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

**TERMS OF REFERENCE OF THE CDCJ AND OF THE CJ-OR
FOR 2024-2027**

**adopted by the Committee of Ministers' Deputies
at their 1543rd (Budget) meeting, 18 November 2025**

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Revised Terms of reference of the European Committee on Legal Co-operation (CDCJ) 2024-2027

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-consolidated](#) on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

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 Declaration¹ 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 annual reports on the state of democracy, human rights and rule of law² and contribute, where relevant, to the process towards a New Democratic Pact for 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 (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);
- 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;

¹ Reykjavik Declaration - United around our values.

² Cf. Secretary General's report 2025 "Towards a New Democratic Pact for Europe".

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(2025)132.

- 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:

	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)	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)	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)	1	31/12/2024
4. Study on national climate litigation	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	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)	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)	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)	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)	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	1	31/12/2027
11. Taking into account the Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law, feasibility study on the use of artificial intelligence for policing, the administration of justice and borders/migration	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	2	31/12/2027
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)	1	31/12 of each year

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;
- States having been invited by decision of the Committee of Ministers to participate in the negotiations;
- interested organisations from Civil Society: the Council of Europe welcomes and promotes the widest participation of civil society, in line with the Guidance note on Civil Society Participation in the Intergovernmental Work of the Council of Europe CDDEM(2024)14, as Observers. Observer status may be requested in accordance with Article 8 of [Resolution CM/Res\(2021\)3-consolidated](#) 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-consolidated](#) on intergovernmental committees and subordinate bodies, their terms of reference and working methods. Online participation in meetings will be available.

	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 CDENF) (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) (cf. separate terms of reference).

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	135.3	7.3	30.4	1 A; 2 B
2027	2	3	47	135.3	7.3	30.4	1 A; 2 B

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

Revised Terms of reference of the Committee of Experts on access to origins (CJ-OR) 2025-2026

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-consolidated](#) on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

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:

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

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 Organs, Tissues and Cells (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).

• 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;
- States having been invited by decision of the Committee of Ministers to participate in the negotiations;
- interested organisations from Civil Society: the Council of Europe welcomes and promotes the widest participation of civil society, in line with the Guidance note on Civil Society Participation in the Intergovernmental Work of the Council of Europe CDDEM(2024)14, as Observers. Observer status may be requested in accordance with Article 8 of [Resolution CM/Res\(2021\)3-consolidated](#) 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-consolidated](#) on intergovernmental committees and subordinate bodies, their terms of reference and working methods. Online participation in meetings will be available.

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	46.0	-	-	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.