

Strasbourg, 6 November 2020

CONSULTATIVE COUNCIL OF EUROPEAN JUDGES (CCJE)

**21st plenary meeting
Online, 4-6 November 2020**

ABRIDGED MEETING REPORT

A. FOREWORD

1. The Consultative Council of European Judges (CCJE) held its 21st plenary meeting online on 4 - 6 November 2020. It was chaired by Nina BETETTO (Slovenia), President of the CCJE. The agenda is appended to the present report.

B. ITEMS SUBMITTED TO THE COMMITTEE OF MINISTERS FOR DECISION

2. The CCJE invited the Committee of Ministers:
 - a. to take note of Opinion No. 23 (2020) entitled "The role of associations of judges in supporting judicial independence";

and to note that this document would be forwarded to the relevant bodies in the member States, which would be encouraged to translate it into appropriate languages if need be, and to the relevant bodies of the Council of Europe in order that they may take account of it in their work;
 - b. to take note of this report as a whole.

C. LIST OF ITEMS DISCUSSED AND DECISIONS TAKEN BY THE CCJE

The CCJE

3. **adopted** its Opinion No. 23 (2020) entitled "The role of associations of judges in supporting judicial independence", subject to possible amendments on the form by its Bureau, which is entrusted to have any such amendments introduced if needed, in order to ensure consistency between the English and French versions;

decided to submit it to the Committee of Ministers to take note of it; invited member States to ensure its distribution as widely as possible among decision-makers and professionals of justice, including its translation where needed;
4. **took note** of the statement of Turkey as regards the information provided by some associations of judges and the proposal to add a new sentence to paragraph 75 of Opinion No. 23 (2020), decided however not to add this sentence (following Turkey's request, the statement with this proposal is appended to the present report);
5. **welcomed** the information provided by the CCJE President and Vice-President, as well as by other members, about their efforts to disseminate the CCJE Opinions and standards and promote their implementation at national level;
6. **welcomed** the information provided by the CCJE President about her Statement of 24 June 2020 on the role of judges during and in the aftermath of the COVID-19 pandemic: lessons and challenges, as well as about her participation in the 8th annual meeting between the Secretary General of the Council of Europe and the Heads of monitoring and advisory bodies on 29 June 2020, and in other events where the CCJE President presented and explained the key standards and norms developed by the CCJE;
7. **welcomed** the continued close co-operation between the CCJE and the Venice Commission, having noted the participation of the CCJE in the preparation of several joint Opinions with the Venice Commission;
8. **recalled**, in the context of increasing threats to judicial independence in the Council of Europe member States, the 2018 Report by the Secretary General of the Council of Europe on the State of Democracy, Human Rights and Rule of Law in Europe focusing on the role of institutions and threats to institutions;
9. **underlined** that it was at the disposal of the Committee of Ministers and other bodies of the Council of Europe (particularly the Secretary General and the Parliamentary Assembly) to prepare opinions concerning the specific situation of judges in given member States;
10. **decided** to focus its 2021 Opinion on the evolution of the Councils for the Judiciary and their role for independent and impartial judicial systems and **instructed its Bureau and the Working Group appointed for 2021** to prepare a draft Opinion on this issue to be adopted at its 22nd plenary meeting;
11. **appointed** Nino BAKAKURI (Georgia), Jasmina ČOSIĆ DEDOVIĆ (Bosnia and Herzegovina), Viktor GORODOVENKO (Ukraine), Manuel FERNÁNDEZ-LOMANA GARCÍA (Spain), Canòlic MINGORANCE CAIRAT (Andorra), Leonie REYNOLDS

(Ireland), Maiia ROUSSEVA (Bulgaria), Yvonne SUMMER (Austria), Marc DE WERD (the Netherlands) as members, and Luboš DÖRFL (Czech Republic), Wiggo Storhaug LARSEN (Norway), Aida POPA (Romania), Kimmo VANNE (Finland) as substitute members of the Working Group responsible for preparing the 2021 draft Opinion to be submitted to the 22nd plenary meeting of the CCJE;

12. **re-elected** Nina BETETTO (Slovenia) as President, and Kim LEWISON (United Kingdom) as Vice-President for 2021; **re-elected** Anke EILERS (Germany) as member of the CCJE Bureau for 2021-2022;
13. **designated** Mirjana POPOVIĆ (Montenegro) as Gender Equality Rapporteur for 2021;
14. **proposed** to hold its 22nd plenary meeting on 10-12 November 2021;
15. **proposed** to hold the 40th and 41st meetings of the Working Group on 24-26 March 2021 and 9-11 June 2021, respectively;
16. **thanked** in that regard the member of the CCJE in respect of Germany Anke EILERS and the Federal Ministry of Justice of Germany for the invitation to hold the 40th meeting of the Working Group on 24-26 March 2021 in Berlin, subject to the situation with the COVID-19 pandemic;
17. **noted** that the decision concerning the venue of the meetings would be taken at a later stage, according to the rules of the Council of Europe.

AGENDA

- 1. Adoption of the agenda**
- 2. Information by the President, the CCJE members and the Secretariat**
- 3. CCJE Opinion No. 23 (2020)**
 - Examination, with a view to its adoption, of draft Opinion No. 23 on “The role of associations of judges in supporting judicial independence”
- 4. Working methods of the CCJE**
 - Election of the President and of the Vice-President of the CCJE for 2021
 - Election of one member of the CCJE Bureau for 2021-2022
 - Appointment of the CCJE’s Working Group for 2021
 - Appointment of the CCJE Gender Equality Rapporteur for 2021
- 5. Calendar of the CCJE and CCJE-WG meetings in 2021**
- 6. Any other business**

STATEMENT OF TURKEY

Subject:

Our explanations about adding a new sentence after the first sentence of Paragraph 75 and our request to add our proposal to the appendix of the report.

Rationale:

In order to ensure that the reports prepared by European associations of Judges as a result of their observations on the developments in judicial systems of member States do not contain any incomplete/false information about the judicial system of the country, and to ensure their objectivity, Turkey considers it appropriate to add a new sentence that recommends consulting all related parties while drafting the reports after the first sentence of the Paragraph 75 of the Opinion.

Accordingly, our proposal to be included after the first sentence in paragraph 75 reads as follows:

“In order to ensure that such observations are done in an objective manner, CCJE recommends/endorses/encourages that all relevant parties should be consulted during such observations by European associations of Judges.”