



NETWORK OF THE PRESIDENTS
OF THE SUPREME JUDICIAL COURTS
OF THE EUROPEAN UNION



RÉSEAU DES PRÉSIDENTS
DES COURS SUPRÊMES JUDICIAIRES
DE L'UNION EUROPÉENNE

Contribution of the Network of the Presidents of the Supreme Judicial Courts of the European Union to the 2023 Rule of Law Report

(<https://www.network-presidents.eu/>)

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Questions on horizontal developments

In this section, you are invited to provide information on general horizontal developments or trends, both positive and negative, covering all or several Member States. In particular, you could mention issues that are common to several Member States, as well as best practices identified in one Member State that could be replicated. Moreover, you could refer to your activities in the area of the four pillars and sub-topics (an overview of all sub-topics can be found below), and, if you represent a Network of national organisations, to the support you might have provided to one of your national members.

The Network of the Presidents of the Supreme Judicial Courts of the European Union appreciates that the rule of law in the Member States remains among the priorities of the European Union.

The Network follows with concern the developments undermining the rule of law and in particular the independence of judiciary. It emphasises that the judiciary can only fulfil its role when the internal and external independence of the judicial system is guaranteed.

The Network was created in 2004 to bring the Supreme Judicial Courts of the EU Member States closer together and has worked towards this goal over the past 18 years. The Network notes with gratitude that several Supreme Courts sharing the values of the Union, most recently Iceland and Ukraine, have also joined the Network as Associate Members and Observers thereby endorsing wider European cooperation. The Network continues to promote dialogue among all its members and provides an appropriate forum for discussing every topic important to participating Supreme Judicial Courts.

At the last Colloquium of the members of the Network, which took place in October 2022 in Brno, Czech Republic, the Network dealt with the issue of “Judicial ethics, disciplinary proceedings and the liability of judges” followed by a discussion on “How can Supreme Courts contribute to public trust in the judiciary?”.

The national Supreme Judicial Courts do not act in isolation. Dialogue with other institutions, most notably with the European Court of Justice (CJEU) and the European Court of Human Rights (ECtHR), is essential. A Joint-Meeting to bring together the CJEU, the ECtHR and the members of the Network is planned, at the kind invitation of the Supreme Court of Austria, for autumn 2023 in Vienna. One of the topics on the agenda is the divergences of case law and the mechanisms to promote the alignment of jurisprudence. It has also been decided to elaborate further, with Colleagues at the CJEU and the ECtHR, on the increasing impact of artificial intelligence on administration of justice given the accelerated rate of digitalisation and

the successful discussions the Network already had on “Open Data and Artificial Intelligence” at the Stockholm Colloquium in May 2022.

Moreover, the Network's Exchange Programme of Supreme Court Justices continued successfully in 2022 with 19 individual exchanges completed. The Programme is an important cornerstone for strengthening ties and mutual trust between the national Supreme Judicial Courts.