

ALL.I

**Minutes Steering Committee 24 May 2006  
Wroclaw, Poland**

**1. Opening and news**

-Welcome by Mr. Pęk.

-A letter to Turkey from ENCJ has been drafted, regarding the shooting incident in the Council of State in Ankara the week before. This letter will be sent to the Turkish Council of State on behalf of the network.

**2. Program conference Wroclaw**

**a. New members and observers**

Turkey and Luxembourg will be welcomed as observers to ENCJ.

**Note:** The role and level of involvement of members and observers will be put on the agenda of the next Steering Committee.

**b. Presentations of Working Groups**

During the conference, the leads of the Working Groups will do a short oral presentation of approximately 10 minutes. The written reports are available during the conference and will be available on the ENCJ website.

**c. What's next for the ENCJ?**

The Secretary General will briefly look back on achievements of the past years and present some ideas on the future of the network.

**d. Subgroups**

A short explanation of the intention of the meetings in subgroups is provided. Seven subgroups, consisting of 4 to 5 countries each, will meet on Thursday afternoon. Each subgroup will be facilitated by a member of the Steering Committee (instructions after the meeting). On Friday, on the basis of the results of the subgroup meetings, new Working Groups will meet. These Working Groups will be facilitated by members of the Steering Committee. However, this does not mean that these facilitators will also be the leads of these new Working Groups in the coming year.

The meetings in subgroups aim to enlarge the opportunity for participants to intervene during the conference. Issues that they think are important, will be discussed and possibly lead to activities in the framework of the network.

The current working group on Mission and Vision has indicated that it wants to continue. The Steering Committee agrees on that proposal and it will be proposed to the General Assembly.

With regard to the proposal from Spain regarding the permanent Secretariat for the ENCJ and network institutionalisation, it is decided that this should be a working group of the Steering Committee (concerning in a broader sense, the internal organisation of ENCJ). Therefore this working group is will not be included in the conference sessions.

**e. Appointment of ENCJ Organs**

The Secretary General underlines the importance of ENCJ being a non-political organisation, which is not split up in north and south, or according to any other distinction. Formal decisions will have to be taken in an informal atmosphere. A decision has to be taken regarding the following bodies within the organisation of the ENCJ:

- a. Secretary General/Secretariat: a link between the Secretary General and the Secretariat is important. Proposal that the Dutch Council will continue for another 2 years.
- b. Steering Committee: Proposal to maintain the same composition of the Steering Committee and to add the country organising the annual conference (Hungary for the conference in 2008). The number of Steering Committee members is growing and a solution should be sought for this problem.
- c. President: Proposal to choose someone from the Steering Committee, taking also in account that some Councils will have a new composition later this year.

The Steering Committee will prepare a proposal for the General Assembly regarding these bodies mentioned under a-c.

In the discussion, the following elements were risen as being important factors in considering the different options:

- continuity within the network
- balance of representation of different models of councils
- respect for differences of different systems and councils
- term of office of national organisations.

*Ad a. Secretary General/Secretariat*

The Steering Committee agrees on proposing to the General Assembly that the Netherlands will continue fulfilling the position Secretary General for the next two years and that the Secretariat will remain in The Hague.

*Ad b. Steering Committee*

Steering Committee members agree on a proposal to the General Assembly: Steering Committee will have the same composition for the next years. Hungary will be invited to become a member of the Steering Committee.

*Ad c. Presidency*

Ireland: would be honoured to propose a candidate for the presidency at a later stage because of other national preoccupations at the moment.

With regard to the Presidency, three proposals are launched:

1. Italy will keep the Presidency for another year (2006-2007). Belgium will be the successor for the remaining year (2007-2008).
2. Italy will keep the Presidency for two more years (2006-2007, 2007-2008)
3. Belgium will provide the President for the next two years (2006-2007, 2007-2008).

Agreement within the Steering Committee is reached on option 1.

For the period after September 2008, Ireland will propose a candidate for the Presidency.

**For a, b and c, agreement is reached on the following proposal to the General Assembly:**

- a. The Netherlands will continue fulfilling the position of Secretary General (Bert van Delden) for the next two years and the Secretariat will remain in The Hague during that period.
- b. The Steering Committee will have the same composition for the next years. Hungary will be invited to become a member of the Steering Committee.
- c. Italy will keep the Presidency (Prof. Luigi Berlinguer) until the end of April 2007. Belgium (Edith van den Broeck) will succeed, as of May 2007 until September 2008.

During the discussion, the following recommendations regarding the internal organisation are made:

- general criteria for becoming a member of the Steering Committee and for being a candidate for President should be elaborated.
- the idea of having a vice-president should be studied (and possibly the charter should be amended).

Reflection on these and other recommendations concerning the internal organisation should be done in a working group (the one that will also deal with the issue of a permanent secretariat and network institutionalisation).

### 3. ENCJ Website

Francisco Puig briefly informs the members of the Steering Committee about the plans for the evaluation of the website. The details concerning this evaluation will be communicated at a later stage.

### 4. Incoming correspondence

Letter from the Spanish Council, with regard to a working group on a permanent secretariat and network institutionalisation for the ENCJ. See also above. A working group will be proposed by the Steering Committee to the General Assembly on the internal organisation of ENCJ. This working group is open also to other members of ENCJ.

### 5. External relations

- EJTN

Mr. Charbonnier, Secretary General of EJTN, will present the activities and organisation of the EJTN and possibilities for co-operation with the ENCJ during the conference.

- CCJE/CEPEJ

The CCJE conference of 2007 will focus on the future of Councils in Europe. CCJE proposes to invite ENCJ for a working group in order to involve ENCJ in the preparation of the conference. A decision on participation in this working group is postponed to a later moment when more information is available.

### 6. Invitations

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### 7. Other matters arising

*France:* proposal to have a contact point/coordinator at each member institution of ENCJ, in order to facilitate mutual exchange of information between institutions.

*Belgium:* the Secretariat should take this up, making a clear overview of contact points.

*France:* next week the term of office for the French Council will end. The French delegation wants to thank everyone for the cooperation within ENCJ.

### 8. Annual conference ENCJ in 2007, 2008 and 2009

Proposal for the next ENCJ conferences:

2007: Brussels – Egmont Palace; 6-7-8 June 2007

2008: Budapest

2009: Dublin

### 9. Next meeting Steering Committee – autumn 2006

The next meeting of the Steering Committee will take place in Italy in the fall of 2006.

### 10. Minutes Steering Committee meeting February 2006

*Modifications:*

France: Point 2 (national developments): regarding the Outreau case: it concerned letters from the Council and from the Court of Cassation to the President of the Republic and not to the Parliament.

Belgium: Point 2 (national developments): regarding evaluation of all presidents of courts: the magistrate school that will be set up, will be an agency of the government with control of the Ministry of Budget and commissioners of the government concerning the budget coming from the Ministry of Justice.

Point 3 (visits, under c. about possible cooperation with EJTN): sentence should be changed into: it was *proposed* that ENCJ will – in close collaboration with EJTN – *consider to* initiate a number of pilot exchanges *in 2006 or 2007*, possibly funded by the European Commission.

#### **Action list**

- New Working Groups: invitation to all members and observers (Secretariat)
- New directory of addresses (Secretariat)
- Website – further details to be provided on the evaluation of the Website (Standing Committee)
- Invitation to Hungary to join the Steering Committee (Secretariat)

**List of participants Steering Committee meeting on 24 May 2006 in Wroclaw****Belgium**

Edith van den Broeck  
Marc Bertrand

**England & Wales**

John Thomas  
Barbara Flaxman

**France**

Jean-Paul Sudre  
Valéry Turcey

**Ireland**

Susan Denham  
Brendan Ryan  
John Quirke

**Italy**

Luigi Berlinguer  
Milena Falaschi  
Giuseppe Salmè  
Luigi Marini  
Carmelo Celentano  
Wladimiro Denunzio  
Giovanni Mammone

**Netherlands**

Bert van Delden  
Marlies Bouman  
Marieke Breimer

**Poland**

Teresa Flemming-Kulesza  
Ryszard Peł  
Stanisław Dabrowski  
Irena Piotrowska

**Spain**

Javier Laorden Ferrero  
Javier Martinez Lazaro  
Pilar Ruiz Carnicero  
Francisco Puig Blanes  
Reyes Goenaga  
Juan Pablo Gonzalez Gonzalez