

THE XII. CONFERENCE AND PLENARY OF THE BALKAN AND EURO-MEDITERRANEAN NETWORK OF COUNCILS FOR THE JUDICIARY

DECISIONS OF THE PLENARY

During the XII. Conference and Plenary of the Balkan and Euro-Mediterranean Network of Councils for the Judiciary held in **Burgas on 10 - 11th July 2017**, the members adopted decisions as follows:

Decision No. 1/2017 of BEMNCJ Plenary

The unanimity of members agreed to change Article 6, paragraph 1 of the Charter as follows:

“The president shall be elected by the qualified majority of the plenary for a term of two years. The president can be re-elected.”

According to the decision of the Plenary the modification enters into force with its acceptance.

Decision No. 2/2017 of BEMNCJ Plenary

The unanimity of members accept the “Rules of Organization and Operation of BEMNCJ” (Annex No. 1.). The Rules of Organization and Operation enter into force with acceptance.

Decision No. 3/2017 of BEMNCJ Plenary

By qualified majority the Plenary elected Mr. Gjin Gjoni – member of the High Council of Justice of Albania as President of the BEMNCJ for a term of two years until the Plenary 2019 of BEMNCJ.

Decision No. 4/2017 of BEMNCJ Plenary

By simple majority the Plenary elected:

- Bulgaria
- Bosnia and Herzegovina
- Montenegro
- Hungary
- Kosovo

as members of the Board of BEMNCJ for a term of two years until the Plenary 2019 of BEMNCJ.

Decision No. 5/2017 of BEMNCJ Plenary

The members accepted the Annual Working Plan of 2017-2018 of the BEMNCJ (Annex No. 2.).

Decision No. 6/2017 of BEMNCJ Plenary

The members agreed that the professional topics of the next Conference will be as follows:

1. *“The role of the Councils for the Judiciary in the fight against terrorism”*, with a questionnaire on the *“The Use of social media by judges and prosecutors”*

2. Relationship between the councils for the judiciary and the other state institutions.

The next Plenary will be hosted by Montenegro in the second half of June 2018.

Decision No. 7/2017 of BEMNCJ Plenary

The following recommendations were approved regarding the first topic *“Impartiality and Code of Ethics and the future of the judiciary and impartiality”*:

1. The impartiality in the judiciary should be reflected in unprejudiced and impartial decisions and procedures.
2. The impartiality of the judiciary should be guaranteed also in the individual cases. It should be governed by rules of incompatibility, disqualification and transparent allocation of cases, laid down in a law or regulation.
3. Besides the rules of procedural guarantees the behaviour and attitude of a judge or prosecutor shall also reflect the impartiality.
4. Regarding the attitude and the behaviour of the judges and prosecutors there are high expectations from the society. It is reasonable, that those expectations should find expression in the Code of Ethics or other relevant legal norms.
5. The rules of judicial ethic shall cover the private life and rules of using internet and the social media, and the membership in professional bodies and associations. The position and the role of the judges and prosecutors in society and the basic ethical standards of behavior should be taken into account and it should be provided for the imposition of certain limits in the communication on the Internet, without interference in the private life and without violating the freedom of expression of every citizen.

The following recommendations were approved regarding the second topic *“The role of Councils of the judiciary in the fight against terrorism”*:

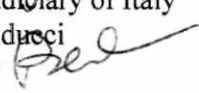
1. Guarantee of security and uninterrupted operation are keys of the proper operation of the judiciary. The personal protection of judges and prosecutors and the security of courthouses are of fundamental importance for the successful operation of the bodies of the judiciary.
2. The personal protection of judges and prosecutors should cover the prevention and parry against digital attacks. The judges and prosecutors need to act responsibly and with increased care and attention in using social media and internet in order to prevent emergency.

3. The actions for establishment of protection, authentication and verification of electronic data warrant the public interest to personal data protection and authenticity.
4. The judges and prosecutors need to have proper instruments against corruption attempt in order to ensure impartial and independent judiciary. Detailed regulation is recommended.
5. In connection to the increased threat of terrorism the judiciary needs to prepare for situations that request rapid and efficient solutions. It should be taken into account that in order to provide effective counter-action the joint efforts of all institutions and the whole international community are needed.

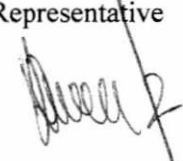
High Council of Justice of Albania
Mr. Gjin Gjoni
Member



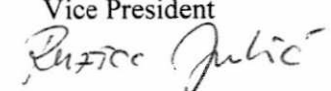
High Council for the Judiciary of Italy
Ms. Paola Balducci
Member



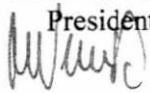
Supreme Judicial Council of Bulgaria
Mr. Dimitar Kostadinov Uzunov
Representative



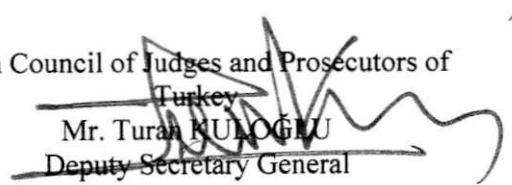
High Judicial and Prosecutorial Council of
Bosnia and Herzegovina
Ms. Ruzica Jukic
Vice President



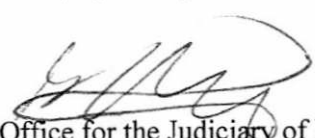
Judicial Council of Montenegro
Mr. Mladen Vukcevic
President



High Council of Judges and Prosecutors of
Turkey
Mr. Turan KULOĞLU
Deputy Secretary General



National Office for the Judiciary of Hungary
Dr. Péter Bozsó
Representative



National Judicial Council of Hungary
Dr. Levente Simon
President



Judicial Council of Kosovo
Mr. Nehat Idrizi
Chairman

