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

**WORKING GROUP ON THE EVALUATION OF JUDICIAL SYSTEMS  
(CEPEJ-GT-EVAL)**

*41st meeting*

5 October 2021

**MEETING REPORT**

Document prepared by the Secretariat

Directorate General I - Human Rights and Rule of Law

## **INTRODUCTION**

1. The Working Group on the Evaluation of Judicial Systems (CEPEJ-GT-EVAL) of the European Commission for the Efficiency of Justice (CEPEJ) has held its 41st meeting on 5 October 2021, with Jaša Vrabec (Slovenia) in the chair. Considering the health situation, the meeting was held by videoconference.
2. The agenda and list of participants are attached as Annexes I and II respectively to this Report.

## **II. INFORMATION FROM THE WORKING GROUP AND THE SECRETARIAT**

3. The Chairman of the Working Group welcomes all participants to the meeting and in particular Seçkin KOÇER (Turkey), deputy member of the CEPEJ-GT-EVAL.
4. The Secretariat introduces to the Working Group Tamar KATSITADZE, a new colleague who joins the CEPEJ Secretariat and will assume the functions of assistance in the team in charge of the "Dashboard Eap" in Tbilisi (Georgia). Rana Gulnihal GENC and Eliun GUERIN, who are interns in the CEPEJ Secretariat, also participated in the meeting.
5. The Secretariat informs the members of the Group of the discussions which took place during the last meeting of the Bureau of the CEPEJ concerning the activities related to the evaluation. The Bureau supports the idea of continuing to improve the presentation of the CEPEJ Evaluation Report. The Bureau also instructed the Secretariat to prepare for the next CEPEJ plenary meeting, in consultation with the Working Group, a draft timetable and structure of the different elements of the Report. The stakes related to the existence this year of four different data collections in particular to maintain the quality of the collected data and the harmonisation of the various processes of quality control while taking care not to overload the correspondents was also evoked.

## **III. 2020-2022 EVALUATION CYCLE (2020 DATA)**

### **a) Status and Issues in Data Collection and Quality Control**

6. Regarding the current status of data collection for the evaluation of judicial systems, the Secretariat indicates that the deadline for filling in the questionnaire was 1<sup>st</sup> October and that a large majority of the national correspondents have already integrated some of the data into the CEPEJ-COLLECT system. However, data collection is still ongoing.
7. In parallel, the Secretariat has started the quality control of the data. The data from the EU member States will be examined first, as it is necessary to provide part of these data in the framework of the CEPEJ study for the EU Justice Scoreboard in a very short time.
8. The Secretariat informs the members of the Group that in the framework of the collection and quality control of the data, several meetings by videoconference have been held with the new national correspondents, in order to accompany them during the data collection and to encourage them to complete the questionnaire within the time limit. The Secretariat is also ready to organise visits to support data collection and quality control whenever possible.
9. The Secretariat shares with the Working Group various issues raised so far by the national correspondents, including those due to changes in some questions. The Working Group considered and discussed the following topics :
  - the criteria used to allocate financial resources among the courts (Q14-0)
  - the number of non-judicial staff working in the courts (Q52) and the number of non-judicial staff per court (Q52-1)
  - the recusal of judges (Q85),
  - the number of non-judicial proceedings relating to asylum seekers and to entry and stay of aliens (Q101-0),
  - the calculation of the average length of proceedings (Q102).

10. More generally, the Secretariat suggests that during the data quality control phase, national correspondents should be asked more about the reasons why certain data are not available on a recurring basis. The team in charge of quality control must also ensure that the result of the sections on the IT system is linked to the availability of certain data.

## **b) Structure of the Report**

11. In view of the positive feedbacks received following the publication of the 2018-2020 Evaluation Report in October 2020, the Secretariat proposes to keep the same three-part structure (Tables, Graphs and Analysis - Country Profiles - Dynamic Database of European Judicial Systems CEPEJ-STAT) for the next 2022 Evaluation Report (2020 data).

12. However, following the model of what has been prepared in the framework of the “Dashboard Western Balkans”, the Secretariat proposes an evolution of the structure and content of the country profiles which would mainly consist in adding to the existing structure a first analytical part to allow a better identification of the situation of the judicial system and the possible specific problems of the country concerned.

13. The content of the country profiles was also discussed. The Group decided to delete the data concerning the recruitment of judges and prosecutors and to integrate other data such as those concerning training, mediation, the status of prosecutors or the number of courts.

14. The Working Group instructs the Secretariat to submit a prototype in writing and, in the light of the possible comments of the members, to finalise a version which will be presented at the CEPEJ plenary meeting on 8 and 9 December.

15. With regard to the content of Part 1, it is proposed to review the various chapters with the experts who will be in charge of writing them in order namely:

- to examine with them the precise content of the chapters to make them less descriptive concerning the narrative part and to evaluate the relevance of certain graphic representations;
- to add certain themes, especially in view of the new questions of the evaluation questionnaire;
- to insist on more direct answers to the questions asked in the Report;
- add, when relevant, tables presenting the main data of a chapter.

16. With regard to CEPEJ-STAT, the Secretariat informed the Working Group of the ongoing work to simplify the use and search of the quantitative and qualitative explorers and proposed to develop a new dashboard for the 2022 edition of the Report. The Group agreed to defer discussion on this item to the next meeting.

## **c) Timeline of the Report**

17. In view of the possible changes to the Report, and in particular the introduction of analyses in the country profiles, it seems necessary that the data be stabilised before the drafting phase of the Report (parts 1 and 2). In order to be able to accept and integrate possible changes in data, the Secretariat proposes to define precise moments for integrating these modifications and no longer to integrate them as they occur.

18. The Working Group instructs the Secretariat to prepare a draft timetable to be presented to the CEPEJ plenary meeting on 8 and 9 December.

## **d) Experts in charge of the drafting**

The Secretariat indicates that the first contacts with the experts who will be in charge of the drafting of the various chapters of the next Evaluation Report of the judicial systems of the CEPEJ have been established.

19. The Working Group considers that the supervision of each chapter of the Report by a member of the Group has been a very good practice during the previous cycle and should be continued for the next Report.

#### **IV. SPECIFIC STUDY ON JUSTICE PROFESSIONALS**

20. Claude VALLET for the EEEI (European Expertise & Expert Institute) as well as Geertjan SARNEEL and Susanne VIGGRIA-KRAEMER for the CNUE (Council of the Notariats of the European Union) presented respectively the projects of specific studies on the judicial experts<sup>1</sup> and of specific study on the notaries<sup>2</sup> prepared starting from the 2018 data of the CEPEJ. The documents were adopted, subject to possible comments that will be submitted to the Secretariat in the coming days.

#### **V. COOPERATION WITH THE EUROPEAN COMMISSION**

21. The Secretariat informs the Working Group about the progress of the cooperation activities with the European Commission (EC), in particular the CEPEJ study for the EU Justice Scoreboard, the Western Balkans Dashboard and the Justice Dashboard Eap.

##### **a. Study for the European Commission on the functioning of the judicial systems in the European Union Member States (EU Justice Scoreboard)**

22. The Secretariat informs the Working Group that the contract concerning the CEPEJ study for the Justice Scoreboard in the countries of the European Union has been signed for a period of one year, renewable three times, after agreement of the Committee of Ministers. The Secretariat recalls that the field of the CEPEJ study is widened and includes from now on the criminal procedures.

23. The Secretariat indicates that for this cycle, only the main questionnaire has been opened in CEPEJ-COLLECT. Some questions of the main questionnaire will be extracted and used to carry out the study.

24. The Secretariat clarified that new deadlines have been fixed with the European Commission: the first part of the data (tables) must be provided by 10 December and the second part (country sheets) by 15 January 2022.

##### **b. Western Balkans Dashboard**

25. The Secretariat informs the Working Group that the second round of data collection under the Western Balkans Dashboard has been completed (2020 data) and that the third round has started (2021 data).

26. As agreed with the European Commission, two documents were provided. The first document, consisting of comparative tables and a list of comments for each question, was sent to the European Commission on 15 May. The second document, consisting of six beneficiary profiles, was sent on 30 June. In agreement with the European Commission, the format of the beneficiary profiles has been modified. The main innovation is the data analysis. The first two pages of the beneficiary profiles present the main trends with infographics and a narrative explanation of the data.

27. As far as beneficiaries are concerned, the Secretariat notes an improvement over the previous round in the timeliness of data collection, which demonstrates that beneficiaries have been able to better anticipate and organise data collection.

28. As part of the capacity building activities, the Secretariat has developed guidelines for the new national correspondents. Other activities are also planned, including the case management system and support for budget data collection in Serbia. The Secretariat would also like to plan missions to the Balkans.

29. The Western Balkans Dashboard questionnaire has been slightly modified and harmonised with the main CEPEJ questionnaire.

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<sup>1</sup> CEPEJ-GT-EVAL (2021)8rev

<sup>2</sup> CEPEJ-GT-EVAL (2021)14rev

**c. Dashboard - Eastern Partnership**

30. The Secretariat informed the Working Group that the questionnaire for the collection of data for the Justice Dashboard EaP was opened in June.

31. In order to help the national correspondents to complete the Questionnaire in time, face-to-face meetings as well as video-conference meetings were held between July and September. Data collection is currently underway. The planned schedule is being respected. Two countries have requested additional time to clarify certain issues.

32. The Secretariat then indicated that the quality control of the data for the EaP countries' Dashboard started in June and is currently still ongoing. The first part of the Report will be provided to the European Commission on April 1, 2022 and the second part on 1 June 2022.

**VI. TRAINING ON CEPEJ EVALUATION TOOLS**

33. The Secretariat recalls that the development of the tools in the field of training falls within the framework of the mandate of the Working Groups of the CEPEJ. It is proposed that the training is created at the level of the CEPEJ and that each Working Group contributes to a module of this general training of the CEPEJ which will be developed starting from the platform "Help" of the Council of Europe.

34. The Secretariat informed the Working Group that discussions are currently underway with the colleagues in charge of the "Help" platform and that a meeting will be organized soon, during which the secretaries of the Working Groups will be invited to propose training topics.

35. The Secretariat recalled that the possible topics proposed by the Working Group during the last meeting were the performance indicators developed by the CEPEJ Evaluation Working Group, CEPEJ-STAT and the challenges and issues of the use of statistics in judicial matters. The members of the Working Group commit themselves to think about other possible modules and to inform the Secretariat if necessary.

**VII. OTHER TOPICS**

The Working Group agreed to meet again in early 2022.

**AGENDA / ORDRE DU JOUR**

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- 1. Adoption of the agenda**
  - 2. Briefing of Working Group members and the Secretariat**
  - 3. 2022 evaluation cycle (2020 data)**
    - a. State and issues of the data collection and quality check
    - b. Structure of the Report
    - c. Timetable of the Report
    - d. Experts in charge of drafting
  - 4. Specific study on the judicial professionals**
  - 5. Cooperation with European Commission**
    - a. Study for the European Commission on the functioning of judicial systems in the member States of the European Union (Scoreboard of justice)
    - b. Dashboard Western Balkans
    - c. Dashboard – Eastern Partnership countries
  - 6. Training on CEPEJ evaluation tools**
  - 7. Other issues**
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## List of participants / liste de participants

## MEMBERS / MEMBRES

<b>CROATIA / CROATIE</b>	<b>Ms Martina VRDOLJAK</b> Head of department for statistics, analytic and strategic development of Judiciary, Directorate for organisation of Judiciary, Ministry of justice <b>Excused / Excusée</b>
<b>GERMANY / ALLEMAGNE</b>	<b>Ms Simone KREß</b> Judge, Vice-President of the Tribunal in Cologne <b>Excused / Excusée</b>
<b>MALTA / MALTE</b>	<b>Ms Joanne BATTISTINO</b> Ministry of Justice and Home Affairs, The Law Courts
<b>SLOVENIA / SLOVENIE</b>	<b>Mr Jaša VRABEC</b> Head of the Office for Court Management Development, Supreme Court <b>(President of the CEPEJ-GT-EVAL/ Président du CEPEJ-GT-EVAL)</b>
<b>SPAIN / ESPAGNE</b>	<b>Mr Juan Fernando ARMENGOT IBORRA</b> Advisor, Directorate General for International Legal Cooperation and Religious Affairs, Ministry of Justice
<b>SWITZERLAND / SUISSE</b>	<b>Mr Christophe KOLLER</b> Researcher, Director ESEHA, Centre for counselling and comparative analysis
<b>TURKEY / TURQUIE</b>	<b>Mr Seçkin KOÇER</b> Rapporteur Judge, Ministry of Justice, Ankara, TURKEY

## SCIENTIFIC EXPERTS / EXPERTS SCIENTIFIQUES

<b>GREECE / GRECE</b>	<b>Ms Victoria MERTIKOPOULOU</b> Advisor, EU and Competition, Regulatory, Compliance, Kyriakides Georgopoulos Law Firm
<b>ITALY / ITALIE</b>	<b>Ms Raffaella CALO'</b> Judge, Ministry of Justice <b>Excused / Excusée</b>

## PARTICIPANTS / PARTICIPANTS

<b>COUNCIL OF THE BARS AND LAW SOCIETIES OF THE EUROPEAN UNION / CONSEIL DES BARREAUX EUROPEENS (CCBE)</b>	<b>Ms Stéphanie ALVES</b> Conseiller juridique senior
<b>COUNCIL OF THE NOTARIATS OF THE EUROPEAN UNION / CONSEIL DES NOTARIATS DE L'UNION EUROPEENNE (CNUE)</b>	<b>Mr Geertjan SARNEEL</b> Meijling & Sarneel Notarissen en Adviseurs  <b>Ms Susanne VIGGRIA-KRAEMER</b> Legal adviser
<b>EUROPEAN EXPERTISE AND EXPERT INSTITUTE / INSTITUT EUROPEEN DE L'EXPERTISE ET DE L'EXPERT (EEEI)</b>	<b>Ms Claude VALLET</b> Magistrat honoraire, ancien membre des Chambres de recours de l'Office européen des Brevets

<b>ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT (OECD) / L'ORGANISATION DE COOPERATION ET DE DEVELOPPEMENT ECONOMIQUES (OCDE)</b>	<b>Ms Chloe LELIEVRE</b> Policy Analyst and Programme Co-ordinator
<b>INTERNATIONAL UNION OF BAILIFFS / UNION INTERNATIONALE DES HUISSIERS DE JUSTICE ET OFFICIERS JUDICIAIRES (UIHJ)</b>	<b>Patrick GIELEN</b> Huissier de justice

**SECRETARIAT / SECRETARIAT**

**Justice and Legal Co-operation Department / Service de la Coopération judiciaire et juridique**  
**DGI – CEPEJ**

<b>Ms Christel SCHURRER</b> Secretary of the CEPEJ-GT-EVAL / <i>Secrétaire du CEPEJ-GT-EVAL</i>
<b>Ms Lidija NAUMOVSKA</b> Statistic coordinator/ <i>Coordinatrice des statistiques</i>
<b>Mr Milan NIKOLIC</b> Administrator / <i>Administrateur</i>
<b>Ms Guergana LAZAROVA-DECHAUX</b> Legal officer / <i>Juriste</i>
<b>Ms Iulia DRAGOTA</b> Legal officer / <i>Juriste</i>
<b>Ms Federica VIAPIANA</b> Administrator (Dashboard Western Balkans) / <i>Administratrice (Tableau de bord des Balkans Occidentaux)</i>
<b>Ms Domitille GAUTIER DE CHARNACE</b> Project coordinator (Dashboard Western Balkans) / <i>Coordinatrice de projet (Tableau de bord des Balkans Occidentaux)</i>
<b>Ms Oxana GUTU</b> Administrator (Dashboard Eastern Partnership) / <i>Administratrice (Tableau de bord des Balkans Occidentaux)</i>
<b>Mr Tony VILELA</b> Statistician (Dashboard Eastern Partnership) / <i>Statisticien (Tableau de bord des Balkans Occidentaux)</i>
<b>Ms Annette SATTEL-AHLBERG</b> Administration and Networks / <i>Administration et Réseaux</i>
<b>Ms Anna KHROMOVA</b> Assistant / <i>Assistante</i>
<b>Ms Rana Gulnihal GENC</b> Trainee / <i>Stagiaire</i>
<b>Mr Eliun GUERIN</b> Trainee / <i>Stagiaire</i>