



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 2024 Rule of Law Report

(<https://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 the commitment of the European Commission in upholding and promoting the rule of law and extends its gratitude for the invitation to contribute to the year 2024 Rule of Law Report.

The Network has from the start tasked itself with comparing national practices and determining best European practices. With 27 Member States of the European Union as full Members, Iceland, Liechtenstein, Norway and United Kingdom as Associate Members and Albania, Montenegro, Serbia (as of November 2023) and Ukraine as Observers, the Network aims to promote shared legal culture in 35 countries.

Consultations among Members of the Network demonstrate that questions related to the independence of judiciary and the quality of justice continue to be relevant. In 2022 Members of the Network requested information from one another, inter alia, on topics such as *Extrajudicial activities of Judges*, *Appointment and Social Guarantees of Judges*, *Freedom of Speech of Judges*, *Fair Remuneration of Judges* and in 2023 on questions such as *Evaluation of Supreme Court Judges* and *Financing of the Judiciary*.

The questions raised indicate that adequate funding of judiciaries (including salaries of judges and court staff) as well as social guarantees and restrictions placed on judges remain topical issues in several member states of the Network. The above-mentioned undoubtedly also contributes to the challenge of attracting and retaining people in the judiciary as also reported by various members of the Network. The Board of the Network, acknowledging that said issues deserve further attention, proposed *Attractiveness of the Judiciary* as one of the central themes of the year 2024 Conference of the Network.

The speed of development of Artificial Intelligence (AI) has prompted the Network to follow the advances in this field. The topic of AI affecting the work of the courts was first discussed at the year 2022 Stockholm Colloquium of the Network and revisited during the Joint-Meeting with

the Court of Justice of the European Union and the European Court of Human Rights in November 2023 in Vienna. Under the auspices of Mr Donal O'Donnell, Chief Justice of Ireland, a survey mapping the current and planned uses of AI in court processes was carried out among Members of the Network, the CJEU and the ECtHR.

A working session on *Uniformity of Case-Law at Supreme Court Level. Internal Divergences: Solutions and Good Practices* was also held during the Vienna Meeting. The introductory comparative report, established by Ms Beatrice Deconinck, First President of the *Cour de cassation* of Belgium, mapped factors contributing to divergent case-law as well as mechanisms to prevent and resolve divergences important for enhancing the quality and uniformity of legal decisions.

Third session of the said Meeting entitled *The Judicial Dialogue: Fundamental Rights Issues in Court Judgments* dealt with practices, needs and dilemmas of national Supreme Courts when interpreting and applying fundamental rights in cases within the multi-layered legal order of EU law, the ECHR and (other) national law. The introductory report, based on contributions of national Supreme Courts, was presented by Ms Dineke de Groot, President of the Supreme Courts of the Netherlands.

The Network's exchange programme also continued in 2023 with 18 individual exchanges completed. In total, 17 Supreme Courts were involved in the programme through sending and receiving participants. The Programme remains an attractive activity of the Network with participants reporting that exchanges greatly improve their knowledge of the institutions and law of the host country and enhance their feeling of mutual trust and belonging to a common judicial culture. The exchange programme is open to all Members, including Associate Members and Observers of the Network.