



Speech Kees Sterk

Zoals uitgesproken tijdens de ENCJ-bijeenkomst op 30 mei 2018 in Lissabon

Thank you mrs president, thank you Nuria,

I would like to take the floor to explain why our network is important, and why I want to be the next president of the encj.

I strongly believe that the rule of law, the separation of powers and the independence of a strong judiciary is essential to the well functioning of society. Lately this view is under attack in Europe and the rest of the world. But I believe that without these principles we will eventually end up in a dictatorship: In an absolute society - whether it is the absolute power of one man, a political party or the absolute power of the majority of Parliament - the rights and freedoms of citizens individually or society as a whole are at stake.

The network is an important tool to strengthen these principles and the judiciaries in our countries. How does the network do this?

Even though we come from different legal cultures our network has shown that we are willing and capable of developing standards for independent and accountable judiciaries in the EU and neighboring countries. This is a great accomplishment of which we as a network should be very proud, because we made a beginning of defining - for the first time on an European level - the essence of aforementioned principles. And furthermore we achieved this as a group: all judiciaries from south to north, and east to west participated in this. An accomplishment which is astonishing and therefore widely appreciated by the European Commission.

The core of the Encj is cooperation between Councils of the judiciaries. The first goal of this cooperation is to learn from each other, because every judicial tradition has something of interest to the others, even though the circumstances of each judiciary differ. This is very important to realize and should not be taken lightly.

To learn from each other we must establish an atmosphere of mutual trust: this implies good relations on an individual and institutional level. It also means recognition that the system of one judiciary is not necessarily better than that of an other and that we have to work together.

An other important goal is to be united, because we can only be an important power in the European theatre when we stick together. To put it in French: l'union fait la force.

As a president I very much want to strengthen our cooperation and unity. For we can only defend the independence of the judiciary and modernize it at the same time if we together define the aforementioned principles and remain united.

Society is changing, and this has influence on the role of all our judiciaries. We all struggle with this. Together we must find a way to redefine that role, because the



principle of the independence of the judiciary is well worth defending, but at the same time must be adopted to modern times.

For me it will be a great honor and privilege to lead the network in this challenging times, and represent the network as its president: the work of the network is of extreme importance. The times are crucial for all our judiciaries.

Thank you very much.

Kees Sterk

Vice-president of the Council for the Judiciary in the Netherlands

President of The European Network of Councils for the Judiciary (ENCJ)