2017 EU justice scoreboard

2018/2009(INI) - 29/05/2018 - Text adopted by Parliament, single reading

The European Parliament adopted by 501 votes to 93, with 42 abstentions, a resolution on the 2017 EU Justice Scoreboard.

The Commission published the fifth EU Justice Scoreboard which analyses in particular issues relating to public access to legal proceedings, the independence of the judiciary as perceived by individuals and the business sector, current use of information and communication technologies (ICT) in the justice system and the operation of national justice systems in specific areas relating to the single market and the business sector, while also presenting an initial overview of the functioning of national criminal justice systems in enforcing EU anti-money laundering legislation.

The 2017 Justice Scoreboard does not present an overall ranking of national justice systems and does not intend to put one system before another.

Parliament called on the Commission to:

- continue monitoring national justice reforms in the framework of the European Semester, which also draws on information from the EU Justice Scoreboard;
- develop new criteria for better assessing the conformity of judicial systems with the rule of law;
- gather more precise information on the way in which violations of the rule of law and threats to fundamental rights, including corruption, discrimination and breaches of privacy, freedom of thought, conscience, religion, expression, assembly and association, are being dealt with;
- take into account the fight against corruption, and considers the inclusion of this issue in the Justice Scoreboard to be a priority;
- continue developing concrete indicators to assess, in practice, the upholding of EU values such as the rule of law and respect for fundamental rights;
- take the measures necessary to encourage the Member States to provide data on the length of judicial proceedings in the area of money laundering.

Efficiency: Parliament underlined the importance of efficient and timely proceedings. However, they noted with concern that such proceedings are still too lengthy in some Member States and pointed out that a large backlog of pending cases might also make citizens and businesses less willing to trust the judicial system, as well as decrease legal certainty.

Regretting the fact that the full potential of ICT systems has not yet been reached throughout the whole of the EU, Parliament called on the Member States to invest in the use and continued development of **ICT tools** in their judicial systems, in an effort to make them more accessible, more comprehensible and easier to use for all EU citizens, especially those with any form of disability and vulnerable groups, including national minorities and/or migrants. It also called on to **publish all court rulings online** as this will help citizens and businesses become better acquainted with the judicial system as well as make it more transparent.

Further **training** should be offered to judges in the fields of gender roles, norms and stereotypes, judicial ethics, IT skills, judicial management, mediation, and communication with parties and with the press. The importance of adequate training in EU law and in the different EU cooperation structures, such as Eurojust was also stressed.

Parliament encouraged the Member States and the EU institutions to support the further development of **mediation** at EU level and called on the Commission to assess systematically the impacts of mediation in the EU judicial systems.

Quality: Parliament called on the Commission to add **collective redress** procedures to next year's comparative exercise on accessibility factors of justice systems, as it considered access to justice and efficient dispute resolution to be of prime importance. Collective redress procedures facilitate citizens' access to justice and efficient dispute resolution and consequently eliminate unreasonable barriers, notably for citizens living below the poverty threshold or involved in cases with a cross-border dimension.

Legal fees: most Member States require parties to pay a court fee when initiating legal proceedings. The availability of legal aid and the level of court fees have a key impact on access to justice, a fundamental right in the EU, in particular for citizens in poverty. Parliament underlined the role of legal aid in guaranteeing that weaker parties can have access to justice on equal terms. The difficulty in obtaining legal aid could be a major deterrent where the court and/or legal fees represent a significant share of the value of the claim. In this regard, Members considered that legal aid should be linked to the poverty threshold in the Member States. Legal costs should, in general, be further lowered, for example by making use of national electronic eJustice portals.

Parliament also called on Member States to improve the user-friendliness of online information enabling citizens to determine whether they are eligible for legal aid, including accessible online information for persons who are visually impaired.

Gender balance: Parliament stressed the need to address the still existing gender balance disparities and considerable ratio gaps among judges, namely in higher instance courts/supreme courts, at both national and EU level. Member States are urged to direct efforts, particularly in the field of higher education, towards women in the judicial professions, and to encourage a positive attitude towards female judges.

Independence: the resolution stressed that sufficient autonomy must be ensured to shield prosecutorial authorities from undue political influence. It called on the Commission, therefore, to include a section devoted to the status of public prosecutors and their autonomy in the Scoreboard and to continue assessing legal safeguards for judicial independence, including in cooperation with the networks of the Supreme Courts and the Councils for the Judiciary.

Lastly, Member States are urged to examine the results of the 2017 Justice Scoreboard closely and to determine what lessons need to be drawn therefrom, and to consider whether national measures need to be adopted to correct any irregularities regarding the quality, efficiency and independence of their national justice systems.