

NETWORK OF THE PRESIDENTS
OF THE SUPREME JUDICIAL COURTS
OF THE EUROPEAN UNION

Annual Report
2024

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The Network of the Presidents of the Supreme Judicial Courts was created in 2004 by the Presidents of the Supreme Judicial Courts of the European Union. The registered office of the Network is in Paris.

The Members of the Network are the Presidents of the Supreme Judicial Courts of the Member States of the European Union. The Network also admits Associate Members (Member States of the European Free Trade Association and states formerly members of the Network) and Observers (states which are engaged in negotiations with a view to joining the European Union).

The Network encompasses Presidents and their respective Supreme Courts from 35 different countries, including the 27 European Union Member States as Members, Iceland, Liechtenstein, Norway and the United Kingdom as Associate Members and Albania, Montenegro, Serbia and Ukraine as Observers.

1. New Members, Associate Members and Observers

In the course of 2024, the following changes took place among the Members, Associate Members and Observers of the Network:

Austria: Mr Georg Kodek was appointed President of the Supreme Court of Justice of Austria and took office on 1 January 2024. He succeeds Ms Elisabeth Lovrek, who has retired.

Belgium: Mr Eric de Formanoir de la Cazerie took office as First President of the *Cour de cassation* of Belgium on 19 April 2024. He succeeds Ms Beatrijs Deconinck, who has retired.

Montenegro (Observer): Ms Valentina Pavličić was appointed President of the Supreme Court of Montenegro and took office on 4 December 2024. She succeeds Acting President Ms Vesna Vučković.

Portugal: Mr João Cura Mariano was appointed President of the Supreme Court of Justice of Portugal and took office on 4 June 2024. He succeeds Mr Henrique Luís de Brito de Araújo, who has retired.

Spain: Ms Isabel Perelló Doménech was appointed President of the Supreme Court of Spain and took office on 4 September 2024. She succeeds Acting President Mr Francisco Marín Castán.

2. Meetings of the Board

In accordance with the Articles of Association, the Board met on two occasions – on 27 May 2024 in Dublin, Ireland and on 3 October 2024 in Athens, Greece. The Board gave directions for the organization of the various events and activities of the Network (the Athens Conference of 2024, the Joint Meeting with the Court of Justice in 2025, The Hague Colloquium of 2025, judges’ exchange programme, comparative law working group etc.) and held an exchange of ideas on the preferred format of discussions at Network events as well as how to increase the visibility of the work carried out within the Network.



Photo: Photocall Ireland and the Courts Service of Ireland

Dublin Board Meeting

3. Conference of the Network

4 October 2024, Athens, Greece

At the kind invitation of Ms Ioanna Klapa-Christodoulea, President of the Supreme Civil and Criminal Court of Greece “Areios Pagos”, the Network held its annual meeting in Athens, Greece. The Conference was dedicated to two separate topics: **“Influence of European law on Supreme Courts”** and **“Attractiveness of the judiciary”**.

“Influence of European law on Supreme Courts”

The first session entitled *“Influence of European law on Supreme Courts”* was prepared and moderated by Mr Christophe Soulard, First President of the French *Cour de cassation*.

The introductory report, based on 33 responses from Members, Associate Members and Observers of the Network, aimed to examine the influence of European law (both the law of the European Union and the European Convention for the Protection of Human Rights and Fundamental Freedoms) on the national laws of the Member States (institutional impact, judicial impact, and normative impact), and the consequent changes in the role, composition and case law of Supreme Courts. More specifically, the report highlighted the way in which Supreme Courts have adopted European law and described the subsequent reform movements within the Supreme Courts, in terms of both their structure and their working methods. The question is not so much the extent to which European law has influenced national law, but how national judges work with their “European portfolio”.

The report concludes with a “toolbox” in which the best practices and internal tools deployed by the Supreme Courts – in relation to European law – have been identified. This toolbox is divided into three parts: the first part deals with **human resource policies regarding European law** in Supreme Courts; the second part deals with **judicial best practices**; and finally, the last part deals with **information tools for judges**.

The findings of the introductory report are as follows.

I. The assimilation of European law by the Supreme Courts

1. Multiple judicial traditions

Aside from their different legal approaches to the incorporation of supranational law into national law, a considerable number of States agree that EU law and Convention law have a distinct place in their legal order compared to international law. In 11 of the 33 States that responded to the questionnaire, EU law thus takes precedence over international law in the hierarchy of norms.

Despite these disparities in the hierarchy of norms in the Member States of the Network, all the courts, whether supreme or constitutional, have gradually adopted European law and the case law of the supranational courts, interpreting national norms in accordance

with the latter. However, the replies to the questionnaire revealed differences in the timing of this assimilation. The States that ratified the Convention or joined the EU at a later date were quicker to develop what might be called a “supranational mindset”, by incorporating European law into their national legal systems, citing European case law in their judgments, or adopting mechanisms such as preliminary rulings and control methods such as review of conformity with the Convention at a very early stage. This is all the more evident in countries that ratified the Convention before joining the EU, whose Supreme Courts already seemed to be imbued with a European culture.

These varying times lines reflect the “step-by-step method”, the method by which the European construct has taken shape. At the same time, the Union’s competences have deepened, and its values have converged with those of the Council of Europe. The Union has also expanded. As a result, European law has necessarily led to the harmonization and convergence of the laws of its Member States in many areas. Common standards have thus emerged. The actions of the European institutions and the case law of the supranational courts have led to major legislative and institutional reforms within the Supreme Courts, resulting in the harmonization of systems. This has particularly been the case in terms of digitization, reasonable time limits and the right of access to a court, as well as in procedural matters.

2. An evolution in the conception of the judge’s role

The responses to the questionnaire are very clear on the idea that the responsibility of judges has been strengthened. This has come about as the normative framework to be applied has expanded and the national court, as the first court of EU and Convention law, has been given the task of mobilizing and articulating all national and supranational sources in order ensure the unity of national law and its conformity with European law.

Henceforth, judges have a *de facto* role in encouraging legislative reform within their own country. By interpreting and drawing conclusions from the European legal principles set out in the case law of the European courts, judges can interpret or set aside national legislation, sometimes using “creative” reasoning which the legislature can then adopt or reject. For example, criminal procedure and conditions of detention are frequently mentioned as areas where European law has had a substantial impact on the role of the judge. However, such a role necessarily implies an active commitment to acquiring knowledge of supranational case law, and appropriating the tools available (requests for opinions, preliminary questions) in order to ensure that the decisions of the Supreme Courts are properly aligned with developments in European law.

This increased responsibility is coupled with a “fundamentalization” of the role of the judge, who has seen human rights raised in a large number of cases and has had to adopt European control mechanisms. This is obvious when it comes, for example, to monitoring the execution of European arrest warrants, where, despite the existence of the principle of mutual trust, the Supreme Courts ensure that the necessary checks have been properly carried out by the lower courts.



Photo: Supreme Civil and Criminal Court of Greece "Areios Pagos"

Athens Conference

II. The evolution of judicial methodologies

1. The impact of European law on the legal reasoning of rulings and the notion of case law

The case law of supranational courts has led to changes in the reasoning of several courts, particularly Supreme Courts, in Europe. Indeed, 19 of the 33 courts responding to the questionnaire stated that European law had had an impact on the reasoning of their decisions. For the rest, several Supreme Courts indicated that providing full reasoning was already an established norm at national level, or even a constitutional tradition. It is worth pointing out that the courts that have not had to reform their drafting methodology are systems based on precedent, where the tradition is one of setting out extensive reasoning.

The Europeanization of the law has also had an impact on the very concept of case law. For example, three jurisdictions have put in place mechanisms to give specific authority to certain Supreme Court rulings, which lower courts may not depart from. Therefore, there is a trend toward the **normativization of jurisprudence** in Europe. Some Supreme Courts even mention the arrival of a continental law “precedent” inspired by European law.

2. The national court’s articulation of the various European sources

This articulation is the daily task of the Supreme Court judge, given the increasing complexity of the law. In order to articulate all these sources, to avoid conflicts between a national norm and a supranational norm, the Supreme Courts of the Network

have deployed a series of so-called coordination methods, which we can describe as similar (e.g., granting the Convention and its case law a special place in the Constitution, allowing judges to set aside a national norm as unconstitutional when it conflicts with the provisions of the Convention, interpreting the Constitution in the light of the Convention and, where European law is concerned, the development by the Supreme Courts of the theory of equivalence of protection).

It is also worth mentioning the development of other methods of articulation, such as the use of comparative law. It is interesting to note that only 11 of the 33 Supreme Courts rarely or never include comparative law in their judgments. These courts tend to use the law of countries which present similarities with their legal order. These similarities are generally accentuated by two factors: one geographical and cultural, and the other historical. While most Supreme Courts include references to comparative law in the body of their judgments, other courts do so more at the stage of preparing and analysing the case. Also, in the practice of some courts, references to comparative law are made only by the Advocate General in his opinion, which is explained by the desire to draft concise judgments.

In addition to these methods, analysis of the replies to the questionnaire confirms that the cooperative preliminary ruling mechanisms and Protocol No 16 remain the main mechanisms for harmonizing national laws. Briefly, regarding the requests for preliminary ruling (and, to a larger extent, the advisory procedure before the EFTA Court), the questionnaire responses show that it is a mechanism regularly used by the Supreme Courts of the Network, as only two Supreme Courts indicated that they submit few requests for preliminary ruling to the CJEU. Concerning the **request for an advisory opinion to the ECtHR**, introduced by Protocol No. 16, the first thing to note is that there is a low level of ratification and use of this cooperation mechanism by the Member States of the Network, as less than half of the Member States of the Network have ratified Protocol No. 16. Despite this rare use, two supreme judicial courts have incorporated an ECtHR advisory opinion into their rulings, even though their country has not ratified Protocol No. 16. In the same spirit, other courts translate these opinions so that the judges of the Court can read them in their native language. These opinions thus tend to become an instrument of legal interpretation, or even a source of law alongside the Convention and the rulings of the ECtHR.

“Attractiveness of the judiciary”

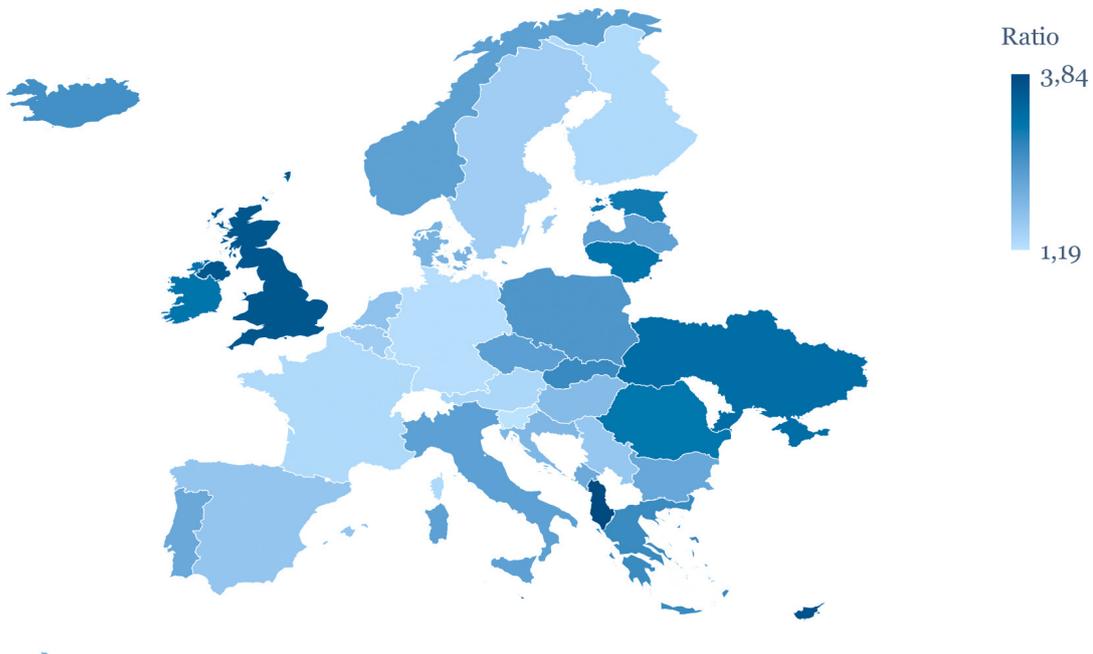
Under the auspices of Mr Petr Angyalossy, President of the Supreme Court of the Czech Republic, Ms Danguolė Bublienė, President of the Supreme Court of Lithuania and Mr Miodrag Đorđević, President of the Supreme Court of Slovenia, a comparative study was carried out of challenges, best practices and common trends across the member countries of the Network. Based on the preparatory questionnaires established by President Angyalossy, participants in the study were invited to provide information on remuneration policies, material and non-material benefits, guarantees, health and social security policies, special obligations related to the profession, selection and promotion procedures. Data was collected separately on judges and court staff (including judicial as well as administrative staff). 34 Supreme Courts responded to the questionnaire concerning judges and 30 to the questionnaire concerning court staff. Below is a brief overview of the study results.

I. Attractiveness of the judiciary for judges

1. Remuneration

The part of the study focusing on judges analysed in depth how salaries of judges are determined and adjusted as well as the competitiveness of the salaries of judges compared to the average national salary, as these are key aspects contributing to the attractiveness of the judiciary. The data indicated a considerable difference in salary across member countries of the Network as well as considerable differences in salary ratios when compared to average national salaries. The comparison underscored the need for judicial salaries to remain competitive, not only relative to the average national wage but also in relation to other high-skilled professions. Maintaining this balance is essential to attract and retain talented legal professionals, ensuring that the judiciary is composed of qualified and impartial professionals capable of upholding justice. The study highlighted that Constitutional Courts, where they exist, have played a critical role in maintaining the balance between economic constraints and the protection of judicial independence.

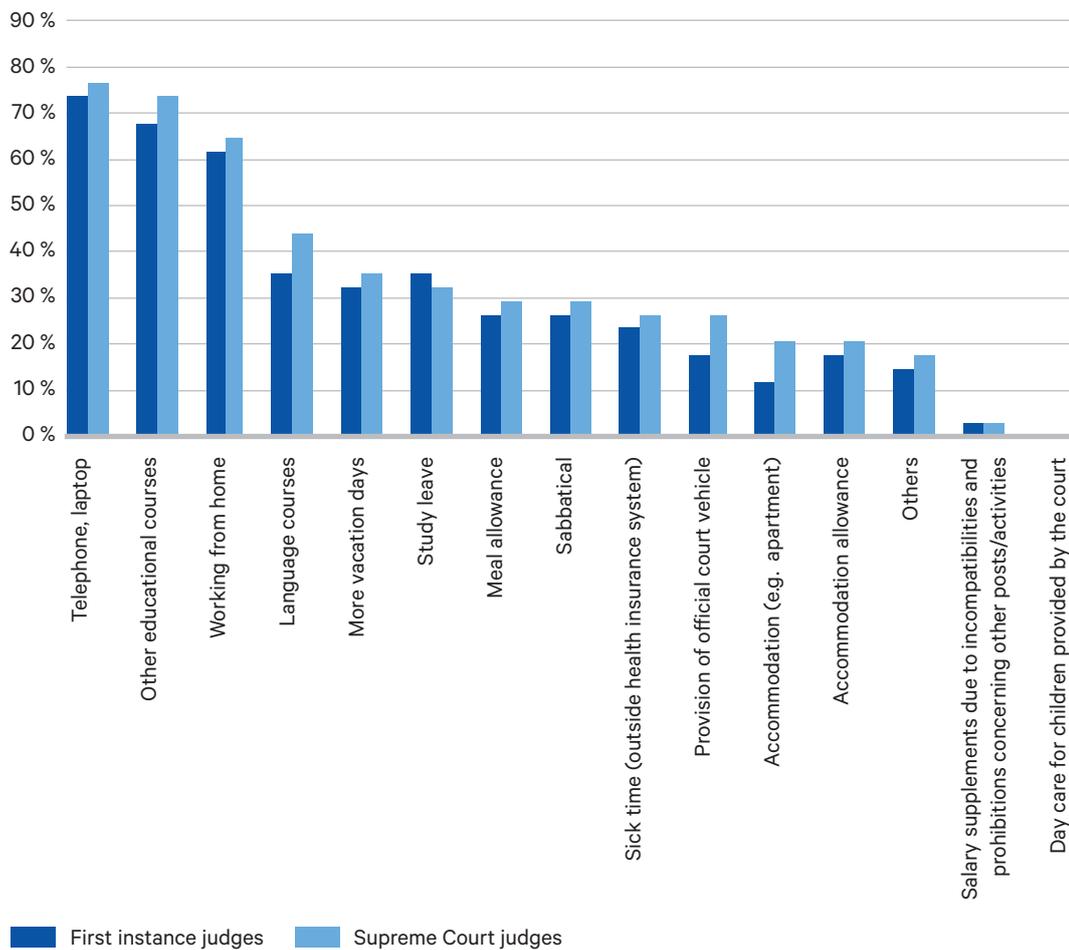
1st instance judge salary to AVG Salary (gross, annual)



2. Other material and non-material benefits

Benefits vary by country and can include vacation days, sick time, study leave, accommodation, official vehicles, distance working, laptops, language and education courses, medical check-ups, allowances for incompatible activities, housing allowances, and sometimes even childcare.

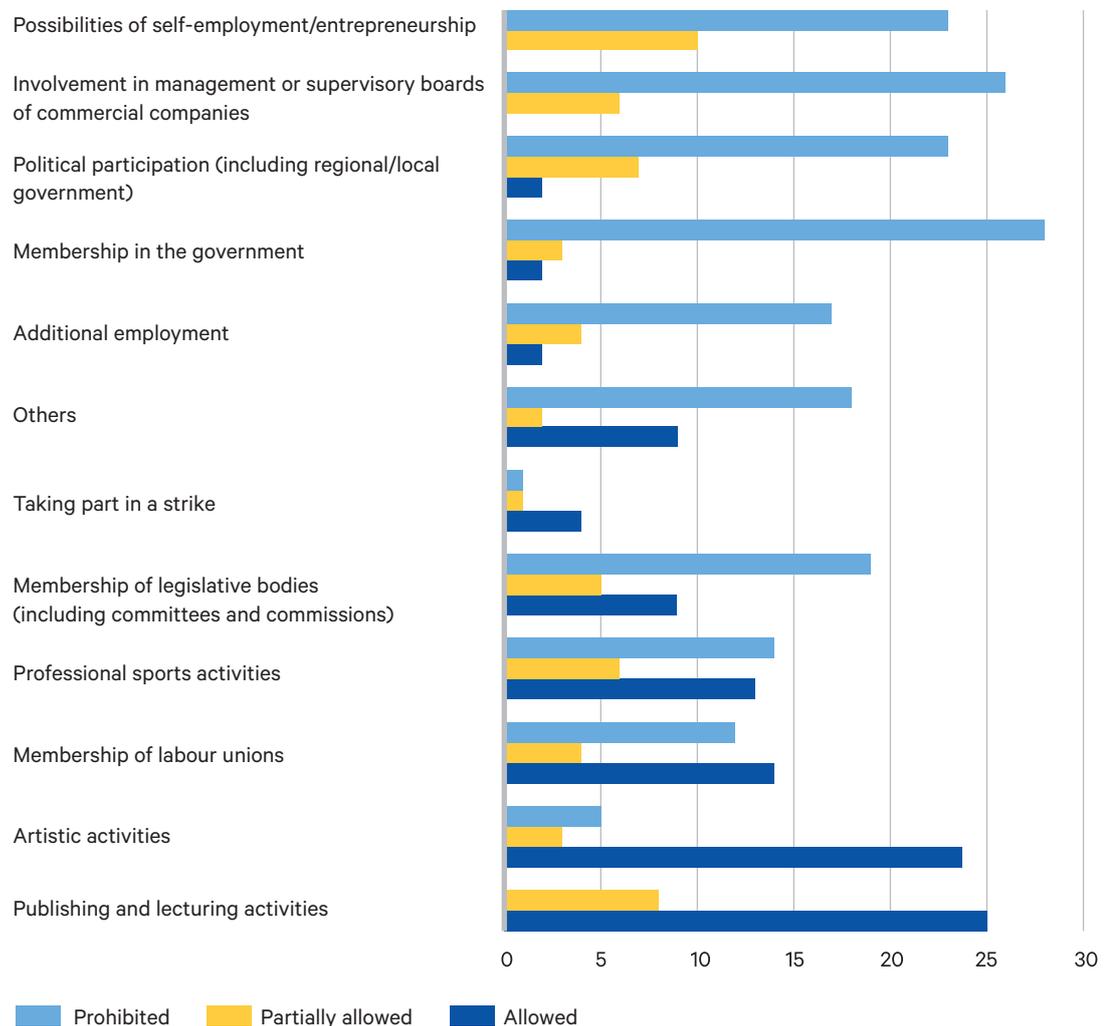
Material and non-material benefits of judges



3. Special obligations of judges

In most of the respondent countries judges are prohibited from being members of the government (in 28 countries) and being involved in commercial or political activities. Publishing and lecturing activities, however, are not prohibited in any country, although in eight countries they are only partially allowed. Restricting academic activities for judges could negatively affect the recruitment of candidates with an academic background or those with lecturing aspirations. Additionally, it is noteworthy that artistic activities by judges are generally allowed, with the exception of five countries where they are prohibited and three where they are only partially permitted.

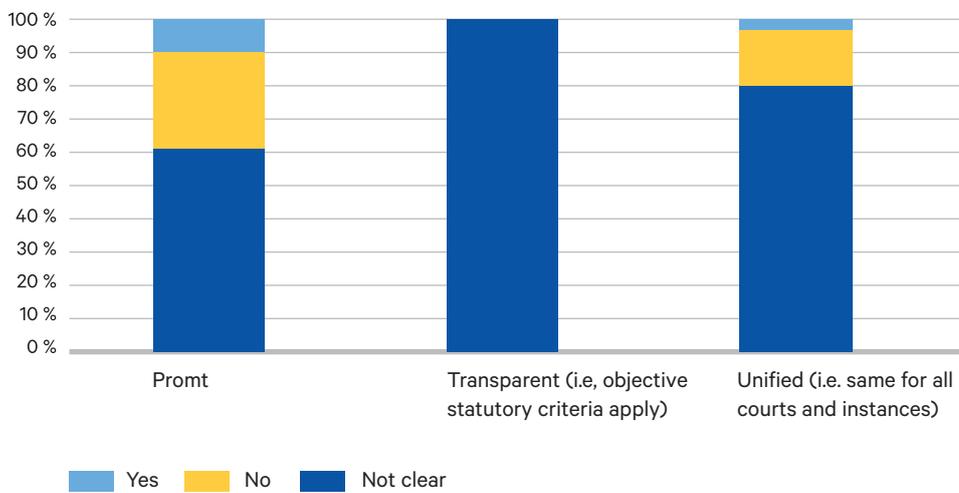
Additional activities of judges



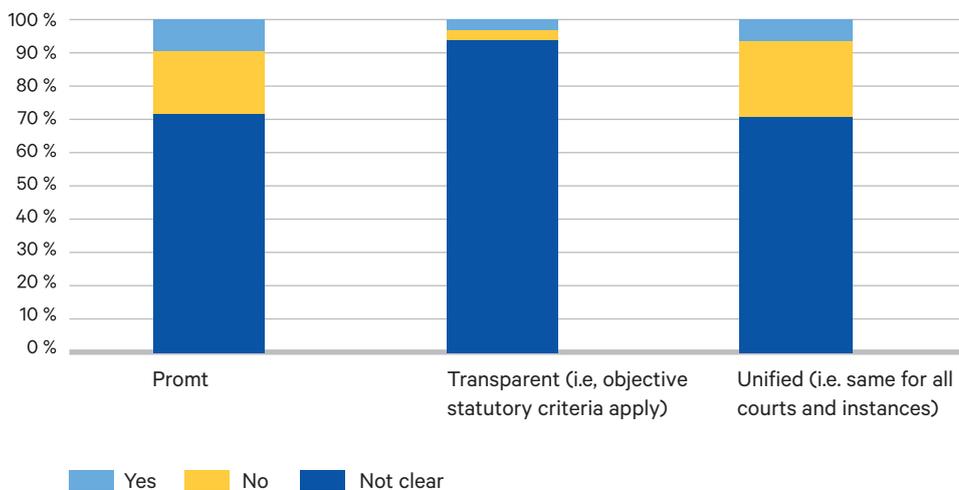
4. Judicial selection and promotion procedures

The study confirmed that in all respondent judiciaries, the selection process for judges is generally viewed as transparent, ensuring fairness and public trust in judicial appointments. However, in about 30% of jurisdictions, the selection process is criticized for its lack of promptness, often due to the lengthy duration of the procedure. These delays can hinder the overall efficiency of the judicial system, despite the transparency of the process itself. Promotion procedures for judges are not standardized across member countries of the Network. While the process is generally regarded as transparent and efficient, approximately 20% of the respondents reported delays due to the lengthy nature or bureaucratic complexity of the procedure. These delays can negatively impact the timeliness of promotions, even in systems where transparency is otherwise regarded as good, indicating that procedural inefficiencies remain a challenge.

Selection procedure of judges



Promotion procedure of judges



5. Diversity and adequate pool of candidates

The study showed that there has been significant progress in achieving gender diversity, particularly in lower court positions. However, while female representation is growing among judges, women continue to be underrepresented in leadership roles across many European countries.

According to the comparison, the adequacy of the pool of candidates for judicial appointments varies across the respondent countries. Most of the countries have more candidates than they can accommodate. However, some face significant shortages that threaten the functioning of their judiciaries. The challenges often stem from a combination of demographic factors, procedural inefficiencies and geographical disparities.

II. Attractiveness of the judiciary for court staff

1. Remuneration

In the majority of countries, the determination of the remuneration of judicial staff is based on law: either general law, in 9 (32%) out of 28 countries that provided the information; the law common to all civil servants in 4 countries (14%); or a law specific to the judicial branch alone, in 5 countries (18%).

In most of the countries the determination of the remuneration of administrative staff is also based on law: either general law, in 10 countries (36%); the law common to all civil servants in 7 countries (25%), or a law specific to the judicial branch alone, in 3 countries (11%). In 7 countries (25%) the remuneration of both judicial staff and administrative staff in the courts is based on collective agreements. In the majority of countries (25, or 86% of the 29 that provided information) there is no link between the salaries of judges and the salaries of judicial staff. Such a link exists in 4 countries only.

In more than half of the countries (19 or 62%), determination of remuneration does not differ based on the court instance. Generally, the salary scales are determined according to the functions being exercised; the determination can differ based on the level of difficulty of the work, competencies or seniority.

According to the broadest generalizations: in the majority of countries, the starting salaries of both judicial and administrative staff in the first instance courts are lower than the average gross salary of the country. In nearly all countries the starting salaries of judicial staff in the Supreme Courts are higher than the average gross salary of the country; however, salaries of the administrative staff in the majority of Supreme Courts are lower than the average gross salary of the country.

Public discussions concerning remuneration of court personnel were taking place in more than half the respondent countries.

2. Other material and non-material benefits

Accommodation, accommodation allowance. Accommodation is provided in 2 countries.

Meal allowance. 11 respondents (37%) out of 30 that participated in the survey provide a meal allowance for administrative and judicial staff at first instance and in the Supreme Court.

Time off. Considering the types of time off, a minority of respondents (10 or 30%) provide more than the legally prescribed number of vacation days. More respondents (12 or 40%) provide additional sick time (outside of health insurance). Most of the respondents (23 or 76%) offer study leave with some exceptions.

Working from home is not a new concept in the court system. Though this benefit alters and might depend on the characteristics of the work, or the specific days administrative staff and judicial staff can work from home, it is allowed in most responding countries (22 or 73%).

Additional contributions to pension savings, financial contributions for cultural events, and/or for vacation and/or for sports are the least common benefits. An additional contribution to pension savings is provided in 9 (30%) countries to Supreme Court judicial and administrative staff, and in 6 countries (20%) to first instance court staff. Financial contribution for cultural events is provided in 5 (17%) Supreme Courts, and in 4 (13%) countries to first instance court staff. Financial contribution for sports is available in 8 (27%) countries to Supreme Court staff and in 7 (23%) countries to first instance court staff. Financial contribution to a vacation is granted in 7 (23%) countries, both to Supreme Court and first instance court staff.

Daycare for children is provided only in one country.

Benefits at the workplace. Considering benefits at the workplace itself, a court cafeteria is available in 9 countries (30%) to administrative and judicial staff in the first instance and the Supreme Court; and in 3 countries (10%) only to administrative and judicial staff of the Supreme Court. Phones and laptops are a benefit in most countries, although these are provided only to the staff of the Supreme Court in 6 (20%) countries or only to the judicial staff in one country. The data is linked with the responses about the possibility of remote work.

Educational courses. The vast majority of respondents (25 countries or 83%) provide educational courses other than language courses. However, language courses are not popular – only 12 (40%) of the respondents organize language courses for administrative and judicial staff at first instance and in the Supreme Court.

3. Special obligations of court staff

In most states, depending on the person's role in the court and the type of second job, having a second job is allowed, usually with the permission of the competent authority; however, in some states it is enough to inform the court president about secondary activities. Having one's own business may also be allowed. Only five states prohibit second jobs. In the states where a second job is allowed, it cannot conflict with the person's position in the court, i.e. the other employment must harmonize with that person's duties at the court. In most countries the restriction does not apply to scientific, pedagogical (teaching), or artistic (creative) activities; in some countries, this list has been expanded to include journalistic, literary, editorial, sporting and proofreading work; medical practice, and acting as instructor or referee in sports.

4. Selection and promotion procedures

One of the most common requirements the judicial staff need to meet is work experience, although the duration required differs from one year to up to three years or even more. Some of the respondents specified that this requirement is stricter for Supreme Court judicial staff. Another common requirement is a certain level of education. In most countries, 17 (57%) out of 30 that participated in the survey, university education (Master's or Bachelor of Law) is required. Some of the respondents require judicial staff to pass the bar exam or go through special training, or hold a PhD degree or at least have passed a complex doctoral exam. The general features of the requirements candidates for administrative staff posts need to meet during the selection and promotion procedure are essentially analogous to the requirements for legal staff.

There are several common features in the selection of court personnel. For selection of judicial staff: vacant positions are advertised publicly; the selection is carried out in three different ways: it can be conducted by specialized external bodies, or internally by the court/judge itself, or the procedure can take a hybrid form, involving both the court and an external specialized institution depending on the position. Most commonly candidates are invited for an interview and must pass a written (or oral) exam/test. During the exam and/or interview legal knowledge, knowledge of foreign languages, other skills (e.g., computer skills) and aptitude, as well as general abilities are tested. For selection of administrative staff: in 10 (34%) out of 29 countries that submitted the information, the administrative staff selection procedure does not differ from the procedure applied to judicial staff.

5. Diversity and adequate pool of candidates

In the distribution of judicial staff by gender, only in a few countries (5 out of 26 that provided data) is the gender ratio maintained. However, there is a very clear trend for judicial staff positions in the Supreme Courts to be mostly occupied by women: approximately 2/3 of staff are women. The majority of judicial staff are women in 5 countries. In the distribution of judicial staff by age, diversity is observed, with young, 30–40-year-old professionals dominating and 50–70-year-olds in the minority.

The vast majority of respondents, 23 (79%) out of 29 responding countries, confirmed that there was diversity of candidates.

The three general reports and the replies of Supreme Courts to the preparatory questionnaires are available on the intranet of the Network ([available via this link](#)).

4. Exchange Programme of Supreme Court Judges

The call for applications for the 2024 Exchange Programme was launched in February the same year and resulted in 34 individual applications from twelve Supreme Courts. The applicants were from the Supreme Courts of: Belgium (1), Czech Republic (1), Estonia (2), France (5), Germany (1), Italy (13), Lithuania (1), Netherlands (1), Poland (2), Romania (1), Slovakia (1), and Ukraine (5).

In total 22 exchanges were completed in 2024. The Supreme Courts hosted colleagues as follows:

- The Supreme Court of Ireland hosted a judge from Ukraine.
- The Supreme Court of Latvia hosted a judge from Poland.
- The Supreme Court of the Netherlands hosted a judge from the Czech Republic and a judge from Lithuania.
- The Supreme Court of Sweden hosted a judge from France.
- The Federal Court of Justice of Germany hosted a judge from Belgium and a judge from Estonia.

- The Supreme Court of Austria hosted a judge from Germany and a judge from Estonia.
- The Belgian *Cour de cassation* hosted two judges from Italy.
- The Supreme Court of the Czech Republic hosted a judge from Ukraine.
- The French *Cour de cassation* hosted two judges from Italy and one judge from the Netherlands.
- The Supreme Court of Italy hosted two judges from France and one judge from Poland.
- The Supreme Court of Lithuania hosted a judge from Italy.
- The High Court of Cassation and Justice of Romania hosted a judge from Italy.
- The Supreme Court of Slovenia hosted a judge from Italy.
- The Supreme Court of Spain hosted a judge from Italy.

Of the 22 exchanges twelve lasted for two weeks and ten for one week. The exchanges were conducted in the following languages: English (10), French (5), German (4), Italian (2), and Spanish (1).

5. Consultation of the Network by the European Commission

The Network was invited by Mr Didier Reynders, European Commissioner for Justice, to take part in the targeted stakeholder consultations for the 2024 Rule of Law Report. The Network endorsed the efforts of the Commission to uphold and strengthen the rule of law and judicial independence in the Union and underlined the continued relevance of questions concerning the independence of the judiciary and the quality of justice. The contribution of the Network is published on the dedicated website of the European Commission ([available via this link](#)). The Network also facilitated the collection of answers from Supreme Courts required by the European Commission for the 2024 EU Justice Scoreboard.

6. Cooperation with other Judicial Networks

I. European Network of Councils for the Judiciary (ENCJ), European Association of Judges (EAJ) and Association of the Councils of State and Supreme Administrative Jurisdictions (ACA-Europe).

In 2024 the Network continued its cooperation and regular meetings with ENCJ, EAJ and ACA-Europe. The Presidents of the said associations and the President of the Network normally have meetings online once a month to discuss topical issues. Seven such meetings took place in 2024 (5 February, 4 March, 8 April, 6 May, 7 October, 4 November and 2 December).

Ms Margherita Cassano, First President of the Supreme Court of Italy and Member of the Board, represented the Network at the ENCJ General Assembly which took place on 13–14 June in Rome.

II. Academy of European Law (ERA)

The Network participated in the founding of the Forum of the Judicial and Legal Professions initiated by the ERA and in the organization of the Annual Conference. The third Annual Conference of the Forum entitled “*Improving Justice through Innovation. From Challenges and Needs to Best Practices*” was held on 8 November 2024 in Brussels, Belgium and online.

III. European Judicial Training Network (EJTN)

The Secretary-General attended the General Assembly of EJTN (held on 12–13 June 2024 in Brussels, Belgium), and the Network was also represented by the Secretariat at the Contact Point meeting (held on 23 January 2024 in Brussels, Belgium). In 2024, the Network continued disseminating information about the language courses provided by the EJTN among its members.

IV. GEMME Association

The General Assembly of the European Judges Group for Mediation (GEMME) took place on 24 May 2024 in Paris, France. Mr Anders Eka, President of the Supreme Court of Sweden and President of the Network, delivered a video greeting for the occasion.

7. Website, Common Portal of Case Law and Intranet of the Network

Website and Common Portal of Case Law

The Common Portal of Case Law is a search engine publicly available on the website of the Network. The search engine allows case-law search by different indicators on multiple national case-law databases. The Portal is integrated with the databases of the following 19 Supreme Courts: Austria, Belgium (2), the Czech Republic, Croatia, Cyprus, Estonia, Finland, France, Germany, Hungary, Italy, Liechtenstein, Lithuania, Luxembourg, Portugal, Romania, Slovenia, Slovakia and the United Kingdom & Ireland.

Three automatic translation tools (Google Translate, Deepl and the translation tool of the EU Commission) have been integrated into the Portal which enables users to access and read court decisions in any language supported by the tools (Google Translate: 243 languages, the translation tool of the EU Commission: 23 languages, Deepl: 30 languages).

For further information please consult the video tutorial of the Portal which is available on the website of the Network ([available via this link](#)).

Intranet

The intranet of the Network, exclusively open to Members, Associate Members and Observers, serves as a repository of internal documents. Items available on the intranet include:

- Articles of Association and Byelaws,
- Agendas and Minutes of General Assemblies and Board Meetings,
- Documents related to Colloquia and Conferences (preparatory questionnaires, answers of Supreme Courts to the questionnaires, Introductory Reports etc.),
- Reports and evaluations of the Exchange Programme of Supreme Court Judges,
- Annual Reports of the Network,
- Collections of answers to requests for information submitted by Members, Associate Members and Observers via the mailing list of the Network,
- Contact information of Members, Associate Members and Observers.

8. Requests for Information

In 2024 five requests for information were submitted to Members, Associate Members and Observers of the Network by the French *Cour de cassation*, the Supreme Court of Latvia, the Supreme Court of Lithuania and the Supreme Court of Justice of Portugal. The replies of Members, Associate Members and Observers to the requests for information are published on the intranet of the Network.

The collections of answers available on the intranet of the Network cover the following topics:

- Formalized engagement in economic, commercial, financial or professional activities – what liability to apply? (2025)
- Communication strategies of Supreme Courts (2025)
- Pre-trial exchanges with lawyers (2024)
- *Amicus curiae* mechanism (2024)
- Appeal on the facts (2024)
- The number of judges and the structure, competence as well as the workload of Supreme Courts (2024)
- Filming and broadcasting of court hearings (2024)
- Private international law study committee (2023)
- Status and working conditions of court employees; financing of the judiciary (2023)
- Case allocation log files, proceedings against the Supreme Court, appointment of the president of the Supreme Court (2023)
- Evaluation of Supreme Court judges (2023)
- Extradition requests from third countries (2023)
- Application of the theory of appearance to entities other than judges (2023)
- Fair remuneration of judges (2022)
- Freedom of speech of judges (2022)
- Observatory of legal disputes (2022)
- Appointment and social guarantees of judges (2022)
- Extrajudicial activities of judges (2022)
- Attractiveness of the magistracy (2021)
- Permanent confiscations without prior criminal conviction (2021)
- Support staff of Supreme Courts (2021)
- Civil liability in case of collapse of a building (2021)
- The number of judges in European jurisdictions (2021)
- The right of freedom of information concerning state activities (2021)
- Status of judges and the liability of judges (2021)
- Competence of courts in inheritance cases (2021)
- Admissibility of criminal appeals (2019)
- Transparency about property, mandates, functions and additional professions of magistrates (2011)
- Judicial expert opinions (2010)
- Legal aid (2009)
- Mediation (2005)
- Assistance available to judges of Supreme Courts in the decision-making process (2005)
- Liability of judges (2005)

9. Comparative Law Working Group

The Network took the initiative in 2014 to establish comparative law liaison groups to allow exchange of information between Supreme Courts on the interpretation of terms and concepts derived from European law. The intention was that the groups would be composed of court officials dealing with legal research, and that the exchanges within the group would reflect the views of the participating individuals and not the official position of the Supreme Courts.

A working group composed of the representatives of the Supreme Courts of Belgium, the Czech Republic, Finland, France, Germany and the Netherlands was created in 2014. The United Kingdom joined the Working Group in 2016 and Slovenia in 2023. The working language of the group is English. For the moment, this working group is the only active one.

The work of the group takes place on a dedicated forum available on the intranet of the Network. 42 new questions/topics touching upon a wide variety of issues were introduced by members of the working group in 2024 (e.g., “*Article 1 of Third Council Directive 90/232/EEC on motor vehicle insurance against civil liability*”, “*Parental liability for their children’s acts*”, “*Gestational Surrogacy and the establishment of a legal parent-child relationship*”, “*Direct effect of Article 18 § 1 of the Convention on the Rights of the Child*”, “*Directive 2001/29/EC*”, “*Liability for abnormal neighbourhood disturbances*”, “*Employment status of Uber drivers*”, “*Presumption of paternity based on marriage and ‘another man’s’ right to bring an action*”, “*Victims of acts of terrorism*”, “*Admissibility of evidence obtained by interception (SKY ECC and EncroChat)*”, “*Restrictive competition practices*”, “*Publication and processing of personal data of parties in judicial proceedings*”).

At the invitation of the Supreme Court of Finland members of the group held their annual meeting on 12–13 September 2024 in Helsinki. The meeting was opened with a welcome address by Dr. Tatu Leppänen, President of the Supreme Court of Finland. The discussions that followed focused on:

- 1) “*Working at a Supreme Court – experiences and best practices*” (including the role of referendaries/judicial assistants and the reasoning of decisions relating to the granting of leave to appeal as well as the possible effect of the pending CJEU case C-144/23 KUBERA).
- 2) “*Admission of evidence concerning drug trafficking*” (including the admissibility of data obtained from encrypted communication applications such as Sky ECC, EncroChat, and ANOM as well as the impact of the recent CJEU decision C-670/22 concerning the transmission and use of EncroChat messages in criminal proceedings).
- 3) “*Participation in a trial via video*” (comparative analysis of remote attendance of participants in a trial (parties, witnesses, members of the court) in EU jurisdictions).

The working sessions were also attended by judges of the Finnish Supreme Court Dr. Jussi Tapani and Mr Mika Ilveskero.



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