

Strasbourg, 12 June 2019

CEPEJ/ODJ(2019)1Prov1

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

**32nd plenary meeting**

**Thursday, 13 June 2019 (9.00 am) – Friday, 14 June 2019 (6.00 pm)**

**Strasbourg – Council of Europe, Agora Building**

**Room G02**

**Draft agenda**

**Documents preceded by the following diagram**  **will be submitted for examination by the CEPEJ in view of their adoption**

**The working documents are available, in restricted access, on the** [**CEPEJ collaborative workspace**](https://cs.coe.int/team21/cepej_forums/Membres%20CEPEJ/Forms/AllItems.aspx)

You can access to the workspace by connecting with your email address and password.

If you experience a connection problem, or for any other information, please contact: cepej@coe.int

1. **Adoption of the agenda**
2. **Information by the President, members of the CEPEJ and the Secretariat**
3. **Exchange of views with Mr Linos-Alexandre Sicilianos, President of the European Court of Human Rights and other judges of the Court (see the specific programme in appendix)**
4. **Recent developments in the justice field in the Council of Europe member States**

*Delegations are invited, if they so wish, to inform the CEPEJ on recent significant developments in their countries in the justice field since December 2018, where appropriate.*

1. **2018 CEPEJ Activity Report**

**Working document**

 Draft Activity Report

[CEPEJ(2019)6Prov](https://cs.coe.int/team21/cepej_forums/Membres%20CEPEJ/5.%202018%20CEPEJ%20Activity%20Report/CEPEJ_2019_6Prov_Activity%20report%202018%20EN.doc)

1. **Evaluation of judicial systems - information on the on-going work of the CEPEJ-GT-EVAL**

*Rapporteur: Jasa VRABEC (Slovenia), Chair of the CEPEJ-GT-EVAL*

1. **2018-2020 Evaluation cycle**
2. Participation of observers
3. **Co-operation with the European Union**
4. “EU Justice Scoreboard”
5. “Towards a better evaluation of the results of judicial reform efforts in the Western Balkans” - Cooperation project within the framework of the Horizontal Facility for Western Balkans
6. **Possible strengthened cooperation with OECD as regards evaluation of judicial systems**
7. **Co-operation process through a peer evaluation**
8. **Specific Study of the CEPEJ on the legal professions**

**working document**

Towards a better evaluation of the results of judicial reform efforts in the Western Balkans” - Cooperation project within the framework of the Horizontal Facility for Western Balkans – Indicators and questionnaire

[CEPEJ-GT-EVAL(2019)5revProv](https://cs.coe.int/team21/cepej_forums/Membres%20CEPEJ/6.%20Evaluation%20of%20judicial%20systems/CEPEJ-GT-EVAL%282019%295RevProv%20-%207%20June.docx)

**reference documents**

Revised evaluation scheme of judicial systems

[CEPEJ(2018)16rev7](https://rm.coe.int/cepej-grille-en-rev7/168093addf)

Revised explanatory note to the Evaluation scheme of judicial systems

[CEPEJ(2018)17](https://rm.coe.int/cepej-explanatory-note-25-mars/168093ad3e)

[Calendar of the 2018-2020 evaluation cycle](https://rm.coe.int/calendar-evaluation-cycle-2018-2020-3-/168094e443)

[2019 “EU Justice Scoreboard”](http://europa.eu/rapid/press-release_IP-19-2232_fr.pdf)

Contribution of the Council of the Notariats of the European Union (CNUE) [CEPEJ-GT-EVAL(2019)1rev2](https://rm.coe.int/cepej-report-data-2016-draft-cnue-en-rev2-without-comments/168093da48)

Report of the 36th meeting of the GT-EVAL

[CEPEJ-GT-EVAL(2019)3](https://rm.coe.int/cepej-gt-36-eme-reunion-en/16809417bd)

1. **Quality of justice - information on the on-going work of the CEPEJ-GT-QUAL**

*Rapporteur: Joao Arsenio de OLIVEIRA (Portugal), Chair of the CEPEJ-GT-QUAL*

1. **Implementation of the European Ethical Charter on the use of artificial intelligence in judicial systems and their environment: towards a certification process?**
2. **Discussion, with a view to its adoption, of the Toolkit for implementing the Guidelines on cyberjustice**
3. **Strengthening judges’ knowledge and skills through better knowledge-sharing among the judges - breaking judge’s isolation**
4. **New topics to be addressed**

**working documents**

Possible actions to ensure a wider dissemination and implementation of

the Ethical Charter on Artificial intelligence

[CEPEJ-GT-QUAL(2019)1](https://cs.coe.int/team21/cepej_forums/Membres%20CEPEJ/7.%20Quality%20of%20justice/CEPEJ%20GT%20QUAL%202019%201%20EN%20Possible%20actions%20to%20promote%20Ethical%20Charter%20on%20AI_version%2024%20mai%202019.docx)

 Toolkit for implementing the Guidelines on cyberjustice

[CEPEJ(2019)7Prov](https://cs.coe.int/team21/cepej_forums/Membres%20CEPEJ/7.%20Quality%20of%20justice/CEPEJ%20Toolkit%20Cyberjustice_EN_CEPEJ%282019%297prov_version%2024%20mai%202019.docx)

**reference documents**

European Ethical Charter on the use of artificial intelligence

in judicial systems and their environment

[CEPEJ(2018)14](https://rm.coe.int/ethical-charter-en-for-publication-4-december-2018/16808f699c)

Report of the 25th meeting of the CEPEJ-GT-QUAL

[CEPEJ-GT-QUAL(2019)2](https://rm.coe.int/cepej-gt-qual-2019-2e-rapport-reunion-mars/168094e35d)

1. **Judicial time management - information on the on-going work of the Steering group of the SATURN Centre**

*Rapporteur: Giacomo OBERTO (Italy), Chair of the Steering group of the SATURN Centre*

1. **Case weighting in European judicial systems**
2. **Towards European timeframes for judicial proceedings - Implementation Guide**
3. **Dashboard for court management**
4. **Managing judicial time regulations for criminal cases in ECHR article 5 and 6**
5. **Role of the parties and the practitioners in preventing delays in court proceedings**

**Working documents**

[Case weighting in European courts (Discussion paper)](https://cs.coe.int/team21/cepej_forums/SATURN/25th%20meeting%203-4%20Apr%202019/4_Case%20weighting%20in%20European%20courts/CEPEJ-SATURN%282017%297E%20Rev10%20-%20Case%20weighting.docx)

[CEPEJ-SATURN(2017)7rev10](https://cs.coe.int/team21/cepej_forums/Membres%20CEPEJ/8.%20Judicial%20time%20management/CEPEJ-SATURN%282017%297E%20Rev10%20-%20Case%20weighting.docx)

[Questionnaire on case cateogries](https://cs.coe.int/team21/cepej_forums/Membres%20CEPEJ/8.%20Judicial%20time%20management/Questionnaire%20and%20replies%20categorisation%20of%20cases.xlsx)

[Template Dashboards for court management](https://cs.coe.int/team21/cepej_forums/Membres%20CEPEJ/8.%20Judicial%20time%20management/CEPEJ-SATURN%282017%299E%20-%20Template%20Dashboards%20for%20court%20management.docx)

Managing time regulations for criminal cases in ECHR article 5 and 6

[CEPËJ-SATURN(2017)6E](https://cs.coe.int/team21/cepej_forums/Membres%20CEPEJ/8.%20Judicial%20time%20management/CEPEJ-SATURN%282017%296E%20Art5%20and%206.docx)

Discussion paper

[The role of parties and practitioners in avoiding or reducing delay in disposal of court proceedings](https://cs.coe.int/team21/cepej_forums/SATURN/25th%20meeting%203-4%20Apr%202019/8_Role%20of%20the%20parties%20and%20the%20practioners%20in%20preventing%20delays%20in%20court%20proceedings/CEPEJ-SATURN%282017%298Erev3-%20The%20role%20of%20parties.docx)

[CEPEJ-SATURN(2017)8Rev3](https://cs.coe.int/team21/cepej_forums/Membres%20CEPEJ/8.%20Judicial%20time%20management/CEPEJ-SATURN%282017%298F%20Rev3%20-%20Role%20of%20parties.docx)

**Reference document**

Report of the 25th CEPEJ-SATURN meeting

[CEPEJ-SATURN(2019)1](https://rm.coe.int/cepej-saturn-2019-1-e-saturn-meeting-report-april-2019/1680945672)

1. **Mediation - information on the on-going work of the CEPEJ-GT-MED**

*Rapporteur: Rimantas SIMAITIS (Lithuania),Chair of the CEPEJ-GT-MED*

1. **Feasibility study on a Council of Europe instrument on mediation**
2. **Support the development of national legislation on mediation**
3. **Continue the development of the toolkit for mediation**

**working documents**

 European Handbook for Mediation Lawmaking

[CEPEJ(2019)9Prov](https://cs.coe.int/team21/cepej_forums/Membres%20CEPEJ/9.%20Mediation/CEPEJ%282019%298Prov%20EN_Guidelines%20mediation%20training%20schemes.docx)

Guidelines on designing and monitoring mediators training schemes

[CEPEJ(2019)8Prov](https://cs.coe.int/team21/cepej_forums/Membres%20CEPEJ/9.%20Mediation/CEPEJ%282019%298Prov%20EN_Guidelines%20mediation%20training%20schemes.docx)

**reference document**

Report of the 5th meeting of CEPEJ-GT-MED

[CEPEJ-GT-MED(2019)6](https://rm.coe.int/cepej-gt-med-2019-6e-meeting-report/168094e72d)

1. **Definitions of the terminology used in the CEPEJ tools - information on the on-going work of the *ad hoc* Working Group**

*Rapporteur: Laetitia BRUNIN (France)*

**Working document**

 Draft Glossary of the terminology used by CEPEJ

[CEPEJ(2019)5Prov](https://cs.coe.int/team21/cepej_forums/Membres%20CEPEJ/10.%20Definitions%20of%20the%20terminology%20used%20in%20the%20CEPEJ%20tools/CEPEJ%282019%295ProvE%20-%20Glossary.docx?Web=1)

1. **How to improve future cooperation with pilot courts ?**

*Rapporteur: Secretariat*

1. **CEPEJ’s co-operation programmes**
2. **On-going programmes**
	* Horizontal Facility for Western Balkans – Albania and Kosovo\* - Joint programme with the European Union
	* Partnership for good governance - Project for strengthening the efficiency and quality of the judiciary in Azerbaijan – Joint programme with the European Union
	* Supporting the efficiency of justice in Malta – to be funded by the European Commission Structural Reform Support Service
	* Strengthening the efficiency and quality of the Slovak judicial system – Voluntary Contribution financed through the European Social Fund
	* Promoting cyberjustice in Spain through change management and improvement of data collection – to be funded by the European Commission Structural Reform Support Service
	* Improved functioning, performance and access to justice in Tunisia – project of Joint Programme funded by the European Union as part of the Programme d’Appui à la Réforme de la Justice ( PARJ III)
	* Support to the Egyptian State Council - Ensuring Sustainable Democratic Governance and Human Rights in the Southern Mediterranean (South Programme III) – Joint Programme with the European Union
3. **Forthcoming/draft programmes**
	* Project for strengthening the efficiency and quality of the judicial system in the Republic of Moldova and Project for supporting judicial reform in Georgia – to be funded by the Partnership for Good Governance, Phase II
	* Support to the functioning of courts in Kazakhstan - Programme supported by the World Bank
	* Project for the Development of the Latvian justice system - with the European Commission Structural Reform Support Service
	* Project for Establishing a digital strategy for the Maltese justice sector - with the European Commission Structural Reform Support Service
	* Project for Continued support to a well performing Slovak judiciary - with the European Commission Structural Reform Support Service

**working document**

State of the implementation of the CEPEJ co-operation programmes

[CEPEJ-COOP(2019)4](https://cs.coe.int/team21/cepej_forums/Membres%20CEPEJ/12.%20CEPEJ%E2%80%99s%20co-operation%20programmes/CEPEJ_COOP_2019_4%20EN_state%20of%20implementation.doc?Web=1)

1. **Relations between the CEPEJ and other Council of Europe Institutions**
2. **Consultative Council of European Judges (CCJE)**
3. **Consultative Council of European Prosecutors (CCPE)**
4. **European Committee for Legal Cooperation (CDCJ)**
5. **Other cooperation scheme with the European Union :** latest developments within the European Union in the judicial field

*Rapporteurs: Violeta BELEGANTE (Romania) and Kari KIESILAINEN (Finland) on behalf of the outgoing and incoming presidency of the European Union*

1. **European Day of Justice**

*Rapporteur: Secretariat*

1. **Crystal Scales of Justice Prize**

*Rapporteur: Secretariat*

**Reference document**

Rules of procedure of the 2019 edition of the Crystal Scales of Justice Prize

[CEPEJ(2018)19](https://rm.coe.int/reglement-en-balance-cristal-cepej-2018-19/1680907887)

1. **Observers to the CEPEJ**

*Organisations that have been granted observer status with the CEPEJ are entitled, if they wish, to make an oral presentation of their current activities relevant to the CEPEJ and/or submit a written information to the Secretariat which could be distributed during the meeting.*

1. **Any other business**

Initiative of the Institute on Law and Human Rights (International law department) of the National Academy of Sciences of Azerbaijan “on bringing Member States closer to CEPEJ or CEPEJ to Member States” by translating the CEPEJ tools in Member States languages

*Rapporteur: Ramin Gurbanov (Azerbaijan)*

**background documents**

Abridged Report of the 31st plenary meeting of the CEPEJ

[CEPEJ(2018)28](https://rm.coe.int/28-2018-cepej-abridged-report-31-en/16808ff133)

Report of the 33rd meeting of the CEPEJ Bureau

[CEPEJ-BU(2019)1](https://rm.coe.int/bu-rapport-fra-2019-2/168094e72e)

[French only]

CEPEJ Activity Programme 2018 - 2019

[CEPEJ(2017)10](https://rm.coe.int/european-commission-for-the-efficiency-of-justice-2018-2019-activity-p/168077bfc4)

**DRAFT - APPENDIX**

Strasbourg, 24 May 2019

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

**32th plenary meeting**

**Strasbourg – Council of Europe, Agora Building**

**Room G02**

**EXchange OF VIEWS WITH judges OF THE EUROPEAN COURT OF HUMaN RIGHTS**

**Thursday 13 June 2019 (15.00 – 16.45)**

**Draft**

**15h00 – 15h20 : Introduction**

*(10’ each approximatively)*

* Mr Ramin Gurbanov (Azerbaijan), President of the CEPEJ
* Mr Linos-Alexandre Sicilianos, President of the European Court of Human Rights

**ooOoo**

**15h20 – 15h50 : Presentation of the on-going work within the cepej working groups**

*(7’ each approximatively)*

* Mr Giacomo Oberto (Italy), Chairman of the Steering group of the SATURN Centre for judicial time management (CEPEJ-SATURN)
* Mr Joao Arsenio de Oliveira (Portugal), Chairman of the Working group on the quality of justice (CEPEJ-GT-QUAL)
* Mr Jasa VRABEC (Slovenia), Chariman of the Working group on the evaluation of judicial systems (CEPEJ-GT-EVAL)
* Mr Rimantas SIMANTIS (Lithuania), Chairman of the Working group on mediation (CEPEJ-GT-MED)

**ooOoo**

**15h50 – 16h45 : possible interactions between the ec**t**hr and the cepej on the indicators which can be used to evaluate the efficiency and quality of justice**

*(10’ each approximatively)*

*judicial statistics to serve judges and prosecutors*

* Presentation of the results of the evaluation of European judicial systems exercise through CEPEJ-STAT

Ms Martina Vrdoljak (Croatia), member of the CEPEJ-GT-EVAL

The CEPEJ-STAT system complies and presents all the data collected by CEPEJ from all the States/entities who are participating in the evaluation of the judicial systems. It also presents indicators developed by the CEPEJ, such as performance indicators ("Disposition Time" and "Clearance Rate") or workload indicators for prosecutors. The purpose of this intervention is to present the tool and its potential for research, cross-referencing and comparison of available data and indicators on a specific subject.

* National statistics which can be of use for the ECtHR

Mr Paul Lemmens, judge on behalf of Belgium

Mr Darian Pavli, juge on behalf of Albania

*measuring the quality of justice*

* Measuring the quality of justice

Mr Gilles Accomando (France), member of the CEPEJ-GT-QUAL (to be confirmed)

This intervention aims to present the main measures of the Guide established by the CEPEJ to measure the quality of justice. While quantitative indicators of the efficiency of court proceedings can be established, it is more difficult to objectively assess the quality of service provided by the courts. This quality is expected by the users, and is thus a guarantee of a better acceptance of the justice by the public opinion. This is why the CEPEJ proposes a methodology and concrete indicators to measure the quality of justice in order to guide public policies. These indicators focus on the quality of the processes and decisions and on the performance of the courts. The Guide also promotes satisfaction surveys among court users.

* Intervention by a judge of the ECtHR

Mr Armen Harutyunyan, judge on behalf of Armenia

*Discussion with the participants*