



COMMISSIONER FOR HUMAN RIGHTS
COMMISSAIRE AUX DROITS DE L'HOMME



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Celebration of the 10th anniversary of the CEPEJ
“The CEPEJ: 10 years of concrete action to improve the efficiency and quality of the functioning of courts for the sake of their users”

Strasbourg, 6 December 2012

Address by Nils Muižnieks
Council of Europe Commissioner for Human Rights

Administration of justice and its effect on the effective enjoyment of human rights have been increasingly important issues for my Office. I intend to maintain and reinforce the focus on these issues, particularly in countries from which a large number of ECtHR cases originate. This is a very natural development, as the judiciary is often at the heart of human rights violations: as the judgments of the Strasbourg Court indicate, domestic courts may fail in upholding the ECHR; or may be themselves at the very origin of situations of non-compliance.

My Office has thus been conducting major country monitoring work with substantial reports and recommendations on the administration of justice. Since 2011, reports on the administration of justice in Georgia, Ukraine and Turkey have been published. One of my first visits as Commissioner was the visit to Italy last July, with a report on the judiciary and the excessive length of proceedings there following in September.

I have quickly discovered how the work of the CEPEJ is crucial for this work. From the outset, the information collected by CEPEJ allows me to place the situation relating to a given country in a wider European context, and thus prioritise issues where there is a significant deviation from the norm. In the next steps of my work, the evidence contained in the CEPEJ evaluation reports helps me ground my observations and criticisms in reliable and incontestable facts.

For example, it is one thing to simply say to the authorities of a country that the court proceedings there are excessively long, but another thing entirely when I can refer to very specific aspects of their legal system which may be at the origin of the problem based on CEPEJ figures. I have thus seen directly how the work of the CEPEJ can help me make much more targeted and useful recommendations at the end of the day.

As for the contents of these recommendations, I have also relied very heavily on the work of the CEPEJ and in particular the SATURN guidelines for judicial time management. In fact, one of the core recommendations to Italy was to extend good practices in Turin, which correspond to the SATURN guidelines, to the rest of the country.

I think that in the coming years, the work of the CEPEJ will be increasingly relevant to my thematic work as well, one good example being access to justice and legal aid budgets in times of austerity. There too, the most reliable transversal source of information on this very crucial human rights question is the CEPEJ.

So, when I congratulate the CEPEJ on its 10th anniversary and wish for its continued success, there is also some degree of self-interest involved: when it comes to the question of administration of justice and human rights, there is perfect complementarity between my Office and the CEPEJ.