

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 3 June 2022

CDCJ(2022)20

**EUROPEAN COMMITTEE ON LEGAL CO-OPERATION
(CDCJ)**

**CRITERIA TO ASSESS REQUESTS FOR OBSERVER STATUS
WITH THE CDCJ AND ITS SUBORDINATE BODIES
AND DECISION-MAKING PROCESSES**

adopted by the CDCJ at its 98th plenary meeting (1-3 June 2022)

CDCJ website: www.coe.int/cdcj
CDCJ email address: DGI-CDCJ@coe.int

Criteria

1. Any organisation requesting observer status with the CDCJ or any of its subordinate bodies should:
 - a) Have legal personality;
 - b) Proven ability to share and promote the values and principles of the Council of Europe;
 - c) Have a broad experience in the area(s) of public and/or private law for which the CDCJ is responsible, or in the area(s) covered by a subordinate body of the CDCJ to which such an observer status is being requested;
 - d) Bring demonstrable added value and high-quality contribution(s) to the work of the CDCJ and/or CDCJ's subordinate body/ies;
 - e) Have a large Europe wide membership or representation in their area of competence;
 - f) Have a sufficiently unique presence such that its members would not already be represented through a wider body or organisation.

Assessment and decision-making processes

2. The CDCJ may ask the applicant organisation to submit any necessary documents to facilitate the CDCJ's decision-making process and information relevant to the above-mentioned criteria. It may also invite the applicant organisation to participate in a hearing at the respective plenary meeting of the CDCJ before taking a decision.
3. Where an applicant organisation has specialised expertise within the competence of the CDCJ or of a CDCJ's subordinate body, the CDCJ may decide to grant observer status to the Committee as a whole or only in relation to the respective subordinate body or in relation to specific activities or actions that falls within that specialised area.
4. According to paragraph 8 of [Resolution CM/Res\(2021\)3 on intergovernmental committees and subordinate bodies, their terms of reference and working methods](#), observers shall be admitted to the CDCJ and any subordinate body answerable to it on the basis of a unanimous decision. Where unanimity is not reached, the matter may be referred to the Committee of Ministers at the request of two-thirds of the members of the CDCJ. In cases of requests for observer status with a subordinate body which operates under the supervision of the CDCJ and another steering committee, such as for example CJ/ENF-ISE, a joint decision of both steering committees would need to be taken pursuant to the conditions set in paragraph 8 of the Resolution.

How to request for observer status?

5. In order to request observer status to the European Committee on Legal Co-operation (CDCJ) or any of its subordinate bodies, a letter should be addressed to the secretariat (addressed to the Secretary General of the Council of Europe or to the Chairperson of the Committee) explaining the reasons of the request for observer status, through the Committee's official address (DGI-CDCJ@coe.int). Such requests would be considered by the CDCJ for decision during its plenary meetings.