

The Consultative Council of European Judges

The Rule of law is one of the fundaments of the Council of Europe and the judiciary is one of its main pillars. It was to strengthen the role of judges in Europe that the Committee of Ministers set up the Consultative Council of European Judges (CCJE) in 2000.

The CCJE is an advisory body of the Council of Europe on issues relating to the independence, impartiality and competence of judges. It is the only body within an international organisation to be composed exclusively of judges, and in this respect, it is unique in Europe, indeed in the world. By establishing the CCJE, the Council of Europe highlighted the key role of the judiciary in exploring the concept of democracy and the rules by which it operates. It thus gives priority attention to the status of judges and the quality of the justice system, as the rule of law and the promotion and protection of human rights and fundamental freedoms depend for their implementation, on a strong and independent judiciary, mutual respect between the legislature, the executive and the judiciary, and European citizens' increased trust in the justice system. The heads of state and government of the member states of the Council of Europe, who met in Warsaw (May 2005) for their 3rd Summit, decided in their Action Plan to make proper use of the opinions adopted by the CCJE in order to help member states to deliver justice fairly and rapidly.

CCJE composition

The 47 member states of the Council of Europe are represented in the CCJE. These representatives are appointed, where appropriate, in consultation with the councils for the judiciary (or similar bodies). They are serving judges, with an in-depth knowledge of questions relating to the functioning of the judicial system combined with utmost personal integrity. The members of the CCJE act in their own name.

Furthermore, observers to the CCJE are as follows: The European Association of Judges (EAJ), the association "Magistrats européens pour la démocratie et les libertés" (MEDEL), the European Federation of Administrative Judges, the "Groupement des Magistrats pour la Médiation" (GEMME), the European Network of Judicial Training (ENJT) and the European Network of Councils for the Judiciary (ENCJ).

General mission

The work of the CCJE is set in the context of the implementation of Article 6 of the European Convention on Human Rights and, in particular, the right to an independent and impartial court. The CCJE gives advice to the Committee of Ministers, and, by the way, to the member States, on issues relating to the status of judges and the exercise of their duties.

Opinions of the CCJE for the attention of the Committee of Ministers

The main function of the CCJE is to set up opinions on a subject concerning the status of judges or the exercise of the function. These opinions are prepared by a working group, usually on the basis of surveys previously carried out upon member States, and adopted at its plenary meetings. The opinions are transmitted to the Committee of Ministers and the member States in charge of looking after their domestic implementation. The Magna Carta of European Judges has been adopted by the CCJE in November 2010, recalling, summarising and codifying the fundamental principles detailed in these opinions.

Until 2011, The CCJE has adopted the following opinions for the attention of the Committee of Ministers:

- Opinion No. 1 (2001) on standards concerning the independence of the judiciary and the irremovability of judges;
- Opinion No. 2 (2001) on the funding and management of courts with reference to the efficiency of the judiciary and to Article 6 of the European Convention on Human Rights;
- Opinion No. 3 (2002) on the principles and rules governing judges' professional conduct,

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in particular ethics, incompatible behaviour and impartiality;

- Opinion No. 4 (2003) on appropriate initial and inservice training for judges at national and European levels;
- Opinion No. 5 (2003) on the law and practice of judicial appointments to the European Court of Human Rights;
- Opinion No. 6 (2004) on a fair trial within a reasonable time and judges' role in trials, taking into account alternative means of dispute settlement;
- Opinion No. 7 (2005) on justice and society;
- Opinion No. 8 (2006) on the role of judges in the protection of the rule of law and human rights in the context of terrorism;
- Opinion No. 9 (2006) on the role of national judges in ensuring an effective application of international and European law;
- Opinion No.10 (2007) on the Council for the Judiciary at the service of society;
- Opinion No. 11 (2008) on the quality of judicial decisions;
- Opinion No. 12 (2009) on the relations between Judges and Prosecutors in a democratic society;
- Opinion No.13 (2010) on the role of judges in the enforcement of judicial decisions.

The opinions of the CCJE are available in several languages on the CCJE website (www.coe.int/CCJE) or can be obtained on simple request to CCJE@coe.int.

Specific tasks

Targeted co-operation

The CCJE may be requested by member states to look into particular problems facing their justice system. It may be asked for assistance by a body of the Council of Europe (Committee of Ministers, Parliamentary Assembly, Secretary General) or by one of its members, in order to provide answers to topical questions and to provide support to the member states, in order to allow them to comply with European standards on some particular situations concerning judges. The CCJE can visit the country concerned to discuss ways of improving the existing situation, in the legislative and organisational fields. The CCJE is also required to encourage and develop partnerships in the judicial field between courts, judges and judges' associations.

Further information

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