



THE CEPEJ GUIDE ON E-AUCTION

Presentation done for the EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE (CEPEJ)
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DOVILE SATKAUSKIENE

CHAMBER OF JUDICIAL OFFICERS OF LITHUANIA

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CEPEJ GUIDE ON JUDICIAL E-AUCTIONS

The CEPEJ adopted a Guide on judicial e-auctions at its 40th plenary meeting on 15 and 16 June 2023. The Guide is addressed to States seeking to set up a judicial e-auctions system or to improve the existing one in order to increase the efficiency of its enforcement process.



In addition, the Guide is supplemented by a checklist for quality control and a Comparative Study mapping in detail the implementation of judicial e-auctions in the Council of Europe member States.

ADVANTAGES

What You will find in ANNEX

- Checklist for quality of e-auctions
- + **Comparative research**

WHY ?

CHECKLIST FOR QUALITY OF E-AUCTIONS (I)

This checklist should allow judicial bodies, professionals, policy makers and IT project managers, to better monitor the quality of judicial e-auctions in line with a comprehensive enforcement digitalisation strategy.

It also serves as a complementary tool to help interpret the concepts set out in CEPEJ Guide.

CHECKLIST FOR QUALITY OF E-AUCTIONS (III)

The checklist is divided in three thematic areas. It considers three possible degrees of significance, and the practical field of application is indicated. Wherever possible, a reference to identified good practice is given. Thematic areas covered by the checklist:

- **(I) Governance and development:** they concern the regulatory and organisational orientation to be adopted for the development of judicial e-auctions
- **(II) Operative aspects of the platforms:** they concern structure and functioning of the e-auction platforms
- **(III) Organisational aspects of e-auctions:** they concern rules for the management of bid submissions and tenders

CHECKLIST FOR QUALITY OF E-AUCTIONS (III)

Levels of significance:

- **“Must have”**: they are imperative for the successful implementation of the e-auction
- **“Should have”**: they are important but not necessary for delivery. While “should have” requirements can be as important as “must have”, they are often not as time-critical or there may be another way to satisfy the requirement so that it can be held back until a future delivery
- **“Could have”**: are desirable but not necessary and could improve the user experience or satisfaction with minimal cost. These are typically included if time and resources allow it

CHECKLIST FOR QUALITY OF E-AUCTIONS (IV)

Practical field of application:

- Legislative measures: Concern or require intervention from the competent legislator.
- Governance related or organisational measures: Are related to the management of the judicial e-auction platform.
- IT measures or system requirements: Concern or require technical IT interventions.

A RESEARCH ACROSS ALL OF EUROPE

- mapping in detail the implementation of judicial e-auctions in the Council of Europe member States.
- all 46 Council of Europe member States were analysed
- in each country, at least one good practice suitable to be an element of the Guidelines was identified

HOW THE RESEARCH MADE

The analysis of each 27 Country with electronic judicial auctions follows this pattern:



- a short summary
- description of the legal framework
- analysis of the platform (or in some cases of multiple platforms) following the same scheme

DESCRIPTION OF THE LEGAL FRAMEWORK



- time of introduction
- what law regulates them
- for what assets they work
- whether they are facultative or mandatory
- summary of the bidding process and auction management

ANALYSIS OF THE PLATFORMS

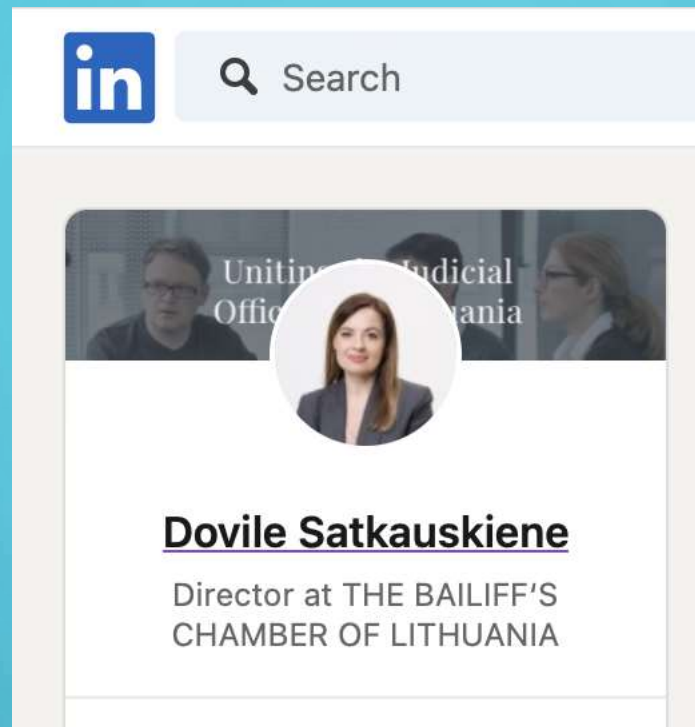
- indication of the link to the websites
- typology of the platforms: public / private
- who manages them
- scope: national / international
- language
- accessibility
- privacy of the bidder: yes / no
- typology of the e-auction
- map of auctions: yes / no



Every country needs to find their own path in developing and implementing judicial e-auction systems and ensuring their operation with adequate resources. There is no single “right” solution and resulting e-auctions systems should reflect the specific requirements and priorities of each government.



However, common European minimum standards and quality criteria should be identified and considered, just as for traditional paper-based procedures.



Thank You

KEEP IN TOUCH !!!

Dovile SATKAUSKIENE

DOVILE@ANTSTOLIURUMAI.LT