



Strasbourg, 1 December 2023

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Or. Engl.

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

79th MEETING
OF THE COUNCIL FOR DEMOCRATIC ELECTIONS
Venice, 14 December 2023 from 10:00 a.m. to 12 noon

DRAFT ANNOTATED AGENDA

1. Adoption of the agenda

The Council is invited to adopt its agenda as it appears in this document.

2. Co-operation with the Organization of American States

– Mr Francisco Guerrero, Secretary for Strengthening democracy, Organization of American States, will address the Council on “*Trends observed in electoral processes in Latin America and the Caribbean*”,

– Mr Gerardo de Icaza, Director, Department for Electoral Cooperation and Observation, Secretariat for Strengthening Democracy, Organization of American States, will address the Council on “*Contribution of the Venice Commission’s Study on Term Limits (Opinion 908/2017) to the development of Inter-American law*”.

3. Exchange of views with Mr Mathieu Mori, Secretary General of the Congress of Local and Regional Authorities

The Council is invited to hold an exchange of views with Mr Mathieu Mori, Secretary General of the Congress of Local and Regional Authorities, on co-operation with the Congress regarding electoral matters.

4. Parliamentary Assembly: updated information on issues of interest for the Council

The representatives of the Parliamentary Assembly will provide updated information on issues of interest for the Council on electoral matters.

5. Georgia – Joint Opinion of the Venice Commission and ODIHR on the draft amendments to the Election Code and to the Rules of Procedure of the Parliament

The Council is invited to examine, with a view to approval, the draft joint Opinion of the Venice Commission and ODIHR ([CDL\(2023\)058](#)) on the draft amendments to the Election Code and to the Rules of Procedure of the Parliament of Georgia ([CDL-REF\(2023\)050](#)), drawn up on the basis of comments by Mr Alivizatos, Mr Frendo and Ms Pabel, as well as by Ms Morry (ODIHR expert). This Opinion was requested by the Speaker of the Parliament of Georgia on 22 September 2023.

The joint opinion was prepared under the [Quick Response Mechanism \(QRM\)](#) in the framework of the EU/CoE joint programme [Partnership for Good Governance](#), co-funded by the Council of Europe and the European Union and implemented by the Council of Europe.

6. Republic of Moldova – Joint Follow-up Opinion of the Venice Commission and ODIHR to the Joint Opinion on amendments to the Electoral Code and other related laws concerning ineligibility of persons connected to political parties declared unconstitutional

The Council is invited to examine, with a view to approval, the draft joint follow-up Opinion of the Venice Commission and ODIHR ([CDL\(2023\)062](#)) to the Joint Opinion on amendments to the Electoral Code and other related laws concerning ineligibility of persons connected to political parties declared unconstitutional ([CDL-REF\(2023\)052](#)), drawn up on the basis of comments by Mr Darmanović, Mr Frendo, Ms Otálora Malassis and Mr Kaarlo Tuori (Honorary President, Expert), as well as by Ms Smaranda Sandulescu and Ms Barbara Jouan Stonestreet (ODIHR experts). This joint follow-up opinion was requested by the Chairman of the Parliament of the Republic of Moldova on 27 October 2023.

The joint follow-up opinion was prepared under the [Quick Response Mechanism \(QRM\)](#) in the framework of the EU/CoE joint programme [Partnership for Good Governance](#), co-funded by the Council of Europe and the European Union and implemented by the Council of Europe.

7. Republic of Moldova – Joint *amicus curiae* brief on the ineligibility of persons connected to political parties declared unconstitutional

The Council is invited to examine, with a view to approval, the draft joint *amicus curiae* brief of the Venice Commission and ODIHR ([CDL\(2023\)063](#)) on the ineligibility of persons connected to political parties declared unconstitutional, drawn up on the basis of comments by Mr Darmanović, Mr Frendo, Ms Otálora Malassis and Mr Kaarlo Tuori (Honorary President, Expert), as well as by Ms Smaranda Sandulescu and Ms Barbara Jouan Stonestreet (ODIHR experts). This joint *amicus curiae* brief was requested by the President of the Constitutional Court of the Republic of Moldova on 3 November 2023.

The joint *amicus curiae* brief was prepared under the [Quick Response Mechanism \(QRM\)](#) in the framework of the EU/CoE joint programme [Partnership for Good Governance](#), co-funded by the Council of Europe and the European Union and implemented by the Council of Europe.

8. Ukraine – *Amicus curiae* brief relating to additional sanctions for committing an administrative offence

The Council is invited to examine, with a view to approval, the draft *amicus curiae* brief ([CDL\(2023\)064](#)) relating to additional sanctions for committing an administrative offence, drawn up on the basis of comments by Mr Darmanović, Ms Milašiūtė, Ms Otálora Malassis, Mr Tuori (Honorary President, Expert) and Mr Vermeulen (former member, Expert). This *amicus curiae* brief was requested by the Acting Chair of the Constitutional Court of Ukraine on 17 October 2023.

9. The use of digital technologies and artificial intelligence during electoral processes: towards a declaration to the Code of Good Practice in Electoral Matters?

The Council is invited to hold an exchange of views with Mr Vargas Valdez on the use of digital technologies and artificial intelligence during electoral processes which could lead to the adoption of an interpretative declaration to the Code of Good Practice in Electoral Matters in the future.

10. The stability of electoral law: towards a declaration to the Code of Good Practice in Electoral Matters? Follow-up to the 4th edition of the Scientific Electoral Experts Debates on “The stability of electoral law” organised by the University of Barcelona and the Venice Commission on 3 November 2023

The Council will be informed on the results and conclusions of the 4th edition of the Scientific Electoral Experts Debates on “The stability of electoral law” organised by the University of Barcelona and the Venice Commission on 3 November 2023, and it is invited to hold an exchange of views on this subject which could lead to the adoption of an interpretative declaration to the Code of Good Practice in Electoral Matters in the future.

11. Past and future activities

. Participation in the *Ad Hoc* Committee of the Parliamentary Assembly of the Council of Europe to observe the parliamentary elections in Poland, 15 October 2023.

. 4th edition of the Scientific Electoral Experts Debates on “The stability of electoral law”, Barcelona, 3 November 2023.

. 1st Expert discussion “Political rights and transitional justice in Ukraine: electoral context in the post-war period”, Kyiv, online, 24 November 2023.

. International Conference on “The role of electoral training centres”, Strasbourg, 28-29 November 2023.

. High-Level Dialogue II “Good Democratic Governance in Ukraine: Achievements, Challenges and Way Forward in the Post-War Period”, Kyiv, 4 December 2023.

. The Second Summit of Electoral Democracy, Mexico City, 4-6 December 2023.

. Participation in the *Ad Hoc* Committee of the Parliamentary Assembly of the Council of Europe to observe the early parliamentary elections in Serbia, Belgrade, 17 December 2023.

12. Date of the next meeting

The Council is invited to fix the date of its next meeting for Thursday, 14 March 2024 from 10.00 a.m. to 12 noon.