

Terms of reference of the Consultative Council of European Judges (CCJE)

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

Category: Steering committee

Duration: 1 January 2024 - 31 December 2027¹

Programme: Building trust in public institutions

Sub-programme: Independence and efficiency of justice

Main tasks

Under the authority of the Committee of Ministers, and bearing in mind the Council of Europe standards, the jurisprudence of the European Court of Human Rights and the findings and recommendations of the relevant monitoring mechanisms, the CCJE, as a consultative body composed exclusively of serving judges (unique in this way at European level), representing a direct and privileged interlocutor of judges in member States, is tasked with fostering the independence, impartiality and competence of judges through the elaboration of standards and guidance as regards the status and career of judges and effective exercise of the judicial profession.

In particular, the CCJE is instructed to:

- i. take due account of the Reykjavik Declaration² 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 2023 Report on the state of democracy, human rights and rule of law "An Invitation to Recommit to the Values and Standards of the Council of Europe";
- iii. contribute to the overall preservation and further promotion of relevant European standards related to the rule of law, including in emergency situations, and in particular as regards the independence, impartiality and competence of judges, as well as their status, career and effective exercise of judicial profession by elaborating opinions and other texts, promoting targeted co-operation and regular exchanges of knowledge, good practices and experiences on issues of common interest at pan-European level;
- iv. advise the Committee of Ministers on issues regarding the independence, impartiality and competence of judges, as well as their status, career and effective exercise of judicial profession and prepare and adopt opinions for the attention of the Committee of Ministers on these issues, taking into consideration existing legal and other policy instruments, the reports of the Secretary General of the Council of Europe on the state of democracy, human rights and the rule of law in Europe and the evolving case law of the European Court of Human Rights;
- v. hold regular exchanges and contribute to national and international events, highlighting and promoting the implementation of Council of Europe standards, CCJE opinions and the case law of the European Court of Human Rights, and encouraging partnerships in the judicial field involving courts, judges and judges' associations;
- vi. follow the implementation of the standards that it has prepared, and where appropriate, contribute to reviews of the implementation of relevant Committee of Ministers' recommendations;
- vii. 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;
- viii. 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;
- ix. 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;
- x. 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;
- xi. where relevant, contribute to strengthening meaningful engagement with civil society organisations and national human rights institutions in its work;
- xii. 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.

¹ These terms of reference are approved for the first biennial period 2024-2025. For the second biennial period 2026-2027, they are approved on a provisional basis, subject to confirmation upon the adoption of the budget for 2026-2027.

² Reykjavik Declaration - United around our values.

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.

Main deliverables

Under the authority of the Committee of Ministers, the CCJE is instructed to complete these deliverables, within the following deadlines:

	Category ▼	Priority ▼	Deadline ▼
1. General Opinions covering issues related to the independence, impartiality, and other aspects of a fair trial, competence, nomination, career, ethics, accountability, evaluation or other aspects of career of judges or judicial profession: Opinion No. 27 (2024), Opinion No. 28 (2025), Opinion No. 29 (2026), Opinion No. 30 (2027)	A	1	31/12 each year
2. Opinions or other texts concerning the specific situation of judges at the request of the Committee of Ministers or other bodies of the Council of Europe, such as the Secretary General or the Parliamentary Assembly, or at the request of member States, CCJE members and observers, judicial bodies or relevant associations of judges, providing targeted expert advice to enable States to comply with the Council of Europe's standards related to judges	A	1	31/12 of each year or within the deadline requested by the Committee of Ministers
3. At least two studies covering identified or emerging issues of common interest as regards the independence, impartiality and competence of judges, as well as their status, career and effective exercise of the judicial profession, other aspects of a fair trial, challenges and good practices	A C	1	31/12/2025 31/12/2027
<p>Key A: deliverable under preparation (2022-2023 terms of reference or Committee of Ministers' decision) or deliverable foreseen in the terms of reference provisionally approved for 2024-2025 and reviewed where relevant in the framework of the preparation of the draft Programme and Budget 2024-2027 B: review of implementation/re-examination foreseen by the recommendation/protocol/convention C: newly proposed deliverable</p>			

Composition

• Members

Governments of member States are entitled to designate one or more representatives (preferably one member and one deputy member) of the highest possible rank in the relevant field. Members should be chosen in contact, where such authorities exist, with the national authorities responsible for ensuring the independence and impartiality of judges and with the national administration responsible for managing the judiciary, from among serving judges having a thorough knowledge of questions relating to the functioning of the judicial system combined with an utmost personal integrity.

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). Member States may send other representatives 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:

- European Court of Human Rights;
- Consultative Council of European Prosecutors (CCPE);
- European Commission for the Efficiency of Justice (CEPEJ);
- European Committee of Legal Co-operation (CDCJ);
- European Committee on Crime Problems (CDPC);
- 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.

• Observers

The following may send representatives, without the right to vote and without defrayal of expenses:

- Kazakhstan;
- non-member States with which the Council of Europe has a Neighbourhood Partnership including relevant co-operation activities;
- European Association of Judges (EAJ);
- Association "Magistrats européens pour la démocratie et les libertés" (MEDEL);
- Association of European Administrative Judges (AEAJ);
- Groupement des Magistrats pour la Médiation (GEMME);
- European Network of Judicial Training (ENJT);
- European Network of Councils for the Judiciary (ENCJ);
- Council of Bars and Law Societies of Europe (CCBE).

Observer status may be requested in accordance with Article 8 of [Resolution CM/Res\(2021\)3](#) 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](#) on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

	Plenary meetings ▼			Bureau meetings ▼		
	Members incl. Chair	Meetings per year	Days per meeting	Members	Meetings per year	Days per meeting
2024	47	1	3	4	2	1
2025	47	1	3	4	2	1
2026	47	1	3	4	2	1
2027	47	1	3	4	2	1