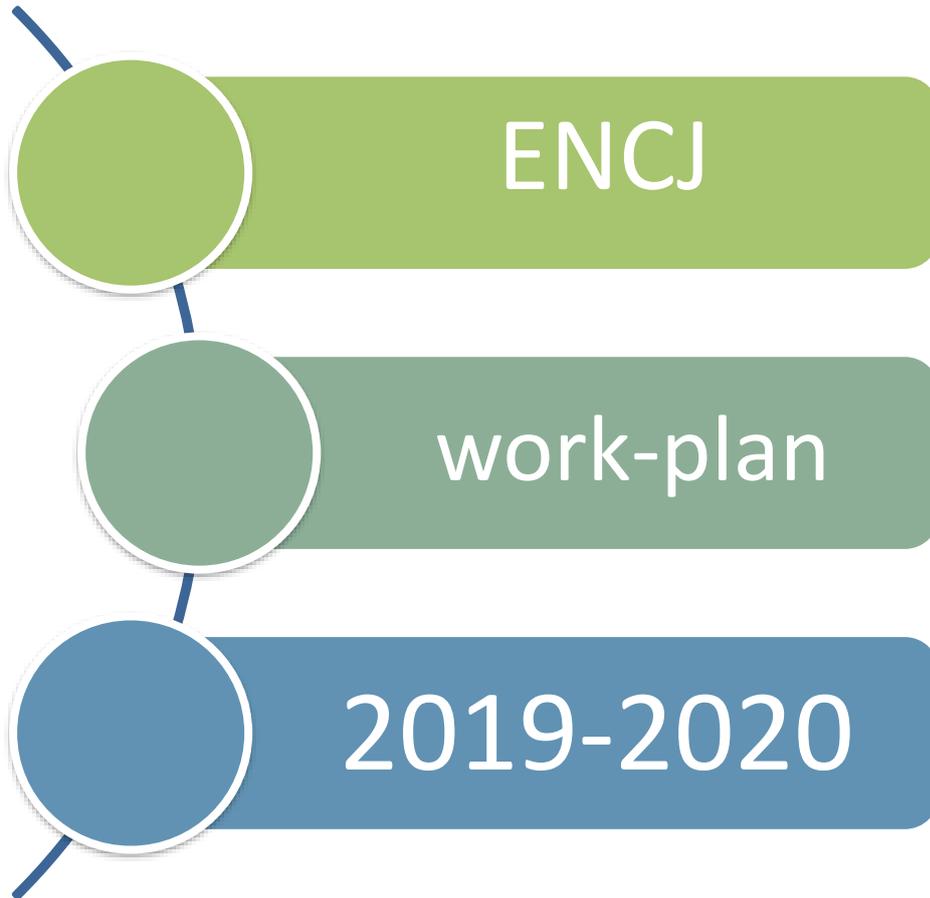




European Network of Councils
for the Judiciary (ENCJ)

Réseau européen des Conseils
de la Justice (RECJ)



INTRODUCTION

At the General Assembly in Paris in June 2017 the ENCJ 2018-2021 strategic plan was adopted. The 2019-2020 work plan sets out the actions that the ENCJ wishes to undertake from July 2019 to June 2020 with the aim of attaining the strategic objectives set out in the 2018-2021 Strategic Plan.

1. THE FUNCTIONING OF THE ASSOCIATION

1.1. The General Assembly

The 2020 General Assembly meeting will take place in Brussels, in June and will be hosted by the Hoge Raad voor de Justitie / Conseil Supérieur de la Justice. At the meeting a President and four Board Members will need to be elected.

1.2 The Executive Board

1.2.1 Functioning of the Association

The ambitions set out in the Strategic Plan 2018-2021 will need to be put into practice by the Executive Board. It will study how to implement the strategic objectives set out in an effective way. The first priority will be how to initiate a dialogue on the Rule of Law and the role of the judiciary in a democratic state.

Meetings

The Executive Board will meet four times, on 1 July 2019 in Kaunas, Lithuania, in the autumn of 2019 and in February and May 2020. It will monitor the activities of the project teams (within the framework of the Strategic Plan) and other relevant files. A report for the ENCJ Members will be drafted and distributed after each meeting.

Evaluation of Impact

The Board will study the the impact of the ENCJ on the national and European level and also see what measures should be taken to improve the impact.

Political developments

The Executive Board will propose to the Members how to deal with the consequences of Brexit.

1.2.2 Finances of the Association

The Executive Board is responsible for the budgetary issues of the Association. In the second half of 2019 the Operating Grant for 2020 from the European Commission needs to be secured. The Board also needs to engage with the Commission at an early stage of the process to guarantee continuous financial support for the network after 2021.

The Board will develop proposals what to do with the financial reserve that the Association currently has based on an advice by a Belgian based Accounting and Consultancy firm.

1.2.2 The Permanent Office

Staff

The Executive Board is responsible for the functioning of the ENCJ's Permanent Office. The office currently has a staff of 1.4 fte (Monique van der Goes Director 1 fte/ Natalie Callebaut

0.4 fte) The Office will continue to organise all meetings of the ENCJ bodies: the General Assembly and the Executive Board. The Office also deals with the financial management of the Association (EC Subvention/drafting budgets/preparing accounts/raising payments etc.). With a view to the increasing workload, the office may have to expand further if sufficient funds can be secured.

1.2.3 Co-operation and external relations

Requests for Assistance

The President and/or other representatives may occasionally visit ENCJ Members or Observers (especially when a new Council mandate begins) to discuss their involvement in the ENCJ and to ensure the continuity of this involvement. The ENCJ may also receive requests for cooperation from Members or Observers. The Board will support Councils for the Judiciary and similar independent bodies in the EU and in candidate and prospective candidate states especially where such bodies face challenges to their justice systems.

The Board will also follow the developments in some particular Member States closely. Another visit to Poland will be organised in the autumn of 2019. Visits to other countries may also be deemed necessary.

The Board will visit Finland in the second half of 2019 to establish contacts with the Judicial Council (Court Administration) that will start its work in January 2020, with a view to their possible membership request to be voted on at the General Assembly 2020.

European Commission and European Parliament

The ENCJ Bratislava Manifesto will be brought to the attention of the European Commission and Parliament. Once the new institutions have started their work, requests for meetings will be sent out. The Board will follow the developments in relation to the communication of the European Commission on the Rule of Law.

Court of Justice of the European Union

The CJEU is an observer to the ENCJ. The Board will develop further ties and areas of cooperation will be identified.

Council of Europe

The ENCJ is represented in the **CCJE** meetings and contributes to the annual CCJE opinions. ENCJ is an observer in **CEPEJ** and participates in their Quality Working Group. The ENCJ and the **Venice Commission** have had a first official meeting in December 2014 when ENCJ was invited to present its work at the meeting of the Venice Commission. ENCJ wishes to have stronger links and collaboration with the above-mentioned organisations and will strive to set up regular meetings and or concrete cooperation on specific issues.

Other

The ENCJ will continue to assist the UNODC in the further development of the recently launched Global Judicial Integrity Network.

2. IMPLEMENTATION ENCJ STRATEGIC PLAN

The ENCJ strategic plan 2018-2021 was adopted at the Paris General Assembly on 7 June 2018. The plan served as a basis for the EU Framework Partnership Agreement, which will guarantee the annual Operating Grants from the European Commission.



2.1 Within the framework of protecting the Rule of Law, to provide support for the independence, accountability and quality of judiciaries in Europe and to promote understanding of and respect for judicial independence

The ambitions set out in the Strategic Plan 2018-2021 will need to be put into practice by the Executive Board. The first priority will be how to initiate a dialogue on the Rule of Law and the role of the judiciary in a democratic state.

The ENCJ President or his representative will speak, when invited, at a number of events and conferences organised by other bodies (for instance FRA, ELI, Aca-Europe, the network of Presidents of the Supreme Courts of the EU etc.). These contacts are important as all these bodies are influential with judicial systems across Europe. Close contacts will strengthen the outcomes of the activities of the various networks.

The Board will also follow developments that could affect the co-operation between the judiciaries in Europe such as the European Judicial Network consisting of the Constitutional and Highest national Courts (civil/criminal and administrative).

2.1.1 Main projects

Main project 1 Independence, Accountability and Quality of the Judiciary

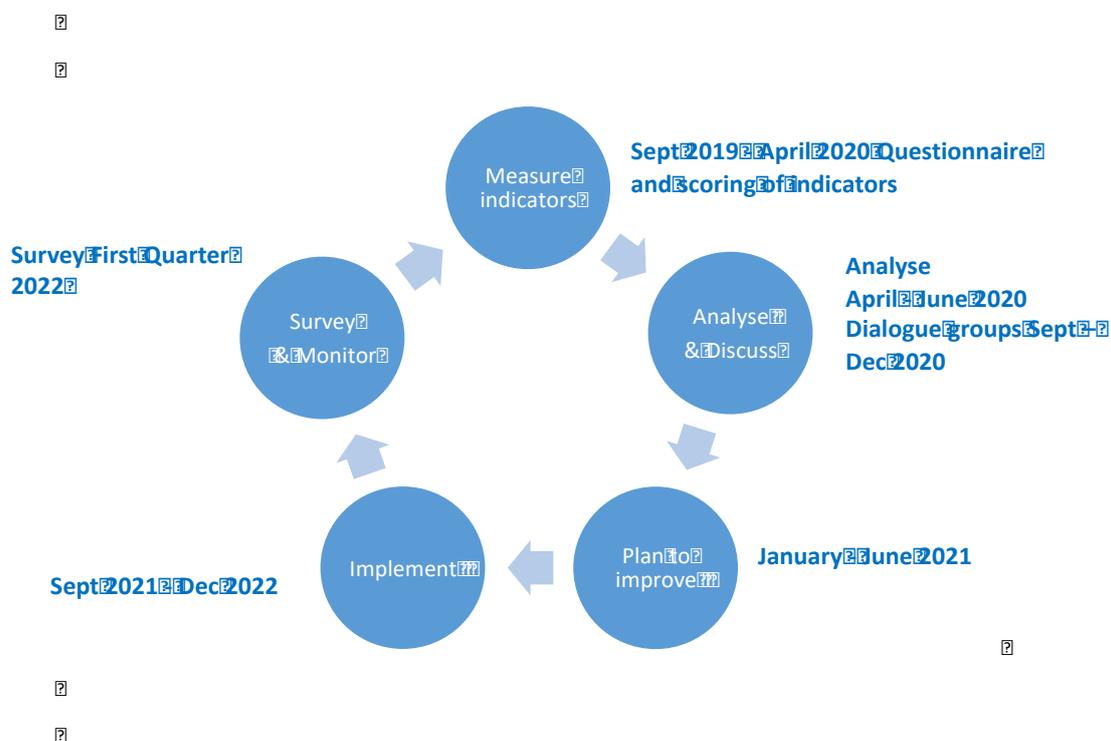
To strengthen the Independence and Accountability mechanism that has been developed by the ENCJ, it is proposed to:

1. Reconfirm the continued necessity to protect and expand the independence and accountability of the judiciaries of Europe, by means of a structured cycle of improvement.
2. Adopt the improved indicators of independence and accountability and agree to organise at the national level an expert group to validate the measurement of the indicators.

The so-called hard data about the functioning of the judiciary will be gradually expanded.

Next steps in 2019/2020

1. Application (measurement) of the improved indicators by all Members and Observers, as the start of the next cycle of improvement, beginning in September 2019. The national expert groups will be used to validate the outcomes.
2. Further development of a court user survey that covers aspects of independence and accountability as well as quality.
3. Analysis by all judiciaries of the outcomes of the judges and lawyers surveys for their countries and communication with the judges of outcomes and lessons to be drawn.
4. The perceived increase of lack of respect for judicial independence by the other State Powers makes the Strategic Plan in which the ENCJ has taken it upon itself to initiate a dialogue with these State Powers on the EU level more urgent. The Executive Board is in charge of this action.



As regards the Quality component:

1. The revised questionnaire should be completed by all Members and Observers with a view to the results being analysed and reported upon the General Assembly, which takes place in May/June 2020.
2. The questionnaire results should be analysed against existing, external data about quality of justice for their use in the indicator system.
3. All Councils should adopt a framework that defines their involvement in guaranteeing and promoting quality of justice and their approach to it, and to improve quality of justice by examining their country profiles, considering the general recommendations.
4. The indicators may be subjected to further review by the Project Group – as well as, perhaps, by external sources in, say, March 2020, as part of a validation process - in the light of the questionnaire results and any further comments received from Members and Observers when submitting their completed questionnaires.

Although not necessarily work to be performed next year, consideration should also be given to the sub-group doing work on the quality aspect of a court-user survey.

The ENCJ has made significant progress towards developing a vision on quality of justice. Following the analysis of the results of the revised questionnaire that will be contained in next year's report, it will be up to individual Councils to identify the areas in which there is potential to improve quality, and to take appropriate steps to achieve such improvement.

Main Project 2 Public confidence and the Image of Justice

The project will be continued and could have several possible components:

Development of protocols with those who are regarded as most influential actors in terms of promoting public confidence and the image of Justice;

Development of guides of best practices with other legal professionals;

Branding justice –worth considering this topic in the future

Organisation of a conference with representatives of other state powers on the communication instruments developed in 2018/2019.

2.1.2 Other activities

Council of Bars and Law Societies of Europe - CCBE

ENCJ will continue co-operation with the CCBE. In the second half of 2019, a joint video on the Rule of Law will be presented. In addition a joint project may be initiated, for instance on the communication between the judiciary and lawyers in the framework of Project 2 on the Image of Justice.

Pilot case study economic value of the judiciary

There will be two more meetings of the pilot group. The report should be finalised by the end of 2019. In the first half of 2020, an external validation of the methodology and results will be organised. In addition to the external validation, the reactions of relevant stakeholders in the pilot countries will be gathered. At the 2020 General Assembly, the results will be presented and a decision on the usability and future of the mechanism will need to be taken.

2.2 To promote access to justice in a digital age (measured in terms of efficiency, cost and timeliness) for the benefit of all citizens in the EU

2.2.1 Main projects

Main project 3 to promote Digital Justice

Further development of the ENCJ Digital Justice Forum. A coordinators/experts meeting may be organised shortly after the summer to discuss the further development of the forum.

Main project 4 to promote access to fair and impartial courts

The objective is to further the implementation of ENCJ guidelines and standards in the fields of independence, efficiency and quality of Justice. The ENCJ has been developing minimum judicial standards and the relevant indicators in particular fields as a tool for self-evaluation for judicial systems. It is believed that this would further the approximation and ultimately the improvement of the judicial systems in Europe, contribute to the development of independent Councils for the Judiciary, and contribute to the attainment of a European judicial culture. Through a series of seminars and workshops awareness for these standards will be furthered and compliance will be enhanced. In the autumn of 2019, a workshop on the Evaluation of Judges will be organised.

2.2.2 Other activities

To promote other aspects of access to justice

Fundamental Rights Agency

Research the possibility of assisting or developing joint activities with the Fundamental Rights Agency of the European Union.

European Law Institute - ELI

The ELI-ENCJ project team finalised its work in 2017. The statement on the Relationship between Formal and Informal Justice: the Courts and Alternative Dispute Resolution was adopted by the ENCJ in June 2018.

2.3 To strengthen mutual trust among the judiciaries of Europe

Activities and projects

To promote mutual trust among judges

European Judicial Training Network - EJTN

The ENCJ will continue the co-operation with EJTN. With the Rule of Law project being finished the content and direction of the co-operation will need to be discussed.

To improve mutual knowledge and understanding of judicial systems

Communication

The ENCJ website has been renewed early 2018. The ENCJ pages containing detailed information on the functioning of the judicial systems in Europe still need to be developed. The fifth annual ENCJ report will be published in December 2019. Members will be asked to send their national reports by early October 2019.

Request for Information

The sharing of information and best practices between the Members and Observers of the ENCJ is an important feature of the network. This work could be further developed by collecting, summarizing and disseminating the information.

To build mutual confidence among ENCJ Members - Internship programme

Two interns will be welcomed to Brussels for two weeks in 2020. A Call for Applications will be launched in the autumn of 2019. The ENCJ does not pay salary but a *per diem* is paid to cover accommodation and living expenses in Brussels. Travel to Brussels is also paid for by the ENCJ

Summary main projects 2019-2020

Project 1 Independence, Accountability and Quality of the Judiciary

- Application and scoring of Independence and Accountability indicators
- Develop the Court User Satisfaction survey
- Application and scoring of Quality indicators
- Possible external validation of the Quality indicators

Project 2 Public confidence and the Image of Justice

- Further work on the relations with the other state powers and stakeholders
- Possible external validation of the work produced between 2017-2019

Project 3 To promote Digital Justice

- Further development of Digital Justice Forum
- Organise an expert meeting
- Meeting in first half 2020

Project 4 To promote access to fair and impartial courts

- Workshop on Evaluation of Judges in autumn 2019