



Strasbourg, 20 December 2024

CDCJ(2024)33

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

103rd plenary meeting

19-21 November 2024
Strasbourg, Palais de l'Europe, Room 6
and
Joint session with the CDENF
3 December 2024, Online

MEETING REPORT

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

1-2. Opening of the meeting and adoption of the agenda

1. The European Committee on Legal Co-operation (CDCJ) held its 103rd plenary meeting in Strasbourg on 19-21 November and online on 3 December 2024, with Mr Eral Knight (United Kingdom) in the chair.
2. The agenda of the meeting appears in Appendix 1. The abridged and full meeting reports as well as the list of participants¹ are available on the CDCJ's website.
3. The meeting was opened by Mr Gianluca Esposito, Director General, DGI – Human Rights and Rule of Law.

3. Statement of the Chair and Secretariat

4. The CDCJ took note of the information provided by the chair and the secretariat on developments having occurred since the 102nd plenary meeting (11-13 June 2024) and their possible implications for CDCJ's work, in particular the work carried out by the Committee of Experts on Sexual Orientation, Gender Identity and Expression and Sex Characteristics (ADI-SOGIESC) on a draft recommendation on the equality of rights of intersex persons, as well as the work of the Steering Committee on Democracy (CDDEM) with regard to the review of Recommendation CM/Rec(2007)14 of the Committee of Ministers to member states on the legal status of non-governmental organisations in Europe and the elaboration of the parameters for the application and implementation of the Reykjavík Principles of Democracy.

4. Tour de table: interventions by newly designated members of the CDCJ

5. The chair welcomed the newly designated members of the CDCJ who joined the committee since its last plenary meeting (Armenia, Finland, Romania, and Slovak Republic). They introduced themselves and informed the committee of their delegations' priority areas of interest coming within its mandate.

5. Review of progress

6. The CDCJ took note of the state of play of the implementation of its activities (document [CDCJ\(2024\)02 prov4](#)) and progress made since the 102nd plenary meeting of the CDCJ.

Justice and the Rule of Law

5.1 Protection of lawyers (*main deliverable 1*)

7. The CDCJ took note of the update provided by Mr Christoph Henrichs (Germany), the chair of the Committee of Experts on the Protection of Lawyers (CJ-AV).
8. The CDCJ took also note of the report of the 9th and last meeting of the CJ-AV (9-11 September 2024) (document [CJ-AV\(2024\)09](#)).
9. In the presence of the consultant of the CJ-AV, Mr Jeremy McBride, the CDCJ undertook an in-depth examination of the draft Council of Europe Convention for the Protection of the Profession of Lawyer (document [CDCJ\(2024\)25 rev / CJ-AV\(2022\)05 prov15 rev](#) (restricted)) and of its draft explanatory report (document [CDCJ\(2024\)26 rev / CJ-AV\(2023\)10 prov8 rev](#) (restricted)) both revised by the CJ-AV at its last meeting, in the light of the comments made by the CDCJ at its 102nd plenary meeting and written comments provided by several delegations after the said plenary meeting.
10. The CDCJ examined carefully all written comments shared by delegations before the meeting (Austria, Belgium, Denmark, Ireland, Spain and Sweden, as compiled in document [CDCJ\(2024\)30 rev](#)) and those raised by other delegations during the meeting itself. Below are the salient points that led to in-depth discussions.
11. As regards the scope of the protection extending beyond lawyers themselves to include persons employed or engaged by them (Article 2, para. 4) and by their professional associations (Article 2, para. 5), the CDCJ clarified that protection applies to such staff only insofar as they contribute directly to the carrying out of the professional activities of the lawyers and professional associations.
12. The CDCJ also discussed in detail the comments made by some delegations about lawyers' criminal liability not being engaged in connection with oral or written statements made when representing clients during

¹ At this plenary meeting of CDCJ, 38 member states were represented by 39 participants: 23 women and 16 men, 59% and 41% respectively.

proceedings (Article 6, para. 2). The CDCJ underlined that this provision expressly states that it applies only to the statements of lawyers made in good faith and with diligence when representing their clients. Moreover, the explanatory report clarifies that this provision excludes from protection conscious lies or falsehoods, the dissemination of evidently untrue facts, or abusive or threatening behaviour. It was also stressed that, under Article 6, para. 4, restrictions are possible provided they are prescribed by law and necessary in a democratic society within the meaning of the European Convention on Human Rights (ECHR).

13. As regards comments on the presence of an independent lawyer during searches (Article 9, para. 1, sub-para. c), the CDCJ clarified that it does not concern routine checks, for instance at airports or ordinary road traffic control. The committee underlined the distinction between such checks and targeted searches as part of civil, administrative and criminal investigations or process where oversight by legal professionals or representatives would be needed.

14. Concerning comments on the ability of professional associations to have access to lawyers who have been deprived of their liberty (Article 9, para. 3, sub-para. a), the CDCJ underlined that this was not an absolute right and agreed to draw attention in the explanatory report to the provision's *chapeau* which provides for the possibility of restrictions prescribed by law that are necessary in a democratic society for preventing, investigating and prosecuting crime or for protecting the rights of others, within the meaning of the ECHR.

15. The CDCJ discussed the question of the information provided to professional associations about instances of lawyers being assaulted or killed which the law enforcement authorities are aware of (Article 9, para. 3, sub-para. b). Some comments underlined that this should not lead to the authorities interfering with the relationship between lawyers and professional associations. Therefore, informing professional associations should be restricted to situations where lawyers have been assaulted and are not in a position to inform the professional associations themselves or have been killed. In addition, such instances have to be linked to their professional activities and not already be public knowledge.

16. The CDCJ discussed the use of inclusive language in the French version of the draft convention, particularly the use of the doublet "*avocates et avocats*" throughout the text. On reflection, the committee decided to retain the term "*avocat*" alone, as the definition contained in Article 3 para. a. referred to "any natural person" which was considered as sufficiently inclusive.

17. The CDCJ approved the draft convention by consensus. It also adopted the explanatory report by consensus. Consensus was achieved on key points after in-depth discussions and drafting adjustments reflected in the finalised texts of the draft convention and its explanatory report (documents CDCJ(2024)25 final and CDCJ(2024)26 final).

18. It entrusted the secretariat with the task of transmitting the draft convention and its explanatory report to the Committee of Ministers as soon as possible, for submission to the Parliamentary Assembly for opinion, with a view to an adoption by the Committee of Ministers and possible opening for signature in 2025, during the Luxembourg presidency.

19. It started exploring ways for the CDCJ to contribute to promoting the future convention amongst both member and non-member states of the Council of Europe and decided to discuss it further after the Committee of Ministers' adoption of the convention.

5.2 Council of Europe Plan of Action on Strengthening Judicial Independence and Impartiality (Sofia Action Plan) (*main deliverable 10*)

20. The CDCJ took note of the information provided by the secretariat, and examined the preliminary draft report of the first thematic review on the Council of Europe Plan of Action on Strengthening Judicial Independence and Impartiality (Sofia Action Plan), dealing with the career and training of judges in member states (document CDCJ(2024)13 prov2).

21. It also examined the draft questionnaire to member states (document CDCJ(2024)14 prov) aiming to collect additional information necessary for the elaboration of the review. It adopted the questionnaire with a few adjustments (document CDCJ(2024)14 final) and entrusted the secretariat with the circulation of the said questionnaire to CDCJ delegations and the Consultative Council of European Judges (CCJE).

*Public Law***5.3 Statelessness and access to nationality (main deliverables 6 and 7)**

22. The CDCJ took note of the information provided by the chair and CDCJ member, Mr Francesco Crisafulli (Italy), and by the secretariat on the outcomes of the 2nd meeting of the CDCJ Restricted Working Group on Migration (CDCJ-MIG), held online on 26-27 September 2024.

23. In the presence of the CDCJ-MIG consultant, Mr René de Groot, the committee examined the draft feasibility study for a non-binding legal instrument on access to nationality for stateless children (document CDCJ(2024)15 prov). The CDCJ exchanged views with the consultant on the way forward proposed in the draft feasibility study and agreed to revise [Recommendation CM/Rec\(2009\)13 on the nationality of children](#), and complement it with a checklist for policy makers.

24. After a final editorial review and in the light of comments provided during the meeting, the CDCJ instructed the secretariat to transmit the feasibility study to the Committee of Ministers for information and authorised its publication under the responsibility of its author.

25. The CDCJ also examined the draft compendium of good practices on access to nationality for stateless children as prepared by the CDCJ-MIG (document CDCJ-MIG(2024)05prov2). The committee took note that the draft compendium of good practices will be circulated to CDCJ delegations to enable them to provide or supplement information on national practices regarding access to nationality for stateless children.

26. The CDCJ took note that the next meeting of CDCJ-MIG will be held online during the first half of 2025 and encouraged national delegations to participate.

5.4 National climate litigation (main deliverable 4)

27. The CDCJ took note of the information provided by the secretariat.

28. The CDCJ examined the detailed outline of the draft study on national climate litigation as prepared by the consultants, Ms Joanna Setzer and Ms Catherine Higham (Grantham Research Institute, London School of Economics) (present online) in response to the request made by the Committee of Ministers following its [reply to the Parliamentary Assembly](#) on its Recommendation 2213 (2021) - Addressing issues of criminal and civil liability in the context of climate change, as proposed in document CDCJ(2024)17. It held an exchange of views with the consultants and provided them the necessary guidance to pursue their work, in particular that the study should focus primarily on litigation against states.

*Family law and children's rights***5.5 Rights and best interests of the child in parental separation and care proceedings (main deliverables 2 and 3)**

29. The CDCJ held a joint session with the Steering Committee for the Rights of the Child (CDENF) on 3 December 2024 in hybrid format, in the presence of the Chairperson of the Committee of Experts on the Rights and Best Interests of the Child in Parental Separation and Care Proceedings (CJ/ENF-ISE), Mr Thomas Knoll-Biermann (Germany) and the consultant, Ms Daja Wenke, with a view to approving the draft recommendation on the protection of the rights and best interests of the child in care proceedings and adopting its draft explanatory memorandum as prepared by the CJ/ENF-ISE.

30. The two steering committees examined the draft recommendation and its draft explanatory memorandum in light of the comments received from CDCJ and CDENF delegations. Following a final reading and last amendments, the CDCJ and CDENF each approved the draft recommendation by consensus and adopted its explanatory memorandum, also by consensus (documents CDCJ(2024)18/CDENF(2024)14 and CDCJ(2024)19/CDENF(2024)15). The delegation of Bulgaria made a statement regarding the use of the term "gender" (see Appendix 2).

31. The CDCJ and the CDENF instructed the secretariat to transmit to the Committee of Ministers, for adoption:

- the draft recommendation on the protection of the rights and best interests of the child in parental separation proceedings that the two steering committees jointly approved in November 2023 (document CDCJ(2023)28/CDENF(2023)25); and
- the draft recommendation on the protection of the rights and best interests of the child in care proceedings.

32. The CDCJ and the CDENF also instructed the secretariat to transmit to the Committee of Ministers, for information, the explanatory memoranda to the two draft recommendations as adopted by the two steering committees.

33. The CDCJ and the CDENF examined the draft implementation tools prepared by the CJ/ENF-ISE for policy makers on the protection of the rights and best interests of the child in parental separation proceedings and in care proceedings in the light of the comments received in writing from CDCJ and CDENF delegations. The steering committees jointly adopted by consensus both tools (documents CDCJ(2024)20/CDENF(2024)16 and CDCJ(2024)21/CDENF(2024)17 respectively) and instructed the secretariat to transmit them to the Committee of Ministers for information.

34. The CDCJ and CDENF took note of the report of the 10th and last meeting of the CJ/ENF-ISE held from 14 to 16 October 2024 (document [CJ/ENF-ISE\(2024\)PV02](#)).

5.6 Rights of donor-conceived persons to know their *origins* (main deliverable 8)

35. The CDCJ took note of the information provided by the secretariat regarding the composition of the Committee of Experts on Access to Origins (CJ-OR) responsible for preparing, as from 2025, a draft recommendation on the rights of donor-conceived persons to know their origins. The secretariat drew attention to the fact that the CJ-OR would be composed of seven members representing member states, including its chairperson, and three independent experts to be appointed by the Secretary General. CDCJ delegations were invited ahead of the plenary meeting to propose candidates as state representatives and to suggest names of independent experts.

36. The CDCJ examined the list of candidates for the composition of the CJ-OR, both as state representatives and independent experts (document CDCJ(2024)31 prov (confidential)). In absence of candidates for the position of a chair of the CJ-OR from within the CDCJ itself, seven seats for members representing states were to be filled by the candidates proposed, which also amounted to seven. Therefore, the CDCJ selected the seven proposed candidates and, amongst them, appointed Mr Thomas Knoll-Biermann (Germany) as chairperson.

37. The CDCJ examined the list of proposed independent experts and, based on their experience, expressed preference for three of them. The secretariat informed the committee that it would check their availability and interest in the work of the committee and that the list would then be confirmed by the Secretary General.

38. The CDCJ noted that the committee will elect its vice-chairperson at its first meeting scheduled to take place in 2025 before its next plenary meeting (dates to be determined). The CDCJ instructed the secretariat to inform member states representatives of the decision taken by the CDCJ on the composition of the CJ-OR. The list of members of the CJ-OR representing member states appears in Appendix 3.

Promoting and facilitating the functioning of conventions within the CDCJ's area of competence (main task (iv)) and review of Council of Europe conventions (main task (xviii))

39. The CDCJ took note of three signatures of treaties under the responsibility of the CDCJ since its last plenary meeting.²

40. The CDCJ reflected on the conventions and agreements under its responsibility as well as the recommendations, resolutions and guidelines it had prepared with a view to identifying which ones could be examined in order to evaluate a possible need for update or a new instrument in the area concerned or other activities. It agreed to consider an evaluation of the implementation of Recommendation CM/Rec(2017)2 on the legal regulation of lobbying activities in the context of public decision making in the light of recent developments in the area, and raising awareness on Recommendation CM/Rec(2009)11 on principles concerning continuing powers of attorney and advance directives for incapacity.

5.7 European Convention on Information on Foreign Law (ETS No. 62) and its Additional Protocol (ETS No. 97) (main deliverable 5)

41. The CDCJ examined the draft practical guide, standard forms and FAQs aiming to improve 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) (document CDCJ(2024)07 prov.4) and to feature

² Algeria and Trinity and Tobago signed the Convention on Mutual Administrative Assistance in Tax Matters as amended by the 2010 Protocol (ETS No. 127); the Republic of Moldova signed European Convention for the Protection of Pet Animals (ETS No. 125),

on a dedicated webpage. It exchanged views with the consultant, Mr Nicolas Nord. The exact scope of the Convention and its Additional Protocol were clarified in the tools and some adjustments to each of them were made. Subject to editorial changes and in the light of the comments provided during the meeting, the committee authorised their publication on the dedicated webpage as presented to the committee.

42. The CDCJ also agreed to verify and transmit to the secretariat the relevant data relating to the national bodies responsible for receiving requests and transmitting replies in order to make them available on the dedicated webpage.

43. The CDCJ took note that an online event would be organised in 2025 to present the webpage dedicated to the Convention and its Additional Protocol to states parties, including those who are not members of the Council of Europe, and non-states parties as well as other key stakeholders.

44. The CDCJ reiterated its invitation to member states which have not yet signed and ratified the Convention and/or its Additional Protocol to do so.

6 Transversal issues:

- a. Mainstreaming gender, youth, children's rights, rights of persons with disabilities, and Roma and Traveller³ issues (main task xvi)
- b. Contribution to the UNSDGs - [Goal 5: Gender equality](#), [Goal 10: Reduce inequality within and among countries](#), [Goal 13: Climate Change](#) and [Goal 16: Peace, justice and strong institutions](#) (main task xix)

45. The CDCJ assessed mainstreaming of perspectives related to gender, youth, children's rights, rights of persons with disabilities, and Roma and Traveller issues, in the performance of its tasks, as well as the contribution of the Committee's work to United Nations Sustainable Development Goals 5, 10, 13 and 16. It also identified, amongst the activities within its current mandate, the activities below that meet this requirement, in view to advise the Committee of Ministers:

- the draft recommendations on the protection of the rights and best interests of the child in parental separation and in care proceedings take into account the Strategy for the Rights of the Child and contribute to UNSDG 16;
- the draft convention for the protection of the profession of lawyer takes into account the Gender Equality Strategy and contributes to UNSDGs 5 and 16;
- the updated Handbook "The Administration and you" contributes to UNSDG 16;
- the work undertaken by the CDCJ as a follow-up action to give effect to its report on the implementation of the Council of Europe Plan of Action on Strengthening Judicial Independence and Impartiality contributes to UNSDG 16;
- the work on stateless children and their access to nationality takes into account the Strategy for the Rights of the Child and contributes to UNSDG 10 and 16;
- the study on national climate change litigation and the possible follow-up action to be given will contribute to UNSDG 13.

7 Developments in member states in the area of public law

46. The CDCJ took note of the information provided by a number of member states on their recent legislative developments in the area of public law as it appears in document CDCJ(2024)27 rev and thanked the delegations concerned for their contributions. The committee agreed that the next meeting will examine developments in member states in the area of private law.

8 Co-operation with other relevant Council of Europe bodies and committees, other international organisations and civil society in the area of public law

47. The CDCJ took note of the information provided by relevant Council of Europe bodies and committees in the area of public law as it appears in document CDC(2024)28 and thanked the contributors.

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.

9 Evaluation of completed activities / Annual exchange of views to evaluate its activities and to advise the Committee of Ministers on future priorities in its sector, including possible new activities and those that might be discontinued (*main task xv*)

48. The CDCJ held an exchange of views on progress made in the activities listed in the committee's terms of reference and workplan, based on document CDCJ(2024)02 prov4 taking stock of the implementation of the CDCJ activities against the broader picture of the Council of Europe programme and budget 2024-2027 and the Declaration made by the Heads of State and Government of the Council of Europe at their 4th Summit (Reykjavík, 16-17 May 2023) : "United around our values" which set the priorities of the Organisation.

10 Elections and Appointments

a. Elections (Chair, Vice-Chair and a Bureau member)

49. The CDCJ held elections, in accordance with Resolution CM/Res(2021)3 on intergovernmental committees and subordinate bodies, their terms of reference and working methods, for the following three seats: Chairperson, Vice-Chairperson and a member of the Bureau under Article 13.d of the Rules. By acclamation, it re-elected Mr Eral Knight (United Kingdom) as the Chairperson for a second term of office of one year, Ms Signe Öhman (Sweden) as the Vice-Chairperson for a second term of office of one year and Mr Guillaume Vieillard (France) as a member of the Bureau for a two-year term of office (under Article 13.d of the Rules of Procedure).

50. As from 1 January 2025 the Committee Bureau will set up as follows:

Chairperson: Mr Eral Knight (United Kingdom) – re-elected for a second term of office of one year, from 1 January to 31 December 2025.

Vice-Chairperson: Ms Signe Öhman (Sweden) – re-elected for a second term of office of one year, from 1 January to 31 December 2025.

Bureau members:

Ms Alexandra Terés Erich (Andorra) – elected for a first term of office of two years, from 1 January 2024 to 31 December 2025.

Mr Lennart Houmann (Denmark) – re-elected for a second term of office of two years, from 1 January 2024 to 31 December 2025.

Mr João Arsénio de Oliveira (Portugal) – elected for a first term of office of two years, from 1 January 2024 to 31 December 2025.

Mr Matija Vidmar (Slovenia) – elected for a first term of office of two years, from 1 January 2024 to 31 December 2025.

Mr Guillaume Vieillard (France) – elected for a term of office of two years, under Article 13.d of the Rules, from 1 January 2025 to 31 December 2026.

b. Appointments (CDCJ Representatives and Rapporteurs) for 2025

51. The CDCJ made the necessary appointments of its thematic rapporteurs (gender equality, children's rights, rights of persons with disabilities), representatives and substitutes for 2025 as they appear in Appendix 4.

11 CDCJ Opinions (if any) (*main deliverable 13*)

Parliamentary Assembly Recommendation 2284 (2024) – "Missing migrants, refugees and asylum seekers – A call to clarify their fate"

52. The CDCJ took note of the request by the Committee of Ministers for an opinion on Parliamentary Assembly Recommendation 2284 (2024) – "Missing migrants, refugees and asylum seekers – A call to clarify their fate" by 11 December 2024. It decided to adopt its opinion on this recommendation by written procedure and asked the secretariat to transmit it to the Committee of Ministers once consolidated.

12 Any other business

53. No other business.

13 Date and place of the next meeting

54. The CDCJ took note of the updated calendar of its meetings and events for 2024-2025 (document [CDCJ\(2024\)03 prov3](#)) and confirmed the dates of its two next plenary meetings:

- 104th meeting: 16-18 June 2025,
- 105th meeting: 18-20 November 2025.

14 Adoption of the abridged meeting report

55. The CDCJ adopted the abridged report of its 103rd plenary meeting as it appears in document CDCJ(2024)32.

Appendix 1

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 Protection of lawyers (*main deliverable 1*)
- 5.2 Council of Europe Plan of Action on Strengthening Judicial Independence and Impartiality (Sofia Action Plan) (*main deliverable 10*)

Public law

- 5.3 Statelessness and access to nationality (*main deliverables 6 and 7*)
- 5.4 National climate litigation (*main deliverable 4*)

Family law and children's rights

- 5.5 Rights and best interests of the child in parental separation and care proceedings (*main deliverables 2 and 3*)
- 5.6 Rights of donor-conceived persons to know their origins (*main deliverable 8*)

Promoting and facilitating the functioning of conventions within the CDCJ's area of competence (main task (iv)) and review of Council of Europe conventions (main task (xviii))

- 5.7 European Convention on Information on Foreign Law (ETS No. 62) and its Additional Protocol (ETS No. 97) (*main deliverable 5*)
6. Transversal issues:
 - a. Mainstreaming gender, youth, children's rights, rights of persons with disabilities, and Roma and Traveller⁴ issues (main task xvi)
 - b. Contribution to the UNSDGs - Goal 5: Gender equality, Goal 10: Reduce inequality within and among countries, Goal 13: Climate Change and Goal 16: Peace, justice and strong institutions (main task xix)
7. Developments in member states in the area of public law
8. Co-operation with other relevant Council of Europe bodies and committees, other international organisations and civil society in the area of public law
9. Evaluation of completed activities / Annual exchange of views to evaluate its activities and to advise the Committee of Ministers on future priorities in its sector, including possible new activities and those that might be discontinued (main task xv)
10. Elections and Appointments
 - a. Elections (Chair, Vice-Chair and a Bureau member)
 - b. Appointments (CDCJ Representatives and Rapporteurs) for 2025
11. CDCJ Opinions (if any) (*main deliverable 13*)
Recommendation 2284 (2024) - "Missing migrants, refugees and asylum seekers – A call to clarify their fate"
12. Any other business
13. Date and place of next meeting
14. Adoption of the abridged meeting report

⁴ 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.

Appendix 2**Statement by the Republic of Bulgaria to the Draft Recommendation on the protection of the rights and best interests of the child in care proceedings**

Bulgaria attaches great importance to the topic of the protection of the rights and best interests of the child in care proceedings and therefore wishes to express its support for the Draft recommendation on the protection of the rights and best interests of the child in care proceedings and the Draft Explanatory memorandum thereto.

In 2018 and in 2021, the Bulgarian Constitutional Court adopted Decisions stating that the Council of Europe's Convention on Preventing and Combatting Violence against Women and Domestic Violence ("Istanbul Convention") promotes legal concepts related to the notion of gender that are incompatible with main principles of the Bulgarian Constitution. Therefore, in line with the above-mentioned Decisions of the Constitutional Court, the Republic of Bulgaria declares that the country cannot accept either the concept of gender or the gender-based approach of the Council of Europe's Convention or any other document that intends to differentiate between "sex" as a biological (women and men) category and "gender" as a social construct.

Appendix 3

Rights of donor-conceived persons to know their origins

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

CHAIR

Mr Thomas Knoll-Biermann (Germany)

MEMBERS

Croatia	Ms Aleksandra Korać Graovac	Professor, University of Zagreb
Czechia	Ms Eva Petrová	Head of Implementation Unit at the Office of the Government Agent before the European Court of Human Rights Ministry of Justice
Denmark	Ms Signe Ebbesen	Legal consultant Danish Patient Safety Authority
France	Mr Emmanuel Vernier	Secretary general of the de la Commission for access to data from third-party donors for persons born from medically assisted procreation (CAPADD) Ministry of Health
Germany	Mr Thomas Knoll-Biermann	Head of Unit for Law on Parent and Child Matter Federal Ministry of Justice
Switzerland	Ms Joëlle Schickel-Küng	Deputy Head of the Private Law Division and Co-Head of the Private International Law Unit (PIL Unit) Federal Office of Justice
United Kingdom	Ms Rachel Cutting	Director of Compliance and Information Human Fertilisation and Embryology Authority (HFEA)

Appendix 4**Appointments by the CDCJ for 2025****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)
Steering Committee for the Rights of the Child (CDENF) / Consultation Group on Children of Ukraine (CGU)	Representative: Ms Verena Cap (Austria)
Steering Committee on Democracy (CDDEM)	Representative: Mr James D'Agostino (Malta)