Basic information

2013/2117(INI) INI - Own-initiative procedure	Procedure completed
EU Justice Scoreboard - civil and administrative justice in the Member States **Subject** 2.80 Cooperation between administrations 7.40.02 Judicial cooperation in civil and commercial matters 8.50.01 Implementation of EU law	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
JURI Legal Affairs	ZWIEFKA Tadeusz (PPE)	19/06/2013
	Shadow rapporteur BERLINGUER Luigi (S&D)	

Committee for opinion	Rapporteur for opinion	Appointed
ECON Economic and Monetary Affairs	The committee decided not to give an opinion.	
IMCO Internal Market and Consumer Protection	The committee decided not to give an opinion.	
REGI Regional Development	The committee decided not to give an opinion.	
LIBE Civil Liberties, Justice and Home Affairs	The committee decided not to give an opinion.	

European Commission

Commission DG	Commissioner
Justice and Consumers	REDING Viviane

Key events

Date	Event	Reference	Summary

27/03/2013	Non-legislative basic document published	COM(2013)0160	Summary
13/06/2013	Committee referral announced in Parliament		
26/11/2013	Vote in committee		
05/12/2013	Committee report tabled for plenary	A7-0442/2013	Summary
03/02/2014	Debate in Parliament		
04/02/2014	Decision by Parliament	T7-0064/2014	Summary
04/02/2014	Results of vote in Parliament		
04/02/2014	End of procedure in Parliament		

Technical information

Procedure reference	2013/2117(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Implementation
Legal basis	Rules of Procedure EP 55
Stage reached in procedure	Procedure completed
Committee dossier	JURI/7/12942

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE521.455	03/10/2013	
Amendments tabled in committee		PE522.806	25/10/2013	
Committee report tabled for plenary, single reading		A7-0442/2013	05/12/2013	Summary
Text adopted by Parliament, single reading		T7-0064/2014	04/02/2014	Summary

European Commission

Document type	Reference	Date	Summary
Commission document (COM)	COM(2013)0160	27/03/2013	Summary
Commission response to text adopted in plenary	SP(2014)414	18/06/2014	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	DE_BUNDESRAT	COM(2013)0160	09/07/2013	

Contribution	PT_PARLIAMENT	COM(2013)0160	26/07/2013	

EU Justice Scoreboard - civil and administrative justice in the Member States

2013/2117(INI) - 27/03/2013 - Non-legislative basic document

PURPOSE: presentation of the **EU Justice Scoreboard** for 2013.

BACKGROUND: the objective of the EU Justice Scoreboard is to assist the EU and the Member States to achieve more effective justice by providing objective, reliable and comparable data on the functioning of the justice systems of all Member States.

The main characteristics of the Scoreboard are:

- **a comparative tool:** it covers all Member States and focuses on timeliness, independence, affordability, and easy access to the Member States' justice systems without presenting an overall single ranking;
- **a non-binding tool:** it is to be operated as part of an open dialogue with the Member States which aims to help the Member States and EU institutions in defining better justice policies and to identify issues that deserve particular attention;
- **an evolving tool:** it will gradually expand in the areas covered, the indicators and the methodology, with the objective of identifying the essential parameters of an effective justice system.

Coverage: the 2013 edition examines efficiency indicators for non-criminal cases, in particular for **litigious civil and commercial cases** which are relevant for resolving commercial disputes, and for **administrative cases**.

CONTENT: the 2013 Scoreboard targets a certain number of difficulties such as:

1. **Length of proceedings:** at least one third of Member States have an average length of proceedings that is at least twice as long as in the majority of Member States. The length of proceedings is linked to the rate at which the courts can resolve cases, the 'clearance rate', and to the number of cases that are still waiting to be resolved (pending cases). If this situation persists over several years, this could be indicative of a more systemic problem requiring corrective measures. **The reduction of the excessive length of proceedings should be a priority** in order to improve the business environment and attractiveness for investment.
2. **Evaluation of the quality of justice:** effective time management of court cases requires that the courts, the judiciary and all justice end-users can be informed on the functioning of courts through a **regular monitoring system**. The Scoreboard shows that (i) a large majority of Member States has a comprehensive monitoring system, but several Member States are lagging behind or do not make the data available; and (ii) that several Member States do not perform regular evaluations of court activities and that quality standards are not defined in more than half of the Member States.
3. **Justice and ICTs:** ICT systems for the registration and management of cases are indispensable tools at the disposal of courts for an effective time management of cases, as they help to improve the rate at which the court can treat cases and thereby to reduce the overall length of proceedings. Most Member States have a well-developed system for the registration and management of cases; however, in several Member States developments are lagging behind. The ICT systems also play an increasing role in cross-border cooperation between judicial authorities and thereby facilitate the implementation of EU legislation.
4. **Alternative Dispute Resolution:** effective mediation and other alternative dispute resolution (ADR) methods provide an early settlement between parties on voluntary basis, reduce the number of pending cases and can thus have an important positive impact on the workload of courts, which are then more able to keep reasonable timeframes.
5. **Training of judges:** initial and continous training is important for maintaining or increasing the knowledge and the skills of justice personnel. Training is particularly important considering the continuous development of national and EU legislation, the increased pressure to meet the expectations of end-users and the trend towards the professional management within the judiciary.
6. **Resources:** investing in a well organised justice system can make an important contribution to sustainable growth.
7. **Disparity in the perception of independence:** as a general rule, justice must not only be done, it must be seen to be done. Even though several Member States are among the top 10 worldwide leaders in terms of the perception of judicial independence, the Scoreboard shows a rather low level of perception of judicial independence by business end-users of the justice system in certain Member States. These findings merit special attention and a more detailed assessment into why a lack of trust exists for certain Member States.

Next steps: the key findings of the 2013 Scoreboard highlight the priority areas that need to be addressed. The Commission will translate these priorities into the following actions:

- the issues identified in the Scoreboard will be taken into account in preparing the forthcoming country specific analysis of the 2013 European Semester. They will also guide the work in the context of the Economic Adjustments Programmes.
- the Commission has proposed that Regional Development and Social Funds will be available for reforms of the judicial systems in the next multi-annual financial framework.

On the basis of this Scoreboard, the Commission invites the Member States, the European Parliament, and all stakeholders to an open dialogue and constructive collaboration towards the continued improvement of the national justice systems in the EU in the context of the European Semester, of Europe's growth strategy 'Europe 2020', the strengthening of the Single Market and the EU's Citizens' Agenda.

In the medium term, the Commission plans to launch a wider debate on the role of Justice in the EU and will organise, on 21 and 22 November 2013, the *Assises de la justice*, a high-level conference, which will bring together senior policy makers at European and national level, judges from supreme courts and other courts, judicial authorities, legal professions and all stakeholders. Such a joint reflection is indispensable for **developing a true European area of justice**.

EU Justice Scoreboard - civil and administrative justice in the Member States

2013/2117(INI) - 04/02/2014 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution on the EU Justice Scoreboard.

Parliament noted that the Commission has issued the EU Justice Scoreboard, which compared national justice systems using particular indicators.

Members took note of the EU Justice Scoreboard with great interest and called on the **Commission to take this exercise forward** in accordance with the Treaties and in consultation with the Member States, while bearing in mind the need to avoid unnecessary duplication of work with other bodies.

It stated that the Scoreboard did not present an overall ranking of national justice systems, and it called on the Commission to take this exercise forward.

Indicators: Parliament pointed out the importance of assessing the functioning of justice systems as a whole as well as the importance of judicial benchmarking for cross-border mutual trust, for effective cooperation between justice institutions and for the **creation of a common judicial area and a European judicial culture**. It considered that any comparison of national justice systems, especially in relation to their previous situation, must be based on **objective criteria** and on evidence which is objectively compiled, compared and analysed. It stressed the importance of treating Member States impartially, thus ensuring equality of treatment between all Member States when assessing their justice systems. It pointed out that benchmarks must be set before information on national justice systems is gathered in order to develop a **common understanding of methodology and indicators**. Members called on the Commission to discuss the proposed method at an early date, in a transparent procedure involving the Member States.

Whilst praising the Commission's efforts to provide measurable data, Parliament pointed out that certain goals, such as the quality and the impartiality of justice, were very difficult to measure objectively, nor could the effectiveness of the justice system be measured using statistically quantifiable parameters alone, but should also take into account **structural peculiarities and differing social traditions in the Member States.**

Member States were asked to examine the results of the 2013 Justice Scoreboard closely and to **determine whether any consequences need to be drawn therefrom** for the organisation and progress of their respective civil, commercial and administrative justice systems.

Parliament called for:

Member States to collect relevant data on issues such as the cost of proceedings, mediation cases and enforcement procedures;

- encouraging mutual understanding and cooperation between national judicial systems, including by means of networks of contact judges;
- greater importance to be given to training programmes for judges, court staff and other legal practitioners, especially in the fields of European and comparative law;
- receiving data on cross-border cases, which often involved a greater degree of complexity than purely domestic cases and demonstrated the obstacles that EU citizens face when exercising their rights deriving from the EU single market, particularly in the application of EU law;
- giving consideration to cross-border mediation procedures in its next exercise of this kind, and Member States to actively promote mediation procedures with special regard to commercial matters and to family matters regulated at EU level (as in the cases of Rome III and Brussels II);
- the Commission to consider cross-border mediation procedures and promote the use of new technologies to effectively contribute to reducing costs and speeding up judicial procedures, in particular through the use of computerised applications and case management and communication tools.

Lastly, Parliament felt that the EU institutions should seek to cooperate with the Council of Europe's Commission for the Efficiency of Justice (CEPEJ) since it provided an excellent basis for the exchange of best practices, and duplication needed to be avoided.

EU Justice Scoreboard - civil and administrative justice in the Member States

2013/2117(INI) - 05/12/2013 - Committee report tabled for plenary, single reading

The Committee on Legal Affairs adopted the own-initiative report by Tadeusz ZWIEFKA (EPP, PL) on the EU Justice Scoreboard – civil and administrative justice in the Member States. It noted that the Commission has issued the EU Justice Scoreboard, which compared national justice systems using particular indicators, but did not present an overall ranking of national justice systems, and it called on the Commission to take this exercise forward. Members supported the aim of the exchange of best practices with a view to ensuring an efficient and independent justice system and believed that **any comparison of national justice systems must be based on objective criteria.** They asked the Commission to discuss the proposed method at an early date, in a transparent procedure involving the Member States.

Whilst praising the Commission's efforts to provide measurable data, the report pointed out that certain goals, such as the quality and the impartiality of justice, were very difficult to measure objectively, nor could the effectiveness of the justice system be measured using statistically quantifiable parameters alone, but should also take into account **structural peculiarities and differing social traditions in the Member States.**

Member States were asked to examine the results of the 2013 Justice Scoreboard closely and to **determine whether any consequences need to be drawn therefrom** for the organisation and progress of their respective civil, commercial and administrative justice systems. The report also called for:

- Member States to collect relevant data on issues such as the cost of proceedings, mediation cases and enforcement procedures;
- encouraging mutual understanding and cooperation between national judicial systems, including by means of networks of contact judges;
- greater importance to be given to training programmes for judges, court staff and other legal practitioners, especially in the fields of European and comparative law;
- receiving data on cross-border cases, which often involved a greater degree of complexity than purely domestic cases and demonstrated the obstacles that EU citizens face when exercising their rights deriving from the EU single market, particularly in the application of EU law;
- giving consideration to cross-border mediation procedures in its next exercise of this kind, and Member States to actively promote mediation procedures with special regard to commercial matters and to family matters regulated at EU level (as in the cases of Rome III and Brussels II).

Lastly, Members felt that the EU institutions should seek to cooperate with the Council of Europe's Commission for the Efficiency of Justice (CEPEJ) since it provided an excellent basis for the exchange of best practices, and duplication needed to be avoided.