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

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**State of the implementation of  
the CEPEJ cooperation programmes**

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\* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

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## ALBANIA

*Joint European Union/Council of Europe Programme  
"Horizontal Facility for Western Balkans and Turkey II" (HFII)*

### ***Strengthening the Quality and Efficiency of Justice in Albania (SEJ III)***

*co-funded by the European Union and the Council of Europe  
and implemented by the Council of Europe*

|                                |  |
|--------------------------------|--|
| Duration                       | May 2019 - May 2022  |
| Objective                      | To support the work of beneficiaries, in particular new judicial institutions and courts, in their daily functioning by accompanying the justice reform and continuing the implementation of priority recommendations made in the first phases of the project SEJ (end: April 2016) and SEJ II (July 2016 – May 2019)  |
| Beneficiaries and stakeholders | Ministry of Justice (MoJ), High Judicial Council (HCJ), High Prosecutorial Council (HPC), Courts, School of Magistrates (SoM), Bar Association, Courts   |
| Expected results               | -The judiciary uses the opportunity of the justice reform and the establishment of its new institutions to work with more reliable and specific statistics in light of the CEPEJ standards and tools.<br>- The judiciary further improves the quality of its services in accordance with CEPEJ standards and tools.<br>-The School of Magistrates provides regular training on efficiency and quality, according to CEPEJ standards and tools. |

### **State of play and main achievements**

The SEJ III Action started on 24 May 2019, immediately after the SEJ II. It continues to address the judicial reform in Albania by providing concrete support to courts and national institutions which include new governing bodies, notably the High Judicial Council (HJC) and the High Prosecutorial Council (HPC).

At the institutional level, the SEJ III is providing prompt support to the HJC concerning:

- The implementation of the CEPEJ methodology with tailor-made indicators to carry out the judicial map review in Albania;
- The set up of qualitative criteria for the implementation of the new evaluation scheme of judges;
- The sharing of good practices for other European countries on the functioning of national councils of justice;
- The preparation of internal court regulations with respect to efficiency and quality;
- The improvement of judicial statistics in the context of the transfer of competence from the Ministry of Justice to the HJC, including with a future case management system;
- The communication on the reform in the media.

The SEJ III also assesses regularly needs and priorities of new bodies to be able to support the implementation of the justice reform efficiently.

At court level also, activities are implemented progressively according to the vetting process. To date, the SEJ III has followed up on priorities identified under the SEJ II which included the need to improve safety and security in courts. The Court of Lezha adopted the first internal regulation on safety and security in court, based 90% on the recommendations provided by the Action. In parallel, the Codification Department in the MoJ continued drafting by-laws on security in court that also includes in large part the recommendations of the Action. On another aspect, the SEJ III has continued to provide court Presidents and staff with a clearer understanding of their new roles in courts as expected by the new Law on Judicial Powers, to support them with a more consistent methodology to improve and reinforce judicial statistics, and for regular implementation of satisfaction surveys. The Action has indeed provided, in cooperation with the School of Magistrates, a training for the new magistrates and HJC staff focusing on the use and methodology of satisfaction surveys.

Capacity-building of staff from national institutions and courts has been pursued in parallel, in cooperation with the School of Magistrates (SOM). SEJ III has also maintained the support to the SOM by developing new training modules, particularly on performance evaluation, time management and collection and analysis of judicial data.

The COVID -19 pandemic restriction measures have affected the course of events of the Action, by preventing the holding of activities, while representing new challenges for the courts and institutions. In particular, the sharing of good practices on the functioning of national councils of justice had to be delayed due to the sanitary crisis. The Action therefore took measures to prepare and launch training modules that can be adapted to the online training. Moreover, the Action engaged in regular dialogue with all beneficiaries and partners to be able to re-orientate a number of activities. Pilot courts in particular, showed an interest in receiving advice on how to deal with on-line trial, and on how to share court documents. The Action has shared the website developed by CEPEJ which gathered all the relevant measures taken by members States to ensure continuity of the judiciary.

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## AZERBAIJAN

*Joint European Union/Council of Europe programme “Partnership for Good Governance (PGGII)”*

### ***Strengthening the efficiency and quality of the judicial system in Azerbaijan***

*co-funded by the European Union and the Council of Europe  
and implemented by the Council of Europe*

|                                |  |
|--------------------------------|--|
| Duration                       | March 2019 – August 2021   |
| Objective                      | Court users in Azerbaijan enjoy better access to justice through strengthened efficiency and quality of the judicial system and improved enforcement of court decisions.   |
| Beneficiaries and stakeholders | Ministry of Justice, Judicial Legal Council and Justice Academy  |
| Expected results               | <ul style="list-style-type: none"><li>- The efficiency and quality of courts are enhanced through the application of CEPEJ tools at national level</li><li>- Skills and know-how on judicial statistics' collection is improved, based on the CEPEJ-STAT database</li><li>- The enforcement of court decisions is improved through legal and institutional modernisation of the enforcement system and strengthened capacities of the involved institutions</li><li>- The training methodology and curricula for judges of the Justice Academy are also improved in line with European standards and good practice</li></ul> |

### **State of play and main achievements**

A second cooperation phase with the Azerbaijani authorities was launched on the 1st March 2019. This Action seeks the enhancement of the efficiency and quality of Azerbaijani courts through the application of CEPEJ tools at national level and the improvement of the enforcement of court decisions. In order to achieve these objectives, the activities focus on providing support for the implementation of the CEPEJ methodology on statistical data collection, analysis and reporting in all courts and in the annual reports of the MoJ and Judicial Legal Council; further measuring the quality of justice and other indicatives for courts and give support to ensure the availability of high-quality judicial training in court management. Moreover, in order to improve the enforcement of court decisions, the project provides expertise regarding the enforcement of court decisions through legal and institutional modernisation of the enforcement system and strengthened capacities of the involved institutions and also supports the training methodology and curricula for judges of the Justice Academy in line with European standards and good practices.

In December 2019, the CEPEJ held a meeting in Baku with representatives of the Directorate General of Enforcement of the Ministry of Justice to discuss the MoJ study on alternative mechanisms of enforcement of decisions and the entrustment of enforcement to private agencies in Azerbaijan, as well as comments and recommendations provided by the CEPEJ experts to the draft Code of Enforcement. After the meeting

the authorities submitted a report to the Minister of Justice with recommendations on how to reform the enforcement system starting with a pilot project which would test the private bailiff system. More than 70 Council of Europe recommendations were reportedly incorporated in the current draft code. The final draft is being finalized by the Ministry of Justice and will be submitted to the Council of Europe for the last review. In addition, recommendations are being developed to set up a system of enforcement timeframes and recovery rates as indicators on the efficiency of the enforcement system and in view of evaluating bailiffs' performance, as well as on the development of ICT solutions to support the national enforcement system.

A Road map for further dissemination of CEPEJ efficiency and quality measurement tools in all courts of Azerbaijan has been developed in May 2020. Studies are ongoing to develop expert advice to judicial authorities on steps to disseminate CEPEJ tools in courts of the country on communication strategy for the judiciary and access to courts for vulnerable groups.

The project launched training needs assessment to develop the training program on court management of the Justice Academy of Azerbaijan.

During the COVID 19 crisis, the needs assessment missions of international experts (initially planned) were replaced with assessment through desk work, written procedure and videoconferencing. The projects teams decided to contract local consultants to assist the international experts. The assessments with the national stakeholders were conducted by the local consultants via online communication tools on the basis of the questionnaire prepared by international consultants.

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## DASHBOARD WESTERN BALKANS

**(ALBANIA, BOSNIA-HERZEGOVINA, KOSOVO, MONTENEGRO, NORTH MACEDONIA, SERBIA)**

*Joint European Union/Council of Europe Programme "Horizontal Facility for Western Balkans and Turkey II" (HFII)*

***Towards a better evaluation of the results of judicial reform efforts in the Western Balkans - "Dashboard Western Balkans"***

*co-funded by the European Union and the Council of Europe  
and implemented by the Council of Europe*

|                                |  |
|--------------------------------|--|
| Duration                       | May 2019 - May 2022  |
| Objective                      | To support the beneficiaries (Albania, Bosnia-Herzegovina, Kosovo, Montenegro, North Macedonia, Serbia) in completing their judicial reforms and preparing their future policies and budget allocations based on CEPEJ findings, through the achievement of a better measurement of the results of their judicial reforms.   |
| Beneficiaries and stakeholders | Ministries of Justice and/or other relevant institutions such as High Councils of the Judiciary (notably their statistical departments); courts and users of the judicial systems  |
| Expected results               | <ul style="list-style-type: none"><li>- Improved mechanisms of collection, processing, and analysis of judicial data in accordance with CEPEJ standards and tools within the beneficiaries.</li><li>- Beneficiaries own the capacities and resources to identify the strengths and weaknesses of their judicial systems, measure the results of the judicial reforms and develop relevant policies for the future.</li></ul> |

### State of play and main achievements

Dashboard Western Balkans started on 24 May 2019, following extensive preparatory work from the CEPEJ Secretariat with the inputs of the European Commission and of the beneficiaries, to create the Questionnaire to be used for the data collection so that it be adapted to the beneficiaries' judicial systems. This Questionnaire is composed of traditional CEPEJ Indicators and Questions and others specific for this project, some defined in liaison with the Group of States against Corruption (GRECO).

The first exercise of data collection was launched in October 2019 in Skopje at the same time as the first Steering Committee meeting. In order to be able to collect 2019 data, it was agreed during this meeting to divide the data collection in two sets with a first deadline on the 31<sup>st</sup> December 2019 and a second one on the 31<sup>st</sup> March 2020. This meeting was also the first opportunity to gather the Dashboard correspondents, whom have been appointed by beneficiaries to be the persons entrusted with the collection and coordination of the replies to the Questionnaire, and to provide them with support on the Questionnaire, notably on new Indicators, and on the CEPEJ methodology. This support has been continuous since, through regular exchanges between the correspondents and the CEPEJ Secretariat and through support to data collection visits which were organized in each beneficiary between November 2019 and January 2020. During those visits, the CEPEJ Secretariat, accompanied by a CEPEJ expert, provided support not only to the correspondents but to their networks of data collection.

In March 2020 the first part of the report compiling the data collected, in tables and graphs per beneficiary and in comparative tables and graphs, was shared with the European Commission and the beneficiaries. It was updated following comments received. In June, this delivery was completed with data received for the second deadline. The final part of the report, descriptive fiches per beneficiaries compiling and analyzing some of the data, will be delivered in July 2020.

The findings and feedback of the first exercise of data collection will be taken in consideration when preparing the second exercise, notably its timeline and an enhanced version of the Questionnaire and its explanatory note.

Also based on findings from the first exercise of data collection (Quality Check, unavailability of certain data, observations from the support to data collection visits and from all exchanges with the correspondents), the CEPEJ Secretariat and a CEPEJ expert will prepare assessments of the capacity to collect, process and transfer judicial data for each beneficiary. For beneficiaries where it is deemed necessary, the remote work of the CEPEJ Secretariat and of the CEPEJ expert will be complemented by assessment visits or Video Conferences with the Dashboard correspondents.

Based on the recommendations formulated by the CEPEJ Expert within those assessments will be defined the capacity building activities scheduled to start during the second year of implementation.





## GEORGIA

*Joint European Union/Council of Europe Programme “Partnership for Good Governance (PGGII)”*

### ***Enhancing the accountability and the efficiency of the judicial system and the professionalism of lawyers***

*co-funded by the European Union and the Council of Europe  
and implemented by the Council of Europe*

|                                |   |
|--------------------------------|---|
| Duration                       | January 2020 – January 2022   |
| Objective                      | To improve the Georgian judicial system by reducing judicial delays and backlogs in courts based on the application of CEPEJ efficiency and quality tools by the High Council of Justice and courts. To provide practical advises, tools and methodology to the Georgian authorities on best ways to strengthen data and judicial statistics collection for courts, case management and judicial services. To improve judicial training, and court management, including efficiency and quality initiatives in courts.        |
| Beneficiaries and stakeholders | Courts of General Jurisdiction, High Council of Justice, High School of Justice, Parliament, Constitutional Court, Ministry of Justice, Bar Association   |
| Expected results               | <ul style="list-style-type: none"> <li>- Court users benefit from an independent, accountable, transparent and efficient functioning of the judiciary</li> <li>- Backlogs and unreasonable delays in courts are monitored and improved</li> <li>- Professionalism of judges and non-judge staff is ensured thanks to initial and continuous training, based on CEPEJ tools for court management and increasing analytical skills</li> <li>- ICT tools for court/case management and judicial services are improved</li> </ul> |

### **State of play and main achievements**

The CEPEJ Project has initiated in January 2020. The fact-finding mission was conducted that took place in Tbilisi on 18 and 19 February 2020. Relevant outputs have been identified and activities planned. A work on elaboration of fair and merit-based standards for the assessment and evaluation of non-judge staff was conducted. AA report was established by a CEPEJ expert, in close cooperation with a working group of court managers, consisting of managers of Tbilisi City Court, Tbilisi Court of Appeals and Rustavi City Court.

Two very important issues for the judiciary related to data collection and analyses are also supported. One activity concerns evaluation of the existing data collection methods and tools that are applied within the judiciary and another one is an overview study on the type of statistical data that is needed (beyond

CEPEJ). The purpose of these activities is to identify overlaps and eliminate obsolete reporting. Online interviews with the staff of statistical units of different courts are organised.

A review of the existing Georgian legislation and practice regarding mediation and its training is being carried out. The recommendations in line with the CoE/EU standards and CEPEJ tools and best practices from Europe on certification and accreditation of mediation training schemes will be developed for the Georgian Mediators' Association.

During the COVID 19 crisis, the needs assessment missions of international experts (initially planned) were replaced with assessment through desk work, written procedure and videoconferencing. The project teams decided to contract local consultants to assist the international experts. The assessments with the national stakeholders were conducted by the local consultants via online communication tools on the basis of the questionnaire prepared by international consultants.

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## KOSOVO

*Joint European Union/Council of Europe Programme “Horizontal Facility for Western Balkans and Turkey II” (HFII)*

### ***Strengthening the Quality and Efficiency of Justice in Kosovo (KoSEJ II)***

*co-funded by the European Union and the Council of Europe  
and implemented by the Council of Europe*

|                                |  |
|--------------------------------|--|
| Duration                       | May 2019 – May 2022  |
| Objective                      | To continue to improve the day-to-day functioning of the justice system in Kosovo by strengthening its efficiency and quality. It will provide concrete and targeted support to courts and central authorities by empowering them with the methodology and tools of the CEPEJ in light also of the recommendations made under the first phase of Action (KoSEJ, end: May 2019).  |
| Beneficiaries and stakeholders | Ministry of Justice (MoJ), Kosovo Judicial Council (KJC), Courts, Kosovo Prosecutorial Council (KPC), Kosovo Justice Academy (KJA)   |
| Expected results               | -The judiciary works with more reliable and specific statistics in light of KoSEJ recommendations and is empowered to address challenges to the efficiency of justice with CEPEJ standards and tools.<br>- Quality of justice is further improved in accordance with CEPEJ standards and tools.<br>- The Kosovo Justice Academy (KJA) improves its training capacities in efficiency and quality according to CEPEJ tools and methodology. |

### **State of play and main achievements**

The KoSEJ II Action started on 24 May 2019 immediately after the KoSEJ. The KoSEJ Action was an important step with a thorough assessment phase of the efficiency and quality of the judicial system in Kosovo and of identification of priority problems.

The Functional Review of the Justice Sector was continued, taking into account KoSEJ recommendations to prepare the future Rule of Law Strategy in particular concerning the need to use reliable judicial statistics. Following the assistance provided to collect and analyse statistics from 2018, the Ministry of justice conducted a third assessment exercise, providing an overall assessment of the justice system, relying on the CEPEJ evaluation scheme specifically tailored for Kosovo. This shows that this sustainable process for regular and reliable data collection, management and analysis, is becoming successfully anchored in the work of the Ministry of Justice.

The KoSEJ II also continues to take part in the work of the KJC-CMIS experts' team that will address judicial statistics for the electronic case management system (CMIS) which will include CEPEJ indicators and the use of 'dashboards'. Since the launching of the Action, technical expertise was provided on several occasions on the development of CMIS parameters and on the case assignment system to ensure that cases are distributed randomly and automatically, and no longer manually, as it has been the case until now. In February 2020, this system of automatic assignment of cases to judges was introduced in the courts. Most of criminal cases are now being assigned automatically and randomly in the CMIS

automatically in line with a recommendation in the 2018 EU Commission on Kosovo, which is a significant step forward in the efficiency and quality of work done by the courts and prosecution offices, as the automatic distribution of cases is conducive in combatting the risk of abuse and corruption.

Court coaching projects focus on measures to fasten judicial proceedings and to improve court management and the collection and analysis of judicial statistics, using the CEPEJ standards and methodology. In particular, the Action has identified that the notification of court documents to parties often create delays in the proceedings, and therefore implemented a court coaching activity to address this issue.

In order to improve the efficiency of court proceedings, the KoSEJ II Action will continue the work with the KJC to ensure that all courts monitor the length of proceedings to improve courts' performance. Furthermore, following the Kosovo Judicial Council decision to address the issue of the norm of judges, that sets monthly objectives for judges in terms of number of resolved cases, the Action is preparing a proposal for the revision on the norm of judges, using as a basis the most recent work on case weighting of the CEPEJ SATURN Working Group.

Contributing to the efficiency of courts and their relations with justice users, the Action has encouraged decision makers and courts to better consider court users in the justice system reform process, particularly through the extended use of satisfaction surveys. Indeed, previous satisfaction surveys showed that citizens did not understand judicial statistics when presented in raw data. In order to improve the user's experience of the justice system, the Action has been focusing on a court coaching project aiming at helping courts to deliver judicial statistics to court users in a more readable manner, via their website.

The KoSEJ II will also assist the KJA in improving its curricula. The Academy, with the support of the Action, is assessing how much court presidents, judges, prosecutors and their support staff know about the CEPEJ methodology, tools and indicators, by launching a Training Needs Assessment survey. A report will be prepared, with findings and recommendations, and based on the report trainings will be designed and conducted. This survey will be conducted, for the first time online. The Action is therefore also building the capacity of the Academy in developing and implementing TNA surveys in the future.

Due to the COVID-19 pandemic, the normal course of the project could not be maintained, as beneficiaries (justice institutions, courts and civil society organisations) worked on operational priorities and urgent matters only. A report made by a local consultant during the lockdown has shown that the court functioning was strongly impacted, and that the transmission of legal documents via online means was not implemented. This could be addressed with the support from the Action.

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## LATVIA

### ***Strengthening the access to justice in Latvia through fostering mediation and legal aid services, as well as support to the development of judicial policies and to increased quality of court management***

*funded by the European Union via the Structural Reform Support Programme and in cooperation with the European Commission's DG Structural Reform Support*

|                                |  |
|--------------------------------|--|
| Duration                       | September 2019 - March 2021  |
| Objective                      | Improved organisation and functioning of the judiciary, including better indicators and measurements tools to assess judicial reforms, enhanced external communication of courts and use of ICT in courts. Improved access to legal aid, and broader recourse to mediation.  |
| Beneficiaries and stakeholders | Ministry of Justice and Court Administration, as well as other national partners such as the Council of Certified Mediators and the Legal Aid Administration   |
| Expected results               | <ul style="list-style-type: none"><li>- Findings and recommendations of the 2018 report “Evaluation of the Latvian judicial system”, developed by a team of CEPEJ experts, are promoted and their implementation facilitated through expert support to the Ministry of Justice and other justice stakeholders of Latvia;</li><li>- Mediation, as part of the policy to reduce civil cases adjudicated by the courts (by redirecting certain categories of litigations to out-of-court mediation) is further promoted by increasing the capacities of the network of mediators and the attractiveness of this type of dispute resolution;</li><li>- Legal assistance and state ensured legal aid, as tools which contribute to a better access to justice and to effective protection of the rights of litigants, are further consolidated. Expert advice will be provided to evaluate and facilitate the development of the systems of state ensured legal aid, with a particular focus on vulnerable groups and including the system of court fees.</li></ul> |

### **State of play and main achievements**

The project's first component, which aims at improving court management, judicial efficiency and quality, is a continuation of the previous CEPEJ Project in Latvia, in which an assessment was carried out and recommendations were developed from March 2017 to April 2018. The new Project aims at supporting the implementation of CEPEJ recommendations regarding the judicial management, in particular through the improved collection and use of statistical data, the definition of key performance indicators, and promoting the use of ICT tools for a modern court and case management. It will also focus on communication in the courts, and how to improve the satisfaction on the part of court users.

The Project also includes two additional components, to develop further the use of state-ensured Legal Aid, but also broaden the use of out-of-court mediation in order to reduce the number of cases to be adjudicated.

In the mediation component, a meeting was organized in March 2020 in Riga to collect information and data to prepare the Draft Assessment report of the Latvian mediation scheme. With substantive feedback from the Ministry of Justice, the report is now being finalised by the experts and includes the analysis of the scheme in itself, along with alternative examples from other European member states and first recommendations. Another meeting was organised in parallel on 21 February 2020 in Riga to present the CEPEJ mediation tools to various stakeholders (lawyers, judges, mediators, representatives of the Ministry of Justice)

As to the legal aid component, the experts have designed two questionnaires to support the assessment of the Legal aid system in Latvia. They are currently preparing the draft assessment report, based on the exchanges and data they compiled during meetings with all key stakeholders of legal aid on 24-25 February 2020. Besides, the design, setting up and monitoring of the future pilot project have been thoroughly discussed during videoconferences in April and May and its terms of reference are currently being drafted by national and cepej experts.

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## MALTA

### ***Supporting the efficiency of justice in Malta***

*funded by the European Union via the Structural Reform Support Programme and in cooperation with the European Commission's DG Structural Reform Support*

|                                |  |
|--------------------------------|--|
| Duration                       | December 2018 – December 2020  |
| Objective                      | To strengthen the efficiency of the Maltese justice system by reviewing the functioning of the Court of Appeal Superior Jurisdiction with a view of identifying possible improvements in efficiency and formulating recommendations as well as by supporting the development of a human resource Strategy for the Maltese justice system targeting judicial and support staff  |
| Beneficiaries and stakeholders | Ministry of Justice, Attorney General's Office, the Court of Appeal Superior Jurisdiction, courts, judges and non-judge staff  |
| Expected results               | - Improved capacity of the Court of Appeal Superior Jurisdiction to tackle its backlog, based on a good knowledge of the main areas of improvements and targeted recommendations<br>- Improved capacity of the Department of Justice and other relevant judicial stakeholders to manage human resources, based on a good knowledge of the main areas of improvements and the development of a solid Human resources strategy for judicial and non-judicial staff |

### **State of play and main achievements**

The first part of the Project implementation period was aiming at conducting an in-depth assessment of the current situation in Malta, as regards both the improvement of the functioning of the Court of Appeal Superior Jurisdiction (CASJ), and the development of a Human Resource strategy for the Maltese courts.

In this respect, a first *Draft Assessment Report* was drafted based on all information shared by the Maltese and based on the feedback of the key stakeholders. It is composed of an assessment of the situation, best practices from European member states, and tailor-made recommendations. The report was then finetuned throughout the year, thanks to the discussions and feedback from the beneficiaries and stakeholders, but also with the good practices drawn from a Study Visit organised in June with a delegation of Maltese stakeholders to the Supreme Court of Ljubljana.

The refined assessment and sharpened Recommendations have been compiled in a *Final Report on Key Findings and Recommendations* which was presented to the Maltese authorities during the Final event in Valletta on the 13 November 2019.

While the project was expected to end on 6 December 2019, its period of implementation was extended until December 2020. New activities, including setting up a triage system to improve the efficiency at the level of the Court of Appeal, but also on supporting the development of the new Court Administration Agency, have been designed based on the recommendations from the *Final Report*. While the activities

on the setting up of the triage system have been delayed by the situation caused by the covid outbreak, a report is currently being developed by CEPEJ experts on the functioning of the new court Agency.



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## MALTA II

### ***Establishing a Digital Strategy for the Maltese Justice Sector***

*funded by the European Union via the Structural Reform Support Programme and in cooperation with the European Commission's DG Structural Reform Support*

|                                |  |
|--------------------------------|--|
| Duration                       | May 2020 – May 2021  |
| Objective                      | To support the development and adoption of a Digital Justice Strategy and the corresponding Action Plan by the Maltese Ministry of Justice.  |
| Beneficiaries and stakeholders | Ministry of Justice, its Department of Justice and Department of Courts of Justice; IT departments within the relevant Ministries, Court Administration, Office of the Attorney General.   |
| Expected results               | - Co-ordination of past and future information technology (IT) initiatives in the field of Justice in Malta is ensured, in cooperation with the Ministry of Justice.<br>- A baseline draft of the Digital Strategy and its Action Plan is developed as a result of a co-design process with the Maltese authorities. |

### **State of play**

The Project was officially launched on 5 May 2020, with a first Steering Committee videoconference organised on 11 May 2020, in presence of representatives of the Ministry of Justice and specifically IT department, but also CEPEJ experts and Secretariat and the European Union. The expectations of the Maltese beneficiaries were discussed and a first timeline of activities was agreed upon for the coming months. Fact-finding videoconferences will now be organised so the experts can obtain more information with a view to drafting an analysis of the current IT tools existing in the justice sector.

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## REPUBLIC OF MOLDOVA

*Joint European Union/Council of Europe Programme “Partnership for Good Governance” (PGGII)*

### **Support to further strengthening the efficiency and quality of the judicial system in the Republic of Moldova**

*co-funded by the European Union and the Council of Europe  
and implemented by the Council of Europe*

|                                |   |
|--------------------------------|---|
| Duration                       | November 2019 – October 2021  |
| Objective                      | To improve the functioning of the justice system through strengthened efficiency and quality of courts and a better system of enforcement of court decisions  |
| Beneficiaries and stakeholders | The Ministry of Justice, the Superior Council of Magistrates, the National Institute of Justice, and the National Union of Bailiffs   |
| Expected results               | <ul style="list-style-type: none"><li>- The efficiency and quality of courts are enhanced through the application of CEPEJ tools at national level, while the mechanisms for judicial transparency and accountability are further consolidated.</li><li>- The enforcement of court decisions in civil and administrative cases is improved through the implementation of the instruments developed by CEPEJ to analyse the functioning and efficiency of the system of enforcement.</li></ul> |

### **State of play and main achievements**

After a successful project conducted in 2015-2017, CEPEJ continues to support the efficiency of courts and the quality of judicial services in the Republic of Moldova. The new project was officially launched in December 2019. In February-March 2020 were carried out expert missions aimed at discussing the steps for the dissemination of CEPEJ tools in all courts of Moldova and in central judicial administration.

Based on the results of previous cooperation, activities are designed to support the national partners to publish judicial statistics by the example of the CEPEJ-STAT dynamic database, and to adopt and use at different levels of the judiciary a set of key performance indicators (KPIs), with a view to evaluating both the performance of courts and the impact of judicial reforms in Moldova. CEPEJ experts from Slovenia, Italy and Latvia share the experience of respective countries in promoting higher standards of efficiency, accountability and quality of judicial services.

On the other hand, the system of enforcement of court decisions in civil and administrative matters in the Republic of Moldova marks 10 years since switching to the institute of private enforcement agents. The CEPEJ supports the efforts of the Ministry of Justice and the National Union of Enforcement Agents to improve the evaluation of the performance of the system, to modernise the case management, and to increase the efficiency and the quality of enforcement services. Experts representing France, the Netherlands, Lithuania, and Romania met with enforcement agents and national authorities to exchange on the CEPEJ recommendations and the best practices in Europe with regard to introducing new

technologies and cyberjustice tools at the service of the enforcement systems. The project should support the deployment of an electronic register of enforceable documents and enforcement procedures, as well as the deployment of an on-line platform for auctioning of seized goods.

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## SLOVAK REPUBLIC

### *Continued support to a well performing Slovak judiciary*

*funded by the European Union via the Structural Reform Support Programme and in cooperation with the European Commission's DG Structural Reform Support*

|                                |  |
|--------------------------------|--|
| Duration                       | 14 months, as from 15 September 2019   |
| Objective                      | To improve the access to justice in the Slovak Republic through higher standards of operation of the judicial administration, including improved decision-making, and further modernisation of the court management.   |
| Beneficiaries and stakeholders | Ministry of Justice and its Analytical Centre, Judicial Council  |
| Expected results               | The main findings and recommendations of the CEPEJ 2018 reports "Efficiency and quality of the Slovak judicial system", the "Assessment and recommendations on the basis of CEPEJ tools" and "Evaluation of the current state of affairs of ICT tools for the Slovak judicial system and advice on their development" are promoted and their implementation facilitated principally through expert support to the Ministry of Justice and the Judicial Council of Slovakia. Efficiency and quality of the judiciary are improved along with a better perception of judicial independence and increased public trust in courts, stemming from: <ul style="list-style-type: none"><li>- Better informed decision-making in the process of judicial administration, and</li><li>- Improved court management with a view to improving efficiency and quality of judicial services.</li></ul> |

### **State of play and main achievements**

A team of CEPEJ experts conducted in 2017-2018 a comprehensive evaluation and formulated recommendations on possible reforms in the judicial sector. The reports "Efficiency and quality of the Slovak judicial system", "Assessment and recommendations on the basis of CEPEJ tools" and "Evaluation of the current state of affairs of IT tools for the Slovak judicial system and advice on their development" were presented in 2018 to members of the judiciary, political decision makers, non-governmental organisations active in the field of justice and the press. The reports contain recommendations referring to topics of judicial independence, access to justice, efficiency and quality of judicial services, the role of the Analytical Centre, judicial statistics, and on improving the IT tools to support the functions of courts.

The Slovak Ministry of Justice and other national stakeholders follow up on the recommendations of the above reports. The Ministry created thematic working groups tasked with priorities such as further specialisation of judges and increasing the flexibility of judicial offices, improving the system of reporting on courts' performance, case-weighting and distribution of resources, setting up timeframes for judicial proceedings etc. The Analytical Centre is very active in implementing the CEPEJ methodology for evaluation of the courts' performance and in formulating informed proposal for justice sector policies and managerial decisions.

The new project will further support the implementation of the recommendations and will build upon the progress achieved by the project finalised in July 2019. The project's official launching took place on 18 November 2019 and its Steering Committee approved a detailed action plan.

CEPEJ conducted on 13 February 2020, a workshop on the Implementation of timeframes in Slovak courts and their monitoring by IT means, in cooperation with the Ministry of Justice of the Slovak Republic and its Analytical Centre. On this occasion the Analytical Centre presented the results of their research related to evaluating the accomplishment of defined timeframe goals conducted in 16 pilot courts and prepared a document describing actions identified as necessary to secure crucial data for fulfilling this assignment.

From March until May, CEPEJ experts have prepared analyses, which have also been subsequently translated into Slovak language and shared with Slovak authorities by CEPEJ:

- Comparative overview "Best practices of strategic planning of justice sector reform(s)";
- Comparative analysis "Good practices on the standardisation of court decisions from selected Council of Europe member states" with recommendations; Questionnaire on court management for court presidents.

As a next step, CEPEJ will organise workshops in the aforementioned areas.

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## **SOUTH PROGRAMME IV – SP IV**

(mainly **MOROCCO** and **EGYPT**)

*European Union/Council of Europe Joint Programme South Programme IV*

### ***Regional Support to reinforce human rights, rule of law and democracy in the Southern Mediterranean***

*co-funded by the European Union and the Council of Europe  
and implemented by the Council of Europe*

|                                |   |
|--------------------------------|---|
| Duration                       | March 2020 - February 2022  |
| Objective                      | To promote the independence, efficiency and quality of justice systems of the Region by improving the functioning of the courts and supporting the implementation of judicial reforms and the revision of relevant normative frameworks in compliance with European standards.  |
| Beneficiaries and stakeholders | Ministry of Justice, Council of the Judiciary, High Institute for the Judiciary, pilot courts, courts' staff, lawyers   |
| Expected results               | <ul style="list-style-type: none"><li>- The CEPEJ tools on efficiency and quality are applied to courts. Judges and non-judge staff are trained on relevant CEPEJ tools</li><li>-The operational capacity of the Council of the Judiciary is strengthened, in particular by raising awareness among its members of the mandate, supporting the development of organisational and regulatory texts, making assessment tools available and sharing good practices</li><li>- The legislative framework relating to the justice system is in line with CoE standards, inter alia through exchanges of experience and legal opinions of the CEPEJ</li><li>- Others, subject to national authorities' demand.</li></ul> |

### **State of play and main achievements**

The South Programme III ended at the end of February 2020 and was immediately followed by South Programme IV. Given the COVID 19 pandemic, it has not been possible to organize activities during the first few months of the project but these activities will be resumed as soon as possible and will be in continuity of the activities implemented under South Programme III, with, whenever possible, a strengthened regional focus.

Under SP III, CEPEJ ensured capacity building for the institutions of judicial governance in Morocco: the Conseil Supérieur du Pouvoir Judiciaire (CSPJ) and the Présidence du Ministère Public (PMP) have benefited, at their request and on the basis of needs identified in close cooperation with them, from capacity building activities on fundamental areas of their functioning: for example, training of senior members of the CSPJ on strategic planning tools and techniques as well as on good administrative and budgetary management practices; training of about a hundred senior members of the PMP, who work in all Moroccan courts in the management techniques of prosecution services.

The CEPEJ also ensured a reinforcement of networking and peer-to-peer exchanges, in particular with a regional dimension, on issues related to the quality and efficiency of judicial systems, and establishment of close co-operation between the CEPEJ and the Moroccan (in particular MJ and PMP) and Egyptian partners : regular participation of our partners in the meetings of the working groups, as well as in the plenary of the CEPEJ allowing our partners to take part in the exchanges on the development of CEPEJ tools, and afterwards disseminate these tools and the good practices exchanged in their judicial system, thus contributing to the sustainability of the action, and of course to link contacts with their peers. The participation of the Moroccan PMP in the CCPE meetings has also enabled the Moroccan institution to obtain the status of observer at the CCPE and to participate actively in the CCPE's opinion drafting work, ensuring there too a better appropriation and sustainability of the tools by the partners.

The CEPEJ also developed a new and fruitful cooperation with the Egyptian Council of State, at the request of this court which is responsible for the entire Egyptian administrative order and is composed of 3000 judges and 6000 employees. Following a fact-finding mission in order to determine the priorities of intervention and the activities to be implemented, a preliminary report was prepared by the CEPEJ with practical recommendations on the daily functioning and working methods with a view in particular to reducing procedural delays in the Egyptian administrative justice system. A first activity concerning the carrying out of user satisfaction surveys was held with the strong support of the President of the Council of State who personally announced that such surveys would be set up in his jurisdiction and started to take the necessary steps to do so.

## SPAIN

### ***Promoting cyberjustice in Spain through change management (phase II)***

*funded by the European Union via the Structural Reform Support Programme and in cooperation with the European Commission's DG Structural Reform Support*

|                                |   |
|--------------------------------|---|
| Duration                       | June 2020 – September 2021  |
| Objective                      | To extend the assessment of the alternative tools for the Digital Justice programme, including the solutions adopted by the Autonomous Regions with competencies in the administration of justice and to further facilitate the uniformity and the coherence of the Spanish cyberjustice.   |
| Beneficiaries and stakeholders | Ministry of Justice, Council for the Judiciary, State Prosecutor General Office, State Technical Committee of the Electronic Judicial Administration (CTEAJE), and Autonomous Regions with competences in the administration of justice.  |
| Expected results               | <ul style="list-style-type: none"> <li>- Main findings and recommendations of the CEPEJ 2019 reports on the challenges in the process of implementing the cyberjustice tools in the Kingdom of Spain will be promoted and their implementation facilitated through expert support, thematic working groups etc. The advancements of different actors (MoJ and Autonomous Regions) in the implementation of IT tools at the service of the administration of justice will be evaluated through carrying out a national audit of alternative cyberjustice solutions;</li> <li>- Expert advice on the development of a change management strategy and techniques and on their implementation through broad consultations and inclusion in the process of digitalisation of the administration of justice;</li> <li>- Facilitation of the process of implementation of the Electronic Case File and of the development of guidelines for an electronic procedural code;</li> <li>- Awareness raising and capacity building for representatives of the Secretariat of the CTEAJE, the coordinating body of the different actors involved in the development of digital justice.</li> </ul> |

### **State of play**

The project was officially launched on 1 June 2020, with a first coordination video conference held on 25 June, in the presence of representatives of the Ministry of Justice but also experts and the Secretariat of the CEPEJ, as well as the European Union. The expectations of the Spanish beneficiaries were discussed and a first timetable of activities was envisaged.



Improving the Functioning, Performance and Access to Justice in Tunisia



**TUNISIA**

*Joint European Union/Council of Europe Programme*

***Improving the functioning, performance, and access to justice in Tunisia (AP-JUST)***

*co-funded by the European Union and the Council of Europe  
and implemented by the Council of Europe*

|                                |   |
|--------------------------------|---|
| Duration                       | January 2019 - December 2021  |
| Objective                      | Strengthening, further developing, deepening and sustaining justice reform with a view to improve the quality and efficiency of day to day justice service provided by courts to court users.   |
| Beneficiaries and stakeholders | Ministry of Justice, Higher Judiciary Institute (ISM), High Judiciary Council (CSM), courts, judges and non-judge staff   |
| Expected results               | -Laws and policies in the area of justice comply with European standards;<br>-Capacities of justice stakeholders: judges, lawyers, clerks are strengthened and courts users benefit from a better quality of services;<br>-Functioning and governance of the judicial system are improved and more efficient. |

**State of play and main achievements**

Launched in January 2019, the EU/CoE joint programme is a new step in supporting the consolidation of the rule of law and good governance in the country. Based on the experience developed and the results achieved by CEPEJ previous projects in Tunisia, the objective is to further develop, deepen and sustain justice reform with a view to improving the quality and efficiency of day to day justice service.

To achieve these objectives, activities focus on justice independence and impartiality, quality of justice and broadening access to law, providing justice legislative expertise on laws and policy frameworks; delivering institutional support to the High Judiciary Council (CSM) and the High Judicial Institute (ISM). The project also aims at developing and enhancing initial and continuous training for judges, non-judge staff, lawyers; advising the Ministry of Justice in the framework of the Information System development; increasing knowledge and enabling implementation of CEPEJ tools and methodologies at local and national level. Moreover, networking and peer exchanging is promoted and communications and outreach tools in Arabic, French and English developed.

The Project Steering Committee held in December 2019, acknowledged these areas of cooperation and set a plan of actions for the next semester. Consequently, assistance to the Cour of Cassation in order to ensure dissemination of its jurisprudence at regional level was further provided (February), support to the CSM on external communication and to the Lawyer Training Institute on mediation initiated. However, the

COVID advent and the measures taken in Tunisia and Europe imposed in addition to maintaining regular contacts with project stakeholders to consider alternative measures to continue to offer the expected support: exchange of experiences in the form of questions/answers and written contributions for the strengthening of the pre trial judge at the Tunis court or the support for the CSM but also to respond to specific needs related to the context, for example, on the functioning of the courts at this time and the impact, in particular, on judicial time management issues and more generally on the internal management of cases within the courts.