

Newsletter

Issue 4/2020



DECEMBER 2020 PLENARY

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Due to the current pandemic, the 125th Plenary session of the Venice Commission was held online (11 December 2020 - 9:30 a.m.-17 p.m. and 12 December 2020 - 10-12 a.m. CET).

The Commission adopted two opinions and three text of a general nature, endorsed five urgent opinions and exchanged views with *inter alia* the Presidents of Albania and Ukraine, Deputy Prime Minister of Kosovo and the Ombudsman of Kyrgyzstan.

The Commission decided to hold the March 2021 plenary session exclusively online.

RECENT EVENTS

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Brief description of some recent events in the major fields of action:

- constitutional assistance;
- elections, referendums and political parties;
- constitutional justice;
- neighbourhood policies.

WORK IN PROGRESS

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What is the Venice Commission up to these days ?

Information on the **forthcoming** opinions, studies and events, and more!

Obituary – former French substitute member Mr Alain Lancelot.



125th PLENARY SESSION OF
THE VENICE COMMISSION OF
THE COUNCIL OF EUROPE
-
MAIN DECISIONS

Strasbourg, Council of Europe - Due to the current pandemic, the 125th Plenary session of the Venice Commission was held online (11 December 2020 - 9:30 a.m.-17 p.m. and 12 December 2020 - 10-12 a.m. CET).

On 11 December 2020 the Commission adopted opinions on the [draft “Law on the Government of the Republic of Kosovo”](#) and on [July and October 2020 amendments to the “Electoral law of Albania”](#). Both opinions were 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 Commission also adopted [“Principles for fundamental rights - compliant use of digital technologies in electoral processes”](#).

The following previously issued Urgent Opinions were endorsed on 11 December 2020:

- Urgent Interim Opinion on [the draft new Constitution of Bulgaria](#) (interim urgent opinion),
- amicus curiae Urgent Brief on [the postponement of elections motivated by constitutional reform](#) of the Kyrgyz Republic,
- amicus curiae Urgent Brief on [specific legal questions concerning the mandate of members of constitutional bodies of the Republic of Moldova](#), and
- two Urgent Opinions on the legislative situation regarding [anti-corruption mechanisms](#) and [the reform of the Constitutional Court](#) following judgment no.13-r/2020 of the Constitutional Court of Ukraine of 27 October 2020.

The report on [“Individual access to constitutional justice”](#) and the [Revised Joint Guidelines on Political Party Regulation](#) (2nd Edition), jointly prepared with OSCE/ODIHR, were on the agenda of the session of 12 December 2020 and were successfully adopted as well.

The President of Albania, Mr Ilir Meta, and the President of Ukraine, Mr Volodymyr Zelenskyy, participated in the 125th Plenary Session.

[All the decisions of the December 2020 plenary](#)

RECENT EVENTS

Constitutional assistance



United Nations – endorsement of the Venice Principles - 16/12/2020

The UN General Assembly adopted the Resolution A/RES/75/186 on “The role of Ombudsman and mediator institutions in the promotion and protection of human rights, good governance and the rule of law”. The resolution provides strong endorsement of “the Venice Principles”, establishing them as the **new global standard for the ombudsmen institutions**. [Learn more here](#)

Elections, referendums and political parties



70th meeting of the Council for Democratic Elections - 10/12/2020

The Council for Democratic Elections - a tripartite body comprising representatives of the Venice Commission, the Parliamentary Assembly and the Congress of the Council of Europe and dealing with electoral matters, referendums and political parties - met (this time online) for the 70th time since its creation in 2002.

[Meeting report](#)

Constitutional justice



e-Bulletin on Constitutional Case-Law: issue 2/2020 - 19/01/2021

The Venice Commission published issue 2/2020 of its e-Bulletin on Constitutional Case-Law, including a number of interesting cases relating to covid-19. Issue 2/2020 covers the period of May to August 2020 and contains the précis from some 33 national and 3 international courts.

[E-Bulletin 2/2020](#)

[Subscribe to the e-Bulletin](#)

Neighbourhood policy



Public administration reform : new challenges and new operating modes - 12th UniDem Med – 15-17/12/2020

The Venice Commission organised the 12th UniDem Med Regional Seminar in co-operation with the Presidency of the Government of Tunisia. More than 100 international experts and senior public officials from the Southern Mediterranean took part in this event (Algeria, Egypt, Jordan, Morocco, Palestine * and Tunisia).

[Learn more here](#)

Work in progress

Since the last Plenary held in December 2020, the Commission is working on 11 opinions and several reports and studies.

- [Opinions in the pipeline](#)
- [Forthcoming events](#)



Obituary – Mr Alain LANCELOT, former substitute member of the Venice Commission in respect of France - 14/12/2020

The Venice Commission is saddened by the death after a long illness of its former substitute member in respect of France Mr Alain LANCELOT.

He was a widely recognised expert in constitutional law at home and abroad and an extremely appreciated proponent of the Venice Commission, he sat on the Commission in the capacity of substitute member in respect of France from 2002 to 2006.

[Learn more about Alain Lancelot](#)



Recent requests for opinion

- **Belarus** - compatibility with European standards of certain criminal law provisions used to prosecute peaceful demonstrators and Members of the “Coordination Council” – PACE Legal Affairs and Human Rights Committee – 08/12/2020
- **Georgia** - the draft amendments to the Election Code, the Organic Law on the Political Association of Citizens and the Rules of Procedure of Parliament; the draft Article 791 of the Electoral Code (revocation of party registration) – Speaker of the Parliament - 24/12/2020
- **Russian Federation** - compatibility with international human rights standards of a series of Bills introduced by the Russian State Duma between 10 and 23 November 2020, to amend Laws affecting so-called “foreign agents” – PACE Legal Affairs and Human Rights Committee - 18/12/2020

[Contact us](#) if you have any questions!