



2018/2009(INI)

16.4.2018

OPINION

of the Committee on Civil Liberties, Justice and Home Affairs

for the Committee on Legal Affairs

on the 2017 EU Justice Scoreboard
(2018/2009(INI))

Rapporteur for the opinion (*): Sylvie Guillaume

(*) Associated committee – Rule 54 of the Rules of Procedure

PA_NonLeg

SUGGESTIONS

The Committee on Civil Liberties, Justice and Home Affairs calls on the Committee on Legal Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

- having regard to the Treaty on European Union, in particular Articles 2, 6 and 7 thereof,
 - having regard to the Treaty on the Functioning of the European Union, in particular Articles 70, 85, 86, 258, 259 and 260 thereof,
 - having regard to the Charter of Fundamental Rights of the European Union,
 - having regard to the activities and reports of the European Commission for Democracy through Law (Venice Commission), in particular its Rule of Law Checklist (CDL-AD(2016)007-e),
 - having regard to its relevant resolutions in the areas of the rule of law and justice,
- A. whereas justice is a value in and of itself and is an essential part of the rule of law, in particular as regards citizens' access to justice and respect for the rules of a fair trial;
- B. whereas safeguarding the rule of law and defending fundamental rights and effective independent justice systems play a key role in creating a positive political environment, regaining public trust in institutions, underpinning the application of EU law, supporting sustainable economic growth and providing greater legal and regulatory predictability;
- C. whereas the current context imposes new challenges on the European judicial systems, which they will have to rise to;
1. Calls on the Commission to continue promoting the Scoreboard – so that it can become a useful tool for relevant stakeholders boosting the efficiency and quality of the European judicial systems – in accordance with the Treaties and in consultation with the Member States;
 2. Calls on the Commission to implement a scoreboard on criminal justice, but also on the presumption of innocence and other aspects of the right to a fair trial, which are closely linked to respect for the rule of law, in order to arrive at a global picture of justice in the European Union, thereby contributing to the common understanding of the different European judicial systems and the strengthening of the European judicial area; calls on the Commission to include in the Scoreboard its country-specific recommendations on improving national justice systems;
 3. Stresses that collective redress procedures are increasingly significant for facilitating access to justice and efficient dispute resolution; calls on the Commission to consider these procedures in the upcoming comparative exercises on the factors determining the accessibility of justice systems;
 4. Welcomes the Commission's efforts to assess, for the first time, certain aspects of criminal justice relating to the fight against money laundering, and recommends the Commission to take the measures necessary to encourage the Member States to provide

data on the length of judicial proceedings in this area, in view of the entering into force of the Fourth and, subsequently, the Fifth Anti-Money Laundering Directive;

5. Asks the Commission to consider including in the next Justice Scoreboard exercises information on access to justice for groups that could be underprivileged owing to disability, gender, sexual orientation, etc., with a view to identifying possible obstacles;
6. Underlines the fact that legal aid for consumers below the poverty threshold remains an essential balancing factor; notes the important role of legal aid in guaranteeing that weaker parties also have access to justice;
7. Emphasises the benefit of ICT systems for all stakeholders involved in improving the overall efficiency and quality of justice systems, and calls on the Member States and the European institutions to encourage the continued development of such tools; invites the Commission to provide more information on the use of these new technologies in the judicial systems of the Member States, and to make them more accessible to all EU citizens, including disabled persons and other vulnerable groups;
8. Calls on the Commission to 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;
9. Calls on the Commission to develop its methodology further, including by conducting more qualitative analyses, and to use such additional sources of information as can be provided by civil society, the private sector, academic experts and international organisations; invites the Member States and the Commission to cooperate actively in seeking to reduce the data gap, and to collect accurate, reliable and comparable information for the establishment of the Scoreboard;
10. Calls on the Member States and the European institutions to take appropriate action to ensure efficient and timely proceedings to strengthen the judicial protection of any person seeking to safeguard his or her rights;
11. Calls on the Commission to draw up new criteria for better assessing the conformity of judicial systems with the rule of law, drawing in particular on the Commission of Venice's Rule of Law Checklist;
12. Calls on the Member States and the European institutions to strengthen the independence of justice in the EU, in particular as regards the guarantees provided by the status of judges and prosecutors, and encourages the Commission to include more information on these issues in the Justice Scoreboard;
13. Calls on the Commission to include, in the part of the Scoreboard that deals with the independence of the judiciary, a section devoted to the status of public prosecutors and to their autonomy;
14. Recalls the request made in its resolution of 25 October 2016 on a EU mechanism on

democracy, the rule of law and fundamental rights¹, and reiterates its request to the Commission to submit a proposal for the conclusion of a Union Pact for Democracy, the Rule of Law and Fundamental Rights (DRF Pact); calls on the Commission to bundle existing reports, including the Justice Scoreboard, until the DRF Pact is in place;

15. Stresses the need to address gender balance disparities and ratio gaps among judicial staff, especially judges; stresses that future scoreboards should include information on such staff, its recruitment training and gender distribution;
16. Calls on the Commission to take into account the fight against corruption, and considers the inclusion of this issue in the Justice Scoreboard to be a priority.

¹ Texts adopted, P8_TA(2016)0409.

INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

Date adopted	12.4.2018
Result of final vote	+: 37 -: 7 0: 0
Members present for the final vote	Asim Ademov, Daniel Dalton, Rachida Dati, Tanja Fajon, Laura Ferrara, Ana Gomes, Nathalie Griesbeck, Sylvie Guillaume, Jussi Halla-aho, Monika Hohlmeier, Filiz Hyusmenova, Sophia in 't Veld, Dietmar Köster, Monica Macovei, Roberta Metsola, Péter Niedermüller, Ivari Padar, Helga Stevens, Traian Ungureanu, Bodil Valero, Kristina Winberg, Tomáš Zdechovský, Auke Zijlstra
Substitutes present for the final vote	Gérard Deprez, Iratxe García Pérez, Maria Grapini, Anna Hedh, Marek Jurek, Jean Lambert, Gilles Lebreton, Andrejs Mamikins, Angelika Mlinar, Emilian Pavel, Alyn Smith, Barbara Spinelli
Substitutes under Rule 200(2) present for the final vote	Pervenche Berès, Lynn Boylan, Matt Carthy, Kostadinka Kuneva, Marijana Petir, Julia Pitera, Evelyn Regner, Monika Smolková, Julie Ward

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

37	+
ALDE	Gérard Deprez, Nathalie Griesbeck, Filiz Hyusmenova, Sophia in 't Veld, Angelika Mlinar
ECR	Helga Stevens
EFDD	Laura Ferrara
GUE/NGL	Lynn Boylan, Matt Carthy, Kostadinka Kuneva, Barbara Spinelli
PPE	Asim Ademov, Rachida Dati, Monika Hohlmeier, Roberta Metsola, Marijana Petir, Julia Pitera, Traian Ungureanu, Tomáš Zdechovský
S&D	Pervenche Berès, Tanja Fajon, Iratxe García Pérez, Ana Gomes, Maria Grapini, Sylvie Guillaume, Anna Hedh, Dietmar Köster, Andrejs Mamikins, Péter Niedermüller, Ivari Padar, Emilian Pavel, Evelyn Regner, Monika Smolková, Julie Ward
VERTS/ALE	Jean Lambert, Alyn Smith, Bodil Valero

7	-
ECR	Daniel Dalton, Jussi Halla-aho, Marek Jurek, Monica Macovei
EFDD	Kristina Winberg
ENF	Gilles Lebreton, Auke Zijlstra

0	0

Key to symbols:

+ : in favour

- : against

0 : abstention