



*Brussels, 8.8.2014
C(2014) 5842 final*

Dear President,

The Commission would like to thank the Bundesrat for its Opinion concerning the 2014 EU Justice Scoreboard {COM(2014) 155 final}.

The EU Justice Scoreboard contributes towards identifying, in an open dialogue and constructive collaboration with Member States and stakeholders, the good examples and possible shortcomings of national justice systems with a view to improving their effectiveness. The Opinion of the Bundesrat is a valuable contribution to this open dialogue.

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 have binding or anticipated effects. The EU Justice Scoreboard is used as an information tool in the framework of the European Semester. Poor performance revealed by the Scoreboard indicators always requires a deeper analysis of the reasons behind the result. Country-specific assessments are carried out in the context of the European Semester process through bilateral dialogue with concerned authorities and stakeholders and take fully into account the particularities of the legal system and the context of the concerned Member States.

The Commission would like to clarify that the fact that effective national justice systems are a structural component for economic growth, does not diminish the fundamental role of the judiciary in our European democracies. This role is explicitly underlined in the 2014 EU Justice Scoreboard, as well as the importance of the right to an effective remedy before a tribunal which is enshrined in the Charter of Fundamental Rights of the European Union (Article 47). Whenever a national court applies EU legislation, it acts as a "Union Court" and must provide effective judicial protection for everyone, citizens and businesses, whose rights (guaranteed by EU law) were violated.

The effectiveness of justice systems is therefore crucial for the implementation of EU law, the strengthening of mutual trust and the protection of fundamental rights. Quality, independence and efficiency are the key components for an effective justice system and the EU Justice Scoreboard provides information on these three components.

In the 2014 EU Justice Scoreboard, the Commission made particular efforts to provide further explanations with the figures and more focused indicators through pilot studies in the areas of competition and consumer EU law. The Commission is pleased to note that the Bundesrat welcomes these improvements.

*Mr Stephan WEIL
President of the Bundesrat
Leipziger Straße 3 - 4
D – 10117 BERLIN*

The Commission also takes note of the specific comments on the German situation as regards training that are useful to contextualise the data. As regards the comments on the length of judicial proceedings for administrative cases, it should be noted that the data in the EU Justice Scoreboard has been provided by the European Commission for the Efficiency of Justice (CEPEJ) according to its widely recognised methodology.

The Commission hopes that these clarifications address the concerns raised by the Bundesrat and looks forward to continuing our political dialogue in the future.

Yours faithfully,

*Martine REICHERTS
Member of the Commission*