



European Network of Councils  
for the Judiciary (ENCJ)

Réseau européen des Conseils  
de la Justice (RECJ)

ENCJ  
Work plan  
2021-2022



## INTRODUCTION

At the online General Assembly of 2 June 2021 the new Strategic Plan will be adopted. This is the first work plan based on the new Strategy. Due to the continuing Covid-19 pandemic 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

An online General Assembly, members-only session will be held on 2 June 2021. 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.

A additional extraordinary General Assembly is planned to take place on 28-29 October 2021 in Vilnius.

In June 2022 a normal General Assembly will be organised at which a new President and 4 Board Members will need to be elected.

### 1.2 The Executive Board

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

- Implement the new ENCJ Strategy
- Secure the EU funding for 2022-2025
- 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
- To strengthen the functioning of the Association the Board will:
  - Study how to enhance the level of commitment of Members and share the burden of the work in a more balanced way between the Members.
  - Study how to improve the impact and quality of the work of ENCJ . Study composition of project teams and how to ensure that the relevant expertise is available (call on Members and Observers to nominate appropriate participants / involve academics / stakeholders. See how ENCJ can use the knowledge and expertise of the ENCJ Members and Observers. For instance by identifying groups of experts in staff of Members i.e. communication advisors / IT experts / GDPR staff etc.
  - Draft and adopt a communication plan for internal and external communication. Strengthen the ENCJ brand & style
  - Invest in relations with Councils that start new mandate
  - Analyse the needs in terms of resources (human and financial)
  - Raise awareness for gender equality and diversity

### 1.3 Finances of the Association

The Executive Board is responsible for the budgetary issues of the Association. In the Summer the ENCJ will hear if its proposal for a Framework Partnership Agreement with the European Commission has been selected. If so, in September 2021 the proposal for the Operating Grant for 2022 from the European Commission needs to be submitted.

#### 1.2.2 The Permanent Office

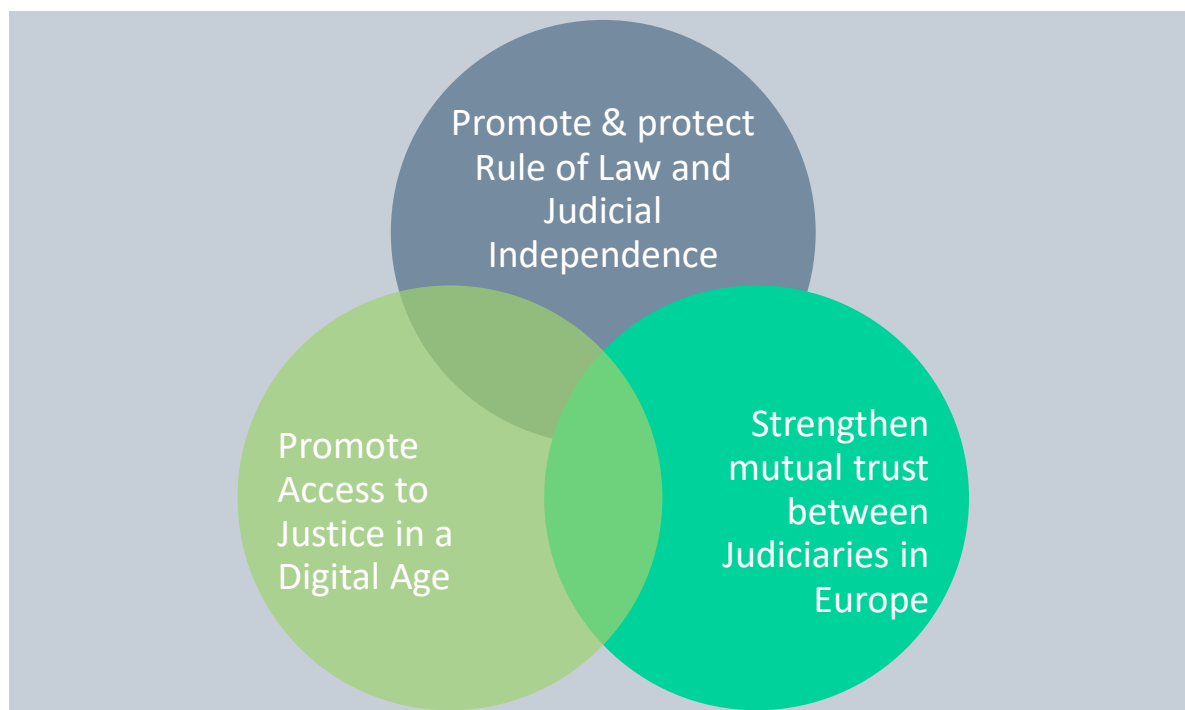
The Executive Board is responsible for the functioning of the ENCJ's Permanent Office. From 1 July 2021, the office will have a staff of 2.0 fte (Monique van der Goes Director 1 fte/ Aleksandra Switalska, policy and administrative support officer 1 fte) .

With a view to the increasing workload, the office may have to expand further if sufficient funds can be secured. Reinforcement of the office with additional staff (external experts such as academics or communication specialist) will be considered by the Board.

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.).

## 2. IMPLEMENTATION ENCJ STRATEGIC PLAN

The ENCJ strategic plan 2022-2025 will be adopted at the General Assembly on 2 June 2021. The plan served as a basis for the EU Framework Partnership Agreement, which will guarantee the annual Operating Grants from the European Commission.



### 1. To strengthen the position of the judiciary in a democratic state

The ENCJ will continue to strengthen the role of Councils for the Judiciary as guarantors of the independence of the judiciary especially vis a vis the other State Powers and the EU

Institutions. ENCJ will make public statements when and where relevant to draw attention to this issue.

The ENCJ will promote its common standards for the set-up and functioning of Councils for the Judiciary.

ENCJ will **speak up** for Councils for the Judiciary and actively make the point that the judiciary is the third State Powers and should be acknowledged by the other State Powers. The ENCJ will **continue to promote dialogue** between the three State Powers on the EU and the national level.

The ENCJ will strive to obtain a **formalised consultation status** within the European Union for national Judiciaries through the ENCJ and other relevant EU level judicial networks.

## **2. To promote and preserve the Rule of Law**

When ENCJ learns through its Members or Observers or otherwise, the Rule of Law in a Member State may be in jeopardy especially in relation to the independence of the judiciary as a whole or of the judges, ENCJ will provide support if desirable. Even though, the ENCJ is not in a position to get involved in any political dispute, it can give its opinion on the compliance of any planned reform or with general European or specific ENCJ Standards in this field. The ENCJ will also seek cooperation with the European Institutions in such a case. Actions by the ENCJ may include open letters to the EU Institutions, public statements and press releases.

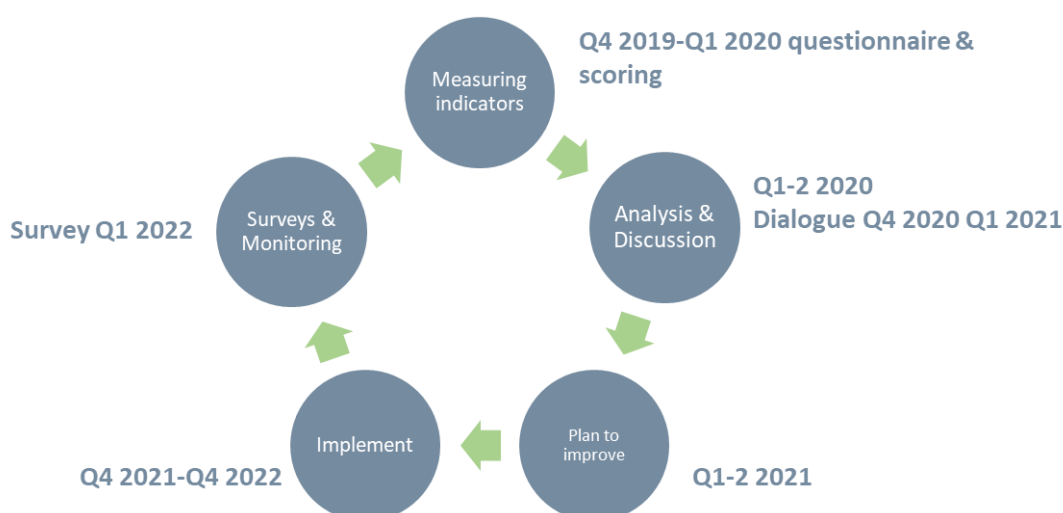
The ENCJ will continue cooperation with partners and stakeholders to promote and preserve the Rule of Law:

- Cooperate with DG Justice in the further development of the Justice Scoreboard
- Contribute to the EU Rule of Law report by providing an overview of current challenges
- Continue to be an interlocutor for the European Commission on issues such as the functioning of Councils for the Judiciary, Judicial Independence, Quality and Efficiency of Justice
- Engage with the European Parliament especially in relation to the Rule of Law and Judicial Independence
- Continue to engage with the Court of Justice of the European Union
- Work with FRA on strengthening the Rule of Law in the EU including Access to Justice
- Cooperate with Council of Europe: CCJE and Venice Commission
- Strengthen the relations with the other Judicial Networks, to share concerns about challenges to the Rule of Law and plan and plan and implement joint actions
- Raise awareness for Rule of Law challenges or challenges to Judicial Independence by organising lunch seminars for Members and Observers on specific countries.

## **3. To promote the independence and accountability of the judiciary**

Continue the multi-annual project on independence and accountability.

## Current cycle



### Activities for 2021-2022

- A survey among judges, and with the cooperation of the CCBE among lawyers, about their independence of the judiciary will be held in 2022 and 2025.
- Testing of the Court Users Survey has been developed.
- The development and monitoring of national strategies to address the weaknesses.
- Improvement of the I&A indicators including the work done in the framework of the ENCJ project on the Image of Justice and Public Confidence.

### 4. To promote the quality of the Judiciary

- The work on the development of Quality Indicators will be finalised and Members and Observers will be invited to fill out the questionnaire. Indicators for topics not covered yet could be developed.
- The scores and results of the indicators will need to be discussed with a view to the improvement of the quality of the judicial system and the role of Councils for the Judiciary.

### 5. To promote a European Judicial Culture: Thematic dialogue groups

Promoting a European Judicial Culture based on shared values and shared experiences by setting up thematic dialogue groups in which a small number of representatives of the ENCJ Members share experiences and best practices. These groups could be ad-hoc or could be active over a longer period of time. At the extra-ordinary General Assembly in October 2021 the Members and Observers will identify which topics have priority.

### 7. To share information on the organisation of national judicial systems

Upon request of an ENCJ Member or Observer questionnaires are disseminated among ENCJ Members and Observers. Online access to information on judicial systems will be improved. The procedure for the request for information will be written down and discussed with the Membership.

## **8. To Promote Access to Justice in a Digital Age**

Continue ENCJ Digital Justice Forum consisting of one representative of each ENCJ Member and the interested Observers. Through an annual plenary seminar and series of online seminars, the aim of the forum is:

- To provide a network for the exchange of information and advice for national experts dealing with digitization;
- Promote dialogue on challenges and opportunities – balancing efficiency and access to justice and independence;
- To monitor developments in the field of Artificial Intelligence and the challenges and opportunities it may provide for the judiciary;
- To exchange best practices and developments on national level;
- To provide a judicial perspective on e-Justice to the European Commission;
- To liaise with CEPEJ Cyberjustice working group, CCBE, Unit E-Justice DG JUST EC.

## **9. To promote access to fair and impartial courts**

Continue the organisation of lunchseminars. At the extra-ordinary General Assembly in October 2021 the Members and Observers will identify which topics have priority.

## **Summary main projects 2021-2022**

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

- Independence and Accountability – survey among judges and lawyers / improvement plans / Court User survey
- Quality

### **Project 2 To promote Digital Justice – ENCJ Digital Justice Forum**

- Further development of Digital Justice Forum
- Meeting virtual and physical

### **Additional project on ENCJ statement on Councils for the Judiciary June-October 2021**