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The Council of Europe awards the Pro Merito Medal to Mr Jean-Paul Jean



On the occasion of the 33rd plenary meeting of the CEPEJ, Jean-Paul Jean (France) was awarded the Pro Merito medal by Christophe Poirel, Director of Human Rights at the Council of Europe, representing the Secretary General of the Council of Europe, for his valuable contribution in setting up and enhancing the evaluation exercise of the CEPEJ's judicial systems from 2002 until the end of 2018. He also chaired the jury of the Crystal Balance Prize in 2019 and participates in the CEPEJ's cooperation programmes, in particular in Tunisia, by bringing his expertise and know-how.

N° 18 – February 2020



Dear subscribers to the CEPEJ Newsletter,
Dear members, national correspondents, representatives of pilot courts and observers to the CEPEJ

The CEPEJ enjoys a recognised reputation beyond European borders. More and more countries and institutions express their wish to co-operate with our Commission, by participating in the biannual evaluation cycle, by benefiting from the support of the experts and the Secretariat of the CEPEJ during the implementation of measures of reform and modernisation of judicial processes.

Taking into account the technological advances and the changing needs of justice professionals, courts or users, the CEPEJ is constantly reflecting on how to provide concrete solutions and useful tools to deliver efficient and quality justice, respectful of human rights.

The recent award of the Crystal Scales of Justice Prize is one of the opportunities created by the CEPEJ to highlight innovative practices and share know-how. In this respect, I congratulate the Supreme Court of Slovenia for its initiative which was awarded by the jury of the CEPEJ Crystal Scales of Justice Prize and which highlights the proactive involvement of professionals in the judicial process, guided by the quality of relations and the sharing of knowledge in order to reassure the user involved in a judicial procedure.

I would also like to thank the 18 member states which organised 36 events across Europe in the framework of the European Day of Justice, be it open days in courts, free legal advice by notaries and lawyers, training or information sessions for students and judges. The actions organised in this framework are of fundamental importance in the Council of Europe's commitment to facilitate access to justice and to promote the work of the Council of Europe and the

European Commission in this field.

2018 was also marked by the work of the CEPEJ in the field of artificial intelligence. Following the adoption of the European Ethical Charter for the use of artificial intelligence in European judicial systems, the CEPEJ continues its work in the field of digital transformations of the judicial system and adopted, in June 2019, a Toolkit for the implementation of the Guidelines on Cyberjustice.

Because Artificial Intelligence is already there, at the service of justice, but is likely to challenge the independence or the quality of justice, the CEPEJ will devote part of its future activities to it.

It is with enthusiasm and pride that I commit myself to serve the CEPEJ, as my predecessor Stéphane Leyenberger did with brilliance, who has moved towards anti-corruption and GRECO, well surrounded by the whole team of the Secretariat of the CEPEJ as well as our experts and partners.

Muriel Décot

**Secretary of the
CEPEJ**

The CEPEJ awards the Crystal Scales of Justice Prize to the Supreme Court of Slovenia



Video of the Crystal Scales of Justice Prize awarding ceremony or copy the following link : <https://vimeo.com/370881922>



Created in 2005, the "Crystal Scales of Justice" Prize is a competition aimed at discovering and highlighting innovative and efficient practices concerning the functioning of justice, judicial procedures or the organisation of courts.

These practices are conducted in European jurisdictions (for example, initiatives devised by a court president, a registry, a Bar). They are drawn to the attention of policy-makers and the judicial community so as to improve the functioning of the public justice system.

The aim of the Prize is to identify and promote innovative practices regarding the conduct of proceedings, court organisation and the functioning of judicial systems in general.

To be eligible for consideration, the practices must have been implemented recently and they should be easily usable by other States or jurisdictions and their efficiency must be measurable. The Prize awarding ceremony took place on 25th October 2019 in Oslo on the invitation of the Norwegian Courts Administration.

Improving the quality of justice (IQ Justice) – Supreme Court of Slovenia

"Improving the Quality of Justice" (in Slovenian – Izboljšanje kakovosti sodstva (IKS)) is a comprehensive project of the Slovenian judiciary (partially funded by European sources) containing a vast array of innovative tools and methods,

focused on the people within the judiciary and targeted to judges, court staff and court users, aiming to improve the knowledge and skills of judges and court staff, and to provide better judicial service to court users.

Two main problematics have been identified: the quality of judicial work (skills and transfer of knowledge) on one hand and the low trust in the judiciary on the other.

These problems had to be addressed with limited human and financial resources and bearing in mind that Slovenia has no real Judicial Academy and that there is no formal obligatory specialised training for court staff. To address the identified problems the president of the Supreme Court set up a specific organisational structure -

a steering committee consisting of presidents of courts, judges, court staff and representatives of the Ministry of Justice and the Judicial Council.

This steering committee supervises the work of three project groups.

The first group has been dealing with the skills of judges and the second with the skills of court staff – both include judges and court staff from all levels of courts and from all geographical regions.

This group has prepared a manual with very practical information for new judges, procedural manuals in various fields of law, mentorship programmes for new judges and supervision techniques workshops. Similarly, the second group for court staff has prepared specific

training manuals, mentorship programmes for court staff and on-line training courses.

The third group has been addressing communication between courts and different court users in general and the low trust in the judiciary in Slovenia.

It consists of communication professionals as well as judges and court staff dealing with public relations.

The outputs of the procedural justice project, which aims first to give court users the perception of respect, impartiality, inclusion and the opportunity to be heard contribute to the general trust in courts and the judiciary, are numerous – from brochures about the judicial system and the most common court procedures to animated

movies on the court system and the role of a witness and a special website describing court procedures in understandable language.

All the listed activities and tools of the IQ Justice project improve the quality of the work of judges and court staff, promote the sharing of knowledge and skills, underline the independence and self-governance of the judiciary and at the same time connect and reinforce the bond among the people who work in courts. In the end, justice is more about EQ (emotional intelligence) and SQ (social intelligence) than about IQ.

Mag. Nina Betetto,
Supreme Court Judge, Head of the Steering Committee of the IQ Justice Project

Presentation of the projects having been awarded a special mention

“Harmonization of processes: a response that reconciles the efficiency of the public service of Justice and wellbeing at work” (L’harmonisation des processus : une réponse conciliant l’efficacité du service public de la Justice et le bien-être au travail, 1st instance court of Luxembourg, Belgium

The project was initiated internally by the President of the Court and the Chief Registrar, in a changing environment: bringing together three courts into one (April 2014), creating a new family court (September 2014) and reducing the number of judges and clerks. Quickly, it seemed preferable to us to be an

actor of these changes and even to anticipate them.

The dual challenge of the project was to improve efficiency through the harmonisation of work processes (an approach to rationalise and improve tasks) and to ensure the well-being at work of each member of the court.

To meet this challenge, while pursuing a quality approach, we have opted for a participatory methodology that involves many members of the court and allows us to be close to the operational reality and specificities of the entities.



[Link to the powerpoint presentation:](#)

<https://rm.coe.int/slovenia-improving-the-quality-of-justice-oslo-2019/native/16809842b1>

[Link to the video :](#)

https://youtu.be/3UPxdX_Xezg



[Link to the powerpoint presentation:](#)

<https://rm.coe.int/belgium-harmonisation-oslo-2019/16809842b2>



In a first phase, the five working groups (one per type of litigation) inventoried the various existing working practices in order to analyse them, discuss divergent practices and suggest the new harmonised process, which must meet the criteria of legality, rationality and efficiency. After validation of the new processes by the court's management committee, they were implemented in practice.

This catalogue of processes, available to all, is applied and serves as a reference for each member of the tribunal, whether experienced or learning, experienced in the subject matter or newly assigned to a type of litigation.

The field implementation of the new harmonized processes combined with a good management of interpersonal processes in a phase of change allowed major results to be achieved.

On the one hand, the challenge of reforming the judicial landscape is met (the procedures applied in all divisions of the court are in accordance with the harmonised processes defined and a quality public service of justice is ensured within a reasonable time frame) and on the other hand, well-being at work is guaranteed notwithstanding the introduction of the concept of mobility (judges and clerks work in several hearing rooms).

In addition, we have seen the emergence of a real team spirit, a solidarity between the divisions.

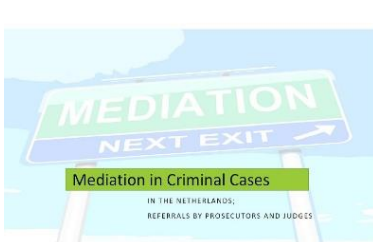
These results were confirmed by a satisfaction survey conducted among court staff.

Throughout the project, which lasted several years,

transparent communication to everyone and collaborative teamwork were the focus of particular attention and were important success factors.

The results obtained are the fruit of real teamwork and the contribution of everyone, whatever their function. This project is a collective success that continues today through initiatives proposed by staff members to increase efficiency and well-being at the Luxembourg Court of First Instance.

Mr Luc Lambrecht, President of the Court of First Instance of Luxembourg (appointed in the meantime First President of the Court of Appeal of Liège)



[Lik to the powerpoint presentation: https://rm.coe.int/mediation-incriminal-cases-oct-2019-oslo-cepej-crystal-scale-of-justic/16809842b4](https://rm.coe.int/mediation-incriminal-cases-oct-2019-oslo-cepej-crystal-scale-of-justic/16809842b4)

Mediation in criminal justice; referrals by prosecutors in the prosecutorial phase and referrals by judges in the (pre)sentencing phase, National Coordinator on Mediation in Criminal Cases, Netherlands

In the Netherlands a new law came into force in 2012 (art. 51h Wetboek van Strafvordering) stating that judges, when they convict the accused, should take positive results of mediation in criminal cases into account when sentencing. Also prosecutors are obliged to encourage mediation if possible and only with the consent of the victim.

From January 2014 until November 2016 a pilot project was first carried out in the prosecutorial/ presentencing phase in 6 of the 11 judicial districts. The pilot project involved the Public Prosecution's Office and the Judiciary in these districts. Mediation is organised as part of the criminal proceedings.

When handling a case, the outcome of a successful mediation has to be taken into account. In certain cases the prosecutor can dismiss the case or impose a penalty decision ('strafbeschikking').

When the case is handled by the judge on trial, the outcome of the mediation

will be discussed during the court session. It may lead to (partly) conditional sentencing and sometimes even to a declaration of guilt without imposing further penalty. After ending the pilotperiod, mediation in criminal cases became nationally available in all the courts and prosecutor's offices throughout the Netherlands. From then on prosecutors and judges within the Netherlands can refer cases to mediation. Victims and offenders participate from start to end on a voluntary basis, free of charge. The Minister of Justice provided structural funding for this innovation as from 2019, 1,3 million euro per year.

Power of Mediation within criminal proceedings

The innovative force is the actual collaboration between the Public Prosecution's Office and the Judiciary (courts). Criminal cases that are eligible for referral, are referred to the Mediation Offices that belong to the courts. These Offices ('mediationbureau') coordinate the mediation process and actually function as a 'spider in the web'. The bureau selects 2 mediators (selected court mediators who have received special training) to carry out the mediation in the case. The mediation takes place in the mediation room of the court and starts out by individual intakes. In almost all cases, the victim and the accused, agree to continue with a second session where they actually meet each other and have a supervised dialogue.

Impact

Whereas traditional criminal proceedings focus on the offence and the offender, mediation offers victims to have an actual say in the judicial criminal proceedings and to make solid arrangements for the future. F.i. fighting neighbours that make arrangements about their future behaviour towards another, or fighting youngsters that make arrangements about how to behave at school and on social media. Through mediation victims are able to ask relevant questions, confront the accused with the consequences of what has happened and make arrangements about restorative actions. Victims can also claim damage-compensation. Offenders have the opportunity to take up responsibility for their actions and show that they are more than their wrong deed.

Growing numbers and steady succes rate of 80 %

In the year 2018, 1472 cases were referred to the Mediationbureau by judges and prosecutors. The Mediationbureau ensures informed consent, providing as much information as needed to parties. In general, about 40 % of the cases doesn't start. This is very important, because victims should not be submitted to secondary victimisation. The mediationbureau ensures a prior, thorough and accurate screening and ensures maximisation of the success of mediation in criminal law because of its role.

At the end of 2018, 829 cases were started and 774 of these cases were completed (55 cases are still running). Of the completed 774 cases, 83% of these cases were successful, meaning that mediation either resulted in a settlement agreement or – as in a few cases – even in absence of an agreement, the mediation is viewed as successful by the parties involved. Since 2014 the success rate has constantly been around 80 %.

Youth

In 2018, 185 juvenile cases were referred to mediation, of which 101 were started. In 90 % of the cases the outcome was successful. The Minister of Justice stated midst 2018 that restorative justice should be considered in each juvenile criminal case, and provided additional funding.

Over the last few years we noticed that the international interest for the way the Netherlands deals with mediation is growing. We are happy to share our knowledge with delegations from within the European Union and from the acceding countries.

Mrs J.J.M. Uitermark, LLM

National Coordinator on Mediation in Criminal Cases

Judge in Criminal Law Section at the Court of Noord-Holland



"The Minister of Justice provided structural funding for this innovation as from 2019, 1,3 million euro per year."»



"Since 2014 the success rate has constantly been around 80 %."»

“Digital Justice”, Subdirectorate-General for New Technologies. Directorate General of Justice Modernization, Technological Development, Recovery and Asset Management, Ministry of Justice, Spain



Link to the powerpoint presentation:

<https://rm.coe.int/20191025-crystalscales-sgntj-digitaljustice-pptx/16809842b3>

Link to the video

<https://youtu.be/VYPQJHqPUnU>

Our project “Digital Justice” summarizes the transformation from a paper-based system to a digitalized one experienced in the Spanish Judicial Administration. With its implementation, the judicial procedure is no longer a set of documents being transferred: it becomes an Electronic Judicial File.

Documentation is generated directly in electronic format and incorporated into the corresponding judicial proceeding. Thus, the judicial office staff always has permanent and safe access to the documentation, being able to carry out any query during their daily work.

This way, a single-entry registry is set up which is responsible for the reception and cataloguing of documents, whether electronic or on paper.

The presentation of documents by the parties; police and hospital reports, and administrative files, is also done electronically and directly through the digital systems, as well as the notifications to professionals.

Stored documentation is used in such a way that ensures the correct monitoring and control of the Electronic Judicial File through functionalities such as a guided processing system, which updates the state and phases of the procedures, manages pending tasks with generation of alarms and warnings and controls deadlines.

The Electronic Judicial Files Viewer Horus allows direct access from a single point to the information, conveniently ordered and catalogued, in Electronic Judicial Files with the ability to perform content searches and sign documents by the Electronic Signature holder.

The creation of electronic judicial documents is achieved through the Electronic Signature, which guarantees the authenticity of the documentation and the associated signature.

The possibility of electronic relocation of judicial affairs between Judicial Bodies is also added: (inhibitions, appeals, etc.), as well as the use of audiovisual systems and media that allow the recording of court hearings and their integration into the Electronic Judicial File as an object associated with the procedure.

Among others, from 2016 to present we have achieved the following goals:

- electronic processing: reduction of more than 10% of the average time since Digital Justice was implemented and continues to shrink;
- economic savings: more than 2,780 million €;

- teleworking: more than 2,500 professionals can work safely from everywhere;
- sustainability: reduction of more than 383,000 tons of CO2 emissions, equivalent to more than 2,286 flights from Madrid to Oslo;
- repercussion of hearing recordings: equivalent 36 Court Clerks annual working hours.

From our perspective we can assure that the main challenge is the cultural change that occurs with the new working methodology. A specific training plan has been implemented in each of the headquarters. In addition, innovation continues with Artificial Intelligence technologies offering new forms of relationship within the Administration of Justice and with third parties, aiming at intelligent corporate management of information and data, strengthening security and usability.

We keep improving our existing services and creating new ones with the mission of having a 21st century Justice for 21st century society.

Mr José Luis Hernández Hernández Carrión: Chief Information Officer (CIO)



“Reduction of more than 383,000 tons of CO2 emissions, equivalent to more than 2,286 flights from Madrid to Oslo”.

Ongoing activities and priorities for 2020-2021

Working group on QUALITY of justice (GT-QUAL)

At its 32nd plenary meeting held in Strasbourg on 13 and 14 June 2019, the CEPEJ adopted a [toolkit for the implementation of the Guidelines on cyberjustice](#) which has been drafted by the GT-QUAL on the basis of preparatory work by Harold Epineuse, a French scientific expert. The CEPEJ had the opportunity to present its work on the digital transformation of European judicial systems at the Conference of Ministers of Justice of the 47 Council of Europe member States on 14 and 15 October 2019.

They welcomed the work of the CEPEJ who has developed

important worldwide reference texts in this field: "[Guidelines on the conduct of change towards cyberjustice](#)" as well as "[the European Ethical Charter on the use of artificial intelligence in judicial systems and their environment](#)".

As a follow-up, the CEPEJ agreed at its 33rd plenary meeting on 5 and 6 December 2019 on a Feasibility Study on the possible establishment of a certification mechanism for artificial intelligence tools and services in the light of the principles contained in the Charter.

At this same meeting, the CEPEJ adopted the

[Guidelines on knowledge sharing among judges](#), which aim to improve judges' know-how and interpersonal skills, strengthen knowledge sharing and collaboration, and overcome a culture of judicial isolation.

In 2020, the Working group will continue its work on the follow-up of the Ethical Charter on AI, diversity within the judiciary, communication with litigants, the user in civil proceedings, mediation, satisfaction surveys, court coaching as well as on programmes.

The next meeting of the Working group will take place on 19 and 20 March 2020.



"The CEPEJ had the opportunity to present its work on the digital transformation of European judicial systems at the Conference of Ministers of Justice of the 47 Council of Europe member States on 14 and 15 October 2019."

► [More information about the Working group on quality of justice](#)

Ad-hoc Working group on DEFINITIONS

The CEPEJ adopted at its 33rd plenary meeting in Strasbourg on 5 and 6 December 2019 its [Glossary of CEPEJ definitions](#) in order to harmonise the meaning

of the terms used in CEPEJ documents. This working group has been set up in 2017 for this specific task and was composed of a

representative of each of the working groups (CEPEJ-GT-EVAL, CEPEJ-GT-QUAL, CEPEJ-SATURN, CEPEJ-GT-MED).



► [More information about the Ad-hoc Working group on definitions](#)

Working group on EVALUATION of judicial systems (GT-EVAL)

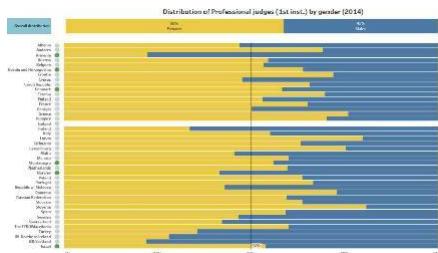
2020 edition of the report "European judicial systems – efficiency and quality of justice"

The next report on Evaluation of Judicial Systems is under preparation. The deadline for the CEPEJ national correspondents to complete the 2018-2020 evaluation scheme

on 1 October 2019 and the quality control process is ongoing. The next report will contain a general part focusing on European trends and also individual sheets for each country summarising key quantitative and qualitative data. CEPEJ-STAT will be developed

with new dashboards. This report should be adopted at the 34th plenary meeting of the CEPEJ in June 2020 and published in November 2020.

The next meeting of the GT-EVAL will take place in Strasbourg on 7 and 8 April 2020.



Cooperation with European Commission

The CEPEJ pursue the cooperation with the European Commission for an annual Study on the functioning of judicial systems in the EU

member States and also in the framework of a specific programme for an annual evaluation of the functioning of the judicial systems in the States and entities of the Western Balkans.

Peer evaluations

The CEPEJ invites the member States who are interested to contact the CEPEJ Secretariat if they want to apply for peer evaluation visits.

- ▶ [More information about the Working group on evaluation](#)

Working group on MEDIATION (GT-MED)

Three new instruments on awareness raising and mediation related training to [judges](#), [lawyers](#) and [notaries](#) were adopted by the CEPEJ. In parallel,

the network of contacts points for mediation is in process of developing. The CEPEJ-GT-MED mandate has not been

extended for 2020-2021 and some of its tasks will be designated to the CEPEJ-GT-QUAL.

- ▶ [More information about the Working group on mediation](#)

CEPEJ SATURN Working group on Judicial timeframes

The CEPEJ SATURN Working Group is currently working on the development of a methodology to be used by judicial systems wishing to introduce a case-weighting system. To this end, a workshop aiming at discovering the

existing and operational systems of case-weighting in 6 countries has been organised on 24 January in Paris. The SATURN Group will continue its work on this subject at its next meeting on 26-27 March

2020. Furthermore, in 2020-2021, the SATURN Working group will continue to work as a priority on dashboards and the role of the parties in preventing delays, with a view to developing concrete tools on these issues.

- ▶ [More information about the CEPEJ SATURN Working group](#)

Working group on CYBERJUSTICE and ARTIFICIAL INTELLIGENCE (GT-CYBER-JUST)

In conformity with the activity programme of the CEPEJ for 2020-2021 and the areas of responsibility vested in the CEPEJ, especially the analyses and development of relevant tools on emerging issues such as the use of cyberjustice and artificial intelligence in judicial systems as regards the efficiency and quality of Working group on cyberjustice and Artificial

Intelligence entitled CEPEJ-GT-CYBERJUST has been set up by the CEPEJ.

The Group will work on the development of tools that take into account developments in justice and technological developments that have an impact on the functioning of justice. In carrying out its terms of reference, the CEPEJ-GT-CYBERJUST will coordinate its work

with other relevant CEPEJ's working groups (namely the CEPEJ- GT-EVAL, the CEPEJ-SATURN and the CEPEJ-GT-QUAL).

The first meeting of the new Working group will take place in Strasbourg, on 19 and 20 March 2020.



Meeting of the SATURN Working group
2 and 4 October 2019

Cooperation programmes

In this newsletter, the CEPEJ presents a transversal view of the state of the cooperation programmes. At the moment, all cooperation programmes are funded by the European Union and the Council of Europe and implemented by the Council of Europe.

Albania (May 2019-May 2022)

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).

The SEJ III is providing support to the HJC with various analysis and recommendations on key issues of the justice reform process, 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

- the improvement of judicial statistics in the context of the transfer of competence from the Ministry of Justice to the HJC, including a future case management system;
- the communication on the reform in the media.

The SEJ III will assess regularly upcoming needs and priorities of new bodies to be able to support the implementation of the justice reform efficiently. At court level, activities will be implemented progressively according to the vetting process. To date, the SEJ III started to follow up on priorities identified under the SEJ II which included the need to improve safety and security in courts. Recommendations and orientations were given to the Court of Lezha on its draft regulation in this area which now stands as an example for other courts and for the HJC. The SEJ III organised a first meeting with the Constitutional Court which will benefit for the

first time from the court coaching programme.

The SEJ III will continue 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 conduction of satisfaction surveys.

Capacity-building of staff from national institutions and courts will be pursued in parallel, in cooperation with the School of Magistrates (SOM). SEJ III will also maintain the support to the SOM in addressing the new legal framework with new modules and adapted training. The CEPEJ organised an expert mission to support the collection of judicial statistics in Albania in accordance with CEPEJ standards and tools from 12 to 14 February 2020. These activities are implemented in the framework of the European Union/Council of Europe joint programme Horizontal Facility of the Western Balkans and Turkey II co-funded by the European Union and the Council of Europe.



► [More information about the Project](#)

Azerbaijan (March 2019-August 2021)

A second cooperation implementation of the phase with the Azerbaijani CEPEJ methodology 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.

The activities will focus on providing support for the

high-quality judicial management.

Moreover, the project will provide expertise regarding the enforcement of court decisions through legal and institutional modernisation of the enforcement system and strengthened capacities of the involved institutions and will also support the training methodology and curricula for judges of the Justice Academy in line with European standards and good practices.



*Discussion of the study of the Ministry of Justice on alternative mechanisms of enforcement of decisions and transfer of enforcement to private agencies in Azerbaijan
11th December 2019*



*Seminars on Court Performance Reports according to the CEPEJ tools and methodology
7th and 8th October, 2019*

A round table on “European trends in the status of the profession of judicial officer. Comparison between private and public systems and presentation of three systems: France, the Netherlands, Estonia” was held in July 2019 with participation of professionals from the Directorate General of Enforcement of the Ministry of Justice. In September 2019, a group of representatives from the MoJ participated in a study visit to France and the Netherlands to study private enforcement systems in these countries. These activities fell under the framework of the assistance provided to the Ministry of Justice in the elaboration of a study on international best practices on alternative mechanisms of execution of the decisions of courts and other bodies, as well as entrustment of execution to private agencies in Azerbaijan within the implementation of the Presidential Decree as of April 2019 on “Deepening of reforms in the judicial-legal system”. In the same vein, a working group consisting

of four international experts was established to review the draft Enforcement Code of Azerbaijan prepared by the Ministry of Justice. The report with comments was submitted to the Ministry of Justice in early September 2019.

Twenty judges and twenty-two members of court staff from Baku and various regions of Azerbaijan participated in two seminars on “Court performance reporting according to CEPEJ tools and methodology” organised in October 2019 with an aim to develop a standard methodology of court performance reporting for the entire Azerbaijani judiciary based on CEPEJ indicators. In October 2019, the CEPEJ also carried out a mission to Baku to develop a

roadmap on disseminating the CEPEJ tools in all courts of Azerbaijan.

In December 2019, CEPEJ experts held a meeting in Baku with representatives of the General Directorate of Enforcement of the Ministry of Justice to discuss the Ministry of Justice’s study on alternative mechanisms of enforcement of decisions and transfer of enforcement to private agencies in Azerbaijan, which was launched following the presidential decree on “Deepening the reforms of the judicial system”, as well as comments and recommendations of CEPEJ experts on the draft Law Implementation Code in Azerbaijan. These activities are implemented in the framework of the European Union/Council of Europe joint programme Partnership for Good Governance II co-funded by the European Union and the Council of Europe.

► [More information about the Programme](#)

Georgia (January 2020-November 2021)

This joint European Union/Council of Europe project “Implementation of judicial reforms”, component “Strengthening the accountability and efficiency of the judicial system and the professionalism of lawyers” started in January 2020 and is part

of the “Partnership for Good Governance II” Programme (PGG II), co-funded by the European Union and the Council of Europe. Its objectives are to reduce judicial delays and court

backlogs, strengthen the collection of judicial statistics, case management and judicial services, and improve judicial training and court management. A first visit took place on 18 and 19 February 2020 to meet the main beneficiaries of the project.

► [More information about the Programme](#)

Kosovo* (May 2019-May 2022)

* 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”.



*Introduction of statistics into the new case management system in Kosovo
18th and 19th December 2019*

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 KoSEJ II is addressing the results of the two KoSEJ in-depth assessment reports on the functioning of the justice system with recommendations for improvements. Following the local elections in October 2019, 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.

From July to November 2019, further assistance was provided to the Ministry of Justice and to the two CEPEJ

coordinators to collect and analyse statistics from 2018 to prepare an analytical report in light of the ones prepared under the KoSEJ. This represents a first step towards the establishment of a sustainable process for regular and reliable data collection, management and analysis.

The KoSEJ II now takes 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'. Technical expertise was provided on several occasions on the development of CMIS parameters.

The KoSEJ II will also assist courts and the KJC in court coaching projects which will address priority issues identified by courts themselves under KoSEJ. These projects will focus notably on measures to improve judicial proceedings, court management and the collection and analysis of judicial statistics, using the CEPEJ standards and methodology. 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. The court coaching programme will also contribute to the successful implementation of the CMIS.

Court users' satisfaction surveys were successfully implemented under the KoSEJ in 3 courts and were welcomed as a constructive court management tool. Follow-up projects will be carried out under the KoSEJ II with concrete measures to implement the

priority recommendations from the surveys. Additional surveys will also be carried out in other voluntary courts.

The KoSEJ II will also assist the KJA in improving its curricula on the basis of a global training needs assessment to identify which modules should be developed or updated to integrate CEPEJ standards. A first meeting has been organised to this end by the CEPEJ in January 2020.

In February 2020, the KoSEJ II Action and the USAID-funded project "Judicial Strengthening Programme" (JSSP) made three key recommendations regarding the development of statistical reports and scorecards to be generated by the new Case Management Information System (CMIS).

These activities are implemented in the framework of the European Union/Council of Europe joint programme Horizontal Facility of the Western Balkans and Turkey II co-funded by the European Union and the Council of Europe.

► [More information about the Programme](#)

Latvia (September 2019-March 2021)

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 the framework of 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. A first kick-off meeting was organised on 30 October 2019, during which the CEPEJ team of experts met with the main stakeholders of the Project. They were presented thoroughly the current state of play as regards mediation and Legal aid, as well as how the Latvian key stakeholders have worked on the

► [More information about the Programme](#)

Malta (December 2018- June 2020 (6-month extension requested))

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 consists of an assessment of the situation, best practices from European member States,



*First meeting of the steering Committee
11th September 2019*



*Launching of the court coaching programme for Latvian pilot courts in Riga
22 and 23 January 2020*



Final Conference - Programme
"Supporting the Efficiency of
Justice in Malta"
13th November, 2019

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 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. 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, will be carried out from January to June 2020. The activities were carried out with funding by the European Union via the Structural Reform Support Programme and in cooperation with the European Commission's DG Reform Support Service.

► [More information about the Programme](#)

Republic of Moldova (November 2019-October 2021)

The project's official launching took place on 9 December 2019. CEPEJ will provide comprehensive support with a view to:

- Enhancing the efficiency and quality of courts, while consolidating the mechanisms for judicial transparency and accountability. Statistical data collection, analysis, and reporting at central level will be improved in order to strengthen the capacity of the judicial administration to assess the performance of national courts based on objective criteria and to take decisions with regard to the distribution of resources based on needs and performance. The envisaged co-operation will allow defining key performance indicators

and tracking the records able to demonstrate the effect of judicial reforms. The envisaged activities should improve the court management and the capacity of courts to deliver timely and better-quality services using unified timeframes, fine-tuning the case weighting system, and the implementation of new cyberjustice tools.

- Improving the system of enforcement of court decisions in civil and administrative cases through a better case management and improved collection, analysis and reporting of statistical data on the efficiency of the system

of enforcement of court decisions. The capacities and professionalism of bailiffs will be strengthened through training and new guidelines, while the Bailiffs' Union will be supported in the implementation of new tools such as the electronic register of enforceable documents/procedures and the on-line platform for auctioning of goods seized as part of enforcement proceedings. These activities are implemented in the framework of the European Union/Council of Europe joint programme Partnership for Good Governance II co-funded by the European Union and the

► [More information about the Programme](#)

Slovak Republic (September 2019-October 2020)

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 advise 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.



Launching of the project "Support
for strengthening the efficiency
and quality of the judicial system
in the Republic of Moldova".
10 December 2019

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 and managerial decisions. informed proposal for justice sector policies. 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. The activities were carried out with funding by the European Union via the Structural Reform Support Programme and in cooperation with the European Commission's DG Reform Support Service.

► [More information about the Programme](#)

South Programme III (mainly Morocco and Egypt) (March 2018-February 2020)

The activities carried out by the CEPEJ within the framework of joint Programme "Ensuring sustainable democratic governance and human rights in the Southern Mediterranean" (South Programme 3), co-funded by the European Union and the Council of Europe aim to promote the independence, efficiency and quality of justice in the region by improving the functioning of the courts and by supporting the implementation of judicial reforms and the revision of relevant normative frameworks in accordance with European standards. The CEPEJ cooperates in this framework mainly with Morocco, Tunisia, Jordan, and since recently Egypt. Following the establishment of a bilateral programme with Tunisia, the activities set up in recent months have mainly concerned Morocco and a new partner: Egypt. Cooperation with Morocco was covered by South Programme I and II from 2012 to 2015. Support to the Ministry of Justice and pilot courts to improve the efficiency and the quality of the justice services provided to court users was ensured. With the launching, early 2016, of the bilateral European Union / Council of Europe joint programme to improve the functioning of justice in

Morocco on the basis of the tools developed by the CEPEJ, co-operation with Morocco has been further strengthened. Following termination of the programme at the end of June 2018, continuation of the cooperation is being discussed. In the meantime, activities with Morocco continue under SP III. An activity with the Presidency of the Public Prosecutor's Office has been organised by the Secretariat of the CEPEJ, accompanied by international experts and the Consultative Council of European Prosecutors (CCPE), in Fez and Casablanca (Morocco) on 11 and 12 February 2020, where two training sessions for the heads of prosecution of all Moroccan courts (around 100 people) and members of the Presidency of the Public Prosecutor's Office on the organisation and modern methods of management of public prosecution services were held.

In parallel, the CEPEJ has initiated cooperation with the Egyptian Council of State, at the request of this court. A fact-finding mission with CEPEJ experts was held for this purpose in May 2019 in order to determine the priorities for intervention and the activities to be implemented with Egypt in the future. Meetings were held during 2 days with counsellors, judges and other court staff of the different courts (Supreme Administrative Court, Judicial Administrative Court, Administrative Courts, Disciplinary Courts) and departments (registration department, Inspection department, legislative department, legal opinion department) of this Council which is responsible for the whole administrative order of Egypt and is composed of 3000 judges and 6000 staff members.

A preliminary report has been prepared by the CEPEJ and shared with the Egyptian authorities with practical recommendations on the day-to-day functioning and working methods with a view in particular to reduce timeframes of proceedings in the Egyptian administrative justice system.

The CEPEJ organised a workshop on conducting satisfaction surveys for court users in Cairo (Egypt) on 18 and 19 February 2020.



*7th intercultural workshop on Democracy
28 and 29 October 2019*



*Training sessions in Fès and Casablanca (Morocco)
11 and 12 February 2020
Link to the video ::
<https://youtu.be/APs8tLvDRdc>*

► [More information about the Programme](#)



Workshop on "Improving the organisation, efficiency and quality of the Spanish system of assistance to victims of crime"
17th October 2019

Spain (November 2018-January 2020)

Fostering a modern digital administration of justice is an essential legally-established objective for the justice sector of Spain (regulated by the Law no. 18/2011, on the use of information and communication technologies in the administration of justice). Accordingly, strategic measures are being designed and implemented, such as the "Digital Justice" programme which extends the use of new technologies in courts and tribunals under the administrative responsibility of the Ministry of Justice of Spain. This programme received a special mention of the 2019 edition of the European Crystal Scales of Justice prize. The on-going CEPEJ co-operation with Spain targets to support the changes related to the development and the use of cyberjustice tools, primarily by sharing the knowledge on the European good practices and related national experiences of accompanying the change management. Advice is also provided on the improvement of the system to collect statistical data related to the support provided to victims of crimes.

Between November 2018 to April 2019 fact-finding missions have been

conducted to Madrid and Cuenca, in order to learn better the current state of affairs, including the legislative and institutional frameworks, the map of IT tools in use, their advantages and weak spots, the lessons which could be learned from the past implementation processes, and related challenges. In July was carried out a workshop to present and discuss the main considerations, findings and recommendations from the CEPEJ team with a view to improving the implementation of cyberjustice projects. A comprehensive report entitled "Driving cyberjustice reforms in Spain through change management" drafted and submitted to the national stakeholders.

In October the CEPEJ co-organised together with Victims Support Unit of the Ministry of Justice of Spain and Victim Support Europe the workshop "Improving the organisation, efficiency and quality of the Spanish system for the support of

victims of crime". This activity has been followed by a report on how to build up the IT capacities to foster the system of support and protection of victims of crime in Spain, including recommendations on related statistics and performance indicators.

On 2-3 December 2019 a delegation of Spanish judges, prosecutors, *letrados* and other stakeholders visited Ljubljana, Slovenia. The visit provided an opportunity for the participants to learn from recent reforms implemented in the justice system of Slovenia. The agenda was be focused on the experiences in the field of the implementation of ICT tools in the judiciary, the related change management, judicial data collection, and analysis for the purpose of improving the efficiency of the judicial system. This study visit also facilitated the peer-to-peer discussions concerning statistical reporting, analysis, and possible improvements. The activities were carried out with funding by the European Union via the Structural Reform Support Programme and in cooperation with the European Commission's DG Reform Support Service.

► [More information about the Programme](#)

Tunisia (January 2019-December 2021)

Launched in January 2019, the European Union/Council of Europe joint project "Improving the functioning, performance and access to justice in Tunisia (AP-JUST), co-funded by the European Union and the Council of Europe 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.



Workshop "Conducting Cyberjustice Reforms in Spain through Change Management".
4th July 2019

Moreover, networking and peer exchanging is promoted and communications and outreach tools in Arabic, French and English developed. The inception period ended in June 2019 and allowed to meet beneficiaries, set the cooperation framework, identify reference and contact persons, as well as point up priorities and plan activities to be implemented in the coming months. On that basis, in the period July-November 2019 priority was given to activities enhancing efficiency of jurisdictional governance and strengthening court management tools. More precisely support was given to the High

Judiciary Council (CSM) in drafting its annual report (July), awareness of lawyers raised on mediation (October) and to the Court of Cassation in considering filters and disseminating its jurisprudence (November). Moreover, Tunisian representatives were invited to attend working groups (CEPEJ-GT-MED, October) and Conferences (High Judicial Councils and Justice Independence, October). In the next period, action will be further developed along these lines while adding training of judge and CEPEJ tools and methodologies disseminating activities.

Representatives of the European Union, the Council of Europe and Tunisian authorities and institutions met in December 2019 as part of the second meeting of the programme's steering committee to discuss together the progress made to date and the prospects for the programme, which aims to make the Tunisian judicial system more efficient and accessible to litigants. The Council of Europe, with the support of the European Union and in partnership with the Court of Cassation and the Ministry of Justice, organised in February 2020 in Sousse (Tunisia), a regional seminar entitled "Dissemination and unification of case law in criminal proceedings".



*Second meeting of the steering committee of the programme "Improvement of the functioning, performance and access to justice in Tunisia".
11th December 2019*

► [More information about the Programme](#)

Other information

European Day of Justice – 25th October 2019

To celebrate the 2019 edition of the European Day of Justice, jointly organised by the European Commission and the Council of Europe, 43 events have been organised throughout 20 different countries. The engagement for the celebration of this day which aims to bring justice closer to citizen has been growing during the last years.

As in the 2018 edition of the European Day of Justice, the Council of the Notariats of the European Union (CNUE) made a significant contribution by organising the third edition of the open days of the "Notaries of Europe" in many countries.

In some countries, the events have been organised throughout the whole country (example: Azerbaijan, Croatia, Czech Republic, Estonia, Poland, Romania and Slovenia).

Some events lasted a whole week (example: the Administration of Justice Week in Estonia: it was a campaign week directed at a wider audience, during which the court system and the administration of justice were brought closer to the people; in the Netherlands, from the 21st to the 26th of October, the Digital Open Days at AlleAmsterdamse Akten.nl were organised).

High level personalities have been engaged in the celebration of this day, such as representatives of ministries and courts, prominent lecturers and lawyers.

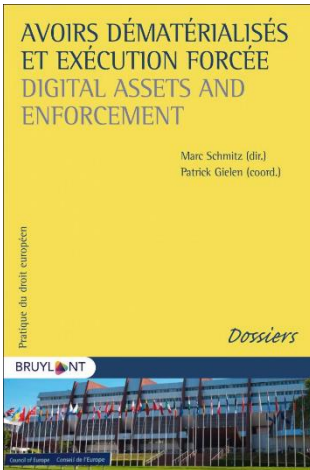
The public concerned by the events have been citizens, justice professionals, law students, high school students and politicians. The events organised in the framework of the European Day of Justice have been largely covered by different media and/or information platforms: newspapers, radio stations, websites, hotlines, TV channels, social media.



*[Link to the video message delivered by Christos Giakoumopoulos to celebrate the 2019 edition of the European Day of Justice:](https://vimeo.com/368240304)
<https://vimeo.com/368240304>*

► [More information about the European Day of Justice](#)

Global Forum on Digital Assets and Enforcement to celebrate the 10th anniversary of the Guidelines for a better implementation of the existing Council of Europe Recommendation on Enforcement



On 17 December 2009, the CEPEJ adopted Guidelines for a better implementation of the existing Council of Europe Recommendation on enforcement. These principles aim to guarantee access for all to an enforcement agent and to quality enforcement while

respecting the fundamental rights of litigants. 10 years later, the International Union of Judicial Officers (UIHJ) and the CEPEJ jointly organised, on 4th December 2019 in Strasbourg, the World Forum on the theme: "What future for the enforcement on digital assets?".

It consisted in a reflection on the judicial officer facing his digital future, in order to ensure his justified existence in a world which does not stop moving forward. This conference was the opportunity for the UIHJ to present its book "Digital assets and enforcement".

► [More information about the Forum](#)

33rd plenary meeting of the CEPEJ, Strasbourg, 5 and 6 December 2019

At the 33rd plenary meeting of the CEPEJ held in Strasbourg on 5 and 6 December 2019, the CEPEJ adopted the [Guidelines on knowledge sharing among judges](#), which aim to improve judges' know-how and interpersonal skills, strengthen knowledge sharing and collaboration, and overcome a culture of judicial isolation. In order to promote mediation, the CEPEJ adopted three new tools in the form of awareness-raising programmes for

[judges](#), [notaries](#) and [lawyers](#).

Finally, in the field of digital justice, following the adoption of the European [Charter on the use of artificial intelligence in judicial systems](#) in December 2018, the CEPEJ agreed on a Feasibility Study on the possible establishment of a certification mechanism for artificial intelligence tools and services in the light of the principles contained in the Charter.

In order to harmonise the meaning of the terms used in CEPEJ documents, the members of the CEPEJ have also adopted a [glossary of CEPEJ definitions](#). During the plenary meeting, the CEPEJ members also adopted its [2020-2021 activity programme](#) as well as the specific mandates for each of its [working groups](#). The next plenary meeting of the CEPEJ will take place on 11 and 12 June 2020 in Strasbourg.

► [More information](#)

New thematic access via the CEPEJ internet website

A thematic access to the CEPEJ main tools

has been made available through

the CEPEJ homepage: www.coe.int/cepej





Latest publications

- **Breaking up judges' isolation - Guidelines to improve the judge's skills and competences, strengthen knowledge sharing and collaboration, and move beyond a culture of judicial isolation**
- **Mediation awareness programme for judges**
- **Mediation awareness and training programme for notaries**
- **Training programme for lawyers to assist clients in mediation**
- **Glossary of CEPEJ definitions**
- **CEPEJ Activity Programme 2020-2021**

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

www.coe.int/cepej

Calendar of CEPEJ meetings

Plenaries

11-12 June 2020
Strasbourg
8-9 December 2020
Strasbourg

Bureau

9 October 2020
Strasbourg

Quality of justice

19-20 March 2020
Strasbourg
24-25 September 2020
Strasbourg

Evaluation of judicial systems

7 and 8 April 2020
Strasbourg
19-20 November 2020
Paris

SATURN Working group

26-27 March 2020
Paris
Place and date of the second meeting to be confirmed

Cyberjustice and artificial intelligence

19-20 March 2020
Strasbourg
24-25 September 2020
Strasbourg

National correspondents

To be confirmed

European Day of Justice

25 October 2020



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