



EUROPEAN COMMISSION

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Dear President,

The Commission would like to thank the Bundesrat for its Opinion concerning the EU Justice Scoreboard {COM(2013) 160 final}.

The objective of the EU Justice Scoreboard is the continuous improvement of the national justice systems in the European Union through, among other means, an open dialogue and a constructive collaboration between the Commission and Member States. The Opinion of the Bundesrat is a valuable contribution to this open dialogue.

The Commission would like to clarify that the EU Justice Scoreboard does not question the responsibility of the Member States for the organisation and the improvement of their judicial systems, nor does it promote any model of justice system. The EU Justice Scoreboard aims to assist the Member States to achieve more effective justice by providing objective, reliable and comparable data on the functioning of the justice systems. Indeed an effective justice system is essential for the effectiveness of all EU law, including economic law that contribute to growth. Whenever a national court applies EU legislation, it acts as a "Union Court" and must provide an effective judicial protection for everyone whose rights guaranteed by EU law were violated. The importance of this right to an effective remedy before a tribunal is enshrined in the Charter of Fundamental Rights of the European Union (Article 47).

As regards the inclusion of the EU Justice Scoreboard in the European Semester, the Commission would like to observe that the aim of the European Semester is to lay the foundations for the return to growth and job creation in the EU. The quality, independence and efficiency of justice systems are important structural components of sustainable growth and social stability in all Member States. The inefficiencies of the justice systems in one Member State impact negatively not only on its growth rate but also on the functioning of the whole Single Market and thereby the economies of all Member States. For this reason, the European Council of 27-28 June concluded the 2013 European Semester by endorsing the country-specific recommendations, including those related to the improvement of the independence, efficiency or quality of the judicial systems of several Member States.

*Winfried Kretschmann
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Furthermore, the Justice Scoreboard respects the differences in national judicial systems. The different and varied legal traditions should be safeguarded. However, the model of the national justice system, timelines, independence, affordability and easy access are hallmarks of an effective justice system.

The Commission hopes that these clarifications address the issues raised in the Bundesrat's Opinion and looks forward to continuing our dialogue on these issues of common interest in the future.

Yours faithfully,

*Maroš Šefčovič
Vice-President*

