



Strasbourg, 7 March 2023

CDL-JU-OJ(2023)001
Or. Engl.

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW (VENICE COMMISSION)

20th Meeting of the Joint Council on Constitutional Justice (JCCJ)

Hyatt Regency Sofia,
Sofia, Bulgaria

Monday, 24 April 2023

Training session:
from 10 a.m. to 12.30 a.m

JCCJ Meeting:
from 2 p.m. to 4.30 p.m.

DRAFT ANNOTATED AGENDA

Monday, 24 April 2023

A. Training session

(10 a.m. – 12.30 a.m.)

The Secretariat will present the preparations for a new CODICES database, the *Guidelines for the presentation of contributions to the Bulletin on Constitutional Case-law*, the functions of liaison officers and the various IT- tools at the disposal of liaison officers:

- a) Public and restricted web-site of the Venice Commission (with password reset procedure), regional and linguistic groups, the World Conference on Constitutional Justice, opinions and reports;
- b) Venice Forum, including Newsgroup, classic Venice Forum, as well as the lists of courts/presidents, secretaries general, and liaison officers;
- c) CODICES database.6 p.m.)

1. Opening

2. Adoption of the Agenda

3. Communication by the Secretariat

The Secretariat will inform the participants about the current activities of the Venice Commission.

4. Updating data on the participating courts

Liaison officers are invited to let the Secretariat know whether the information regarding their Courts is correct (available in the Venice Forum <https://cs.coe.int/team21/veniceforum/Lists1/Forms/AllItems.aspx>, under “Lists”).

5. Venice Forum

The Venice Forum includes the “Classic” Venice Forum, the Newsgroup and the Interim Bulletin.

Link: <https://cs.coe.int/team21/veniceforum>

a. “Classic” Venice Forum

The Secretariat encourages liaison officers to actively use the classic Venice Forum. The Secretariat will present the guidelines and inform the participants about Venice Forum requests. Liaison officers are invited to share the outcomes of the cases on which Venice Forum requests have been made.

Link: <https://cs.coe.int/team21/veniceforum/SitePages/Classic%20Venice%20Forum.aspx>

Year	Number of questions received (in total)
2019	25
2020	17

2021	19
2022	28

b. Venice Forum Newsgroup

Link: <https://cs.coe.int/team21/veniceforum/default.aspx>

The Newsgroup enables courts to actively share information with each other, e.g. to make on-line announcements on changes to their composition, on recent key judgments and to make various requests for general information.

The Newsgroup is also used by the Secretariat to inform liaison officers about accessions to the World Conference on Constitutional Justice (WCCJ) and appointments of Presidents to Courts.

Liaison officers are alerted every Friday at 4 p.m. CET about new items that are added to the Newsgroup.

Liaison officers, who are new or who have not received these alerts or who cannot access the Venice Forum, are invited to contact the Secretariat.

c. Constitutional Justice Media Observatory

Link: <https://cs.coe.int/team21/veniceforum/SitePages/Observatory.aspx>

The Constitutional Justice Media Observatory is sent in the form of an e-mail to members and liaison officers who have subscribed and presents information on news agency dispatches and press articles relating to constitutional courts and equivalent bodies.

The information presented results from an Internet search in English and in French and does not purport to provide a complete picture of any decision or development of constitutional justice in general. Although the Venice Commission cannot vouch for the accuracy of the information sent, it can add any information provided by the court concerned or remove an article, upon request.

Liaison officers may register for the e-mails from the Observatory.

6. CODICES database

a. *Upgrading the CODICES database*

Participants will be informed about progress made in replacing the CODICES database with new software.

b. *Updating and indexing constitutions, laws and descriptions in CODICES*

Participants will be informed about the progress made in updating constitutions, laws on and descriptions of courts.

7. Documentation Centre on Constitutional Justice / Library

The Library of the Documentation Centre on Constitutional Justice (CoCentre), which is composed exclusively of donations, mostly from constitutional courts and equivalent bodies can no longer receive paper bulletins from Courts, which exist on-line, as it no longer has the room to store them. The library can continue to accept individual monographs and periodicals that do not

exist on-line (please inform the Secretariat when this is the case). Where available, the Secretariat would prefer to receive PDF versions of books, which do not take up space and can be made available on-line.

The Secretariat of the Venice Commission is grateful to those who have contributed to the library over the years. The list of documents is available at:

<http://www.venice.coe.int/WebForms/cocentre/default.aspx>

8. Opinions and studies of the Venice Commission

Participants will be informed about opinions and reports on constitutional justice and the ordinary judiciary, adopted by the Venice Commission since the last meeting of the JCCJ in September 2021, held on-line.

2021
CDL-AD(2021)048 Anglais 13/12/2021 - Publique Serbia - Urgent opinion on the revised draft constitutional amendments on the judiciary, issued pursuant to Article 14a of the Venice Commission's Rules of Procedure on 24 November 2021, endorsed by the Venice Commission at its 129th Plenary Session (Venice and online, 10-11 December 2021)
CDL-AD(2021)043 Anglais 13/12/2021 - Publique Cyprus - Opinion on three Bills reforming the Judiciary, adopted by the Venice Commission at its 129th Plenary session (10-11 December 2021, Venice and online)
CDL-AD(2021)032 Anglais 18/10/2021 - Publique Serbia - Opinion on the draft Constitutional Amendments on the Judiciary and draft Constitutional Law for the Implementation of the Constitutional Amendments, adopted by the Venice Commission at its 128th Plenary Session (Venice and online, 15-16 October 2021)
2022
CDL-AD(2022)002 English 21/03/2022 - Public Armenia - 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 laws on making amendments to the Constitutional Law in the Judicial Code and to the Constitutional Law on the Constitutional Court, adopted by the Venice Commission at its 130th Plenary Session (Venice and online, 18-19 March 2022)
CDL-AD(2022)004 English 18/03/2022 - Public Chile - Opinion on the drafting and adoption of a new Constitution, adopted by the Venice Commission at its 130th Plenary Session (Venice and online, 18-19 March 2022)
CDL-AD(2022)008 English 06/04/2022 - Public Belarus - Urgent interim opinion on the Constitutional Reform, issued on 21 February 2022 pursuant to Article 14a of the Venice Commission's Rules of Procedure, endorsed by the Venice Commission at its 130th Plenary Session (Venice and online, 18-19 March 2022)
CDL-AD(2022)011 English 20/06/2022 - Public Kosovo - Opinion on the Concept Paper on the Vetting of Judges and Prosecutors and draft amendments to the Constitution, adopted by the Venice Commission at its 131st Plenary Session (Venice, 17-18 June 2022)
CDL-AD(2022)012 English 20/06/2022 - Public Ukraine - Amicus Curiae brief on the limits of subsequent (a posteriori) review of constitutional amendments by the Constitutional Court, adopted by the Venice Commission at its 131st Plenary Session (Venice, 17-18 June 2022)
CDL-AD(2022)020 English 20/06/2022 - Public Lebanon - Opinion on the draft law on the independence of judicial courts, adopted by the Venice Commission at its 131st Plenary Session (Venice, 17-18 June 2022)

CDL-PI(2022)026	English	27/05/2022	-	Public
<u>Tunisia - Urgent Opinion "on the constitutional and legislative framework on the referendum and elections announcements by the President of the Republic, and in particular on the decree-law n°22 of 21 April 2022 amending and completing the Organic law on the independent High Authority for Elections (ISIE)", issued on 27 May 2022 pursuant to Article 14a of the Venice Commission's Rules of Procedure</u>				
CDL-PI(2022)023	Anglais	26/04/2022	-	Publique
<u>Compilation of Venice Commission opinions and reports concerning prosecutors</u>				
CDL-AD(2022)054	English	19/12/2022	-	Public
<u>Ukraine – Opinion on the draft 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", adopted by the Venice Commission at its 133rd Plenary session (Venice, 16-17 December 2022).</u>				
CDL-AD(2022)051	English	19/12/2022	-	Public
<u>Republic of Moldova - Amicus curiae brief on declaring a political party unconstitutional, adopted by the Venice Commission at its 133rd Plenary Session (Venice, 16-17 December 2022)</u>				
CDL-AD(2022)048	English	19/12/2022	-	Public
<u>Armenia - Amicus curiae Brief for the Constitutional Court of Armenia on certain questions relating to the Law on the Forfeiture of Assets of Illicit Origin, adopted by the Venice Commission at its 133rd Plenary Session (Venice, 16-17 December 2022)</u>				
CDL-AD(2022)029	Anglais	24/10/2022	-	Publique
<u>Republic of Moldova - Joint amicus curiae Brief of the Venice Commission and the OSCE/ODIHR relating to the offence of illicit enrichment, adopted by the Venice Commission at its 132nd Plenary session (Venice, 21-22 October 2022)</u>				
CDL-PI(2022)046	Anglais	23/11/2022	-	Publique
<u>Ukraine – Urgent Opinion on the draft 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", issued on 23 November 2022, pursuant to Article 14a of the Venice Commission's Rules of Procedure.</u>				

9. Co-operation activities

Participants will be informed about the Venice Commission's co-operation with the:

- Conference of European Constitutional Courts (CECC);
- Association of Francophone Constitutional Courts (ACCF);
- Southern African Chief Justices Forum (SACJF);
- Eurasian Association of Constitutional Review Bodies (EACRB);
- Association of Asian Constitutional Courts and Equivalent Institutions (AACC);
- Ibero-American Conference of Constitutional Justice (CIJC);
- Union of Arab Constitutional Courts and Councils (UACCC);
- Conference of Constitutional Jurisdictions of the Portuguese-speaking Countries (CJCPLP);
- Conference of Constitutional Jurisdictions of Africa (CCJA);
- Commonwealth Courts.

10. World Conference on Constitutional Justice (WCCJ)

Since the WCCJ's Statute entered into force on 24 September 2011, 121 Constitutional Courts, Constitutional Councils and Supreme Courts exercising constitutional justice have acceded to the WCCJ. The updated list of members is available at: www.venice.coe.int/WCCJ.

On 4-7 October 2022, the WCCJ held its 5th Congress in Bali, Indonesia, hosted by the Constitutional Court of Indonesia, on the topic “Constitutional Justice and Peace”, in which A total of **94** delegations from constitutional courts and equivalent institutions.

11. Publication of the *e-Bulletin on Constitutional Case-Law*

The Secretariat will invite liaison officers to discuss any issues concerning the preparation of contributions to the e-Bulletin: headnotes, indexing, cross-references, etc.

Liaison officers are invited to share their experience and suggestions for improvement.

12. Other business

13. Date and place of the next meeting

Participating courts are invited to inform the Secretariat if they wish to host the 21st meeting of the JCCJ.