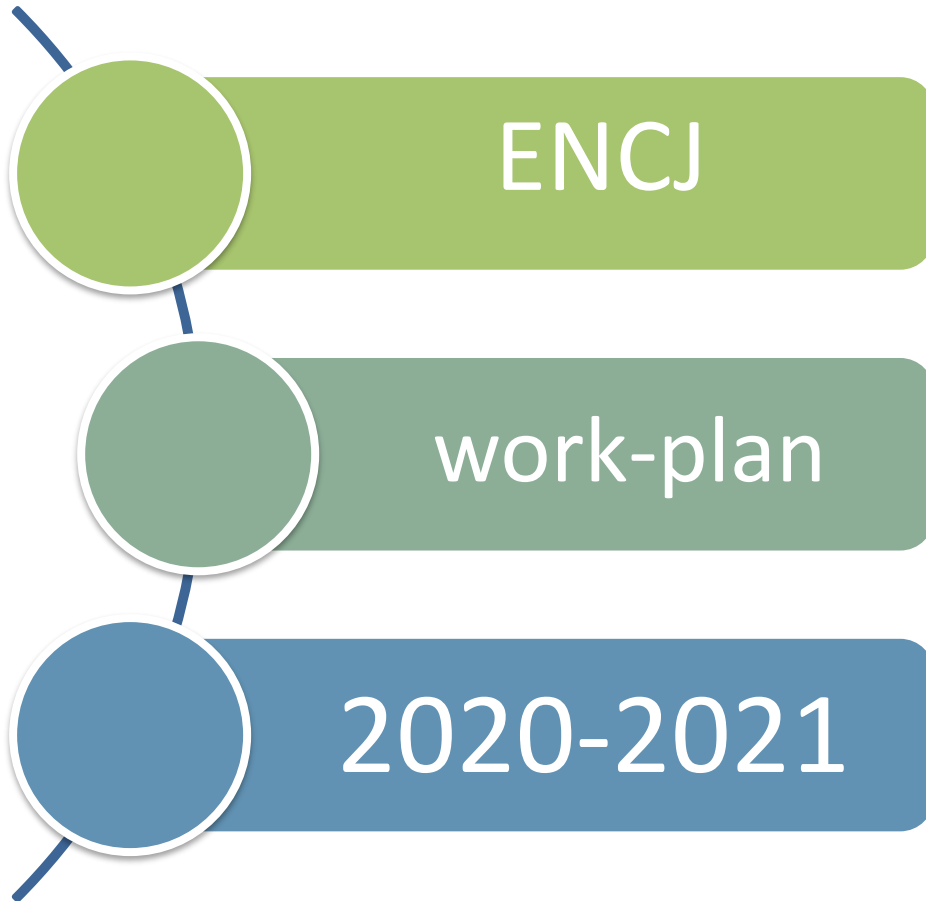




European Network of Councils  
for the Judiciary (ENCJ)

Réseau européen des Conseils  
de la Justice (RECJ)



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## INTRODUCTION

At the General Assembly in Paris in June 2017 the ENCJ 2018-2021 strategic plan was adopted. This is the last annual workplan under the current strategic plan. Due to the Corona virus crisis it is more difficult to plan the year ahead. Instead of a detailed workplan some general directions and topics are suggested that will need to be developed into more detail over the coming weeks and months.

## 1. THE FUNCTIONING OF THE ASSOCIATION

### 1.1. The General Assembly

If all goes to plan in 2021 a General Assembly meeting will be organised. The Judicial Council of Lithuania has shown an interest to host the General Assembly. However, we should have in mind possible consequences of the Corona virus crisis which may influence the final decision regarding the offer. At the 2021 General Assembly meeting three Board Members will need to be elected. Depending on developments an extraordinary General Assembly might need to be organised.

### 1.2 The Executive Board

**The Executive Board will have to deal with a number of issues:**

- Develop the idea of initiating a dialogue on the Rule of Law and the role of the judiciary in a democratic state.
- The Executive Board is responsible for the budgetary issues of the Association. The operating grant 2021 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.
- The Board will also lead the process towards the next ENCJ Strategic plan. The process will include an evaluation of the current plan and a consultation among Members, Observers and other stakeholders. The next strategic plan will also be used for the application of an EU grant for the years 2022 and further.
- The Board President and/or other representatives may occasionally visit or hold virtual meetings with 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.
- The Board will maintain and where appropriate strengthen relations with the EU Institutions and the various bodies of the Council of Europe as well as the other judicial networks and networks of stakeholders such as the CCBE.

## 2. IMPLEMENTATION ENCJ STRATEGIC PLAN

The ENCJ strategic plan 2018-2021 was adopted at the Paris General Assembly on 7 June 2017. 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

#### Project on Independence, Accountability and Quality of the Judiciary

The project will continue. There will be three workstreams:

1. The Independence and Accountability Indicators. The next phase for this part of the project is the analysis of the results, dialogue (format to be decided) and the development of improvement plans.
2. The Court Users survey. The work would focus on re-examining the questions and possibly refine them further. Consider if the questionnaire should be divided into professional and non-professional users. Consider a closer in depth analysis of the pilot. Extend the pilot study with more countries and more respondents including per country several courts and instances.
3. In the area of Quality the steps to be considered in 202-2021 are the analysis of the results of the questionnaire against existing, external data about Quality of Justice for their use in the indicator system. The indicators and scoring should be subjected to further review by the Project Group in light of the results of the Questionnaire and further observations from Members and Observers. The roles and competences of each of the Councils in guaranteeing and promoting Quality of Justice must be identified and Councils should adopt definite plans, having regard to their county

profiles and general recommendations, to improve the Quality of Justice in their jurisdiction.

### **Project on Public confidence and the Image of Justice**

The project has run for 3 years. The next phase would be to look into the implementation of the various recommendations by Councils for the Judiciary or other bodies governing the judiciary. The format needs to be decided, but it could be done in a workshop or if necessary in series of virtual workshops.

The work done in the last 3 years is:

2017-2018 Measuring and analysing public confidence, Communication strategies and instruments, the institution of the spokesperson(s), training in communication skills Social media, Brand equity and design, Crisis communication protocols, Audio visual recording in courtrooms and judicial councils' meetings, Procedures for defending the independence of the judiciary, Reaching out to the general public – examples of best practices

2018-2019 Individual and Institutional use of Social Media within the Judiciary

2019-2020 Communication with the other branches of the State

### **Pilot case study economic value of the judiciary**

The report will be finalised. Further actions need to be decided on the basis of the report.

## **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**

### **Project to promote Digital Justice**

Further development of the ENCJ Digital Justice Forum. A seminar may be organised either virtually or an actual meeting.

### **New project to promote access to fair and impartial courts – guaranteeing access to justice in times of crisis**

A new project is proposed that will focus on lessons learned from the Corona virus crisis. The aim would be to identify minimum standards for guaranteeing the right to an effective remedy and to a fair trial (as laid down in article 47 of the EU Charter for Fundamental Rights) in times of emergency. There will be a specific focus on the role of Councils for the Judiciary or similar self-governing entities.

## **2.3 To strengthen mutual trust among the judiciaries of Europe**

### **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.

### **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 as soon as the situation allows.
- A virtual staff seminar may be organised in light of the new ENCJ Strategic plan that needs to be drafted.

## **Summary main projects 2020-2021**

### **Project 1 Independence, Accountability and Quality of the Judiciary**

- Independence and Accountability
- Court User survey
- Quality

### **Project 2 Guaranteeing the right to an effective remedy and to a fair trial in times of emergency.**

- Identification of best practices among ENCJ Members and Observers
- Formulating minimum standards for guaranteeing Access to Justice in times of crisis
- Involving main stakeholders such as the lawyers and prosecution

### **Project 3 To promote Digital Justice – ENCJ Digital Justice Forum**

- Further development of Digital Justice Forum
- Meeting virtual or actual in second half 2020

### **Project 4 Public confidence and the Image of Justice**

- Workshop (virtual – actual) on implementation of ENCJ work done between 2017-2020