



Strasbourg, 9 October 2023

CDL-PL-PV(2023)003syn
Or. Engl.

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

136th PLENARY SESSION

Venice, 6-7 October 2023

SYNOPSIS

The Venice Commission:

- Observed one minute of silence in memory of late Mr Porfirio Muñoz Ledo, former observer in respect of Mexico, and late Mr Augusto Ferrero Costa, former member in respect of Peru;
- Held one minute of silence in commemoration of the victims of the earthquake in Morocco, the floodings in Libya, and the accident in Mestre;
- held an exchange of views with Mr Karen Karapetyan, Deputy Minister of Justice of Armenia, and adopted the joint Opinion of the Venice Commission and the OSCE/ODIHR on the draft amendments to the Electoral Code and related legislation of **Armenia**, previously approved by the Council for Democratic Elections at its meeting on 5 October 2023;
- held an exchange of views with Mr Atanas Slavov, Minister of Justice of **Bulgaria**, and with Mr Emil Dechev, Deputy Minister of Justice, and adopted the Opinion on the draft amendments to the Constitution of Bulgaria, previously examined by the Sub-Commissions on Democratic Institutions and on Latin America at their joint meeting on 5 October 2023;
- held an exchange of views with Mr Juan Antonio Coloma Correa, President of the Senate of **Chile**, and adopted the Opinion on the 2023 Process of Constitutional Reform in Chile, previously examined by the Sub-Commissions on Democratic Institutions and on Latin America at their joint meeting on 5 October 2023;
- adopted the follow-up Opinion to previous opinions on the amendments to the Organic Law on Common Courts of **Georgia**;
- adopted the Opinion on the draft law on the media of **Kyrgyzstan**;
- adopted the Opinion on the draft Constitutional Law on the Ombudsman of Kyrgyzstan;
- held an exchange of views with Mr Eduard Serbenco, State Secretary, Ministry of Justice of the Republic of Moldova, and:
 - o adopted the follow-up Opinion to the opinion on the draft law of the Republic of Moldova on the Intelligence and Security Service, as well as on the draft law on counterintelligence and external intelligence activity;
 - o 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 anti-corruption judicial system and on amending some normative acts of the Republic of Moldova, previously examined by the Sub-Commissions on the Judiciary and on the Rule of Law at their joint meeting on 5 October 2023;
 - o adopted the joint follow-up Opinion to the joint opinion on the draft Law on the external assessment of Judges and Prosecutors of the Republic of Moldova;
 - o adopted the joint Opinion of the Venice Commission and ODIHR on amendments to the Electoral Code of the Republic of Moldova and other related laws concerning ineligibility of persons connected to political parties declared unconstitutional, previously approved by the Council for Democratic Elections at its meeting on 5 October 2023 and examined by the Sub-Commissions on Democratic Institutions and on Latin America at their joint meeting on 5 October 2023;
- held an exchange of views with Mr Marash Dukaj, Minister of Public Administration of **Montenegro** and adopted the Opinion on the draft law on the Government of Montenegro;
- held an exchange of views with Ms Anneke Van Dijk, Director-General for the Administration of Justice and Law Enforcement of **the Netherlands**, 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 legal safeguards of the independence of the judiciary from the executive power

in the Netherlands, previously examined by the Sub-Commissions on the Judiciary and on the Rule of Law at their joint meeting on 5 October 2023;

- endorsed the urgent Opinion on the Law of **Poland** on the State Commission to investigate Russian Influence on Internal Security in the Republic of Poland between 2007 and 2022 and on the draft law amending that Law, previously issued on 26 July 2023 in accordance with the Protocol on the preparation of Venice Commission urgent Opinions;
- heard an address of Mr Ruslan Stefanchuk, Chairman of the Verkhovna Rada of **Ukraine**, to the President of the Venice Commission and:
 - o adopted the joint Opinion of the Venice Commission and OSCE/ODIHR on the draft law amending certain legislative acts of Ukraine which restrict the participation in the state power of persons associated with political parties whose activities are prohibited by law, previously examined by the Sub-Commissions on Democratic Institutions and on Latin America at their joint meeting on 5 October 2023;
 - o adopted the Opinion on the draft law on Amendments to Article 51 of the Rules of Procedure of the Verkhovna Rada on political liability of Members of Parliament associated with political parties whose activities have been suspended;
 - o adopted the joint follow-up Opinion of the Venice Commission and the Directorate General of Human Rights and Rule of Law (DGI) of the Council of Europe to the joint Opinion on the draft amendments to the Law “On the Judiciary and the Status of Judges” and Certain Laws on the Activities of the Supreme Court and Judicial Authorities;
 - o endorsed the urgent follow-up opinion to the Opinions on the Law on “Amendments to Certain Legislative Acts of Ukraine on improving the procedure for the selection of candidates for the position of judge of the Constitutional Court of Ukraine on a Competitive Basis”, previously issued on 25 September 2023 in accordance with the Protocol on the preparation of Venice Commission urgent Opinions, and was informed of the **nomination by the Venice Commission’s Bureau of a member and a substitute member to sit on the Advisory Group of Experts of Ukraine**;
- held an exchange of views with Mr Ihor Lossovskiy, Deputy Head of the State Service for Ethnic Affairs and Freedom of Conscience, and Mr Oleksandr Ilkov, Director General of the Government Office for Coordination on European and Euro-Atlantic Integration of Ukraine, and adopted the follow up Opinion to the opinion on the law of Ukraine on national minorities;
- Was informed on **follow-up** to the following opinions: Opinion on the draft Law on amendments to the Law on the High Judicial and Prosecutorial Council of **Bosnia and Herzegovina**; Opinion on the introduction of the procedure of renewal of security vetting through amendments to the Courts Act of **Croatia**; Amicus curiae brief for the Constitutional Court of the Republic of Moldova on declaring a political party unconstitutional; Joint follow-up Opinion of the Venice Commission and the Directorate General of Human Rights and Rule of Law of the Council of Europe to the Opinion on the Draft Law on the Supreme Court of Justice of the Republic of Moldova; Urgent Opinion on the Law on amendments to the Law on the President of Montenegro;
- Elected, in accordance with Article 6, paragraph 1bis of the Commission’s revised Rules of Procedure, the five members of the **Committee of Wise Persons** proposed by the Enlarged Bureau;
- Was informed by the **Committee of Wise Persons** on the preparation of the elections to the Commission’s offices to take place in December 2023; in particular, all members interested in being candidates in the elections were invited to contact the Wise Persons before 31 October 2023;
- Was informed on constitutional developments in Bosnia and Herzegovina;
- 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;

- Held an exchange of views with Mr Francesco Calzavara, Regional Minister of the **Regione Veneto**;
- Was informed on the results and conclusions of the meeting of the **Council for Democratic Elections** on 5 October 2023 and of the **election** of Mr Stewart Dickson (Congress of Regional and Local Authorities), as President, as well as Mr Srdjan Darmanovic (Venice Commission) and Mr Michael Link (Parliamentary Assembly of the Council of Europe) as Vice-Presidents of the Council for Democratic Elections, for a term of two years;
- Was informed on the Venice Commission's **participation as legal advisor in electoral observation missions** of the Parliamentary Assembly of the Council of Europe;
- Was informed of the results and conclusions of several **conferences**: Conference on "Democracy in Europe: How can parliamentarians help safeguard and strengthen democracy and the Rule of Law?", Stockholm, 18-19 June 2023; Congress on "Digital Technologies: Democracy and regulation in Europe and America", Mexico, 19-21 June 2023; Stockholm Symposium on "Democracy and the Rule of Law", Stockholm, 21-22 June 2023; International conference on "the Constitution as a Foundation for Building a Democratic State under the rule of law", Issyk Kul, 21-22 June 2023; Conference "World Law Congress", New York, 20 July 2023; Conference on "Constitutional Justice: Dignity, freedom and justice for all", Astana, 7-8 September 2023; International Congress "2024 Elections in Mexico. International Jurisdictional Electoral Accompaniment", 11 and 12 September 2023; Conference on "Constitutions and War", Madrid, 14-15 September 2023; International Conference "Ombudsman: The Role of Ombudsman in the World: between reality and possibility", Rome, 21-22 September 2023; Cyprus Forum, participation in panel on "The role of the Attorney General and checks and balances", Nicosia, 29-30 September 2023;
- Was informed of some **upcoming conferences**: Conference on "*Criminal Justice and Human Rights - Emerging trends and challenges*", Bishkek, 20 October 2023; Conference on "*Stability of Electoral Law: a Principle of the European Electoral Heritage*", Barcelona, 3 November 2023; Conference on "*Money and democracy - an uneasy relationship*", Cologne, 7-8 December 2023;
- Was informed that the dates of the **next Plenary Sessions** will be as follows: 15-16 December 2023; 15-16 March 2024; 21-22 June 2024; 11-12 October 2024; 6-7 December 2024.

The opinion for Montenegro 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 three opinions for the Republic of Moldova and the opinion for Armenia 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.