Who can refer a matter to the Commission?

**MEMBER STATES**
- Parliaments
- Governments
- Courts
- Ombudspersons

**COUNCIL OF EUROPE**
- Secretary General
- Committee of Ministers
- Parliamentary Assembly
- Congress of Local and Regional Authorities

**INTERNATIONAL ORGANISATIONS**
- European Union
- OSCE/ODIHR
- Other international organisations involved in the Commission’s work

**AMICUS CURIAE OPINIONS**
- The Commission may also provide amicus curiae opinions at the request of constitutional courts in a Member State or the European Court of Human Rights. These opinions are not on the constitutionality of the act concerned, but on comparative constitutional and international law issues. The Commission also cooperates with ombudspersons through amicus ombud opinions, mainly on the legislation that governs their work.

**MORE INFORMATION:**

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The Venice Commission of the Council of Europe is the continent’s leading human rights organisation. It comprises 47 member states, 28 of which are members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy, and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.

**THE VENICE COMMISSION OF THE COUNCIL OF EUROPE**

**PREPARATION OF AN OPINION**
- Submission to the Commission of a (draft) constitutional or legislative text by a national or international body or the Council of Europe*
- Setting up a working group of rapporteur members and experts assisted by the secretariat
- Comments by the rapporteurs on compliance of the text with international standards and practice
- Visit to the country for talks with the authorities, civil society and other interested stakeholders
- Final draft opinion
- Submission of the draft opinion to all members of the Commission before the plenary session
- Discussion of the draft opinion in a sub-commission and with the national authorities (if necessary)
- Discussion and adoption of the opinion at plenary session
- Submission of the opinion to the body which requested it
- Posting of the final text of the opinion on the Commission’s website: www.venice.coe.int

*Request for opinion may be sent to the President or the Secretary of the Commission by e-mail. This text.
The Commission's activities

OPINIONS AND STUDIES

The Venice Commission's primary task is to provide states with legal advice in the form of legal opinions on draft legislation or legislation already in force which is submitted to the Commission for its consideration. It also produces studies and papers on topical issues, which are then discussed and adopted at the Commission's plenary sessions.

A DIALOGUE-BASED WORKING METHOD

The Commission does not use an adversarial approach to its opinions. Rather, it aims to provide a non-directive approach based on dialogue and shared assessment of problems and solutions set out in its opinions. Rather, it adopts a non-directive approach based on dialogue and shares the reasoning they develop on common constitutional issues. As it believes that constitutional justice is a key aspect of democracy, the protection of the rule of law, the Venice Commission supports constitutional courts and equivalent bodies, the protection of the rule of law, and the establishment of a common constitutional heritage.

CONFERENCES AND SEMINARS

As the quality of democracy depends not only on the quality of laws, but also on their implementation, the Commission holds seminars and conferences in partnership with constitutional courts, parliaments, central electoral commissions and universities.

A LAW-BASED APPROACH TO CONSTITUTIONAL JUSTICE

As it believes that constitutional justice is a key aspect of democracy, the protection of the rule of law, the Venice Commission supports constitutional courts and equivalent bodies. Its forming dialogues between judges. Although constit- uency courts differ from country to country, constitu- tional courts can share mutual inspiration from the reasoning they develop on common constitutional principles ("Your experience")

To this end, the Commission complements and disseminates constitutional case law in the Bulletin on Constitutional Case Law and the Codification Database. They present the most significant decisions delivered by over 100 participating courts, as well as constitutions, laws and descriptions of how the various constitutional courts operate. The Commission also facilitates the exchange of information between courts through the Venice Network Forum.

At the request of a constitutional court, the Commission, at its plenary sessions, adopts a non-directive approach based on dialogue and shares the reasoning they develop on common constitutional issues. As it believes that constitutional justice is a key aspect of democracy, the protection of the rule of law, the Venice Commission supports constitutional courts and equivalent bodies, the protection of the rule of law, and the establishment of a common constitutional heritage.

AN INSTITUTIONAL NETWORK TO PROVIDE LEGAL ADVICE

The Commission works in three areas:

• democratic institutions and fundamental rights,
• constitutional justice and ordinary justice,
• elections, referendums and public polls.

In permanent secretariat is located in Venice, Italy, at the headquarters of the Holy See. Its members are the ambassadors of member states and the heads of the secretariat.

The Commission does not seek to impose the constitution on its member states. It instead provides states with legal advice in the form of legal opinions on draft legislation or legislation already in force which is submitted to the Commission for its consideration. It also produces studies and papers on topical issues, which are then discussed and adopted at the Commission's plenary sessions.

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