

CCJE-BU(2020)1

Strasbourg, 29 January 2020

**CONSULTATIVE COUNCIL OF EUROPEAN JUDGES (CCJE)**

**Questionnaire for the preparation of the CCJE Opinion No. 23 (2020):**

**“The role of the Associations of Judges**

**in supporting the judicial independence”**

*Please in your answers do not send extracts of your legislation*

*but describe the situation in brief and concise manner.*

**General**

1. How many Associations of Judges (please note that they can have different names) exist in your country?
2. For judges of all jurisdictions and all court levels \_\_\_\_\_
3. For judges of certain jurisdictions only \_\_\_\_\_
4. For judges of certain court levels only \_\_\_\_\_
5. Are there Associations of Judges on some other criteria (i.e. women judges) \_\_\_\_\_

Total number of all types of Associations of Judges \_\_\_\_\_

**Membership**

1. What are the requirements for membership in the Associations of Judges?
2. Are prosecutors members of the Associations of Judges?

**Legal framework / objectives**

1. Which is the legal framework of the Association of Judges? Are there specific legal regulations (law, by-laws) which deal with the Associations of Judges in your country?
2. According to their statutes, what are the main objectives of the Associations of Judges? (please mark yes or no and indicate by “1”, “2” and “3” the three most important objectives)

|  |  |
| --- | --- |
| Defending and fostering the independence of judges and the judiciary | O yes O no |
| Defending and fostering the rule of law | O yes O no |
| Fighting for economic safeguards of judges | O yes O no |
| Fighting for social and physical security of judges | O yes O no |
| Contribution to the development of the law | O yes O no |
| Training of judges | O yes O no |
| Ethics and accountability of judges | O yes O no |
| Involvement in judicial self-government, especially influencing the election of officers of self-government | O yes O no |
| Media work | O yes O no |
| Organising conferences | O yes O no |
| International contacts and networking | O yes O no |
| Other objectives (which) ………… | O yes O no |

**Support of individual judges**

1. a) How do the Associations of Judges interact with individual judges?

b) Can judges get assistance from the Association (which kind)?

c) Do the Associations of judges defend individual judges (against what)?

1. If there is an infringement of the independence of a judge or of the judiciary, by what means do the Associations of Judges react?
2. Is there any influence of the Associations of judges on appointment or promotion of judges?
3. Is there any influence of the Associations of Judges in disciplinary procedures?
4. Is there any influence of the Associations of Judges on training?

**Resources**

1. Are there membership fees?
2. What other resources are available for the Associations of Judges?

**Administration of the Associations** **of Judges**

1. How are the governing bodies, the secretariat and officers of the Associations of Judges selected? What is their term of office?
2. Are there restrictions as regards the number of terms of office for members of the governing bodies of the Associations of Judges, and if yes, how many terms and for how long?
3. Are there restrictions to become an officer of an Association of Judges?

**Interactions with state institutions and political parties**

1. How do the Associations of Judges interact with the parliament?

Are Associations of Judges involved in the process of law-making?

If yes, how (is this formal or informal)?

1. How do the Associations of Judges interact with the government, especially with the ministry of justice?
2. a) How do the Associations of Judges interact with political parties?

b) Are certain Associations of Judges connected with certain political parties?

c) Is there an influence of party politics within the Associations of Judges?

1. a) How do the Associations of Judges interact with the Council for the Judiciary?

b) What is the role, if any, of the Associations of Judges in the selection of members of the Council for the Judiciary and/or presidents of courts and judges (please describe)?

1. How do the Associations of Judges interact with the court administration and what, if any, are the problems in these relations?

**Interactions with other organisations**

1. a) If there is more than one Association of Judges, how do they interact with each other?

b) If there is more than one Association of Judges, how other stakeholders deal with this fact?

1. How do the Associations of Judges interact with NGOs?
2. How do the Associations of Judges interact with foreign or international organisations?
3. Is there a trade union, in which judges can be members? If so, what are the relations between this trade union and the association of judges?

**Ethical standards**

1. Is there any influence of the Associations of Judges in establishing ethical standards?
2. Do the Associations of judges contribute to a further improvement of the justice system? How?

**Perception**

1. How does the public at large see the Associations of Judges?