



### Relevant websites

NCA's website on international relations

<https://www.domstol.no/nca>

Council of Europe-CEPEJ

<https://www.coe.int/en/web/cepej/>

EU-network - ENCJ

<https://www.encj.eu/>

Consultative Council of European Judges (CCJE):

<https://www.coe.int/en/web/ccje/home>

ACA Europe

<http://www.aca-europe.eu/index.php/en/>

Do you have feedback on the newsletter? Suggestions for topics?

Contact:

[Internasjonaltsekretariat@domstol.no](mailto:Internasjonaltsekretariat@domstol.no)

## International work

Welcome to our first newsletter! This is the first edition developed by the International Secretariat at the Norwegian Courts Administration (NCA). Our aim is to publish the newsletter ca. four times per year.

The objective of the newsletter is twofold. It will present relevant news concerning Norwegian courts' international work. It is also dedicated to providing news pertaining to international standards, good practices and general developments in the judicial sector. You will find links to recently published reports and publications, as well as news on activities that directly concern the EEA grants cooperation.

This time we are pleased to be able to present a new report from CEPEJ entitled «European Judicial Systems - Evaluation Cycle 2020».

The newsletter also describes reports from the ENCJ, the Council of Europe (CoE) and the OSCE. There is currently frequent exchange of experience about the handling of the COVID-19 pandemic in courts across countries. In addition, the EU's first report on the state of the rule of law in Europe, is published.



### **CEPEJ Evaluation Report - 2020 Cycle:**

This latest edition of the report by the European Commission for the Efficiency of Justice (CEPEJ), which evaluates the functioning of judicial systems of 45 Council of Europe member states, continues the process carried out since 2002, focusing the content of the report on the analysis of European trends. In addition, the CEPEJ has also developed, for the first time, country profiles, which present in a synthetic way the main data and indicators developed by the CEPEJ for each participating state. The objective of the CEPEJ in preparing this report is to enable policy makers, justice practitioners, researchers as well as those who are interested in the functioning of justice in Europe and beyond, to have access to the information needed to be able to understand, analyse and reform.

- Part 1: Tables, graphs, analysis
- Part 2: Country Sheets
- Part 3: CEPEJ-STAT database
- Link to the presentation note

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## Other relevant reports and news:

### CEPEJ

CEPEJ was established by the Council of Europe (CoE). Its aim is the improvement of the efficiency and functioning of justice in the 46 member States, and the development of the implementation of the instruments adopted by the CoE to this end. NCA is a member for Norway.

Read the CEPEJ declaration on lessons learnt and challenges faced by the judiciary during and after the COVID-19 pandemic here: <https://rm.coe.int/declaration-en/16809ea1e2>

You can also read about the impact and lessons of the COVID-19 crisis as regards the efficiency of justice and the functioning of the judiciary, which led to the adoption of the declaration here:

[Impact and lessons of the COVID-19 crisis as regards the efficiency of justice and the functioning of the judiciary](#)

Information on national judiciaries' COVID-19 emergency measures of COE member States:

[Solutions and measures implemented in the member States to ensure the functioning of European judicial systems in the context of the COVID pandemic-19](#)

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### OSCE

The OSCE stands for the Organization for Security and Co-operation in Europe. With 57 participating States in North America, Europe and Asia, the OSCE is the world's largest regional security organization.

Since the onset of the pandemic, OSCE has organised multiple webinars related inter alia, to how the pandemic has affected the judiciary and the functioning of courts. The pandemic has created considerable challenges for the rule of law in a number of states, including for the functioning of courts during states of emergencies, curfews and lock-downs. A recent publication entitled "The functioning of courts in the COVID-19 pandemic" looks at how courts across countries have handled the situation, and seeks to provide timely guidance.

The report can be read in full here: <https://www.osce.org/odihr/469170>

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### ENCJ

European Network of Councils for the Judiciary (ENCJ) unites the national institutions in the Member States of the European Union which are independent of the executive and legislature, and which are responsible for the support of the Judiciaries in the independent delivery of justice. The NCA has an observer status in the ENCJ.

ENCJ has recently published a report entitled "Independence, Accountability and Quality of the Judiciary Measuring for improvement". The [study and report](#) aims to move beyond debating independence and accountability at a theoretical level to the development of a practical method to analyse the current state of affairs.

A short summary of the report (in English) can be found here: <https://www.encj.eu/node/559>

The ENCJ has also organised a webconference with the title "The Rule of Law: protection is now urgent". European Commissioner for Justice and Consumers Protection Mr Didier Reynders and Mr Michal Simecka, Member of the EU Parliament for Renew Europe group - addressed the attendees. It was also the day that the mandate of Mr Kees Sterk as President of the ENCJ, expired. [This is the link to the recording on You Tube.](#)

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## European Commission

The European Commission has published the [first EU-wide report on the rule of law](#)

The report includes input from every Member State and covers both positive and negative developments across the EU. It shows that many Member States have high rule of law standards, but important challenges to the rule of law exists in the EU. It also reflects relevant developments stemming from the emergency measures taken by Member States due to the coronavirus crisis. The report covers four main pillars with a strong bearing on the rule of law: national justice systems, anti-corruption frameworks, media pluralism and freedom, and other institutional issues related to the checks and balances essential to an effective system of democratic governance.

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## CCJE

A Norwegian judge has been appointed to the Consultative Council of European Judges (CCJE): Former member - Judge Nils Asbjørn Engstad is replaced by Judge Wiggo Storhaug-Larssen. The CCJE is the Council of Europe's expert body for judges. The Council will support the national courts in their efforts to implement the standards that the Council of Europe has developed for judges. CCJE thus has a central role in assessing and formulating recommendations and guidelines for the legal systems in Europe.

You can read more about the CCJE here: <https://www.coe.int/en/web/ccje/home> and Information about the opinions given by the CCJE can be found here: <https://www.coe.int/en/web/ccje/ccje-opinions-and-magna-carta>

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## European Social Survey (ESS) - Justice and Fairness in Europe-analysis now available

Since 2002, the European Social Survey (ESS) has collected data from over 30 European countries. In other words, the ESS is a large, European survey that every two years maps Europeans' attitudes and values, and how they interact with institutional change in Europe. The survey explores comparable data on topics such as societal structures, economic inequality, identity, political interest, and the specific topic this time around is "Justice and Fairness in Europe".

To this end, the authors analysed data to examine public attitudes towards distributive principles, the fairness of incomes, life chances and political procedures. They discovered a wide variation between countries when it came to agreement that a society is fair when income and wealth are distributed equally - from 23% in Norway to 78% in Portugal.

The study further finds cross-country variations; the highest scores of so-called "political procedural justice" are found in Switzerland, Norway and Sweden respectively, while at the other end of the scale are countries such as Croatia, Bulgaria and Italy. Results are now available here:

[http://www.europeansocialsurvey.org/docs/findings/ESS9\\_toplevels\\_issue\\_10\\_fairness.pdf](http://www.europeansocialsurvey.org/docs/findings/ESS9_toplevels_issue_10_fairness.pdf)

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## EEA/Norway grants

The NCA is a donor program partner and project partner for the EEA/Norway grants in Bulgaria, Croatia, Lithuania and Romania. Several Norwegian judges and experts are involved in the cooperation. You can read more about it in the next newsletter. Or, you can already take a look here:

<https://www.domstol.no/domstoladministrasjonen/internasjonalt-arbeid/rettsoppbyggende-arbeid3/>

### **NCA webinar on court management during COVID-19**

Under the EEA grants, the NCA organized a webinar entitled "Balancing between (corona) safety in courts and the Rule of Law during corona pandemic". The purpose of the webinar was to share experiences and good practice between countries pertaining to court management of COVID-19.

Participants (including judges, employees of the Ministry of Justice and underlying agencies, etc.) in Romania, Croatia and Lithuania presented their respective national measures and handling of the crisis from a court perspective.

Arnfinn Bårdsen, judge in The European Court of Human Rights (EctHR) also held a speech on EctHR management during the pandemic, more specifically on how EctHR handles COVID-19, what challenges the pandemic presents for human rights and rule of law in general, and finally, an appeal to European judges. You can read the presentation in full here:

<https://www.domstol.no/contentassets/84b42f508eae41a9a9e7db5e67e6ec81/bardsen-covid-19-and-the-court.pdf>

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## Sharing best practices on handling the pandemic in courts

The Judicial Council of the Netherlands, the Raad vor der Rechtspraak and the NCA have in recent years met to discuss common challenges and developments. For natural reasons, it was organized online this year. For the same reasons, the management of the pandemic in the courts was the topic of this year's meeting, held 5 November 2020.

Organization of crisis management, the conduct of court hearings, digitalization, transparency and case handling were key topics. The Netherlands was severely impacted by the pandemic. Courts in the country have had difficulties conducting court hearings. The decline in the number of court decisions has been over 50 per cent, but since September somewhat better.

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## CoE

The CoE Committee of Ministers officially adopted revised European Prison Rules: Read the full rules (from 2006) here: <https://rm.coe.int/european-prison-rules-978-92-871-5982-3/16806ab9ae>

Click the link for information about the main changes: [Revised European Prison Rules: new guidance to prison services on humane treatment of inmates](#)