

Strasbourg, 28 June 2024

CDCJ(2024)11

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

**102<sup>nd</sup> plenary meeting**

11-13 June 2024

Strasbourg, Palais de l'Europe, Room 6

**ABRIDGED MEETING REPORT**

**CDCJ website: [www.coe.int/cdcj](http://www.coe.int/cdcj)  
CDCJ email address: [DGI-CDCJ@coe.int](mailto:DGI-CDCJ@coe.int)**

## Opening of the meeting and adoption of the agenda

The European Committee on Legal Co-operation (CDCJ) held its 102<sup>nd</sup> plenary meeting in Strasbourg on 11-13 June 2024 with Mr Eral Knight (United Kingdom) in the Chair.

The agenda of the meeting appears in Appendix 1. The full report of the meeting including the list of participants<sup>1</sup> is available on the CDCJ's website.

## List of items for decision by the Committee of Ministers

The CDCJ invites the Committee of Ministers:

- to take note of the abridged report of its 102<sup>nd</sup> plenary meeting held in Strasbourg on 11-13 June 2024.

## List of items for information of the Committee of Ministers

The CDCJ:

- took note of the information provided by the Chair and by the Secretariat on developments that occurred since the 101<sup>st</sup> plenary meeting (15-17 November 2023) and their possible implications for CDCJ's work, in particular: the participation of the CDCJ Chair in the celebration of the 75<sup>th</sup> anniversary of the Council of Europe on 16 May 2024 and the declaration on the 75<sup>th</sup> anniversary adopted at the Ministerial Conference of Foreign Affairs Ministers on 17 May 2024, which encouraged the swift finalisation of the draft convention for the protection of the profession of lawyer; the participation of the CDCJ Vice-Chair, Ms Signe Öhman (Sweden), in the 2<sup>nd</sup> meeting of Secretary General with Chairs of Intergovernmental Committees on the follow-up to the Fourth Summit of Heads of State and Government in Reykjavík (16-17 May 2023) held on 1 February 2024; and the publication of the Handbook "The Administration and You" as revised to take into account the impact of the increasing use of artificial intelligence systems and automated decision making by public authorities in their dealings with individuals and adopted by the CDCJ at its 101<sup>st</sup> plenary meeting;
- took note of the state of play of the implementation of the CDCJ activities in accordance with its terms of reference for 2024-2027 as well as the changes that had occurred since the 101<sup>st</sup> plenary meeting of the CDCJ in the follow-up action given by the CDCJ and by the Committee of Ministers in respect of the texts adopted by the Parliamentary Assembly and the Congress of Local and Regional Authorities during the six past years, on which the CDCJ has been asked by the Committee of Ministers to provide an opinion;
- took note of the information provided by the Secretariat on the state of play of the preparation of the first thematic review by the CDCJ as a follow-up to the [Council of Europe Plan of Action on Strengthening Judicial Independence and Impartiality](#) (Sofia Action Plan), with a focus on the career and training of judges;
- took note of the update provided by the Chair of the Committee of Experts on the protection of lawyers (CJ-AV), Mr Christoph Henrichs (Germany), on the state of play of the committee's work since the 101<sup>st</sup> plenary meeting of the CDCJ; examined in-depth the draft text of the future convention for the protection of the profession of lawyer, read together with its draft explanatory report, as revised by the CJ-AV at its 8<sup>th</sup> meeting (13-15 May 2024) in the light of the contributions received in the framework of the written consultation process; discussed in detail comments and proposals made in particular regarding Article 2 (Scope), Article 6 (Professional rights of lawyers), Article 9 (Protection), and Article 12 (Procedure); agreed to transmit the revised draft convention to the CJ-AV, where necessary giving specific information on the amendments remaining to be made and any text to be added to the draft explanatory report; took note of the reports of the CJ-AV's 7<sup>th</sup> and 8<sup>th</sup> meetings held on 30 January-1 February 2024 and 13-15 May 2024 respectively; took note of the information provided by the Secretariat on the next steps leading up to the CDCJ's approval of the draft convention and adoption of its explanatory report at its 103<sup>rd</sup> plenary meeting (19-21 November 2024), with a view to the adoption of the draft convention by the Committee of Ministers in 2025;

---

<sup>1</sup> At this plenary meeting of CDCJ, 36 member states were represented by 36 participants: 19 women and 17 men, 52,8% and 47,2% respectively.

- took note of the update provided by the Secretariat on the work carried out by the Committee of Experts on the rights and best interests of the child in the context of parental separation and in care proceedings (CJ/ENF-ISE) regarding the draft recommendation on the protection of the rights and best interests of the child in care proceedings and the implementation tools for this recommendation and the draft recommendation on the rights and best interests of the child in parental separation proceedings; took note that a written consultation of the CDCJ, the Steering Committee for the Rights of the Child (CDENF) and selected key stakeholders on the above-mentioned draft recommendation on care proceedings had been launched until 31 July 2024; agreed that the implementation tools for both aforementioned draft recommendations should take the form of checklists for policy-makers, bearing in mind the work being carried out by the CEPEJ Working Group on Quality of Justice (CEPEJ/GT-QUAL) on tools dealing with child-friendly justice; took note that the joint approval of the draft recommendation on the rights and best interests of the child in care proceedings and adoption of its explanatory memorandum by the CDCJ and by the CDENF would take place on 3 December 2024; took note of the report of the 9<sup>th</sup> meeting of the CJ/ENF-ISE of 20-22 March 2024;
- took note of the update provided by the Chair of the CDCJ limited working group on migration (CDCJ-MIG), Mr Francesco Crisafulli (Italy), on the outcome of its 1<sup>st</sup> meeting on stateless children held online on 31-31 May 2024; adopted the questionnaire prepared by the CDCJ-MIG for immediate circulation to CDCJ delegations with a view to collecting information on procedures governing statelessness and acquisition of nationality in respect of children by 31 July 2024; approved the outline of the feasibility study on a non-binding legal instrument regarding stateless children's access to nationality; took note of the workplan of the CDCJ-MIG as updated and approved by the working group; took note of the information provided by the Secretariat on the multistakeholder meeting "Children and Statelessness" organised jointly by the Council of Europe and the European Migration Network (EMN) on 6 June 2024 in Luxembourg and online;
- examined the draft practical guide, standard forms and FAQ aimed at improving the implementation of the convention-based mechanisms of the European Convention on Information on Foreign Law (ETS No. 62) and its Additional Protocol (ETS No. 97); provided the consultant with the necessary guidance to pursue the elaboration of the draft practical guide, standard forms and FAQ; invited member states not having signed and ratified the Convention and/or its Protocol to do so;
- took note of the information provided by a number of member states on their legislative developments in the area of private law since the 100<sup>th</sup> plenary meeting (31 May-1 June 2023) and thanked the delegations concerned for their contributions;
- took note of the information provided by relevant Council of Europe bodies and committees, the Council of Bars and Law Societies of Europe (CCBE) and other international and civil society organisations in the area of private law and thanked the contributors;
- appointed new rapporteurs and representatives/substitutes for 2024 made necessary by (1) the withdrawal of Ms Ellen Ensing (Netherlands) from her position as Rapporteur on Children's Rights and as representative to the Steering Committee for the rights of the child (CDENF), to the Council of Europe Consultation Group on the Children of Ukraine (CGU); (2) the terms of reference of the Steering committee on Democracy (CDDEM) which include, as one of its main deliverables, the update of Recommendation [CM/Rec\(2007\)14](#) on the legal status of non-governmental organisations in Europe that should involve the CDCJ as drafter of the original text; therefore, appointed Ms Verena Cap (Austria) as its new rapporteur and representative to follow the work related to children's rights and Mr James D'Agostino (Malta) as its representative to the CDDEM; and appointed Ms Anna Karapetyan (Armenia) as representative to the Steering Committee on Anti-discrimination, Diversity and Inclusion (CDADI) in replacement of Ms Anahit Abrahamyan (Armenia) and reappointed Mr Rodrigo Rodriguez (Switzerland) as substitute representative for the European Commission for the Efficiency of Justice (CEPEJ); such new appointments are reflected in the full list of appointments for 2024 as reviewed by the CDCJ at this meeting and set out in Appendix II;
- took note of the updated calendar of its meetings and events for 2024-2025, including the dates of its 103<sup>rd</sup> plenary meeting (Strasbourg, 19-21 November 2024) and of the CDCJ-CDENF joint session for the approval of the draft recommendation on the rights and best interests of the child in care proceedings (3 December 2024, online participation of the CDCJ with in-person participation of the Chair);
- adopted the abridged report of its 102<sup>nd</sup> plenary meeting.

## Appendix I

### Agenda

1. Opening of the meeting
2. Adoption of the agenda and order of business
3. Statement of the Chair and Secretariat
4. Tour de table: interventions by newly designated members of the CDCJ
5. Review of progress

#### **Justice and the Rule of Law**

- 5.1 Council of Europe Plan of Action on Strengthening Judicial Independence and Impartiality (Sofia Action Plan) (*main deliverable 10*)
- 5.2 Protection of the profession of lawyer – Committee of Experts – CJ-AV (*main deliverable 1*)

#### **Family law and children's rights**

- 5.3 Rights and best interests of the child in parental separation and in care proceedings – Committee of Experts – CJ/ENF-ISE (*main deliverables 2 and 3*)

#### **Public Law**

- 5.4 Statelessness and access to nationality (*main deliverables 6 and 7*)

#### **Promoting and facilitating the functioning of conventions within the CDCJ's area of competence (main task (iv))**

- 5.5 European Convention on Information on Foreign Law (ETS No. 62) and its Additional Protocol (ETS No. 97) (*main deliverable 5*)
6. Developments in member States in the area of private law
7. Co-operation with other relevant Council of Europe bodies and committees, other international organisations and civil society in the area of private law
8. Appointments (CDCJ representatives and rapporteurs)
9. Any other business
10. Dates of the next meetings
11. Adoption of the abridged meeting report

## Appendix II

### Appointments by the CDCJ for 2024 as revised by the CDCJ at its 102<sup>nd</sup> meeting (11-13 June 2024)

#### CDCJ Thematic Rapporteurs

Rapporteur on Gender Equality (GER)	Ms Alexandra Terés Erich (Andorra)
Rapporteur on Children's Rights	Ms Verena Cap (Austria)
Rapporteur on the Rights of Persons with Disabilities	Ms Lana Morgoshia (Georgia)

#### CDCJ representatives/substitutes in other Council of Europe bodies

European Commission for the Efficiency of Justice (CEPEJ)	Representative: Mr João Arsénio de Oliveira (Portugal) Substitute: Mr Rodrigo Rodriguez (Switzerland)
Steering Committee for Human Rights (CDDH)	Representative: Mr Rodrigo Rodriguez (Switzerland)
Committee on Artificial Intelligence (CAI)	Representative: Ms Heddi Lutterus (Estonia) Substitute: Mr Rodrigo Rodriguez (Switzerland)
Steering Committee for the Rights of the Child (CDENF) / Consultation Group on Children of Ukraine (CGU)	Representative: Ms Verena Cap (Austria)
Steering Committee on Anti-Discrimination, Diversity and Inclusion (CDADI)	Representative: Ms Anna Karapetyan (Armenia)
Steering Committee on Democracy (CDDEM)	Representative: Mr James D'Agostino (Malta)