

Strasbourg, 11 June 2024

CDCJ(2024)OJ1 ANN

**102nd plenary meeting of the European Committee on Legal Co-operation
(CDCJ)**

11-13 June 2024

Strasbourg, Palais de l'Europe, room 6

Annotated agenda

- 1. Opening of the meeting**
- 2. Adoption of the agenda and order of business**

Working documents

Agenda

CDCJ(2024)OJ1 (*bilingual*)

Annotated agenda

CDCJ(2024)OJ1 ANN

The CDCJ is invited to adopt the agenda and the order of business.

- 3. Statement of the Chair and Secretariat**

The CDCJ is invited to take note of the information provided by the Chair and by the Secretariat on the developments that have occurred since the 101st plenary meeting (15-17 November 2023) and their possible implications for CDCJ's operations and activities.

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

Background document

[Members of the CDCJ](#) (as of 22.05.2024)

Since the last plenary meeting (15-17 November 2023), new members joined the Committee (Armenia, Latvia, Montenegro, Poland, Türkiye, Ukraine). After welcoming them, the Chair will invite newly designated members to introduce themselves.

5. Review of progress

Working documents

- Stocktaking: implementation of CDCJ activities
[CDCJ\(2024\)02 prov2](#)
- Review of action taken by the CDCJ to legal instruments prepared by the CDCJ and to recommendations adopted by the Parliamentary Assembly and the Congress of Local and Regional Authorities
[CDCJ\(2024\)05](#)

The CDCJ is invited to take note of the state of play of the implementation of the CDCJ activities (document [CDCJ\(2024\)02 prov2](#)) and of the changes occurred since the 101st plenary meeting of the CDCJ (15-17 November 2023) 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 to provide its opinion (document [CDCJ\(2024\)05](#)).

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*)

Update by the Secretariat

Background documents

- Detailed workplan of the first thematic review by the CDCJ focused on the career and training of judges
[CDCJ\(2023\)20](#)
- Revised follow-up proposals, including methodology
[CDCJ\(2023\)01prov3](#)
- [Report of the CDCJ to the Secretary General of the Council of Europe on the implementation of the “Sofia Action Plan”](#)
- [Council of Europe Plan of Action on Strengthening Judicial Independence and Impartiality](#)

Further to the decision made by the CDCJ at its 101st plenary meeting, the CDCJ is invited to take 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 state of play in member States regarding the career and training of judges.

5.2 Protection of the profession of lawyer – Committee of Experts – CJ-AV (main deliverable 1)

Working documents

- Draft text for a future convention on the protection of the profession of lawyer (working version 13)
[CJ-AV\(2022\)05 prov13](#) (bilingual – restricted)
- Draft explanatory report (working version 6)
[CJ-AV\(2023\)10 prov6](#) (restricted)
- Report of the 7th meeting of the CJ-AV (30 January-1 February 2024)
[CJ-AV\(2024\)05](#)
- Report of the 8th meeting of the CJ-AV (13-15 May 2024)
[CJ-AV\(2024\)08](#)

Background documents

- Compilation of the drafting proposals and comments received on the draft convention
[CJ-AV\(2024\)06 rev](#) (restricted)
- Compilation of the drafting proposals and comments received on the draft explanatory report
[CJ-AV\(2024\)07](#) (restricted)

The CDCJ is invited to:

- take note of the update provided by the Chair of the Committee of Experts on the protection of lawyers (CJ-AV) on the state of play of the committee's work since the 101st plenary meeting of the CDCJ (15-17 November 2023);
- undertake an in-depth examination on the draft texts of the future convention for the protection of the profession of lawyer and its explanatory report as revised by the CJ-AV at its meeting of May 2024 in the light of the contributions received in the framework of the written consultation process;
- take note of the reports of the CJ-AV's 7th and 8th meetings held on 30 January-1 February 2024 and 13-15 May 2024 respectively (documents [CJ-AV\(2024\)05](#) and [CJ-AV\(2024\)08](#)).

The CDCJ will benefit from the expertise of the CJ-AV's consultant, Mr Jeremy McBride, who will be present for the discussion on this agenda item.

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)

Working documents

- Draft recommendation on the protection of the rights and best interests of the child in care proceedings
[CJ/ENF-ISE\(2024\)02](#) (restricted)
- Draft Explanatory Memorandum
[CJ/ENF-ISE\(2024\)03](#) (restricted)
- Report of the 9th meeting of the CJ/ENF-ISE (20-22 March 2024)
[CJ/ENF-ISE\(2024\)PV01](#)

Background documents

- Working methods and workplan
[CJ/ENF-ISE\(2024\)01](#)
- [CJ/ENF-ISE Terms of reference - CDCJ\(2024\)01](#)

The CDCJ is invited to:

- take note of the update provided by the Secretariat on the state of play of 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 care proceedings and implementation tools on both recommendations;
- submit during this meeting any preliminary comments on the draft recommendation care proceedings and its explanatory memorandum, taking into account the fact that a written consultation of the CDCJ and the Steering Committee for the Rights of the Child (CDENF) will take place from 24 May until 31 July 2024;
- take note that the joint adoption by the CDCJ and by the CDENF of the draft instrument proposed by the CJ/ENF-ISE is scheduled to take place on 4 December 2024, online for the CDCJ but in-person for the CDENF which will hold its plenary meeting at that time; The Chair of the CDCJ, who will also be attending in person this joint meeting, will stress the importance for the CDCJ members to ensure an effective connection on that day in order to reach the necessary quorum for the adoption process;
- take note of the report of the 9th meeting of the CJ/ENF-ISE of 20-22 March 2024 (document [CJ/ENF-ISE\(2024\)PV01](#)).

Public Law

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

Working documents

- Draft questionnaire addressed to CDCJ delegations
[CDCJ\(2024\)06 prov](#) (restricted)
- Outline of the feasibility study on a non-binding legal instrument regarding stateless children's access to nationality
[CDCJ-MIG\(2024\)03](#) (bilingual-restricted)
- Workplan of the CDCJ limited working group on migration (CDCJ-MIG)
[CDCJ-MIG\(2024\)01](#)

Background documents

- Terms of reference for the CDCJ limited working group on migration (CDCJ-MIG)
[CDCJ\(2023\)22](#)
- [Composition of the CDCJ-MIG](#)
- [Statelessness and the right to a nationality in Europe: progress, challenges and opportunities – Final Report \(2022\)](#)
- [Analysis of current practices and challenges regarding the avoidance and reduction of statelessness in Europe \(2021\)](#)

The CDCJ is invited to:

- take note of the update provided by the Chair of the CDCJ limited working group on migration (CDCJ-MIG) and/or the Secretariat on the state of play of the group's work;

- examine the draft questionnaire prepared by the CDCJ-MIG to collect information from member States, and to adopt it before its circulation to CDCJ delegations immediately after adoption;
- examine the outline of the feasibility study on a non-binding legal instrument regarding stateless children's access to nationality and if necessary provide guidance;
 - take note of the workplan of the CDCJ-MIG as updated since the 101st plenary meeting of the CDCJ (15-17 November 2023) and as it appears in document [CDCJ-MIG\(2024\)01](#)
- take note of the information provided by the Secretariat on the outcome of the multistakeholder meeting "Children and Statelessness" organised jointly by the Council of Europe and the European Migration Network (EMN), 6 June 2024, both in Luxembourg and online (see the "Save the date" e-mail sent on 24 April 2024).

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)

Working document

- Draft practical guide, standard forms and FAQ
[CDCJ\(2024\)07 prov](#) (restricted)

Background documents

- Workplan for a dedicated webpage to improve the implementation of the European Convention on Information on Foreign Law (ETS No. 62) and its additional protocol (ETS No. 97)
[CDCJ\(2024\)04](#)
- [Report on the state of play and assessment of the implementation of the European Convention on Information on Foreign Law \(ETS No. 62\) and its additional protocol \(ETS No. 97\)](#)

The CDCJ is invited to:

- hold an exchange of views with the consultant, Mr Nicolas Nord, who will attend the discussion of this agenda item, on the draft practical guide as well as the draft standard forms as they are proposed in document [CDCJ\(2024\)07 prov](#), aiming at promoting the implementation of the European Convention on Information on Foreign Law (ETS No. 62) and its Additional Protocol (ETS No. 97);
- provide the consultant with any necessary guidance to pursue the elaboration of the draft practical guide and the development of the tools to be circulated to the State Parties and non-Parties to these treaties for written comments in June-July 2024.

6. Developments in member States in the area of private law

Working document

- Information collected
[CDCJ\(2024\)08](#) (original language)

The CDCJ is invited to take note of the information provided by a number of member States on recent developments in the area of public law as it appears in document [CDCJ\(2024\)08](#) and to thank the delegations concerned for their contributions.

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

Working document

- Information collected
[CDCJ\(2024\)09](#) (original language)

The CDCJ is invited to take note of the information provided by relevant Council of Europe bodies and committees, other international organisations and civil society in the area of private law as it appears in document [CDCJ\(2024\)09](#) and to thank the contributors for this information.

8. Appointments (CDCJ representatives and rapporteurs)

- [CDCJ\(2024\)10](#)

In light of document [CDCJ\(2024\)10](#), the CDCJ is invited to make the necessary new appointments for 2024:

- As Ms Ellen Ensing (The Netherlands) stepped down from her position, a new CDCJ Rapporteur on Children's Rights should be appointed. Such position implies to follow transversal work related to children's rights and therefore to become the CDCJ 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) and to the Committee of the Parties to the [Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse](#) (Lanzarote Committee - T-ES);

- As an update of Recommendation [CM/Rec\(2007\)14](#) on the legal status of non-governmental organisations in Europe is to be undertaken by the Steering Committee on Democracy (CDDem) (main deliverable 3 of its [terms of reference](#)), a CDCJ representative should be designated to follow this work considering that the CDCJ was the original drafter of the aforementioned recommendation.

CDCJ members who wish to express their interest for these two positions are kindly asked to inform the Secretariat **by 10 June 2024**.

9. Any other business

Delegations are invited to raise, prior or at the early beginning of the meeting, any other issues and present them.

10. Dates of the next meetings

- Calendar of meetings and events for 2024-2025
[CDCJ\(2024\)03 prov2](#) (restricted)

The CDCJ is invited to take note of the updated calendar of its meetings and events for 2024-2025.

11. Adoption of the abridged meeting report

- CDCJ(2024)11 prov

The CDCJ is invited to adopt the abridged report of its 102nd plenary meeting.

ORDER OF BUSINESS

Date	Timetable CET	Agenda items
11/06/2024	9:30 – 17:00	1, 2, 3, 4, 5.1, 5.4, 5.2
12/06/2024	9:30 – 17:00	5.2 (continued), 5.3, 6, 7
13/06/2024	9:30 – 17:00	5.5, 9, 8,10,11

WORKING DOCUMENTS

Working documents are made available on the CDCJ restricted website
www.coe.int/cdcj

REFERENCE DOCUMENTS

Terms of Reference	CDCJ Terms of reference for 2024-2027
Terms of Reference	CJ/ENF-ISE – Committee of Experts on The Rights and the Best Interests of the Child in Parental Separation and in Care-Proceedings – Terms of reference for 2024
Terms of reference	CJ-AV – Committee of Experts on the Protection of Lawyers – Terms of reference for 2024
Terms of Reference	CDCJ-MIG – CDCJ limited working group on migration – Terms of reference for 2024-2026
CM/Res(2021)3	Resolution CM/Res(2021)3 on intergovernmental committees and subordinate bodies, their terms of reference and working methods
CDCJ(2021)24	Working methods of CDCJ
CDCJ-BU(2021)15 final	Checklist for assessment of gender equality aspects and impact

CDCJ(2022)20	Criteria to assess requests for observer status with the CDCJ and its subordinate bodies and decision-making processes
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CDCJ MEETING REPORTS

2-3 February 2023	Bureau: 116 th meeting	CDCJ-BU(2023)01 restricted Report
3-4 May 2023	Bureau: 117 th meeting	CDCJ-BU(2023)02 restricted Report
30 May – 1 June 2023	100 th plenary meeting	CDCJ(2023)19 Report
13-14 September 2023	Bureau: 118 th meeting	CDCJ-BU(2023)08 restricted Report
24 October 2023	Bureau: 119 th meeting	CDCJ-BU(2023)10 restricted Report
15-17 November 2023	101 st plenary meeting	CDCJ(20203)32 Report
14-15 March 2024	Bureau: 120 th meeting	CDCJ-BU(2024)03 restricted Report

MEETING REPORTS OF CDCJ SUBORDINATE BODIES

1-3 March 2023	CJ-AV: 4 th meeting	Report
6-8 + 24 March 2023	CJ/ENF-ISE: 7 th meeting	Report
3-5 July 2023	CJ-AV: 5 th meeting	Report
4-6 October 2023	CJ/ ENF-ISE: 8 th meeting	Report
17-19 October 2023	CJ-AV: 6 th meeting	Report
30 January-1 February 2024	CJ-AV: 7 th meeting	Report
20-22 March 2024	CJ/ ENF-ISE: 9 th meeting	Report
13-15 May 2024	CJ-AV: 8 ^h meeting	Report

RECENT CDCJ PUBLICATIONS

5 June 2024	Handbook “The Administration and You” – 3rd edition (2024)
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