

Mr Josè Igreja Matos

President of EAJ

Mrs Virginie Duval

EAJ delegate at CEPEJ

REPORT OF THE PLENARY MEETING OF THE CEPEJ IN STRASBOURG, 29 and 30th JUNE 2017

I attended the plenary meeting of the CEPEJ, which was held in Strasbourg on 29 and 30th June, as delegate of the EAJ, replacing Mrs Duval.

Firstly, I thank you because you made me the honor to represent the EAJ at the European Commission for the Efficiency of Justice (CEPEJ). I took the floor to express the will of the EAJ to bring to the CEPEJ the opinion of judges in the activities concerning the main values of the judiciary: the quality of justice and the independence of judicial systems, which is the essential requirement of the judicial function, guaranteeing human rights and freedom. I had no possibility to talk about EAJ's concerns for the situation of the Justice in Turkey because of the technical, non political, aims of the CEPEJ. Yannick Meneceur, one of the members of the secretariat, suggested me to avoid this particular issue, also because a representative of Turkey was present at the meeting. So I reminded, in general, the strong commitment of the EAJ for the defence of its values in many countries, where they are in danger.

Regarding the issues discussed at the meeting, I send you the official report (English and French version) written by the secretariat of the CEPEJ for a detailed knowledge of them.

Regarding the particular issues involving the aims and the values of the EAJ, I want to highlight the speech of the chairman of the **Quality of justice Group (CEPEJ-GT-QUAL)**.

The President of the Quality Group, François Paychère, takes the floor highlighting above all the importance of the defense of the independence of the judiciary as a guarantee of the human rights. He reminds the document approved in December 2016 about article 13 after ECHR . He also mentions the guide-lines for ciber-justice and the document on the quality of justice indicators. In December 2016 the Group started the study of new issues. The first in the communication in times of crisis; the second in the use of modern means of mass media by the Court Houses.

The information on the on-going work of the **Mediation Group (CEPEJ-GT-MED)**, recently reinstalled, was thoroughly reported by the President. Therefore I think it's going to be a very important issue. Among future activities, the Group is going to elaborate a model (a pattern) for a law on mediation

Among the other cooperation scheme with the European Union, the Malta representative Francesco De Pasquale illustrates the highlights of EU work in the field of justice during the Maltese presidency term. He reminds the adoption of the "general approach" plan about the privacy of personal data. Also the initiatives of money laundering and of consumers contracts. He also says that 16 member States are cooperating for the establishment of the European Public Prosecutor Office

(EPPO), in charge of investigating the crimes against financial assets of EU. The Maltese Presidency has worked on the report of the EU citizenship and took great care of the issue of migrants.

On this point, the President of the **Eval Group (Evaluation of European judicial systems)**, Jean-Paul Jean, informs that there will be a new question beginning from this year, concerning a new *case category*: the proceedings on the refugees and the proceedings on the right of asylum. The topic of the next report will be focused on the users of the justice system (the subject of the report 2016 was the informatisation).

I want to underline the importance of the informatic implementation in most judiciary systems, which came out from the reports of the national delegates. Many delegates explained the most recent innovations in the field of justice: many of these concerning (also) the informatisation of the offices (Holland, Montenegro Moldova, Latvia, Albania). Those innovation are good, of course, but with the pros and the cons, that EAJ might consider: firstly, the health and the wellbeing of the judges because of the difficulty to look at the screen all day long; the stress caused by the fact that the informatic systems are out of the judges control, especially in case of their malfunctioning. Secondly, the total dependence of the judiciary on the private companies in charge of the maintenance of the informatics systems. Finally, the doubt that the informatic solutions really allow faster and better performances, as explained by Mr. Oberto as chairman of Saturn Group. I think those are typical issues of our Association

Regarding the interest of EAJ for a deeper commitment in CEPEJ works, I underline that the IAJ is already and well represented by Mr Giacomo Oberto the Secretary General of the International Association of Judges, who is also the President of the Saturn Group. This time, he was also the national delegate of Italy in replacement of the official delegate.

I think it's almost mandatory that the EAJ will attend the next plenary meeting, fixed in Strasbourg on 7/8 December, because the CEPEJ is increasing its power and its importance by expanding projects all over Europe. An active participation of EAJ to a working Group might be useful, but it will be expensive for our association and very challenging for our delegates. In my opinion, the group more involved in the issues of our Association is the **Quality of justice Group (CEPEJ-GT-QUAL)**, so, if we decide to take part to a Group, the Quality of Justice Group seems the more appropriate.

Italy, 6th July 2017

Cristina Marzagalli