

Strasbourg, 2 December 2022

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

**23<sup>rd</sup> plenary meeting**  
**Hybrid event, 30 November – 2 December 2022**  
**Room 6, Main Building (Palais)**

### **ABRIDGED MEETING REPORT**

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#### **A. FOREWORD**

1. The Consultative Council of European Judges (CCJE) held its 23<sup>rd</sup> plenary meeting in the format of hybrid event on 30 November – 2 December 2022. It was chaired by Anke EILERS (Germany), President of the CCJE. It was opened by Christos GIAKOUMOPOULOS, Director General, Directorate General of Human Rights and Rule of Law. The agenda and list of participants are 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. 25 (2022) on freedom of expression of judges;  
  
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. 25 (2022) on freedom of expression of judges, 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;
4. **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;
5. **underlined** that the CCJE continued its work in 2022 in line with the priorities of the Strategic Framework of the Council of Europe, in particular the priority No. 6 on independence, efficiency and resilience of the judicial systems in member States which is a cross-cutting priority for the CCJE mandate and activities;
6. **further noted** that the Opinion No. 25 (2022) on freedom of expression of judges also responded to the priority No. 2 of the Strategic Framework on ensuring freedom of expression, both online and offline, which points out that freedom of expression is under increasing challenge, and that strong action is required to uphold it as a cornerstone of democratic and pluralistic society;
7. **recalled** also that several other priorities of the Strategic Framework are also directly relevant for the CCJE mandate and work, such as priority No. 1 on implementation of the European Convention on Human Rights; priority No. 4 on non-discrimination and ensuring the protection of vulnerable groups; priority No. 5 on fighting inequality, racism, xenophobia and discrimination on grounds of religion or belief or any other ground; and priority No. 7 on the fight against corruption and money laundering;
8. **welcomed** the Report of the Secretary General of the Council of Europe entitled “Moving forward 2022” which mentions the CCJE’s work and in particular the CCJE Opinion No. 24 (2021) on the evolution of the councils for the judiciary and their role in independent and impartial judicial systems, and which explains that this Opinion looks at developments at international and domestic level and provides further guidance on essential aspects of functioning of the councils for the judiciary;
9. **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 in member States, including the President’s participation in MEDEL’s Conference on the Rule of Law (Lisbon, December 2021), the International Round Table on shaping judicial councils to meet contemporary challenges (Rome, 21-22 March 2022) organised within the framework of the Italian Chairmanship of the Committee of Ministers of the Council of Europe, and the events organised in Georgia and Armenia;
10. **welcomed** the information provided by the CCJE President about her Statement of 10 March 2022 on the situation in Ukraine and took note of her participation in the

Conference on the justice system of Ukraine in wartime: national and international legal dimensions (7 October 2022);

11. **took note** of the statement of its member, Viktor GORODOVENKO (Ukraine), describing an extremely difficult situation of the Ukrainian judiciary following the Russian aggression, the non-functional state of many court buildings and premises and numerous technical problems requiring support and assistance by the Council of Europe, as well as by member States;
12. **expressed** solidarity with the judiciary of Ukraine, and called on CCJE members to support initiatives aimed at assisting and supporting the Ukrainian judiciary, judges and their families;
13. **took note** of the information on recent judicial reforms at constitutional and legislative reported by San Marino, Romania, Italy, Austria and Norway based *inter alia* on the standards developed by the CCJE;
14. **underlined** that it remains 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 member States;
15. **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 member States;
16. **decided** to focus its 2023 Opinion on the topic of advances in technology and use of technology (working title) and **instructed** its Bureau and the Working Group appointed for 2023 to prepare a draft Opinion on this issue to be adopted at its 24<sup>th</sup> plenary meeting;
17. further **decided**, as regards the specific topic for the prospective thematic study of the CCJE and the recommendation of the Bureau of the CCJE in this regard, to entrust the Bureau to proceed with the process of organising such study focusing on the lessons learnt as a result of the COVID-19 pandemic and how they changed the administration of justice;
18. **appointed** Nina BETETTO (Slovenia), Viktor GORODOVENKO (Ukraine), Wiggo Storhaug LARSEN (Norway), José Igreja MATOS (Portugal), Canòlic MINGORANCE CAIRAT (Andorra), Valeria PICCONE (Italy), Markus THOMA (Austria), Valéry TURCEY (France), Marc de WERD (The Netherlands) as members, and Jasmina ĆOSIĆ DEDOVIĆ (Bosnia and Herzegovina), František MOZNER (Slovakia), Aida POPA (Romania), Maiia ROUSSEVA (Bulgaria) as substitute members of the Working Group responsible for preparing the 2023 draft Opinion to be submitted to the 24<sup>th</sup> plenary meeting of the CCJE;
19. **re-elected** Anke EILERS (Germany) as President, and Leonie REYNOLDS (Ireland) as Vice-President for 2023; **thanked** them for their outstanding work and contributions in 2022;
20. **designated** Mirjana POPOVIĆ (Montenegro) as Gender Equality Rapporteur for 2023;

21. **decided** to hold its 24<sup>th</sup> plenary meeting in Strasbourg from 29 November – 1 December 2023;
22. **decided** to hold the 44<sup>th</sup> and 45<sup>th</sup> meetings of the Working Group on 29-31 March 2023 and 21-23 June 2023, respectively.