



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 1481st (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 European Committee on Legal Co-operation (CDCJ)

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: Steering committee

Duration: 1 January 2024 - 31 December 2027¹

Programme: Building trust in public institutions

Sub-programme: Independence and efficiency of justice

Main tasks

Under the authority of the Committee of Ministers, and bearing in mind the Council of Europe legal standards, the case law of the European Court of Human Rights and the findings and recommendations of the relevant monitoring mechanisms, the European Committee on Legal Co-operation (CDCJ) oversees the Council of Europe's work in the field of public and private law and advises the Committee of Ministers on all questions within its areas of competence.

In particular, the CDCJ is instructed to:

- i. take due account of the Reykjavik Declaration² in conducting its activities and submit proposals for its implementation as appropriate;
- ii. take account of the relevant key findings and challenges set out in the Secretary General's 2023 Report on the state of democracy, human rights and rule of law "An Invitation to Recommit to the Values and Standards of the Council of Europe";
- iii. steer legal co-operation among member States in order to identify new and emerging challenges and to provide effective responses in areas within its expertise (inter alia justice and the rule of law, administrative law, family law, children's rights, nationality, technologies related developments), through the elaboration, supervision and evaluation of standard-setting activities in these areas, and by promoting and facilitating co-operation and understanding between member States, in close co-ordination and co-operation with relevant conventional and monitoring bodies and other Council of Europe bodies involved in areas of its competence and in synergy with other relevant stakeholders;
- iv. promote and facilitate the functioning, implementation and where necessary the ratification of Council of Europe conventions, agreements and protocols within its area of competence;
- v. follow and promote the implementation of the non-binding instruments that it has prepared, and if appropriate, of others, within its area of competence;
- vi. advise the Committee of Ministers and the Secretary General on appropriate action to be taken and provide advice as requested;
- vii. contribute (if necessary) to the preparation of the Conference of the Ministers of Justice (subject to invitation), in co-operation with other relevant committees and bodies, and ensure, as appropriate, the follow-up of any decision taken by the Committee of Ministers subsequent to the conference;
- viii. contribute to the implementation of Council of Europe strategies and action plans and related activities and actions within its areas of competence, in close co-ordination and co-operation with those responsible for their co-ordination and/or oversight; and advise as necessary on priority areas for the development of Council of Europe co-operation activities in these areas,
- ix. where necessary, co-ordinate transversal intergovernmental activities in the field of public and private law;
- x. effectively improve the impact of the work of the CDCJ and its subordinate committees/bodies by enhancing the access and dissemination of key instruments and documents to practitioners, by contributing through legislative advice on Council of Europe public and private law standards with a view to supporting member States in legal reforms, by undertaking awareness-raising activities for national authorities and other relevant stakeholders, and by strengthening its communication actions through modern technologies and means;
- xi. orient and oversee the activities carried out by its subordinate bodies, notably the Committee of Experts on the Protection of Lawyers (CJ-AV); jointly with the Steering Committee for the Rights of the Child (CDENF), the Committee of Experts on the Rights and the Best Interests of the Child in Parental Separation and in Care Proceedings (CJ/ENF-ISE) and the Committee of Experts on Access to Origins (CJ-OR) (cf. separate terms of reference);
- xii. in co-operation and consultations with other relevant committees in their areas of expertise, develop one or more draft non-binding instruments (recommendation, policy guidelines) in the area of child-friendly justice, as a contribution to the Council of Europe Strategy for the Rights of the Child (2022-2027), and in administrative and migration law matters, as a contribution to the Council of Europe Action Plan on Protection Vulnerable Persons in the Context of Migration and Asylum in Europe (2021-2025);

¹ These terms of reference are approved for the first biennial period 2024-2025. For the second biennial period 2026-2027, they are approved on a provisional basis, subject to confirmation upon the adoption of the budget for 2026-2027.

² [Reykjavik Declaration - United around our values.](#)

- xiii. provide input to the Committee of Ministers in view of the regular, high-level dialogue with member States and partners on delivering on the Reykjavik Principles for Democracy;
- xiv. raise-awareness about Council of Europe standards and tools in its field of competence in the member States and beyond, through the neighbourhood policy and in other international and global fora where relevant;
- xv. hold an exchange of views annually in order to evaluate its activities and advise the Committee of Ministers and the Secretary General on future priorities in its sector, including possible new activities and those that might be discontinued;
- xvi. take due account of the following mainstreamed perspectives in the performance of its tasks: gender, youth, children's rights, rights of persons with disabilities, and Roma and Traveller³ issues;
- xvii. where relevant, contribute to strengthening meaningful engagement with civil society organisations and national human rights institutions in its work;
- xviii. in accordance with decisions [CM/Del/Dec\(2013\)1168/10.2](#) of the Committee of Ministers, carry out, at regular intervals, within the limits of the available resources and bearing in mind its priorities, an examination of some or all of the conventions for which it has been given responsibility,⁴ in co-operation, where appropriate, with the relevant convention-based bodies, and report back to the Committee of Ministers;
- xix. contribute to the achievement of, and review progress towards, the UN 2030 Agenda for Sustainable Development, in particular with regards to Goal 5: Gender Equality and Goal 16: Peace, Justice and Strong institutions.

Main deliverables

Under the authority of the Committee of Ministers, the CDCJ is instructed to complete these deliverables, within the following deadlines:

| | 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 (cf. terms of reference of CJ-AV) | A | 1 | 31/12/2024 |
| 2. Draft Recommendation on the rights and the best interests of the child in care proceedings (cf. terms of reference of CJ/ENF-ISE, jointly with the CDENF) | A | 1 | 31/12/2024 |
| 3. Implementation tool(s) on the rights and the best interests of the child in parental separation and in care proceedings (cf. terms of reference of CJ/ENF-ISE, jointly with the CDENF) | A | 1 | 31/12/2024 |
| 4. Study on national climate litigation | C | 3 | 31/12/2025 |
| 5. Based on results of the report on the state of play and assessment of the implementation of the European Convention on Information on Foreign Law (CETS 62) and its additional protocol (CETS 097), implementation tools and/or awareness-raising activities | A | 2 | 31/12/2025 |
| 6. Report on good practices in respect of legal aid and representation, access to information and to justice for stateless children in the context of administrative and migration law matters, as a contribution to the Council of Europe Action Plan on Protection Vulnerable Persons in the Context of Migration and Asylum in Europe (2021-2025) and the Council of Europe Strategy for the Rights of the Child (2022-2027) | A | 3 | 31/12/2025 |
| 7. Non-binding legal instrument regarding stateless children's access to nationality, including guidance on child-sensitive procedures in administrative and migration law matters, as a contribution to the Council of Europe Action Plan on Protection Vulnerable Persons in the Context of Migration and Asylum in Europe (2021-2025) and the Council of Europe Strategy for the Rights of the Child (2022-2027) | A | 1 | 31/12/2026 |
| 8. Draft Recommendation on rights of donor-conceived persons to know their origins subject to the conclusions of the on-going comparative study (in co-operation with the CDBIO and other committees as appropriate) (cf. terms of reference of CJ-OR) | A | 1 | 31/12/2026 |
| 9. Thematic review of the guidelines on child-friendly justice (focus: civil and administrative proceedings), (in co-operation with CDENF and/or other committees as appropriate) as a contribution to the Council of Europe Strategy for the Rights of the Child (2022-2027) | B | 1 | 31/12/2027 |
| 10. Focused thematic review of the implementation of selected aspects of the Sofia Action Plan on Strengthening Judicial Independence and Impartiality | C | 1 | 31/12/2027 |
| 11. Taking into account the work of CAI, draft legal instrument covering the use of artificial intelligence for policing, the administration of justice and borders/migration | C | 1 | 31/12/2027 |
| 12. Report on the state of play of the implementation of selected conventions and/or recommendations falling under its responsibility, including proposals for follow-up deliverables | B | 2 | 31/12/2027 |

³ The term "Roma and Travellers" is used at the Council of Europe to encompass the wide diversity of the groups covered by the work of the Council of Europe in this field: on the one hand a) Roma, Sinti/Manush, Calé, Kaale, Romanichals, Boyash/Rudari; b) Balkan Egyptians (Egyptians and Ashkali); c) Eastern groups (Dom, Lom and Abdal); and, on the other hand, groups such as Travellers, Yenish, and the populations designated under the administrative term "Gens du voyage", as well as persons who identify themselves as Gypsies. The present is an explanatory footnote, not a definition of Roma and/or Travellers.

⁴ Cf. relevant decisions of the Committee of Ministers ([CM/Del/Dec\(2013\)1168/10.2](#)) and list of Conventions in document [CM\(2023\)132](#).

| | | | |
|---|---|---|--------------------|
| 13. Opinions on legal issues within its area of competence for the attention of the Committee of Ministers or of the Secretary General (upon their request) | A | 1 | 31/12 of each year |
| <p>Key</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

Governments of member States are invited to designate one or more representatives of the highest possible rank in the fields of public and private law, with responsibility at the national level for the planning, development and implementation of policies relevant to the work of the Committee and appointed by their governments to co-ordinate at national level all elements of government policy relevant to the work of the Committee.

The Council of Europe will bear the travel and subsistence expenses of one representative from each member State (two in the case of the State whose representative has been elected Chair).

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.

In accordance with decisions [CM/Del/Dec\(2013\)1168/10.2](#) of the Committee of Ministers, in cases where there is no convention-based body including all the Parties, non-member States are invited to take part, with a right to vote, in the committee meetings pertaining to the conventions to which they are Parties.

• 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;
- Congress of Local and Regional Authorities of the Council of Europe;
- European Court of Human Rights;
- Commissioner for Human Rights of the Council of Europe;
- 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;
- United Nations International Law Commission (ILC);
- Office of the United Nations High Commissioner for Human Rights (OHCHR);
- Office of the United Nations High Commissioner for Refugees (UNHCR);
- International Institute for the Unification of Private Law (UNIDROIT);
- Hague Conference on Private International Law (HCCH);
- Organisation for Economic Co-operation and Development (OECD);
- Organisation for Security and Co-operation in Europe (OSCE);
- Office for Democratic Institutions and Human Rights (OSCE-ODIHR);
- International Commission on Civil Status (ICCS).

• 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;
- International Social Service (ISS);
- Council of Bars and Law Societies of Europe (CCBE);
- International Commission of Jurists (ICJ);
- European Network of National Human Rights Institutions (ENNHRI).

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 ▼ | | | Bureau meetings ▼ | | |
|------|------------------------|----------------------|---------------------|-------------------|----------------------|---------------------|
| | Members incl. Chair | Meetings per year | Days per meeting | Members | Meetings per year | Days per meeting |
| 2024 | 47 | 2 | 3 | 7 | 2 | 2 |
| 2025 | 47 | 2 | 3 | 7 | 2 | 2 |
| 2026 | 47 | 2 | 3 | 7 | 2 | 2 |
| 2027 | 47 | 2 | 3 | 7 | 2 | 2 |

The CDCJ will appoint from amongst its members up to 5 Rapporteurs on mainstreamed perspectives, including one Gender Equality Rapporteur.

Subject to the agenda, the chairs of its subordinate bodies may be invited to attend CDCJ's Bureau and/or plenary meetings.

Subordinate structures

The CDCJ co-ordinates, supervises and follows the work of its subordinate bodies:

- (2024) the Committee of Experts on the rights and the best interests of the child in parental separation and in care proceedings (CJ/ENF-ISE, jointly with CDEF) (cf. separate terms of reference);
- (2024) the Committee of Experts on the protection of lawyers (CJ-AV) (cf. separate terms of reference);
- (2025-2026) the Committee of Experts on access to origins (CJ-OR);
- subject to the result of mail deliverable 9, possible subordinate body as of 2027 to prepare an update of the guidelines on child-friendly justice, in co-operation or jointly with other committees (notably CDEF and CDPC) [terms of reference to be presented after the mid-term review].

Budgetary information *

| | Meetings per year | Days per meeting | Members reimbursed | Plenary in €K | Bureau in €K | Working groups in €K | Secretariat (A, B) |
|------|----------------------|---------------------|-----------------------|------------------|-----------------|-------------------------|-----------------------|
| 2024 | 2 | 3 | 47 | 124.5 | 11.8 | 14.0 | 1 A; 2 B |
| 2025 | 2 | 3 | 47 | 124.5 | 11.8 | 31.1 | 1 A; 2 B |
| 2026 | 2 | 3 | 47 | ↔ | ↔ | ↔ | ↔ |
| 2027 | 2 | 3 | 47 | ↔ | ↔ | ↔ | ↔ |

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

Terms of reference of the

Committee of Experts on the Rights and the Best Interests of the Child in Parental Separation and in Care-Proceedings (CJ/ENF-ISE)

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

Programmes: Acting for equality, diversity and respect / Building trust in public institutions

Sub-programmes: Children’s rights/ Independence and efficiency of justice

Deliverables

Under the authority of the Committee of Ministers, of the European Committee on Legal Co-operation (CDCJ) and of the Steering Committee for the Rights of the Child (CDENF), the CJ/ENF-ISE is instructed to complete the following deliverables assigned to within the following deadlines:

| | Category ▼ | Priority ▼ | Deadline ▼ |
|---|---------------|---------------|---------------|
| 1. Draft Recommendation on the rights and the best interests of the child in care proceedings | A | 1 | 31/12/2024 |
| 2. Implementation tool(s) on the rights and the best interests of the child in parental separation and in care proceedings | A | 1 | 31/12/2024 |
| <p>Key</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 10 representatives of member States of the highest possible rank and/or independent experts (five designated by the CDCJ and five by the CDENF according to each steering committee’s procedures), with established expertise, including at international level, in law, policy and practice relating to family law and children’s rights.

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 10 members. Other member States may send representatives without defrayal of expenses.

Each member of the Committee of Experts 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;
- Congress of Local and Regional Authorities of the Council of Europe;
- European Court of Human Rights;
- Commissioner for Human Rights of the Council of Europe;
- 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;
- Hague Conference on Private International Law (HCCH);
- Other international organisations including: United Nations Committee on the Rights of the Child (UNCRC), United Nations Children’s Fund (UNICEF), the Committee on the Elimination of Discrimination against Women (CEDAW), Office of the High Commissioner on Human Rights (OHCHR), World Health Organisation (WHO), United Nations Special Representative of the Secretary-General on Violence against Children (UN SRSG VAC), Council of the Baltic Sea States (CBSS).

- 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;
- European Network of Ombudspersons for Children (ENOC);
- Defence for Children international (DCI);
- International Association of Youth and Family Judges and Magistrates (IAYFJM);
- International Social Service (ISS);
- Missing Children Europe.

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 | 10 | 2 | 3 |

The CJ/ENF-ISE will appoint from amongst its members a Gender Equality Rapporteur.

The Chair or Vice-Chair of the CJ/ENF-ISE will be invited to attend the meetings of the CDCJ and of the CDENF and/or their Bureaux to report on progress with the work of the CJ/ENF-ISE.

Budgetary information*

| | Meetings per year | Days per meeting | Members reimbursed | Plenary in €K | Bureau in €K | Working groups in €K | Secretariat (A, B) |
|------|----------------------|---------------------|-----------------------|------------------|-----------------|-------------------------|-----------------------|
| 2024 | 2 | 3 | 10 | 33.7 | - | - | 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.

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>Key</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.

Terms of reference of the

Committee of Experts on access to origins (CJ-OR)

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 2025 - 31 December 2026¹

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-OR is instructed to complete the following deliverable within the following deadline:

| | Category ▼ | Priority ▼ | Deadline ▼ |
|--|---------------|---------------|---------------|
| 1. Draft Recommendation on the rights of donor-conceived persons to know their origins | A | 1 | 31/12/2026 |

Key

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

B: review of implementation/re-examination foreseen by the recommendation/protocol/convention

C: newly proposed deliverable

Composition

- Members

The Committee of Experts shall be composed of 10 representatives of the highest possible rank with appropriate expertise and knowledge of law, policy and practice in their respective countries relating to family law and/or legal, medical and scientific policy in relation to technological and legal aspects impacting on the rights of donors and donor-conceived persons, including children and their access to information, of which six designated by the member States and selected by the CDCJ, three independent experts appointed by the Secretary General, 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 10 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;
- Steering Committee for Human Rights in the fields of Biomedicine and Health (CDBIO);
- European Committee on Organ Transplantation (CD-P-TO);
- Steering Committee for the Rights of the Child (CDENF);
- 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;
- United Nations Committee on the Rights of the Child (CRC);
- United Nations International Law Commission (ILC);
- Office of the United Nations High Commissioner for Human Rights (OHCHR);
- Hague Conference on Private International Law (HCCH);
- International Commission on Civil Status (ICCS);
- World Health Organisation (WHO).

¹ These terms of reference are approved for 2025. For 2026, they are approved on a provisional basis, subject to confirmation upon the adoption of the budget for 2026-2027.

- 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;
- International Social Service (ISS);
- Council of Bars and Law Societies of Europe (CCBE);
- International Commission of Jurists (ICJ);
- Association internationale des magistrats de la jeunesse et de la famille (AIMJF);
- European Association of Health Law (EAHL);
- European Society of Human Reproduction and Embryology (ESHRE).

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 | - | - | - |
| 2025 | 10 | 2 | 3 |
| 2026 | 10 | 2 | 3 |

The CJ-OR 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 | - | - | - | - | - | - | - |
| 2025 | 2 | 3 | 10 | 50.4 | - | - | 0.5 A; 0.5 B |
| 2026 | 2 | 3 | 10 | ↔ | - | - | ↔ |

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