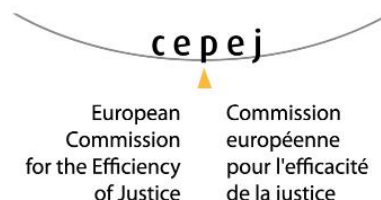


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## **“Forward looking justice: lessons learned from the Covid-19 health crisis and innovative working methods in judicial institutions”**

*Online round table dedicated to the impact of the health crisis on the functioning of the public justice service and the fundamental principles related to Human Rights and the Rule of Law organised by the CEPEJ on 8 April 2021 for beneficiaries from the Southern Mediterranean and within the framework of the joint programme entitled “Regional Support to Reinforce Human rights, Rule of Law and Democracy in the Southern Mediterranean” (South Programme IV), co-funded by the European Union and the Council of Europe, and implemented by the latter*

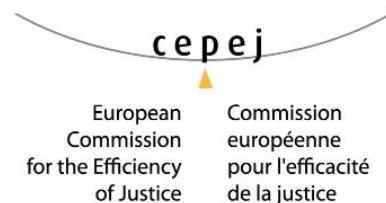
### **CONCLUSIONS**

After the emergency responses of the judicial systems to the first wave of the COVID-19 pandemic, it is now time to come up with lessons learned from this health crisis and to identify good practices and solutions to ensure the efficient functioning of the public justice service and the fundamental principles related to Human Rights and the Rule of Law. The CEPEJ Declaration of 10 June 2020 (available in Arabic) gives a general framework and focuses on important principles to ensure the continuity of court work and access to justice while respecting individual rights.

Within the Southern Mediterranean region, the judicial systems coped with the crisis despite the difficult circumstances. The mass use of information technology is now a reality in the region, however they should be provided with an efficient framework. For example, Morocco has integrated information technology use in its master plan for the digital transformation of the justice system, including access to justice, electronic exchange and dematerialised management of documents, remote hearings by videoconference, digitalisation of decisions and their publication. Others (Lebanon, Egypt) and pilot courts (Tunisia) have successfully developed the use of videoconferences, but not without equipment difficulties (Tunisia, Palestine\*, Iraq).

Some have adopted legal and other provisions to cover the use of videoconferences in judicial proceedings, others not yet, but the beneficiaries of the region agreed that it would be important to come up with good practices in order for a judge to guarantee the principles of a fair trial and the rights of the defence.

The cases considered to be of priority within the region are mostly those involving personal freedom, but also all the cases related to the protection of minors and domestic violence. However, practitioners and experts came to the conclusion that many civil disputes should be given the same priority as criminal disputes.



The quality dialogue between the Ministry of justice, courts, judges, prosecutors, lawyers, registry officials, and, in general, management, based on listening and responsibility would make it easier to find the organisational conditions acceptable for all actors and for the better adaptation and functioning of courts despite health crisis constraints.

Cultural aspects play a significant role in the settlement of conflicts and these aspects are common within the region; this results in limited use of alternative dispute resolution procedures such as mediation (except in certain religion-related matters).

The continuation of the regional dialogue in the Southern Mediterranean and the exchange of good practices can enhance functioning of the judicial systems of the region in the context of the ongoing health crisis.

\* This designation shall not be construed as recognition of a State of Palestine and is without prejudice to the individual positions of Council of Europe and European Union member States on this issue.