

DISCLAIMER: This document was prepared by one or more organisations that contributed to the Forum with an 'Open Session'. The information and views contained in the document do not necessarily reflect the views or the official position of the FRA. The document is made publicly available for transparency and information purposes.

OPEN SESSION – REPORTING BACK

TITLE	PROTECTING THE RULE OF LAW, BY PROMOTING UNDERSTANDING OF AND RESPECT FOR JUDICIAL INDEPENDENCE AND ACCOUNTABILITY
HOST AND CO-HOST ORGANISER(S)	EUROPEAN NETWORK OF COUNCILS FOR THE JUDICIARY
DATE AND TIME	26 SEPTEMBER 2018, 14:00-15:15

WHAT WERE THE 3 KEY MESSAGES OF YOUR OPEN SESSION? WHICH CONCLUSIONS WERE DRAWN?

Due to time constraints and the specific set up of the session and venue the discussions were limited to two questions:

1. What more can we do to guarantee an independent judiciary
2. What can we do to explain the need for an independent judiciary

The 3 key message were:

1. To strengthen its position as one of the three state powers, the Judiciary should have a voice and use it.
2. Citizens (members of society) must be made more aware of the importance of independence i.e. by translating the importance of the judiciary to where it affects (potentially) their everyday life
3. Low trust in the judiciary provides a basis for (bad) judicial reforms and challenges to the independence. Judges should be closer to the people and need to be spotless

WHAT ARE THE 3 KEY RECOMMENDATIONS AND WHICH NEXT STEPS ARE PROPOSED? (PLEASE INDICATE WHO EACH RECOMMENDATION IS TARGETED AT – EG: THE EU SHOULD...)

1. The Judiciary should focus on communication issues – try to communicate with public, stakeholders and other branches of state. Use the media to reach out, either the traditional media or social media and educate the young people who take things for granted. At the same time, all decisions and communications of the judiciary should be in accessible language.
2. The Judiciary should explain the role of the judiciary and judges by giving an insight into the daily life and pressures of the judge
3. Politicians should respect independence; there should be rules in place that prevent politicians to influence cases.

As part of the follow up/next steps after my session, my organization will discuss these key messages within the ENCJ project on the Image of Justice and Public Confidence. This project is due to publish a report in June 2019.

As part of the follow up/next steps after my session, I believe, FRA could/should support the promotion of the Rule of Law and judicial independence by liaising with the judiciaries in the Member States and identifying mutual actions in this field.

Fundamental Rights Forum 2018

Vienna 25-27 September



WHICH GOOD PRACTICES OR NEW INSIGHTS WERE GIVEN? DID YOU DISCOVER ANY NEW POTENTIAL PARTNERS TO WORK WITH FOR YOUR ISSUE?

Even though we had established beforehand that the CCBE / Bar Associations should be one of our partners in this area, we are confirmed in this believe by the session. The same goes for the academic world, ENCJ could strengthen its impact by liaising with academics and seeking external validation.