



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

Annual Report
2025

Contents

1.	New Members, Associate Members and Observers	4
2.	General Assembly	5
3.	Meetings of the Board	6
4.	Joint Meeting with the Court of Justice of the European Union	7
5.	Colloquium of the Network	15
6.	Exchange Programme of Supreme Court Judges	21
7.	Consultation of the Network by the European Commission	22
8.	Cooperation with other Judicial Networks	23
9.	Website, Common Portal of Case Law and Intranet of the Network	24
10.	Requests for Information	25
11.	Comparative Law Working Group	27



**Co-funded by
the European Union**

Funded by the European Union. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or the European Commission. Neither the European Union nor the granting authority can be held responsible for them.

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 2025, the following changes took place among the Members, Associate Members and Observers of the Network:

Croatia: After the passing of Mr Radovan Dobronić, President of the Supreme Court of Croatia, on 8 March 2025, Ms Gordana Jalšovečki, Justice authorised to carry out court administration duties, took over the leadership of the Supreme Court.

Slovakia: Mr František Mozner was appointed President of the Supreme Court of Slovakia and took office on 21 May 2025. He succeeds Mr Ján Šikuta, whose term as President of the Court came to an end.

Greece: Ms Anastasia Papadopoulou assumed office as President of the Supreme Civil and Criminal Court of Greece (*Areios Pagos*) on 7 July 2025. She succeeds Ms Ioanna Klapa-Christodoulea, who has retired.

Romania: Ms Lia Savonea was appointed President of the High Court of Cassation and Justice of Romania and took office on 1 August 2025. She succeeds Ms Corina Alina Corbu, who has retired.

Italy: Mr Pasquale D'Ascola was appointed First President of the Supreme Court of Cassation of Italy and took office on 9 September 2025. He succeeds Ms Margherita Cassano, who has retired.

2. General Assembly

The regular General Assembly of the Network was held on 14 November 2025 in The Hague, the Netherlands. The agenda included the presentation of New Members, Associate Members and Observers, the approval of the activity report of the Secretary-General, the approval of the financial reports for the years 2023 and 2024 and the election of the Board Members and of the President of the Network.

The General Assembly unanimously elected the new Board and the President of the Network, as follows:

President

Mr Donal O'Donnell, Chief Justice of Ireland

Members of the Board

Mr Eric de Formanoir de la Cazerie, First President of the *Cour de cassation* of Belgium,

Ms Katerina Stamatiou, President of the Supreme Court of Cyprus,

Mr Petr Angyalossy, President of the Supreme Court of the Czech Republic,

Mr Tatu Leppänen, President of the Supreme Court of Finland,

Mr Christophe Soulard, First President of the *Cour de cassation* of France,

Ms Bettina Limperg, President of the Federal Court of Justice of Germany,

Mr Pasquale D'Ascola, First President of the Supreme Court of Cassation of Italy,

Ms Danguolė Bublienė, President of the Supreme Court of Lithuania,

Mr Thierry Hoscheit, President of the Superior Court of Justice of the Grand Duchy of Luxembourg,

Ms Dineke de Groot, President of the Supreme Court of the Netherlands,

Mr Anders Eka, President of the Supreme Court of Sweden.

The Board and the President of the Network are elected for two years, and their term will come to an end at the General Assembly of 2027. The mandate of the Secretary-General was also renewed.

Minutes of the General Assembly are available on the intranet of the Network ([available via this link](#)).

3. Meetings of the Board

In accordance with the Articles of Association, the Board met on two occasions in 2025 — on 22 May 2025 in Tartu, Estonia and on 13 November 2025 in The Hague, the Netherlands. The Board considered the organisation of the various events and activities of the Network (The Hague Colloquium and the General Assembly of 2025, the Limassol Conference of 2026, the judges' exchange programme, communications and outreach of the Network, use and coverage of the Common Portal of Case Law, etc.) as well as cooperation with outside partners.

As part of the Tartu Board meeting, the Board visited the Estonian-Russian border zone in the city of Narva and met Mr Tarvo Kruup, Head of the East Prefecture of the Police and Border Guard Board, who gave an overview of the situation in the region in light of the current geopolitical circumstances.



Photo: Supreme Court of Estonia

■ Tartu Board Meeting

4. Joint Meeting with the Court of Justice of the European Union

28 March 2025, Luxembourg

Members, Associate Members and Observers of the Network convened on 28 March 2025 for a Joint Meeting with the Court of Justice of the European Union (CJEU). At the kind invitation of Mr Koen Lenaerts, President of the CJEU, the meeting took place at the CJEU premises in Luxembourg. The Joint Meeting was dedicated to two separate topics: *“The independence of the judiciary within the European Union”* and *“GDPR supervision of judicial processing of personal data”*.

I. *“The independence of the judiciary within the European Union”*

The first session entitled *“The independence of the judiciary within the European Union”* was moderated by Mr Koen Lenaerts, President of the CJEU. Mr Donal O’Donnell, Chief Justice of Ireland, intervened on behalf of the Network and Mr Irmantas Jarukaitis, President of the Fourth Chamber, spoke on behalf of the CJEU.



Photo: CJUE 2025. Photo by Germán Talavera

■ Joint Meeting with the Court of Justice of the European Union

Introductory Report by Chief Justice Donal O'Donnell: "The independence of the judiciary within the European Union: a shared responsibility"

The Portuguese Judges Case

The Introductory Report of Chief Justice O'Donnell drew attention to the CJEU's 2018 *Portuguese Judges* case (ASJP, C-64/16), which triggered a far-reaching series of cases on Article 19(1) TEU as a concrete expression of the value of the rule of law enshrined in Article 2 TEU, emerging amid a broader EU rule-of-law crisis and influencing the decisions of national Supreme Courts and their relationship with the CJEU.

Although the specific claim failed (austerity-driven pay cuts were upheld), the CJEU used the case to articulate three principles: that judicial independence is a general principle of EU law stemming from the constitutional traditions common to the Member States; that it is required not only at EU level under Article 19(2) TEU but also at national level; and that, being essential to the proper working of the preliminary reference mechanism under Article 267 TFEU, it is protected by Article 19(1) TEU and applies to any court that can make a reference, not merely when implementing EU law.

Of the 26 Supreme Courts that responded to a questionnaire circulated among members of the Network, many documented tangible effects of *Portuguese Judges* and the decisions that followed, including institutional reforms strengthening safeguards for judicial independence, procedural reforms (such as European Arrest Warrants (EAWs) being issued by judges rather than prosecutors), and litigation on judicial appointments, salaries and discipline. The case was also important in prompting Commission action against challenges to the rule of law in Member States and in triggering Article 267 references by national courts, including in the context of the EAW.

Perspective of national courts

Chief Justice O'Donnell noted that there is much to applaud in *Portuguese Judges* and the decisions that followed. Faced with real challenges to the rule of law affecting not just individual Member States but arguably the legal order of the Union itself, the CJEU had acted decisively, and the beneficial impact was felt at national court level even where courts were not themselves facing such challenges. Supreme Courts largely welcomed the jurisprudence, viewing preliminary references as effective for ensuring uniformity, clarifying standards, enabling urgent intervention and embedding solidarity among judiciaries, while amplifying the soft-law effect of the Commission's Rule of Law Reports and serving as an early-warning function in stable systems.

While the majority of responses were positive, many courts qualified them. Some considered the use of Article 267 to protect judicial independence as a product of the failure of other mechanisms, and suggested that infringement proceedings and financial penalties were equally, if not more, important. Limitations were also raised, including the reluctance of national courts to refer questions due to time constraints and the difficulty of enforcing judgments in countries with deep-seated issues regarding judicial independence and national sovereignty. Overall, however, the balance sheet is extremely positive.

Issues which deserve discussion

Without losing sight of the many benefits, Chief Justice O'Donnell suggested that several matters deserved further discussion. First, it would have been preferable if the Treaties had themselves anticipated such fundamental challenges and provided for a clear remedy; the CJEU route is innovative and admirable, but jurisprudence on fundamental matters should be capable of persuading the uncommitted, which would be easier if it rested on more express provisions. Second, it should be a matter of concern that the jurisprudence circumvents the limitation in Article 51(1) of the Charter that its principles apply only in the implementation of EU law: that limitation is an important part of the balance between Member States and the Union, and any form of "reverse incorporation" whereby Charter provisions were treated as implicit in the Treaties would significantly expand the scope of the EU and CJEU's control of national law.

Chief Justice O'Donnell also observed that the structure of the preliminary reference procedure may itself raise issues when it is used to address serious rule-of-law questions. Devised in the Treaty of Rome to manage the division of functions between national legal systems and the Court, it produces an abstract decision on law taken in advance of, and dislocated from, the actual decision in the case, a difficulty compounded when that decision involves questions of "real risk" and "substantial grounds". He referred to *LM* (C-216/18 PPU, known in Ireland as *Celmer*), in which the CJEU confirmed that the two-stage approach laid down in *Aranyosi and Căldăraru* applies also when systemic deficiencies relate to the justice system itself. That solution has the virtue of apparent consistency, but it raises questions: judicial independence, unlike prison conditions, is arguably a single and indivisible matter, and it is questionable whether national courts should be required to determine a matter on which different national courts should not be capable of reaching different conclusions.

In concluding, Chief Justice O'Donnell observed that any debate should always start, and perhaps always conclude, with a renewed appreciation of the real, substantial and positive impact of *Portuguese Judges* and what followed from it. It is a case which deserves its place in the pantheon.

Presentation by President of the Fourth Chamber Irmantas Jarukaitis: "Article 19 of the TEU and Judicial Independence in the Jurisprudence of the Court of Justice of the European Union"

Background — the principle of the rule of law in EU law

The presentation discussed recent developments in the CJEU's case law on judicial independence, focusing on the scope of the second subparagraph of Article 19(1) TEU, on the admissibility of preliminary references concerning its interpretation, and on the reasons why the two-step test developed in the *LM/Openbaar Ministerie* line of case law needs to be applied in the EAW context.

President Jarukaitis opened by recalling that the European Union is both a "*communauté de droit*" and a "*communauté de valeurs*", the rule of law being a fundamental value under Article 2 TEU and an essential, systemic guarantee of the Union's constitutional order. The CJEU had developed the principle well before Article 2 TEU expressly enshrined it: as early as *Les Verts* (Case 294/83, 23 April 1986), the Court held that the European

Economic Community was a Community based on the rule of law, in which no measure of the Member States or the institutions could escape review of its conformity with the Treaty.

Two apparent paradoxes, President Jarukaitis observed, run through this jurisprudence. The first stems from *Hungary v Parliament and Council* (C-156/21): at paragraph 232, the Court held that Article 2 TEU contains values giving rise to legally binding obligations for the Member States, while paragraph 233 acknowledges that Member States “enjoy a certain degree of discretion in implementing the principles of the rule of law”, immediately adding that “it in no way follows that that obligation as to the result to be achieved may vary from one Member State to another”. One of the reasons, why these passages found their way into the judgment and the Court felt the need to confirm the obligatory nature of the rule of law, was the fact that although Art 2 TEU (including the rule of law) reflects values common to all the Member States, one of the Member States pleaded before the Court that the rule of law has no binding legal force. The second concerns the concept of “court or tribunal” under Article 267 TFEU: *Getin Noble* (C-132/20) established a presumption that a national court making a reference satisfies the requirements of Article 267 TFEU “irrespective of its actual composition”, yet that institutional presumption can be rebutted by a final judicial decision leading to the conclusion that the specific judge or panel is not an independent and impartial tribunal previously established by law, as occurred in *Krajowa Rada Sądownictwa* (C-718/21). Thus, such presumption may be seen as a radical shift in approach: although courts of the Member States should *by definition* be independent and, thus, satisfy the requirement of independence under Article 267 TFEU, *Getin Noble* reflects a sad reality that that is no longer always the case.

The presentation then turned to the difference of scope between Article 19 TEU and Article 47 of the Charter: Article 47 applies only when a Member State is implementing EU law, whereas Article 19(1) TEU applies more broadly, whenever a national court may be called upon to rule on questions of EU law, as illustrated by the so-called “February revolution”, the *Portuguese Judges* case (ASJP, C-64/16).

Admissibility of references

The admissibility of references under Article 267 TFEU concerning the second subparagraph of Article 19(1) TEU lies in an area between the effectiveness of EU law and national procedural autonomy. In *Miasto Łowicz* (C-558/18 and C-563/18), the Court held such references inadmissible for want of any substantive connection between the disputes in the main proceedings and EU law, unlike in *A. K. and Others* (C-585/18), where the interpretation had a direct bearing on which court had jurisdiction *in limine litis*. Similarly, in *G. (Appointment of ordinary court judges in Poland)* (C-181/21 and C-269/21), the Court examined whether the referring judge had jurisdiction under national procedural law to assess the legality of the panel that had ruled on the case, while in *Hann-Invest* the questions were held “necessary” for the referring court to conclude the cases before it. Admissibility therefore depends on the particular situation and the national procedural framework.

European Arrest Warrant

Finally, President Jarukaitis addressed the EAW system as a good illustration of judicial dialogue. In the *LM* and *Openbaar Ministerie I* and *II* line of case law, the referring courts,

faced with the progressive deterioration of the rule of law in Poland and the resulting concerns about the independence of the issuing judiciary, asked whether the second step of the *Aranyosi* test remained necessary. In all three cases, the CJEU confirmed the applicability of the two-step test, reflecting a search for balance between, on the one hand, judicial independence as part of the essence of the right to a fair trial and as essential to the functioning of the EAW system, and, on the other, the basic premise that Member States respect the rule of law, which underpins mutual trust and yields an exhaustive list of grounds of non-execution — the EAW being executed unless “exceptional circumstances” are established, having regard also to the rights of victims and to the imperative need to avoid impunity.

II. “GDPR supervision of judicial processing of personal data”

The second session entitled “*GDPR supervision of judicial processing of personal data*” was moderated by Mr Anders Eka, President of the Supreme Court of Sweden and President of the Network. Ms Dineke de Groot, President of the Supreme Court of the Netherlands, delivered an introductory intervention on behalf of the Network. The CJEU’s point of view on the issue was presented by President Lenaerts, Ms Tamara Perišin, Judge at the General Court, and Mr Marc-André Gaudissart, Deputy Registrar at the Court of Justice.

Introductory Report by President Dineke de Groot: “GDPR supervision of judicial processing of personal data”

As noted in the introductory report of President de Groot, the work of the courts goes hand in hand with the processing of personal data — of parties, witnesses, experts, judges, registrars, public prosecutors, lawyers and others — both in judgments and decisions and as part of the courts’ publishing activities. Drawing mainly on the 25 Member State responses to the preparatory questionnaire, the report outlined the way Member States have organised GDPR supervision of judicial processing of personal data, provided examples, and illustrated the courts’ relationship with the national GDPR supervisory authority for non-judicial matters.

Legal-structural mechanisms

Most Member States indicated that the competence of the national supervisory authority is excluded for courts acting in their judicial capacity, although they have taken somewhat divergent approaches to whether specific national legislation is needed or whether Article 55(3) GDPR is directly binding to that effect. Similar divergences appear as to whether an alternative supervisory body must be established by the legislature or may be developed by the judiciary itself. Two broad categories may be distinguished: **Category A**, where supervision is entrusted to the judiciary itself or a part thereof, and **Category B**, where it is entrusted to an external body other than the national GDPR supervisory authority, with due regard for judicial independence. Most Member States have adopted a Category A approach in various modalities, including supervision by the court that is competent to hear the substantive case (sometimes vested in the court president or a Data Protection Officer), by the court one step up in the judicial hierarchy, or by an individual judge for the

judiciary as a whole. In Category B, supervision is most commonly entrusted to the Council for the Judiciary or a comparable institution.

The handling of complaints is the task most commonly provided for in the various supervisory mechanisms; in some jurisdictions it is the main or sole route through which supervision takes place, while others treat it as subsidiary to the *ex officio* supervision of compliance. The modalities vary: some procedures are open only to parties (and their representatives) to ongoing proceedings, others more broadly to persons with a legitimate interest, such as journalists.

Judicial supervision in practice

A significant part of GDPR compliance in practice concerns the publication of judgments and the procedures for anonymisation or pseudonymisation. Almost all Member States mentioned procedures in place to ensure that judgments are appropriately anonymised, with supervision consisting in part in ensuring compliance and handling complaints in that regard. Some jurisdictions, notably common-law jurisdictions, pointed to difficulties in reconciling the anonymisation obligations of data protection law with long-established doctrines of open justice.

Relationship with the national GDPR supervisory authority in non-judicial matters

Most Member States reiterated that the competence of the national supervisory authority is excluded for courts acting in their judicial capacity, while some pointed to a degree of interaction between the national supervisory authority and the specific body tasked with supervision of judicial processing of personal data.

Presentation by Judge of the General Court Tamara Perišin: “Protection of personal data within the General Court’s judicial activity”

Judge Perišin, as President of the Data Protection Committee of the General Court (“the Committee”), which acts as a specialised mechanism supervising the processing of personal data by the General Court when acting in its judicial capacity, presented the framework and practical experience of that Committee. As the General Court hears the lion’s share of cases brought by individuals against acts adopted by the EU institutions, it is often described as “the citizens’ court”. It is therefore unsurprising that complaints concerning personal data first came before its Committee, rather than the corresponding mechanism of the Court of Justice.

Recital 20 of the GDPR provides that, at national level, when courts are acting in their judicial capacity, it should be possible to entrust supervision of personal data processing operations to specific bodies within the judicial system of the Member State, which should, in particular, ensure compliance with the rules of the GDPR, enhance awareness among members of the judiciary of their obligations under the GDPR and handle complaints in relation to such data processing operations. Therefore, under the GDPR, these specific national bodies within the judicial system have a broad mandate.

However, at the EU level, Article 1(2) of the Decision of the General Court of 16 October 2019 establishing an internal supervision mechanism regarding the processing of personal data by the General Court when acting in its judicial capacity (OJ 2019 C 383, p. 3), provides that this mechanism, i.e. the Committee, examines the complaints brought before

it by natural persons in respect of a decision taken by the Registrar of the General Court in his capacity as the person responsible for the processing of personal data by the General Court when acting in its judicial capacity in response to an application under paragraph 1 of that Decision, or on his own initiative. Therefore, under that decision, the Committee is only entrusted with the examination of complaints brought by individuals against decisions of the Registrar.

As of the date of this Joint Meeting (March 2025), two complaints had been brought before the Committee. Judge Perišin presented the first one. The complainant, who was the applicant in a civil service case, asked the Registrar of the General Court to delete the name of one of her former employers from certain paragraphs of the judgment published on the Curia website, which has been delivered by the General Court, as this information rendered her identifiable. The main legal issue was whether the Registrar could modify the online version of a judgment that had been delivered by the judicial formation. The Committee considered that the publication or the dissemination on the internet of the case law of the General Court, and, in particular, of the public version of a judgment or an order drawn up by the formation of the Court, constitutes, in principle, an obligation for the person responsible for the processing (controller), namely the Registrar. Since, in that case, on the one hand, the possible identification of the complainant was liable to adversely affect her interests and her right to respect for her privacy, and on the other hand, the contested processing was not necessary and justified by compelling legitimate grounds such as to override the interests, rights and freedoms of the complainant, the latter was justified in requesting that the name of her former employer in the judgment at issue disseminated on the Curia website be redacted.

Looking ahead, Judge Perišin noted that, as judicial activity is becoming more multifaceted, the competence of the Committee is being extended as well. Examples of this extension include matters relating to the broadcasting of judgments and Opinions pursuant to the General Court's Decision of 5 February 2025, issues arising from the use of AI tools, and the publication of written observations following the 2024 legislative reform.

Presentation by Deputy Registrar at the Court of Justice Marc-André Gaudissart: "Measures taken by the Court of Justice and the General Court to protect personal data"

The intervention presented the legal framework and the practical measures deployed by the Court of Justice and the General Court to protect personal data processed in the exercise of their judicial functions, distinguishing "upstream" measures, before the closure of the case, from "downstream" measures, once a decision has been adopted and published.

Upstream, the Court respects the anonymisation effected by the referring court and, where it has not been carried out, will in principle proceed of its own motion. In practice, the Court replaces the names of the persons concerned with initials, and strikes through, where appropriate, other data allowing too easy an identification. This approach gives rise to difficulty regarding the identification and citation of cases. To address it, the Court initially attributed conventional names to cases (referring, for example, to their subject-matter), but the need to translate such names into all languages proved a limitation. Since

January 2023, the Court has therefore attributed fictitious names, which have the advantage of being identical in all languages.

Downstream, two situations arise. First, *ex post* anonymisation, where the Registry, on receiving such a request, analyses its content and scope before anonymising the case within the institution and with the Publications Office. Where no favourable response is given, the applicant may contest the Registrar's decision before the Committee established in 2019. Second, consequent upon the 2024 legislative reform, the Court of Justice and the General Court are now under an obligation to publish, after the closure of the case, the observations lodged in preliminary reference proceedings, unless the author objects within three months; where no objection is raised, the Court verifies that the observations do not contain personal data and generates "public" versions for publication on its website.

5. Colloquium of the Network

13–14 November 2025, The Hague, the Netherlands

At the kind invitation of Ms Dineke de Groot, President of the Supreme Court of the Netherlands, the Network held its Colloquium in The Hague, the Netherlands. The Colloquium commenced on 13 November with a joint meeting between the Network and The Hague Judicial Club which brings together international courts and tribunals based in The Hague. The theme of the joint meeting was *“The Contribution of International and National Courts and Tribunals to the Rule of Law”*. The second day of the Colloquium was devoted to discussions on *“National Courts and International Crime”* and *“Social Media: its Impact on Court Communication and Influence on Judicial Independence”*.

I. “The Contribution of International and National Courts and Tribunals to the Rule of Law”

The session was designed as an opportunity for judges of international and national jurisdictions to reflect jointly on the domestic application of international law and on the respective contributions of their courts to the rule of law. It aimed, in particular, to explore how international jurisprudence may provide guidance to national courts.

The keynote speeches of the session were delivered by Mr Yuji Iwasawa, President of the International Court of Justice, Ms Tomoko Akane, President of the International Criminal Court, Mr Mattias Guyomar, President of the ECtHR and Lord Reed, President of the Supreme Court of the United Kingdom. The session was moderated by Ms Dineke de Groot, President of the Supreme Court of the Netherlands. The introductory statements were followed by a panel discussion in which members of the Network and of The Hague Judicial Club shared their own case law and experiences of adjudicating cases that contribute to upholding the rule of law.

The four interventions, though delivered from very different institutional vantage points, converged on a shared understanding of the relationship between international and national courts in upholding the rule of law. One theme that ran through the interventions was the centrality, and in important respects the primacy, of national courts. Speakers observed that national jurisdictions constitute the first line of defence, bearing the first responsibility for addressing even the gravest crimes, while international courts act as a last resort or as subsidiary guarantors, complementary to national judges as the primary actors at State level. Given the decentralised nature of the international legal order, domestic courts were also emphasised as playing an especially important role in the application and enforcement of international law, including as a robust check on their own governments and as a safeguard against national action that would breach international obligations. A closely related theme is the growing interpenetration of international and domestic law: speakers noted that the two legal orders no longer operate in wholly distinct spheres, that international law increasingly reaches individuals and the internal conduct of States, and that questions of international law therefore arise far more frequently before national courts than in earlier decades. This evolution has been driven, among other factors, by the changing character of international law itself, the

incorporation of human rights instruments into domestic legal orders, and a growing willingness of national courts to engage with international norms and to scrutinise the conduct of other States by reference to them.

Flowing from these observations, the interventions converged on the importance of dialogue, cooperation and complementarity between courts operating at different levels. Various concrete illustrations were offered: the principle of complementarity and the inter-institutional cooperation on which the Rome Statute system depends, including the two-way exchange of information and expertise between international and national authorities; the principle of consistent interpretation, whereby domestic courts read national law in conformity with international obligations and draw on international jurisprudence, including advisory opinions, in doing so; and the complementary relationship between national courts and the ECtHR within a framework of subsidiarity and shared responsibility. Climate change litigation was cited more than once as a striking illustration of how international obligations are now litigated before national courts and of how international and domestic jurisprudence increasingly reinforce one another. The overarching message was that, though courts operate at different levels and within different mandates, their mission is one and the same: to uphold the rule of law through partnership rather than hierarchy.



Photo: Supreme Court of the Netherlands

■ The Hague Colloquium, Meeting with The Hague Judicial Club

II. “National Courts and International Crime”

The working session on “National Courts and International Crime” was prepared and moderated by Mr Christophe Soulard, First President of the French *Cour de cassation*, with a keynote intervention by Mr Bertram Schmitt, former judge of the International Criminal Court.

The session brought together members of the Network in The Hague, described by First President Soulard as the cradle of international criminal justice, to reflect jointly on the role of national supreme courts in the fight against impunity for persons suspected of having committed the most serious international crimes. First President Soulard recalled that each national court, within its own attributions, participates in that fight alongside the international criminal jurisdictions, in an embodiment of the principle of complementarity that guides international criminal cooperation, and invited members of the Network to share their case law and best practices with a view to strengthening a shared responsibility.

First President Soulard structured his introductory address around two axes. He first addressed the cardinal role played by supreme judicial courts alongside the international criminal jurisdictions. By virtue of the principle of complementarity provided for in Articles 1 and 17 of the Rome Statute, national judges bear the first responsibility for prosecuting the most serious international crimes — genocide, war crimes and crimes against humanity — and a number of European supreme and constitutional courts have in recent years clarified the conditions under which foreign nationals may be tried for acts committed on foreign soil against foreign persons, most in a “relative” rather than an “absolute” form of universal jurisdiction.

First President Soulard illustrated this development with three lines of case law. The Supreme Court of Sweden, in a judgment of 2 March 2023 on alleged war crimes in Sudan, held that even in the exercise of universal jurisdiction some form of link with Sweden is required, but that the absence of the defendant from Swedish territory does not preclude Swedish jurisdiction provided that the link is sufficient in other respects. The French *Cour de cassation*, in two decisions of 12 May 2023, gave concrete application to the principle of complementarity, ruling on the sufficient connecting link between France and the person prosecuted and adopting a flexible reading of the criterion of dual criminality. A further layer of complexity arose from the question of the function of the perpetrator and the personal and functional immunities attaching thereto: the German Federal Court of Justice (order of 21 February 2024, AK 4/24) held that the general functional immunity of State agents does not apply to crimes under international law, whatever the rank of the perpetrator; the Supreme Court of the Netherlands (25 August 2023, ECLI:NL:HR:2023:1132) held that customary international law does not admit of an exception to functional immunity in civil proceedings on account of the gravity of the facts; and the *Cour de cassation*, in its decisions of 25 July 2025 (Nos 24-84.071 and 24-84.393), recognised for the first time an exception to the functional immunity of foreign State agents for war crimes and crimes against humanity, and applied the same reasoning to former Heads of State, while confirming that Heads of State in office enjoy absolute personal immunity.

First President Soulard read these decisions as bearing witness to the emergence of a common culture of subsidiarity in the fight against impunity, developing through the careful analysis of the case law of the international criminal jurisdictions and of other foreign supreme courts, and reinforced by the action of the legislator: in Spain, Austria and Germany, functional immunity has been legislatively excluded for international crimes.



Photo: Supreme Court of the Netherlands

■ The Hague Colloquium

Turning to the second axis of his intervention, First President Soulard emphasised the importance of the community of judges as a response to the crisis in the rule of law. This community is a consequence of the internationalisation of litigation and law, reinforced by cooperation instruments such as arrest warrants and by the specialisation of magistrates in international crimes in several European States. It is all the more essential in a context in which certain national and international courts are the subject of genuine challenges and repeated attacks. First President Soulard described 2025 as a worrying year for the judicial institution, referring to the open letter addressed to the ECtHR by certain governments criticising its evolutive interpretation of the Convention, and to the American sanctions against certain judges of the International Criminal Court on account of the cases they are called upon to hear. He addressed a particular word of sympathy to Mr Sokol Sadushi, President of the Supreme Court of Albania, in respect of the tragic event which affected Albanian justice on 6 October 2025, echoing the words pronounced by President Sadushi before the Assembly of Judges of the Republic of Albania on 9 October 2025: “No act of violence can bend justice. No threat can dissuade the judge from exercising his or her functions with integrity. No political or public pressure must compromise the independence of judgment”. National and international judges alike, he concluded, are the guardians of international criminal justice.

III. “Social Media: its Impact on Court Communication and Influence on Judicial Independence”

The working session on *“Social Media: its Impact on Court Communication and Influence on Judicial Independence”* was prepared and moderated by Ms Bettina Limperg, President of the Federal Court of Justice of Germany, with a keynote intervention by Mr Mattias Guyomar, President of the ECtHR.

The session sought to deepen a discussion the Network had begun at earlier meetings, notably in Brno in 2022 on the tools available to courts for building public confidence in the judiciary and, more broadly, in Dublin in 2010 on the relationship with non-judicial partners, but from a distinctly contemporary angle. Whereas courts have traditionally adhered to the principle that they speak through their judgments, they are today expected to communicate actively and in a manner tailored to specific audiences. The Colloquium therefore explored the opportunities and risks of communicating with the public outside professional exchange formats and beyond traditional press work, with a particular focus on the possibilities offered by social networks and on the risks of dynamics that cannot easily be controlled, with a view to developing a better common understanding of how courts should position themselves in this environment in the light of the challenges to the rule of law.

The framing of the discussion drew attention to underlying transformations. Traditional sources such as newspapers, television and radio have taken a back seat to digital channels that cannot easily be classified as either reporting or commentary; regulation of social media remains fragmentary and incomplete, and attempts by the European Union to control content have so far proved insufficient and difficult to enforce on globally active platforms. For courts, the opportunity lies in low-threshold access to a broad section of citizens who would otherwise not come into contact with issues concerning the rule of law, but this requires an understanding of how social media works and, notably, staff capable of simplifying without oversimplifying. The risks are equally significant: hate speech and incitement have become core features of social media, comment functions are often marked by hostility to the rule of law, and falsehoods can rapidly develop a momentum of their own. In several jurisdictions, courts previously present on X have partially withdrawn, in part because the platform’s new policy allowed completely uninhibited communication and appeared even to invite its deliberate abuse for subversive purposes. The protection of judges and staff against smear campaigns and personal attacks has become a matter of concern; conversely, judges’ own growing presence on social media raises new questions of institutional responsibility for judicial communication.

Against this background, the discussion was structured around three sets of issues: first, the active management by courts of their own presence on the internet, including whether social media should be used as an official channel and how far necessary simplification may go without undermining core aspects of the judicial self-image; second, the passive management of misguided or hostile online discussions, including how to respond to deliberate misinformation, to the “digital pillorying” of individual judges and to digital influence on witnesses, parties and litigation PR; and third, questions of public-service law relating to the appearances of judges themselves on social media, including whether such appearances should be authorised, whether they must display a “dignified” character, and which forms of criticism must be accepted and left uncommented.

President Guyomar's keynote address opened with a warning drawn from Hannah Arendt: justice, she wrote, demands seclusion and the most scrupulous abstention from the pleasure of putting oneself in the limelight. Yet, he observed, judicial communication has today become more than a tool of judicial policy: it is a vector of legitimacy, and, at a time when challenges to judicial independence and to the rule of law increasingly take on a digital dimension, judicial communication adapted to this new environment has become a vital necessity. The difficulty lies in the limits inherent in the public expression of any judicial institution, which should in principle confine itself to the delivery of its judgments, and in the specific nature of judicial time, which stands at variance with the immediacy demanded by social media. Distinguishing between the use of social media by actors external to the judicial system, by judges themselves and by judicial institutions, President Guyomar recalled that legitimate criticism voiced on social media should be welcomed when it enhances transparency; but the characteristics of these platforms (horizontality, immediacy, information bubbles, anonymity and the disinhibition of speech) carry significant risks, illustrated by the "doxing" of a judge in Amsterdam, online threats against a French magistrate following her conviction of Ms Marine Le Pen, personal attacks against judges of the European Court of Human Rights after the *Kovačević v. Bosnia and Herzegovina* [GC] judgment, and Mr Elon Musk's message on X calling into question the Court's decision in the case brought by Mr Călin Georgescu, viewed almost twenty million times.

As regards the institutional use of social media by courts, President Guyomar emphasised that the diversification of means of communication must serve an evolution towards greater responsiveness and real-time intervention, not to take part in public debate on the same footing as other participants but to lend objectivity to its terms by performing a pedagogical role and by recalling the guiding principles of judicial independence. He illustrated the point with the European Court's institutional responses to the Georgescu controversy and to the personal attacks on its judges, and outlined the concrete measures deployed by the Court in 2025: the opening of accounts on Bluesky and LinkedIn under the responsibility of a dedicated officer, the live streaming of hearings and of the delivery of Grand Chamber judgments, explanatory videos designed to "debunk" and "pre-bunk" possible misinterpretations, and the adoption of a public resolution on judicial ethics complemented by specific guidelines for members of the Registry. He concluded by recalling Lord Hewart's adage that "justice must not only be done, but must be seen to be done", and announced the launch, that very day, of a LinkedIn page dedicated to the Presidency of the Court.

6. Exchange Programme of Supreme Court Judges

The call for applications for the 2025 Exchange Programme resulted in 32 individual applications from eleven Supreme Courts. The applicants were from the Supreme Courts of Estonia (2), France (3), Germany (3), Italy (10), Latvia (1), Lithuania (2), the Netherlands (1), Poland (1), Romania (1), Sweden (1) and Ukraine (7).

In total 19 exchanges were completed in 2025. The Supreme Courts hosted colleagues as follows:

- The Supreme Court of Austria hosted a judge from Germany and a judge from Ukraine
- The French *Cour de cassation* hosted a judge from Italy, a judge from the Netherlands and a judge from Sweden
- The Federal Court of Justice of Germany hosted a judge from Italy
- The Supreme Court of Finland hosted a judge from Italy
- The Supreme Court of Ireland hosted a judge from Italy
- The Supreme Court of Lithuania hosted a judge from Estonia
- The Supreme Court of Malta hosted a judge from France
- The Supreme Court of the Netherlands hosted a judge from Estonia, a judge from Germany, a judge from Latvia and a judge from Ukraine
- The Supreme Court of Justice of Portugal hosted a judge from Lithuania and a judge from Poland
- The Supreme Court of Slovenia hosted a judge from Lithuania
- The Supreme Court of Spain hosted a judge from Ukraine
- The Supreme Court of Sweden hosted a judge from Ukraine

Of the 19 exchanges four lasted for two weeks and fifteen for one week. The exchanges were conducted in English, Dutch, French and German.

7. Consultation of the Network by the European Commission

The Network was invited by Mr Michael McGrath, Commissioner for Democracy, Justice, the Rule of Law and Consumer Protection, to take part in the targeted stakeholder consultations for the 2025 Rule of Law Report. The Network, having previously consulted its Members, Associate Members and Observers, provided its contribution and endorsed the efforts of the Commission to uphold and strengthen the rule of law and judicial independence in the Union, underlining the continued relevance of questions concerning the independence of the judiciary and the quality of justice.

The Network endorsed the Commission's efforts to uphold the rule of law, stressing that the rule of law and judicial independence cannot be taken for granted. It recalled its earlier observation that inadequate funding — a critical aspect of judicial independence — has begun to hamper court systems in several member countries. The study on the *"Attractiveness of the Judiciary"*, presented at the 2024 Athens Conference, revealed considerable differences in judicial salaries across members and in salary ratios relative to average national wages, underlining the need for judicial remuneration to remain competitive both against the national average and against other high-skilled professions, so as to attract and retain qualified and impartial professionals. As regards court staff, the study found that public discussions on their remuneration were taking place in more than half of the respondent countries, and that in most the starting salaries of both judicial and administrative staff in first-instance courts fell below the national average gross salary; in the majority of Supreme Courts, the salaries of administrative staff were likewise below the national average gross salary. Moreover, 40% of respondents reported a lack of candidates for both judicial and administrative posts, and 26% noted a decrease, compared with previous years, in both the quality and number of candidates applying to become court personnel. The contribution also drew attention to the report on the *"Influence of European Law on Supreme Courts"*, likewise delivered in Athens, which showed how European legal provisions, the case law of the supranational courts and European programmes have driven significant reforms and the emergence of common standards, principally in digitalisation, the administration of justice and the guarantees of a fair trial. It also presented the best practice guides and internal tools deployed by Supreme Courts in relation to European law, giving Network members an overview of the reforms implemented across Europe to strengthen the rule of law. 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 2025 EU Justice Scoreboard.

On 15 April 2025, Mr Anders Eka, President of the Network, and Mr Dominique Hascher, Secretary-General of the Network, met with Commissioner Michael McGrath in Brussels, Belgium. The President and Secretary-General presented the role and activities of the Network, and the conversation focused on the rule of law situation across the European Union.

8. 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 2025 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 meet regularly online to exchange information and to coordinate activities. Eight such meetings took place in 2025.

Mr Villu Kõve, Chief Justice of the Supreme Court of Estonia and Member of the Board, represented the Network at the ACA-Europe General Assembly, which took place on 25-27 May 2025 in Helsinki, Finland.

II. European Judicial Training Network (EJTN)

Cooperation with EJTN continued in 2025. The Network was represented by the Secretariat at the annual Contact Point meeting organised by the EJTN in 2025. In 2025, the Network continued disseminating information about the language courses provided by the EJTN among its members.

III. European Law Institute (ELI)

The Network is an institutional member of ELI. Mr Anders Eka, President of the Network, and Mr Dominique Hascher, Secretary-General of the Network, met Mr Pascal Pichonnaz, President of ELI, online on 8 September 2025 to discuss further cooperation between the two institutions. On behalf of ELI the meeting was also attended by Ms Teresa Rodríguez de las Heras Ballell, President-elect, Ms Vanessa Wilcox, Secretary-General, and Ms Sylvaine Poillot Peruzzetto, Executive Committee member.

9. 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 currently integrated with the databases of the following 18 Supreme Courts: Austria, Belgium, Croatia, Cyprus, the Czech Republic, Estonia, Finland, Germany, Hungary, Italy, Liechtenstein, Lithuania, Luxembourg, Portugal, Romania, Slovakia, Slovenia 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 these tools.

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

10. Requests for Information

In 2025 two requests for information were submitted to Members, Associate Members and Observers of the Network by the French *Cour de cassation* (Communication strategies of Supreme Courts) and the Supreme Court of Lithuania (Formalized engagement in economic, commercial, financial or professional activities – what liability to apply?). 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:

- Supreme Courts' cooperation with legal scholars and law faculties (2026)
- External monitoring and governance of court information-communication structures (2026)
- Human trafficking (2026)
- 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)

11. 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.

At present, the Network has one active comparative law working group, which brings together representatives of the Supreme Courts of Belgium, the Czech Republic, Finland, France, Germany, the Netherlands, Slovenia and the United Kingdom.

The group's work takes place on a dedicated forum on the Network's intranet. In 2025, members raised a wide variety of new questions spanning substantive and procedural issues of civil, criminal and public law, including for example the application of EU restrictive measures (Council Regulations (EU) Nos 833/2014 and 269/2014), Regulation (EU) 2016/1103 on matrimonial property regimes, Directive 2008/104/EC on temporary agency work, data protection under the GDPR, the application of Article 3(1) of the UN Convention on the Rights of the Child in eviction proceedings, the retrial of a previous acquittal and the statute of limitations in criminal law, and the use of artificial intelligence in the judiciary in the light of the AI Act (Regulation (EU) 2024/1689).

At the invitation of the Supreme Court of Slovenia, the group held its tenth annual meeting on 11–12 September 2025 in Ljubljana, focusing on three topics:

- *"The Role of Family and Civil Law in Addressing Domestic Violence"*, led by Supreme Court Judge Mag. Matej Čujovič, covering the protection of victims, interim protection orders, parental authority and the best interests of the child;
- *"Definition and Modification of the Subject Matter in Criminal Proceedings"*, moderated by Supreme Court Judge Prof. Dr Primož Gorkič, examining how far the prosecution and courts may modify the factual basis and legal qualification of an indictment and the safeguards available to the defendant; and
- *"Publication and Pseudonymisation of Judicial Decisions"*, presented by Supreme Court Judge Dr Damjan Orož and Judicial Councillor Ms Marjana Garzarolli, comparing national approaches to publishing decisions and the use of AI-based pseudonymisation tools, including the PSEVDO tool developed by the Supreme Court of Slovenia.