



Programme area n°21

Effectiveness and Efficiency of the Judicial System, Strengthening Rule of Law

OBJECTIVE

Strengthened rule of law

AREAS OF SUPPORT

- > Efficiency of the judiciary and quality of judicial decision-making
- > Stimulating integrity and addressing corruption in the judiciary
- > Access to justice, including for vulnerable groups
- > International cooperation between actors within the judicial system, including Eurojust
- > Efficient justice chain: cooperation and networking between justice institutions, including courts, prosecution, police and correctional services
- > Promoting openness and cooperation between the judiciary and civil society as well as relevant public authorities
- > Justice capable of addressing hate crime and extremism
- > Child-friendly justice
- > Restorative justice

SUGGESTED MEASURES

- > Improving administrative capacity, skills and effectiveness of the judiciary, including upgrading of technical equipment, reviewing management practices, and improving gender balance in access to justice and in the senior judiciary
- > Training of judges, lawyers and prosecutors on the European Convention on Human Rights and relevant case law, training for legal professionals and support for professional associations
- > Establishing objective and transparent appointment, promotion and transfer procedures for judges and prosecutors
- > Improving systems for legal aid, including access to free legal aid
- > Establishing judicial procedures responding to the rights of persons with special needs
- > Supporting European judicial culture through study trips, secondments and exchanges increasing the knowledge of fundamental and human rights, EU law and other international legal instruments
- > Enhancing justice chain data collection facilitating knowledge development
- > Establishing networks of public institutions and non-governmental organisations (NGOs)
- > Addressing child abduction and establishing child-friendly facilities, including in and out of court interviewing
- > Increasing the use of restorative justice, including projects aimed at national strategy and overall administration of juvenile justice
- > Preventing and combating corruption, money laundering, including proceeds from tax crimes, financing of terrorism and proliferation of weapons of mass destruction
- > Small grant scheme(s) for NGOs

RELEVANCE OF SUPPORT

The lack of public trust in the judicial system is widespread across Europe. Corruption within the judiciary, excessive length of proceedings and chronic non-enforcement of judicial decisions in some countries are among the factors that contribute to this lack of trust. Fair and efficient judicial systems and rule of law are essential to regain public trust in the courts.

The European Convention on Human Rights remains the cornerstone for the protection of human rights and fundamental freedoms in Europe. The case law of the European Court of Human Rights and the findings of the Council of Europe's European Commission for the Efficiency of Justice (CEPEJ) show that many countries face challenges in their judicial system. The CEPEJ aims to improve the efficiency and functioning of justice in the member states and to further foster the implementation of the instruments adopted by the Council of Europe to this end. For this reason programmes under this programme area are suitable for implementation in cooperation with the Council of Europe.

The report "State of democracy, human rights and rule of law in Europe" by the Secretary General of the Council of Europe (April 2014) found that the key measures to improve the judiciary were to shorten the length of judicial proceedings and enforce court decisions, strengthen transparency within the judicial system, improve the quality of training of judges and improve gender balance in the senior judiciary. To ensure greater fairness in the court system it is important that access is equal for all and that the courts are designed to meet the needs of different groups within society, in particular children. With hate crime on the rise it is also important that judges receive additional training in this area.

A fair judiciary that ensures predictable, timely and enforceable judicial decisions contributes to trust and stability. This is not only important for people's faith in the system, it is also crucial in ensuring a sound business and investment environment. National justice systems are important for meeting the goals of the EU's Europe 2020 strategy to restore confidence and attract the investment needed for Europe's return to growth. Equally important are European networks of legal practitioners that contribute to building and nurturing a European judicial culture and facilitating mutual trust and judicial cooperation.

Adherence to recommendations made by European and international monitoring mechanisms and the judgments of European and international courts shall be ensured if applicable.

PROGRAMME AREA SPECIFICS

- > A maximum level of funding available for infrastructure (hard measures) shall be identified in the memorandum of understanding or exceptionally in the programme's concept note