



Strasbourg, 25 June 2024

CDL-PL-PV(2024)002syn
Or. Engl.

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

139th PLENARY SESSION

Venice, 21-22 June 2024

SYNOPSIS

The Venice Commission:

- Adopted the Joint Opinion of the Venice Commission and the Directorate General of Democracy and Human Dignity (DGII) of the Council of Europe on the draft law on national minorities of **Armenia**;
- Held an exchange of views with H.E. Željko Komšić, Member of the Presidency of Bosnia and Herzegovina, and adopted the Opinion on the method of electing judges to the Constitutional Court of **Bosnia and Herzegovina**;
- Held an exchange of views with Mr Željko Bogut, Secretary General of the Ministry of Justice of Bosnia and Herzegovina, and adopted the Interim Follow-up Opinion to previous Opinions on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, previously examined by the Sub-Commissions on Democratic Institutions and on Latin America at their joint meeting on 20 June 2024;
- Adopted:
 - o The Follow-up Opinion to the Joint Opinion on the draft amendments to the Election Code and to the Rules of Procedure of the Parliament of **Georgia**, previously approved by the Council for Democratic Elections at its meeting on 20 June 2024;
 - o The Opinion on amendments to the Election Code of Georgia which abolish gender quotas, previously approved by the Council for Democratic Elections at its meeting on 20 June 2024;
 - o The Opinion on the draft constitutional law of Georgia on the protection of family values and minors, previously examined by the Sub-Commissions on Fundamental Rights and on Non-Discrimination at their joint meeting on 20 June 2024;
- Endorsed the Urgent Opinion on the Law of Georgia on Transparency of Foreign Influence, issued on 21 May 2024 pursuant to Article 14a of the Venice Commission's Revised Rules of Procedure;
- Held an exchange of views with Mr Francisco Guerrero, Secretary for Strengthening Democracy from the Organization of American States, and adopted the Interim Opinion on possible legislative solutions to conduct future electoral processes in **Haiti**, previously approved by the Council for Democratic Elections at its meeting on 20 June 2024 and examined by the Sub-Commissions on Democratic Institutions and on Latin America at their joint meeting on 20 June 2024;
- Held an exchange of views with Mr Vitali Gavrouc, member of the Commission on Human Rights and Interethnic Relations from the **Republic of Moldova**, and adopted the Opinion on the Law of the Republic of Moldova on the partial implementation of the postal vote, previously approved by the Council for Democratic Elections at its meeting on 20 June 2024;
- Held an exchange of views with Mr Bojan Božović, State Secretary, Ministry of European Affairs of **Montenegro**, and Ms Jelena Grdinic, Director General, Directorate for Criminal and Civil Legislation, Ministry of Justice of Montenegro, and endorsed:
 - o the Urgent Follow-up Opinion on the revised draft amendments to the Law on the Judicial Council and Judges, issued on 6 May 2024 pursuant to Article 14a of the Venice Commission's Revised Rules of Procedure;
 - o the Urgent Follow-up Opinion to the Opinions on the Law on the State Prosecution Service, issued on 16 May 2024 pursuant to Article 14a of the Venice Commission's Revised Rules of Procedure;
 - o the Urgent Follow-up Opinion to the Opinions on the Law on the Special State Prosecutor's Office, issued on 16 May 2024 pursuant to Article 14a of the Venice Commission's Revised Rules of Procedure;
 - o the Urgent Opinion on the draft law on the prevention of corruption, issued on 21 May 2024 pursuant to Article 14a of the Venice Commission's Revised Rules of Procedure;
 - o the Urgent Opinion on the draft amendments to the Law on seizure and confiscation of material benefit derived from criminal activity, issued on 22 May 2024 pursuant to Article 14a of the Venice Commission's Revised Rules of Procedure;

- Held an exchange of views with Mr Dariusz Mazur, Deputy Minister of Justice of Poland, and 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 law amending the Law on the National Council of the Judiciary of **Poland**, issued on 8 May 2024 under the urgent procedure, as provided by Article 14a of the Rules of Procedure;
- Adopted:
 - o the Opinion on the draft law on amendments to the Code of Administrative Offences of the **Kyrgyz Republic** introducing penalties for insult and slander, previously examined by the Sub-Commissions on Fundamental Rights and on Non-Discrimination at their joint meeting on 20 June 2024;
 - o the Opinion on amendments to the Law of the Kyrgyz Republic on regulatory legal acts;
- Adopted the **Revised interpretative declaration to the Code of Good Practice in Electoral Matters on the Stability of electoral law**, previously approved by the Council for Democratic Elections at its meeting on 20 June 2024;
- Adopted the **Report on the relations between Parliament and the Government: confidence and responsibility**, previously examined by the Sub-Commissions on Democratic Institutions and on Latin America at their joint meeting on 20 June 2024;
- Was informed on progress in the preparation of the **Report on a rule of law and human rights compliant regulation of spyware** and invited the Commission members to provide information on the relevant legislation of their country **before 1 September 2024**;
- Was informed on **follow up**: to the Joint Opinion of the Venice Commission and the OSCE/ODIHR on the draft law of Republika Srpska (Bosnia and Herezgovina) on the Special Registry and Publicity of the Work of Non-Profit Organisations; to the Opinion on certain questions relating to the functioning of the Constitutional Court of Bosnia and Herzegovina; to the Joint Follow-up Opinion of the Venice Commission and ODIHR to the Joint Opinion on amendments to the Electoral Code and other related laws of the Republic of Moldova concerning ineligibility of persons connected to political parties declared unconstitutional; to the Joint amicus curiae brief of the Venice Commission and ODIHR for the Constitutional Court of the Republic of Moldova on the ineligibility of persons connected to political parties declared unconstitutional; to the Joint opinion of the Venice Commission and the OSCE/ODIHR on the electoral legislation of **Norway**; to the Opinion on the rule of law requirements of amnesties, with particular reference to the parliamentary bill of **Spain** "on the organic law on amnesty for the institutional, political and social normalisation of Catalonia";
- Was informed on the participation in the **electoral observation missions** of the Parliamentary Assembly of the Council of Europe in the Republic of North Macedonia (presidential and parliamentary elections, 24 April and 8 May 2024), and in Bulgaria (early parliamentary elections, 9 June 2024);
- Was informed of the adoption of the **Electoral Observation Manual prepared by the Organization of American States**;
- Was informed of the mission of a Venice Commission delegation to Mexico City in the context of the elections which took place in **Mexico** on 2 June 2024;
- Was informed on progress in the preparation of the update of the Commission's **Rule of Law Checklist**;
- Decided to pursue its fruitful **cooperation with ODIHR**, notably by preparing joint opinions on electoral legislation, while deciding on the preparation of joint documents in other fields on a case-by-case basis;
- Gave mandate to the Chair of the Sub-Commission on Working methods to update the working methods for the preparation of joint opinions with ODIHR, in cooperation with ODIHR;
- Was informed about the forthcoming **conferences** on: The place and acceptance of International Conventions in the domestic legal system (Rabat, 4 October 2024); Aspects of Constitutionalism in European "micro States" (San Marino, 14 October 2024); Joint Council on Constitutional Justice (JCCJ) meeting and international conference on "Respect for the Judgments of Constitutional Courts" (Yerevan, 14-15 November 2024); The Rule of law and private power (Madrid, week of 25 November 2024); Lessons Learned and Learning Lessons

:The Venice Commission's Experience in Elaborating Transnationally Valid Constitutional Standards (Venice, 12 March 2025); 20th European of Electoral Management Bodies on "Stability of Electoral Law" (Vilnius, April 2025 exact date tbc);

- Was informed on the results and conclusions of the meeting of the Council for Democratic Elections on 20 June 2024;
- held an exchange of views with the representatives of the **Committee of Ministers**, of the **Parliamentary Assembly** and of the **Congress of Local and Regional Authorities** of the Council of Europe;
- held an exchange of views with Mr Francesco Calzavara, Regional Minister for Planning, Budget and Assets, General Affairs and Local Government of the **Regione Veneto**;
- confirmed the dates of the next Plenary Sessions as follows: 11-12 October 2024; 6-7 December 2024; 14-15 March 2025; 13-14 June 2025; 10 October 2025; 12-13 December 2025.
- Was informed that the **celebration of the Commission's 35th Anniversary** will take place on 11 October 2025.

The opinions for Bosnia and Herzegovina and Montenegro were prepared under the Expertise Co-ordination Mechanism in the framework of the EU/CoE joint programme "Horizontal Facility III", co-funded by the Council of Europe and the European Union and implemented by the Council of Europe. The opinions for Armenia 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.