



EUROPEAN COMMISSION

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C(2015) 5727 final

Dear President,

The Commission would like to thank the Bundesrat for its Opinion concerning the 2015 EU Justice Scoreboard {COM(2015) 116 final}.

The Commission welcomes the particular attention paid by the Bundesrat to the EU Justice Scoreboard and appreciates its specific comments. The EU Justice Scoreboard is an information tool that feeds the European Semester for assisting Member States to improve, where necessary, the effectiveness of their justice system. It contributes towards identifying, in an open dialogue with Member States and stakeholders, the good examples and possible shortcomings of national justice systems. The Opinion of the Bundesrat is a valuable contribution to this open dialogue.

The Commission agrees on the importance of continuing the efforts for each edition of the EU Justice Scoreboard to improve the completeness and quality of the data without creating any additional burden for national judicial systems. The Commission is pleased to note that the Bundesrat welcomes in the 2015 edition the enriched contextualisation and comments that have been included under a number of figures.

The Commission would also like to clarify certain specific issues raised in the Opinion.

The Opinion questions the findings on the length of proceedings presented in figures 4, 5 and 6. It should be clarified that figure 4 does not present the average value of figures 5 and 6, as it reflects the length of a wider category of proceedings including litigious and non-litigious proceedings. The Commission takes note of the interest expressed by the Bundesrat to look deeper into the specific types of cases which fall under the category of administrative cases in order to improve comparability.

The Commission also recalls that data used for these figures, including those on administrative law cases, have been provided by Member States to the Council of Europe Commission for Evaluation of the Efficiency of Justice (CEPEJ) which follows a widely recognised methodology.

*Mr Volker BOUFFIER
President of the Bundesrat
Leipziger Straße 3 - 4
D – 10117 BERLIN*

As regards the comment on section 3.1.3 of the 2015 EU Justice Scoreboard, it should be clarified that it is due to the calculation method used by CEPEJ that the number of pending cases influences the reported length of proceeding.¹

The Commission shares the views of the Bundesrat on the importance of judicial training and takes note of the comments on figure 37, in particular on the need for more precise questionnaires relating to judges who participate in EU law training activities. The Commission recalls that this figure derives from the yearly report published since 2012 on European judicial training² where additional information on length and quality of training can be found. Whilst the Commission is ready to reflect on developing more precise data in the training area, it also underlines the importance of avoiding burdensome and complex data collection processes, in particular when it would require the involvement of all individual training providers.

As regards the data on budget, the Commission is aware of the methodological difficulties for presenting these data, including within Germany. The data in figures 39 to 41 stems from well-established sources, namely CEPEJ and Eurostat, and provide a useful overview, including of the trends in particular Member States.

The EU Justice Scoreboard uses different sources of information which are subject to their own quality and validation processes. Most of the data are provided by the relevant national authorities, either by the ministries of justice or by the judiciaries themselves (e.g. supreme courts or the council for the judiciary). These validation processes should not be duplicated in order to avoid confusion, inconsistencies or doubts about the objectivity of data.

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

Yours faithfully,

*Neven Mimica
Member of the Commission*

¹ The length of proceeding ('disposition time') is the number of unresolved cases divided by the number of resolved cases at the end of the year multiplied by 365 days.

² http://ec.europa.eu/justice/criminal/files/final_report_2014_en.pdf