

Strasbourg, 5 November 2021

CONSULTATIVE COUNCIL OF EUROPEAN JUDGES (CCJE)

22nd plenary meeting
Hybrid and virtual event, 3-5 November 2021
Room 2, Main Building (Palais)

ABRIDGED MEETING REPORT

A. FOREWORD

1. The Consultative Council of European Judges (CCJE) held its 22nd plenary meeting in the format of hybrid and virtual event on 3-5 November 2021. It was chaired by Nina BETETTO (Slovenia), President of the CCJE. The agenda is appended to the present report.

B. ITEMS SUBMITTED TO THE COMMITTEE OF MINISTERS FOR DECISION

2. The CCJE invited the Committee of Ministers:
 - a. to take note of the Opinion No. 24 (2021) on the evolution of the Councils for the Judiciary and their role in independent and impartial judicial systems;

and to note that this document would be forwarded to the relevant bodies in the member States, which would be encouraged to translate it into appropriate languages if need be, and to the relevant bodies of the Council of Europe in order that they may take account of it in their work;
 - b. to take note of this report as a whole.

C. LIST OF ITEMS DISCUSSED AND DECISIONS TAKEN BY THE CCJE

The CCJE

3. **adopted** its Opinion No. 24 (2021) on the evolution of the Councils for the Judiciary and their role in independent and impartial judicial systems, subject to possible amendments on the form by its Bureau, which is entrusted to have any such amendments introduced if needed, in order to ensure consistency between the English and French versions;

decided to submit it to the Committee of Ministers to take note of it; invited member States to ensure its distribution as widely as possible among decision-makers and professionals of justice, including its translation where needed;

4. **welcomed** the Strategic Framework of the Council of Europe and noted that its priority 6 on independence, efficiency and resilience of the judicial systems in the member states is directly relevant for the CCJE mandate and activities;
5. **further noted** that, in the context of this priority, the ongoing COVID-19 crisis has further shown the importance of strengthening the judicial systems, as it is rightly mentioned in the Strategic Framework. The overall preservation and further promotion of relevant European standards related to the rule of law, including in emergency situations, is in fact at the core of the CCJE mandate and work in particular as regards the development of standards for the independence and impartiality of judges and promotion of their work in the context of emergency situations;
6. **underlined** also that several other priorities of the Strategic Framework are also directly relevant for the CCJE mandate and work, such as Priority 1. Implementation of the European Convention on Human Rights; Priority 2. Ensuring freedom of expression; Priority 4. Non-discrimination and ensuring the protection of vulnerable groups; Priority 5. Fighting inequality, racism, xenophobia and discrimination on grounds of religion or belief or any other ground; and Priority 7. The fight against corruption and money laundering;
7. **welcomed** the draft Terms of Reference of the CCJE for 2022-2025, subject to their adoption by the Committee of Ministers of the Council of Europe in November 2021;
8. **welcomed** the information provided by the CCJE President and Vice-President, as well as by other members, about their efforts to disseminate the CCJE Opinions and standards and promote their implementation at national level;
9. **welcomed** the information provided by the CCJE President about her Statement of 23 August 2021 on the protection needs of judges and other legal professionals in Afghanistan, as well as about her participation in the 9th annual meeting between the Secretary General of the Council of Europe and the Heads of monitoring and advisory bodies on 25 October 2021, and in other events where the CCJE President presented and explained the key standards and norms developed by the CCJE;
10. **expressed** its great concern as regards the continuing situation with infringements of the judicial independence and impartiality in Poland, **noted** that the Polish judges continue fighting for their rights on a daily basis, and **underlined** that it continues standing ready for any support it could give in this regard;
11. **welcomed** the continued close co-operation between the CCJE and the Venice Commission, having noted the informal comments provided by the Venice Commission

- in the course of preparation of the CCJE Opinion No. 24 (2021) on the evolution of the Councils for the Judiciary and their role in independent and impartial judicial systems;
12. **recalled**, in the context of threats to judicial independence in the Council of Europe member States, the 2021 Report by the Secretary General of the Council of Europe on the State of Democracy, Human Rights and Rule of Law in Europe;
 13. **underlined** that it was at the disposal of the Committee of Ministers and other bodies of the Council of Europe (particularly the Secretary General and the Parliamentary Assembly) to prepare opinions and other texts concerning the specific situation of judges in given member States;
 14. **entrusted**, in this regard, the Bureau of the CCJE to prepare, adopt and publish such opinions and other texts concerning the specific situation of judges in given member States;
 15. **decided** to focus its 2022 Opinion on the freedom of expression of judges and **instructed its Bureau and the Working Group appointed for 2022** to prepare a draft Opinion on this issue to be adopted at its 23rd plenary meeting;
 16. further **decided**, as regards the specific topics for prospective studies of the CCJE in 2022-2025, to entrust the Bureau of the CCJE to streamline the topics discussed, in particular in the areas of: a) communication; b) information technologies, particularly artificial intelligence, c) follow up and impact of (to be selected) CCJE opinions;
 17. **appointed** Nino BAKAKURI (Georgia), Nina BETETTO (Slovenia), Wiggo Storhaug LARSEN (Norway), José Igreja MATOS (Portugal), Canòlic MINGORANCE CAIRAT (Andorra), František MOZNER (Slovakia), Valeria PICCONE (Italy), Valéry TURCEY (France), Marc de WERD (The Netherlands) as members, and Jasmina ĆOSIĆ DEDOVIĆ (Bosnia and Herzegovina), Viktor GORODOVENKO (Ukraine), Aida POPA (Romania) as substitute members of the Working Group responsible for preparing the 2022 draft Opinion to be submitted to the 23rd plenary meeting of the CCJE;
 18. **elected** Anke EILERS (Germany) as President, and Leonie REYNOLDS (Ireland) as Vice-President for 2022; **re-elected** Duro SESSA (Croatia) and **elected** Kim LEWISON (United Kingdom) as members of the CCJE Bureau for 2022-2023;
 19. **designated** Mirjana POPOVIĆ (Montenegro) as Gender Equality Rapporteur for 2022;
 20. **decided** to hold its 23rd plenary meeting on 5-7 October 2022;
 21. **decided** to hold the 42nd and 43rd meetings of the Working Group on 16-18 February 2022 and 11-13 May 2022, respectively.