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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

131st PLENARY SESSION

Venice, 17-18 June 2022

SYNOPSIS

The Venice Commission:

- Adopted the joint opinion of the Venice Commission and the Directorate General of Human Rights and Rule of Law (DGI) of the Council of Europe on the Media Law of **Azerbaijan**;
- Adopted the opinion on the December 2021 amendments to the Organic Law on Common Courts of **Georgia**;
- Held an exchange of views with Ms Albulena Haxhiu, Minister of Justice of **Kosovo**, and adopted the opinion on the Concept Paper on the Vetting of Judges and Prosecutors and draft amendments to the Constitution of Kosovo, previously examined by the Sub-Commissions on the Rule of Law, on the Judiciary and on the Mediterranean Basin at their joint meeting on 16 June 2022;
- Held an exchange of views with Ms Albulena Haxhiu, Minister of Justice of Kosovo, and adopted the opinion on the Draft Law N°08/L-121 on the State Bureau for Verification and Confiscation of Unjustified Assets of Kosovo, previously examined by the Sub-Commissions on Fundamental Rights and on the Mediterranean Basin at their joint meeting on 16 June 2022;
- Held an exchange of views with Mr Henri El Khoury, Minister of Justice of **Lebanon**, and adopted the opinion on the draft Law on the Independence of Judicial Courts of Lebanon, previously examined by the Sub-Commissions on the Rule of Law, on the Judiciary and on the Mediterranean Basin at their joint meeting on 16 June 2022;
- Held an exchange of views with Ms Veronica Mihailov-Moraru, State Secretary, Ministry of Justice of the **Republic of Moldova**, and adopted the joint opinion of the Venice Commission and the Directorate General of Human Rights and Rule of Law (DGI) of the Council of Europe on the draft law on amending some normative acts (Judiciary) of the Republic of Moldova, previously examined by the Sub-Commissions on the Rule of Law, on the Judiciary and on the Mediterranean Basin at their joint meeting on 16 June 2022;
- Held an exchange of views with Ms Veronica Mihailov-Moraru, State Secretary, Ministry of Justice of the Republic of Moldova, and adopted the opinion on the draft amendments to the Law n°3/2016 on the Prosecutor's Office of the Republic of Moldova;
- Adopted the joint opinion by the Venice Commission and the OSCE/ODIHR on the draft law on political parties of **Mongolia**, previously approved by the Council for Democratic Elections at its meeting on 16 June 2022;
- Endorsed the Urgent Opinion on the constitutional and legislative framework on the referendum and elections announcements by the President of the Republic, and in particular on the decree-law n°22 of 21 April 2022 amending and completing the organic law on the independent high authority for elections of **Tunisia** (ISIE);
- Adopted the opinion on the draft State Property Code of Tunisia, previously examined by the Sub-Commissions on Fundamental Rights and on the Mediterranean Basin at their joint meeting on 16 June 2022;
- Held an exchange of views with Mr Ömer Yılmaz, Deputy Head of Department, Department for Human Rights, Ministry of Justice of **Türkiye**, and adopted the joint opinion by the Venice Commission and the OSCE/ODIHR on the amendments to the electoral legislation of Türkiye by Law no. 7393 of 31 March 2022, previously approved by the Council for Democratic Elections at its meeting on 16 June 2022;
- Adopted the *amicus curiae* Brief for the Constitutional Court of **Ukraine** on the limits of subsequent (a posteriori) review of constitutional amendments by the Constitutional Court;
- Adopted the **Explanatory Report of the Code of Good Practice on Referendums**;
- Held an exchange of views with Mr Robert Spano, President of the **European Court of Human Rights**;
- Held an exchange of views with Mr Matteo Mecacci, Director of the **OSCE Office for Democratic Institutions and Human Rights (ODIHR)**;

- Held an exchange of views with Mr Didier Reynders, **European Commissioner for Justice**;
- Upon the recommendation of the Enlarged Bureau, **elected**: for a mandate expiring in December 2023:
 - o Mr Pere Vilanova Trias (Andorra) as Chair of the **Sub-Commission on Federal and Regional State**;
 - o Mr Ghazi Jeribi (Tunisia) as Chair of the **Sub-Commission on the Mediterranean Basin**;
 - o Mr Igor I. Rogov (Kazakhstan) as Chair of the **Sub-Commission on Ombudsman Institutions**;
- Was informed of the **election by the Council for Democratic Elections (CDE)**, for a mandate expiring in March 2023, of Mr Srdjan Darmanović (Montenegro) as **President of the CDE**;
- Was informed on follow-up to the following opinions:
 - o Opinion on the introduction of the procedure of renewal of security vetting through amendments to the Courts Act of **Croatia**;
 - o Opinion on the amendments on the Act on the Organisation and Administration of Courts and the Act on the Legal Status and Remuneration of Judges of **Hungary** adopted by the Hungarian parliament in December 2020;
 - o Opinion on the possible exclusion of the Parliamentary Commissioner for Administration (the parliamentary Ombudsman, hereafter the PHSO) and Health Service Commissioner from the “safe space” provided for by the Health and Care Bill of the **United Kingdom**;
 - o Joint Opinion on the Draft law on amending some normative acts (Judiciary) of the Republic of Moldova;
 - o Opinion on Federal Law n. 121-fz on non-commercial organisations (“law on foreign agents”), on Federal Laws n. 18-fz and n. 147-fz and on Federal Law n. 190-fz on making amendments to the criminal code (“law on treason”) of the **Russian Federation** and Opinion on the Compatibility with international human rights standards of a series of Bills introduced to the Russian State Duma between 10 and 23 November 2020, to amend laws affecting “foreign agents”;
- Was informed on constitutional developments in **Kazakhstan**;
- Held an exchange of views with representatives of the **Committee of Ministers**, the **Parliamentary Assembly** and the **Congress of Local and Regional Authorities** of the Council of Europe;
- Was informed of the Management Response and Action Plan which have followed the **Evaluation Report of the Venice Commission**;
- Was informed of the results and conclusions of the **international round table on “Shaping Judicial Councils to meet contemporary challenges”** (Rome, 21-22 March 2022); of the **European Conference of Prosecutors** (Palermo, 4-5 May 2022); of the Conference on **International Standards of the Venice Commission: a comparative analysis of the Mexican electoral justice system** (Mexico City, 12-13 May 2022); of the **15th UniDem Med seminar** on “Public service policies : paradigms for change” (online and Ramallah, Palestine*, 17-18 May 2022); and of the **Conference on the Judiciary as Guardian of Democracy** (Yerevan, 8-9 June 2022);
- Was informed on upcoming international conferences: Seminar on “**Bicameralism: phenomenology, evolution, and current challenges of a ‘contested’ institution**” to be held in Madrid on 4 and 5 July 2022; International Conference on “**Freedom of association and its limitations: in search of a fair balance**” in the framework of the Irish CM Chairmanship to be held in Strasbourg on 13 September 2022; **19th European Conference of Electoral Management Bodies** on Artificial Intelligence and its potential impact on electoral processes to be held in Strasbourg on 14-15 November 2022;

- Confirmed the dates of the **next Plenary Sessions** as follows: 21-22 October 2022; 16-17 December 2022; 10-11 March 2023; 30 June-1 July 2023; 6-7 October 2023; 15-16 December 2023.

The opinions for Kosovo were prepared under the Expertise Co-ordination Mechanism in the framework of the EU/CoE joint programme "Horizontal Facility II", co-funded by the Council of Europe and the European Union and implemented by the Council of Europe. The opinion for the Republic of Moldova on the draft law on amending some normative acts (Judiciary) and the *amicus curiae* Brief for Ukraine were prepared under the Quick Response Mechanism 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.