practice the rules of professional ethics;
- 2. Analyse and synthesise a situation or a case;
- 3. Identify, follow and guarantee a procedural framework;
- 4. Adapt;
- 5. Adopt a position of authority or humility according to circumstances;
- **6.** Know how to manage relations, listen to and exchange with others;
- 7. Prepare and conduct a hearing or judicial interview ensuring that both sides are heard
- 8. Seek agreement and reconcile;
- **9.** Take decisions that are well-founded in law and fact, that take into account the relevant context, are based on common sense and applicable in practice;
- 10. Justify, formalise and explain decisions;
- 11. Take account of the national and international institutional environment;
- 12. Work in a team;
- 13. Organise, manage and innovate.

TRAINING TO APPLY THE THEORY

The study period is very largely based on real cases. **70% of the 31 months** of training is devoted to **practical internships**, the great majority of which take place in courts.

Professional techniques are at the heart of the teaching on the initial training course. The trainee judges and prosecutors learn how to conduct a judicial interview and a hearing, how to write a judgment, how to commission and read an expert's report, how to decide what charges to bring, and how to run an investigation.



The ENM's 8 teaching strands

2 core professional strands

- Civil justice decision-making and formalisation process
- Criminal justice decision-making and formalisation process

1 soft skills strand

Judicial humanities

5 cross-cutting strands

- Judicial communication
- Justice system administration
- International dimension of justice
- Judicial environment
- Economic, social and environment

Peer teaching

Peer teaching is mentioned by the Declaration of Judicial Training Principles as a guarantee of the independence of the justice system. Based on that notion, the training coordinators, who are experienced judges and prosecutors on long-term secondment to the ENM, constitute a permanent body of about thirty educators. These permanent trainers then rely on judges and prosecutors serving in the courts and other professionals from the justice system and other fields to provide a large part of the input.

Situationally appropriate teaching methods

The teaching at the ENM uses a combination of complementary teaching methods, with a heavy emphasis on active methods:

- Face-to-face formats: the seminar system allowing concrete cases to be studied in small groups, lectures, workshops, role-plays including moot courts, media training;
- Distance learning formats: e-learning modules, webinars, virtual classrooms in in-service training situations;
- Hybrid formats: e-learning modules to study in advance or after a face-to-face sequence.

ARE YOU A EUROPEAN OR INTERNATIONAL FUNDING BODY?

Right from the outset in 1958, the ENM was designed as an institution that would be open to the wider world and encourage exchanges with other countries. This international role is an essential part of the ENM's mandate, and was stated in Article 1 of the Decree of 4 May 1972 which sets out its missions: "The initial and in-service training of serving and future judges and prosecutors of foreign states; European and international cooperation, especially the dissemination of legal and judicial knowledge and the development of foreign judicial systems."

For 60 years the ENM has been perfecting its service offering in terms of both thematic training and support for foreign judicial training institutes. It thus offers tailored follow-up to pass on its experience to countries on every continent, whatever their legal system.

I THE ENM'S POOL OF EXPERTS

A pool of experts is on hand to contribute to implementing the ENM's international activities. It consists of judges and prosecutors serving in the court system, in close contact with the real issues and latest judicial events, and of the staff that design and deliver the training of the French judiciary:

- Current and former employees of the ENM, judges and prosecutors, teachers and administrative staff.

 The School has a faculty of 70 permanent teaching judges and prosecutors who provide their expertise, supervise the writing of the teaching materials, and deliver the teaching. In addition, the administrative staff bring their expertise in areas such as budget management, human resources, IT and communication, etc.
- A staff of "associate lecturers", consisting of some fifty serving or former judges and prosecutors, as well as other professionals such as lawyers, doctors, teachers and researchers, who give regular classes while continuing to practise.
- Every year, **over 750 occasional contributors** also share their expertise in areas such as law, history, sociology, psychology, psychiatry, forensic medicine and criminology.

COMPLEMENTARY TECHNICAL EXPERTISE

Through bilateral or multilateral cooperation projects, the ENM's International Department makes its **varied expertise** in educational, judicial, legal or administrative fields available to its partners.

- Instructional engineering: course design and sequencing of initial and in-house training programmes; training permanent and regular external trainers;
- Professional practices covering prosecutors' duties, civil and commercial justice, mediation and conciliation;
- E-learning:
- International issues: organised crime, drug trafficking, cybercrime, terrorism, human rights, corruption, etc.;
- Research on professional judicial practices and legal and technical knowledge.

For the specific needs of projects supporting judicial training institutes, the ENM is also able to call upon its experts in internal and external governance and administrative engineering.

CONDUCTING MULTI-ANNUAL PROJECTS

■ The ENM has been actively involved in the **creation or reinforcement of foreign judicial training institutes** since 1976, supporting them through multi-annual projects, which it oversees directly or through the operator Justice Coopération Internationale (JCI), which has now become part of Expertise France (EF), the international technical cooperation agency and main French operator.

Each project is handled by a team of two members of the International Department of the ENM, who design and implement the project together, working in partnership with the funding bodies and institutions concerned.

These teams consist of:



1 judge or prosecutor-project officer who provides the judicial expertise.



1 international cooperation officer experienced in managing technical assistance projects with external funding, adapted to the specific field of judicial training. They coordinate the financial aspects - putting together the financial package, managing the budget - as well as the schedule and the project team.

THE MAIN PHASES OF A PROJECT



Project management

Partnerships with inter-ministerial agencies (French Development Agency - AFD, French Anticorruption Agency - AFA, CIVIPOL, Interministerial Mission for Combating Drugs and Addictive Behaviours - MILDECA, Institute for Higher Studies on Justice - IHEJ), European agencies (Eurojust, Europol, etc.) and others.

THE FRAMEWORK FOR THE PROJECTS

The ENM is able to conduct projects independently or working with partners:

- It may propose a project alone or as a member of a consortium with the different operators or other training schools:
- Each project is either **bilateral** and organised in conjunction with French embassies, or **multilateral** and the result of the ENM's response to a call for tenders on the part of funding bodies or in partnership with other training organisations. Each of these configurations has its own implications in terms of how the **administrative and financial aspects are structured.**
- The ENM's status as a public administrative institution (**établissement public à caractère administratif,** EPA) enables it to carry out externally funded activities with total autonomy.

A network of training institutes

Cooperation between judicial training institutes encourages educational innovation through the sharing of good practices. The ENM is convinced that only sharing professional knowledge and practices can guarantee the effectiveness of a judicial system. This is why it is involved in several training networks:

- At national level: the Public Service Schools Network (RESP) and the Network of Judicial Training Schools:
- At European and international level: the European Judicial Training Network (EJTN), the Euro-Arab Judicial Training Network (EAJTN), European Programme for Human Rights Education for Legal Professionals (HELP) and, finally, the International Organisation for Judicial Training (IOJT).

ARE YOU A JUDICIAL TRAINING INSTITUTE OR A JUDGE/PROSECUTOR

The International Department designs and implements establishment projects in partnership with funding bodies and the beneficiary judicial training institutes. Projects to support judicial training institutes accounted for more than half of the International Department's activity in 2019. Undertaken most often as part of or alongside a general overhaul of the justice system, these projects can involve the setting up of a new institute or capacity building for an existing institute.

Every support project the ENM undertakes is entirely in line with the worldwide Declaration of Judicial Training Principles unanimously adopted in 2017 by the countries that are members of the International Organisation for Judicial Training (IOJT), whose Article 1 sets out the fundamental standards: "Judicial training is essential to ensure high standards of competence and performance. Judicial training is fundamental to judicial independence, the rule of law, and the protection of the rights of all people."

THE MAIN PHASES OF A PROJECT

Projects will be structured differently according to the funding body and the type of agreement signed.



I TARGETED SUPPORT

The components of a project cover all the dimensions of an establishment. These dimensions are not all of equal importance. They can be divided into "core" components necessary to the stability of the structure, such as the legal framework, governance, recruitment, initial and in-service training and the training of trainers, and secondary components, which are research and documentation, international activities, e-learning, institutional communication and study visits.

"Core" components

- The legal framework
- Governance (internal and external): internal governance concerns the internal organisation of the institute: organisation chart, change management where necessary, human resources, support for the finance and management control department, support for IT.

 External governance is the positioning of the institute within its judicial system.
- **Recruitment:** where necessary, the ENM can help institutes to define the method of selecting and assessing the aptitude of the future judges and prosecutors.

- Pedagogy in initial and in-service training: this relates to the establishment of a set of baseline competencies for each profession, then the construction of the content and sequencing of the related training.
- **Training of trainers:** then comes the training of the permanent or regular trainers and the co-construction of pilot modules that will be tested during the pedagogical coaching phase.

Secondary components

- Research and documentation
- International activities
- E-learning
- Institutional communication: this involves supporting the institute in devising a communication plan, the training of communication managers and the implementation of the communication plan.

The ENM offers several types of expertise to the judicial training institutes it supports:

- Technical assistance missions in the country of the judicial training institute concerned;
- Study visits to France by the management of the beneficiary institute;
- Specific training cycles (seminars, conferences).

Study visits

Study visits are an important step in support projects. They are an opportunity for the beneficiaries to get a direct idea of how the ENM or a partner institution works.

They can be dedicated to a specific work theme: designing an initial training curriculum or an in-service or e-training offer, etc.

A DEDICATED TEAM

Each project is conducted and managed by a team of two who design and implement the project together, working in partnership with the funding bodies and institutions concerned:



1 judge or prosecutor-project officer, who provides the judicial expertise and the benefit of their personal professional experience.



1 international cooperation officer experienced in managing technical assistance projects with European funding in particular, adapted to the specific field of judicial training (financial package, budget management, planning, team).

This is the team that will work with the institute directly, drawing on the ENM's pool of experts:



Judges and prosecutors on secondment to teach at the ENM, who provide their expertise, supervise the writing of the teaching materials, and deliver the teaching.



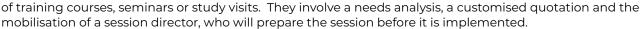
A **network of "associate lecturers",** consisting of about fifty serving or former judges, prosecutors and other professionals such as lawyers, doctors, teachers and researchers who give regular classes while continuing to practise, sharing their expertise in the law, history, sociology, psychology, forensic medicine and even criminology.

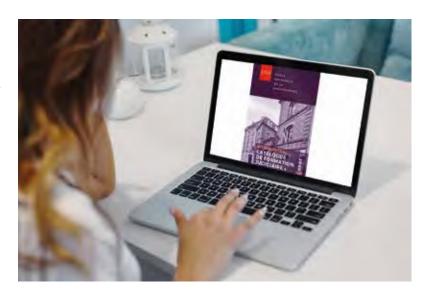
A TRAINING OFFER FOR FOREIGN JUDGES AND PROSECUTORS

Discovering a foreign judicial system and exchanges between practitioners can help participants to see their own system in a different light. With this in mind, the ENM proposes a varied training offer to foreign judges and prosecutors:

In-service training

- A catalogue of training sessions and cycles designed for foreign judges and prosecutors interested in a common issue, on fixed dates and times;
- European seminars organised at the request of foreign countries or as part of projects co-funded by the European Commission:
- In-service immersion alongside French judges and prosecutors, in which French-speaking foreign counterparts are welcomed:
- Custom sessions (so-called "ad hoc" courses) for countries with specific needs. These sessions can take the form





Themed training courses

The ENM's training courses address criminal and civil justice themes adapted to different judicial systems, and even to specific regional issues, as well as themes relating to international judicial cooperation, specific areas of the professions of judge and prosecutor, or judicial organisation.

Some examples of themed courses:

Violence against women Judicial management
Ethics for judges and prosecutors
Training of trainers ENVIRONMENTAL LAW

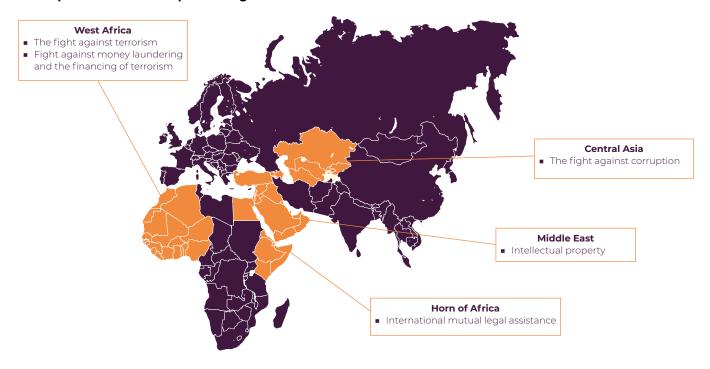
Training of trainers ENVIRONMENTAL LAW
THE FIGHT AGAINST TERRORISM CYBERCRIME

The fight against money laundering Intellectual property
CIVIL LAW METHODOLOGY INTERNATIONAL CRIMINAL LAW

THE PROFESSION OF PROSECUTOR The fight against corruption

INTERNATIONAL MUTUAL ASSISTANCE IN CRIMINAL MATTERS
SEIZURE AND CONFISCATION OF CRIMINAL ASSETS JUDICIAL COMMUNICATION
INTERNATIONAL COMMERCIAL LAW

Some examples of courses adapted to regional issues



Initial training

The ENM offers foreign trainee judges and prosecutors the chance to follow a **10-month initial training cycle** in France, alongside French trainee judges and prosecutors. The foreign trainees complete the entire training period at the ENM in Bordeaux, as well as some of the internships in courts and with judicial partners.

They take all the assessment examinations, except the ranking examination, to validate their training. Admission to this cycle is selective: it is subject to a prior examination to ensure candidates have the requisite legal knowledge and a good enough command of French before being accepted.

