



European Network of Councils
for the Judiciary (ENCJ)

Reseau européen des Conseils
de la Justice (RECJ)

PLAN OF OPERATIONS FOR A PERMANENT ENCJ OFFICE

1. Introduction

In the 'Proposal for a permanent ENCJ Office' (19th March 2007) the Secretariat of the ENCJ set forth its views concerning the necessity to establish a Permanent ENCJ Office. The 'Draft Statutes for the ENCJ' prepared by E. Van den Broeck and M. Bertrand contain in article 15 the establishment of a Permanent Office. Hereafter the ENCJ Secretariat will present its point of view regarding the tasks of such a Permanent Office.

2. Aim and objectives of the ENCJ

Article 3 of the Statutes (Draft) was inspired by the ENCJ Charter and mentions as the aim of the ENCJ the improvement of cooperation between, and good mutual understanding amongst, the Councils for the Judiciary and the members of the judiciary organisations of the European Union Member States.

Article 4 of the Statutes (Draft) is also based on the ENCJ Charter and contains the objectives of the ENCJ, being the co-operation between members on the following:

- analysis of and information on the structures and competencies of members, and exchanges between the members;
- exchange of experience in relation to how the judiciary is organised and how it functions;
- issues pertaining to the independence of the judiciary and other issues of common interest;
- provision of expertise, experience and proposals to European Union institutions and other national and international organisations.

According to article 4 of the Statutes (Draft) the ENCJ will, in order to achieve the aim and objectives mentioned above, develop an annual program of activities. This

annual program will be carried out by the bodies mentioned in article 9 of the Statutes (Draft), namely the General Assembly, the President, the Steering Committee and the Executive Board. In article 10 the General Assembly is granted the power to set up, on the proposal of the Steering Committee, commissions and working groups on specific themes in relations to the activities of, or to do with the organization of, the ENCJ.

3. Tasks of the Permanent Office

Article 15 of the Statutes (Draft) contains the provision that the Permanent Office shall function as an administrative unit under the authority of the President and Executive Board.

I. Administrative support

The administrative tasks of the Permanent Office should include:

- the convocation of meetings of:
 - the General Assembly,
 - the Steering Committee,
 - the Executive Board;
- the administrative support of
 - the President,
 - meetings of the General Assembly,
 - meetings of the Steering Committee,
 - meetings of the Executive Board,
 - meetings of the various working groups and commissions;
- supporting the monitoring of the activities of the working groups and committees;
- supporting the coordination of the activities of the various working groups and committees;
- assisting the Executive Board in developing the annual program of activities mentioned in article 5 of the Statutes (Draft).

II. Internal information and communication

As the activities of a Permanent Office should fit within the aim and objectives of the ENCJ and must serve the consideration that the establishment of a Permanent Office would improve the efficiency of the ENCJ it is suggested that the Permanent Office will also support the Executive Board in matters concerning the issuing and dissemination of:

- information on:
 - the functioning of the ENCJ and its bodies,
 - the structures and competencies of the members and the observers of the ENCJ,
 - the organisation and functioning of the judiciary in the country of the different members and observers;
- the above mentioned information using amongst others internet applications;
- the results of the different working groups and committees to the members, observers and formal bodies of the ENCJ;
- forthcoming EU-legislation and EU-policy that is expected to have an impact on judicial practice.

III. External communication and advocacy

The Permanent Office should assist the Executive Board in activities concerning:

- the recognition of the ENCJ as the representative of the judiciary on an European level;
- the accessibility of the Network by stimulating the visibility of the Permanent Office;
- the presentation of a joint position of the ENCJ (or groups of members) or of results of ENCJ working groups to third parties, such as the European Institutions and the Press;
- the establishment and maintenance of relations between the ENCJ (and its members) on the one side and EU-institutions (the European Court of Justice included) and other international organisations and tribunals on the other side.

In the point of view of the ENCJ Secretariat an effective and well functioning Permanent Office will result in a less time-consuming membership of the ENCJ, which will make it possible for members with a relatively small staff to participate in the various bodies.

The ENCJ Secretariat suggests that in the discussions on the role of a Permanent Office the above mentioned point of view regarding the tasks of a Permanent Office. is taken into account.

On behalf of the ENCJ Secretariat
Sophie van Duijn

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