



Strasbourg, 27 September 2024

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Or. Engl.

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

140th PLENARY SESSION
VENICE
Scuola Grande di San Giovanni Evangelista

Friday 11 October 2024 (9:30-17:30)
Saturday 12 October 2024 (9:30-13:00)

DRAFT ANNOTATED AGENDA

Friday 11 October 2024

09:30-11:00

*Adoption of the Agenda
Communications
Co-operation
Follow-up to earlier Venice Commission Opinions
Discussion and adoption of Opinions on individual countries*

- 1. Adoption of the Agenda**
- 2. Communication by the President**
- 3. Communication from the Enlarged Bureau**

The Commission will be informed on the discussions which took place at the meeting of the Enlarged Bureau on 10 October 2024.

- 4. Communication by the Secretariat**

The Secretary of the Commission will provide information on the session.

- 5. Co-operation with the Committee of Ministers**

Within the framework of its co-operation with the Committee of Ministers, the Commission will hold an exchange of views with Mr Petr Válek, Ambassador Extraordinary and Plenipotentiary, Permanent Representative of the Czech Republic to the Council of Europe.

- 6. Co-operation with the Parliamentary Assembly**

The Commission is invited to hold an exchange of views with Mr Gutiérrez Limones, Member of the Committee on Legal Affairs and Human Rights, and Mr Michael Georg Link, Member of the Committee on Political Affairs and Democracy, of the Parliamentary Assembly of the Council of Europe, on co-operation with the Assembly.

- 7. Co-operation with the Congress of Regional and Local Authorities of the Council of Europe**

[See Item 17]

- 8. Exchange of views with the Regione del Veneto**

The Commission is invited to hold an exchange of views with a representative of the Regione del Veneto (tbc).

- 9. Exchange of views with the Director General of the Directorate General Human Rights and Rule of Law**

Mr Gianluca Esposito, Director General of the Directorate General Human Rights and Rule of Law, will address the Commission.

- 10. Follow-up to earlier Venice Commission Opinions**

The Commission will be informed on follow-up to its previous Opinions (see document [\(CDL\(2024\)028\)](#)):

- Bosnia and Herzegovina – Opinion on the draft law on the prevention of conflicts of interest in the institutions of Bosnia and Herzegovina ([CDL-AD\(2021\)024](#))
- Bulgaria – Opinion on the draft amendments to the Constitution ([CDL-AD\(2023\)039](#))
- Georgia – Opinion on the provisions of the Law on the Fight against Corruption concerning the Anti-Corruption Bureau ([CDL-AD\(2023\)046](#))
- Georgia – Opinion on the draft constitutional law on Protecting Family Values and Minors ([CDL-AD\(2024\)021](#))
- Germany – Joint Opinion of the Venice Commission and OSCE/ODIHR on the amendments of the German Federal Election Act ([CDL-AD\(2023\)020](#))
- Montenegro – Urgent Follow-up Opinion on the revised draft amendments to the Law on the Judicial Council and Judges ([CDL-AD\(2024\)012](#))
- Poland – Urgent Joint Opinion of the Venice Commission and the Directorate General Human Rights and Rule of Law of the Council of Europe on the draft law amending the Law on the National Council of the Judiciary of Poland ([CDL-AD\(2024\)018](#))

11. Electoral observation missions

The Commission will be informed about the participation of the Venice Commission in electoral observation missions of the Parliamentary Assembly of the Council of Europe in the function of providing legal advice.

- Republic of Moldova, presidential election and constitutional referendum, 20 October 2024;
- Georgia, parliamentary elections, 26 October 2024;
- Bulgaria, early parliamentary elections, 27 October 2024.

12. Armenia

1. *Draft Joint Opinion of the Venice Commission and the Directorate General Human Rights and Rule of Law (DGI) of the Council of Europe on the draft amendments to the Criminal Code and the Criminal Procedure Code concerning the collection of evidence without consent in criminal investigations*

The Commission is invited to hold an exchange of views with a representative from Armenia, and to examine, with a view to adoption, the draft Joint Opinion of the Venice Commission and the Directorate General Human Rights and Rule of Law (DGI) of the Council of Europe ([CDL\(2024\)027](#)) (ML/PG/es) on the draft amendments to the Criminal Code and the Criminal Procedure Code concerning the collection of evidence without consent in criminal investigations in Armenia ([CDL-REF\(2024\)030](#)), drawn up on the basis of comments by Ms Deskoska, Mr Rørdam and Ms Lorena Bachmaier-Winter (Expert, DGI). This Opinion was requested by the Minister of Justice of Armenia on 14 May 2024.

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.

11.00-11:30
11:30-13:00

Coffee break
Discussion and adoption of Opinions on individual countries
Exchange of views

2. *Draft Joint Opinion of the Venice Commission and the Directorate General of Democracy and Human Dignity (DGII) of the Council of Europe on the draft laws amending and supplementing the Law on Mass Media and the Civil Code*

The Commission is invited to hold an exchange of views with a representative from Armenia, and to examine, with a view to adoption, the draft Joint Opinion of the Venice Commission and the Directorate General of Democracy and Human Dignity (DGII) of the Council of Europe ([CDL\(2024\)034](#)) (VD/MS/sb) on the draft laws amending and supplementing the Law on Mass Media and the Civil Code of Armenia ([CDL-REF\(2024\)032](#)), drawn up on the basis of comments by Mr Grabenwarter, Mr Pinelli, Mr Velaers and Mr Andrei Richter (Expert, DGII). This Opinion was requested by the Minister of Justice of Armenia on 12 July 2024.

3. *Draft Joint Opinion of the Venice Commission and the Directorate General Human Rights and Rule of Law (DGI) of the Council of Europe on the draft amendments to the Judicial Code of Armenia (regarding judicial evaluations)*

The Commission is invited to hold an exchange of views with a representative from Armenia, and to examine, with a view to adoption, the draft Joint Opinion of the Venice Commission and the Directorate General Human Rights and Rule of Law (DGI) of the Council of Europe ([CDL\(2024\)037](#)) (TP/MS/ip) on the draft amendments to the Judicial Code of Armenia (regarding judicial evaluations) ([CDL-REF\(2024\)035](#)), drawn up on the basis of comments by Mr Knežević, Mr Mälksoo, Ms Hanna Suchocka (Honorary president, Expert) and Mr Đuro Sessa (Expert, DGI). This Opinion was requested by the Minister of Justice of Armenia on 5 August 2024.

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.

13. Exchange of views with the President of the Mexican Electoral Tribunal

Ms Mónica Aralí Soto Fregoso, President of the Electoral Tribunal of the Federal Judiciary of Mexico, will address the Venice Commission.

Mr Darmanović and Mr Sánchez Muñoz will inform the Commission on co-operation with the Tribunal and developments since the mission on elections.

13:00-14:30

Lunch break

14:30-15:45

Discussion and adoption of Opinions on individual countries

14. Kyrgyzstan

1. *Draft Opinion on Law No. 72 of 2 April 2024 amending the Law on Non-profit Organisations*

The Commission is invited to hold an exchange of views with a representative from Kyrgyzstan, and to examine, with a view to adoption, the draft Opinion ([CDL\(2024\)032](#)) (NS/VD/as) on Law No. 72 of 2 April 2024 amending the Law on Non-profit Organisations in Kyrgyzstan ([CDL-REF\(2024\)034](#)), drawn up on the basis of comments by Ms Bílková, Mr Kaye, Ms Kjerulf Thorgeirsdottir and Mr Knežević. This Opinion follows a request of 18 October 2023 by the Minister of Justice of Kyrgyzstan and the decision of 25 June 2024 by the 139th Plenary of the Venice Commission.

2. *Draft Opinion on the draft amendments to the Criminal Procedure Code concerning bail and videoconferencing in criminal proceedings*

The Commission is invited to hold an exchange of views with a representative from Kyrgyzstan, and to examine, with a view to adoption, the draft Opinion ([CDL\(2024\)033](#)) (PG/ML/as) on the draft amendments to the Criminal Procedure Code concerning bail and videoconferencing in criminal proceedings in Kyrgyzstan ([CDL-REF\(2024\)033](#)), drawn up Ms Deskoska, Mr Rørdam and Mr Rui Patricio. This Opinion was requested by the Minister of Justice of Kyrgyzstan on 5 August 2024.

15.45-16:00	Coffee break
16:00-17:30	Studies

15. Updated Rule of Law Checklist

The Commission will be informed about the progress of the preparation of the Updated Rule of Law Checklist, which will be drawn up on the basis of comments by Mr Barrett, Mr Bustos Gisbert, Mr Cameron, Mr Holovaty, Ms Nussberger and Mr Kaarlo Tuori (Honorary President, Expert). This report is being prepared upon initiative of the Venice Commission. The Sub-Commissions on the Judiciary and on the Rule of Law will examine this issue at their joint meeting on 10 October 2024.

19:00	Departure by bus from Piazzale Roma
19:30	Dinner at Restaurant Four Points, Mestre
22:30	Return to Venice (Piazzale Roma)

Saturday 12 October 2024

9:30-11:00	Discussion and adoption of Opinions on individual countries
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16. Poland

1. *Draft Opinion on the draft amendments to the Law on the Public Prosecutor's Office*

The Commission is invited to hold an exchange of views with a representative from Poland, and to examine, with a view to adoption, the draft Opinion ([CDL\(2024\)036](#)) (TP/DF/tlp) on the draft amendments to the Law on the Public Prosecutor's Office in Poland ([CDL-REF\(2024\)039](#)), drawn up on the basis of comments by Ms Cartabia, Ms Kiener, Mr Kuijer, Mr Langášek and Mr Scholsem. This Opinion was requested by the Minister of Justice of Poland on 15 July 2024. The Sub-Commissions on the Judiciary and on the Rule of Law will examine this draft Opinion at their joint meeting on 10 October 2024.

2. *Draft Joint Opinion of the Venice Commission and the Directorate General Human Rights and Rule of Law (DGI) of the Council of Europe on European standards regulating the status of judges*

The Commission is invited to hold an exchange of views with a representative from Poland, and to examine, with a view to adoption, the draft Joint Opinion of the Venice Commission and the Directorate General Human Rights and Rule of Law (DGI) of the Council of Europe ([CDL\(2024\)030](#)) (DF/TP/sd) on European standards regulating the status of judges in Poland, drawn up on the basis of comments by Mr Barrett, Mr Kuijer, Ms Nussberger, Mr Dimitrov, Mr Kaarlo Tuori (Honorary President, Expert) and Mr Gerhard Reissner (Expert, DGI). This Opinion was requested by the Minister of Justice of Poland on 10 July 2024. The Sub-Commissions on the Judiciary and on the Rule of Law will examine this draft Opinion at their joint meeting on 10 October 2024.

11.00-11:30	Coffee Break
11:30-13:00	Cooperation Report of the Sub Commission Meeting Discussion on reports Information on Conferences and Seminars General matters

17. Co-operation with the Congress of Regional and Local Authorities of the Council of Europe

The Commission is invited to hold an exchange of views with Mr Stewart Dickson, President of the Council for Democratic Elections and member of the Congress, on co-operation with the Congress.

Mr Dickson will inform the Commission on the Report on Local and Regional Authorities as Actors and Guarantors of the Rule of Law [CG\(2024\)46-20 \(coe.int\)](#).

18. Report of the Joint Meeting of the Sub-Commissions on the Rule of Law and on the Judiciary (10 October 2024)

The Chair of the meeting might inform the Commission on the results and conclusions of the meeting held on 10 October 2024.

[Link to the annotated agenda](#)

19. Preliminary draft Interpretative declaration to the Code of good practice in electoral matters on digital technologies and artificial intelligence

The Commission will be informed of the progress on the preparation of the Interpretative declaration to the Code of good practice in electoral matters on digital technologies and artificial intelligence, and its explanatory report (ARP/MS/ms), which will be drawn up on the basis of comments by Mr Kuijer, Mr Kask, Mr Pinelli, Mr Vargas Valdez and Mr Rubio (Expert, former Substitute Member, Spain). The Commission is invited to hold a discussion on the preliminary interpretative declaration ([CDL\(2024\)035](#)).

20. Compilations of Venice Commission opinions and reports

The Commission will be invited to endorse the Draft Compilation concerning the Principle of Legality ([CDL\(2024\)038](#)).

21. Information on Conferences and Seminars

The Commission will be informed on the results and conclusions of our conferences and seminars.

22. Other business

23. Dates of the next sessions

141st plenary session	6-7 December 2024
142nd plenary session	14-15 March 2025
143rd plenary session	13-14 June 2025
144th plenary session	10-11 October 2025
145th plenary session	12-13 December 2025

Please note that Sub-Commission meetings will take place on the day before the Plenary Sessions.