



Strasbourg, 23 November 2023

CDCJ(2024)01

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

**TERMS OF REFERENCE OF THE CDCJ AND ITS SUBORDINATE BODIES  
FOR 2024-2027**

adopted by the Committee of Ministers' Deputies  
at their 1481<sup>st</sup> (Budget) meeting, 21-23 November 2023

*(extract from document CM(2023)131-add final)*

Document prepared by the Secretariat  
Directorate General Human Rights and Rule of Law – DGI

## Terms of reference of the

# Committee of Experts on the Protection of Lawyers (CJ-AV)

Set up by the Committee of Ministers under Article 17 of the Statute of the Council of Europe and in accordance with [Resolution CM/Res\(2021\)3](#) on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

Category: Subordinate body

Duration: 1 January 2024 - 31 December 2024

Programme: Building trust in public institutions

Sub-programme: Independence and efficiency of justice

## Deliverable

Under the authority of the Committee of Ministers, and of the European Committee on Legal Co-operation (CDCJ), the CJ-AV is instructed to complete the following deliverable within the following deadline:

	Category ▼	Priority ▼	Deadline ▼
1. Draft legal instrument aiming at strengthening the protection of the profession of lawyer and the right to practice the profession without prejudice or restraint, which sets out a comprehensive set of minimum standards applicable to a lawyer's right to freely exercise their professional activities and ensure protection and independence of the profession, and may include establishing a mechanism entrusted with the implementation of the standards by member States or giving guidance on their application	A	1	31/12/2024
<p><b>Key</b></p> <p>A: deliverable under preparation (2022-2023 terms of reference or Committee of Ministers' decision) or deliverable foreseen in the terms of reference provisionally approved for 2024-2025 and reviewed where relevant in the framework of the preparation of the draft Programme and Budget 2024-2027</p> <p>B: review of implementation/re-examination foreseen by the recommendation/protocol/convention</p> <p>C: newly proposed deliverable</p>			

## Composition

### • Members

The Committee of Experts shall be composed of 15 representatives of the highest possible rank (judges, prosecutors, lawyers, civil servants or researchers or other highly qualified specialists) with thorough knowledge of law, policy and practice in their respective countries relating to the exercise of professional activities of lawyers, and the increasing challenges for conducting them freely, safely and independently, of which 14 designated by the member States and selected by the CDCJ, and the chairperson designated by the CDCJ from amongst its members.

The Committee shall be composed in accordance with Article 6 of Resolution [CM/Res\(2021\)3](#) on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

The Council of Europe will bear the travel and subsistence expenses of these 15 members. Other member States may send a representative to the meetings of the Committee of Experts without defrayal of expenses.

Each member of the Committee shall have one vote. Where a government designates more than one member, only one of them is entitled to take part in the voting.

### • Participants

The following may send representatives, without the right to vote and at the charge of their corresponding administrative budgets:

- Parliamentary Assembly of the Council of Europe;
- European Court of Human Rights;
- Council of Europe Commissioner for Human Rights;
- Conference of INGOs of the Council of Europe;
- Committees or other bodies of the Council of Europe engaged in related work, as appropriate.

The following may send representatives, without the right to vote and without defrayal of expenses:

- European Union (one or more representatives, including, as appropriate, the European Union Agency for Fundamental Rights (FRA));
- Observer States to the Council of Europe: Canada, Holy See, Japan, Mexico, United States of America;
- Office of the United Nations High Commissioner for Human Rights (OHCHR);
- United Nations Special Rapporteur on the Independence of Judges and Lawyers;
- United Nations Special Rapporteur on the Situation of Human Rights Defenders;
- Organisation for Security and Co-operation in Europe (OSCE);
- Office for Democratic Institutions and Human Rights (OSCE-ODIHR).

- Observers

The following may send representatives, without the right to vote and without defrayal of expenses:

- non-member States with which the Council of Europe has a Neighbourhood Partnership including relevant co-operation activities;
- Avocats Sans Frontières;
- Council of Bars and Law Societies of Europe (CCBE);
- European Bars Federation (FBE);
- European Association of Lawyers (EAL);
- European Criminal Bar Association (ECBA);
- International Bar Association (IBA) and its Human Rights Institute ((IBAHRI);
- International Commission of Jurists (ICJ);
- International Association of Lawyers (UIA);
- “Lawyers for Lawyers” foundation;
- International Observatory of Endangered Lawyers (OIAD).

Observer status may be requested in accordance with Article 8 of [Resolution CM/Res\(2021\)3](#) on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

### Working methods

The rules of procedure of the Committee are governed by [Resolution CM/Res\(2021\)3](#) on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

Plenary meetings ▼			
	Members incl. Chair	Meetings per year	Days per meeting
2024	15	3	3

The CJ-AV will appoint from amongst its members one Gender Equality Rapporteur.

### Budgetary information\*

	Meetings per year	Days per meeting	Members reimbursed	Plenary in €K	Bureau in €K	Working groups in €K	Secretariat (A, B)
2024	3	3	15	50.7	-	-	0.5 A; 0.5 B

\*The costs include the per diem, travel costs, interpretation, translation and document printing. These costs are calculated on the basis of standard costs.