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Newsletter

Issue 2/2020



JUNE 2020 PLENARY

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30TH ANNIVERSARY CEREMONY AND OCTOBER 2020 PLENARY

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Due to the worsening sanitary conditions related to the COVID-19 pandemic, the ceremony devoted to the 30th anniversary of the Venice Commission has been postponed to a later date.

The October session therefore will take place exclusively online.

IN THE PIPELINE

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What is the Commission up to these days?

Observatory on the states of emergency is online now.

Information on Opinions, studies and events under preparation and more!



123RD PLENARY SESSION OF THE VENICE COMMISSION

MAJOR DECISIONS

STRASBOURG, COUNCIL OF EUROPE, 21 JUNE 2020 - The Venice Commission adopted a number of opinions through a written procedure on 18-19 June, in replacement of the actual meeting of 123rd plenary session in Venice that did not take place due to the continued COVID-19 concerns.

The following opinions were adopted by a written procedure:

- on 18 June 2020:

- **Albania** - [the Law no 97/2013 on Audio-visual Media Service](#);
- **Latvia** - [the recent amendments to the legislation on education in minority languages](#);
- **Russian Federation** - [the draft Amendments to the Constitution Federation relating to the execution of the judgments of the European Court of Human Rights](#);
- **Turkey** - [the replacement of elected candidates and mayors](#);

- on 19 June 2020:

- **Albania** - [the appointment of members of the Constitutional Court](#);
- **Armenia** - [three questions in the context of constitutional amendments concerning the judges of the Constitutional Court](#);
- **Kosovo** - [some issues with respect to the Draft Criminal Procedure Code, namely trial in absentia and suspension of officials from office](#);
- **Malta** - [the legislative changes proposed by the Government to implement recommendations of the 2018 Opinion of the Commission](#);
- **Republic of Moldova** - [the Revised draft Law on amending and supplementing the constitution with respect to the Superior Council of Magistracy](#).

The Commission also adopted the [Amicus curiae brief for the Constitutional Court of Armenia relating to Article 300.1 of the Criminal Code](#), and took note of the report on [“Respect for Democracy, Human Rights and the Rule of Law during states_of_emergency - Reflections”](#).

[ALL THE DECISIONS ADOPTED BY THE COMMISSION IN JUNE 2020](#)



Due to the worsening sanitary conditions related to the COVID-19 pandemic, the ceremony devoted to the 30th anniversary of the Venice Commission has been postponed to a later date.

The 124th Plenary Session will therefore take place exclusively on-line.

30th anniversary ceremony and 124th Plenary Session of the Venice Commission

STRASBOURG, COUNCIL OF EUROPE, 28 September 2020 - Due to the worsening sanitary conditions related to the COVID-19 pandemics, the ceremony devoted to the 30th anniversary of the Venice Commission has been postponed to a later date. The 124th Plenary Session will therefore take place exclusively on-line, contrary to the planned on 8 and 9 October 2020 hybrid session with 40 participants present in Venice.

On the agenda of the October 2020 plenary session are the following draft **opinions** on:

- **Iceland** - four draft Constitutional bills on the protection of the environment, on natural resources, on referendums and on the President of Iceland, the Government, the functions of the executive and other institutional matters;
- **Malta** - ten bills implementing the concept for the reforms;
- **Georgia** - the draft amendments to the organic Law on the Common Courts regarding the process for appointing Supreme Court Judges;
- **Ukraine** - 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;
- **Turkey** - the July 2020 amendments to the Attorneyship Law of 1969;
- **Kosovo** - the draft Law on public gatherings and
- **Uzbekistan** - draft Law on freedom of conscience and religious organisations

In addition, the Commission will adopt the draft **Reports** on :

- Criminal liability for peaceful calls for **radical constitutional change** from the standpoint of the ECHR;
- Measures taken in the EU member States as a result of the **Covid-19** crisis and their impact on democracy, the Rule of Law and Fundamental Rights (Interim Report);
- Election dispute resolution.

The **Revised Guidelines on Referendums** will be also adopted and the Report on “Electoral law and electoral administration in Europe” will be taken note of.

[ANNOTATED AGENDA OF THE OCTOBER 2020 SESSION](#)

In the pipeline

Despite the Covid-19 pandemics and the consequent lockdown, the Commission continues its work.

- [Forthcoming opinions and reports](#)
- [Forthcoming events](#)



Observatory of emergency regimes

In May 2020 the Scientific Council of the Commission decided to establish an **observatory on emergency regimes** in the member States. A questionnaire was sent to the members of the Commission to collect the information about national regulations on emergency regimes and, in particular, on measures taken in relation to COVID-19.

The [on-line observatory](#) was launched in July 2020. It is updated regularly.

Summary reports by:

- [Topic \(in English\)](#)
- [Topic \(in French\)](#)
- [Country \(in English\)](#)
- [Country \(in French\)](#)

Useful links:

- [Cases relating to the Coronavirus in the CODICES database](#)
- [Cases relating to emergency powers in CODICES](#)

Recent activities

- **Elections during a pandemic - Hearing in the Georgian Parliament - 03/07/2020**

Members of the Commission participated in the exchange of views between the PACE President Mr Rick Daems and the Georgian Parliament. The purpose of the event was to look at the concrete modalities of elections in the context of health emergencies such as the COVID19 pandemic. The event was organised by the PACE and the Legal Committee of the Parliament of Georgia.

- **BELARUS - International electoral standards must be respected - Statement by President Buquicchio - 12/08/2020**

Council of Europe, Strasbourg - "Democratic elections are an expression of the sovereignty belonging to the people of a country. It is the free expression of the will of the people that provides the basis for the authority and legitimacy of government. The rights of citizens to vote and to be elected at periodic, democratic elections are internationally recognised human rights. ..." [Learn more here](#)

- **HAITI - Request for co-operation - 10/09/2020**

By a letter of 10 September 2020, the Secretary General of the Organisation of American States (OAS), in application of the co-operation agreement signed between the OAS and the Venice Commission in June 2020, transmitted the request from the Minister of Foreign Affairs of Haiti, Hon. Claude Joseph inviting the Commission to co-operate on constitutional and electoral reforms in Haiti.