



*Brussels, 10.10.2017
C(2017) 6682 final*

Dear Chair,

The Commission would like to thank the Camera dei Deputati for its Opinion on the 2017 European Union Justice Scoreboard {COM(2017) 167 final}.

The European Union Justice Scoreboard is an information tool which contributes to promoting the rule of law by helping Member States to improve, where necessary, the effectiveness of their justice systems. At a time when a number of Member States are taking measures to adapt or reform their justice systems, the European Union Justice Scoreboard helps them to learn from each other.

The Commission welcomes the Camera dei Deputati's assessment of the European Union Justice Scoreboard and appreciates its specific comments. The work undertaken by the Camera dei Deputati constitutes an important contribution to the open dialogue with Member States on the improvement of national justice systems, which is one of the objectives of the European Union Justice Scoreboard.

The Commission shares the Camera dei Deputati's view that the quality and efficiency of the justice systems are a decisive factor in encouraging economic growth and are crucial for safeguarding the legal status of European citizens in accordance with European Union law, the rule of law and fundamental rights.

The Commission also welcomes the Camera dei Deputati's reference to the relevance of the European Union Justice Scoreboard in the context of the European Semester.

The Commission is pleased that the Camera dei Deputati is of the opinion that the European Union Justice Scoreboard's comparative analysis of judicial systems is a particularly useful instrument to reveal best practices in Member States and enable them to be shared.

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*cc Ms Laura BOLDRINI
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In addition, the Commission agrees with the Camera dei Deputati that judicial systems able to guarantee legal certainty can contribute to attract more investment and establish a favourable environment for businesses.

In response to the more technical comments in the Opinion the Commission would like to refer the Camera dei Deputati to the attached annex.

The Commission hopes that the clarifications provided in this reply address the issues raised by the Camera dei Deputati and looks forward to continuing the dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Věra Jourová
Member of the Commission*

Annex

The Commission has carefully considered each of the issues raised by the Camera dei Deputati in its Opinion and is pleased to offer the following clarifications:

As regards the recent Italian justice reforms, the Commission has taken note of the efforts made so far and wishes to draw the Camera dei Deputati's attention to the specific analysis of the Italian justice reforms provided in the framework of the European Semester and published in the 2017 Country Report for Italy¹ and the 2017 Country Specific Recommendations².

As to the Camera dei Deputati's observation that future versions of the European Union Justice Scoreboard could look more closely at the effective safeguards for protecting judicial independence (structural independence), the Commission would like to recall that the European Union Justice Scoreboard is an evolving tool which is developed in dialogue with national judiciaries, ministries of justice and other stakeholders. The Commission notes that the European Union Justice Scoreboard, since 2014, includes a part on structural independence, which provides an overview of safeguards for protecting judicial independence in certain situations, where the independence could be threatened. The overview on structural independence has been developed in close cooperation with European judicial networks, particularly the European Network of Councils for the Judiciary and the Network of Presidents of the Supreme Judicial Courts of the European Union.

The Commission takes note of the Camera dei Deputati's view that a more analytical and in-depth comparison of the safeguards for structural independence would be desirable. The Commission has been encouraging European judicial networks to further develop their examination of the effectiveness of these safeguards. The Commission has been informed that the European Network of Councils for the Judiciary has advanced in this examination (e.g. on non-transferability of judges, on funding of the judiciary) and has carried out a new survey of judges (e.g. on judges' perception of judicial independence, judges' perception on whether appointments and promotions were based on the ability and experience of the judges). The results of this work could feed into future editions of the European Union Justice Scoreboard.

The Commission notes the Camera dei Deputati's position that the European Union Justice Scoreboard could devote more attention to the efforts made in the various Member States as regards professional training, retraining and the specialisation of the judiciary, in light of complex legislation in specific areas. The 2017 European Union Justice Scoreboard contains

¹ 2017 Country Report for Italy, 22 February 2017, Commission Staff Working Document, pp. 58-59, available at: https://ec.europa.eu/info/sites/info/files/2017-european-semester-country-report-italy-en_0.pdf

² 2017 European Semester: Country Specific Recommendation / Commission Recommendations – Italy, Recommendation 2, p. 9, and Recital 15, p. 7, available at: <https://ec.europa.eu/info/sites/info/files/2017-european-semester-country-specific-recommendations-commission-recommendations-italy.pdf>

a section dedicated to the training of judges which shows in which areas judges are trained at the beginning of their tenure (initial training, Figure 39), and also the areas in which judges are trained as part of continuous training (European Union law training: Figure 40; training on various types of skills: Figure 41; training on communication with parties and press: Figure 42). The decision whether further figures showing more detailed data on judges' training could be included in future editions of the European Union Justice Scoreboard would depend, amongst others, on the availability of data in all Member States.