



Strasbourg, 15 March 2022

CDL-PL-OJ(2022)001ann-rev
Or. Engl.

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

130th PLENARY SESSION

VENICE | ZOOM online

Friday 18 March 2022 (10:00-17:00)

Saturday 19 March 2022 (10:00-12:30)

REVISED ANNOTATED AGENDA

THIS PLENARY SESSION WILL BE HELD IN A HYBRID FORMAT

***MEMBERS WILL PARTICIPATE IN VENICE
(SCUOLA GRANDE SAN GIOVANNI EVANGELISTA)***

OR

***ONLINE THROUGH ZOOM
(THE LINKS WILL BE SENT IN DUE COURSE)***

Friday, 18 March 2022

10:00-11:30

*Adoption of the Agenda
Communication by the President
Communication by the Enlarged Bureau
Communication by the Secretariat
Co-operation with Council of Europe organs
Follow-up to earlier Venice Commission opinions*

1. Adoption of the Agenda

2. Communication by the President

The President will present her recent activities ([CDL\(2022\)009](#)).

3. Communication from the Enlarged Bureau

The Commission will be informed on the discussions which took place at the meeting of the Enlarged Bureau on 17 March 2022.

4. Communication by the Secretariat

5. Co-operation with the Committee of Ministers

Within the framework of its co-operation with the Committee of Ministers, the Commission will hold an exchange of views with Ambassador Maria Spassova, Permanent Representative of Bulgaria to the Council of Europe, and Ambassador Christian Meuwly, Permanent Representative of Switzerland to the Council of Europe.

6. Co-operation with the Parliamentary Assembly

The Commission is invited to hold an exchange of views with Mr Rik Daems, Former President of the Parliamentary Assembly (online), and Ms Alexandra Louis, of the Committee on Legal Affairs and Human Rights of the Parliamentary Assembly of the Council of Europe, on co-operation with the Assembly.

The Opinion on Constitutional Reform in Belarus and its compliance with Council of Europe standards, and the Report on the Domestic Procedures of Ratification and Denunciation of International Treaties fall into the framework of co-operation with the Parliamentary Assembly (see Items 11 and 18).

7. Co-operation with the Congress of Regional and Local Authorities of the Council of Europe

The Commission is invited to hold an exchange of views with Ms Gudrun Mosler-Törnström, Chair of the Monitoring Committee of the Congress, (online) on co-operation with the Congress.

8. Exchange of views with the Regione del Veneto

The Commission is invited to hold an exchange of views with Mr Cristiano Corazzari, Regional Minister of Culture of the Regione del Veneto.

9. Follow-up to earlier Venice Commission opinions

The Commission will be informed on follow-up to the following opinions (see document [\(CDL\(2022\)007\)](#)):

- Albania: Follow-up to the *amicus curiae* brief on the competence of the Constitutional Court regarding the validity of the local elections ([CDL-AD\(2021\)037](#))
- Kazakhstan: Follow up to the opinion on the draft law “on the Commissioner for Human Rights” of Kazakhstan ([CDL-AD\(2021\)049](#))
- Moldova, Republic of: Follow-up to the *amicus curiae* brief for the Constitutional Court of the Republic of Moldova on the constitutional implications of the ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence) (Istanbul Convention) ([CDL-AD\(2021\)044](#))
- Serbia: Follow-up to the Urgent Opinion on the revised draft constitutional amendments on the judiciary ([CDL-AD\(2021\)048](#)) and Urgent Opinion on the revised draft law on the referendum and the people’s initiative ([CDL-AD\(2021\)052](#))

11:30-11:45

Coffee break

11:45-12:30

Discussion and adoption of opinions on individual countries

10. Armenia

The Commission is invited to hold an exchange of views with Mr Karen Andreyan, Minister of Justice of Armenia, (online) and to examine, with a view to adoption, the draft joint opinion of the Venice Commission and the Directorate General of Human Rights and Rule of Law (DGI) of the Council of Europe ([CDL\(2022\)006](#)) (TG/TvD/is) on the draft laws on making amendments to the Constitutional Law on the Judicial Code and to the Constitutional Law on the Constitutional Court of Armenia ([CDL-REF\(2022\)003](#)), drawn up on the basis of comments by Mr Bussjäger, Mr Grabenwarter, Ms Hermanns and Mr Gérard Reissner (DGI Expert). This opinion was requested by the Minister of Justice of Armenia on 16 December 2021.

The opinion was 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.

11. Belarus

The Commission is invited to endorse the Urgent Interim Opinion ([CDL-PI\(2022\)002](#)) (TP/SGM/ba) on Constitutional Reform ([CDL-REF\(2022\)007](#)), drawn up on the basis of comments by Mr Alivizatos, Mr Dimitrov, Mr Mathieu, Mr Petrov and Mr Tuori. This urgent interim opinion was requested by the President of the Parliamentary Assembly of the Council of Europe on 26 August 2021 and was issued on 21 February 2022 in accordance with the Protocol on the preparation of Venice Commission urgent opinions ([CDL-AD\(2018\)019](#)).

12:30-14:30

Lunch break

14:30-15:30

Discussion and adoption of opinions on individual countries

12. Chile

The Commission is invited to hold an exchange of views with Ms Maria Elisa Quinteros Cáceres, President of the Constitutional Convention and Mr Juan Castro Prieto, Senator, Republic of Chile, and to examine, with a view to adoption, the draft opinion ([CDL\(2022\)013](#)) (SGM/SK/no/sch) on the drafting and adoption of a new Constitution (see procedure for drafting a Constitution Law no. 21.200 of 24 December 2019 [CDL-REF\(2022\)010](#)), drawn up on the basis of comments by Mr Castella Andreu, Mr Carozza, Ms Otálora Malassis, Mr Tuori and Ms Hanna Suchocka (Honorary President of the Venice Commission). This opinion was requested by the President of the Senate of Chile on 4 January 2022. The Joint Sub-Commission on Democratic Institutions and Latin America will examine this draft opinion at their joint hybrid meeting on 17 March 2022.

13. Kosovo

Concept Paper on the Vetting of Judges and Prosecutors and draft amendments to the constitution

The Commission is invited to hold an exchange of views with Ms Albulena Haxhiu, Minister of Justice of Kosovo, and to examine, with a view to adoption, the draft opinion ([CDL\(2022\)005](#)) (Sc/GiD/is) on the Concept Paper on the Vetting of Judges and Prosecutors and draft amendments to the constitution ([CDL-REF\(2022\)005](#)) and ([CDL-REF\(2022\)006](#)), drawn up on the basis of comments by Ms McMorrow, Mr Pinelli and Mr Vilanova Trias. This opinion was requested by the Minister of Justice of Kosovo on 25 October 2021. The Sub-Commission on the Judiciary will examine this draft opinion at its hybrid meeting on 17 March 2022.

15:30-15:45

Coffee break

15:45-17:00

Discussion and adoption of opinions on individual countries

Revised draft amendments to the Law on the Prosecutorial Council of Kosovo

The Commission is invited to hold an exchange of views with Ms Albulena Haxhiu, Minister of Justice of Kosovo, and to examine, with a view to adoption, the draft opinion ([CDL\(2022\)003](#)) (GiD/ba) on the revised draft amendments to the Law on the prosecutorial Council of Kosovo ([CDL-REF\(2022\)009](#)), drawn up on the basis of comments by Mr Gaspar, Mr Nicolatos and Mr James Hamilton (former Substitute Member, Expert). This opinion was requested by the Minister of Justice of Kosovo on 24 February 2022.

The draft opinions for Kosovo 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.

14. Lebanon

The Commission is invited to hold an exchange of views with Mr Henry Khoury, Minister of Justice of Lebanon on the draft opinion ([CDL-PI\(2022\)003](#)) on the draft Law Amending Legislative Decree n° 150/1983 on the Organisation of the Judiciary (see information note [CDL-PI\(2022\)003](#)). This opinion was requested by the previous Minister of Justice on 6 September 2021.

19:30

Dinner at Hotel Salute Palace
Dorsoduro 222 Venezia, Fondamenta de Cà Balà
www.salutepalace.com

Saturday 19 March 2022

10:00-11:00 *Discussion and adoption of opinions on individual countries*

15. Croatia

The Commission is invited to hold an exchange of views with Mr Ivan Malenica, Minister of Justice and Public Administration of Croatia, and to examine, with a view to adoption, the draft opinion ([CDL\(2022\)002](#)) (MJ/tcf) on the introduction of the procedure of renewal of security vetting through amendments to the Courts Act ([CDL-REF\(2022\)001](#)), drawn up on the basis of comments by Mr Cameron, Mr Kuijer and Mr Gaspar. This opinion was requested by the Minister of Justice and Public Administration of Croatia on 14 December 2021. The Sub-Commission on the Judiciary will examine this draft opinion at its hybrid meeting on 17 March 2022.

16. Romania

The Commission is invited to hold an exchange of views with Mr Nelu Ciobanu, Secretary of State of Romania, and to examine, with a view to adoption, the draft opinion ([CDL\(2022\)010](#)) (TvD/TG/ba) on the draft law on the dismantling of the section for investigating criminal offences within the judiciary ([CDL-REF\(2022\)008rev](#)), drawn up on the basis of comments by, Mr Scholsem, Mr Tuori, Mr Johan Hirschfeldt (former Substitute Member, Expert) and Ms Hanna Suchocka (Honorary President of the Venice Commission). This opinion was requested by the Monitoring Committee of the Parliamentary Assembly of the Council of Europe on 1 February 2022. The Sub-Commission on the Judiciary will examine this draft opinion at its hybrid meeting on 17 March 2022.

17. Ukraine

The Bureau decided to postpone the discussion of items on Ukraine in view of the current situation. On 1 March 2022, the President of the Commission made a public statement, which is available at <https://www.venice.coe.int/webforms/events/?id=3303>

11:00-11:15	<i>Coffee Break</i>
11:15-12:15	<i>Studies and reports</i>
	<i>Adoption of the Annual Report of Activities 2021</i>
	<i>Information on Conferences and Seminars</i>
	<i>Report of the Hybrid Meeting of the Sub-Commission on Latin America</i>
	<i>Report of the Hybrid Meeting of the Sub-Commission on the Judiciary</i>

18. Report – Domestic Procedures of Ratification and Denunciation of International Treaties

The Commission is invited to examine with a view to adoption the Report ([CDL\(2022\)011](#)) (PG/vl) on the Domestic Procedures of Ratification and Denunciation of International Treaties, drawn up on the basis of comments by Ms Bílková, Mr Carozza, Ms Anne Peters (former Member, Expert) and Mr Jakob Mühlfelder (Expert). This was requested by the President of the Parliamentary Assembly of the Council of Europe on 4 May 2021.

19. Compilation concerning legal certainty

The Commission will be invited to endorse the compilation concerning legal certainty ([CDL\(2022\)014](#)) (PG/tcf).

20. Adoption of the Annual Report of Activities 2021 opinions

The Commission is invited to examine with a view to adoption the draft Annual Report of Activities 2021 ([CDL\(2022\)012](#)).

21. Information on Conferences and Seminars opinions

The Commission will be informed on the results and conclusions of:

- Conference of the Heads of the Supreme Courts of the EU member States which took place in Paris on 21 February 2022.

22. Report of the Joint Hybrid Meeting of the Sub-Commission on Democratic Institutions and Latin America (17 March 2022) opinions

The Chair of the meeting will inform the Commission on the results and conclusions of the meeting held on 17 March 2022.

[Link to annotated agenda](#)

23. Report of the Hybrid Meeting of the Sub-Commission on the Judiciary (17 March 2022) opinions

The Chair of the meeting will inform the Commission on the results and conclusions of the meeting held on 17 March 2022.

[Link to annotated agenda](#)

12:15-12:30	<i>Other business Closing session</i>
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24. Other business

25. Dates of the next Sessions

131 st Plenary Session	17-18 June 2022
132 nd Plenary Session	21-22 October 2022
133 rd Plenary Session	16-17 December 2022

Please note that the sub-commissions meetings will take place on the day before the Plenary Session.

N.B. Ms Jayne Aparicio, Jayne.Aparicio@coe.int and Ms Haifa Addad (Haifa.Addad@coe.int) are the assistants responsible for the practical organisation of the Plenary Session. Should you have any queries, do not hesitate to contact them.

Ms Aparicio can be contacted on the following number +33 6 03 51 72 14