

ELI President and Vices

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Vienna, 18 December 2024

Dear Minister Pakosta

On behalf of the European Law Institute (ELI), an entirely independent non-profit organisation established to provide practical guidance in relation to European legal development, we write to draw your attention to the recently published ELI-Mount Scopus European Standards on Judicial Independence, available here.

The ELI-Mount Scopus European Standards on Judicial Independence provide comprehensive guidelines to assess and promote judicial independence across Europe. Designed for judges, civil society, and public authorities, these Standards draw on constitutional principles, international law, and judicial practices in liberal democracies. They aim to safeguard judicial independence, ensure impartial courts, and foster a political and cultural environment that upholds democracy and the rule of law. Applicable to stable democracies and nations facing democratic challenges, the Standards serve as a reference to shield judicial decisions from political interference and reinforce the judiciary's role in ensuring fair trials, protecting human rights, and maintaining efficient legal systems.

Rooted in the values of the European Convention on Human Rights (ECHR) and EU Treaties, the 38 Standards, accompanied by commentaries, cover various areas, from the foundations of judicial independence, judicial governance, appointments and promotion, to ethical standards, and judicial discipline. They strike a crucial balance between independence and accountability, ensuring that while courts are shielded from external pressures, they remain transparent and uphold the integrity of the legal system.

The Standards were developed under the leadership of Project Reporters, Prof Dr Shimon Shetreet, Prof Dr Sophie Turenne, Prof Leah Wortham and Prof Dr Fryderyk Zoll, in cooperation with experts from across Europe working in academia, practice and policy-making.

We are also pleased to invite you on this occasion to a series of three webinars, which will commence on 15 January 2025 from 12:30 to 14:00 CET. The first such event will be dedicated to the Foundations of Judicial Independence. To register for the webinar, which is free of charge, please click here. Webinar II, on Judicial Governance and Judicial Appointments and Promotion, will take place on 29 January 2025 from 12:30-14:00 CET, register here, and Webinar III, on Ethical Standards and Judicial Discipline, will take place on 12 February 2025 from 12:30 to 14:00 CET, register here. Please feel free to circulate among your networks.

Should you wish to schedule a one to one meeting with us and Project Co-Reporters, or should you have any further questions, please do not hesitate to contact the ELI Secretariat.

Yours sincerely

Prof Dr Pascal Pichonnaz

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