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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

134th PLENARY SESSION

Venice, 10-11 March 2023

SYNOPSIS

The Venice Commission:

- Held one minute of silence in commemoration of the victims of the earthquake in Türkiye and Syria;
- Adopted the joint opinion of the Venice Commission and OSCE/ODHIR on the Law on Political Parties of **Azerbaijan**;
- Held an exchange of views with Ms Sanela Latić, Head of the Department for Cooperation with Domestic and International Judicial Bodies and Comparative Law at the Ministry of Justice of **Bosnia and Herzegovina**, and adopted the opinion on the draft law on the courts of Bosnia and Herzegovina;
- Adopted the *amicus curiae* brief for the Constitutional Court of Bosnia and Herzegovina on the question of the appellate review in the Court of Bosnia and Herzegovina;
- Adopted the interim opinion on the draft law on de-oligarchisation of **Georgia**, previously examined by the Sub-Commissions on Democratic Institutions, Fundamental Rights and the Rule of Law at their joint meeting on 9 March 2023;
- Adopted the **follow-up opinion** on four previous opinions on the amendments to the Organic Law on Common Courts of Georgia;
- Was informed that the Chairman of the parliament of Georgia had requested to withdraw its recent request for an opinion on the draft laws on the "Transparency of Foreign Influence" and on the "Registration of Foreign Agents" of Georgia, and that a decision as to whether to accept such withdrawal would be taken once the relevant domestic parliamentary procedure is concluded;
- Adopted the opinion on the Regulations of the Jogorku Kenesh and on Amendments to the Law on the Regulations of the Jogorku Kenesh of the **Kyrgyz Republic**;
- Held an exchange of views with Ms Veronica Mihailov-Moraru, Minister of Justice of the **Republic of Moldova**, and adopted:
 - o the interim opinion on the draft Law on limiting excessive influence in the economic and public life (de-oligarchisation) of the Republic of Moldova, previously examined by the Sub-Commissions on Democratic Institutions, Fundamental Rights and the Rule of Law at their joint meeting on 9 March 2023;
 - o 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 external assessment of judges and prosecutors (full vetting) of the Republic of Moldova;
- Held an exchange of views with Mr Alexandru Musteata, Director of the Intelligence Service of the Republic of Moldova, and adopted the opinion on the draft law the Intelligence and Security Service, as well as on the draft law on counter-intelligence and external intelligence activity of the Republic of Moldova;
- Adopted the **follow-up opinion** to its previous opinion on the draft amendments to the Law on the Judicial Council and Judges of **Montenegro**;
- Adopted the *amicus curiae* brief for the Constitutional Court of **Ukraine** on certain questions related to the procedure for appointing to office and dismissing the Director of the National Anti-Corruption Bureau and the Director of the State Bureau of Investigation of Ukraine;

- Decided to postpone to its 135th Plenary Session the examination of the draft interim Opinion on the law on the prevention of threats to national security, associated with excessive influence of persons having significant economic or political weight in public life (oligarchs) of Ukraine;
- Adopted, following examination by the **Sub-Commission on Working Methods**:
 - o the **Principles of Conduct for Members, substitute members and experts of the Venice Commission**, and
 - o amendments to the Commission's **Rules of Procedure**;
- Adopted the **Annual Report of Activities 2022**;
- Was informed on **follow-up** to the following opinions:
 - o Joint opinion of the Venice Commission and the OSCE/ODIHR on draft amendments to the Election Code and the Law on Political Associations of Citizens of Georgia;
 - o Follow-up opinion to the opinion on the draft law N°08/L-121 on the State Bureau for verification and compensation of unjustified assets of **Kosovo**;
 - o Opinion on the proposed revision of the Constitution of **Luxembourg**;
 - o Opinion on the draft constitutional amendments concerning the electoral system of **Mexico**;
 - o Urgent opinion on the Law on amendments to the Law on the President of Montenegro;
 - o Opinion on three draft laws implementing the constitutional amendments on Judiciary of **Serbia**;
 - o Opinion on two draft laws implementing the constitutional amendments on the prosecution service of Serbia;
 - o Follow-up Opinion on three revised draft Laws implementing the constitutional amendments on the Judiciary of Serbia;
 - o Comments on **Recommendation 2235 (2022) of the Parliamentary Assembly** of the Council of Europe on challenges to security in Europe: What role for the Council of Europe? In view of the reply of the Committee of Ministers;
- 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;
- Heard an address from the representative of the **Regione del Veneto**;
- Was informed on the results and conclusions of the international conference on the occasion of the 20th anniversary of the creation of the Mediator Institution of **Morocco**;
- Was informed of the upcoming meeting of the Bureau of the World Conference on Constitutional Justice (11 March 2023); the Joint Council on Constitutional Justice (Sofia 24-25 April 2023); the Conference on the European Constitutional Heritage (Strasbourg, 4-5 May 2023); the PACE Conference on Elections in Times of Crisis – Challenges and Opportunities (Bern, 9-10 May 2023) and the International Conference on Cybersecurity and Elections (Madrid, 10-12 May 2023);
- Was informed on recent case-law of the Constitutional Tribunal of **Peru** and of the **European Court of Justice**;
- Was informed on the results and conclusions of the meeting of the **Council for Democratic Elections** on 9 March 2023, and of the re-election of Mr Srdjan Darmanović as Chair and of Mr Stewart Dickson as Vice-Chair, until the entry into force of the new rules of procedure in October 2023, as well as on the discussion on co-operation in the field of electoral observation;

- Was informed that the dates of the **next Plenary Sessions** will be as follows: **9-10 June 2023**; 6-7 October 2023; 15-16 December 2023.

The opinion and amicus curiae briefs for Bosnia and Herzegovina and Montenegro were prepared under the Expertise Coordination 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 two opinions for Georgia, as well as the opinion for the Republic of Moldova on the draft law on the Intelligence and Security Service, as well as on the draft law on counterintelligence and external intelligence activity 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.