

12 March 2021

CEPEJ-GT-EVAL (2021)1

European Commission for the efficiency of justice (CEPEJ)

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

Protocol for the transmission and use of CEPEJ data

Introduction

The European Commission for the efficiency of justice (CEPEJ) has a database containing all the data and comments accompanying this data, collected and processed during the Judicial Systems Evaluation cycles according to the defined CEPEJ methodology. Some of these data are made available to the public on an interactive database, "CEPEJ-STAT", once the Evaluation Reports are published.

All CEPEJ data, whether made available to the public on CEPEJ-STAT or transmitted by the Secretariat, remain the property of the CEPEJ and of the Council of Europe. No transfer of intellectual property rights takes place during the transmission of the data.

CEPEJ public data

CEPEJ public data can be used only under certain circumstances:

- to fully comply with the methodology adopted and followed by the CEPEJ for the drafting of its report "European judicial systems – CEPEJ Evaluation Report", namely to use the data in connection with the comments submitted by the CEPEJ national correspondents for each question (specific comment and general comment);
- to mention that the CEPEJ is the source of these data;
- if the CEPEJ data is presented jointly with data from other sources, including in same tables or graphs, clearly identify the data from the CEPEJ;
- if these data are used within analyses, the text below should be mentioned:

"The information and positions presented in this study/publication are those of the authors and do not necessarily reflect the official position of the CEPEJ. In this study, the CEPEJ is only one of the data sources used, and the CEPEJ does not guarantee the accuracy of the analyses, opinions and/or conclusions of this study/publication. Neither the CEPEJ nor any person acting on behalf of the CEPEJ can be held responsible for any use that might be made of the information contained therein."

Non-public and confidential CEPEJ data

As part of the cycle of evaluation of judicial systems or other reports/studies, the CEPEJ, in accordance with its methodology, also collects and processes data which are subject to the strictest confidentiality until the CEPEJ reports/studies are published.

These non-public and confidential data may be transmitted and used for a particular purpose (for the drafting of CEPEJ reports/studies, for particular needs) **under the previous conditions (concerning the use of CEPEJ public data), to which the following conditions are added :**

- are the result from a formal request for data submitted to the CEPEJ Secretariat identifying (i) the purpose of the research or the purpose of the work concerned and (ii) the exhaustive list of data concerned, or result from an express and written agreement of the Secretariat of the CEPEJ, in theory in the form of an expert contract;
- respect total confidentiality of the data and results of reports/studies and use the data only within the framework of the contract and/or for the identified purpose;

- not to disclose, transmit, disseminate or present publicly in any way whatsoever the data or the results before CEPEJ makes this data public;
- sign the Data Transmission Protocol and send it to the CEPEJ Secretariat.

In the event of such a request for transmission of data, the CEPEJ Secretariat reserves itself the right to :

- request further information regarding the project requiring the data, including in writing (a project note/note of intent stating briefly the justification of the project and its general objectives, the references of the project lead and, if applicable, other participants to the project);
- request the opinion of the Working Group on the evaluation of judicial systems (CEPEJ-GT-EVAL) at its next meetings;
- refuse the transmission of data that would concern too large set of data;
- not stating the reason for its refusal to transmit data.

These conditions and restrictions also apply to transmissions of CEPEJ published data provided in a different format from the one of the CEPEJ-STAT (raw data). These data shouldn't be disclose, transmit, disseminate or present publicly in any way.

For further information, please contact CEPEJ Secretariat:

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This protocol has to be signed before the transmission of non-published and confidential data

1.I, the undersigned..., **request** from the Secretariat of the European Commission for the Efficiency of Justice (CEPEJ) **the transmission of the following data**, extracted from the CEPEJ database:

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I describe below the reasons for this request / the objectives of the activity for which the data is requested / the use that will be made of the data transmitted by the CEPEJ:

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1bis. The Secretariat of the European Commission for the Efficiency of Justice (CEPEJ) **will transmit** to M/Mrs.... **within the framework of** ... (Contract.../Specific studies) **the following data**:

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2. The following conditions applies to this transmission (1/1bis):

- to fully comply with the methodology adopted and followed by the CEPEJ for the drafting of its report “European judicial systems – CEPEJ Evaluation Report”, namely to use the data in connection with the comments submitted by the CEPEJ national correspondents for each question (specific comment and general comment);
- to mention that the source of these data is the CEPEJ;
- if the CEPEJ data is presented jointly with data from other sources, including in same tables or graphs, clearly identify the data from the CEPEJ;
- if these data are used within analyses, the text below should be mentioned:

“The information and positions presented in this study/publication are those of the authors and do not necessary reflect the official position of the CEPEJ. In this study, the CEPEJ is only one of the data sources used, and the CEPEJ does not guarantee the accuracy of the analyses, opinions and/or conclusions of this study/publication. Neither the CEPEJ nor any person acting on behalf of the CEPEJ can be held responsible for any use that might be made of the information contained therein.”

- respect total confidentiality of the data and results of reports/studies and use the data only within the framework of the contract and/or for the identified purpose;

- not to disclose, transmit, disseminate or present publicly in any way whatsoever the data or the results before CEPEJ makes this data public;
- No transfer of intellectual property rights takes place during the transmission of the data.

Date

Signature