



COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Strasbourg, 5 December 2008

CDL-JD-OJ(2008)002ann
Or. Engl.

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

**MEETING OF THE SUB-COMMISSION
ON THE JUDICIARY**

(Venice, Scuola Grande di San Giovanni Evangelista)

Thursday, 11 December 2008 (2.30 p.m. to 4.30 p.m.)

DRAFT ANNOTATED AGENDA

1. Adoption of the Agenda

2. Request from the Parliamentary Assembly of the Council of Europe for an opinion on European standards as regards the independence of the judicial system

Further to the meeting of the Sub-Commission on the Judiciary on 16 October 2008 (report [CDL-JD-PV\(2008\)001](#)), the members of the Sub-Commission are invited to discuss the elements for a report on judicial independence with a view to an adoption of the report at the Plenary Session of the Commission in March 2009 to be preceded by a further meeting of the sub-Commission.

The following comments by the rapporteurs are currently available:

Judges: Ms Nussberger ([CDL-JD\(2008\)006](#))

Prosecutors: Mr Sorensen ([CDL-JD\(2008\)005](#)), Ms Suchocka ([CDL-JD\(2009\)004](#))

Ms Laffranque, President of the Consultative Council of European Judges, and Mr Desch, Representative of the European Committee on Legal Co-operation (CDCJ), and will be present at the meeting of the sub-Commission.

Reference documents:

Independence of judges:

1. Secretariat note on issues to be discussed ([CDL-JD\(2008\)002](#))
2. [Vademecum on the Judiciary CDL-JD\(2008\)001](#)
3. Recommendation R (94) 12 on the Independence, Efficiency and Role of Judges, adopted by the Committee of Ministers on 13 October 1994 ([link to R \(94\) 12](#))
4. Opinion no 1 (2001) of the Consultative Council of European Judges (CCJE) on standards concerning the independence of the judiciary and the irremovability of judges ([link to CCJE Opinion no. 1](#))
5. European Charter on the Statute for Judges, adopted at the multilateral meeting on the statute for judges in Europe, organised by the Council of Europe on 8-10 July 1998 ([link to the Charter and its Explanatory Memorandum](#))
6. The case law of the European Court of Human Rights on this issue is summarised in a memorandum by Mr S. Naismith from the Registry of the Court ([link to article](#)).
7. [Introductory memorandum by the rapporteur of the Parliamentary Assembly](#) (restricted link).

Prosecutors:

1. [Recommendation \(2000\) 19 "the Role of Public Prosecution in the Criminal Justice System", adopted by the Committee of Ministers of the Council of Europe on 6 October 2000 and explanatory memorandum](#)
2. Extracts of constitutions ([document CDL-JD\(2008\)003](#)).

3. Other business