



Strasbourg, 12 October 2017

CEPEJ-BU(2017)2

**EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE  
(CEPEJ)**

**30th meeting of the Bureau**

Strasbourg, 4 October 2017

**MEETING REPORT**

*Report prepared by the Secretariat  
Directorate General I - Human Rights and Rule of Law*

1. The Bureau of the European Commission for the Efficiency of Justice (CEPEJ) held its 30th meeting in Strasbourg on 4 October 2017, chaired by Georg Stawa (Austria), President of the CEPEJ.
2. The following Bureau members were also present:
  - Mr Ramin Gurbanov (Azerbaijan), Vice-President of the CEPEJ;
  - Ms Ivana Borzova (Czech Republic), Member;
  - Mr Noel Rudbotham (Ireland), Member.
3. The agenda appears in the Appendix.

#### **1. Information from Bureau members and the Secretariat**

4. Ivana Borzova informed the Bureau about her participation in the General Assembly of the European Union of Rechtspfleger (EUR) in Tanger (Morocco) on 27 – 28 September 2017, on behalf of the CEPEJ.
5. Noel Rubotham participated in the 5th Conference of the Presidents of the Courts of Appeal of the European Union in S'Hertogenbosch (The Netherlands) on 14 September 2017.
6. The Secretariat confirmed to the Bureau that, as a result of the decision by the Russian Federation to suspend payment of the outstanding balance of its contributions to the budget of the Council of Europe for 2017, it had been decided to defer certain activities, including the 30<sup>th</sup> CEPEJ plenary meeting initially planned on 6-7 December 2017. It was then proposed to hold this meeting for three days (instead of two) on 27-29 June 2018.

#### **2. Implementation of the 2016-2017 Activity programme by the working groups**

##### **i. Process for evaluating European judicial systems**

7. The Bureau confirmed that the usual timetable would be respected for the 2016-2018 evaluation cycle: the deadline for responding to the questionnaire would remain 31 December 2017, and the reports would be adopted at the end of June 2018, to be published in September 2018.
8. The Bureau agreed with the proposal by the CEPEJ-GT-EVAL to include the thematic report into the main report ("Facts and figures") by strengthening in particular a chapter on court users and a chapter on gender issues within the judiciary.
9. The Bureau welcomed the evolution of the CEPEJ-STAT and CEPEJ-COLLECT data bases.
10. The Bureau welcomed the signature of the new four year contract between the Council of Europe and the European Commission in view of the annual publication of the "EU Justice Scoreboard".

##### **ii. SATURN Centre**

11. The Secretariat reported to the Bureau on the progress made by the Steering Group of the SATURN Centre, in line with the decisions taken at the recent meeting of the group in Kristiansand (Norway) – see the report CEPEJ-SATURN(2017)11. The Bureau welcomed in particular the current work on case weighting and on court dashboards.

##### **iii. Quality of justice**

12. The Secretariat informed the Bureau of the progress made by the CEPEJ-GT-QUAL.
13. The Bureau supported in particular the exploration of a new avenue regarding Artificial Intelligence and predictive justice and underlined that the CEPEJ must be active in this field, considering the quick developments and the needs to frame such developments, to guarantee the fundamental principles of justice while accepting the progress made possible by new technologies, in particular algorithms.

##### **iv. Mediation**

14. The Secretariat reported to the Bureau on the progress made by the CEPEJ-GT-MED – see the report CEPEJ-MED(2017)9.

### **3. Harmonised definitions of the CEPEJ terminology**

15. The Bureau thanked in particular Noel Rubotham for his warm welcome in Dublin where the *ad hoc* working group held its first meeting in September. It acknowledged the need to pursue the work within the framework of the 2018 Activity programme; two more meetings could be necessary to finalize a useful glossary including common definitions of the main terminology used by the CEPEJ in different tools.

### **4. Network of pilot courts**

16. The Bureau thanked the Norwegian Court Administration and the Court of Kristiansand for having hosted the plenary meeting of the network of pilot courts on 6 September 2017. It took note of the conclusions of the lively discussions and underlined the quality of the meeting.

### **5. Crystal Scales of Justice**

17. The Bureau was informed of the palmarés of the 2017 Edition of the “Crystal Scales of Justice”, which would be disclosed during the Award ceremony to take place in Edinburgh (Scotland, United Kingdom) on 27 October 2017.

### **6. Co-operation programmes**

18. The Secretariat informed the Bureau of the implementation of the various CEPEJ cooperation programmes.
19. As regards possible new programmes, the Bureau agreed, when appropriate:
- to develop cooperation with Slovenia to evaluate the functioning of its judicial system and recommend orientations for the reforms accordingly, possibly within the framework of a joint programme with the European Commission (EC Structural Reform Support Service);
  - to pursue cooperation with Morocco within the framework of a no cost extension of the current joint programme with the European Union and/or of a new joint programme,
  - to pursue cooperation with Tunisia within the framework of a new joint programme; however, the Bureau underlined that such a programme should be focused on the added value that could be offered by the CEPEJ to the Tunisian court system on the basis of the CEPEJ methodology and tools and recalled that the CEPEJ was clearly not skilled to manage the IT equipment of the courts and subsequent procurement procedures; it stressed that such logistical tasks, if requested, could only be fulfilled outside the scope of the CEPEJ activity.
20. It regretted the reluctance of the EU Delegations in the Republic of Moldova and Ukraine to cooperate with the CEPEJ in respect of judicial reform programmes in those member States, and expressed its disappointment at the apparent failure of the EU Delegations to appreciate the benefit which could be drawn by the stakeholders in the member States from such programmes. The Bureau underlined that the CEPEJ should remain prepared to cooperate with these member States if so requested by their relevant authorities and possible donors.
21. **More generally, the Bureau decided that, considering the limited number of experts available and the general workload of the CEPEJ, the CEPEJ could only accept a limited number of new cooperation programmes**
- **focused on its core activity (efficiency and quality of the court system),**
  - **promising genuine impacts on the functioning of judicial systems in the States concerned,**
  - **explicitly requested by the stakeholders within the States concerned,**
  - **formally agreed by the CEPEJ, at least through the decision of its Bureau.**
22. **It recalled that the CEPEJ tools were provided to policy makers and justice practitioners to support their reforms, and not to monitor the functioning of the systems. Such tools could not be used without the consent of the national and local authorities concerned.**

### **7. Cooperation with the Law Faculty of Strasbourg**

23. The Secretariat informed the Bureau of its contacts with the Dean and the Vice-Dean of the Law Faculty of Strasbourg to establish specific partnerships with the CEPEJ, in particular in the field of cyberjustice, and as regards the functioning of judicial systems in general. Such partnerships could be implemented through, in particular:
- the participation of CEPEJ members, experts, Secretariat members in training sessions or specific events (conferences, symposiums);
  - the use of CEPEJ tools and works in research and teaching by the Faculty,
  - the participation of academics and/or students in the work of the CEPEJ, including in appropriate meetings of the CEPEJ (in particular within the framework of the CEPEJ-GT-QUAL);
  - the publication of works of the Faculty;
24. More generally, the Faculty could call on members / experts of the CEPEJ, or the Secretariat, to take part in *ad hoc* events such as conferences or symposia, or even occasional participation in certain courses. In particular, these events could be organised in the Faculty, taking into account the presence in Strasbourg of CEPEJ members / experts in working groups meetings or plenary meetings.
25. **The Bureau agreed on such partnerships and instructed the Secretariat to organise it together with the relevant bodies within the Council of Europe.**

#### **9. Preparation of the Activity report 2016-2017**

26. **The Bureau instructed the Secretariat to prepare the draft 2016-2017 Activity report, to be agreed through written procedure by the Bureau members and then forwarded to the plenary meeting to be adopted in June 2018.**

#### **10. Preparation of the 2018-2019 Activity programme**

27. **The Bureau instructed the Secretariat to prepare the draft 2018-2019 Activity programme, taking into account the priorities discussed in this meeting, as well as in previous Bureau and plenary meetings. Considering that the plenary meeting planned in December 2017 would be postponed, the Bureau decided that this Programme would be adopted through written procedure. Therefore it instructed the Secretariat to arrange for the draft to be circulated by e-mail among the CEPEJ members before the end of November, so that it can be formally adopted before the end of December 2017.**
28. **The members should be invited to propose candidates to form the new working groups before 10 January 2018, it being understood that the Bureau would decide on the composition of the groups at its Bureau meeting planned on 12 January 2018.**

#### **11. Representation of the CEPEJ in other fora**

29. The Bureau reiterated that it relied on the Secretariat to screen requests for CEPEJ representation in different events organised in Europe and world-wide concerning the functioning of justice. When necessary, the Bureau members were to be consulted first and foremost.

#### **12. Individual complaints submitted to the CEPEJ concerning justice matters**

30. The Secretariat stated that no specific complaints appropriate to its remit had been received for further examination by the Bureau.

#### **13. Any other business**

31. The next Bureau meeting would take place on 12 January 2018 in Paris.

**AGENDA / ORDRE DU JOUR**

- 1. Adoption of the agenda / Adoption de l'ordre du jour**
- 2. Information by the President of the CEPEJ, members of the Bureau and the Secretariat / Informations du Président de la CEPEJ, des membres du Bureau et du Secrétariat**
- 3. Implementation of the 2016-2017 Activity programme by the working groups / Mise en œuvre du programme d'activité 2016-2017 par les groupes de travail**
  - i. Process for evaluating European judicial systems / Processus pour l'évaluation des systèmes judiciaires européens**
    - Implementation of the 2016-2018 evaluation cycle / Mise en œuvre du cycle d'évaluation 2016-2018
    - Evolution of CEPEJ-COLLECT and CEPEJ-STAT / Evolution de CEPEJ-COLLECT et CEPEJ-STAT
    - Scoreboard of Justice of the European Union / Tableau de bord de la justice de l'Union européenne
  - ii. SATURN Centre / Centre SATURN**
    - Information on the ongoing activities / Information sur les activités en cours
  - iii. Quality of Justice / Qualité de la Justice**
    - Information on the ongoing activities / Information sur les activités en cours
  - iv. Mediation / Médiation**
    - Information on the ongoing activities / Information sur les activités en cours
- 4. Harmonised definitions of the CEPEJ terminology / Définitions harmonisées de la terminologie de la CEPEJ**
- 5. Network of pilot courts / Réseau de tribunaux-référents**
- 6. 2017 « Crystal Scales of Justice » Prize / « Balance de cristal » 2017**
- 7. Co-operation programmes / Programmes de coopération**
  - State of affairs of the various programmes / Etat des lieux des différents programmes
  - CEPEJ policy as regards new cooperation programmes / Politique de la CEPEJ relative à de nouveaux programmes de coopération
    - Which priorities, considering the number of experts available ? / Quelles priorités considérant les experts disponibles ?
    - To what extent can the CEPEJ tools be used for political purposes ? / Dans quelle mesure les outils de la CEPEJ peuvent-ils être utilisés pour des objectifs politiques ?
- 8. Cooperation with the Law Faculty of Strasbourg / Coopération avec la Faculté de droit de Strasbourg**
- 9. Preparation of the Activity report 2016-2017 / Préparation du rapport d'activité 2016-2017**
- 10. Preparation of the 2018-2019 Activity programme / Préparation du programme d'activité 2018-2019**
  - Definition of the priorities / Définition des priorités
  - Renewal of the working groups / Renouvellement des groupes de travail
- 11. Representation of CEPEJ in other fora / Représentation de la CEPEJ dans d'autres fora**
- 12. Individual complaints submitted to the CEPEJ concerning justice matters / Plaintes individuelles adressées à la CEPEJ sur des questions de justice**
- 13. Any other business / Questions diverses**