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EUROMED JUSTICE III PROJECT
Component I
Access to Justice and Legal Aid
WG 1.2.2
“Justice and the use of new technologies”
PREPARATION OF A HANDBOOK
“Handbook describing possible approaches and best practices with regards to the use of technologies for the case management, circulation of materials, data collection in the legal field and communication of case law to the public.”
Paris (FR), 27- 29 November 2012
Hotel Provinces Opera
Paris (FR)

1. - General Information

2. - Main discussion items addressed during the meeting

3. - Summary of the main provisional results obtained during the meeting

1. - General Information

The 2nd meeting of the Working Group 1.2 Justice and New Technologies: “Handbook describing approaches and best practices with regards to the use of technologies for the case management, circulation of materials, data collection in the legal field and communication of case law to the public”, under component “Access to Justice and Legal Aid” of the EuroMed Justice III Project of the European Commission, funded by the European Union, took place on 27, 28 and 29 November 2012 in Paris.

The participants were members of the delegations of the following Mediterranean countries: Algeria, Egypt, Israel, Jordan, Lebanon and Tunisia.

Moreover, the meeting was also attended by Mr Patrice Budry, Programme Manager, Human Rights, Civil Society and Governance Section, European Union Delegation to the Arab Republic of Egypt. A representative of SOFRECO attended parts of the meeting and one expert working for the CEPEJ of the Council of Europe intervened during the second day of the meeting.

The meeting was opened by Mr Andrés Salcedo Velasco, Team Leader of the EuroMed Justice III Project, and by Mr Patrice Budry, who welcomed the participants. The meeting was also closed by Andrés Salcedo Velasco and Patrice Budry.

The main topics suggested for discussion during this meeting were introduced by the Project Team experts and the main short-term expert, Mr Javier Monsó Briñardeli, in charge of this Working Group.

One presentation was made during the meeting: “Presentation on Access to Justice and the new technologies: the CEPEJ’s approach” by Christel SCHURRER, European Judicial Systems Expert for the European Commission for the Efficiency of Justice (CEPEJ) of the Council of Europe. During this presentation, the expert gave a general introduction to the justice sector at the Council of Europe; she also presented the Consultative Council of European Judges (CCJE) and the main objectives pursued by the CEPEJ. Afterwards, she explained in more details the work developed by the CEPEJ regarding access to justice and the use of new technologies. In this respect, she pointed out the CEPEJ evaluation reports analysing concrete aspects such as budgets allocated to new technologies, new technologies and users information or the use of Information and Communication Technologies (ICT) in courts (e-justice and e-courts).

This presentation was followed by an open debate.

2. – Main discussion items addressed during the meeting

During the working sessions, various topics were discussed by the participants with the support of the Project Team and the experts present.

Special mention should be made of the discussion on issues such as:

The importance of having an ICT steering and strategic development

In this respect, the discussion was about the advisability of having a strategic Plan, how to coordinate this strategic plan with other strategic plans of the administration, in particular the e-Government Plans.

Monitoring the implementation of development and modernisation plans in this field was also discussed, as well as the follow-up of players involved and their characteristics.

The importance of bilateral communication between administration and citizens

The discussion revolved around the strategic importance of communicating to citizens the results achieved by ICT in the field of justice with a view to bringing citizens closer to using ICT and optimizing their use, and to adding social value to justice.

Level of ICT knowledge and use

The debate also addressed the appropriate level of competence among legal operators in using ICT and their training needs. Moreover, the minimum technological level of staff at the disposal of judges and courts was also discussed.

Furthermore, participants also discussed the issue of compulsory use of ICT for professionals involved as well as for citizens, and also its control and consequences.

Participants also had the opportunity to analyse the advisability of compulsory initial training on the use of ICT; they had a debate on the characteristics of continued training, especially on-line training. From this angle, they analysed in more details the use of tools such as professional forums and chats.

On the other hand, during the meeting there was also a debate on the necessity, stressed by the participants, to legislate in a more specific way on the issues addressed.

Special attention was paid to the use of ICT by citizens. From this perspective there was an in-depth discussion on how to guarantee the use of ICT in the field of justice for the most vulnerable groups.

There was also a reflection on the information cards regarding services that aim to facilitate access to justice for citizens.

Finally, the role of lawyers' associations was analysed.

The various debate sessions were complemented with a review of and possible amendments to the working documents drawn up as a result of the first meeting.

3. - Summary of the main provisional results obtained during the meeting

Considering the objectives of this meeting and taking into account the recommendations made during the working sessions and the debate, the participants approved a document called Final Conclusions in which they stressed that this third meeting gave them the opportunity:

- a) To validate the contents obtained during the first meeting and to make progress in identifying criteria that can be translated into best practices in the field of access to Justice and new technologies, and that were accepted by general consensus by the experts attending this second meeting. Furthermore, on that occasion advanced draft versions of the working papers developed as a result of the first meeting were presented.
- b) More concretely, participants had the opportunity to have an in-depth discussion on: ICT steering and strategic development, technological level, level of ICT use, level of training on ICT, legal framework for the use of ICT, citizens ICT literacy level, access level for citizens, access level for professionals, citizens information portals/websites, protocols, harmonisation of documents, electronic signature, common access centres, electronic file and justice administration registers.
- c) To discuss on the above-mentioned topics in order to identify the main necessities/problems in this field in the ENPI South partners attending the meeting.
- d) To be informed that the meetings and the work in between the meetings will be interconnected by means of a virtual platform (separate forum, document folder, etc.) specially developed for this working group, and accessible via the project website, thus allowing for a continued exchange of information and possible contributions.
- e) To promote mutual understanding and knowledge of the different judicial systems regarding the use of new technologies in the field of justice in the different countries taking part in the meeting.
- f) To further strengthen cooperation among the Euro-Mediterranean Partners in the field of justice.
- g) To reach some additional agreement on the contents, best practices, of the handbook that should be produced by this Working Group at the end of its three meetings.

Participants also expressed the intention:

- To further reinforce the dialogue and to continue to work together in between the three meetings devoted to this component in order to produce the handbook expected at the end of their work. To this end, they could use the virtual platform on the EuroMed Justice III project website.

- To inform the concerned authorities and institutions in their respective countries of the results of this WG meeting so that they can also take advantage of the experience gained during this meeting.

Finally and taking into account the main objective of this working group - the handbook - and considering that the work will be developed during 3 working group meetings, the last one being in March 2013, the participants agreed to continue and finalise the discussion on these topics during the next meeting without prejudice of the possibility for them of being in contact with the expert, project team and among themselves through the above-mentioned virtual platform on the project website.

The participants have also been informed that the third and last meeting of this Working Group is planned to take place on 12-14 March 2013.

Participants agreed with the conclusions of this meeting.

Participants were grateful to the Directorate-General Development and Co-operation- EuropeAid, European Commission, to the French Ministry of Justice and to the Project Team for organising this meeting.