



N°2
December 07

www.coe.int/cepej/fr
[Subscribe/Unsubscribe](#)

Council of Europe
F-67075 Strasbourg Cedex
cepej@coe.int

The aim of the CEPEJ is to contribute to improving the quality of justice and the efficiency of its functioning in the 47 Member States of the Council of Europe.

Special "5th anniversary of the CEPEJ"

Edito : Happy birthday!



The CEPEJ is five years old.

This anniversary gives us the opportunity to celebrate the fact that the appeal launched from London in 2000 by the Council of Europe Ministers of Justice was put into action by the Committee of Ministers in its Resolution (2002)12 establishing the CEPEJ. The call of the London Conference was to "*deliver justice in the 21st Century*" through policies to "*avoid delays, modernise ways of delivering legal advice and courts*" and to "*recognise the need to make continuous efforts to bring justice closer to citizens*".

Thanks to the CEPEJ, the evaluation of judicial systems is now deeply rooted in the calendar of the European judicial community as a key element to reform. The SATURN Centre for court time management has been established to improve the knowledge of judicial timeframes. Specific measures and best practices have been highlighted. This anniversary is also the opportunity to remind everyone of their responsibilities. The exponential increase in the number of cases before the Court in Strasbourg, principally motivated by dysfunctions within justice systems, shows the need to undertake further reforms. Improving the efficiency and quality of justice, without prejudice to respect for fundamental principles, is a permanent challenge. There is still much to be learnt, much to be invented and much to be shared about the administration of justice. May the CEPEJ continue to grow so that it can accompany our states down this road !

Terry Davis
Secretary General of the Council of Europe

Interaction between the European Court of Human Rights and the CEPEJ



The European Commission for the Efficiency of Justice (CEPEJ) is celebrating its fifth anniversary. It is therefore still a young institution within the Council of Europe. However, it is striking to note how much work it has done in such a short time and the way in which many people both within and outside the Council already regard it as one of the organisation's leading bodies.

Since taking office as President of the European Court of Human Rights, I have sought to achieve synergy with the various parts of the Council of Europe: the Secretary General, the Committee of Ministers, the Parliamentary Assembly and the Commissioner for Human Rights. I also wish to co-operate closely with committees of experts, especially in the field of justice.

In this connection, the work done by the CEPEJ is absolutely vital. First of all – and this is obviously a point of particular importance to me – the CEPEJ was set up to help relieve the Court's caseload by offering member states effective solutions that obviate the need for applications.

There is a close link between the work done by the CEPEJ and the Court's own work. ([more...](#))

Jean-Paul Costa
President of the European Court of Human Rights

Comparing our justice systems in order to modernise them



What a tremendous achievement only five years after the creation of the European Commission for the Efficiency of Justice! From its very beginning, France has supported this project for evaluating European judicial systems and building a reflection on justice from quantitative data. That is why I want to take the opportunity of this anniversary to express my full support for this undertaking. I know that we share the same determination for modernising justice.

I see your Commission as an innovative laboratory, which comes up with concrete solutions to improve the quality of justice in Europe and to strengthen the trust of court users in their various systems. You have preferred a pragmatic approach, leading you to observe both public policies of justice and the actions of the practitioners of law. Today, thanks to your work, we have in our

possession previously unpublished information on the way judicial systems in 43 of the 47 member states of the Council of Europe function.

This modern justice we work for is, for me, above all, an accessible justice of a high quality. Citizens have rights over their justice system: a right to an impartial justice, a right to a reasonable timeframe for the issue of judicial decisions, a right to the execution of judicial decisions, in other words, a right to a reliable and efficient justice. In this perspective, I have endeavoured to modernise the organisation, management and functioning of the French justice system, for the sake of court users. ([more ...](#))

Rachida Dati
French Minister of Justice

How was the European Commission for the Efficiency of Justice born?



For several decades now, the Council of Europe has been strongly committed to setting up a legal framework to give states a real legal basis to establish a judicial system which would not only be of a high standard, fair and efficient, but also fast and cost effective. This legal framework would be crucial to certain countries that have, since 1989, done away with their old judicial system. It would also be useful to all the 47 member States of the Council of Europe, for whom the efficiency of a judicial system is of primary importance.

The European Court of Human Rights, and in particular Article 6 of the Convention and its case-law on the right to a fair trial, sanction states who do not respect fundamental principles, such as the speed of judicial procedures, an independent and impartial court, a judicial system accessible to all, or the transparency of debates.

All these standards and case-law constitute a unique *corpus juris* in Europe, a source of inspiration of the way in which judicial systems should function. ([more ...](#))

Eberhardt Desch
former President of the CEPEJ

Impact of the evaluation report on judicial systems

in Austria



Four years ago, a series of more than 100 questions were dumped on my table *"somebody at the Council of Europe wants to keep you busy"* was the rude comment, *"No time now, have to go to the Ministry of Finance to participate in the budgetary negotiations"* was my curt answer. A few hours later, the Minister of Finance played with the idea to cut our budget *"to keep us as efficient as some of the judicial systems in the neighbouring countries"*, serving some random figures with comments from friends. *"But we are as efficient as our European colleagues, sometimes it is said even more...?"* At the end, we did not negotiate as successfully as we had wanted to, because the story of the Minister's friends combined with random figures seemed to be more important than some of our calculated hard facts. ([more...](#))

Georg Stawa
Member of the CEPEJ
Public Prosecutor at the Austrian Ministry of Justice

in Estonia



I have always expressed support for the importance of the work done by the CEPEJ as regards the evaluation of judicial systems. Throughout my professional life, I have constantly experienced how crucial it is for policy-makers to have relevant and credible references to the experiences of other member countries. I would like to outline the impact of this process on internal developments in Estonia. Firstly, discussions and data collection within the CEPEJ have helped to test Estonia's own analytical and statistical capacity. Furthermore, it is important to stress here that, apart from highlighting shortcomings in the national system, this process is a source of inspiration on how to improve its performance. ([more...](#))

Margus Sarapuu
Member of the CEPEJ Bureau
Deputy Secretary General of the Court Administration at the Ministry of Justice

in Italy



The CEPEJ is celebrating its 5th anniversary. These last five years have been very important, as much for the CEPEJ – in view of the work assigned by the Committee of Ministers – as for the member states which based the reforms of their judicial system on the work of the Commission. Italy, for example, is undergoing great changes in its judicial system to improve its efficiency and the quality of the service offered to citizens. The slowness of proceedings, which is an inherent problem of the Italian

judicial system, has led to the following of a suitable plan for the efficiency of proceedings, because efficiency is justice. ([more...](#))

Fausto de Santis
President of the CEPEJ

► [More information ...](#)

On-going activities: what's new?

European Day of Civil Justice



The 5th European Day of Civil Justice was celebrated around 25 October in the judicial institutions of several member states. The main event was held in Aachen on 8 November, at the initiative of the Ministry of Justice of the Land of North Rhine Westphalia, in cooperation with the Dutch and Belgian governments. This event, which gathered some 500 schoolchildren, students and legal professionals, mainly focused on mock trials, discussions and meetings with professionals on the topic of civil justice in Germany, Belgium and the Netherlands.

► [More information ...](#)

2006 – 2008 evaluation cycle of judicial systems



The new evaluation cycle of the European judicial systems was launched this autumn. A new electronic version of the Evaluation Scheme will, by 31 December 2007, allow the collection of quantitative and qualitative data from the 47 member states of the Council of Europe. Data will then be processed by experts and the Secretariat from the beginning of next year. They will be presented in a comparative perspective, in a report prepared by the Working Group on Evaluation (CEPEJ-GT-EVAL) and due to be published by the CEPEJ in the autumn of 2008.

► [More information ...](#)

SATURN Centre for the analysis and study of judicial time management



The SATURN Centre has produced a questionnaire aimed firstly at the CEPEJ's pilot-courts. It aims to collect concrete information to gain better knowledge of the situation concerning timeframes in European courts, establish a homogeneous calculation method of judicial timeframes and prepare guidelines on judicial time management.

► [More information ...](#)

Quality of justice



The Working Group on quality of justice (CEPEJ-GT-QUAL) is finalising a checklist aimed at judicial decision-makers and practitioners to promote the quality of justice at national level and at the level of the court and the judge (introspection questionnaire). It will highlight the areas which, according to the CEPEJ, are vital to reach an appropriate level of quality of the judicial system. Furthermore, it initiated the preparation of a report which, from a census of the existing systems for evaluating the quality of justice, will present a structured synthesis of the implemented mechanisms, of the orientations chosen and of the main results obtained.

► [More information ...](#)

Application of the instruments of the Council of Europe on mediation



The Working Group on mediation (CEPEJ-GT-MED) finalised its draft guidelines aimed at making the effective application in member states of the four recommendations of the Council of Europe on mediation in civil, family, administrative and penal matters easier. These drafts were submitted to the plenary meeting of the CEPEJ for adoption.

► [More information ...](#)

2006 Crystal Scales of Justice: impact of the prize for the ServiceCenter of Civil and District Court of Linz

Upcoming events

► **5-6/12/07**
[10th plenary meeting of the CEPEJ](#)
Strasbourg, France



The first prize in the "Crystal Scales of Justice" was awarded to the Service§center project at the Civil and District Court of Linz on 26 October 2006. The award was greeted by a positive response in the media. This in turn publicised, or reminded the general public of the Service§center project. Various positive responses were noted outside the legal circles. It also led to a number of legal staff who had previously shown some scepticism beginning to understand our project. The project has gained considerable status within Austria's legal circles. The new Federal Minister of Justice, Dr. Maria Berger, emphatically supports the project. Currently, the question of the salary group to which staff should be assigned to is open; Minister Berger referred to a favourable solution in the best interest of the staff. The award served to further reinforce the high level of commitment demonstrated by Service§center staff; further activities can be outsourced from legal businesses to the Service§center. ([more...](#))

Dr Kirchgatterer
President of the Linz Court

No other events programmed before 2008.

Other events

▶ **21-23/11/07**

[8th plenary meeting of the CCJE](#)
Strasbourg, France

▶ **28-30/11/07**

[2nd plenary meeting of the CCPE](#)
Strasbourg, France

Readers corner

You wish to react to an article published in this issue or to suggest us topics to be approached, please send us your suggestions by e-mail to the following address:
cepej@coe.int.