

Commission européenne pour l'efficacité de la justice



Strasbourg, 9 December 2021

EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE (CEPEJ)

for the Efficiency

of Justice

37th plenary meeting

8 and 9 December 2021 (Strasbourg and online)

Abridged report

A) FOREWORD

The European Commission for the Efficiency of Justice (CEPEJ) of the Council of Europe held its 37th plenary meeting in Strasbourg and online on 8 and 9 December 2021. The meeting was chaired by Mr Ramin GARAGURBANLI (Azerbaijan), President of the CEPEJ.

The Director of Human Rights, Mr Christophe POIREL and the Head of the Department for the Implementation of Human Rights, Justice and Legal Co-operation Standards, Mr Mikhail LOBOV, recalled the challenges and principal work to be examined during this meeting.

Mr Christophe POIREL informed the CEPEJ that Mr Mikhail LOBOV will leave the Department to take up the functions of Judge at the European Court of Human Rights on behalf of the Russian Federation and thanked him for his contribution which had enabled the CEPEJ to better coordinate intergovernmental and co-operation activities.

The agenda and the list of participants appear as appendices.

B) LIST OF ITEMS DISCUSSED AND DECISIONS TAKEN BY THE CEPEJ

The CEPEJ:

• **thanked** all its members, Working Groups members, national correspondents, pilot courts, European e-Justice Networks members and experts for their constant involvement in the various activities of the CEPEJ, despite the constraints of online meetings, in particular having thus enabled the CEPEJ to accomplish its tasks almost without delay despite the COVID-19 health crisis;

1. Quality of justice

adopted the "Revised roadmap for ensuring an appropriate follow-up of the CEPEJ Ethical Charter on the
use of artificial intelligence in judicial systems and their environment"¹, decided to submit it to the
Committee of Ministers to take note of it and thanked the Working group on quality of justice (CEPEJ-GTQUAL) for having taken into consideration in this document its concern on the relevance and the technical
expertise of the CEPEJ as regards the setting up of a certification mechanism for artificial intelligence tools
and services in the justice field;

CEPEJ(2021)17

¹ CEPEJ(2021)16

- **noted** that some delegations question the feasibility of implementing this roadmap without an additional budget;
- **took note** of the ongoing work within the CEPEJ-GT-QUAL, in particular on gender equality in the recruitment and promotion process of judges;

2. Evaluation of judicial systems

- took note of the work in progress within the Working Group on the evaluation of judicial systems (CEPEJ-GT-EVAL) and of the information concerning the preparation of the next CEPEJ Evaluation Report "European judicial systems" (Edition 2022, Data 2020);
- took note of the evolutions proposed, in order to continue to improve the content of the Report and in
 particular of the introduction in part 2 (country sheets) of analyses of the situation of the countries, as
 presented in the prototype of country sheet²;
- **entrusted** the CEPEJ-GT-EVAL to prepare a draft Report for the 2022 evaluation cycle (2020 data) and to submit it to the 38th plenary meeting, so that it can be officially published in Autumn 2022;
- thanked the national correspondents for their involvement in the collection of data and encouraged them
 to respect the deadlines of the ongoing quality control in order to allow the stabilisation of the data in time
 and the realisation of the analyses (part 1 and 2 of the report) according to the presented calendar³;
- took note that the contributions of the professional observers to the CEPEJ-GT-EVAL (International Union of Judicial Officers⁴, European Expertise and Expert Institute⁵, Council of the Notariats of the European Union⁶) in the form of specific studies based on the 2018 CEPEJ data will be published on the CEPEJ-STAT webpage;
- welcomed the continued cooperation with the European Commission, on the basis of the CEPEJ's own evaluation methodology, concerning: (i) the annual study on the functioning of the judicial systems of the member States of the European Union; (ii) the annual evaluation of the functioning of the judicial systems in the beneficiaries of the Western Balkans (Albania, Bosnia-Herzegovina, Kosovo*, North Macedonia, Montenegro and Serbia); (iii) the annual evaluation of the functioning of the judicial systems in the "Eastern Partnership" countries (Armenia, Azerbaijan, Georgia, Republic of Moldova, Ukraine), and entrusted the CEPEJ-GT-EVAL with the task of continuing this cooperation which reinforces the pre-eminent role of the CEPEJ in the field of evaluation of justice, as well as the synergies between the European Union and the Council of Europe in this field;

* This designation is without prejudice to the positions on status and is in line with the UN Security Council Resolution 1244 and the ICJ opinion on the Declaration of Independence of Kosovo.

3. Cyberjustice and artificial intelligence

- **adopted** the "Guidelines on electronic court filing (e-filing) and the digitalisation of courts", as amended in the light of the discussions held during the meeting and **decided** to submit it to the Committee of Ministers to take note of it;
- **took note** of the ongoing work in progress within the Working Group on Cyberjustice and Artificial Intelligence (CEPEJ-GT-CYBERJUST):
- **took note** of the launch of the European E-justice Network on 16 November 2021 and of the ongoing work for the creation of an online Resource Centre on Artificial Intelligence and Cyberjustice;
- took note of the finalisation of the "Complement to the CEPEJ Guidelines on Videoconferencing in judicial proceedings: selection of good practices"⁸;

² CEPEJ-GT-EVAL(2021)15

³ <u>CEPEJ-GT-EVAL(2021)6rev</u>

⁴ CEPEJ-GT-EVAL(2021)7rev

⁵ CEPEJ-GT-EVAL(2021)8rev2

⁶ CEPEJ-GT-EVAL(2021)14rev

⁷ CEPEJ(2021)15

⁸ CEPEJ-CYBERJUST(2021)11

 thanked the Italian authorities for their invitation to organise a joint meeting of CEPEJ-GT-CYBERJUST and CEPEJ-GT-QUAL on 24 and 25 January 2022 in Pisa in the framework of the Italian Presidency of the Committee of the Ministers;

4. Judicial time management

- **adopted** the "Revised SATURN Guidelines for judicial time management" and **decided** to submit it to the Committee of Ministers to take note of it;
- **took note** of the ongoing work within SATURN Working Group on judicial time management (CEPEJ-SATURN) concerning in particular a possible tool to preventing or reducing delays in civil proceedings;
- **took note** of the organisation of the meeting of the pilot courts Network during which the "Report on judicial time management in times of health crisis" will be presented;

5. Crystal Scales of Justice Prize

- thanked the Supreme Court of Slovenia for inviting the CEPEJ to the Award Ceremony of the Crystal Scales of Justice Prize in Ljubljana on 1st October 2021, and especially Mr Jaša VRABEC, Head of the Office for the Development of Judicial Administration of the Supreme Court of Slovenia and President of the CEPEJ-GT-EVAL;
- **thanked** the President of the jury and its members for their valuable commitment and the added value of their analysis;
- **welcomed** the quality of the initiatives received by the Secretariat and encouraged the member States to promote them;
- congratulated the winner of the 2021 edition of the Crystal Scales of Justice Prize: "Simplified filing of complaints in hospital for victims of domestic violence", French Ministry of Justice; as well as the two institutions which received a special mention: "virtual quiz "Courbattle" and specific learning websites for schools", the Danish Courts Administration, and "Establishment, development and strengthening of the action of the Centre of justice of the Odessa region of Ukraine", Kyiv district court, Odessa, Ukraine;
- informed that 8 applications were received for the Junior Edition of the Crystal Scales of Justice Prize;

6. HELP⁹ Training Program concerning CEPEJ

• **took note** of the preparation, via the HELP platform, of an online training on the theme "The Quality of justice and the work of the CEPEJ" which will include various modules in the fields of the quality of justice, evaluation of the judicial systems, cyberjustice and artificial intelligence and judicial time management;

7. CEPEJ 2022-2023 Activity Programme

- adopted the CEPEJ 2022-2023 Activity Programme¹⁰ as amended in the light of the discussions held during the meeting and decided to submit it to the Committee of Ministers to take note of it;
- **entrusted** its Bureau to appoint its working groups members by taking into account the proposals presented by the members of the CEPEJ;

8. CEPEJ 2022-2025 Action Plan on "Digitilisation for a better justice"

 adopted the CEPEJ 2022-2025 Action Plan on "Digitisation for a better justice"¹¹ as amended in the light of the discussions held during the meeting and decided to submit it to the Committee of Ministers to take note of it;

9. CEPEJ co-operation programmes

⁹ European human rights training programme for legal professionals.

¹⁰ CEPEJ(2021)11

¹¹ CEPEJ(2021)12

- took note of the ongoing activities, the results achieved and the next steps of the cooperation programmes (Albania, Azerbaijan, Spain, Georgia, Kosovo*, Malta, Republic of Moldova, Morocco, Tunisia and South Programme IV) which were presented by the project managers or coordinators based in Strasbourg and in the field offices;
- **congratulated** the progress and adaptations that were made during the COVID-19 health crisis;

10. European Day of Justice

- **thanked** the judicial institutions of the 19 member States that have organised 36 specific events, mostly online, on the occasion of the European Day of Justice on 25 October 2021, despite the restrictions on access to the courts due to the health crisis;
- **welcomed** the fruitful cooperation with the European Union in the organisation of this day, including the support for the creation of the posters, customisable in 23 languages that have been made available on the CEPEJ website;
- informed its members that the report listing the events organised on this occasion is available on the CEPEJ website¹²;

11. Observers to the CEPEJ

due to lack of time caused by the format of the meeting, invited the observers to send to the Secretariat
relevant information on their current activities and recent developments which could be of interest to the
CEPEJ so that they appear on the CEPEJ website, and recalled the importance of their involvement in
the implementation of the CEPEJ programme of activities;

12. Other items

- recalled that the CEPEJ will celebrate its 20th anniversary in 2022;
- **invited** the members to think of specific events in which the celebration of this anniversary could be included;
- **took note** that the 38th plenary meeting of the CEPEJ should take place on 27 and 28 June 2022 in Malta, and that the dates of all other CEPEJ meetings will appear on the CEPEJ website;

13. Recent developments in the field of justice in the member and observer States

- **took note** of the information from the delegations concerning the certain significant developments in their countries since June 2021;
- **took note** of the invitation by the member of CEPEJ on behalf of Turkey to hold a meeting in his country, in February 2022, on tools of CEPEJ developed for supporting member states in digitalisation of justice.

¹² CEPEJ(2021)14

Appendix I : Agenda

8 December 2021

- 1. Opening of the meeting
- 2. Adoption of the agenda and order of business
- 3. Information from President and from the Secretariat
- 4. Recent developments in the field of justice in member and observer states
- 5. Programme of activities 2022-2023 of the CEPEJ, including the mandates of the CEPEJ working groups
- 6. CEPEJ Action Plan 2022 2025: "Digitalisation for a better justice".

7. Quality of justice

a. Follow-up of the European Charter on the use of artificial intelligence in the European judicial systems and their environment

b. Gender equality in the recruitment and promotion process of judges

8. Cyberjustice and artificial intelligence

a. Guidelines on the digitization of court records

b. Supplement to the CEPEJ Guidelines on videoconferencing in judicial proceedings: selection of good practices

- c. European Cyberjustice Network
- d. Cyberjustice and Artificial Intelligence Resource Centre

9. Evaluation of judicial systems

- a. Evaluation Report 2022
- Structure of the 2022 Evaluation Report
- Timeline
- b. Cooperation with the EU
- Justice Dashboard
- EaP Dashboard
- Western Balkans Dashboard

10. Management of judicial timeframes

- a. Revised SATURN guidelines for judicial time management (4th revision)
- b. Detecting delays in civil proceedings (questionnaire)
- c. Preparation of the next meeting of the Network of Pilot Courts

9 December 2021

- **11. Crystal Scales of Justice Prize 2021** Junior Crystal Scales Award
- 12. European Day of Justice 2021
- 13. HELP Training on CEPEJ (European Human Rights Training Programme for Legal Professionals)
- 14. Cooperation programmes
- 15. 2021 European Day of Justice
- 16. Miscellaneous
- 17. Date and place of the next meeting
- 18. Adoption of the abridged meeting report

Appendix II: List of Participants

Public list of participants / Liste de participants publique

CEPEJ MEMBERS / MEMBRES DE LA CEPEJ

ALBANIA/ALBANIE NOT CONFIRMED / NON CONFIRME

ANDORRA/ANDORRE Marta TORRES DUEDRA, Secretària General del Consell Superior de la Justícia, AD 500 ANDORRA LA VELLA

ARMENIA/ARMENIE NOT CONFIRMED / NON CONFIRME

AUSTRIA/AUTRICHE Georg STAWA, Judicial Attaché for the Western Balkans, Federal Ministry for Constitution, Reforms, Deregulation and Justice, Kneza Sime Markovića 2, 11000 BELGRADE, SERBIA

AZERBAIJAN/AZERBAÏDJAN

Ramin GURBANOV, Judge, Criminal Division of the Baku Court of Appeal, Head of the working group on e-Court System, Ministry of Justice, BAKU (President of the CEPEJ / Président de la CEPEJ)

BELGIUM/BELGIQUE Jean-Paul JANSSENS, Président du Comité de direction, Service Public Fédéral, Justice, BRUXELLES

BOSNIA AND HERZEGOVINA/BOSNIE-HERZÉGOVINE Svjetlana MILISIC-VELICKOVSKI

BULGARIA/BULGARIE Ekaterina TODOROVA, Chief Expert International Legal Cooperation and European Affairs Directorate, Ministry of Justice, SOFIA Vera CHAVDAROVA, Ministry of Justice, SOFIA

CROATIA/CROATIE Ivan CRNČEC, Assistant Minister, International Co-operation Directorate, Ministry of justice, Ulica Grada Vukovara 49, 10 000 ZAGREB

CYPRUS / CHYPRE Lena DEMETRIADES-ANDREOU, Judge, Supreme Court, NICOSIA

CZECH REPUBLIC/REPUBLIQUE TCHEQUE Ivana BORZOVÁ, Head of Department of Civil Supervision, Ministry of Justice, PRAGUE

DENMARK/DANEMARK Marianne GRAM NYBROE, International Coordinator, Department of Training, Danish Court Administration, COPENHAGEN Merethe ECKHARDT, Director, Danish Court Administration, COPENHAGEN

ESTONIA/ESTONIE Kaidi LIPPUS, Courts Division of the Ministry of Justice, TALLINN

FINLAND/FINLANDE Pasi KUMPULA, Director, Development Department, National Courts Administration, HELSINKI

FRANCE Sonya DJEMNI-WAGNER, Inspectrice générale de la Justice, Ministère de la Justice, PARIS

GEORGIA/GÉORGIE Nino BAKAKURI, Judge, Supreme Court, TBILISI

GERMANY / ALLEMAGNE

Matthias HEGER, Chef du Service de procédure civile internationale, Ministère fédéral de la justice, BERLIN APPOLOGISED Bert GÖTTING, Division of Justice- and Consumer-Research, Criminology, Prevention and Justice Statistics, Federal Office of Justice, Division III/3, BONN Valena WILL, Federal Office of Justice, BONN Felix TAUSCH, Ministère de la Justice du Land Baden-Württemberg

GREECE/GRÈCE

Konstantinos KOUSSOULIS, Councilor, Hellenic Council of State, ATHENS

HUNGARY/HONGRIE

Gábor SZÉPLAKI-NAGY, Procureur, Chef d'unité, Parquet Général, Ministère de la justice, BUDAPEST

ICELAND/ISLANDE **NON CONFIRME**

IRELAND/IRLANDE David NOLAN, Strategic Policy, Planning and Research/Policy - Civil Justice&Equality, Department of Justice and Equality, DUBLIN Stephen MC CARTNEY, Strategy and Reform Directorate, Courts Service, DUBLIN

ITALY/ITALIE

Giuliana PALUMBO, Directeur Général, Direction des statistiques et analyses organisationnelles, Ministère de la Justice, ROME Rosario AMENDOLIA, Ministère de la Justice, ROME

LATVIA/LETTONIE Aija BRANTA, Judge of the Supreme Court, RIGA

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REPUBLIC OF MOLDOVA / REPUBLIQUE DE MOLDOVA Victoria PALANCIUC, Trainer for employees of the judiciary, The National Institute of Justice, National Consultant for PNUD

MONACO Sébastien BIANCHERI, Vice-Président du Tribunal de Première Instance, Palais de Justice, MONACO

MONTENEGRO Momir JAUKOVIĆ, Ministry of Justice, PODGORICA

THE NETHERLANDS/PAYS-BAS Eliane EIJNWACHTER, Ministry of Justice, THE HAGUE

NORTH MACEDONIA / MACEDOINE DU NORD Nikola PROKOPENKO, Head of Department of Courts, Public Prosecutors and other Judicial institutions, Ministry of Justice, SKOPJE

NORWAY/NORVÈGE Iwar ARNSTAD, The National Courts Administration, OSLO

POLAND/POLOGNE

Michał DABROWSKI, Judge, Main expert in the Department of Courts, Organisation and Judicial Analyses, Ministry of Justice, WARSAW

Tomasz KISIELEWICZ, Ministry of Justice, WARSAW

PORTUGAL

João ARSENIO DE OLIVEIRA, Head of Department, International Affairs Department, Directorate General for Justice Policy, Ministry of Justice, LISBON

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Violeta BELEGANTE, Conseiller juridique, Chef du service du droit privé, Direction de l'Elaboration des actes normatifs, des études et de la documentation, Ministère de la Justice, BUCAREST

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SLOVENIA /SLOVENIE Gregor STROJIN, State Secretary, Ministry of Justice, LJUBLJANA

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Juan Fernando ARMENGOT IBORRA, Advisor, Directorate General for international Legal Co-operation and Relations with Religious Affairs, Ministry of Justice, MADRID

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Maria SNÖBERG, Swedish National Courts Administration, STOCKHOLM

SWITZERLAND/SUISSE

Jacques BÜHLER, Secrétaire Général suppléant, Tribunal fédéral suisse, LAUSANNE

TURKEY/*TURQUIE* Seçkin KOÇER, Judge, Ministry of Justice, ANKARA Cemil SARI, Judge, Ministry of Justice, ANKARA Zeki UYSAL, Judge, Council of Judges and Prosecutors, ANKARA

UKRAINE

Sergii KOZIAKOV, Chairman of the High Qualification Commission of Judges of Ukraine 2014-2019, KIEV **Iuliia TKACHENKO**, Acting Head of International Cooperation Division, High Qualification Commission of Judges of Ukraine, KYIV

UNITED KINGDOM/ROYAUME-UNI

Alejandro BIONDI, Her Majesty's Courts & Tribunals Service, Ministry of Justice, LONDON Amelia LEADER, Her Majesty's Courts & Tribunals Service, Ministry of Justice, LONDON Ila PATERMANN-CORNICK, Her Majesty's Courts & Tribunals Service, Ministry of Justice, LONDON Rebecca WAGSTAFF, Her Majesty's Courts & Tribunals Service, Ministry of Justice, LONDON

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CRYSTAL SCALES OF JUSTICE PRIZE / PRIX BALANCE DE CRISTAL

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