



Strasbourg, 24 October 2022

CDL-PL-PV(2022)003syn
Or. Engl.

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

132nd PLENARY SESSION

Venice, 21-22 October 2022

SYNOPSIS

The Venice Commission:

- Held an exchange of views with Mr Joan Forner Rovira, Ambassador Extraordinary and Plenipotentiary, Permanent Representative of **Andorra** to the Council of Europe, and adopted the opinion on the law on the creation and functioning of the Ombudsman of Andorra;
- Adopted the final opinion on constitutional reform in **Belarus** and its compliance with Council of Europe standards;
- Held an exchange of views with Mr Emil Dechev, Deputy Minister of Justice of **Bulgaria**, and adopted the opinion on the draft amendments to the Judicial System Act concerning the Inspectorate to the Supreme Judicial Council of Bulgaria, previously examined by the Sub-Commission on the Judiciary at its meeting on 20 October 2022;
- Held an exchange of views with Mr Emil Dechev, Deputy Minister of Justice of Bulgaria, and adopted the opinion on the draft amendments to the Criminal Procedure Code and the Judicial System Act of Bulgaria;
- Held an exchange of views Ms Elvira Azimova, Commissioner for Human Rights of **Kazakhstan**, and adopted the opinion on the draft Constitutional Law on the Commissioner for Human Rights of Kazakhstan, previously examined by the Sub-Commissions on Democratic Institutions and Ombudsman Institutions at their joint meeting on 20 October 2022;
- Held an exchange of views with Ms Liliana Nicolaescu-Onofrei, Chair of the Media and Culture Committee of the Parliament of the **Republic of Moldova**, and with Mr Vlad Batrîncea, Vice-President of Parliament, Block of Communists and Socialists (BCS) parliamentary faction, and adopted the opinion on the amendments to the Audiovisual Media Services Code and to some normative acts including the ban on symbols associated with and used in military aggression actions of the Republic of Moldova;
- Adopted the *amicus curiae* brief for the Constitutional Court of the Republic of Moldova on the clarity of provisions on combating extremist activity;
- Held an exchange of views with Ms Veronica Mihailov-Moraru, Secretary of State, 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 the Supreme Court of Justice of the Republic of Moldova, previously examined by the Sub-Commission on the Judiciary at its meeting on 20 October 2022;
- Held an exchange of views with Ms Olesea Stamate, Chairperson of the Committee on legal affairs, appointments and immunities of the Parliament of the Republic of Moldova, and adopted the joint opinion of the Venice Commission and OSCE/ODIHR on the draft electoral code of the Republic of Moldova, previously approved by the Council for Democratic Elections at its meeting on 20 October 2022;
- Adopted the joint *amicus curiae* brief of the Venice Commission and OSCE/ODIHR for the Constitutional Court of the Republic of Moldova relating to the offence of illicit enrichment;
- Held an exchange of views with Mr Lorenzo Cordova Vianello, Councillor President of the National Electoral Institute (INE) of **Mexico**, with Mr Cristopher Ballinas Valdés, Director General of the Human Rights and Democracy, Mexican Government, and with Mr José Alfonso Suárez del Real y Aguilera, Ambassador, Permanent Observer of Mexico to the Council of Europe, and adopted the opinion on the draft constitutional amendments concerning the electoral system of Mexico, previously approved by the Council for Democratic Elections at its meeting on 20 October 2022;
- Held an exchange of views with Ms Maja Popović, Minister of Justice of **Serbia**, and adopted the opinion on three draft laws implementing the constitutional amendments on the Judiciary, previously examined by the Sub-Commission on the Judiciary at its meeting on 20 October 2022;
- Adopted the joint *amicus curiae* brief of the Venice Commission and the Directorate General of Human Rights and Rule of Law (DGI) of the Council of Europe for the Constitutional Court of **Ukraine** on certain questions related to the election and discipline of the members of the High Council of Justice of Ukraine;

- Endorsed the urgent opinion on the Amendments to the Criminal Procedure Code adopted by the Parliament of **Georgia** on 7 June 2022, issued on 1 August 2022 pursuant to the Commission's Protocol on the preparation of urgent opinions;
- Endorsed the urgent 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 amendments to the Penal Code of **Turkey** regarding the provision on "false or misleading information", issued on 7 October 2022 pursuant to the Commission's Protocol on the preparation of urgent opinions;
- Endorsed the urgent joint opinion of the Venice Commission and OSCE/ODIHR on the draft law on local referendum in Ukraine, issued on 10 February 2022 pursuant to the Commission's Protocol on the preparation of urgent opinions;
- Adopted the comments on **Recommendation 2235 (2022) of the Parliamentary Assembly of the Council of Europe: "Recent challenges to security in Europe: what role for the Council of Europe?"**;
- Authorised the preparation through the **urgent procedure** of the opinion on the draft Law on Amendments to Certain Legislative Acts of Ukraine on Improving the Procedure of Selection of Candidates for the Position of Judge of the Constitutional Court of Ukraine on a Competitive Basis, and on the draft amendments to the Judicial Code of **Armenia**;
- Held an exchange of views with Mr Paul Gallagher, Attorney General of **Ireland**;
- Was informed on follow-up to the following opinions:
 - o Opinion on three Bills reforming the Judiciary of **Cyprus**;
 - o Urgent Interim Opinion on the draft new Constitution of Bulgaria;
 - o Opinion on the draft law on the Commissioner for Human Rights of Kazakhstan;
 - o Joint opinion on the electoral legislation of **Norway**.
 - o Opinion on the legal protection of citizens in **the Netherlands**;
- 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 on constitutional developments in **Tunisia**;
- Was informed on the results and conclusions of the meeting of the **Council for Democratic Elections** on 20 October 2022 and of the adoption of its **revised rules of procedure**;
- Was informed of follow up to the **European Conference of Prosecutors**, held in Palermo on 4 and 5 May 2022, and to the seminar on "**Bicameralism: phenomenology, evolution, and current challenges of a 'contested' institution**" to be held in Madrid on 4 and 5 July 2022;
- Was informed on the results and conclusions of the International Round Table on "**Civil society: empowerment and accountability**", held in Strasbourg and online on 13 September 2022; of the **Congress of the World Conference on Constitutional Justice (WCCJ) on "Constitutional Justice and Peace"**, held in Bali from 4 to 7 October 2022 and of the **5th meeting of the GNEJ (Global Network of Electoral Justice)**, held in Bali on 10 to 12 October 2022, and on receiving the **First edition of the Awards of the Global Network on Electoral Justice**;
- was informed of the 19th European Conference of Electoral Management Bodies on **Artificial Intelligence and its potential impact on electoral processes** to be held in hybrid format in Strasbourg on 14-15 November 2022; as well as of the 16th UniDem Med seminar on "**the Digital transformation of public administration**", to be held in hybrid format in Rabat, Morocco on 23 and 24 November 2022;
- Was informed on the **OSCE Moscow mechanism** and on the reports on "Violation of International Humanitarian and Human Rights Law, War Crimes and Crimes against Humanity committed in Ukraine since 24 February 2022" and on "Russia's Legal and Administrative Practice";
- Confirmed the dates of the **next Plenary Sessions** as follows: 16-17 December 2022; 10-11 March 2023; 30 June-1 July 2023; 6-7 October 2023; 15-16 December 2023.

The opinion for Serbia was 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 opinions for Georgia and the Republic of Moldova 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.